



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

## HOUSE OF REPRESENTATIVES—Monday, March 11, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WOLF).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 11, 2013.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

Reverend Michael Wilker, Church of the Reformation, Washington, D.C., offered the following prayer:

Gracious God, our liberator and guide, on the 100th anniversary of her death, we thank You for the life of Harriet Tubman.

While she was enslaved and oppressed by others, You reminded her of her God-given dignity and freedom. Thank You for leading her to escape slavery and for returning to lead others to abolish slavery and advance women's rights. Thank You for the care she gave to her family and neighbors, especially the elderly.

We are sorry that for too long our Nation did not recognize her freedom, treat her with respect and recognize her military service and leadership.

We pray that You send the same spirit You gave Harriet Tubman into the hearts of people everywhere who are oppressed and enslaved. Send them courage to survive, resist and escape. Protect and guide them through peril, and give them strength and wisdom to work for the freedom of all.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 7, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 7, 2013 at 5:24 p.m.:

Appointments:  
Commission to Eliminate Child Abuse and Neglect Fatalities.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 7, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on March 7, 2013 at 2:28 p.m.:

Appointments:  
Advisory Committee on Student Financial Assistance.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 10 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 12, 2013, at noon.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

642. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Manufactured Home Construction and Safety Standards, Test Procedures for Roof Trusses [Docket No.: FR-5222-F-02] (RIN: 2502-A172) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

643. A letter from the Regulatory Specialist, LRA, Department of the Treasury, transmitting the Department's final rule — Appraisals for Higher Priced Mortgage Loans [Docket No.: OCC-2012-0013] (RIN: 1557-AD62) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

644. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Fifteenth report on the Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523 Public Law 109-58, section 1810; to the Committee on Energy and Commerce.

645. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases: Interstate; Scope and Definitions [Docket No.: CDC-2012-0016] (RIN: 0920-AA22) received February 25, 2013, pursuant to 5 U.S.C.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

801(a)(1)(A); to the Committee on Energy and Commerce.

646. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Patent Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review [CMS-9972-F] (RIN: 0938-AR40) received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

647. A letter from the Deputy Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2012, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

648. A letter from the Acting Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Energy and Commerce.

649. A letter from the Chief, Policy Division International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules [IB Docket No.: 04-112] received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

650. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to Congress on United States Participation in the United Nations in 2011; to the Committee on Foreign Affairs.

651. A letter from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting the Department's Privacy Office's report entitled, "2012 Data Mining Report to Congress", pursuant to Public Law 110-53 (121 Stat. 266); to the Committee on Homeland Security.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Ways and Means. H.R. 890. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes (Rept. 113-13, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 890 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. LAMALFA (for himself, Mr. DENHAM, Mr. LUTKEMEYER, Mr. COSTA, and Mr. GARAMENDI):

H.R. 1038. A bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes; to the Committee on Agriculture.

By Mr. FITZPATRICK (for himself and Mr. JONES):

H.R. 1039. A bill to rescind unobligated amounts for foreign assistance to Egypt, and to appropriate funds for the Department of Defense tuition assistance program; to the Committee on Appropriations.

By Mr. BURGESS (for himself, Mr. COLE, Mr. ROSS, and Mr. FORBES):

H.R. 1040. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York:

H.R. 1041. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Education and the Workforce.

By Mr. WATT:

H.R. 1042. A bill to suspend temporarily the duty on Direct Red 243; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1043. A bill to extend the temporary suspension of duty on Disperse Blue 60; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1044. A bill to extend the temporary suspension of duty on Disperse Blue 79:1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1045. A bill to suspend temporarily the duty on Disperse Blue 291:1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1046. A bill to suspend temporarily the duty on Disperse Orange 29; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1047. A bill to extend the temporary suspension of duty on Disperse Orange 30; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1048. A bill to suspend temporarily the duty on Disperse Orange 73; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1049. A bill to extend the temporary suspension of duty on Disperse Red 60; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1050. A bill to extend the temporary suspension of duty on Disperse Red 73; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1051. A bill to suspend temporarily the duty on Disperse Red 92; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1052. A bill to extend the temporary suspension of duty on Disperse Red 167:1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1053. A bill to suspend temporarily the duty on Disperse Red 177; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1054. A bill to suspend temporarily the duty on Disperse Yellow 114; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1055. A bill to suspend temporarily the duty on Disperse Violet 57; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1056. A bill to extend the temporary suspension of duty on Acid Black 132; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1057. A bill to suspend temporarily the duty on Reactive Blue 21; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1058. A bill to suspend temporarily the duty on Acid Black 194; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1059. A bill to extend the temporary suspension of duty on Acid Orange 116; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1060. A bill to suspend temporarily the duty on Acid Blue 225; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 1061. A bill to extend the temporary suspension of duty on Direct Black 22; to the Committee on Ways and Means.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LAMALFA:

H.R. 1038.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, as this legislation regulates commerce with foreign nations, between the states, and with Indian Tribes.

By Mr. FITZPATRICK:

H.R. 1039.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BURGESS:

H.R. 1040.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: "The Congress shall have Power To lay and collect Taxes".

By Mrs. MCCARTHY of New York:

H.R. 1041.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WATT:

H.R. 1042.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. WATT:

H.R. 1043.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power

To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1044.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1045.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1046.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1047.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1048.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1049.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1050.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1051.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1052.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1053.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1054.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1055.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1056.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1057.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1058.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1059.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1060.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. WATT:

H.R. 1061.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mrs. BACHMANN, Mr. BILIRAKIS, and Mr. JOHNSON of Ohio.

H.R. 107: Mr. GOHMERT.

H.R. 129: Mr. VISCLOSKEY, Ms. ESHOO, Mr. WALZ, Ms. DELAUNO, Mr. RANGEL, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 377: Mr. ENYART and Mr. QUIGLEY.

H.R. 431: Ms. TSONGAS and Ms. ESTY.

H.R. 447: Mr. FLEISCHMANN, Mr. SOUTHERLAND, Mr. GINGREY of Georgia, Mr. LANKFORD, Mr. SHUSTER, and Mr. ROTHFUS.

H.R. 454: Mr. ROTHFUS and Mr. THOMPSON of Pennsylvania.

H.R. 477: Mr. GRAVES of Georgia.

H.R. 503: Mr. POLIS.

H.R. 544: Mr. WITTMAN and Mrs. BROOKS of Indiana.

H.R. 705: Mr. DESANTIS and Mr. WENSTRUP.

H.R. 711: Mr. MEADOWS.

H.R. 721: Mr. LONG, Mr. CONNOLLY, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YOUNG of Alaska, Mr. RUSH, Mr. HARPER, Mr. HANNA, Mr. ELLISON, Mrs. ELLMERS, Mr. BUCSHON, Mr. LATHAM, Mr. FARENTHOLD, and Mr. HOLT.

H.R. 738: Ms. DUCKWORTH.

H.R. 749: Mrs. BUSTOS, Mr. GARY G. MILLER of California, Mr. BACHUS, Mr. FITZPATRICK, Mr. CARSON of Indiana, Mr. FOSTER, Mr. CARNEY, Mrs. CAROLYN B. MALONEY of New York, Mr. LIPINSKI, Mr. KILMER, and Mr. MORAN.

H.R. 751: Mr. LATTA.

H.R. 755: Mr. YOUNG of Indiana, Ms. WILSON of Florida, Mr. BEN RAY LUJAN of New Mexico, Mr. MEADOWS, Mr. CUMMINGS, Mr. JONES, and Mr. HOYER.

H.R. 787: Mr. LONG.

H.R. 803: Mr. WALDEN, Mr. RADEL, and Mr. GRIFFIN of Arkansas.

H.R. 822: Mr. GENE GREEN of Texas, Mr. MICHAUD, Mr. SCOTT of Virginia, Mr. ADERHOLT, Mr. COLE, Mr. ELLISON, Mr. BLUMENAUER, and Mr. BEN RAY LUJAN of New Mexico.

H.R. 850: Mr. SARBANES, Mr. ANDREWS, Mr. LOBIONDO, Mr. MICHAUD, Ms. CASTOR of Florida, Mr. COFFMAN, Mr. DAVID SCOTT of Georgia, Mr. FLEISCHMANN, Mr. COSTA, Ms. SCHAKOWSKY, Mr. CHAFFETZ, Mr. BISHOP of Utah, Mr. CULBERSON, Mr. LANGEVIN, Mr. KINGSTON, Mrs. ELLMERS, Mr. BONNER, Mr. POSEY,

Mr. COLLINS of New York, Ms. SINEMA, Mr. OLSON, and Mr. ADERHOLT.

H.R. 890: Mr. REED, Mr. POSEY, Mr. MILLER of Florida, Mr. WEBSTER of Florida, Mr. NUNNELEE, Mr. GOODLATTE, Mr. HUIZENGA of Michigan, Mr. CARTER, and Mr. ROKITA.

H.R. 949: Mr. JOYCE and Ms. BROWNLEY of California.

H.R. 961: Mr. LANGEVIN, Mr. RYAN of Ohio, and Mr. LOWENTHAL.

H.R. 965: Mr. RANGEL.

H. Res. 36: Mrs. BLACKBURN, Mr. CARTER, Mr. COFFMAN, Mr. LATTA, and Mr. FINCHER.

H. Res. 69: Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. CRENSHAW, Mr. POSEY, Mr. PRICE of North Carolina, and Mr. SENSENBRENNER.



**SENATE—Monday, March 11, 2013**

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God Only Wise, all Your promises prove true. You gladden us with the glory of Your handiwork, for Your splendor surrounds us.

Empower our Senators to give their best to You and country, rising above obstacles with faith in the power of Your providence. May they serve this land as Your obedient servants, refusing to become discouraged because of the daunting challenges they face. Lord, use them to make America a refuge for the oppressed and a bright beacon of hope for those who dwell in darkness.

We pray in Your great Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Following leader remarks, the Senate will be in morning business until 5 p.m. today. Following that morning business, the Senate will proceed to executive session to consider the nomination of Gary Taranto to be a U.S. circuit judge for the Federal Circuit and the nomination of Andrew Gordon to be a U.S. district judge for the District of Nevada. At 5:30 there will be at least one rollcall vote—on the Taranto nomination. We hope the Gordon nomination will be confirmed by voice.

We hope to begin consideration of the continuing appropriations bill which we received from the House. It is going to be filed immediately. We need to complete action on this bill by the end of the week.

**MEASURE PLACED ON THE CALENDAR**

Mr. REID. I am told S. 505 is ready for its second reading; is that correct?

The PRESIDENT pro tempore. The majority leader is correct. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 505) to prohibit the use of drones to kill citizens of the United States within the United States.

Mr. REID. I object to any further proceedings with respect to this bill.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

**NOMINATIONS**

Mr. REID. Mr. President, this evening the Senate will vote on two judicial nominations: Richard Gary Taranto, of Maryland, to be U.S. circuit judge for the Federal Circuit and Andrew Patrick Gordon, of Nevada, to be U.S. district judge for the District of Nevada.

Andrew Gordon, of Las Vegas, graduated from Harvard Law School in 1987 after receiving his bachelor's degree from Claremont McKenna College in southern California—the so-called Harvard of the West. He is a partner with the law firm of McDonald Carano Wilson, where he began practicing many years ago and is now a partner in that law firm. As a member of that firm, he handles complex commercial disputes. He focused on alternative conflict resolution and regularly serves as an arbitrator and mediator. He also performs a variety of pro bono work, including handling adoption proceedings. For example, he represented an inmate on death row in a habeas corpus proceeding.

He has consistently been named as one of the best lawyers in America. I had the good fortune to practice law at the same time his father Hank practiced law in Las Vegas. Hank was a well-known lawyer in Las Vegas.

There is no doubt in my mind that Andy Gordon will serve the court well and be one of Nevada's great judges. I am looking forward to his confirmation.

**CONTINUING APPROPRIATIONS**

Mr. REID. Mr. President, we are going to take up legislation this week to fund the government through the end of the fiscal year. I applaud the committee work done by Chairman MIKULSKI and Ranking Member SHELBY. These two individuals are seasoned veterans. They have worked hard to get this legislation done, as only they could do. They are two of our most senior Members and two of the most respected Members.

The measure we are going to work on starting today was passed by the House of Representatives last week. It is not perfect, and we hope to improve upon that. There will be amendments offered. I am working on a process to consider those amendments. This week will offer another opportunity for the Senate to return to regular order, an opportunity for this body to legislate through cooperation, through compromise, as we used to do. This legislation will be a test of the Senate's good will. America's economy is poised to grow and expand. The last thing it needs is another manufactured crisis, such as a government shutdown, to derail its progress.

For some public servants the political fires are lit by their first trip to Washington or by being moved by a memorable party convention speech. For others the history of military service leads to a career in public service. For still others a single issue, such as a proposed freeway through a vibrant community, propels them into politics. But for Senator CARL LEVIN, serving Michigan families is something of a family business. Senator LEVIN's father served as a Michigan corrections commissioner. His uncle Theodore was chief judge for the district court in the Eastern District of Michigan for many years.

I was elected to Congress in 1982—the same year Senator LEVIN's brother Sander was elected to the House of Representatives. He has been ranking member of the House Ways and Means Committee. He is a distinguished Member of the House of Representatives, having served that body for going on 31 years.

The first time I met CARL LEVIN was over here. I was in the House, going to run for the Senate. We met in his office. The first thing I said was, I came to Washington a few years ago with your brother, elected in the same class.

He said: Yes, he is my brother but also my best friend.

How about that? That is something I have never ever forgotten. These two brothers, natives of Detroit, have done much for the State of Michigan.

CARL LEVIN is truly an outstanding Senator and an even better man. He is the longest serving Senator in his State's history. He dedicated his life to Michigan families long before he was elected to the Senate. He served as general counsel to the Michigan Civil Rights Commission and as assistant attorney general for the State of Michigan. He served two terms on the Detroit City Council, one of them as president of the city council. As a Senator Senator LEVIN has consistently

advocated for Michigan families, whether that meant supporting the auto industry, protecting Lake Michigan, holding credit card companies accountable or securing funding for sons and daughters serving in the U.S. military.

As chairman of the Armed Services Committee, CARL LEVIN is the Nation's most respected voice on national security and the most powerful advocate for the men and women of the U.S. Armed Forces. As chairman of the Senate Permanent Committee on Investigations, he has sought truth on behalf of American families time and time again. He led investigations of the 2008 financial crisis, abusive credit practices and abusive credit card practices, and a long, extensive, extremely enlightening bit of work on the Enron collapse.

His dedication to the Senate is matched only by his dedication to his own family. He and his loving wife Barbara have been married for more than 50 years. They have three daughters and six grandchildren.

I am confident Carl is looking forward to spending more time with his grandchildren, taking long walks through his and Sandy's tree farm. It is a wonderful place they go. They don't harvest anything; it is just a bunch of trees, and they love that tree farm.

I so admire Senator LEVIN. Clearly, when he retires in 2 years, the Senate will lose its powerful voice for military families and issues that need to be investigated by this body. Michigan is a much better place because of CARL LEVIN. Our country, the United States, is a much better place because of CARL LEVIN's service.

#### RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business for the day?

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TAX REFORM

Mr. HATCH. Mr. President, it is no secret that our Tax Code is in dire need

of reform. Although there are differences of opinion about how best to fix our Tax Code, I do not think there is anyone in the Chamber who would argue in favor of keeping our current code as it is.

As I have said before, I believe there is, for the first time in many years, real momentum to get something done on tax reform this year. The leaders of the tax-writing committees on both sides of the aisle have expressed a desire to move forward on tax reform, and there is real bipartisan support in both the House and the Senate.

This is going to be difficult, there is no question about it. It is going to be very hard to form and maintain a coalition in favor of a set of reforms that will simplify the current Tax Code and promote economic growth. It is going to take a lot of hard work and it is going to take people from both parties to get it done. But I think we can succeed.

However, last week it was disheartening to hear the chairperson of the Senate Budget Committee talk about the possibility of including instructions for tax reform in a budget reconciliation package. This news was discouraging for a number of reasons. First and foremost, reconciliation, by its very nature, is a partisan process. In the few instances in recent history when reconciliation resulted in legislation, there was bipartisan support at the outset. That simply is not the case with this proposal. If the Budget Committee goes this route, it will needlessly inject partisanship into a process that, if it is going to have any chance of success, must be bipartisan.

There is simply no way to pass a purely partisan tax reform package with the current makeup of Congress. Make no mistake, if the Senate majority pursues this course of action, it will poison the well for tax reform. It will make it all but impossible.

I would urge my colleagues on the Budget Committee to resist this temptation. If they really want to see tax reform succeed, they should let the tax-writing committees in both the House and Senate do their jobs.

Another concern I have is that the statements by the Budget Committee chairwoman make it unclear whether she is arguing in favor of tax reform or simply in favor of raising taxes. My suspicion is she is talking about the latter. It has become more and more common for my friends on the other side of the aisle to argue in favor of simply eliminating so-called tax loopholes in order to raise revenue and then calling the process "tax reform."

Indeed, the President used this very same tactic in the State of the Union. He stated his support for "comprehensive tax reform," but he spoke almost exclusively about using the process to raise more revenue. Some of my colleagues have made similar arguments in the Senate.

That is not tax reform at all. Tax reform, as it has been traditionally proposed and understood, is a process of eliminating certain preferences in order to broaden the tax base and lower the rates. This is how you simplify the Tax Code. This is how you make it more efficient and fair. Most importantly, it is how you make the Tax Code more conducive to economic growth.

If you are eliminating select deductions and preferences only to pocket the revenue for future spending, you are not reforming the Tax Code, you are simply raising taxes. If the Budget Committee is about to report a budget which includes restrictions for tax reform, I can't help but assume the process will be more about raising revenues than it will be about actually fixing our broken tax system.

Once again, if this is the case, the Budget Committee would be injecting partisanship into what has up to now been mostly a bipartisan effort. At the same time, they would be perpetuating the myth that our Tax Code is full of so-called loopholes which benefit only the rich. I have spoken about this at length on the Senate floor, but the message bears repeating.

The term we hear most often to describe deductions and preferences in the Tax Code is "tax expenditure," which implies that by allowing people to keep more of their money, the government is somehow engaging in spending. Indeed, the President has even gone so far as to refer to deductions and preferences, which reduce an individual's or business's tax burden, as "spending in the tax code."

As I said before, when many of my Democratic friends talk about tax reform, they are usually talking about eliminating these provisions in order to raise revenue so they can spend it. Far too often they refer to these provisions as loopholes. For example, the Budget Committee chairwoman was quoted last week as saying her committee is looking at closing loopholes as a means of reducing the deficit.

Let me make one thing clear: Describing tax expenditures as loopholes is simply and deliberately inaccurate. A loophole is something Congress did not intend; and, in general, we would eliminate loopholes once we learned they were being improperly exploited.

Tax expenditures, by contrast, are placed by Congress into the Tax Code deliberately. For example, the largest tax expenditure is the exclusion for employer-provided health insurance and benefits. Do we want to do away with that?

Another one of the largest tax expenditures is the home mortgage interest deduction. Some would like to do away with that and millions would not—especially all the home builders around the country. Whether these expenditures benefit someone in the middle class or one of the so-called rich,

they are not loopholes. These are not tax schemes some lawyer or accountant concocted to help his clients game that system. These are broad-based tax incentives used by many Americans.

Favorable tax treatment of tuition expenses could be labeled spending through the Tax Code or a “loophole,” but you don’t hear many people using those terms to explain them. Rather, my friends on the other side of the aisle use the term “loophole” to describe things they do not like and “investment” to describe things they do like. This is about picking winners and losers and not about tax reform.

Even if you disagree with a particular tax expenditure, it is simply dishonest to refer to it as a loophole. An honest debate requires recognition that all of these tax expenditures were designed by Congress with economic or social goals in mind and are not tax escapes created by accident or sneaky abuses of the Tax Code.

Furthermore, if we are talking about eliminating tax expenditures, we need to be clear about who benefits from them. If you look at the largest list of tax expenditures, you will find the ones most often cited by my colleagues on the other side, such as bonus depreciation on corporate jets or tax breaks for oil companies, are not among them.

What you will find is a list of deductions which disproportionately benefit the middle class. This being the case, if my colleagues are serious about significantly reducing the deficit by eliminating deductions and so-called loopholes, they will necessarily be talking about raising taxes on the middle class. Indeed, if they only focus on those provisions which benefit the so-called rich, they will not be able to raise enough revenue to make a serious dent in the deficit.

For example, let’s take a look at the mortgage interest deduction. According to the Joint Committee on Taxation, only 35 percent of the benefit of the mortgage interest deduction goes to taxpayers with incomes over \$200,000 per year. The remaining 65 percent goes to taxpayers who make less than \$200,000. By a ratio of almost 2 to 1, the mortgage interest deduction benefits the middle class, not the so-called rich.

We may also look at the earned income tax credit, another large tax expenditure. This is another fully refundable tax credit, meaning taxpayers can receive it whether they pay income taxes or not. High-income earners receive no benefits from the earned income tax credit.

The story is the same with the child tax credit, which is limited to lower and middle-income earners. None of it goes to taxpayers with higher incomes. Likewise, all education credits go to taxpayers making less than \$200,000 a year.

The list goes on and on. Deductions for real property taxes, medical ex-

penses, childcare, and student loan interest, all of them predominantly, if not exclusively, benefit people making less than \$200,000 a year.

Benefits from some other large tax expenditures are distributed almost proportionately between higher and middle-income earners. One such provision is the State and local income and sales tax deduction.

According to the Joint Committee on Taxation data, 55 percent of the benefit of this deduction goes to taxpayers making more than \$200,000 a year, and 45 percent of the benefit goes to people making less than \$200,000 a year. This expenditure accounts for about one-half of the revenue loss attributable to itemized deductions. Since the benefits are slightly more in favor of those with higher incomes, it would likely be a target for a “tax reform” exercise designed to raise revenue. However, much of the burden of limiting or eliminating this deduction would still fall on the middle class.

It is also interesting to note that this past December the New York Times editorial page, which is usually very much in sync with the philosophy of the Democratic Party, recommended caution when considering limits to this particular deduction. Yet it is one of the largest tax expenditures in the country.

I ask unanimous consent to have printed in the RECORD the New York Times editorial from December 6, 2012, entitled “Keep the State Tax Deduction.”

[From the New York Times, Dec. 6, 2012]

#### KEEP THE STATE TAX DEDUCTION

As they continue to wrangle over the year-end fiscal deadline, both Democrats and Republicans are considering caps on federal income-tax deductions.

That could be very bad news for residents of New York, New Jersey and other states and cities that rely heavily on their own income taxes. Such a cap would reduce the value of the deduction for state and local income taxes, which has been part of the federal tax code for a century (though the deduction has been diluted by the alternative minimum tax). That could substantially reduce middle-class disposable incomes in high-tax states, which, in turn, would put pressure on those states to cut taxes and the services they have long chosen to provide. (A cap would also affect property and sales taxes, though those are spread around more evenly among all the states.)

The theory behind the deduction was that the amount paid to states in taxes is not really part of an individual’s disposable income, because it is obligatory and, therefore, should not be taxed twice. Over time, the deduction has become the equivalent of a subsidy from the federal government to states that believe in a strong and active government. That may infuriate conservatives in low-tax states like Texas, who hate subsidizing states with different views of government’s role, but it’s actually a good thing for the country.

The deduction is Washington’s way of supporting states that support their most vulnerable citizens and neediest cities. The seven states that account for 90 percent of

state and local tax deductions (including sales and property taxes)—New York, New Jersey, California, Pennsylvania, Maryland, Illinois and Massachusetts—generally do a better job of providing for the health and welfare of their citizens, and are more willing to pay for institutions that are good for society as a whole.

Rapid-transit systems in states like New York and Massachusetts, subsidized with tax dollars, save energy and improve the environment. Few cities can afford to operate their own universities, but the City University of New York, also subsidized with tax dollars, is an enormously valuable institution with national benefits. Public hospital systems and generous Medicaid programs have improved and extended the lives of tens of millions of low-income people.

Texas is proud not to have an income tax, but it also has by far the highest percentage of uninsured people in the country. It ranks last in prenatal care as well and in overall federal assessment of health quality.

In their fiscal-cliff offer, Republicans have proposed raising \$800 billion by capping deductions for the wealthy, though their proposal would inevitably affect the middle class in expensive states like New York and California. President Obama would prefer to raise tax rates, but he has also proposed deduction limits that would affect states that have chosen to impose higher income taxes. Governors, mayors and representatives of those states need to make their voices heard in support of that choice.

Once again, when my friends on the other side of the aisle talk about eliminating so-called loopholes for the sole purpose of raising revenue, they are either talking about raising taxes on the middle class or they are proposing changes which will have no meaningful impact on the deficit at all. If the goal is to construct political talking points and raise relatively significant amounts of revenue by going after politically convenient targets—jet owners, oil companies, private equity firms, and the like—you may do this by eliminating a handful of so-called loopholes.

This isn’t the stated goal of the President, nor is it what my colleagues on the Budget Committee talk about when they say they want to pursue “tax reform” through reconciliation. No, instead they talk about reducing deficits, debt, and attaining fiscal sustainability. They cannot do this by focusing efforts on tax provisions which only benefit the wealthy. The money simply isn’t there. If we are not going to cut spending, and if our deficit reduction efforts are focused only on eliminating so-called tax loopholes, then the middle class happens to be the target.

We need a different approach. We need tax reform which focuses on eliminating preferences in the Tax Code—not for the purpose of raising taxes but for lowering the rates and encouraging economic growth. Unlike the idea of tax reform advanced by some of my friends on the other side, this will benefit the middle class.

This is what tax reform is all about. Anyone talking about raising taxes or

closing loopholes for the sole purpose of generating revenue is not talking about tax reform. For these reasons, I hope the Budget Committee will go a different route. I hope they will let the bipartisan tax reform efforts underway in both the House and Senate run their course.

If they don't, if they hijack the process in order to once again raise taxes on the American people and to vilify Republicans as being the "party of the rich," we will not see tax reform happen this year or, quite likely, any year in the near future.

Our Nation is facing a number of challenges. In addition to mounting debts and deficits, our economic recovery remains on a slow and tenuous path. We need people who are willing to make difficult choices in order to solve these problems. This will mean structural reforms to our entitlement programs, which are the main drivers of our debts. Once again, that will mean real, meaningful changes to our Tax Code, which continues to be an obstacle to sustainable economic growth.

As I stated, I do believe there are people on both sides of the aisle who recognize these needs, particularly when it comes to tax reform. Sadly, there are also those who would rather campaign on these problems, attacking anyone who proposes real solutions while offering only political talking points in return. That is not what the American people deserve.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### OBAMACARE

Mr. MCCONNELL. Mr. President, next week marks the third anniversary of ObamaCare, and I will remind you that leading up to its passage in March 2010, Republicans warned endlessly that the bill would cost too much and wouldn't work the way the President and other Washington Democrats said it would. Then-Speaker PELOSI famously said we needed to pass the bill to learn what was in it. Well, nearly 3 years and thousands of pages of regulations later, we have learned a lot about ObamaCare. It looks like our worst fears are coming true.

Right down the hall, President Obama promised if Congress would only pass the kind of health care take-over he was after, it would slow the growth of health care costs for our families, our businesses, and for our government. Today, the facts tell a very different story.

According to Congress's own nonpartisan budget experts, ObamaCare will increase Federal health spending and subsidies by nearly \$600 billion. That is only projected to get worse over time.

Just a few weeks ago, these same nonpartisan experts told us spending is set to "grow rapidly when provisions of the Affordable Care Act are fully implemented by mid decade." Their words, not mine.

So when the President tries to convince Americans that Washington doesn't have a spending problem but a health spending problem, what he is not saying is his own health care law is actually making things worse, not better, and that is to say nothing of the devastating effects of this law for American families.

Then-Senator Obama promised to lower premiums by as much as \$2,500 per family when he ran for President. Here are the facts: Three years after ObamaCare's passage, premiums for families have actually risen by nearly that same amount. And that is before the most expensive new rules, taxes, and mandates kick in. After that, the experts tell us premiums could increase by \$2,100 per family.

Tragically, ObamaCare will place the greatest burden on young Americans—those just starting to build lives of their own. This is a time in their lives when every dollar counts. Yet 3 years after ObamaCare's passage, experts say premiums for healthy young people could rise by 169 percent.

Part of the reason costs are set to increase so dramatically is because ObamaCare levies so many new taxes and fees. But that is really only half the story. It is also because the law imposes so many onerous regulations. Just look at this stack right here. This is 1 day's worth of ObamaCare regulations—828 pages in 1 day. Overall, there are nearly 20,000 pages, with many more to come. But this is 1 day's worth—828 pages.

This law is a disaster waiting to happen. Imagine the burden we are placing on a single mom who wants to open her own store or the young entrepreneur who wants to sell some new idea or the business owners we all know from back home—the folks who employ so many of our constituents. Instead of encouraging them to create jobs and grow the economy, we are hitting them with a brick of regulations.

Last week the Federal Reserve said what many of us have been predicting all along: ObamaCare is also costing jobs. Recent polling bears this out too. One survey said that more than half of American small business owners are worried that health care costs and taxes will hurt their operating environment "a lot." Another small business survey recently identified these issues as the top two concerns among eight tested.

There are countless real-world examples of how this is hurting the folks we represent. Let me give you just one example. One of my constituents is Junior Bridgeman. He was once known for his skills on the basketball court. Today, Louisvillians know him as the owner of a successful restaurant franchise that employs a lot of Kentuckians. He wrote to me recently to say that ObamaCare is a serious impediment not only to hiring but to hiring low-income employees in particular. Here is what he had to say:

[It] does not consider our ability to afford the mandate. Under our current labor model . . . [it] will increase labor costs whether we offer health care or pay the tax penalties. . . . This creates, in essence, a disincentive to hire low income employees.

The President's allies are worried too. We have seen the stories about Democrats who voted for the bill now having second thoughts about specific funding mechanisms for it, but now union leaders are even expressing fears about the law driving up costs for their own health care plans, making unionized workers actually less competitive.

This is the worst time to be imposing tens of thousands of pages of new regulations and onerous taxes on the very families and businesses that can least afford them. We owe our constituents better, particularly those who are struggling the most.

Look, ObamaCare is just too expensive, and it is not working the way Washington Democrats promised. That is why ObamaCare needs to be repealed. That is why I will continue to push for its repeal.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

#### ILLEGAL IMMIGRATION

Mr. COATS. Mr. President, a few weeks ago, U.S. Immigration and Customs Enforcement, otherwise known as ICE, initiated an unexplainable order to take action to reduce the population of detained illegal aliens, and they said it was for budgetary reasons. I quote a spokesman for ICE, who said the decision was made because "fiscal uncertainty remains over the continuing resolution and possible sequestration . . ."

Well, we have had fiscal uncertainty for 4 years now, and the decision to release these detainees was made before the sequestration even took place. The procedures put in place under the continuing resolution and the resources

for covering the costs of detaining these illegal immigrants until they could be brought to trial and sent back home were put in place by the funding we provided for the agency in September, running through the end of this month, or until March 27. So a lot of questions need to be answered about ICE's decision because there was a furor over why we are releasing illegal immigrants back on the streets of America. Why are we putting these people back out on the streets when the law didn't require it? The resources were there to keep them, and yet many were released before the sequestration even took place—before the across-the-board cuts even took place—and I want to get some answers. So I wrote Secretary Napolitano a letter asking her to provide answers to a series of questions, which I will state in a moment, and have the answer to me in my office by Friday, March 8.

Well, I returned today to find the answer was not there. I could give the Secretary the benefit of the doubt and say it is in the mail. We know it doesn't always guarantee next-day delivery. Nevertheless, I think the American people need to know. Particularly those impacted, those communities impacted by these illegal immigrants—not knowing who they are, not knowing why they were released, not knowing whether we can bring them back to stand before a judge and plead their case or be processed for return.

The law enforcement officials in these communities are up in arms because they don't know who these people are. They don't know whether they are criminals; they don't know whether they are ever going to be able to bring them back into the ICE system and be detained and readied for processing. So that is why I asked the Secretary to respond to my letter.

Subsequent to that, officials at ICE have denied recent press reports regarding plans to release even more detained illegal immigrants. Last Tuesday, an internal ICE document obtained by the House Judiciary Committee revealed a plan of ICE to continue reducing detention center populations each week while the sequestration is in place. That document shows one scenario where the number of illegal immigrants in custody could be reduced by more than 1,000 a week between February 15 and March 31. The initial report said it was a couple hundred—I think 300 was the number given—only to find out it is more than 1,000, and now we find out it may be more than 1,000 each week for about a 6- or 7-week period of time.

What we are trying to do is get the facts and get an explanation of what has happened, why it took place in the manner it did, and what is the administration's plan for going forward with this. I am doing this because as ranking member of the Appropriations Sub-

committee on Homeland Security, I am getting all kinds of questions from people—not just my colleagues but others across the country—basically asking what is going on here. I wish to be able to respond to those questions with answers, or have the Department respond.

As the head of the Department, Secretary Napolitano needs to provide information on who made this decision, why this decision was made, why was it made before sequestration even took effect, why was the number of released individuals said to be around 300 when it was well over 1,000? Releasing the detained individuals has the potential to put these communities at risk and sends a message to those who come here and break the law as illegal immigrants that our government is not serious. I am sure word is spreading through Mexico and other ports of entry to illegal immigrants: Don't worry, you may get picked up; you may get put in a detention center; they will provide a bed, food, and so on, but they are releasing 1,000 a week. I can just see the traffickers now pitching this to tens of hundreds or thousands of people, taking their money, getting them across the border, reaching the fence, or tunneling under the fence or climbing over the fence, or any of a number of other ways they are bringing illegals into this country.

I spent 3 days down on the border. While we are making some strides, we have a long way to go to stop this illegal immigration. So we need clarification and we need an explanation of what has happened.

Let me state some of the questions I have raised to the Secretary:

Why did the Federal Government release detained illegal immigrants 1 week before the sequester took effect and blame it on budget cuts when those cuts had not even yet been put into place?

Why didn't ICE take the proper steps necessary to manage its resources efficiently across the various programs? As I said earlier, the Congress itself provided them with adequate resources to maintain a level of 34,000 illegal detainees per year and not go below that. They do not need to go below that number because they had the resources to pay for it. They are required by Congress to do that.

What triggered ICE to instruct field offices to reduce the detainee population a week before the sequestration hit?

How many illegal immigrants were released during that time?

Exactly how many of these individuals were released solely due to budget reasons?

How many of the released individuals, if any, were designated as criminal? The law enforcement people obviously need to know that.

Have instructions been given to field offices to reduce the intake and arrests of illegal aliens into detention?

These are just some of the many questions I asked Secretary Napolitano because I think Congress and the American people deserve answers.

As the head of the Department, Secretary Napolitano has the ultimate responsibility to oversee the decisions in the management of agency resources. She said this decision was made at a level below her. We hear a lot of that from administration officials: It is not my fault, it is somebody else's fault. That is why they rise to the position of Secretary, because they are the ones who ultimately oversee the program and need to take responsibility, or at least need to answer a question posed by a Member of the Senate as to why they did what they did and how we are going to fix this.

Failing to respond to the Congress and to our requests and the failure to provide the American people with more information behind this decision is simply not something we should accept. I will keep pressing for these answers.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MILITARY MEDAL PRECEDENCE

Mr. MANCHIN. Mr. President, I rise today to bring attention to a recent decision by the Department of Defense to authorize a new military decoration—the Distinguished Warfare Medal—as a way to recognize the contributions of silent warriors, such as drone pilots and cyber warriors.

I have absolutely no objection to the creation of the Distinguished Warfare Medal. Every day our silent warriors use modern warfare technology in ways that have had an extraordinary impact on today's battlefield—saving the lives of countless American service men and women and enhancing the national security of our country.

However, I adamantly oppose the decision by the Defense Department to elevate the Distinguished Warfare Medal above the Bronze Star and the Purple Heart, which are awarded for acts of valor and heroism on the battlefield, and above the Soldier's Medal, which is given for acts of gallantry beyond the battlefield.

I believe medals earned in combat or in other life-threatening conditions should maintain their precedence above noncombat awards. Placing the Distinguished Warfare Medal above the Bronze Star and the Purple Heart diminishes the significance of such awards earned by risking one's life in

direct combat or through acts of heroism.

I am not alone in my opposition to the precedence the Defense Department plans to give the Distinguished Warfare Medal. A bipartisan group of 21 other Senators, our colleagues, has joined me in a letter to Defense Secretary Hagel urging him to reconsider the Department's decision.

The Veterans of Foreign Wars in my State and in the Presiding Officer's State have also asked Secretary Hagel to reconsider. And while the Secretary has told the VFW that he is satisfied with the criteria and placement of the Distinguished Warfare Medal, I believe we can still make the case that combat awards and medals for gallantry should remain the military's highest honors.

In his response to the VFW defending the new medal, Secretary Hagel asserts:

There are numerous existing medals that may be awarded for non-valorous achievements which are higher in precedence than the Bronze Star.

That is true. There are medals, such as the Legion of Merit, not directly linked to a single act of valor. But these medals recognize distinguished service often spanning several generations of service. These awards are given for vastly different periods and different types of service.

Comparing awards for lifetime achievement to the Distinguished Warfare Medal, which even Secretary Hagel's letter states is awarded for "a single"—I repeat, "a single"—"extraordinary act," is not an appropriate justification for its precedence above the Bronze Star and Purple Heart.

Veterans groups are understandably upset. The new Distinguished Warfare Medal appears to be a wartime medal based on a single event that trumps acts of valor on the field of battle.

In this dispute I think it is instructive to consider why the Bronze Star and the Purple Heart were created.

The Bronze Star was conceived by COL Russell "Red" Reeder in 1943. At the time he and other military officers believed there was a need for a ground combat medal equivalent to the Air Medal, which was awarded for meritorious achievement to our pilots and flight crews. In fact, originally the award that became the Bronze Star was proposed as the "Ground Medal."

The award was created to boost the morale of American ground forces during World War II. As GEN George C. Marshall explained to President Roosevelt in a letter:

The fact that the ground troops, infantry in particular, lead miserable lives of extreme discomfort and are the ones . . . (most) close in personal combat with the enemy, makes the maintenance of their morale of great importance. The award of the Air Medal has had an adverse reaction on the ground troops, particularly the Infantry Riflemen who are suffering the heaviest losses, air or ground, in the Army, and enduring [some of our] greatest hardships.

The Purple Heart, of course, is one of our country's oldest military decorations, originally instituted by George Washington, then the commander in chief of the Continental Army, in 1782, to reward troops for what he called "unusual gallantry" and "extraordinary fidelity and essential service."

The Purple Heart was revived as a military decoration in 1932 on the 200th anniversary of George Washington's birthday. In 1985, by an act of Congress, it was given its current precedence just below the Bronze Star and directly above the Meritorious Service Medal—a clear recognition of the special valor of those who receive it. I recognize that military awards should be updated as the tactics of warfare change. Drones and cyber warfare play a role in the defense of this great country, and there is no question that each member of our military plays a crucial role in protecting our Nation and every American. But I have listened to West Virginia veterans and agree with them: Our brave servicemembers who face life-and-death situations deserve the most distinguished medals the U.S. military awards.

Again, I support the Distinguished Warfare Medal. I want to make no mistake about that. But I do not believe it should be given higher precedence than awards for those who have faced the enemy on the battlefield. Awards earned for heroism, patriotism, and a willingness to make the ultimate sacrifice for the freedoms we all enjoy every day should not be ranked below a medal earned in relative safety.

I agree wholeheartedly with veterans who have expressed their concerns about the precedence the Defense Department intends to give the Distinguished Warfare Medal. I share their belief that combat awards are sacred, reflecting the special bravery of Americans who are willing to sacrifice all for their country as well as their brothers and sisters in arms. And I join them in urging the Defense Department to preserve the legacy of these sacred awards by leaving their precedence undisturbed.

I thank Secretary Hagel for his courageous military service to our country. Through his combat experience in Vietnam, he knows all too well the clash and the heat of battle. He shares a special bond with generations of Americans from Concord to Kabul who have risked their lives in the defense of this great country, many of whom have paid the ultimate sacrifice for our freedom. I hope, for that reason, he reconsiders the precedence of the Distinguished Warfare Medal and agrees that combat awards should remain our military's highest honors.

Mr. President, thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF RICHARD GARY TARANTO TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

#### NOMINATION OF ANDREW PATRICK GORDON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided and controlled in the usual form.

Mr. LEAHY. Mr. President, I ask unanimous consent that the time be divided in such a way that the vote occur at 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Last week, Senate Republicans were given an opportunity to end their partisan and wrongheaded filibuster of Caitlin Halligan to the D.C. Circuit. Instead, they voted against the Federal judiciary, the administration of justice, and the needs of the American people. The Republican filibuster has lasted for over 2 years, in which Senate Republicans have refused to vote up or down on this highly qualified woman to fill a needed judgeship on the D.C. Circuit. No one can honestly question whether she has the legal ability, judgment, character, ethics, and temperament to serve on the court. The smearing of her distinguished record of service is deeply disappointing.

Narrow, special interest groups have misrepresented her as a partisan or ideological crusader. She is not. Senate Republicans attacked Caitlin Halligan's advocacy on behalf of her client, the State of New York, with which they disagree. It is wrong and dangerous to attribute the legal positions a lawyer takes when advocating



for a client with what that person would do as an impartial judge. That is wrong and not the American tradition. That is not what Republicans insisted was the standard for nominees of Republican Presidents.

In a March 10 article entitled "As Obama, Senate Collide, Courts Caught Short," The Boston Globe reported over the weekend about the stranglehold Senate Republicans have placed on nominations to fill vacancies on the D.C. Circuit. The Court is now more than one third vacant with 4 vacancies among its 11 authorized judgeships, in what the Globe noted is "the worst vacancy rate in its history and higher than any other federal circuit court nationwide." The article further notes that the Republican filibuster of Caitlin Halligan is representative of what the Republicans have done to obstruct President Obama's nominees the last 4 years. It says:

In what is a growing problem infecting the nation's federal courts—both small and large, from San Francisco to Allentown, Pa.—judges are taking far longer to gain approval from the Senate. It's the result of a decline in decorum among senators, the willingness of the Republican minority to use tactics that were previously off-limits, and an overall rise in partisanship. The result is that Washington gridlock is resulting in docket gridlock across the country, with courts not getting the judges they need as a result of dysfunction in the Senate.

I agree and I hope that Senate Republicans will stop their obstruction of the President's judicial nominees.

Similarly, in a March 8 article in the New York Times, author Carl Hulse noted that the changes made to filibusters earlier this year:

... have done little so far this session to curb filibusters, as evidenced by the vote on Ms. Halligan and the politically charged obstacles raised to confirmation votes on Mr. Brennan and Chuck Hagel, a former Republican senator who found himself on the receiving end of a Republican filibuster before winning confirmation as secretary of defense.

Senate Republicans continue to abuse the nominations process by refusing to give up-or-down votes to nominees. I ask unanimous consent to have this article printed in the RECORD at the conclusion of my statement.

Also disconcerting were the comments and tweets by Republicans after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal Judiciary no good when they place their desire to engage in tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002. Indeed, the filibuster of the nomination of Miguel Estrada was different. It was to obtain access to information about his work and whether he acted ideologically as his supervisor at the Office of Solicitor General had alleged. Had we gotten access to those mate-

rials, there would have been a vote on the Estrada nomination. Republican Senators now demand access to all sorts of materials while filibustering for the first time in our history the Secretary of Defense and the Deputy Attorney General of the United States, as well as the nominee to head the CIA and judicial nominees. They cannot do that and still complain about the Estrada nomination. Nor was there any information missing in connection with the Halligan nomination. As the debate showed, the opposition was fictitious.

Today the Senate will finally consider another circuit court nomination that has been needlessly stalled for 1 year. During the year that Richard Taranto's nomination has been pending, two more vacancies have opened up on the Federal Circuit. This judicial vacancy, now one of multiple vacancies on that court, has been left open for almost 3 years, for no good reason.

There is simply no reason for the year-long delay of Richard Taranto. During the year since he was reported without controversy by the Judiciary Committee, I do not know of a single Senator who has come to the floor to express any reservations about this nomination on the merits. After nearly 4 years when judicial vacancies have remained near or above 80, hard-working Americans seeking justice deserve better.

Today, the Senate will vote on the nomination of Richard Taranto to the Court of Appeals for the Federal Circuit. He is currently a name partner at the Washington D.C. law firm Farr & Taranto, where he has spent the majority of his professional career. He previously served as Assistant to the Solicitor General and as a law clerk for Justice Sandra Day O'Connor for the U.S. Supreme Court, Judge Robert Bork for the U.S. Court of Appeals for the D.C. Circuit, and Judge Abraham Sofaer on the U.S. District Court for the Southern District of New York. He is a distinguished litigator, who has filed nearly 230 Supreme Court briefs in his career, and who has argued before that court 19 times. He has also argued 20 cases before the Federal Circuit, the court to which he has been nominated. He was unanimously rated "well qualified" by the ABA Standing Committee on the Federal Judiciary, its highest rating. Richard Taranto was reported by the Judiciary Committee without controversy in March 2012 and, again, last month.

The Senate will also be voting this evening on the nomination of Andrew Gordon to the U.S. District Court for the District of Nevada. He is currently a partner at the law firm McDonald Carano Wilson LLP in Las Vegas, Nevada where he has practiced since 1994. Andrew Gordon has the bipartisan support of his home State Senators and he was reported by the Judiciary Com-

mittee 1 month ago. There are two additional nominees currently being stalled in Committee that would fill vacancies on the Federal court in Nevada but Senator HELLER is objecting to their nominations. After his obstruction of one of the nominees for more than a year, that nominee finally asked that her nomination be withdrawn. She was a very good nominee and the people of Nevada will be worse off for not having her serve on that court.

These are only 2 of the 20 judicial nominations currently ready for Senate consideration and confirmation. Both of these nominees should have been considered and confirmed last year. All of the 20 nominees now ready for final action had to be renominated this year after being returned at the end of the last Congress. The Senate should act swiftly to let these nominees get to work on behalf of the American people.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Caucus, The Politics and Government Blog, the New York Times, Mar. 8, 2013]

DEMOCRATS CRY FOUL OVER WEDNESDAY'S  
OTHER FILIBUSTER  
(By Carl Hulse)

Senator Rand Paul may have staged a Senate-shaking filibuster Wednesday, but his was actually only the second most significant Republican filibuster of the day.

In a vote just before Mr. Paul, the junior senator from Kentucky, tried to block the nomination of John Brennan as director of central intelligence over drone policy, the Senate failed to end debate on the nomination of Caitlin J. Halligan of New York to a seat on the federal appeals court for the District of Columbia.

The filibuster of Ms. Halligan didn't blow up on Twitter the way Mr. Paul's impressive 12-hour stand did. But of the two, it was the one that could renew a feud over rules governing filibusters and how the Senate handles high-level judicial nominations—an issue that has torn the chamber for years.

Democrats are already in discussions on how to respond to the Halligan filibuster. They believe Republicans are dead set against confirming qualified Obama administration nominees to the United States Court of Appeals for the District of Columbia Circuit. They accuse Republicans of exaggerating their objections to Ms. Halligan to justify a filibuster under a 2005 agreement that short-circuited the last partisan showdown over filling judicial vacancies.

That deal, crafted by the famous Gang of 14, put its signatories on record as saying they would not block confirmation votes on appeals court judges without "extraordinary circumstances" as determined by each individual. While only members of the gang signed it, it became informal Senate policy and defused a crisis that had Republicans threatening to execute the "nuclear option" and bar filibusters against judicial nominees by a simple majority vote instead of with the 67 votes historically needed to change Senate rules.

It also led to President George W. Bush winning three appointments to the appeals court often considered a feeder to the Supreme Court, giving conservatives an advantage on the influential panel, which hears

many federal-powers cases. In its current makeup, the court consists of four judges appointed by Republican presidents and three appointed by President Bill Clinton, with four vacancies—the most ever on that court.

In filibustering Ms. Halligan, several Republicans cited extraordinary circumstances arising from her earlier work as the solicitor general for the State of New York, particularly on a case against gun manufacturers.

"Ms. Halligan advanced the novel legal theory that gun manufacturers, wholesalers and retailers contributed to a 'public nuisance' of illegal handguns in the state," said Senator Charles E. Grassley of Iowa, the top Republican on the Judiciary Committee, accusing her of judicial activism. "Therefore, she argued, gun manufacturers should be liable for the criminal conduct of third parties."

Democrats cried foul. The real reason she was blocked, they say, is that Republicans do not want to see the balance of power on the D.C. appeals court shifted. They say that Ms. Halligan was acting in her official capacity representing the State of New York, not as a jurist, and that Republicans have abandoned the extraordinary circumstances test engineered by the Gang of 14.

"If you go back to that history of what occurred back then, there is a real question of whether they have broken the deal now," said Senator Tom Udall, Democrat of New Mexico. "This is a key circuit for the country. What they are doing is not allowing these consensus candidate judges to get votes."

Mr. Udall has been among a group of relatively newer members of the Senate clamoring for significant changes in the rules governing filibusters. One demand is that senators act more like Mr. Paul, and take the floor to make their case when they are trying to block a vote. In January, working to avoid a divisive fight, Senator Harry Reid, the Nevada Democrat and majority leader, and Senator Mitch McConnell of Kentucky, the Republican leader, struck a deal making some modest changes in filibuster rules.

But those changes have done little so far this session to curb filibusters, as evidenced by the vote on Ms. Halligan and the politically charged obstacles raised to confirmation votes on Mr. Brennan and Chuck Hagel, a former Republican senator who found himself on the receiving end of a Republican filibuster before winning confirmation as secretary of defense. The filibuster is alive and well in the Senate and, as Mr. Paul showed, may even be enjoying resurgence as grand theater.

Democrats say that despite what they see as clear provocation, they are in no hurry to change the new rules after just two months in place. They say they are more inclined to explore new ways to confront Republicans over the vacancies.

Mr. Udall says one option might be for the president to make multiple nominations, in effect daring Republicans to find ways to cite extraordinary circumstances in multiple instances.

"Rather than putting just one up, we should put before the Senate all four and expose what is happening here," said Mr. Udall, who acknowledged that Senate Democrats would need White House cooperation.

"We need to design a strategy to counter the Republicans, and we are going to need the president," he said.

The fight will take time to unfold. Democrats say they will wait to see how Republicans respond to future appeals court nominees. But a series of filibusters against what

they view as acceptable nominees could quickly bring to a head the push for a change in Senate rules.

Mr. GRASSLEY. Mr. President, I rise today in support of Richard Gary Taranto, nominated to be U.S. circuit judge for the Federal Circuit. Mr. Taranto's nomination was pending before the Senate last year. In accordance with Senate custom and practice, the nomination was placed on hold, along with other circuit Judge nominations, pending the outcome of the 2012 Presidential election.

I also support the nomination of Andrew Patrick Gordon to be U.S. district judge for the District of Nevada. Mr. Gordon was nominated late last year, with his hearing held in December.

Despite our continued cooperation with the President and Senate Democrats, we continue to hear unfounded criticism.

For example, recently the White House posted on its Web site a statement "The rising number of judicial vacancies is a direct result of unprecedented delays in the Senate confirmation process." The graphic went on to suggest that the President's nominees have to wait longer for confirmation than nominees of previous Presidents. It cites statistics that the President's nominees have to wait longer than nominees in prior administrations for floor consideration after being reported out of committee. There is no mention that in previous administrations there was a much longer wait for committee consideration. The end result, from nomination to confirmation, is about the same for Obama nominees as it was for nominees submitted by George W. Bush. There is no credible basis for alleging "unprecedented delays."

President Obama is quoted as saying: "A minority of Senators has systematically and irresponsibly used procedural maneuvers to block or delay confirmation votes on judicial nominees." Of course, President Obama, as Senator, supported the filibuster of the nomination of Samuel Alito, nominated to be an Associate Justice of the Supreme Court of the United States.

A few Senate Democrats have joined this chorus, claiming that the recent vote on the Halligan nomination was a violation of a Senate understanding or "deal" negotiated in 2005 by the so-called Gang of 14.

Unfortunately, some of those Senators have no understanding of what happened with Bush nominees, leading to that limited agreement. I am not going to recite that history here, but the record is there for those who are interested in the truth.

It is a stretch to say that the Gang of 14 is any kind of Senate policy, informal or otherwise. It was an agreement among a few Members of that Congress. Most Senators who were part of that agreement no longer serve in the Senate. Senators who did sign the agree-

ment, on both sides, subsequently voted against cloture on nominees—indicating that the agreement was never regarded as limiting the Senate on cloture votes. It is clear that agreement was limited to a small group, for a particular point in time.

The allegation of a systematic and irresponsible use of procedural maneuvers to block or delay nominations is unfounded. Senate Republicans have sparingly used Senate rules. Only two nominees have been defeated by a filibuster. Compare that to the multiple filibusters on nominees of President Bush. Ten nominees were blocked by filibusters, with five ultimately being defeated.

The fact is, in his first term, President Obama had the highest percentage of circuit confirmations over the past four Presidential terms. With regard to district confirmations, President Obama had more during the 112th Congress than in any of the previous eight Congresses, going back to 1994. So those who say that this President is being treated differently either fail to recognize history or want to ignore the facts or both.

A second prong of this debate concerns the vacancy rate in the Federal judiciary. Blaming judicial vacancies on the Senate confirmation process is unfounded and a distortion of the process. The growth in vacancies is the result of a failure in the White House to send nominations to the Senate. Presently, 55 of the 87 vacancies—63 percent—have no nominee. For the 30 vacancies categorized as "judicial emergencies," only 9 have a nominee. This has been a pattern through most of the Obama Presidency.

Senators who suggest that Republican Senators are blocking all four vacancies on the D.C. Circuit should understand that two of those vacancies have no nominee. A Senator who suggests as a strategy to "put before the Senate all four and expose what is happening" must first talk to the White House about the lack of nominees.

With regard to today's nominations, I would like to say a few words about the nominees. I expect they will be approved, and congratulate each on his confirmation.

Richard Gary Taranto is nominated to be U.S. circuit judge for the Federal Circuit. After graduating from Yale Law School in 1981, Mr. Taranto held several judicial clerkships. First, he served as a law clerk for Judge Abraham Sofaer on the U.S. District Court for the Southern District of New York. From 1982 to 1983, he clerked for Judge Robert Bork on the D.C. Circuit. Finally, he clerked for Justice Sandra Day O'Connor from 1983 to 1984.

After completing his clerkship with Justice O'Connor, Mr. Taranto worked as an associate with Onek, Klein & Farr. He also served for a few months



in the spring of 1986 as a legal consultant to the Secretary of State's Advisory Committee on South Africa.

Beginning in the summer of 1986, he joined the U.S. Department of Justice Solicitor General's Office serving as an assistant to the Solicitor General. In 1989, he returned to the private sector as a partner in his old firm of Onek, Klein, & Farr, which soon after became Farr & Taranto. From 1989 to the late 1990s, his practice was heavily focused on the Supreme Court. He wrote briefs and argued cases on a wide variety of topics, including constitutional law, bankruptcy, patent, trademark, Federal procedure, antitrust, and copyright issues.

In 1997, the focus of his practice shifted to handling patent appeals before the Federal Circuit. Before the Federal Circuit, he has represented patent holders and patent defendants across a variety of technology areas. He has experience with cases concerning international trade, government contracts, and money claims against the United States, all within the jurisdiction of the Federal Circuit.

Mr. Taranto has argued 19 cases in the Supreme Court; 8 while in the Solicitor General's Office and 11 cases in private practice. He has also presented approximately 20 arguments in the Federal Circuit and appeared on briefs in a few others. He has also argued cases before the First, Third, Fourth, Fifth, Eighth, Ninth, and D.C. Circuits. The American Bar Association's Standing Committee on the Federal Judiciary gave him a unanimous well qualified rating.

Andrew Patrick Gordon is nominated to be U.S. district judge for the District of Nevada. Mr. Gordon received a B.A. from Claremont McKenna College in 1984, graduating cum laude. In 1987, Gordon graduated from Harvard Law School. Upon graduation, he joined Streich, Lang, Weeks, and Cardon in Phoenix, AZ. In 1992, he moved to Las Vegas, NV, where he assisted Streich Lang to expand into the Las Vegas market through an affiliate of the firm, Dawson and Associates. In 1994, he lateraled to McDonald Carano Wilson LLP, working as an associate until 1997, when he became a partner. He remains with McDonald Carano Wilson to this day.

Mr. Gordon's law experience is mostly in civil litigation in the areas of business, real property, construction, and employment. From 1997 to 2004, his practice centered on litigation arising from commercial construction projects. Over the last 10 years, he has become more active in arbitration and mediation. Additionally, Mr. Gordon has sat on numerous committees of the Nevada State Bar, the U.S. District Court of Nevada, and the U.S. Court of Appeals for the Ninth Circuit. He has tried at least nine cases to final judgment. The American Bar Association's

Standing Committee on the Federal Judiciary gave him a rating of substantial majority well qualified—minority qualified.

Mr. LEAHY. I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. REED), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. REED) would vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 33 Ex.]

YEAS—91

Alexander	Corker	Johanns
Ayotte	Cornyn	Johnson (SD)
Baldwin	Cowan	Johnson (WI)
Barrasso	Crapo	Kaine
Baucus	Cruz	King
Begich	Donnelly	Kirk
Bennet	Durbin	Klobuchar
Blumenthal	Enzi	Leahy
Blunt	Feinstein	Lee
Boozman	Fischer	Levin
Boxer	Franken	Manchin
Brown	Gillibrand	McCain
Burr	Graham	McCaskill
Cantwell	Grassley	McConnell
Cardin	Hagan	Menendez
Carper	Hatch	Merkley
Casey	Heinrich	Mikulski
Chambliss	Heitkamp	Moran
Coats	Heller	Murkowski
Coburn	Hirono	Murphy
Cochran	Hoeven	Murray
Collins	Inhofe	Nelson
Coons	Isakson	Paul

Portman	Schatz	Thune
Pryor	Schumer	Udall (CO)
Reid	Scott	Udall (NM)
Risch	Sessions	Warner
Roberts	Shaheen	Warren
Rockefeller	Shelby	Wyden
Rubio	Stabenow	
Sanders	Tester	

NOT VOTING—9

Flake	Lautenberg	Vitter
Harkin	Reed	Whitehouse
Landrieu	Toomey	Wicker

The nomination was confirmed.

VOTE ON NOMINATION OF ANDREW PATRICK GORDON

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from California.

#### MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, and I ask unanimous consent that I have up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mrs. BOXER. Mr. President, I am very pleased to see that we have confirmed a couple of judges. We have judges all over this country, nominees waiting to be confirmed and judicial emergencies all over the country, so I hope this is a start of a new day. We will see what happens.

Mr. President, I stand here as chairman of the Environment and Public Works Committee to talk about one of the greatest threats facing our Nation; that is, climate change, dangerous climate change, or you could call it climate disruption. It seems as though the only people who do not get it are Members of Congress. They do not get it.

Last week I talked about a front page story in USA TODAY that highlighted the impacts of climate change unfolding around us. The story I talked about is the first of a yearlong series called "Why you should sweat climate change." Everyone else is sweating about it but not here, not in this Senate, not in this Congress.

Since last week, additional information concerning climate change has been released that I want to talk about today. I want to build a record in this Senate on an issue that threatens the very lives of our grandchildren. It is hard to imagine that this country is facing a question of our own survival and so few people seem to care about it.

I am going to talk about another report. A study published last week in *Science* reports that average global temperatures were higher in the past decade than over most of the previous 11,300 years. Let me repeat that. Let me repeat that for any colleagues who might be listening. Average global temperatures were higher in the past decade than over most of the previous 11,300 years. Yet the Senate does very little.

Senator SANDERS and I have a bill—a very important bill—to put a price on the pollution that is causing the climate to be disrupted and to change. Let me say that we do not have a slew of sponsors.

The lead author of the study in this *Science* report said average global temperatures were higher in the past decade than most of the previous 11,300 years. He is a paleoclimatologist at Oregon State University. Here is what he said:

What's different is the rate of change. . . . What we've seen over the past 150 years is much greater than anything we saw in the past 11,000.

That is Shaun Marcott, Ph.D., the lead author of the study.

Some people may ask, why is this study important? What does it mean for our kids? What does it mean to our grandkids? Let's go to the quote.

If the scientists' forecasts are correct, the planet will be warmer in 2100 than it has been for 11,300 years.

The scientific evidence continues to mount. Study after study has concluded that the planet is warming and the impacts have already started. Yet the only place that doesn't seem to get this message is right here in Washington, DC—not at the White House; they get it. President Obama understands it. That is why he worked with us to increase fuel economy, to keep that carbon pollution from automobiles out of the air, and we are moving to a 55-miles-per-gallon standard.

That is going to help, but that is not enough. We need to put a price on pollution so polluters turn away from dirty energy and turn toward clean energy. That will save us from most of the ravages of the changing climate. But the window is closing on the timeframe because impacts have already started. Another study released last week by the National Oceanic and Atmospheric Administration, NOAA, found there was a dramatic jump in the amount of carbon dioxide in the air in 2012. It was the second highest increase since 1959, when record-keeping began.

The increase in carbon in the air is yet another signal that scientists' predictions about climate change and climate disruption—those predictions are coming true. We have already seen the devastating and far-reaching consequences of unchecked climate disruption in the extreme weather events.

The Government Accountability Office—the GAO; they are not partisan, and they are not ideological—recently released a report entitled “2013 High Risk List” that discusses how climate disruption and extreme weather events threaten our Nation. This is the Government Accountability Office. We, the taxpayers, support the Government Accountability Office. They are non-partisan, and they are straight-from-the-shoulder analysts. They say:

Climate change could threaten coastal areas with rising sea levels, alter agricultural productivity, and increase the intensity and frequency of severe weather events such as floods, drought, and hurricanes.”

I guess they look out their window in addition to looking at the numbers. Anyone who looked out their window who lives in the area of Superstorm Sandy understands this.

Climate change could threaten our coastal areas—it is already doing it. I don't know if anybody saw those homes being removed from a beach in Massachusetts—gorgeous homes. They were there for a while—gone, because the ocean was going to envelope them.

According to the GAO, extreme weather events have cost the Nation tens of billions of dollars already, just over the past decade. As these extreme weather events increase, so will the cost to American taxpayers. This is more from the Government Accountability Office. This is not from the EPA. This is not from NOAA. This is not from BARBARA BOXER. This is not from BERNIE SANDERS. This is not from SHELDON WHITEHOUSE. This is not from the Environment Committee. This is from the GAO.

[T]he impacts and costliness of weather disasters—resulting from floods, drought, and other events such as tropical cyclones—will increase in significance as what are considered “rare” events become more common and intense due to climate change.

When I started in this work a very long time ago, we talked about the 100-year flood, and we could protect ourselves against the 100-year flood. Now—as Governor Cuomo has stated so eloquently—we are seeing the 100-year flood every couple of years. Now taxpayers are on the hook due to extreme weather events such as Superstorm Sandy and because the Federal Government owns buildings across the Nation and insures property and crops and provides disaster assistance.

Let's see what else the GAO says:

Climate change . . . impacts pose significant financial risks for the federal government—

Which, by the way, means us, the taxpayers—

which owns extensive infrastructure, insures property through federal flood and crop insurance programs, provides technical assistance to state and local governments, and provides emergency aid in response to natural disasters.

So our Federal finances are significantly at risk.

[T]here is a growing recognition that the cost of inaction could be greater and—given the government's precarious fiscal position—increasingly difficult to manage given expected budget pressures.

We are going to see a couple of different budgets emerge—one from the Democrats in the Senate and one from the Republicans in the House—and they will have different visions for America. One budget, the Democratic budget, is going to get to a deficit reduction, but it will invest in our people. It will say to the very wealthiest: You have to do your share so our kids can go to Head Start, get their education, job training, and clean up the environment.

The other budget is going to be hurtful. It is going to be painful because the other budget—the Republican budget—is going to protect and defend one group of people in this country, which is the wealthy few. Therefore, we will not have the resources to do what we have to do, and we are going to see cutbacks in the areas that we need in order to make sure we plan for this extreme weather and make sure we can avert this climate disruption by investing in clean energy.

The GAO report is clear: Unchecked climate change comes at a very high price, but that is what is happening in this Congress. The President is doing his best. Some of us over here are pushing hard. In the House they passed a bill. We fell short because of a filibuster. We had 54 votes, and we needed 60 votes. As a result, a price on carbon never happened, and now we are seeing hotter days, a hotter climate, and more severe, extreme weather. We need to take these steps. We need to make these investments. As these budgets come down, let's take a look.

I can assure everyone that when we have a travesty and tragedy such as Superstorm Sandy, we are never going to turn away from our people whether it happens to your State, Mr. President, due to a severe drought or certain types of pests that arise because of a change in the weather. We know such events happen. It is happening all over the country, and it can happen anywhere.

There is extreme weather where we have fires and droughts. We have snow when we never expect it, torrents of rain that we cannot even believe is happening, not to mention these high temperatures. We owe it to our children and our grandchildren not to turn away.

Now, let's see what else the GAO tells us. This is a call from them to us. Is anybody listening? Is anybody who gets to vote in this Senate listening?

The GAO calls for “a government-wide strategic approach with strong leadership and the authority to manage climate change risks that encompasses the entire range of related federal activities and addresses all key elements of strategic planning.”

That is a lot of words for something so simple. What the GAO is saying to us is, you guys better act because this thing is getting out of control. Every time I get a chance on a Monday evening, I intend to come down to the Senate floor and take a few minutes to build a case—and I hope an indisputable one—that we put a price on carbon pollution just like we made sure other pollution had a price on it. It didn't matter if it was a regulatory price or if they had to go buy scrubbers to keep dangerous pollutants out of the air. Carbon pollution is dangerous. It is putting our people at risk, but no one would know it from what is happening around here.

I want to close by thanking my colleague BERNIE SANDERS, with whom I am so proud to serve. I am the chairman of the Environment Committee, and he is a great member. Together we have come up with an excellent bill. The bill takes the proceeds of that carbon tax and invests it in our people, invests in clean energy, makes sure our middle class and working poor have the funds they need to pay the higher prices of electricity in the early years, and it will create jobs.

There is no question as far as what is happening to our coastal States. There is no question as far as what is happening to our farms. There is no question as to what is happening to our natural resources. There is no question what is happening to our species. Scientists predict that 50 percent of God's species will be gone if we do nothing.

When people stand here and laugh off this notion that we are facing severe climate change, I tell them: Look at some of the church groups who are supporting us. They have come together. They are with us. They understand that God's creation is at stake. There is no doubt about it.

We are the stewards of this environment. We are the ones who are supposed to protect it. Yet in this Senate, it is shrugged off as if it is a nothing burger. There are young people who are here whose future is at stake. They want to enjoy the same opportunities my generation enjoyed. We owe it to them to do better.

This nonpartisan GAO report tells us clearly that we better have a “government-wide strategic approach with strong leadership.” I have to say I hope we have more people on this floor who will show that kind of leadership because the clock is ticking.

I say to every Member here—we have old ones, young ones, and middle ones: You are here at the moment that we can do something. You are here at the

moment we can still do something. The Bush administration wasted 8 years by going to the courts and arguing that the Clean Air Act did not cover carbon pollution. They did nothing for 8 years. Finally, the Supreme Court ruled 5 to 4 and said: Yes, of course, it covers carbon pollution. God bless the Obama administration for moving forward in every way they can—unfortunately, without us at this point.

We will be judged harshly if we turn away. We are here now. We didn't choose this time to be born. We didn't choose the fact that this is an issue that is upon us. I don't know what is going to wake up this place, but I am going to do my best to ring the bell as often as I can.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Alaska.

#### SECOND ANNIVERSARY OF JAPAN'S TSUNAMI

Ms. MURKOWSKI. Madam President, today is the second anniversary of a very tragic event in Japan. An earthquake—a tsunami—claimed nearly 16,000 lives and destroyed community infrastructure, homes, and livelihoods. Years after the fact, our prayers remain with the people of Japan for the lives which were lost and for the devastation that occurred within that country.

I had an opportunity to be in Japan in January. I had a chance to see for myself some of the devastation that Japan still faces 2 years after the 3/11 tsunami and earthquake. The pictures that so many of us recall of the Fukushima Daiichi nuclear reactor. We all watched with great concern as the accident in front of us unfolded. It was truly a sense of helplessness that was brought about by an act of nature. A massive earthquake which delivered a massive wave which truly brought about massive destruction.

I also had an opportunity—after viewing the Fukushima Daiichi reactor—to travel north to a small fishing village by the name of Rikuzentakata. It was a community of about 23,000 people. That community alone lost over 1,900 residents who were swept out to sea—including an Alaskan teacher, Mr. Monty Dickson, whose life was lost. To be in this fishing village 2 years after the fact and see how this community is trying to regain its footing—not only economically but emotionally—was quite compelling. Again, Japan is dealing with the aftermath of this destruction in ways those of us here probably cannot appreciate.

From an energy perspective, the country of Japan—literally overnight—went from a nation where close to 30 percent of their energy was generated by nuclear to a point where the nuclear power that was generated was truly

just shut down as everything was on pause for that nation. How a nation rearranges its energy portfolio is a situation that country is dealing with as we speak.

There were connections between Japan and the tsunami that I think are still being felt today. When that tsunami hit, the people of Alaska were on alert on our coastlines. They were waiting and wondering whether we would be impacted by the giant wave that had taken the lives of so many thousands of Japanese. Well, we didn't see the big wave, but what we did see—and what we are continuing to see—is a level of marine debris that has been carried across the currents from Japan and the Pacific Ocean to Hawaii, California, Oregon, Washington State, British Columbia, and then circling all along the coastline of my State of Alaska.

It is estimated that there is about 1.5 million tons of debris that is floating in the ocean. It was estimated by the Japanese Ministry of the Environment that there were 5 million tons of debris that washed into the ocean. They further estimated that 70 percent of that debris sank near the coast of Japan soon after the event. This is something the Japanese fishermen were greatly concerned and worried about.

What we are seeing now—as the floating debris moves its way across the currents—is debris on the shoreline of Alaska in surprising quantities. The picture behind me is some of the debris. There is roof of a house, the bottom of a boat, and buoys. It is just a floating mass of debris in the middle of the Pacific. This is just an example of some of what we have seen over the course of 2 years now.

Sometimes the sightings are pretty phenomenal, such as this picture which was off the Oregon coast. This is actually a concrete dock that floated all the way across the ocean from Japan and landed on the coast of Oregon.

I have sons who are commercial fishermen. They spend their summers out on the water. We worry about obstacles in the water that our fishing vessels could encounter. Running into a concrete dock is not something any mariner would want to do. So we think that 2 years after the fact we should have seen most of the debris we would anticipate. In fact, the vast majority is still coming our way.

These are buoys along the Alaskan shore. This was taken on Montague Island which is just off Kodiak Island. Not all these buoys are necessarily from Japan. Some are just the general marine debris that we see. But what we have been able to determine is that the Japanese buoys are coming across. Those things that are sitting higher up on the water are moving more quickly, but things that are just below the water surface are still on their way.

How do we deal with all this? How do we reach the beaches, whether it is the

beaches in Oregon, California, Hawaii or Alaska? In Alaska, we have 44,000 miles of coastline. That is a lot of territory for debris to come up on, and in so much of this area in my State, these beaches are not accessible by vehicle. They are not accessible by road. It is extraordinarily difficult to deal with the cleanup.

This is a picture of marine debris cleanup in a community by the name of Yakutat, a small fishing village along the coast. What they are finding is that as the community volunteers go out and clean what beaches they can, they have no space in their small landfills there to accommodate the debris. So it would be one thing if we knew this was all we were going to be dealing with. Our reality is we know more is coming.

How we respond is going to be key. It is going to be critical to the communities that are impacted. But for so many of these areas where there are no individuals to see this, there are none to appreciate what has happened, but still we are faced with Styrofoam, plastics, nets—incredible amounts of nets—things that will not only foul the beaches but foul the animals that may be in the area. We have a responsibility to act. So how do we do it? How do we do it at a time of difficult budgets? We all appreciate that. It requires a level of creativity, if you will—partnerships with local and government officials. It requires us to be proactive in terms of what is coming to our shores.

We have asked the White House to assist with a debris cleanup task force to get all the agencies that are involved—State, tribal, Federal—to be participants in how we address these issues.

The Government of Japan last year stepped forward and provided \$5 million to the affected States, plus an additional \$1 million to Canada—they were not obligated to provide the money for an effort to help us address the cleanups. What we need to do in this country—again, we have asked the White House to establish this interagency task force to deal with the debris that continues to come to our shore is to determine how we engage, how we are working together to help make a difference. That is going to be critical. We also don't want to forget the private interests that are potentially engaged in the cleanup. We have so many different interests, so many different industries, and private citizens who are so dependent on our navigable waterways, our healthy ecosystems. What we need is good communication and good leadership. We need a plan to guide the interagency and the public-private partnership approach to solving the challenge. I commend the NOAA Marine Debris Program for their coordination and their response to the work. The fact is they are small. They are overtasked. They need the help of their

Federal partners to address this as a national priority.

So as we continue to see increased levels of debris coming over after the tsunami, it is imperative we act to address it.

It has been interesting in the Alaska press because there have been ongoing stories about the connections. We think Japan is thousands of miles away and we don't have that connection. Beachcombers found a soccer ball with the name of a Japanese boy—a 16-year-old boy and his phone number—and were able to make that call back to the village of Rikuzentakata and tell that young man, whose family lost everything in the tsunami, that we have your soccer ball here. It made it to the shore of Middleton Island in Alaska. But for that young man to have been delivered that soccer ball, after everything else he and his family owned had been wiped out, was a reminder that we are all connected and how we can be working together to help one another.

I ask unanimous consent to have this news story from the Anchorage Daily News printed in the RECORD at the conclusion of my remarks.

In Alaska, we have a lot of experience with helping our neighbors out. We will continue to work to address the issues, work to address the debris that is reaching our shore, but we do need a little bit of help from our government. We need a little bit of help when it comes to advancing this interagency task force so we can address what we are seeing in Alaska, what we are seeing on our coastline in the Pacific Northwest and in Hawaii as well.

With that, I thank the Chair and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Anchorage Daily News, Mar. 9, 2013]

2 YEARS AFTER JAPAN TSUNAMI, DEBRIS SPREADS IN US

(By Becky Bohrer—Associated Press)

JUNEAU, AK.—Two years ago, the yellow buoy was hanging as part of a restaurant sign in the coastal community of Minamisanriku in northern Japan when an earthquake triggered a tsunami and washed it—and so much more—out to sea.

About a year later, the buoy was found more than 3,000 miles away on a remote Alaska island, discovered by an avid beachcomber who, through sheer coincidence, was later able to find the owner, who had lost her home and business. Hundreds of similar buoys have been found on beaches along the West Coast, a combination of the everyday trash that has plagued coastal areas for years and debris washed away by the March 11, 2011 disaster.

Distinguishing between the two is difficult. Just 21 items from among the more than 1,500 reports of possible tsunami debris have been firmly traced back to the tsunami, according to the National Oceanic and Atmospheric Administration.

The confirmed items include several derelict vessels, including a small boat found in

Hawaii waters, large docks that have washed ashore in Washington state and Oregon and a motorcycle that washed ashore off the coast of British Columbia.

These are items that tend to have unique markings—names of people and places, registration numbers or other identifying information. The agency lists scores of other items along the West Coast and across the Pacific Ocean as potentially linked to the catastrophe.

The Japanese government estimated 1.5 million tons of debris was floating in the ocean in the immediate aftermath of the disaster, which devastated a long stretch of Japan's northeastern coast and killed thousands of people. But it's not clear how much is still out there or what might reach U.S. shores. NOAA has said the debris is spread over an area roughly three times the size of the contiguous United States, and that beachgoers may notice an increase in debris "over many years," in addition to what normally washes up.

Beachcombing on Middleton Island, in the northern Gulf of Alaska, has long been a favorite pastime for radar technician David Baxter and some of his colleagues. In early 2012, there had been talk about finding tsunami debris—"a wall with a safe in it or a briefcase of money, we'd always joke about that"—but Baxter said he didn't think it was realistic he'd find anything related to the tsunami, given models he'd seen at the time that suggested the debris would move much further south.

Then, in February 2012, a co-worker found a soccer ball. Baxter subsequently found another soccer ball—a discovery that made international headlines as one of the first identifiable pieces of debris to wash up—a volleyball and the buoy.

The buoy stood out to Baxter as a bit different from other buoys that have washed up. For example, it was hard, not inflatable, and had writing on it. By chance, when a Japanese film crew was visiting him and his wife after the discovery of the soccer ball, they panned on other items he'd found, including the buoy, he said. A friend of the restaurant's owner, Sakiko Miura, happened to recognize it, and the owner later confirmed it was hers through a photo sent by Baxter.

FedEx, which flies regularly between Anchorage and Tokyo, volunteered to return items including the balls found by Baxter and the buoy last June. The team traveled by plane to Tokyo and then by train to outlying communities, hand-delivering the items, spokeswoman Sharon Young said.

"It was a wonderful experience, to reunite people with things that meant a lot to them and that survived this incredibly devastating situation," she said Friday.

Baxter and his wife were recently able to talk to Miura, who said she plans to rebuild. He said he found the owner of the soccer ball his colleague found, an 8-year-old, and plans to return it this summer.

Baxter said he can't help but be affected by what he's found. He wife is Japanese and he said he has visited the nation several times. But it's more than that.

"I wonder all the time, when you see (things) if the person was in the house, if they survived," he said, adding later: "Of course, when I see the housing insulation and household items, shampoo bottles, shaving cream bottles with Japanese writing on them, yeah, it hurts a little."

# STRAW PURCHASING OF FIREARMS

Mr. LEAHY. Madam President, last week I introduced bipartisan legislation with Senator COLLINS to combat the straw purchasing and trafficking of firearms. We were joined by other Senators from both sides of the aisle. We have made good progress since then. Last Thursday, the Senate Judiciary Committee voted for our bill as an amendment to the Stop Illegal Trafficking in Firearms Act, S. 54. This is the first legislative vote on measures related to gun violence in either the Senate or the House since the Newtown tragedy. Every Democratic Senator on the Committee voted in favor of our bill and we were joined in that support by the Committee's ranking Republican, Senator GRASSLEY. I appreciate Senator GRASSLEY's cooperation in getting our bill reported after weeks of consultation and I look forward to working closely with him as we move forward.

The White House called the Judiciary Committee action "an important bipartisan step" that takes on "the very serious problem of gun trafficking." At the signing of the Violence Against Women Reauthorization Act and Trafficking Victims Protection Reauthorization Act last Thursday, the President called the Judiciary Committee's action on our bill a "big step" and "real progress." He noted that our bill "would crack down on folks who buy guns only to turn around and funnel them to dangerous criminals."

I want to continue to make progress on this legislation and other bills that can be effective in reducing illegal gun violence in our country. We have the strong support of several leading law enforcement organizations including the Fraternal Order of Police, the FBI Agents Association, the Major Cities Chiefs Association, the Federal Law Enforcement Officers Association, and the National Organization of Black Law Enforcement Executives. Last week I received a letter from the NAACP lending their strong support to our efforts. I thank all of these organizations for their assistance and support.

Tomorrow, the Judiciary Committee will continue its work on three remaining gun violence measures that have been on our agenda for the past weeks: Senator SCHUMER's proposal to expand requirements for background checks, Senator BOXER's proposal to enhance the safety of our schools, and Senator FEINSTEIN's bill to reinstitute an assault weapons ban. I aim by the end of the week to have completed Judiciary Committee action on these legislative proposals.

At the bill signing last Thursday, the President observed that we were able finally to pass the Violence Against Women and Trafficking Victims Protection legislation on a bipartisan

basis because the American people spoke up. That is what happened on VAWA when a group of House Republicans switched their position to support passing the VAWA bill that they had not supported last year.

That is what is also needed in the context of gun violence legislation. Seven of the eight Republican Senators on the Judiciary Committee voted against closing the loophole in the law to combat straw purchasing and gun trafficking. If we are going to be able to close loopholes in our background check system, improve school safety with more resources for resource officers that include counselors and officers, and if we are going to outlaw straw purchasing and gun trafficking, the American people need to speak up and be heard. If Congress is going to place limits on high capacity clips, it will be because the American people demand such action.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 517 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

## CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT

Ms. MIKULSKI. Madam President, I submit to my colleagues the following explanatory statement with regard to H.R. 933:

The divisions contained in the Act are as follows:

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

DIVISION F—FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

DIVISION G—OTHER MATTERS

Section 3 of the Act states that, unless expressly provided otherwise, any reference to "this Act" contained in any division shall be treated as referring only to the provisions of that division.

Section 4 of the Act specifies that this explanatory statement shall have the same effect with respect to the allocation of funds and implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

Section 5 of the Act states that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terror is contingent on the President so designating all such amounts and transmitting such designations to Congress. The provision is consistent with the requirements in the Budget Control Act of 2011 for Overseas Contingency Operations/Global War on Terror designations by the President.

References in this explanatory statement in division C, Department of Defense Appropriations Act, 2013, to "conferees" are deemed to be references to the Committees on Appropriations of the House of Representatives and the Senate, and references to the "conference agreement" are deemed to be references to the recommendation in division C of this Act.

## DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013 CONGRESSIONAL DIRECTIVES

Provisions that were in both the House Report (H.Rpt. 112-542) and Senate Report (S.Rpt. 112-163) remain unchanged except as noted herein.

Executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions, which are the official reports of the Congress. Funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed herein is approved. While repeating some report language for emphasis, these recommendations do not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations no later than sixty days after enactment, unless otherwise directed.

Hereafter, in Division A, the term "the Committees" refers to the Committees on Appropriations of the House of Representatives and the Senate.

### TITLE I—AGRICULTURAL PROGRAMS

#### PRODUCTION, PROCESSING AND MARKETING

##### OFFICE OF THE SECRETARY

##### (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$46,388,000 for the Office of the Secretary. The following offices are included within the Office of the Secretary: the immediate Office of the Secretary; Office of Tribal Relations; Office of Homeland Security and Emergency Coordination; Office of Advocacy and Outreach; Office of Assistant Secretary for Administration; Departmental Administration; Office of Assistant Secretary for Congressional Relations; and Office of Communications. The National Appeals Division, the Office of the General Counsel, and the Office of Ethics are funded in separate accounts.

The recommendation includes a general provision that requires the Secretary to submit spending plans to the Committees within 30 days of enactment.

##### Office of the Secretary

##### (DOLLARS IN THOUSANDS)

Office of the Secretary (immediate) .....	\$5,051
Office of Tribal Relations .....	498
Office of Homeland Security and Emergency Coordination .....	1,496
Office of Advocacy and Outreach .....	1,422
Office of Assistant Secretary for Administration .....	804
Departmental Administration .....	24,242
Office of Assistant Secretary for Congressional Relations .....	3,869
Office of Communications .....	9,006

Total, Office of the Secretary ... \$46,388

Reports requested by the House and Senate Appropriations Committees are an important part of the Committees' oversight responsibilities. There is concern about the Department's delinquency in completing these reports. There is also concern that the delay is due to excessively long reviews, especially in the Office of the Secretary. The reports are due on the dates specified in the House or Senate reports or herein. Each agency of the Department is directed to comply with the deadlines and to cooperate fully with the Office of Budget and Program Analysis in providing these reports. It is noted that the Committees reserve the right to call before them any agency that does not submit its reports by the specified due date.

Any reallocation of resources related to the collocation of State offices scheduled for 2013 and subsequent years is subject to the reprogramming procedures in section 726 of this Act.

The Secretary of Agriculture is directed to advise the Committees, through the Office of Budget and Program Analysis, of the status of all reports requested of the Department at the time of submission of the fiscal year 2014 budget and monthly thereafter. All correspondence related to the directives must be addressed to the Committees.

The United States Department of Agriculture (USDA) has been without a permanent Chief Financial Officer since November 2009. With its substantial loan portfolios, potential for improper payments in mandatory programs, and history of uneven financial audits, the necessity for a full complement of senior USDA financial leaders is evident. The Secretary is directed to submit a report to the Committees detailing how the Department plans to expeditiously recruit and fill this vacancy with a permanent Chief Financial Officer. The Secretary is reminded of the statutory requirements of 31 U.S.C. 901 and 902.

#### EXECUTIVE OPERATIONS

##### OFFICE OF THE CHIEF ECONOMIST

The recommendation includes \$16,008,000 for the Office of the Chief Economist.

##### NATIONAL APPEALS DIVISION

The recommendation includes \$14,225,000 for the National Appeals Division.

##### OFFICE OF BUDGET AND PROGRAM ANALYSIS

The recommendation includes \$9,049,000 for the Office of Budget and Program Analysis.

##### OFFICE OF THE CHIEF INFORMATION OFFICER

The recommendation includes \$44,031,000 for the Office of the Chief Information Officer.

##### OFFICE OF THE CHIEF FINANCIAL OFFICER

The recommendation includes \$6,247,000 for the Office of the Chief Financial Officer.

#### OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The recommendation includes \$893,000 for the Office of the Assistant Secretary for Civil Rights.

##### OFFICE OF CIVIL RIGHTS

The recommendation includes \$22,692,000 for the Office of Civil Rights.

#### AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

##### (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$271,336,000 for Agriculture Buildings and Facilities and Rental Payments. The recommendation includes \$175,694,000 for rental payments; \$13,473,000 for Department of Homeland Security building security; and \$82,169,000 for building operations and maintenance.

The recommendation includes a one-time increase above the budget request of \$30,000,000 for building operations and maintenance. This increase is provided for high priority projects in the Whitten and South Buildings, addressing first those projects addressing life and safety issues.

#### HAZARDOUS MATERIALS MANAGEMENT

##### (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$3,992,000 for Hazardous Materials Management.

##### OFFICE OF INSPECTOR GENERAL

The recommendation includes \$89,016,000 for the Office of Inspector General.

##### OFFICE OF THE GENERAL COUNSEL

The recommendation includes \$45,074,000 for the Office of the General Counsel.

##### OFFICE OF ETHICS

The recommendation includes \$3,405,000 for the Office of Ethics.

#### OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The recommendation includes \$893,000 for the Office of the Under Secretary for Research, Education, and Economics.

The Under Secretary is encouraged to evaluate and adjust efforts to identify methods of preventing and controlling tomato diseases affecting tomato growers nationwide.

##### ECONOMIC RESEARCH SERVICE

The recommendation includes \$77,397,000 for the Economic Research Service.

##### NATIONAL AGRICULTURAL STATISTICS SERVICE

The recommendation includes \$179,477,000 for the National Agricultural Statistics Service. This includes \$62,500,000 for the Census of Agriculture.

##### AGRICULTURAL RESEARCH SERVICE

##### SALARIES AND EXPENSES

The recommendation includes \$1,101,853,000 for the Agricultural Research Service, Salaries and Expenses. The recommendation does not concur with the President's budget request regarding the termination of extra-

mural research projects or the closure of six research laboratories. It is expected that the Agricultural Research Service will allocate the resources provided to the highest priority research and utilize existing processes consistent with the reprogramming requirements of this Act to notify the Committees of any changes from the previous fiscal year. The recommendation also includes funding requested for repair and maintenance and for the National Agricultural Library.

There remains concern about the high rates of obesity in this country. Research into human nutrition is important to help prevent childhood obesity and the medical issues obesity brings. In addition, there is strong evidence that nutrition plays a vital role in how a person ages, but more research in this area is needed. Therefore, the Agricultural Research Service is encouraged to continue research relating to childhood and adult obesity as well as the impact of nutrition on aging.

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

##### RESEARCH AND EDUCATION ACTIVITIES

The recommendation includes \$738,638,000 for the National Institute of Food and Agriculture's research and education activities.

The Department is directed to include in the fiscal year 2014 budget request funding levels proposed to be allocated to and the expected publication date, scope, and allocation level for each request for awards to be published under (1) each priority area specified in section 2(b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2)); (2) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a)); (3) each grant awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a)); (4) each research, education, and extension project carried out under section 406 of the Research Reform Act of 1998 (7 U.S.C. 7626); and (5) each research and extension project carried out under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632). The term 'request for awards' means a funding announcement published by NIFA that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restrictions, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.

There is recognition of the broad responsibilities in agricultural research, education, extension, and economics that Congress has given to NIFA, and NIFA is directed to prioritize funding for the highest quality, peer-reviewed and relevant research.

The following table reflects the recommended amounts:

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

(Dollars in thousands)

Hatch Act .....	7 U.S.C. 361a-i .....	\$236,334
McIntire-Stennis Cooperative Forestry Act .....	16 U.S.C. 582a through a-7 .....	32,934
Research at 1890 Institutions (Evans-Allen Program) .....	7 U.S.C. 3222 .....	50,898
Payments to the 1994 Institutions .....	534(a)(1) of P.L. 103-382 .....	3,335
Education Grants for 1890 Institutions .....	7 U.S.C. 3152(b) .....	19,336
Education Grants for Hispanic-Serving Institutions .....	7 U.S.C. 3241 .....	9,219
Education Grants for Alaska Native and Native Hawaiian-Serving Institutions .....	7 U.S.C. 3156 .....	3,194
Research Grants for 1994 Institutions .....	7 U.S.C. 301 note .....	1,801
Capacity Building for Non Land-Grant Colleges of Agriculture .....	7 U.S.C. 3319i .....	4,500
Resident Instruction and Distance Education Grants for Insular Areas .....	7 U.S.C. 3363 and 3362 .....	1,650
Agriculture and Food Research Initiative .....	7 U.S.C. 450i(b) .....	297,956
Veterinary Medicine Loan Repayment .....	7 U.S.C. 3151a .....	4,790

## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES—Continued

(Dollars in thousands)

Continuing Animal Health and Disease Research Program .....	7 U.S.C. 3195 .....	4,000
Supplemental and Alternative Crops .....	7 U.S.C. 3319d .....	825
Critical Agricultural Materials Act. ....	7 U.S.C. 178 et seq. ....	1,081
Multicultural Scholars, Graduate Fellowship and Institution Challenge Grants .....	7 U.S.C. 3152(b) .....	9,000
Secondary and 2-year Post-Secondary Education .....	7 U.S.C. 3152(j) .....	900
Aquaculture Centers .....	7 U.S.C. 3322 .....	4,000
Sustainable Agriculture Research and Education .....	7 U.S.C. 5811 .....	14,471
Farm Business Management .....	7 U.S.C. 5925f .....	1,450
Sun Grant Program .....	7 U.S.C. 8114 .....	2,500
Improved Pest Control:		
Expert IPM Decision Support System .....	7 U.S.C. 450i(c) .....	153
Integrated Pest Management .....	7 U.S.C. 450i(c) .....	2,362
Minor Crop Pest Management (IR-4) .....	7 U.S.C. 450i(c) .....	11,913
Pest Management Alternatives .....	7 U.S.C. 450i(c) .....	1,402
Total, Improved Pest Control .....		15,830
Special Research Grants: .....	7 U.S.C. 450i(c).	
Global Change/UV Monitoring .....		1,405
Potato Research .....		1,350
Forest Products Research .....		1,650
Total, Special Research Grants .....		4,405
Necessary Expenses of Research and Education Activities:		
Grants Management System .....		7,830
Federal Administration—Other Necessary Expenses for Research and Education Activities .....		6,399
Total, Necessary Expenses .....		14,229
Total, Research and Education Activities .....		\$738,638

## NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The recommendation includes \$11,880,000 for the Native American Institutions Endowment Fund.

## EXTENSION ACTIVITIES

The recommendation includes \$475,854,000 for the National Institute of Food and Agriculture's extension activities.

The following table reflects the recommended amounts:

## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE EXTENSION ACTIVITIES

(Dollars in thousands)

Smith-Lever, Section 3(b) and (c) programs and Cooperative Extension .....	7 U.S.C. 343(b) and (c) and 208(c) of P.L. 93-471 .....	\$294,000
Extension Services at 1890 Institutions .....	7 U.S.C. 3221 .....	42,592
Extension Services at 1994 Institutions .....	7 U.S.C. 343(b)(3) .....	4,312
Facility Improvements at 1890 Institutions .....	7 U.S.C. 3222b .....	19,730
Renewable Resources Extension Act .....	16 U.S.C. 1671 et seq. ....	3,700
Rural Health and Safety Education Programs .....	7 U.S.C. 2662(i) .....	1,500
Food Animal Residue Avoidance Database Program .....	7 U.S.C. 7642 .....	1,000
Women and Minorities in STEM Fields .....	7 U.S.C. 5925 .....	400
Grants to Youth Organizations .....	7 U.S.C. 7630 .....	729
Smith-Lever, Section 3(d): .....	7 U.S.C. 343(d).	
Food and Nutrition Education .....		67,934
Pest Management .....		9,918
Farm Safety and Youth Farm Safety Education Programs .....		4,610
New Technologies for Agricultural Extension .....		1,550
Children, Youth, and Families at Risk .....		7,600
Federally Recognized Tribes Extension Program .....		3,039
Sustainable Agriculture Programs .....		4,696
Total, Section 3(d) .....		99,347
Necessary Expenses of Extension Activities:		
Agriculture in the K-12 Classroom .....		552
Federal Administration—Other Necessary Expenses for Extension Activities .....		7,992
Total, Necessary Expenses .....		8,544
Total, Extension Activities .....		\$475,854

## INTEGRATED ACTIVITIES

The recommendation includes \$21,482,000 for the National Institute of Food and Agriculture's integrated activities.

The following table reflects the recommended amounts:

## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE INTEGRATED ACTIVITIES

(Dollars in thousands)

Water Quality Program .....	7 U.S.C. 7626 .....	\$4,500
Regional Pest Management Centers .....	7 U.S.C. 7626 .....	4,000
Methyl Bromide Transition Program .....	7 U.S.C. 7626 .....	1,996
Organic Transition Program .....	7 U.S.C. 7626 .....	4,000



## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE INTEGRATED ACTIVITIES—Continued

(Dollars in thousands)

Regional Rural Development Centers .....	7 U.S.C. 450i(c) .....	998
Food and Agriculture Defense Initiative .....	7 U.S.C. 3351 .....	5,988
Total, Integrated Activities .....		\$21,482

HISPANIC-SERVING AGRICULTURAL COLLEGES  
AND UNIVERSITIES ENDOWMENT FUND

The recommendation does not include an appropriation for the Hispanic-Serving Agricultural Colleges and Universities Endowment Fund.

OFFICE OF THE UNDER SECRETARY FOR  
MARKETING AND REGULATORY PROGRAMS

The recommendation includes \$893,000 for the Office of the Under Secretary for Marketing and Regulatory Programs.

ANIMAL AND PLANT HEALTH INSPECTION  
SERVICE

## SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$821,851,000 for the Animal and Plant Health Inspection Service (APHIS).

The President's fiscal year 2013 budget proposal for APHIS to add an additional line item or account in order to fund the two separate accounts for Equine and Cervid Health and Sheep and Goat Health is not supported. The increase above the President's budget request supports equine veterinary medicine and related expenses.

The recommendation includes increased funding for the animal disease traceability system within the Animal Health Technical Services line item. The Agency is encouraged to produce the most cost-effective, least burdensome regulatory system in the final rule. APHIS is directed to continue to submit quarterly reports (by March 31, 2013; June 30, 2013; and September 30, 2013) to the Committees with specific cost information, assessments of progress, and any deviations from the scheduled completion dates.

There is concern about APHIS's increased responsibility of managing and enforcing the importation of illegally harvested plants, especially when such activities fall outside of the Agency's primary mission to protect and promote the health and welfare of U.S. plants and animals. The Secretary is directed to provide the Committees with a report detailing the current responsibilities, activities, expenditures, and future plans of all agencies involved with the 2008 Farm Bill provisions that amended the Lacey Act. Until such report is received, APHIS may not spend more on the Lacey Act amendments than was spent in fiscal year 2012.

The National Clean Plant Network is instrumental in ensuring that nurseries can provide safe, virus-free plant materials to orchards, vineyards, and other growers. There is recognition of the value of continued research to improve detection and eradication of viruses, and the Department is encouraged to continue its work on this important program.

The following table reflects the recommended amounts:

## ANIMAL AND PLANT HEALTH INSPECTION SERVICE

(Dollars in thousands)

Program	Amount
Animal Health Technical Services .....	\$36,858
Aquatic Animal Health .....	2,261
Avian Health .....	52,000
Cattle Health .....	97,884
Equine, Cervid & Small Ruminant Health .....	19,169

ANIMAL AND PLANT HEALTH INSPECTION SERVICE—  
Continued

(Dollars in thousands)

Program	Amount
National Veterinary Stockpile .....	2,750
Swine Health .....	23,000
Veterinary Biologics .....	16,457
Veterinary Diagnostics .....	31,611
Zoonotic Disease Management .....	10,374
Subtotal, Animal Health .....	292,364
Agricultural Quarantine Inspection (Appropriated) .....	28,500
Cotton Pests .....	15,970
Field Crop & Rangeland Ecosystems Pests .....	9,068
Pest Detection .....	27,500
Plant Protection Methods Development .....	21,600
Specialty Crop Pests .....	153,950
Tree & Wood Pests .....	56,638
Subtotal, Plant Health .....	313,226
Wildlife Damage Management .....	73,500
Wildlife Services Methods Development .....	19,000
Subtotal, Wildlife Services .....	92,500
Animal & Plant Health Regulatory Enforcement .....	16,275
Biotechnology Regulatory Services .....	18,135
Subtotal, Regulatory Services .....	34,410
Contingency Fund .....	1,500
Emergency Preparedness & Response .....	17,000
Subtotal, Emergency Management .....	18,500
Agriculture Import/Export .....	13,354
Overseas Technical & Trade Operations .....	20,014
Subtotal, Safe Trade .....	33,368
Animal Welfare .....	27,087
Horse Protection .....	696
Subtotal, Animal Welfare .....	27,783
APHIS Information Technology Infrastructure .....	4,335
Physical/Operational Security .....	5,365
Subtotal, Agency Management .....	9,700
Total, Direct Appropriation .....	\$821,851

## BUILDINGS AND FACILITIES

The recommendation includes \$3,175,000 for Animal and Plant Health Inspection Service Buildings and Facilities.

## AGRICULTURAL MARKETING SERVICE

## MARKETING SERVICES

The recommendation includes \$78,863,000 for the Agricultural Marketing Service.

The recommendation includes \$1,831,000 for the Pesticide Recordkeeping Program, and an increase of \$1,000,000 for Transportation and Marketing Programs.

## LIMITATION ON ADMINISTRATIVE EXPENSES

The recommendation includes a limitation on administrative expenses of \$62,592,000.

FUNDS FOR STRENGTHENING MARKETS, INCOME,  
AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$20,056,000 for Funds for Strengthening Markets, Income, and Supply.

The following table reflects the status of this fund for fiscal year 2013:

ESTIMATED TOTAL FUNDS AVAILABLE AND BALANCE  
CARRIED FORWARD

(Dollars in Thousands)

	Amount
Appropriation (30% of Customs Receipts) .....	\$8,990,117
Less Transfers:	
Food & Nutrition Service .....	(7,618,053)
Commerce Department .....	(124,064)
Total, Transfers .....	(7,742,117)
Prior Year Appropriation Available, Start of Year .....	206,694

ESTIMATED TOTAL FUNDS AVAILABLE AND BALANCE  
CARRIED FORWARD—Continued

(Dollars in Thousands)

	Amount
Unavailable for Obligations (recoveries & offsetting collections) .....	(73,694)
Transfer of Prior Year Funds to FNS (F&V) .....	(133,000)
Budget Authority .....	1,248,000
Rescission of Current Year Funds .....	(150,000)
Unavailable for Obligations (F&V Transfer—FNS) .....	(117,000)
Available for Obligation .....	981,000
Less Obligations:	
Child Nutrition Programs (Entitlement Commodities) ..	465,000
12 Percent Commodity Floor .....	—
State Option Contract .....	5,000
Removal of Defective Commodities .....	2,500
Emergency Surplus Removal .....	—
Disaster Relief .....	5,000
Additional Fruits, Vegetables, and Nuts Purchases ....	206,000
Fresh Fruit and Vegetable Program .....	39,076
Estimated Future Needs .....	210,637
Total, Commodity Procurement .....	933,213
Administrative Funds:	
Commodity Purchase Support .....	27,731
Marketing Agreements and Orders .....	20,056
Total, Administrative Funds .....	47,787
Total Obligations .....	981,000
Unavailable for Obligations (F&V transfer to FNS) .....	117,000
Balances, Collections, and Recoveries Not Available .....	73,694
Total, End of Year Balances .....	190,694

## PAYMENTS TO STATES AND POSSESSIONS

The recommendation includes \$1,331,000 for Payments to States and Possessions.

GRAIN INSPECTION, PACKERS AND STOCKYARDS  
ADMINISTRATION

## SALARIES AND EXPENSES

The recommendation includes \$40,261,000 for the Grain Inspection, Packers and Stockyards Administration.

LIMITATION ON INSPECTION AND WEIGHING  
SERVICES EXPENSES

The recommendation includes a limitation on inspection and weighing services expenses of \$50,000,000.

OFFICE OF THE UNDER SECRETARY FOR FOOD  
SAFETY

The recommendation includes \$811,000 for the Office of the Under Secretary for Food Safety.

## FOOD SAFETY AND INSPECTION SERVICE

The recommendation includes \$1,001,427,000 for the Food Safety and Inspection Service, including the requested funding for time clocks.

The Under Secretary is directed to submit an updated report on the status of the poultry modernization rule upon enactment.

The following table reflects the recommended amounts:

## Food Safety and Inspection Service

(DOLLARS IN THOUSANDS)

Federal .....	\$884,520
State .....	62,734
International .....	15,841
Codex Alimentarius .....	3,752



Public Health Data Communications Infrastructure System ..... 34,580

Total, Food Safety and Inspection Service ..... \$1,001,427

**OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES**

The recommendation includes \$893,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services.

**FARM SERVICE AGENCY**

**SALARIES AND EXPENSES**

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$1,516,427,000 for the Farm Service Agency.

The following table reflects the recommended amounts:

(DOLLARS IN THOUSANDS)

Salaries and expenses .....	\$1,208,290
Transfer from P.L. 480 .....	2,806
Transfer from Export Loans .....	354
Transfer from ACIF .....	<u>304,977</u>

Total, FSA Salaries and expenses ..... \$1,516,427

**STATE MEDIATION GRANTS**

The recommendation includes \$4,369,000 for State Mediation Grants.

**GRASSROOTS SOURCE WATER PROTECTION PROGRAM**

The recommendation includes \$5,500,000 for the Grassroots Source Water Protection Program. It is directed that this program be carried out nationwide. It is further directed that not less than \$100,000 shall be provided for each state program unless the Department provides justification to the Committees that supports a lesser amount.

**DAIRY INDEMNITY PROGRAM**

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes \$100,000 for the Dairy Indemnity Program.

**AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

The following table reflects the recommended amounts:

(DOLLARS IN THOUSANDS)

<b>Farm Ownership Loans:</b>	
Direct .....	(\$475,000)
Subsidy .....	\$20,140
Guaranteed .....	(\$1,500,000)
Subsidy .....	---
<b>Farm Operating Loans:</b>	
Direct .....	(\$1,050,090)
Subsidy .....	\$58,490
Unsubsidized Guaranteed .....	(\$1,500,000)
Subsidy .....	\$17,850
Emergency Loans .....	(\$34,658)
Subsidy .....	\$1,317
Indian Tribe Land Acquisition Loans: .....	(\$2,000)
Subsidy .....	---
Conservation Loans—Guaranteed .....	(\$150,000)
Subsidy .....	---
Indian Highly Fractionated Land .....	(\$10,000)
Subsidy .....	\$173
Boll Weevil Eradication ....	(\$100,000)
Subsidy .....	---
<b>ACIF Expenses:</b>	
Salaries and Expenses ....	\$304,977
Administrative Expenses .....	\$7,920

**RISK MANAGEMENT AGENCY**

The recommendation includes \$74,900,000 for the Risk Management Agency.

**FEDERAL CROP INSURANCE CORPORATION FUND**

The recommendation includes an appropriation of such sums as may be necessary

for the Federal Crop Insurance Corporation Fund.

**COMMODITY CREDIT CORPORATION FUND**

**REIMBURSEMENT FOR NET REALIZED LOSSES**

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation.

**HAZARDOUS WASTE MANAGEMENT**

(LIMITATION ON EXPENSES)

The recommendation includes a limitation of \$5,000,000 for Hazardous Waste Management.

**TITLE II—CONSERVATION PROGRAMS**

**OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT**

The recommendation includes \$893,000 for the Office of the Under Secretary for Natural Resources and Environment.

**NATURAL RESOURCES CONSERVATION SERVICE**

**CONSERVATION OPERATIONS**

The recommendation includes \$830,998,000 for Conservation Operations.

The recommendation includes \$9,300,000 for the Snow Survey and Water Forecasting Program; \$9,400,000 for the Plant Materials Centers; \$80,000,000 for the Soil Surveys Program; and \$732,298,000 for conservation technical assistance, including funding for ongoing watershed projects.

**WATERSHED REHABILITATION PROGRAM**

The recommendation includes \$14,700,000 for the Watershed Rehabilitation Program.

**TITLE III—RURAL DEVELOPMENT PROGRAMS**

**OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT**

The recommendation includes \$893,000 for the Office of the Under Secretary for Rural Development.

The Under Secretary is directed to notify the Committees when awards are made under the authority provided by section 310B(j) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(j)) and loans are made under the authority provided by section 1006a of title 16 of the United States Code.

**RURAL DEVELOPMENT SALARIES AND EXPENSES**

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$206,857,000 for Rural Development Salaries and Expenses.

**RURAL HOUSING SERVICE**

**RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes a total subsidy of \$495,704,000 for activities under the Rural Housing Insurance Fund Program Account. This includes a transfer of \$410,627,000 to the Rural Development Salaries and Expenses account.

The following table indicates loan, subsidy, and grant levels included in the recommendation:

(DOLLARS IN THOUSANDS)

<b>Loan authorizations:</b>	
Single family direct (sec. 502) .....	(\$900,000)
Single family unsubsidized guaranteed .....	(24,000,000)
Housing repair (sec. 504) .....	(27,952)
Rental housing (sec. 515) .....	(31,277)
Multi-family guaranteed (sec. 538) .....	(150,000)
Credit sales of acquired property .....	(10,000)

Self-help housing land development .....	(5,000)
Farm labor housing .....	<u>(22,969)</u>

Total, Loan authorizations ..... (\$25,147,198)

**Loan subsidies:**

Single family direct (sec. 502) .....	\$53,730
Housing repair (sec. 504) .....	3,821
Rental housing (sec. 515) .....	11,000
Farm labor housing .....	<u>7,658</u>

Subtotal, Loan subsidies ... 76,209

Farm labor housing grants ..... 8,868

Total, loan subsidies and grants ..... \$85,077

Administrative expenses (transfer to RD) ..... \$410,627

Total, Loan subsidies, grants, and administrative expenses ..... \$495,704

**RENTAL ASSISTANCE PROGRAM**

The recommendation includes \$907,128,000 for the Rental Assistance Program.

**MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT**

The recommendation includes \$27,782,000 for the Multi-Family Housing Revitalization Program Account.

This includes \$10,000,000 for vouchers and \$17,782,000 for a housing preservation demonstration program.

There is concern about the dramatic shifts in the proposed program funding levels over the past two fiscal years for the multi-family housing revitalization program. The Committees believe that the Department's vision for affordable rural rental housing is out of focus. A change in focus in the management of the multi-family housing portfolio is necessary, and the Department is directed to develop and present to the Committees a definitive plan to address rural rental housing needs.

**MUTUAL AND SELF-HELP HOUSING GRANTS**

The recommendation includes \$30,000,000 for Mutual and Self-Help Housing Grants.

**RURAL HOUSING ASSISTANCE GRANTS**

The recommendation includes \$33,136,000 for Rural Housing Assistance Grants.

The following table reflects the grant levels included in the recommendation:

(DOLLARS IN THOUSANDS)

Very-low income housing repair grants .....	\$29,500
Housing preservation grants .....	<u>3,636</u>

Total, grants ..... \$33,136

**RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$32,308,000 for the Rural Community Facilities Program Account.

The following table reflects the loan, subsidy, and grant amounts included in the recommendation:

(DOLLARS IN THOUSANDS)

<b>Loan Authorizations:</b>	
CF direct loans .....	(\$2,200,000)
CF guaranteed loans .....	(57,481)
<b>Loan Subsidies and Grants:</b>	
CF guaranteed loans .....	3,880
CF grants .....	13,000
Rural Community Development Initiative .....	6,121
Economic Impact Initiative .....	<u>5,938</u>

Tribal College Grants .....	3,369
<b>Total, subsidies and grants</b>	<b>\$32,308</b>

## RURAL BUSINESS-COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$85,904,000 for the Rural Business Program Account.

The following table reflects the loan, subsidy, and grant levels included in the recommendation:

(DOLLARS IN THOUSANDS)

Business and Industry loan program:	
Guaranteed loan authorization	(\$821,224)
Guaranteed loan subsidy .....	56,336
Rural business enterprise grants	24,318
Rural business opportunity grants .....	2,250
Delta Regional Authority .....	3,000

<b>Total, subsidy and grants</b> .....	<b>\$85,904</b>
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## RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes \$10,490,000 for the Rural Development Loan Fund Program Account.

The recommendation provides for a transfer of \$4,438,000 to the Rural Development Salaries and Expenses account.

The following table reflects the loan and subsidy levels included in the recommendation:

(DOLLARS IN THOUSANDS)

Loan authorization .....	(\$18,889)
Loan subsidy .....	6,052
Administrative expenses (Transfer to RD) .....	4,438

<b>Total, subsidy and administrative expenses</b> .....	<b>\$10,490</b>
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## RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

The recommendation includes \$33,077,000 for the Rural Economic Development Loans Program Account.

## RURAL COOPERATIVE DEVELOPMENT GRANTS

The recommendation includes \$27,706,000 for Rural Cooperative Development Grants.

The recommendation includes \$7,000,000 for cooperative development grants; \$2,250,000 for a cooperative agreement for the Appropriate Technology Transfer for Rural Areas program; \$3,456,000 for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers; and \$15,000,000 for value-added agricultural product market development grants.

## RURAL ENERGY FOR AMERICA PROGRAM

The recommendation includes \$3,400,000 for the Rural Energy for America Program.

## RURAL UTILITIES SERVICE

## RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$524,466,000 for the Rural Water and Waste Disposal Program Account.

The following table reflects the loan, subsidy, and grant levels included in the recommendation:

(DOLLARS IN THOUSANDS)

Loan authorizations:	
Water and waste direct loans .....	(\$1,000,000)
Water and waste guaranteed loans .....	(61,321)

Direct loans authorized by P.L. 83-566 .....	(40,000)
<b>Subsidies and grants:</b>	

Direct loan subsidy .....	80,700
Guaranteed loan subsidy	650
Water and waste revolving fund .....	1,000
Water well system grants	993
Grants for Colonias, Native Americans, Alaskan Native Villages, and the Department of Hawaiian Home Lands	66,500
Water and waste technical assistance grants	19,000
Circuit Rider program ....	15,000
Solid waste management grants .....	3,400
High energy cost grants	10,000
Water and waste disposal grants .....	327,223

<b>Total, subsidies and grants</b>	<b>\$524,466</b>
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## RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes a total subsidy of \$34,467,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The recommendation provides for an estimated loan level of \$7,790,000,000.

The recommendation provides for a transfer of \$34,467,000 to the Rural Development Salaries and Expenses account.

The following table indicates loan levels included in the recommendation:

(DOLLARS IN THOUSANDS)

Loan authorizations:	
Electric:	
Direct, 5 percent .....	(\$100,000)
Direct, FFB .....	(6,500,000)
Guaranteed underwriting	(500,000)

<b>Subtotal</b> .....	<b>(7,100,000)</b>
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## Telecommunications:

Direct, Treasury rate .....	(690,000)
<b>Subtotal</b> .....	<b>(690,000)</b>

<b>Total, loan authorizations</b> .....	<b>(\$7,790,000)</b>
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Administrative expenses (transfer to RD)	34,467
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<b>Total, Loan subsidies and administrative expenses</b>	<b>\$34,467</b>
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## DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

The recommendation includes \$39,322,000 for the Distance Learning, Telemedicine, and Broadband Program.

The recommendation includes \$24,950,000 for grants for telemedicine and distance learning services in rural areas. The recommendation includes \$3,000,000 for telemedicine and distance learning grants for health needs in the Mississippi River Delta area and \$3,000,000 for grants to noncommercial educational television broadcast stations that serve rural areas.

The recommendation includes \$10,372,000 for grants to finance broadband transmission and Internet services in unserved rural areas.

The recommendation includes an estimated loan level of \$42,239,000 and \$4,000,000 in subsidy for broadband telecommunications.

The Rural Utilities Service is directed to focus expenditures on projects that bring

broadband service to currently unserved households.

## TITLE IV—DOMESTIC FOOD PROGRAMS

## OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The recommendation includes \$811,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services.

USDA is directed to issue guidelines to the appropriate State agencies within 60 days of enactment on a requirement to include the USDA Inspector General (IG) Fraud Hotline and the IG website address on all SNAP and WIC Electronic Benefit Transfer cards and WIC coupons/vouchers or on any other information that accompanies the WIC instruments, for the purpose of reporting potential fraud, waste, and abuse by vendors and/or participants. The guidance should allow the States the flexibility to utilize all inventories as of the date of enactment before this requirement goes into effect.

## FOOD AND NUTRITION SERVICE

## CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$19,916,436,000 for Child Nutrition Programs. Included in the total is an appropriated amount of \$12,298,383,000 and a transfer from Section 32 of \$7,618,053,000.

The recommendation includes \$35,000,000 for school food authorities to purchase new or replace existing food service related equipment to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program. Priority should be given to schools in which not less than 50 percent of the students are eligible for free or reduced price meals.

The recommendation includes the following for Child Nutrition Programs:

## Total Obligational Authority

(DOLLARS IN THOUSANDS)

Child Nutrition Programs:	
School lunch program ....	\$11,278,621
School breakfast program .....	3,659,347
Child and adult care food program .....	2,949,544
Summer food service program .....	434,724
Special milk program .....	12,523
State administrative expenses .....	289,684
Commodity procurement	1,181,651
Food Safety Education ...	2,575
Coordinated Review...	10,000
Computer Support and Processing .....	10,746
CACFP training and technical assistance ....	7,675
Child Nutrition Program Studies and Evaluations .....	19,323
Child Nutrition payment accuracy .....	6,436
Farm to school tactical team .....	2,083
Team Nutrition...	15,004
Healthier US Schools Challenge .....	1,500
School Breakfast Expansion Grants .....	35,000

<b>Total</b> .....	<b>\$19,916,436</b>
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## SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The recommendation includes \$7,046,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

In the WIC program income eligibility is set by statute at 185 percent of the Federal Poverty Level for households "of related or non-related individuals who are living together as one economic unit". The way in which income is defined and verified at the local agency can vary and potentially give rise to a situation where WIC participants have income exceeding the eligibility standards. USDA's April 2012 report entitled "National Survey of WIC Participants II—Volume 2" addressed this issue, but noted that additional follow-up information is needed. The Food and Nutrition Service (FNS) is directed to provide a report to the Committees within 60 days of enactment of this Act detailing what variables each State uses in determining income and ways in which USDA could work to ensure income eligibility uniformity. The report should specify what changes, if any, could be accomplished administratively and which would require changes to existing law to ensure income eligibility uniformity.

In fulfilling the report on WIC food cost management as requested in the House Committee report, USDA is directed to include the following analyses of: (1) States whose costs for WIC foods are significantly higher when purchased by WIC than those same foods when purchased outside of the WIC program; (2) vendor-group average costs to understand whether the types of abuses and vendor management issues cited in the House report are a systemic issue and ways to manage these specific issues; and (3) any management recommendations or actions USDA will take to ensure program integrity going forward.

The Secretary is encouraged to amend 7 CFR 246.10 in order for State agencies to include all varieties of fresh, whole or cut vegetables, except for vegetables with added sugars, fats, or oils; provided that inclusion of such vegetables contribute towards meeting the special nutritional needs of program participants and increases the availability of low-cost, high-nutrient alternatives for participants throughout the year.

#### SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The recommendation includes \$77,290,160,000 for the Supplemental Nutrition Assistance Program. The recommendation includes \$3,000,000,000 to be made available for a contingency reserve.

USDA is urged to require States to share SNAP recipient case data, including the appropriate use of the ALERT database, so USDA may determine whether individuals or households are receiving duplicative benefits in more than one State. To prevent the potential for fraud, the Secretary also is urged to continue to explore information from information broker services that might help to inform the authorization of SNAP retailers and use its suspension and debarment authority to prevent repeat offenders from re-entering and defrauding SNAP or any other Federal program. USDA is directed to submit a report to the Committees within 60 days of enactment, detailing plans to prevent future fraud and improper payments, including efforts to debar or exclude both vendors and participants from the receipt of benefits if found guilty of fraud or abuse.

The recommendation includes the following for the Supplemental Nutrition Assistance Program:

Total Obligational Authority (DOLLARS IN THOUSANDS)	
Supplemental Nutrition Assistance Program:	
Benefits .....	\$67,191,095

#### Total Obligational Authority—Continued

[DOLLARS IN THOUSANDS]	
Contingency Reserve .....	3,000,000
State Administrative Costs .....	3,866,512
Nutrition Education and Obesity Prevention Grant Program .....	396,000
Employment and Training .....	426,946
Mandatory Other Program Costs .....	140,123
Discretionary Other Program Costs .....	998
Nutrition Assistance for Puerto Rico .....	1,872,910
Nutrition Assistance for American Samoa .....	7,522
Food Distribution Program for Indian Reservations .....	100,156
TEFAP Commodities .....	265,750
Commonwealth of the Northern Mariana Islands .....	12,148
Community Food Project Program Access .....	5,000
	5,000
Total .....	\$77,290,160

#### COMMODITY ASSISTANCE PROGRAM

The recommendation includes \$253,952,000 for the Commodity Assistance Program. This total includes \$186,935,000 for the Commodity Supplemental Food Program; \$49,401,000 for transportation and storage activities in the Emergency Food Assistance Program (TEFAP); \$16,548,000 for the Farmers' Market Nutrition Program; and \$1,068,000 for Pacific Island Assistance.

The recommendation includes \$265,750,000 for TEFAP commodities to be purchased with Supplemental Nutrition Assistance Program funds.

#### NUTRITION PROGRAMS ADMINISTRATION

The recommendation includes \$143,505,000 for Nutrition Programs Administration. This funding level includes increases of \$3,514,000 for review, monitoring, and investigation activities in the management of SNAP retailers and management evaluation work in FNS regional offices; \$441,000 for administrative costs; and \$1,050,000 for information technology systems managed by the Center for Nutrition Policy and Promotion Program.

#### TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

##### FOREIGN AGRICULTURAL SERVICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$176,789,000 for the Foreign Agricultural Service, Salaries and Expenses.

##### FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$2,806,000 for administrative expenses for the Food for Peace Title I Direct Credit and Food for Progress Program Account to be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

##### FOOD FOR PEACE TITLE II GRANTS

The recommendation includes \$1,435,000,000 for Food For Peace Title II Grants.

##### MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

The recommendation includes \$184,000,000 for the McGovern-Dole International Food for Education and Child Nutrition Program.

##### COMMODITY CREDIT CORPORATION EXPORT (LOANS)

##### CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

The recommendation includes \$6,806,000 for the Commodity Credit Corporation Export Loans Credit Guarantee Program Account.

#### TITLE VI—RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### FOOD AND DRUG ADMINISTRATION

##### SALARIES AND EXPENSES

The recommendation includes total appropriations, including Prescription Drug User Fee Act, Medical Device and Modernization User Fee Act, Animal Drug User Fee Act, Animal Generic Drug User Fee Act, Tobacco Product User Fee Act, Food Reinspection User Fee Act, Food and Feed Recall User Fee Act, Human Generic Drug User Fee Act, and Biosimilars User Fee Act collections, of \$4,223,295,000 for the salaries and expenses of the Food and Drug Administration (FDA) and provides specific amounts by FDA activity as reflected in the following table:

##### FOOD AND DRUG ADMINISTRATION SALARIES & EXPENSES

(Dollars in Thousands)

Budget Authority:	
Foods .....	\$ 869,720
Center for Food Safety and Applied Nutrition .....	272,967
Field Activities .....	596,753
Human Drugs .....	474,167
Center for Drug Evaluation and Research .....	345,446
Field Activities .....	128,721
Biologics .....	210,484
Center for Biologics Evaluation and Research .....	170,369
Field Activities .....	40,115
Animal Drugs and Feeds .....	137,392
Center for Veterinary Medicine .....	84,588
Field Activities .....	52,804
Devices and Radiological Products .....	320,300
Center for Devices and Radiological Health .....	239,901
Field Activities .....	80,399
National Center for Toxicological Research .....	59,429
Other Activities/Office of the Commissioner .....	163,544
White Oak Consolidation .....	58,044
GSA Rent .....	162,150
Other Rent and Rent Related .....	69,261
Subtotal, Budget Authority .....	2,524,491
User Fees:	
Prescription Drug User Fee Act .....	718,669
Medical Device User Fee and Modernization Act .....	97,722
Animal Drug User Fee Act .....	23,848
Animal Generic Drug User Fee Act .....	6,031
Tobacco Product User Fees .....	505,000
Food Reinspection Fees .....	15,367
Food and Feed Recall Fees .....	12,925
Human Generic Drug User Fee Act .....	299,000
Biosimilar User Fee Act .....	20,242
Subtotal, User Fees .....	1,698,804
Total, FDA Program Level .....	\$4,223,295

The recommendation includes the following increases in budget authority: \$12,500,000 for food safety; \$10,000,000 for food and drug safety inspections in China; \$3,510,000 for advancing medical countermeasures; \$21,166,000 for necessary expenses, rental payments, and facilities. FDA's proposed reduction of \$19,706,000 due to information technology savings is also accepted.

There is concern that over a year has passed since USDA published its dietary guidelines and more than ten months have passed since the publication of the fiscal year 2012 Committee reports directing FDA to commence reconsideration of its 2004 seafood advisory, and yet FDA has not published its draft revision of the advisory. Given data demonstrating that women of childbearing years, pregnant women, and

mothers with young children are eating too little seafood for their health and the health of their babies, and the role the language of FDA's 2004 advisory may play in discouraging healthy consumption of seafood, a more urgent response by FDA was expected. Therefore, FDA is directed to issue a final seafood advisory consistent with USDA's dietary guidelines.

The increasing role of nutritional rating and front of package labeling claims in the marketplace is recognized. To promote public health and facilitate consumer understanding, such information should be based on criteria that are public and readily available to consumers. The FDA is directed to evaluate such systems and symbols to ensure compliance with relevant FDA food labeling requirements.

While the considerable time and effort put into producing the FDA budget justification is appreciated, due to the changes within the FDA's budget over the last several years, including the proposal and authorization of various new user fees, the justification has become difficult to analyze. The FDA is reminded that the budget justification is specifically for the use of the Committees. A more streamlined approach to the justification would serve both the Agency and the Committees. Therefore, prior to submission of the FY 2014 budget, FDA is directed to work with the Committees to determine the most helpful format in which to submit the justification.

#### BUILDINGS AND FACILITIES

The recommendation includes \$5,320,000 for the Food and Drug Administration Buildings and Facilities.

#### INDEPENDENT AGENCY

##### FARM CREDIT ADMINISTRATION

##### LIMITATION ON ADMINISTRATIVE EXPENSES

The recommendation includes a limitation of \$63,300,000 on administrative expenses of the Farm Credit Administration.

#### TITLE VII—GENERAL PROVISIONS

##### (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 701.—The recommendation includes language making funds available for the purchase, replacement and hire of passenger motor vehicles.

Section 702.—The recommendation includes language regarding transfers of funds to the Working Capital Fund of the Department of Agriculture.

Section 703.—The recommendation includes language limiting funding provided in the bill to one year unless otherwise specified.

Section 704.—The recommendation includes language regarding indirect cost rates on cooperative agreements between the Department of Agriculture and nonprofit institutions.

Section 705.—The recommendation includes language making appropriations to the Department of Agriculture for the cost of direct and guaranteed loans available until expended to disburse certain obligations for certain Rural Development programs.

Section 706.—The recommendation includes language regarding emergency food aid.

Section 707.—The recommendation includes language regarding the transfer of funds to the Office of the Chief Information Officer and the acquisition of information technology systems.

Section 708.—The recommendation includes language making funds available until expended to the Department of Agriculture to disburse certain obligations for certain conservation programs.

Section 709.—The recommendation includes language regarding Rural Utility Service program eligibility.

Section 710.—The recommendation includes language regarding in-kind support and Department of Agriculture research grants.

Section 711.—The recommendation includes language regarding Farm Service Agency and Rural Development funds for information technology expenses.

Section 712.—The recommendation includes language regarding the availability of funds for liquid infant formula.

Section 713.—The recommendation includes language prohibiting first-class airline travel.

Section 714.—The recommendation includes language regarding the availability of certain funds of the Commodity Credit Corporation.

Section 715.—The recommendation includes language regarding non-emergency humanitarian food assistance.

Section 716.—The recommendation includes language regarding the Bill Emerson Humanitarian Trust Act.

Section 717.—The recommendation includes language regarding funding for advisory committees.

Section 718.—The recommendation includes language regarding the limitation on indirect costs for grants awarded by the National Institute of Food and Agriculture.

Section 719.—The recommendation includes language regarding funding for the Food and Drug Administration.

Section 720.—The recommendation includes language regarding section 1621 of Public Law 110-246.

Section 721.—The recommendation includes language regarding the availability of funds for certain Department of Agriculture programs.

Section 722.—The recommendation includes language regarding funds from Section 32.

Section 723.—The recommendation includes language regarding strategic rural development planning.

Section 724.—The recommendation includes language regarding a pilot program for certain forest lands.

Section 725.—The recommendation includes language regarding user fee proposals without offsets.

Section 726.—The recommendation includes language regarding the reprogramming of funds.

Section 727.—The recommendation includes language regarding fees for the guaranteed business and industry loan program.

Section 728.—The recommendation includes language regarding the appropriations hearing process.

Section 729.—The recommendation includes language regarding government-sponsored news stories.

Section 730.—The recommendation includes language regarding details and assignments of Department of Agriculture employees.

Section 731.—The recommendation includes language regarding rural housing programs.

Section 732.—The recommendation includes language prohibiting grants and loans to a corporation convicted of a felony under Federal law.

Section 733.—The recommendation includes language prohibiting grants and loans to corporations that have an unpaid Federal tax liability.

Section 734.—The recommendation includes language regarding the Department of Agriculture's mohair program.

Section 735.—The recommendation includes language regarding regulation of certain agricultural products.

Section 736.—The recommendation includes language on dam mitigation.

Section 737.—The recommendation includes language regarding the rescission of certain unobligated balances.

Section 738.—The recommendation includes language regarding the rescission of certain unobligated balances.

Section 739.—The recommendation includes language regarding servicing of Rural Housing Service loans.

Section 740.—The recommendation includes language requiring spend plans.

Section 741.—The recommendation includes language regarding emergency disaster funding.

Section 742.—The recommendation includes language regarding regulations under the Grain Inspection, Packers and Stockyards Administration.

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary					
Office of the Secretary .....	4,550	5,051	5,051	+ 501	.....
Office of Tribal Relations .....	448	498	498	+ 50	.....
Office of Homeland Security and Emergency Coordination .....	1,321	1,496	1,496	+ 175	.....
Office of Advocacy and Outreach .....	1,209	1,422	1,422	+ 213	.....
Office of the Assistant Secretary for Administration .....	764	804	804	+ 40	.....
Departmental Administration .....	20,760	26,227	24,242	+ 3,482	— 1,985
Office of the Assistant Secretary for Congressional Relations .....	3,576	3,869	3,869	+ 293	.....
Office of Communications .....	8,065	9,006	9,006	+ 941	.....
Total, Office of the Secretary .....	40,693	48,373	46,388	+ 5,695	— 1,985
Executive Operations:					
Office of the Chief Economist .....	11,177	12,008	16,008	+ 4,831	+ 4,000
National Appeals Division .....	12,841	14,225	14,225	+ 1,384	.....
Office of Budget and Program Analysis .....	8,946	9,049	9,049	+ 103	.....
Subtotal, Executive Operations .....	32,964	35,282	39,282	+ 6,318	+ 4,000
Office of the Chief Information Officer .....	44,031	44,031	44,031	.....	.....
Office of the Chief Financial Officer .....	5,650	6,247	6,247	+ 597	.....
Office of the Assistant Secretary for Civil Rights .....	848	893	893	+ 45	.....
Office of Civil Rights .....	21,000	22,692	22,692	+ 1,692	.....
Agriculture buildings and facilities and rental payments .....	(230,416)	(244,057)	(271,336)	(+ 40,920)	(+ 27,279)
Payments to GSA .....	164,470	175,694	175,694	+ 11,224	.....
Department of Homeland Security .....	13,800	13,473	13,473	— 327	.....
Building operations and maintenance .....	52,146	54,890	82,169	+ 30,023	+ 27,279
Hazardous materials management .....	3,592	3,992	3,992	+ 400	.....
Office of Inspector General .....	85,621	89,016	89,016	+ 3,395	.....
Office of the General Counsel .....	39,345	45,074	45,074	+ 5,729	.....
Office of Ethics .....	3,405	3,420	3,405	.....	— 15
Total, Departmental Administration .....	507,565	543,077	572,356	+ 64,791	+ 29,279
Office of the Under Secretary for Research, Education, and Economics .....	848	893	893	+ 45	.....
Economic Research Service .....	77,723	77,397	77,397	— 326	.....
National Agricultural Statistics Service .....	158,616	179,477	179,477	+ 20,861	.....
Census of Agriculture .....	(41,639)	(62,500)	(62,500)	(+ 20,861)	.....
Agricultural Research Service:					
Salaries and expenses .....	1,094,647	1,102,565	1,101,853	+ 7,206	— 712
National Institute of Food and Agriculture:					
Research and education activities .....	705,599	732,730	738,638	+ 33,039	+ 5,908
Native American Institutions Endowment Fund .....	(11,880)	(11,880)	(11,880)	.....	.....
Extension activities .....	475,183	462,473	475,854	+ 671	+ 13,381
Integrated activities .....	21,482	43,542	21,482	.....	— 22,060
Hispanic-Serving Agricultural Colleges and Universities Endowment Fund .....	.....	(10,000)	.....	.....	(— 10,000)
Total, National Institute of Food and Agriculture .....	1,202,264	1,238,745	1,235,974	+ 33,710	— 2,771
Office of the Under Secretary for Marketing and Regulatory Programs .....	848	893	893	+ 45	.....
Animal and Plant Health Inspection Service:					
Salaries and expenses .....	816,534	762,418	821,851	+ 5,317	+ 59,433
Buildings and facilities .....	3,200	3,175	3,175	— 25	.....
Total, Animal and Plant Health Inspection Service .....	819,734	765,593	825,026	+ 5,292	+ 59,433
Agricultural Marketing Service:					
Marketing Services .....	82,211	77,032	78,863	— 3,348	+ 1,831
Standardization activities (user fees) NA .....	(66,000)	(66,000)	(66,000)	.....	.....
(Limitation on administrative expenses, from fees collected) .....	(62,101)	(62,592)	(62,592)	(+ 491)	.....
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32 .....	1,080,000	1,092,000	1,092,000	+ 12,000	.....
Marketing agreements and orders (transfer from section 32) .....	(20,056)	(20,056)	(20,056)	.....	.....
Payments to States and Possessions .....	1,198	1,331	1,331	+ 133	.....
Total, Agricultural Marketing Service program .....	1,225,510	1,232,955	1,234,786	+ 9,276	+ 1,831
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses .....	37,750	40,261	40,261	+ 2,511	.....
Limitation on inspection and weighing services .....	(49,000)	(50,000)	(50,000)	(+ 1,000)	.....
Office of the Under Secretary for Food Safety .....	770	811	811	+ 41	.....
Food Safety and Inspection Service .....	1,004,427	995,503	1,001,427	— 3,000	+ 5,924
Lab accreditation fees .....	(1,000)	(1,000)	(1,000)	.....	.....
Total, Production, Processing, and Marketing .....	6,068,601	6,115,578	6,208,562	+ 139,961	+ 92,984
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services .....	848	893	893	+ 45	.....
Farm Service Agency:					
Salaries and expenses .....	1,198,966	1,208,290	1,208,290	+ 9,324	.....
(Transfer from Food for Peace (Public Law 480)) .....	(2,500)	(2,806)	(2,806)	(+ 306)	.....
(Transfer from export loans) .....	(355)	(354)	(354)	(— 1)	.....
(Transfer from ACIF) .....	(289,728)	(304,977)	(304,977)	(+ 15,249)	.....
Subtotal, transfers from program accounts .....	(292,583)	(308,137)	(308,137)	(+ 15,554)	.....
Total, Salaries and expenses .....	(1,491,549)	(1,516,427)	(1,516,427)	(+ 24,878)	.....
State mediation grants .....	3,759	4,369	4,369	+ 610	.....
Grassroot source water protection program .....	3,817	.....	5,500	+ 1,683	+ 5,500
Dairy indemnity program .....	100	100	100	.....	.....
Subtotal, Farm Service Agency .....	1,206,642	1,212,759	1,218,259	+ 11,617	+ 5,500
Agricultural Credit Insurance Fund (ACIF) Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct .....	(475,000)	(475,000)	(475,000)	.....	.....
Guaranteed .....	(1,500,000)	(1,500,000)	(1,500,000)	.....	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Subtotal .....	(1,975,000)	(1,975,000)	(1,975,000)	.....	.....
Farm operating loans:					
Direct .....	(1,050,090)	(1,050,089)	(1,050,090)	.....	(+ 1)
Unsubsidized guaranteed .....	(1,500,000)	(1,500,000)	(1,500,000)	.....	.....
Subtotal .....	(2,550,090)	(2,550,089)	(2,550,090)	.....	(+ 1)
Emergency loans .....	.....	(34,658)	(34,658)	(+ 34,658)	.....
Indian tribe land acquisition loans .....	(2,000)	(2,000)	(2,000)	.....	.....
Conservation loans:					
Guaranteed .....	(150,000)	(150,000)	(150,000)	.....	.....
Indian Highly Fractionated Land Loans .....	(10,000)	(10,000)	(10,000)	.....	.....
Boll weevil eradication loans .....	(100,000)	(60,000)	(100,000)	.....	(+ 40,000)
Total, Loan authorizations .....	(4,787,090)	(4,781,747)	(4,821,748)	(+ 34,658)	(+ 40,001)
Loan subsidies:					
Farm ownership loans:					
Direct .....	22,800	20,140	20,140	− 2,660	.....
Farm operating loans:					
Direct .....	59,120	58,490	58,490	− 630	.....
Unsubsidized guaranteed .....	26,100	17,850	17,850	− 8,250	.....
Subtotal .....	85,220	76,340	76,340	− 8,880	.....
Emergency Loans .....	.....	1,317	1,317	+ 1,317	.....
Indian Highly Fractionated Land Loans .....	193	173	173	− 20	.....
Individual Development Account grants .....	.....	2,500	.....	.....	− 2,500
Total, Loan subsidies .....	108,213	100,470	97,970	− 10,243	− 2,500
ACIF administrative expenses:					
Salaries and expense (transfer to FSA) .....	289,728	304,977	304,977	+ 15,249	.....
Administrative expenses .....	7,904	7,920	7,920	+ 16	.....
Total, ACIF expenses .....	297,632	312,897	312,897	+ 15,265	.....
Total, Agricultural Credit Insurance Fund .....	405,845	413,367	410,867	+ 5,022	− 2,500
(Loan authorization) .....	(4,787,090)	(4,781,747)	(4,821,748)	(+ 34,658)	(+ 40,001)
Total, Farm Service Agency .....	1,612,487	1,626,126	1,629,126	+ 16,639	+ 3,000
Risk Management Agency, Administrative and operating expenses .....	74,900	74,900	74,900	.....	.....
Total, Farm Assistance Programs .....	1,688,235	1,701,919	1,704,919	+ 16,684	+ 3,000
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund .....	3,142,375	9,517,433	9,517,433	+ 6,375,058	.....
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses .....	14,071,000	11,018,509	11,018,509	− 3,052,491	.....
Hazardous waste management (limitation on expenses) .....	(5,000)	(5,000)	(5,000)	.....	.....
Total, Corporations .....	17,213,375	20,535,942	20,535,942	+ 3,322,567	.....
Total, Title I, Agricultural Programs .....	24,970,211	28,353,439	28,449,423	+ 3,479,212	+ 95,984
(By transfer) .....	(312,639)	(328,193)	(328,193)	(+ 15,554)	.....
(Loan authorization) .....	(4,787,090)	(4,781,747)	(4,821,748)	(+ 34,658)	(+ 40,001)
(Limitation on administrative expenses) .....	(116,101)	(117,592)	(117,592)	(+ 1,491)	.....
TITLE II—CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment .....	848	893	893	+ 45	.....
Natural Resources Conservation Service:					
Conservation operations .....	828,159	827,500	830,998	+ 2,839	+ 3,498
Watershed rehabilitation program .....	15,000	.....	14,700	− 300	+ 14,700
Total, Natural Resources Conservation Service .....	843,159	827,500	845,698	+ 2,539	+ 18,198
Total, Title II, Conservation Programs .....	844,007	828,393	846,591	+ 2,584	+ 18,198
TITLE III—RURAL DEVELOPMENT					
Office of the Under Secretary for Rural Development .....	848	893	893	+ 45	.....
Rural Development:					
Rural development expenses:					
Salaries and expenses .....	182,023	206,857	206,857	+ 24,834	.....
(Transfer from RHIF) .....	(430,800)	(408,127)	(410,627)	(− 20,173)	(+ 2,500)
(Transfer from RDLFP) .....	(4,684)	(4,438)	(4,438)	(− 246)	.....
(Transfer from RETLP) .....	(36,382)	(34,467)	(34,467)	(− 1,915)	.....
Subtotal, Transfers from program accounts .....	(471,866)	(447,032)	(449,532)	(− 22,334)	(+ 2,500)
Total, Rural development expenses .....	(653,889)	(653,889)	(656,389)	(+ 2,500)	(+ 2,500)
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502) .....	(900,000)	(652,764)	(900,000)	.....	(+ 247,236)
Unsubsidized guaranteed .....	(24,000,000)	(24,000,000)	(24,000,000)	.....	.....
Subtotal, Single family .....	(24,900,000)	(24,652,764)	(24,900,000)	.....	(+ 247,236)
Housing repair (Sec. 504) .....	(10,000)	(27,952)	(27,952)	(+ 17,952)	.....
Rental housing (Sec. 515) .....	(64,478)	.....	(31,277)	(− 33,201)	(+ 31,277)
Multi-family housing guarantees (Sec. 538) .....	(130,000)	(150,000)	(150,000)	(+ 20,000)	.....
Single family housing credit sales .....	(10,000)	.....	(10,000)	.....	(+ 10,000)
Self-help housing land develop. (Sec. 523) .....	(5,000)	.....	(5,000)	.....	(+ 5,000)
Farm Labor Housing (Sec.514) .....	(20,791)	(25,969)	(22,969)	(+ 2,178)	(− 3,000)
Total, Loan authorizations .....	(25,140,269)	(24,856,685)	(25,147,198)	(+ 6,929)	(+ 290,513)
Loan subsidies:					
Single family direct (Sec. 502) .....	42,570	38,970	53,730	+ 11,160	+ 14,760
Housing repair (Sec. 504) .....	1,421	3,821	3,821	+ 2,400	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Rental housing (Sec. 515) .....	22,000	.....	11,000	— 11,000	+ 11,000
Farm labor housing (Sec.514) .....	7,100	8,658	7,658	+ 558	— 1,000
Total, Loan subsidies .....	73,091	51,449	76,209	+ 3,118	+ 24,760
Farm labor housing grants .....	7,100	8,868	8,868	+ 1,768	.....
RHIF administrative expenses (transfer to RD) .....	430,800	408,127	410,627	— 20,173	+ 2,500
Total, Rural Housing Insurance Fund program .....	510,991	468,444	495,704	— 15,287	+ 27,260
(Loan authorization) .....	(25,140,269)	(24,856,685)	(25,147,198)	(+ 6,929)	(+ 290,513)
Rental assistance program:					
Rental assistance (Sec. 521) .....	900,653	904,128	904,128	+ 3,475	.....
New construction (Sec. 515) .....	1,500	.....	.....	— 1,500	.....
New construction (Farm Labor Housing) .....	2,500	3,000	3,000	+ 500	.....
Total, Rental assistance program .....	904,653	907,128	907,128	+ 2,475	.....
Multi-Family Housing Revitalization Program Account:					
Rural housing voucher program .....	11,000	12,575	10,000	— 1,000	— 2,575
Multi-family housing revitalization program .....	2,000	34,367	17,782	+ 15,782	— 16,585
Total, Multi-family housing revitalization .....	13,000	46,942	27,782	+ 14,782	— 19,160
Mutual and self-help housing grants .....	30,000	10,000	30,000	.....	+ 20,000
Rural housing assistance grants .....	33,136	28,216	33,136	.....	+ 4,920
Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct .....	(1,300,000)	(2,000,000)	(2,200,000)	(+ 900,000)	(+ 200,000)
Guaranteed .....	(105,708)	.....	(57,481)	(— 48,227)	(+ 57,481)
Total, Loan authorizations .....	(1,405,708)	(2,000,000)	(2,257,481)	(+ 851,773)	(+ 257,481)
Loan subsidies and grants:					
Community facility:					
Guaranteed .....	5,000	.....	3,880	— 1,120	+ 3,880
Grants .....	11,363	13,000	13,000	+ 1,637	.....
Rural community development initiative .....	3,621	8,000	6,121	+ 2,500	— 1,879
Economic impact initiative grants .....	5,938	.....	5,938	.....	+ 5,938
Tribal college grants .....	3,369	4,000	3,369	.....	— 631
Total, RCFP Loan subsidies and grants .....	29,291	25,000	32,308	+ 3,017	+ 7,308
Subtotal, grants and payments .....	92,427	63,216	95,444	+ 3,017	+ 32,228
Total, Rural Housing Service .....	1,521,071	1,485,730	1,526,058	+ 4,987	+ 40,328
(Loan authorization) .....	(26,545,977)	(26,856,685)	(27,404,679)	(+ 858,702)	(+ 547,994)
Rural Business-Cooperative Service:					
Rural Business Program Account:					
(Guaranteed business and industry loans) .....	(822,886)	(821,224)	(821,224)	(— 1,662)	.....
Loan subsidies and grants:					
Guaranteed business and industry subsidy .....	45,341	56,336	56,336	+ 10,995	.....
Grants:					
Rural business enterprise .....	24,318	29,823	24,318	.....	— 5,505
Rural business opportunity .....	2,250	.....	2,250	.....	+ 2,250
Delta regional authority .....	2,900	.....	3,000	+ 100	+ 3,000
Total, RBP loan subsidies and grants .....	74,809	86,159	85,904	+ 11,095	— 255
Rural Development Loan Fund Program Account:					
(Loan authorization) .....	(17,710)	(18,889)	(18,889)	(+ 1,179)	.....
Loan subsidy .....	6,000	6,052	6,052	+ 52	.....
Administrative expenses (transfer to RD) .....	4,684	4,438	4,438	— 246	.....
Total, Rural Development Loan Fund .....	10,684	10,490	10,490	— 194	.....
Rural Economic Development Loans Program Account:					
(Loan authorization) .....	(33,077)	(33,077)	(33,077)	.....	.....
Limit cushion of credit interest spending .....	(155,000)	(165,000)	(180,000)	(+ 25,000)	(+ 15,000)
(Rescission) .....	— 155,000	— 165,000	— 180,000	— 25,000	— 15,000
Rural cooperative development grants:					
Cooperative development .....	5,800	7,000	7,000	+ 1,200	.....
Appropriate technology transfer for rural areas .....	2,250	2,250	2,250	.....	.....
Grants to assist minority producers .....	3,000	3,456	3,456	+ 456	.....
Value-added agricultural product market development .....	14,000	15,000	15,000	+ 1,000	.....
Total, Rural Cooperative development grants .....	25,050	27,706	27,706	+ 2,656	.....
Rural Microenterprise Investment Program Account:					
(Loan authorization) .....	.....	(22,448)	.....	.....	(— 22,448)
Loan subsidy .....	.....	3,356	.....	.....	— 3,356
Total, Rural Microenterprise Investment .....	.....	3,356	.....	.....	— 3,356
Rural Energy for America Program:					
(Loan authorization) .....	(6,491)	(19,055)	(14,161)	(+ 7,670)	(— 4,894)
Loan subsidy .....	1,700	4,575	3,400	+ 1,700	— 1,175
Grants .....	1,700	.....	.....	— 1,700	.....
Total, Rural Energy for America Program .....	3,400	4,575	3,400	.....	— 1,175
Total, Rural Business-Cooperative Service .....	— 41,057	— 32,714	— 52,500	— 11,443	— 19,786
(Loan authorization) .....	(880,164)	(914,693)	(887,351)	(+ 7,187)	(— 27,342)
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct .....	(730,689)	(1,000,000)	(1,000,000)	(+ 269,311)	.....
Guaranteed .....	(62,893)	.....	(61,321)	(— 1,572)	(+ 61,321)
Direct loans authorized by Public Law 83—566 .....	.....	.....	(40,000)	(+ 40,000)	(+ 40,000)
Total, Loan authorization .....	793,582	1,000,000	1,101,321	+ 307,739	+ 101,321
Loan subsidies and grants:					
Direct subsidy .....	70,000	80,700	80,700	+ 10,700	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Guaranteed subsidy .....	1,000	.....	650	— 350	+ 650
Water and waste revolving fund .....	497	.....	1,000	+ 503	+ 1,000
Water well system grants .....	993	.....	993	.....	+ 993
Colonias and AK/HI grants .....	66,500	59,484	66,500	.....	+ 7,016
Water and waste technical assistance .....	19,000	14,871	19,000	.....	+ 4,129
Circuit rider program .....	15,000	12,393	15,000	.....	+ 2,607
Solid waste management grants .....	3,400	4,000	3,400	.....	— 600
High energy cost grants .....	9,500	.....	10,000	+ 500	+ 10,000
Water and waste disposal grants .....	327,110	324,252	327,223	+ 113	+ 2,971
Total, Loan subsidies and grants .....	513,000	495,700	524,466	+ 11,466	+ 28,766
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5 percent .....	(100,000)	.....	(100,000)	.....	(+ 100,000)
Direct, FFB .....	(6,500,000)	(6,100,000)	(6,500,000)	.....	(+ 400,000)
Guaranteed underwriting .....	(424,286)	.....	(500,000)	(+ 75,714)	(+ 500,000)
Subtotal, Electric .....	(7,024,286)	(6,100,000)	(7,100,000)	(+ 75,714)	(+ 1,000,000)
Telecommunications:					
Direct, 5 percent .....	(145,000)	.....	.....	(— 145,000)	.....
Direct, Treasury rate .....	(250,000)	(690,000)	(690,000)	(+ 440,000)	.....
Direct, FFB .....	(295,000)	.....	.....	(— 295,000)	.....
Subtotal, Telecommunications .....	(690,000)	(690,000)	(690,000)	.....	.....
Total, Loan authorizations .....	(7,714,286)	(6,790,000)	(7,790,000)	(+ 75,714)	(+ 1,000,000)
Loan subsidies:					
Electric:					
Guaranteed underwriting .....	594	.....	.....	— 594	.....
RETLP administrative expenses (transfer to RD) .....	36,382	34,467	34,467	— 1,915	.....
Total, Rural Electrification and Telecommunications Loans Program Account .....	36,976	34,467	34,467	— 2,509	.....
(Loan authorization) .....	(7,714,286)	(6,790,000)	(7,790,000)	(+ 75,714)	(+ 1,000,000)
Distance learning, telemedicine, and broadband program:					
Loan authorizations:					
Broadband telecommunications .....	(212,014)	(94,139)	(42,239)	(— 169,775)	(— 51,900)
Total, Loan authorizations .....	(212,014)	(94,139)	(42,239)	(— 169,775)	(— 51,900)
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants .....	21,000	24,950	24,950	+ 3,950	.....
Broadband telecommunications:					
Direct .....	6,000	8,915	4,000	— 2,000	— 4,915
Grants .....	10,372	13,379	10,372	.....	— 3,007
Total, Loan subsidies and grants .....	37,372	47,244	39,322	+ 1,950	— 7,922
Total, Rural Utilities Service .....	587,348	577,411	598,255	+ 10,907	+ 20,844
(Loan authorization) .....	(8,719,882)	(7,884,139)	(8,933,560)	(+ 213,678)	(+ 1,049,421)
Total, Title III, Rural Development Programs .....	2,250,233	2,238,177	2,279,563	+ 29,330	+ 41,386
(By transfer) .....	(471,866)	(447,032)	(449,532)	(— 22,334)	(+ 2,500)
(Loan authorization) .....	(36,146,023)	(35,655,517)	(37,225,590)	(+ 1,079,567)	(+ 1,570,073)
TITLE IV—DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services .....	770	811	811	+ 41	.....
Food and Nutrition Service:					
Child nutrition programs .....	18,150,176	19,656,500	19,881,436	+ 1,731,260	+ 224,936
School breakfast program grants .....	1,000	.....	.....	— 1,000	.....
School breakfast program equipment grants .....	.....	35,000	35,000	+ 35,000	.....
Hunger-free communities grants .....	.....	2,500	.....	.....	— 2,500
Total, Child nutrition programs .....	18,151,176	19,694,000	19,916,436	+ 1,765,260	+ 222,436
Special supplemental nutrition program for women, infants, and children (WIC) .....	6,618,497	7,041,000	7,046,000	+ 427,503	+ 5,000
Supplemental nutrition assistance program:					
(Food stamp program) .....	77,400,722	76,992,797	74,289,162	— 3,111,560	— 2,703,635
Reserve .....	3,000,000	5,000,000	3,000,000	.....	— 2,000,000
FDPIR nutrition education .....	1,000	998	998	— 2	.....
Center for Nutrition Policy and Promotion .....	.....	1,498	.....	.....	— 1,498
Total, Food stamp program .....	80,401,722	81,995,293	77,290,160	— 3,111,562	— 4,705,133
Commodity assistance program:					
Commodity supplemental food program .....	176,788	186,935	186,935	+ 10,147	.....
Farmers market nutrition program .....	16,548	16,548	16,548	.....	.....
Emergency food assistance program .....	48,000	49,401	49,401	+ 1,401	.....
Pacific island and disaster assistance .....	1,000	1,068	1,068	+ 68	.....
Total, Commodity assistance program .....	242,336	253,952	253,952	+ 11,616	.....
Nutrition programs administration .....	138,500	143,505	143,505	+ 5,005	.....
Total, Food and Nutrition Service .....	105,552,231	109,127,750	104,650,053	— 902,178	— 4,477,697
Total, Title IV, Domestic Food Programs .....	105,553,001	109,128,561	104,650,864	— 902,137	— 4,477,697
TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service					
Salaries and expenses .....	176,347	176,789	176,789	+ 442	.....
(Transfer from export loans) .....	(6,465)	(6,452)	(6,452)	(— 13)	.....
Total, Salaries and expenses .....	182,812	183,241	183,241	+ 429	.....
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses:					
Farm Service Agency, Salaries and expenses (transfer to FSA) .....	2,500	2,806	2,806	+ 306	.....
Food for Peace Title II Grants:					
Expenses .....	1,466,000	1,400,000	1,435,000	— 31,000	+ 35,000



## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Commodity Credit Corporation Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS) .....	6,465	6,452	6,452	— 13	.....
Farm Service Agency S&E (transfer to FSA) .....	355	354	354	— 1	.....
Total, CCC Export Loans Program Account .....	6,820	6,806	6,806	— 14	.....
McGovern-Dole international food for education and child nutrition program grants .....	184,000	184,000	184,000	.....	.....
Total, Title V, Foreign Assistance and Related Programs .....	1,835,667	1,770,401	1,805,401	— 30,266	+ 35,000
(By transfer) .....	(6,465)	(6,452)	(6,452)	(— 13)	.....
TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation .....	2,497,021	2,511,991	2,524,491	+ 27,470	+ 12,500
Prescription drug user fees .....	(702,172)	.....	(718,669)	(+ 16,497)	(+ 718,669)
Medical device user fees .....	(57,605)	.....	(97,722)	(+ 40,117)	(+ 97,722)
Animal drug user fees .....	(21,768)	(30,530)	(23,848)	(+ 2,080)	(— 6,682)
Animal generic drug user fees .....	(5,706)	(7,595)	(6,031)	(+ 325)	(— 1,564)
Tobacco product user fees .....	(477,000)	(505,000)	(505,000)	(+ 28,000)	.....
Food and Feed Export Certification user fees .....	(12,364)	(12,925)	(12,925)	(+ 561)	.....
Food Reinspection fees .....	(14,700)	(15,367)	(15,367)	(+ 667)	.....
Human generic drug user fees .....	.....	(299,000)	(299,000)	(+ 299,000)	.....
Biosimilar biological products user fees .....	.....	(20,242)	(20,242)	(+ 20,242)	.....
Subtotal (including user fees) .....	(3,788,336)	(3,402,650)	(4,223,295)	(+ 434,959)	(+ 820,645)
Mammography user fees .....	(19,318)	(19,318)	(19,318)	.....	.....
Export certification user fees .....	(11,667)	(12,447)	(12,447)	(+ 780)	.....
Voluntary qualified importer program fees .....	(71,066)	.....	.....	(— 71,066)	.....
Subtotal, FDA (with user fees) .....	(3,890,387)	(3,434,415)	(4,255,060)	(+ 364,673)	(+ 820,645)
FDA New User Fees (Leg. proposals):	.....	(220,200)	.....	.....	(— 220,200)
Food inspections/food facility user fees .....	.....	(4,901)	.....	.....	(— 4,901)
Food contact notification user fees .....	.....	(15,367)	.....	.....	(— 15,367)
Reinspection fees .....	.....	(18,698)	.....	.....	(— 18,698)
Cosmetic activities fees .....	.....	(5,580)	.....	.....	(— 5,580)
International express courier import fees .....	.....	(712,808)	.....	.....	(— 712,808)
Prescription drug user fees .....	.....	(69,700)	.....	.....	(— 69,700)
Medical device user fees .....	.....	.....	.....	.....	.....
Subtotal, FDA new user fees (Leg. Proposals) .....	.....	(1,047,254)	.....	.....	(— 1,047,254)
Buildings and facilities .....	8,788	5,320	5,320	— 3,468	.....
Total, FDA (w/user fees, including proposals) .....	(3,899,175)	(4,486,989)	(4,260,380)	(+ 361,205)	(— 226,609)
Total, FDA (w/enacted user fees only) .....	(3,899,175)	(3,439,735)	(4,260,380)	(+ 361,205)	(+ 820,645)
Total, FDA (excluding user fees) .....	2,505,809	2,517,311	2,529,811	+ 24,002	+ 12,500
INDEPENDENT AGENCIES					
Farm Credit Administration (limitation on administrative expenses) .....	(61,000)	(63,300)	(63,300)	(+ 2,300)	.....
Total, Title VI, Related Agencies and Food and Drug Administration .....	2,505,809	2,517,311	2,529,811	+ 24,002	+ 12,500
TITLE VII—GENERAL PROVISIONS					
Forestry Incentives program (rescission) .....	— 6,017	.....	.....	+ 6,017	.....
Great Plains Conservation (rescission) .....	— 547	.....	.....	+ 547	.....
Supplemental Nutrition Assistance Program Employment and Training (rescission) .....	— 11,000	.....	.....	+ 11,000	.....
FDA, Salaries and expenses (Sec. 719) .....	.....	.....	50,000	+ 50,000	+ 50,000
Geographic Disadvantaged farmers (Sec. 720) .....	1,996	.....	1,996	.....	+ 1,996
Limit Conservation stewardship .....	— 76,516	— 2,000	.....	+ 76,516	+ 2,000
Limit Dam Rehab (Sec. 721(1)) .....	— 165,000	— 165,000	— 165,000	.....	.....
Limit Environmental Quality Incentives program (Sec. 721(2)) .....	— 350,000	— 347,000	— 279,000	+ 71,000	+ 68,000
Limit Farmland Protection program .....	— 50,000	.....	.....	+ 50,000	.....
Limit Grasslands reserve .....	— 30,000	.....	.....	+ 30,000	.....
Limit Wetlands reserve .....	— 200,000	.....	.....	+ 200,000	.....
Limit Wildlife habitat incentives (Sec. 721(3)) .....	— 35,000	— 12,000	— 9,000	+ 26,000	+ 3,000
Limit Voluntary Public Access program .....	— 17,000	.....	.....	+ 17,000	.....
Limit Biomass Crop Assistance program .....	— 28,000	.....	.....	+ 28,000	.....
Limit Bioenergy Program for Advanced Biofuels .....	— 40,000	.....	.....	+ 40,000	.....
Limit Rural Energy for America .....	— 48,000	.....	.....	+ 48,000	.....
Limit Microenterprise investment program .....	— 3,000	.....	.....	+ 3,000	.....
Limit Crop Insurance Good Performance .....	— 25,000	.....	.....	+ 25,000	.....
Limit Agriculture management assistance (section 1524) (Sec. 721(4)) .....	— 5,000	— 5,000	— 5,000	.....	.....
Limit fruit and vegetable program (Sec. 722) .....	— 133,000	— 117,000	— 117,000	+ 16,000	.....
Section 32 (rescission) (Sec. 722) .....	— 150,000	.....	— 110,000	+ 40,000	— 110,000
Hardwood Trees (Reforestation Pilot Program) (Sec. 724) .....	600	.....	600	.....	+ 600
NIFA, Buildings and Facilities (rescission) .....	— 2,490	.....	.....	+ 2,490	.....
Trade Adjustment Assistance for Farmers (rescission) .....	— 90,000	.....	.....	+ 90,000	.....
QAO (rescission) .....	— 4,000	.....	.....	+ 4,000	.....
Ocean freight (rescission) .....	— 3,235	.....	.....	+ 3,235	.....
Public Law 480 Title I (rescission) .....	— 2,336	.....	.....	+ 2,336	.....
Foreign Currency Program (rescission) .....	— 273	.....	.....	+ 273	.....
Export credit (rescission) .....	— 20,237	.....	.....	+ 20,237	.....
Water Bank .....	7,500	.....	.....	— 7,500	.....
Voluntary Public Access and Habitat Incentive Program .....	.....	5,000	.....	.....	— 5,000
Equal Credit Opportunity Act extension .....	.....	40,000	.....	.....	— 40,000
Broadband Loans (rescission) (Sec. 737) .....	.....	.....	— 25,320	— 25,320	— 25,320
Repowering Assistance (rescission) (Sec. 738) .....	.....	.....	— 28,045	— 28,045	— 28,045
USDA (rescission) .....	.....	.....	.....	.....	.....
FDA (rescission) .....	.....	.....	.....	.....	.....
Emergency Conservation Program (Sec. 741) .....	.....	.....	11,100	+ 11,100	+ 11,100
(Disaster Relief) <sup>1</sup> .....	122,700	.....	.....	— 122,700	.....
Emergency Forest Restoration (Sec. 741) .....	.....	.....	14,200	+ 14,200	+ 14,200
(Disaster Relief) <sup>1</sup> .....	28,400	.....	.....	— 28,400	.....
Emergency Watershed Protection (Sec. 741) .....	.....	.....	65,454	+ 65,454	+ 65,454
(Disaster Relief) <sup>1</sup> .....	215,900	.....	.....	— 215,900	.....
Total, Title VII, General provisions .....	— 1,118,555	— 603,000	— 595,015	+ 523,540	+ 7,985

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
DIVISION G					
Section 3001:					
(Rescission) (Security) .....			— 1,000	— 1,000	— 1,000
(Rescission) (Non-Security) .....			— 505,000	— 505,000	— 505,000
Total, Division G .....			— 506,000	— 506,000	— 506,000
Grand total .....	136,840,373	144,233,282	139,460,638	+ 2,620,265	— 4,772,644
Appropriations .....	(136,918,508)	(144,398,282)	(140,310,003)	(+ 3,391,495)	(— 4,088,279)
Emergency Appropriations .....					
Rescissions .....	(— 445,135)	(— 165,000)	(— 849,365)	(— 404,230)	(— 684,365)
Disaster relief <sup>1</sup> .....	(367,000)			(— 367,000)	
(By transfer) .....	(790,970)	(781,677)	(784,177)	(— 6,793)	(+ 2,500)
(Loan authorization) .....	(40,933,113)	(40,437,264)	(42,047,338)	(+ 1,114,225)	(+ 1,610,074)
(Limitation on administrative expenses) .....	(177,101)	(180,892)	(180,892)	(+ 3,791)	

<sup>1</sup> Budget Control Act 2011 (Sec. 251(b)(2)(D)/Public Law 112–25).

# **DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

Report language included in House Report 112-463 ("the House report") or Senate Report 112-158 ("the Senate report") that is not changed by this explanatory statement or this Act is approved. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where both the House report and the Senate report address a particular issue not specifically addressed in the explanatory statement, the House report and the Senate report should be read as consistent and are to be interpreted accordingly. In cases where the House report or the Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

It is expected that each department and agency funded in this Act shall follow the directions set forth in this Act and the accompanying statement, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to: funds provided in this Act; unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2013; and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2013. These procedures are specified in section 505 of this Act.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Any program, project or activity cited in this statement, or in the House report or the Senate report and not changed by this Act or statement, shall be construed as the position of the Congress and shall not be subject to reductions or reprogramming without prior approval of the Committees. Further, it is expected that any department or agency funded in this Act which plans a reduction-in-force to notify by letter the Appropriations Committees of the House and Senate 30 days in advance of the date of any such planned personnel action.

It is noted that when a department or agency submits a reprogramming or transfer request to the Appropriations Committees of the House and Senate and does not receive identical responses by the House and Senate, it shall be the responsibility of the department or agency seeking the reprogramming to reconcile the differences between the two bodies before proceeding. If reconciliation is not possible, the items in disagreement in the reprogramming or transfer request shall be considered unapproved.

In compliance with section 537 of this Act, the Departments of Commerce and Justice, the National Aeronautics and Space Administration and the National Science Foundation are directed to submit spending plans, signed by the respective department or agency head, for the Committees' review within 45 days of enactment of this Act.

## **TITLE I**

### **DEPARTMENT OF COMMERCE**

#### **INTERNATIONAL TRADE ADMINISTRATION OPERATIONS AND ADMINISTRATION**

This Act includes \$482,538,000 in total resources for the programs of the International Trade Administration (ITA). This amount is offset by \$11,360,000 in estimated fee collections, resulting in a direct appropriation of \$471,178,000. The amount provided is an in-

crease of \$17,538,000 above fiscal year 2012. This Act assumes the \$26,000,000 in reductions proposed in the President's budget and allocates funding to the existing five business units.

*SelectUSA.*—Funding for SelectUSA is not included.

*Interagency Trade Enforcement Center (ITEC).*—Included is up to \$15,075,000 for ITEC. ITA shall submit a detailed spending plan for ITEC along with the spending plans required under section 537 of this Act.

Included are the following amounts; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Manufacturing and Services	\$46,700,000
Market Access and Compliance	48,000,000
Import Administration	80,300,000
Trade Promotion and the U.S. and Foreign Commercial Service	309,038,000
Executive Direction	24,500,000
Optimization/Consolidation	–26,000,000
<b>Total</b>	<b>\$482,538,000</b>

#### **BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION**

This Act includes \$101,796,000 for the Bureau of Industry and Security.

#### **ECONOMIC DEVELOPMENT ADMINISTRATION**

This Act includes \$224,800,000 for the programs and administrative expenses of the Economic Development Administration (EDA).

#### **ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS**

This Act includes \$187,300,000 for Economic Development Assistance Programs. Of the amounts provided, funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works	\$79,000,000
Planning	29,000,000
Technical Assistance	12,000,000
Research and Evaluation	1,500,000
Trade Adjustment Assistance	15,800,000
Economic Adjustment Assistance	50,000,000
<b>Total</b>	<b>\$187,300,000</b>

*Economic Adjustment Assistance (EAA).*—Activities supported include the creation of science parks, regional clusters, and other innovation strategies, and EDA is encouraged to use funds provided for the EAA program for these activities. EDA is advised to ensure that these activities do not interfere with EDA's mission to provide needed basic infrastructure to economically distressed communities through its traditional programs. In addition, Senate language is modified to include up to \$2,000,000 to support innovative, energy-efficient programs for small businesses.

*Persistent poverty.*—Senate report language regarding persistent poverty counties is not adopted, but instead EDA is encouraged to strengthen its efforts to improve economic conditions in poor communities, including counties affected by persistent poverty.

#### **SALARIES AND EXPENSES**

This Act includes \$37,500,000 for EDA salaries and expenses. Language from the House report regarding a Government Accountability Office (GAO) study on economic de-

velopment grants is modified, and it is requested that this report be provided to the Committees on Appropriations no later than 180 days following enactment of this Act. Senate report language regarding vacancies is modified to note that EDA is expected to fill mission critical vacancies in both headquarters and the field as quickly as possible.

#### **MINORITY BUSINESS DEVELOPMENT AGENCY**

##### **MINORITY BUSINESS DEVELOPMENT**

This Act includes \$28,689,000 for the Minority Business Development Agency (MBDA). MBDA is directed to implement the recommendations from the recent Inspector General inquiry into travel reimbursements for MBDA field personnel and brief the Committees on Appropriations no later than 60 days after enactment of this Act regarding implementation of accountability procedures outlined in that inquiry.

#### **ECONOMIC AND STATISTICAL ANALYSIS**

##### **SALARIES AND EXPENSES**

This Act includes \$100,228,000 for Economic and Statistical Analysis.

##### **BUREAU OF THE CENSUS**

This Act includes a total program level of \$924,208,000 for the Bureau of the Census. This amount includes \$906,208,000 in direct appropriations and \$18,000,000 derived from available unobligated balances in the non-reimbursable portion of the Census Working Capital Fund.

##### **SALARIES AND EXPENSES**

This Act includes \$256,255,000 for the salaries and expenses of the Bureau of the Census.

##### **PERIODIC CENSUSES AND PROGRAMS**

This Act includes a total of \$667,953,000 for periodic censuses and programs, including \$649,953,000 in direct appropriations and \$18,000,000 from non-reimbursable Census Working Capital Fund balances.

*Economic Census.*—The Economic Census is strongly supported and \$138,292,000 is included for these activities, an increase of \$26,000,000 above fiscal year 2012.

*American Community Survey (ACS).*—Language under title V of H.R. 5326 of the 112th Congress prohibiting funding for the ACS or prohibiting penalties for non-compliance with the ACS is not adopted. However, concerns have been raised with respect to the ACS, in particular the questions on the survey and the manner in which this and other surveys are conducted by the Census Bureau. In response to these concerns, the Census Bureau has established an ombudsman position to address the concerns raised, and the Office of Management and Budget (OMB) is in the process of coordinating an evaluation of the questions included in the ACS. The Census Bureau is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act on these efforts and the steps being taken to ensure that the ACS is conducted as efficiently and unobtrusively as possible. In addition, the Department of Commerce is directed to acquire an independent analysis of the costs and benefits of making compliance with the ACS voluntary. The results of this analysis shall be provided by the Secretary of Commerce to the Committees on Appropriations no later than 180 days after enactment of this Act.

*Working Capital Fund.*—Senate language regarding reprogramming guidelines with respect to the Census Working Capital Fund is not adopted. The Census Bureau is directed to provide a report to the Committees on Appropriations within 30 days after enactment

of this Act regarding balances in the Working Capital Fund, the intended uses of those funds and an obligation plan.

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

##### SALARIES AND EXPENSES

This Act includes \$45,994,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA). An increase in funding is not provided for Internet innovation programs as these activities should be included within NTIA's existing portfolio. House language regarding a National Academy of Sciences report on NTIA's Institute for Telecommunications Sciences is amended to direct that this report be provided within one year of enactment of this Act.

#### UNITED STATES PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

This Act includes language making available to the United States Patent and Trademark Office (USPTO) \$2,933,241,000, the full amount of offsetting fee collections estimated for fiscal year 2013.

*Patent infringement.*—The USPTO is directed to expand its Intellectual Property Awareness Campaign to include a special emphasis on small business concerns and independent inventors and how to increase their understanding of the steps they need to take to protect their intellectual property from patent infringement. The USPTO shall provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these efforts.

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

This Act includes \$824,173,000 for the National Institute of Standards and Technology (NIST).

#### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

This Act includes \$621,173,000 for NIST's scientific and technical core programs. Senate language regarding the National Initiative for Cybersecurity Education is modified to direct NIST to use such sums as necessary to fund these activities. Senate language regarding NIST greenhouse gas research and atmospheric weather monitoring systems is adopted, but NIST is expected to award competitively any funding for these activities. Language modified from S. 2323 of the 112th Congress allowing NIST to locally transport its Summer Undergraduate Research Fellowship (SURF) program participants is included. This provision shall only apply to NIST's SURF program.

*Centers of Excellence.*—The creation of centers of excellence is supported, and \$20,000,000 is included, as requested, to establish these centers on a competitive basis.

*National Strategy for Trusted Identities in Cyberspace (NSTIC).*—Up to \$16,500,000 is included for NSTIC. NIST is directed to submit a spending plan for NSTIC as part of the overall spending plan required by section 537 of this Act.

##### INDUSTRIAL TECHNOLOGY SERVICES

This Act includes \$143,000,000 for industrial technology services, including \$128,500,000 for the Hollings Manufacturing Extension Partnership (MEP) Program and \$14,500,000 for the Advanced Manufacturing Technology Consortia (AMTech) program. House language regarding a report on AMTech is amended by directing that this report be provided to the Committees on Appropriations

no later than 90 days after enactment of this Act. Also, House report language regarding a GAO report is amended by directing that this study be submitted to the Committees on Appropriations no later than 180 days after enactment of this Act. Finally, it is noted with concern that the Department remains delinquent in submitting the MEP Program report requested in Public Law 112-55, and the Secretary is directed to submit this report to the Committees on Appropriations no later than 60 days after enactment of this Act.

##### CONSTRUCTION OF RESEARCH FACILITIES

This Act includes \$60,000,000 for NIST construction.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

This Act includes a total of \$5,100,000,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA).

##### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

This Act includes a total program level of \$3,246,678,000 under this account for the coastal, fisheries, marine, weather, satellite and other programs of NOAA. This total funding level includes \$3,112,614,000 in direct appropriations; a transfer of \$119,064,000 from balances in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" account; and \$15,000,000 derived from recoveries of prior year obligations.

*National Ocean Policy (NOP).*—Section 553 of H.R. 5326 of the 112th Congress regarding the NOP is not included. However, it is noted that no funding was requested to implement the NOP. It is expected that NOAA programs will be carried out pursuant to their authorized purposes.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

*National Ocean Service.*—\$474,742,000 is for National Ocean Service operations, research, and facilities.

#### NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Navigation Services:	
Mapping and Charting:	
Mapping and Charting Base .....	50,584
Hydrographic Research and Technology Development .....	7,000
Electronic Navigational Charts .....	5,780
Shoreline Mapping .....	2,300
Address Survey Backlog/Contracts .....	27,000
Subtotal, Mapping and Charting .....	92,664
Geodesy:	
Geodesy Base .....	26,822
National Height Modernization .....	2,406
Subtotal, Geodesy .....	29,228
Tide and Current Data:	
Tide and Current Data .....	29,055
Total, Navigation Services .....	150,947
Ocean Resources Conservation and Assessment:	
Ocean Assessment Program:	
Integrated Ocean Observing System (IOOS) .....	28,500
NOAA IOOS .....	6,432
Coastal Storms .....	2,495
Coastal Services Center .....	31,330
Regional Geospatial Modeling Grants .....	4,000
Coral Reef Program .....	26,775
Subtotal, Ocean Assessment Program .....	99,532
Response and Restoration:	
Response and Restoration Base .....	25,633
Marine Debris .....	5,000
Subtotal, Response and Restoration .....	30,633

#### NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued

(In thousands of dollars)

Program	Amount
National Centers for Coastal Ocean Science:	
National Centers for Coastal Ocean Science .....	36,400
Competitive Research .....	9,000
Subtotal, National Centers for Coastal Ocean Science .....	45,400
Total, Ocean Resources Conservation and Assessment .....	175,565
Ocean and Coastal Management:	
Coastal Management:	
Coastal Zone Management Grants .....	66,146
Coastal Zone Management Act and Stewardship .....	7,084
Regional Ocean Partnership Grants .....	4,000
National Estuarine Research Reserve System .....	22,000
Subtotal, Coastal Management .....	99,230
Ocean Management:	
Marine Sanctuary Program .....	49,000
Total, Coastal and Ocean Management .....	148,230
Total, National Ocean Service, Operations, Research, and Facilities .....	474,742

*National Marine Fisheries Service (NMFS).*—\$826,129,000 is for NMFS operations, research, and facilities.

*Regional fisheries offices.*—Senate language regarding the relocation of the NMFS Northeast Regional Office is not adopted. However, NOAA's lack of responsiveness toward communities in the Mid-Atlantic area remains deeply troubling. Therefore, NOAA shall report to the Committees on Appropriations no later than 30 days after enactment of this Act regarding its plans to enhance and repair core NMFS functions in the Mid-Atlantic region in the areas of fisheries management, endangered species, habitat protection and restoration. The report shall include specific ways NMFS will: (1) streamline procedures to allow Mid-Atlantic fisheries decisions to be made locally rather than remotely, as appropriate and consistent with procedures and practices in other NMFS regions; (2) increase the Mid-Atlantic Fishery Management Council's accessibility to NOAA, consistent with the accessibility afforded to other fishery management councils; (3) reduce bureaucracy to allow difficult Mid-Atlantic issues to be brought to the attention of the NMFS Northeast Regional Office and NOAA Fisheries leadership in NOAA headquarters on an expedited basis; and (4) improve on-the-ground coordination with Mid-Atlantic fisheries partners.

For clarity, it is noted that this Act and the accompanying statement approve the proposed consolidation of NOAA's West Coast Regional Offices, not the West Coast Fisheries Science Centers.

*Catch shares.*—Section 543 of H.R. 5326 of the 112th Congress regarding catch shares is not included. However, NOAA is directed to provide a report to the Committees on Appropriations no later than 90 days after enactment of this Act that describes the current process in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico fisheries whereby commercial and recreational fishermen participate in the process to determine how a given fishery will be managed. This report shall also include recommendations as appropriate to ensure that entities impacted by the implementation of catch shares in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico have the ability to address any concerns through the Regional Fishery Management Council process.

*Turtle excluder devices.*—Section 562 of H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. However,

NOAA is expected to review observer reports, sea turtle stranding and necropsy data, and other information, as well as public comments, to determine whether a rule is warranted for turtle excluder devices for certain vessels operating in southeastern U.S. shrimp fisheries. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these findings.

#### NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Protected Species Research and Management:	
Protected Species Research and Management Programs Base .....	38,972
Species Recovery Grants .....	4,317
Marine Mammals .....	49,653
Marine Turtles .....	12,887
Other Protected Species (marine fish, plants, and invertebrates) .....	7,038
Atlantic Salmon .....	5,000
Pacific Salmon .....	58,400
Total, Protected Species Research and Management .....	176,267
Fisheries Research and Management:	
Fisheries Research and Management Programs Base .....	177,260
National Catch Share Program .....	25,200
Expand Annual Stock Assessments—Improve Data Collection .....	68,645
Economics and Social Sciences Research .....	7,300
Salmon Management Activities .....	39,000
Regional Councils and Fisheries Commissions .....	31,555
Fisheries Statistics .....	23,200
Fish Information Networks .....	22,100
Survey and Monitoring Projects .....	24,336
Fisheries Oceanography .....	2,200
American Fisheries Act .....	3,800
Interjurisdictional Fisheries Grants .....	2,000
National Standard 8 .....	1,017
Reducing Bycatch .....	3,440
Product Quality and Safety .....	6,589
Total, Fisheries Research and Management .....	437,642
Enforcement and Observers/Training:	
Enforcement .....	67,123
Observers/Training .....	43,166
Total, Enforcement and Observers/Training .....	110,289
Habitat Conservation and Restoration:	
Sustainable Habitat Management .....	21,000
Fisheries Habitat Restoration .....	20,700
Total, Habitat Conservation and Restoration .....	41,700
Other Activities Supporting Fisheries:	
Antarctic Research .....	2,800
Aquaculture .....	5,682
Climate Regimes and Ecosystem Productivity .....	1,807
Computer Hardware and Software .....	1,842
Cooperative Research .....	12,000
Information Analyses and Dissemination .....	15,300
Marine Resources Monitoring, Assessment and Prediction Program .....	800
National Environmental Policy Act .....	6,500
NMFS Facilities Maintenance .....	3,300
Regional Studies .....	10,200
Total, Other Activities Supporting Fisheries .....	60,231
Total, National Marine Fisheries Service, Operations, Research, and Facilities .....	826,129

*Oceanic and Atmospheric Research.*—\$390,638,000 is for Oceanic and Atmospheric Research operations, research, and facilities.

*Ocean Exploration.*—Senate report language regarding ocean exploration partnerships related to the National Undersea Research Program (NURP) is not adopted. The proposed elimination of NURP is supported, but there is concern about terminating advanced technology and at-sea capabilities provided by existing NURP partners without proper contingency plans. NOAA is directed to determine which regional partnerships are producing the most valuable scientific information critical to supporting NOAA's exploration mission. NOAA is encouraged to prioritize in this analysis those programs with ocean-going assets, and NOAA is directed further to competitively award the funding provided above the request to pre-

serve the work for the top centers it determines most valuable and consolidate this effort within the Ocean Exploration program, as appropriate. Senate language directing NOAA to submit an inventory of all NOAA-owned assets within the former NURP program and a plan for disposal or maintenance of these assets is retained.

#### OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Climate Research:	
Laboratories and Cooperative Institutes .....	53,350
Climate Data and Information .....	13,003
Climate Competitive Research, Sustained Observations and Regional Information .....	124,000
Total, Climate Research .....	190,353
Weather and Air Chemistry Research:	
Laboratories and Cooperative Institutes .....	56,311
U.S. Weather Research Program .....	4,223
Tornado Severe Storm Research/Phased Array Radar .....	10,008
Total, Weather and Air Chemistry Research .....	70,542
Ocean, Coastal, and Great Lakes Research:	
Laboratories and Cooperative Institutes .....	25,500
National Sea Grant College Program .....	61,800
Ocean Exploration and Research .....	23,665
Integrated Ocean Acidification .....	6,400
Total, Ocean, Coastal, and Great Lakes Research .....	117,365
High Performance Computing Initiatives .....	12,378
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities .....	390,638

*National Weather Service (NWS).*—\$926,116,000 is for NWS operations, research, and facilities. This amount is \$34,762,000 above revised estimates and restores reductions proposed in the budget to the tsunami program, hurricane research, forecast capabilities, and information technology staffing levels.

*Local Warnings and Forecasts.*—The funding recommendation includes an additional \$17,100,000 for the NWS to address current operational shortfalls identified by an investigation of financial mismanagement within the NWS and consistent with the proposed realignment of the NWS budget in the wake of the investigation. Concern remains that the inappropriate movement of funds within the NWS could have jeopardized the NWS' ability to accurately forecast the weather and that these actions may negatively impact the NWS' ability to make forecast improvements in the future. Therefore, in addition to the increases provided in this account, additional funds are provided to NWS in the Procurement, Acquisition and Construction (PAC) account to restore reductions to systems improvement activities. The NWS is directed to continue implementing corrective actions identified by the Inspector General, the Department and NOAA to ensure that the critical mission of the NWS is not compromised by financial mismanagement. In addition, dissatisfaction remains with NOAA's failure to determine the true costs necessary to support NWS operational needs. Therefore, NOAA is directed to provide a report to the Committees on Appropriations within 30 days after enactment of this Act regarding: progress made in implementing corrective actions; assessments of impacts to NWS forecast capabilities; and a timeline for providing the Committees on Appropriations with a budget that represents the true operational costs of the NWS.

*National Mesonet Program.*—The continuation of the mesonet program through a competitive process is supported. Senate lan-

guage is clarified that NOAA is not required to integrate mesonet observations into NWS severe weather alerts, conduct pilots, or use funds to study how mesonet data can be integrated into the Advanced Weather Interactive Processing System. However, NWS is not prevented from undertaking any of these activities. The Senate's reference to NOAA Link is not adopted, but NOAA shall continue to use the most appropriate contract vehicles for information technology contracts across the agency. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act that includes a discussion of the recommendations from the 2009 National Academy of Sciences report, *Observing Weather and Climate from the Ground Up: A Nationwide Network of Networks* and an analysis from NOAA regarding any future plans to assimilate mesonets into its enterprise.

#### NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Local Warnings and Forecasts:	
Local Warnings and Forecasts Base .....	655,000
Air Quality Forecasting .....	3,987
Alaska Data Buoys .....	1,683
Sustain Cooperative Observer Network .....	1,865
NOAA Profiler Network .....	4,228
Strengthen U.S. Tsunami Warning Network .....	23,541
Pacific Island Compact .....	3,775
National Mesonet Network .....	12,000
Subtotal, Local Warnings and Forecasts .....	706,079
Operations and Research:	
Advanced Hydrological Prediction Services .....	8,200
Aviation Weather .....	21,452
WFO Maintenance .....	6,588
Weather Radio Transmitters .....	2,297
Subtotal, Operations and Research .....	38,537
Central Forecast Guidance .....	79,624
Total, Local Warnings and Forecasts, Operations and Research, Central Forecast Guidance .....	824,240
Systems Operation and Maintenance:	
NEXRAD .....	46,247
ASOS .....	10,852
AWIPS .....	39,495
NWSTG Backup—CIP .....	5,282
Total, Systems Operation and Maintenance .....	101,876
Total, National Weather Service, Operations, Research, and Facilities .....	926,116

*National Environmental Satellite, Data and Information Service.*—\$192,933,000 is for National Environmental Satellite, Data and Information Service (NESDIS) operations, research, and facilities.

#### NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Environmental Satellite Observing Systems:	
Office of Satellite and Product Operations:	
Satellite Command and Control .....	40,238
NSOF Operations .....	8,009
Product, Processing and Distribution .....	45,682
Subtotal, Office of Satellite and Product Operations .....	93,929
Product Development, Readiness and Application:	
Product Development, Readiness and Application .....	19,545
Product Development, Readiness and Applications (Ocean Remote Sensing) .....	4,058
Joint Center for Satellite Data Assimilation .....	3,384
Subtotal, Product Development, Readiness and Application .....	26,987
Commercial Remote Sensing Regulatory Affairs .....	1,119
Office of Space Commercialization .....	659

# NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued

(In thousands of dollars)

Program	Amount
Group on Earth Observations .....	505
Total, Environmental Satellite Observing Systems .....	123,199
Data Centers and Information Services:	
Archive, Access and Assessment .....	48,434
Coastal Data Development .....	4,500
Regional Climate Services .....	7,800
Environmental Data Systems Modernization .....	9,000
Total, Data Centers and Information Services .....	69,734
Total, NESDIS, Operations, Research, and Facilities .....	192,933

**Program Support.**—\$436,120,000 is for Program Support.

**Aircraft services.**—Language from the House report regarding a GAO study on NOAA's aircraft is amended by directing that this report be provided to the Committees on Appropriations no later than 180 days after enactment of this Act.

## PROGRAM SUPPORT OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Program Support:	
Corporate Services:	
Under Secretary and Associate Offices .....	27,000
NOAA-Wide Corporate Services and Agency Management .....	108,000
DOC Accounting System .....	9,733
Payment to the DOC Working Capital Fund .....	35,000
Office of the Chief Information Officer:	
IT Security .....	8,431
NOAA Facilities Management, Maintenance, Construction and Safety .....	24,500
Subtotal, Corporate Services, Chief Information Officer, and Facilities .....	212,664
NOAA Education Program:	
BWET Regional Programs .....	7,200
Education Partnership Program/Minority Serving Institutions .....	14,000
NOAA Education Program Base .....	6,000
Subtotal, NOAA Education Program .....	27,200
Total, Program Support .....	239,864
Office of Marine and Aviation Operations:	
Marine Operations and Maintenance .....	166,015
Aircraft Services .....	30,241
Total, Office of Marine and Aviation Operations .....	196,256
Total, Program Support and OMAO, Operations, Research, and Facilities .....	436,120

## PROCUREMENT, ACQUISITION AND CONSTRUCTION

This Act includes a total program level of \$1,941,036,000 in direct obligations under this heading, of which \$1,926,036,000 is appropriated from the general fund and \$15,000,000 is derived from recoveries of prior year obligations. The following narrative description and table identifies the specific activities and funding levels included in this Act:

**Office of Oceanic and Atmospheric Research.**—\$10,379,000 is for research supercomputing activities.

**National Weather Service.**—The Act restores \$12,400,000 in reductions proposed by the Commerce Department in its realignment of the fiscal year 2013 budget request required as a result of financial mismanagement issues within the NWS. Direction is included to the Department and NOAA in the Operations, Research, and Facilities (ORF) account regarding funding for NWS programs in this account.

**NOAA weather satellites.**—The value of NOAA's weather satellite programs cannot be overstated in terms of the data collected that is used to develop daily weather fore-

casts and provide citizens with ample warning about severe weather. Unfortunately, certain NOAA satellite acquisition programs, particularly the Joint Polar Satellite System (JPSS), remain mired in cost overruns, missed deadlines, dysfunctional oversight, and lack of transparency in budgeting and planning. Recent reports from an Independent Review Team (IRT) and the Department of Commerce Inspector General validate these concerns. To address these problems, the Senate recommended transferring responsibility and funding for satellite acquisition from NOAA to the National Aeronautics and Space Administration (NASA). However, concerns have been raised that transferring lead construction and acquisition responsibility from NOAA to NASA in the middle of a fiscal year could potentially result in further launch delays. Additional information to fully evaluate the implications of transferring acquisition of operational satellites to NASA is needed. Therefore, to avoid both known and unknown risks at this time, the Senate proposal to transfer NOAA satellite programs to NASA is not adopted, but instead \$1,814,309,000, an increase of \$117,664,000 above fiscal year 2012, is provided for NESDIS satellite procurement programs within NOAA. This amount includes an overall reduction of \$36,000,000 for administrative efficiencies and other savings that NOAA is expected to achieve within its satellite portfolio. NOAA is directed to prioritize the weather missions of the Geostationary Operational Environmental Satellite (GOES) and JPSS programs within the funds provided and submit a spending plan to the Committees on Appropriations no later than 30 days after enactment of this Act with funding levels for each program, project, or activity within NESDIS PAC.

While NOAA is instituting structural changes to the management structure of JPSS as recommended by the IRT, it is equally important for NOAA to aggressively move to define JPSS requirements that prioritize the weather mission and establish a refined baseline that validates and finalizes the program scope and costs. To assist NOAA in achieving these goals, NOAA is directed to submit a report to the Committees on Appropriations no later than 90 days after enactment of this Act that includes the following information: (1) documentation that reflects total lifecycle costs for JPSS at \$11,900,000,000 and for GOES-R at \$10,860,000,000; (2) documentation that satellite requirements have been finalized and that the weather missions have been prioritized within the NOAA satellite portfolio; (3) a plan that maintains or advances, as appropriate, the launch schedules for JPSS and GOES; and (4) a plan to eliminate duplicative management costs and indirect overhead within the NESDIS satellite portfolio. As part of this report, NOAA is directed to consider transferring the Jason satellite system construction to NASA as recommended by the July 2012 IRT report. Further, NOAA is directed to include in this report an update on the study underway to review options for mitigating the gap between the Suomi National Polar-orbiting Partnership (Suomi NPP) and JPSS-1 and for mitigating the loss of data in the event of a failure of either the Suomi NPP or JPSS. Within 120 days after enactment of this Act, NOAA shall submit a report to the Committees on Appropriations that includes detailed spending plans for each of the programs within the NESDIS satellite portfolio, to include amounts for administration and reserves.

This Act and the accompanying statement only reflect near-term funding needs for the remainder of fiscal year 2013. With the timely submission of these reports, NOAA will provide assurances to the Committees on Appropriations that it has prioritized the weather mission within its satellite portfolio and has stabilized the overall management of these programs to ensure that these costs do not erode other important NOAA missions. The fiscal year 2014 budget request and documents requested herein will be evaluated to determine whether NOAA has made concrete and positive changes to address the problems and directions outlined above.

**NOAA Ship Ka'imimoana (KA).**—An increase of \$2,600,000 above the request is included to begin repairs to the KA. NOAA is reminded to review priorities across the agency in the future to ensure that critical missions like those performed by the KA are maintained.

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION

(In thousands of dollars)

Program	Amount
Office of Oceanic and Atmospheric Research: Research Supercomputing/CCRI .....	10,379
National Weather Service: Systems Acquisition:	
ASOS .....	1,635
AWIPS .....	20,592
NWSG Legacy Replacement .....	8,185
Radiosonde Network Replacement .....	4,014
Weather and Climate Supercomputing .....	38,169
Cooperative Observer Network Modernization (NERON) .....	3,700
Complete and Sustain NOAA Weather Radio .....	5,594
NOAA Profiler Conversion .....	1,700
Ground Readiness Project .....	12,400
Subtotal, NWS Systems Acquisition .....	95,989
WFO Construction .....	3,150
Total, National Weather Service—PAC .....	99,139
National Environmental Satellite, Data and Information Service: Systems Acquisition:	
NOAA satellites .....	1,833,388
EOS and Advanced Polar Data Processing, Distribution and Archiving Systems .....	990
Critical Infrastructure Protection .....	2,772
Comprehensive Large Array Data Stewardship System (CLASS) .....	6,476
NPOESS Preparatory Data Exploitation .....	4,455
Satellite CDA Facility .....	2,228
Efficiencies .....	—36,000
Total, NESDIS—PAC .....	1,814,309
Office of Marine and Aviation Operations: Fleet Replacement:	
Fleet Capital Improvements and Tech Infusion (Vessel Equip and Tech Refresh) .....	14,312
New Vessel Construction .....	2,897
Total, Office of Marine and Aviation Operations, PAC ..	17,209
Total, Procurement, Acquisition, and Construction .....	1,941,036

## PACIFIC COASTAL SALMON RECOVERY

This Act includes \$65,000,000 for Pacific Coastal Salmon Recovery.

## FISHERMEN'S CONTINGENCY FUND

This Act includes \$350,000 for the Fishermen's Contingency Fund.

## FISHERIES FINANCE PROGRAM ACCOUNT

This Act includes language under this heading limiting obligations of direct loans to \$24,000,000 for Individual Fishing Quota loans and \$59,000,000 for traditional direct loans.

## DEPARTMENTAL MANAGEMENT

### SALARIES AND EXPENSES

This Act includes \$56,000,000 for Departmental Management salaries and expenses. House report language regarding domestic production capabilities is modified by directing the Secretary of Commerce to submit a report to the Committees on Appropriations

no later than 120 days after enactment of this Act that reviews total existing capacity for steel slab production in the U.S. and the ability of U.S. producers to meet the demand for markets that require that steel slab be produced in the U.S. Senate report language regarding the Business USA initiative is not included.

#### RENOVATION AND MODERNIZATION

This Act includes \$2,040,000 for continuing renovation activities only at the Herbert C. Hoover Building.

#### OFFICE OF INSPECTOR GENERAL

This Act includes a total of \$32,753,000 for the Office of Inspector General. This amount includes \$28,753,000 in direct appropriations, a \$2,000,000 transfer from USPTO and a transfer of \$1,000,000 each from Bureau of the Census, Periodic Censuses and Programs and NOAA PAC for audits and reviews of those programs.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The following general provisions for the Department of Commerce are adopted:

Section 101 makes funds available for advanced payments only upon certification of officials, designated by the Secretary, that such payments are considered to be in the public interest.

Section 102 makes appropriations for Department salaries and expenses available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requires 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall be subject to the reprogramming limitations set forth in this Act.

Section 105 updates congressional notification requirements for NOAA satellite programs.

Section 106 provides for reimbursement for services within Department of Commerce buildings.

Section 107 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 108 provides the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 109 provides a requirement directing the Department of Commerce to provide a monthly report on any official travel to China by any Commerce employee.

Section 110 includes a provision amending section 113(b)(3) of division B of Public Law 112-55 regarding the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean by striking "2012" and inserting "2013".

#### TITLE II

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

This Act includes \$110,822,000 for General Administration, Salaries and Expenses.

*Eliminating duplication and improving efficiencies in DOJ grants.*—As the United States

experiences budgetary constraints, there is an ever-increasing need to ensure that governmental resources, including those awarded through grants and subgrants, are appropriately targeted and that unnecessary duplication is mitigated. Therefore, as directed in the Senate report, the Attorney General shall follow the recommendations of the Government Accountability Office (GAO) and report to the Committees on Appropriations within 120 days of the enactment of this Act on the efforts of the Department of Justice (DOJ) to:

(1) conduct an assessment to better understand the extent to which DOJ grant programs overlap with one another and determine if grant programs may be consolidated to mitigate the risk of unnecessary duplication; and

(2) direct granting agencies to coordinate with one another on a consistent basis to review potential or recent grant awards, including subgrant awards reported by DOJ prime grant awardees, to the extent possible, before awarding new grants, and take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.

*Operation Fast and Furious.*—In September 2012, the Office of Inspector General (OIG) submitted its comprehensive report on Operation Fast and Furious. The review revealed a series of misguided strategies, tactics, errors in judgment, and management failures that led to ATF's knowing failure to interdict firearms destined for Mexico, and criticized Department components for pursuing this strategy without adequately taking into account the danger to public safety that it created. The OIG also found that the Department failed to respond accurately to a congressional inquiry about these matters because it had relied on the very components that were the subject of serious allegations for information, which in turn was provided to Congress. The Department later withdrew its inaccurate response.

The Department is directed to implement fully and promptly the six recommendations made in the OIG report to increase the Department's involvement in and oversight of ATF operations, improve coordination among the Department's law enforcement components, and enhance the Department's wiretap application review and authorization process. The Department shall report to the Committees on Appropriations within 60 days of enactment of this Act on the Department's progress in implementing these recommendations. All of the departments and agencies funded in this Act are expected to confirm information to be provided to Congress so that they can respond accurately to all congressional inquiries.

*Prescription drug abuse.*—The Attorney General is urged to collaborate with State and local organizations, including experienced nonprofits, as a means of sharing best practices for reducing prescription drug diversion and abuse, including the establishment of prescription drug monitoring programs, proper drug disposal, and increased enforcement on pill mills and doctor shopping.

*Obscenity enforcement.*—The Department shall submit a report no later than 90 days after the enactment of this Act on its adult obscenity investigation and prosecution workload statistics and accomplishments during the 12 months prior to the enactment of this Act.

*Product procurements.*—This Act continues language from the Commerce, Justice, Science, and Related Agencies Appropria-

tions Act, 2012, directing that, to the extent practicable, promotional items purchased with funds provided by this Act shall be produced in the United States. The Department is expected to work with Federal Prison Industries, Inc. (FPI) to maintain its survey information on promotional products in a database in order to help inform the FPI board of directors of new opportunities to repatriate manufacturing, and expect that any manufacturing activities initiated as a result are intended to create new American jobs, not compete with existing United States businesses.

*Prison Rape Elimination Act (PREA).*—The Department is expected to continue efforts to provide assistance in the form of training, technical assistance, and implementation grants to assist State, local, and tribal jurisdictions in achieving compliance with the PREA national standards.

*Drug-related violence.*—Efforts by Federal law enforcement to reduce drug trafficking and associated violence in the Southwest border region have affected trafficking routes and crime rates in the Caribbean. The Attorney General is expected to address these trends by allocating necessary resources to areas substantially affected by drug-related violence, and reporting such actions to the Committees on Appropriations.

#### JUSTICE INFORMATION SHARING TECHNOLOGY

This Act includes \$33,426,000 for Justice Information Sharing Technology.

#### ADMINISTRATIVE REVIEW AND APPEALS

##### (INCLUDING TRANSFER OF FUNDS)

This Act includes \$313,438,000 for the Executive Office for Immigration Review (EOIR) and the Office of the Pardon Attorney, of which \$4,000,000 is derived by transfer from fee collections.

#### OFFICE OF INSPECTOR GENERAL

This Act includes \$85,985,000 for the OIG.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

This Act includes \$12,772,000 for the salaries and expenses of the United States Parole Commission.

#### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

This Act includes \$881,000,000 for General Legal Activities.

#### VACCINE INJURY COMPENSATION TRUST FUND

This Act includes a reimbursement of \$7,833,000 for DOJ expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660).

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

This Act includes \$162,170,000 for the Antitrust Division. This appropriation is offset by \$115,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$47,170,000.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

This Act includes \$1,969,687,000 for the Executive Office for United States Attorneys (EOUSA) and the 94 United States Attorneys' offices.

*Adam Walsh Act implementation.*—The EOUSA is expected to continue to focus on investigations and prosecutions related to the sexual exploitation of children, as authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) and as part of Project Safe Childhood. Not less than \$43,184,000 shall be available for this purpose in fiscal year 2013.

**Human trafficking.**—In fiscal year 2012, Congress directed each U.S. Attorney to establish or participate in a regional human trafficking task force. The accompanying statement of the managers also directed, “Task force meetings should focus specifically on combating human trafficking, with an emphasis on undertaking proactive investigations.” U.S. Attorneys are expected to maintain their task force participation and leadership roles in fiscal year 2013 and to undertake proactive investigations, including investigations of persons or entities facilitating trafficking in persons through the use of classified advertising on the Internet. The Department shall submit comprehensive semi-annual reports regarding the work of each of these task forces. These reports shall also identify any U.S. Attorney’s office that is not in compliance with this directive. The Department shall submit its first report not later than 60 days after the enactment of this Act.

**Internet sex trafficking.**—There are grave concerns that certain websites that advertise “adult services” continue to be used to facilitate sex trafficking of children. The Department is directed to assess the effectiveness of current legal and investigatory tools in addressing the use of such websites for sex trafficking and the extent to which the Department is making full and aggressive use of such tools, and report to the Committees on Appropriations on the results of that assessment not later than 30 days after the enactment of this Act. If the Attorney General determines that there is insufficient Federal authority under which to combat this activity, the report shall include an analysis and recommendations to Congress of any legislative or administrative initiatives that may be needed to fully equip law enforcement to tackle this problem.

**Pill mills.**—Because of the widespread nature of prescription drug abuse, within the funds provided, U.S. Attorneys are expected to prioritize the investigation and prosecution of pain clinics serving as fronts for the illegal distribution of addictive pain killers.

#### UNITED STATES TRUSTEE SYSTEM FUND

This Act includes \$223,258,000 for the United States Trustee Program. The appropriation is fully offset by fee collections.

#### SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

This Act includes \$2,000,000 for the Foreign Claims Settlement Commission.

#### FEES AND EXPENSES OF WITNESSES

This Act includes \$270,000,000 for Fees and Expenses of Witnesses.

#### SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

This Act includes \$12,036,000 for the Community Relations Service.

#### ASSETS FORFEITURE FUND

This Act includes \$20,948,000 for the Assets Forfeiture Fund. The Department is directed, in exceptional circumstances, to allow the use of equitable sharing monies for the cost of support personnel.

#### UNITED STATES MARSHALS SERVICE

##### SALARIES AND EXPENSES

This Act includes \$1,196,000,000 for the salaries and expenses of the United States Marshals Service (USMS).

##### CONSTRUCTION

This Act includes \$10,000,000 for construction and related expenses in space controlled, occupied or utilized by the USMS for prisoner holding and related support.

#### FEDERAL PRISONER DETENTION (INCLUDING TRANSFER OF FUNDS)

This Act includes \$1,647,383,000 for Federal prisoner detention.

#### NATIONAL SECURITY DIVISION

##### SALARIES AND EXPENSES

This Act includes \$90,039,000 for the salaries and expenses of the National Security Division.

#### INTERAGENCY LAW ENFORCEMENT

##### INTERAGENCY CRIME AND DRUG ENFORCEMENT

This Act includes \$521,793,000 for the Organized Crime and Drug Enforcement Task Forces (OCDETF), including \$370,602,000 for investigations and \$151,191,000 for prosecutions.

**Transnational organized crime.**—This Act does not include the requested increase in appropriations under this account for the International Organized Crime Intelligence Operations Center (IOC-2); instead, the Department is expected to fund all IOC-2 activities from within the overall amount provided under this heading for investigations, not to exceed \$1,000,000. The Department shall submit a report to the Committees, not later than 60 days after the enactment of this Act, detailing the staff and funding resources planned for IOC-2 in fiscal year 2013.

#### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

This Act includes \$8,185,007,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), including \$1,689,113,000 for intelligence, \$3,330,036,000 for Counterterrorism/Counterintelligence, \$2,663,835,000 for Criminal Enterprises and Federal Crimes, and \$502,023,000 for Criminal Justice Services.

**Computer intrusions.**—A program increase is included of \$23,132,000 and 112 positions for computer intrusions as described in the House report, including the submission of an annual national cyber threat assessment, and Senate report language on training for cyber agents.

**Surveillance.**—A program increase of \$10,244,000 is included for additional physical surveillance specialists as described in the House report, including the reporting requirement described in the House report.

**Gangs.**—An increase of \$9,000,000 above the request is included to combat violent gang crime. The proposal by the Administration to eliminate the National Gang Intelligence Center (NGIC) is rejected. Funds are included to continue the operation of NGIC, and to provide additional resources to existing Safe Streets Task Forces. Within the overall funds provided for Criminal Enterprises and Federal Crimes, the FBI is expected to launch a nationwide anti-gang initiative, allocating agents and other personnel to task forces experiencing the most severe violent gang crime, and where gangs have established links to violent international drug distribution cartels. The FBI shall report to the Committees on Appropriations on the planned initiative, and the corresponding allocations of funding and staff resources, not later than 90 days after the enactment of this Act. The report shall be put together in coordination with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Marshals Service and the Drug Enforcement Administration, and shall address how the FBI is working with these and other partner law enforcement agencies in these efforts.

**Financial crime.**—Within the total for Criminal Enterprises and Federal Crimes is included the requested amount for activities

related to combating corporate fraud, securities and commodities fraud, mortgage fraud, and other financial crime.

**Human trafficking.**—Within the amount provided, the FBI is expected to increase activities related to the investigation of severe forms of trafficking in persons. The FBI shall submit a report to the Committees no later than 120 days after the enactment of this Act on agent utilization and overall staff resources dedicated to trafficking in fiscal years 2010 through 2013. The report shall also include details on the participation of FBI personnel in human trafficking task forces.

**Implementation of 9/11 Commission recommendations.**—This Act includes \$500,000 for a comprehensive external review of the implementation of the recommendations related to the FBI that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States (commonly known as the “9/11 Commission”). The scope of this review shall include: (1) an assessment of progress made, and challenges in implementing the recommendations of the 9/11 Commission that are related to the FBI; (2) an analysis of the FBI’s response to trends of domestic terror attacks since September 11, 2001, including the influence of domestic radicalization; (3) an assessment of any evidence now known to the FBI that was not considered by the 9/11 Commission related to any factors that contributed in any manner to the terrorist attacks of September 11, 2001; and (4) any additional recommendations with regard to FBI intelligence sharing and counterterrorism policy. The FBI shall submit a report to the Committees, no later than one year after enactment of this Act, on the findings and recommendations resulting from this review. The FBI is encouraged, in carrying out this review, to draw upon the experience of 9/11 Commissioners and staff.

#### CONSTRUCTION

This Act includes \$80,982,000 for FBI Construction.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

This Act includes a direct appropriation of \$2,050,904,000 for the salaries and expenses of the Drug Enforcement Administration (DEA). In addition, the DEA expects to derive \$352,600,000 from fees deposited in the Diversion Control Fund to carry out the Diversion Control Program.

#### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

##### SALARIES AND EXPENSES

This Act includes \$1,153,345,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

**Gangs.**—Within the amount provided, ATF is expected to prioritize funding for its Violent Crime Impact Teams (VCIT), which bring focused law enforcement attention to communities plagued by gang violence. The ATF is directed to identify its allocation for VCIT in its spending plan for fiscal year 2013.

**United States—Mexico firearms trafficking.**—Support for ATF’s efforts to combat weapon trafficking on the border is continued. As begun in fiscal year 2012, the ATF shall continue to provide the Committees on Appropriations with annual data on the total number of firearms recovered by the Government of Mexico, and of those, the number for which an ATF trace is attempted, the number successfully traced, the number determined to be manufactured in the United States, and the number determined to be imported into the United States prior to being recovered in Mexico.



**Reprogramming requests.**—It is noted that ATF has fallen into a trend of submitting annual reprogramming requests to the Committees on Appropriations seeking to transfer funds from its Arson and Explosives Decision Unit to its Firearms Decision Unit. ATF is directed to budget appropriately among its decision units in order to eliminate the need for these reprogramming requests.

#### FEDERAL PRISON SYSTEM

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

This Act includes \$6,820,217,000 for the salaries and expenses of the Federal Prison System.

**Reentry research and reforms.**—The Bureau of Prisons (BOP) is directed to undertake a comprehensive analysis of its policies and determine the reforms and best practices that will help reduce costs and recidivism. The Director is encouraged to share additional corrections data with outside experts in order to build upon prior efforts.

**BOP contract confinement.**—The safe, secure and humane incarceration of Federal inmates is considered to be a critical priority. Because contract prison beds will be a necessary tool for managing a rapidly expanding Federal inmate population for the foreseeable future, there is a commitment to ensuring that inmates at such facilities are housed appropriately. Therefore, the OIG is directed to conduct a review of prison facilities operating under a contract with BOP to ensure that such facilities meet all appropriate standards. This review should also include a description of BOP's efforts to monitor the performance of contract prison facilities and recommendations for how BOP could improve such efforts.

**Inmate literacy.**—It is recommended that, given the priority of increasing successful prisoner reentry programs and the critical role community-based and volunteer literacy programs can play in the transition from prison back into society, BOP work with national organizations to identify and describe these models, and develop appropriate replication strategies.

#### BUILDINGS AND FACILITIES

This Act includes \$90,000,000 for the construction, acquisition, modernization, maintenance and repair of prison and detention facilities housing Federal inmates.

**Construction funding requests.**—Due to inmate population growth and overcrowding estimates, BOP is encouraged to include funding for new prison construction in future requests.

**Status of construction.**—Previous conference agreements have directed BOP to submit monthly status of construction reports that include notifications of any deviations from the construction and activation schedule identified in those reports, including detailed explanations of the causes of delays and actions proposed to address them. BOP's failure to submit these reports in a timely manner has hindered the Committees on Appropriations' ability to monitor and assess BOP's needs. BOP is directed to collaborate and coordinate with the Justice Management Division on methods that will efficiently deliver these critical reports to the Committees in a timely manner.

**Modernization and repair project backlog.**—This Act provides \$66,965,000 to address critical modernization and repair (M&R) projects in order to maintain and safely operate Federal prison institutions. BOP has a current backlog of at least 154 major M&R projects at an approximate cost of \$348,000,000, an estimation that does not in-

clude the universe of unfunded minor repair and improvement projects that are managed and prioritized at the regional level. BOP is directed to include a project specific M&R spending plan, along with a comprehensive report of the current M&R backlog, in the Department's spending plan required by this Act.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

This Act includes a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated.

#### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, this Act includes \$2,264,218,000 for State and local law enforcement and crime prevention programs.

**Spending plan.**—The Department shall submit a spending plan and related materials for the all of the programs funded under this heading to the Committees on Appropriations not later than 45 days after the enactment of this Act, along with the overall spending plan required by this Act.

**Management and administration expenses.**—Language included in both the House report and the Senate report is incorporated directing the Department, in preparation of its fiscal year 2013 spending plan, to assess management and administration (M&A) expenses against program funding. The Department is directed to ensure that its assessment methodology is equitable and, for programs funded through the Crime Victims Fund, that the assessment reflects a fair representation of the share of each program devoted to common M&A costs. Grant offices are also directed to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance. In addition, the Department is directed to detail, as part of its budget submission for fiscal year 2014 and future years, the actual costs for each grant office with respect to training, technical assistance, research and statistics, and peer review for the prior fiscal year, along with estimates of planned expenditures by each grant office in each of these categories for the current year and the budget year.

**GAO findings on subgrantee efficiencies.**—The Office on Violence Against Women (OVW), the Office of Justice Programs (OJP), and the Office of Community Oriented Policing Services (COPS) are directed to publicly disclose on each office's website the names of any subgrantees associated with each grant award, and to detail the purpose of each award in order to mitigate duplication and to ensure transparency. DOJ is also directed to heed the findings of GAO's 2012 Annual Report: *Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue* and to respond proactively in a timely manner.

#### OFFICE ON VIOLENCE AGAINST WOMEN

##### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

This Act includes \$416,500,000 for OVW. These funds are distributed as follows:

#### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(In thousands of dollars)

Program	Amount
STOP Grants .....	189,000
Transitional Housing Assistance .....	25,000
Research and Evaluation on Violence Against Women .....	3,500
Consolidated Youth-oriented Program .....	10,000
Grants to Encourage Arrest Policies .....	50,000
Homicide Reduction Initiative .....	(4,000)

#### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS—Continued

(In thousands of dollars)

Program	Amount
Sexual Assault Victims Services .....	25,000
Rural Domestic Violence and Child Abuse Enforcement .....	36,500
Violence on College Campuses .....	9,000
Civil Legal Assistance .....	41,000
Elder Abuse Grant Program .....	4,250
Family Civil Justice .....	15,500
Education and Training for Disabled Female Victims .....	5,750
National Resource Center on Workplace Responses .....	500
Research on Violence Against Indian Women .....	1,000
Indian Country—Sexual Assault Clearinghouse .....	500
<b>TOTAL, Violence Against Women Prevention and Prosecution Programs .....</b>	<b>416,500</b>

**Research on violence against women.**—“Honor violence” is a form of violence against women committed with the motive of protecting or regaining the honor of the perpetrator, family or community. There is currently a lack of statistical information on the occurrence of honor violence in the United States. Within the funds provided, OVW and the National Institute of Justice (NIJ) are expected to study this matter and recommend ways to determine the prevalence of honor violence and recommend best practices for law enforcement and service providers for prevention and response.

#### OFFICE OF JUSTICE PROGRAMS

The Department shall work closely with Congress to consider seriously the modification of existing programs and omission of outdated programs before new proposals and initiatives are unveiled. The Department is urged to devise a proposal to consolidate and eliminate ineffective grant programs by outreach to Congress and emphasis on what works and what is cost effective for the taxpayers' dollars.

#### RESEARCH, EVALUATION AND STATISTICS

This Act includes \$127,000,000 for the Research, Evaluation and Statistics account. These funds are distributed as follows:

#### RESEARCH, EVALUATION AND STATISTICS

(In thousands of dollars)

Program	Amount
Bureau of Justice Statistics .....	48,000
National Crime Victimization Survey (NCVS) .....	(36,000)
National Institute of Justice .....	43,000
Transfer to NIST/OLES for DNA/Forensics .....	(5,000)
Evaluation Clearinghouse (What Works Repository) .....	1,000
Regional information sharing activities .....	35,000
<b>TOTAL, Research, Evaluation and Statistics .....</b>	<b>127,000</b>

**Spending plans.**—The Department shall submit as part of its spending plan for State and Local Law Enforcement Activities a plan for the use of all funding administered by NIJ and the Bureau of Justice Statistics (BJS), respectively.

**#DNA and forensics research and evaluation.**—The fiscal year 2013 budget request eliminates resources to assist with critical forensics and DNA research and evaluation. Those areas are vital components to maintaining and advancing quality and proficiency within Federal, State, and local crime laboratory facilities. Therefore, from within the amounts provided for NIJ, OJP shall directly transfer \$5,000,000 to the National Institute of Standards and Technology (NIST) Office of Law Enforcement Standards (OLES) to support the continuation of the development of standards and standard reference materials.

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

This Act includes \$1,140,418,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(In thousands of dollars)

Program	Amount
Byrne Memorial Justice Assistance Grants .....	392,418
State and Local Anti-terrorism Training .....	(2,000)
State and Local Assistance Help Desk and Diagnostic Center .....	(4,000)
VALOR Initiative .....	(5,000)
Criminal Justice Reform and Recidivism Reduction .....	(6,000)
Domestic Radicalization Research .....	(4,000)
State Criminal Alien Assistance Program .....	255,000
Border Prosecutor Initiative .....	5,000
Byrne Competitive Grants .....	19,000
Victims of Trafficking Grants .....	13,500
Drug Courts .....	41,000
Mentally Ill Offender Act .....	9,000
Residential Substance Abuse Treatment .....	12,500
Capital Litigation and Wrongful Conviction Review .....	3,000
Economic, High-tech and Cybercrime Prevention .....	9,000
John R. Justice Grant Program .....	4,000
Adam Walsh Act Implementation .....	20,000
Children Exposed to Violence Initiative .....	13,000
Byrne Criminal Justice Innovation Program .....	18,000
Bulletproof Vests .....	21,500
Transfer to NIST/OLES .....	(1,500)
National Sex Offender Public Website .....	1,000
Violent Gang and Gun Crime Reduction .....	5,000
National Instant Criminal Background Check System .....	12,000
Criminal Records Upgrade .....	6,000
Paul Coverdell Forensic Science .....	12,000
DNA Initiative .....	125,000
Debbie Smith DNA Backlog Grants .....	(117,000)
Post-Conviction DNA Testing Grants .....	(4,000)
Sexual Assault Forensic Exam Program Grants .....	(4,000)
CASA—Special Advocates .....	6,000
Tribal Assistance .....	38,000
Second Chance Act/Offender Reentry .....	68,750
Smart Probation .....	(5,000)
Veterans Treatment Courts .....	4,000
Missing Alzheimer's Patients Grants .....	1,000
Prescription Drug Monitoring .....	7,000
Prison Rape Prevention and Prosecution .....	12,500
Emergency Law Enforcement Assistance .....	3,500
Campus Public Safety .....	2,750
<b>TOTAL, State and Local Law Enforcement Assistance ....</b>	<b>1,140,418</b>

**Veterans treatment courts.**—This Act includes \$4,000,000 to establish a funding source specifically to support veterans treatment courts. The Department is expected to work in conjunction with the Department of Veterans Affairs, as appropriate, to provide grant support for collaborative, rehabilitative approaches for continuing judicial supervision of offenders who are veterans.

**Economic, high-technology, and cyber crimes prevention.**—This Act provides \$9,000,000 to assist State and local law enforcement agencies in the prevention, investigation, and prosecution of economic, high-tech, and Internet crimes. Given the importance of protecting our Nation's new technologies, ideas, and products, OJP is directed to increase its investment in competitive grants that help State and local law enforcement tackle intellectual property (IP) thefts, such as counterfeiting and piracy, to \$3,700,000.

**Prescription drug monitoring.**—This Act includes \$7,000,000 for the Prescription Drug Monitoring Program (PDMP). The Bureau of Justice Assistance is urged to prioritize grant funding for states which have demonstrated a commitment to interstate data sharing and which are moving towards compliance with the recently adopted Prescription Monitoring Information Exchange (PMIX) Architecture so that the goal of 50 interconnected States can be achieved through hub-to-hub communication.

**Reentry.**—It is expected that Second Chance Act funding will support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from

prisons and jails, as well as grants for demonstration projects designed to test the impact of new strategies and frameworks. The Department is directed to submit as part of its spending plan for State and Local Law Enforcement Assistance a plan for the use of all funds appropriated for Second Chance Act programs. It is expected that such plan will designate funds for proven, evidence-based programs that will further the goal of maximizing public safety, as well as for promising new approaches and projects.

**Human trafficking.**—This Act includes \$13,500,000 for task force activities and services for U.S. citizens, permanent residents, and foreign nationals who are victims of trafficking. It is expected that the human trafficking task forces funded by the Department will continue to bring together Federal, State and local law enforcement and work closely with victim services organizations to investigate all forms of human trafficking and assist the victims. OJP shall consult with stakeholder groups in determining the overall allocation of victims of trafficking funding, including with respect to amounts allocated to assist foreign national victims, and provide to the Committees on Appropriations a plan for the use of these funds as part of the Department's fiscal year 2013 spending plan.

**Adam Walsh Act implementation.**—This Act includes \$20,000,000 to help States, the District of Columbia, Indian tribes, and territories come into compliance with the Sex Offender Registration and Notification Act (SORNA), as well as provide for the management of child sexual predators and exploiters.

**Campus public safety.**—This Act includes funding for a National Center for Campus Public Safety. Also, OJP may award grants to institutions of higher education and other nonprofit organizations to assist in carrying out the functions of the Center. Such functions shall include: (1) providing quality education and training for campus public safety agencies of institutions of higher education and the agencies' collaborative partners, including campus mental health agencies; (2) fostering quality research to strengthen the safety and security of institutions of higher education; (3) serving as a clearinghouse for the identification and dissemination of information, policies, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures; (4) developing protocols, in conjunction with the Attorney General and other stakeholders, to prevent, protect against, respond to, and recover from, natural and man-made emergencies or dangerous situations involving an immediate threat to the health or safety of the campus community; (5) promoting the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence; (6) coordinating campus safety information (including ways to increase off-campus housing safety) and resources available from the Department and other sources; (7) increasing cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among law enforcement, mental health, and other agencies and jurisdictions serving institutions of higher education; (8) developing standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and (9) reporting an-

nually to Congress and the Attorney General on activities performed by the Center during the previous 12 months.

## JUVENILE JUSTICE PROGRAMS

This Act includes \$279,500,000 for Juvenile Justice programs. These funds are distributed as follows:

## JUVENILE JUSTICE PROGRAMS

(In thousands of dollars)

Program	Amount
Part B—State Formula Grants .....	44,000
Emergency Planning—Juvenile Detention Facilities .....	(500)
Youth Mentoring Grants .....	90,000
Title V—Delinquency Prevention Incentive Grants .....	20,000
Tribal Youth .....	(10,000)
Gang and Youth Violence Education and Prevention .....	(5,000)
Alcohol Prevention .....	(5,000)
Victims of Child Abuse Programs .....	19,000
Juvenile Accountability Block Grants .....	25,000
Community-Based Violence Prevention Initiatives .....	11,000
Missing and exploited children programs .....	67,000
Training for Judicial Personnel .....	1,500
National Forum on Youth Violence Prevention .....	2,000
<b>TOTAL, Juvenile Justice .....</b>	<b>279,500</b>

**Missing and exploited children.**—This Act provides \$67,000,000 for missing and exploited children programs, of which not less than \$29,000,000 shall be provided for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children (ICAC) program.

**Youth mentoring.**—This Act provides \$90,000,000 for youth mentoring grants to help support the work of organizations across the country in implementing programs that identify and address the factors that can lead to delinquency or other problem behaviors in at-risk or disadvantaged youth. Mentoring for children in certain at-risk and disadvantaged subgroups, including children who are in foster care, are disabled, or are the children of incarcerated parents, is particularly important.

## PUBLIC SAFETY OFFICER BENEFITS

This Act includes \$78,300,000 for the Public Safety Officer Benefits program for fiscal year 2013. Within the funds provided, \$62,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. In addition, \$16,300,000 is provided for disability benefits for public safety officers permanently and totally disabled as a result of a catastrophic injury and for education benefits for the spouses and children of officers killed in the line of duty or permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

## COMMUNITY ORIENTED POLICING SERVICES

## COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

This Act includes \$222,500,000 for COPS programs, as follows:

## COMMUNITY ORIENTED POLICING SERVICES

(In thousands of dollars)

Program	Amount
Transfer to DEA for Methamphetamine Lab Cleanups .....	12,500
Tribal Resources Grant Program .....	20,000
COPS Hiring Grants .....	190,000
Transfer to Tribal Resources Grant Program .....	(15,000)
Community Policing Development/Training and Technical Assistance .....	(10,000)
<b>TOTAL, Community Oriented Policing Services .....</b>	<b>222,500</b>

**COPS Hiring.**—In the course of awarding grants for the COPS Hiring program in fiscal year 2012, the Department reserved 10 percent of COPS Hiring funding for grants based

on the Department's "high priorities." These set-aside grants were awarded among a subgroup of applicants whose community policing plans focused on high priority crime problems identified by the Department only after all of the applications had been reviewed. Applicant agencies isolated into the 10 percent set-aside group had a significantly higher chance of receiving a grant than the remainder of the eligible applicants. According to the Department's own statistics, applicants in the 90 percent pool had between an eight and 14 percent chance of receiving an award, while applicants selected for the 10 percent pool had a greater than 70 percent chance of receiving an award. This unnecessarily subjective grant award process is not supported. In fiscal year 2013 and thereafter, the Department will resume awarding grants to eligible agencies with the highest total ranked scores, taking into account its statutory mandates, and not attempt to run a parallel grant program, the design of which creates the appearance of favoritism.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

This Act includes the following general provisions for the Department of Justice:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes requirements and procedures for transfer proposals.

Section 206 authorizes the Attorney General to extend an ongoing Personnel Management Demonstration Project.

Section 207 permanently extends specified authorities to the ATF for undercover operations.

Section 208 prohibits the use of funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the BOP as appropriately secure.

Section 209 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual or electronic media or equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious or educational purposes.

Section 210 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 211 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

Section 212 prohibits the use of funds for A-76 competitions for work performed by employees of the BOP or FPI, Inc.

Section 213 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 214 permits up to 3 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance; permits up to 2 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by NIJ and BJS; and directs that of such amounts transferred to NIJ and BJS, \$1,300,000 shall be transferred to the BOP. In light of the resurgence of methamphetamine production and trafficking, language included in the House report is reaffirmed encouraging OJP and COPS to support methamphetamine training and technical assistance initiatives that advance problem-solving strategies to combat methamphetamine, and which demonstrate the capacity to have a national impact through direct training and the distribution of information and resources.

Section 215 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; drug treatment programs; and prison rape elimination programs.

Section 216 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 217 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 218 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

This Act does not include section 218 of H.R. 5326 of the 112th Congress. It is important to eliminate barriers to the use of pools in compliance with the Americans with Disabilities Act (ADA) while also appropriately minimizing the regulatory burden on pool owners and operators. The Department is directed to continue its current policy of not enforcing the fixed elements requirement of the 2010 ADA Standards for Accessible Design against owners or operators who purchased portable lifts for existing pools prior to March 15, 2012, as long as the portable lift is kept in position for use at the pool, is operational at all times that the pool is open, and otherwise complies with the requirements of the 2010 Standards. The Department also is expected to consider ways to further minimize the burden on pool owners and operators, including in the way it makes determinations about readily achievable compliance actions, while still adhering to the requirements of the ADA.

#### TITLE III SCIENCE

##### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

This Act includes \$5,850,000 for the Office of Science and Technology Policy (OSTP).

*Science, Technology, Engineering and Math (STEM) education.*—Interest remains in OSTP's efforts to provide better oversight of and guidance to the Federal government's STEM education apparatus through a government-wide STEM education strategic plan. This forthcoming plan is expected to address longstanding areas of congressional interest, including reducing programmatic duplication, measuring programmatic effectiveness, improving the dissemination of STEM education findings, integrating STEM education activities at mission-oriented agencies and supporting the STEM-related workforce. OSTP shall provide the com-

pleted STEM education strategic plan to the Committees on Appropriations within 45 days of the enactment of this Act.

*Interagency Working Group on Neuroscience (IWGN).*—Language in the House report regarding the IWGN, which was chartered during fiscal year 2012 under the auspices of the National Science and Technology Council, is affirmed, and its goals and activities are strongly supported. In addition, OSTP is encouraged to work with all relevant stakeholders to consider how incentives could hasten the development of new prevention and treatment options for neurological diseases and disorders, and to recommend options for such incentives.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

This Act includes \$17,862,000,000 for the National Aeronautics and Space Administration (NASA). A table of specific funding allocations for NASA is delineated below, and additional detail may be found under the relevant account headings.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (In thousands of dollars)

Program	Amount
Science:	
Earth Science .....	1,785,000
Planetary Science .....	1,415,000
Astrophysics .....	669,000
James Webb Space Telescope .....	628,000
Heliophysics .....	647,000
Total, Science .....	5,144,000
Aeronautics .....	570,000
Space Technology .....	642,000
Exploration:	
Human Exploration Capabilities .....	3,054,000
Orion Multi-Purpose Crew Vehicle .....	(1,197,000)
Space Launch System .....	(1,857,000)
SLS Vehicle Development .....	(1,454,200)
Exploration Ground Systems .....	(402,800)
Commercial Spaceflight .....	525,000
Exploration Research and Development .....	308,000
Total, Exploration .....	3,887,000
Space Operations:	
Space Shuttle .....	70,000
International Space Station .....	2,958,000
Space and Flight Support .....	925,000
Total, Space Operations .....	3,953,000
Education:	
Aerospace Research and Career Development .....	58,000
NASA Space Grant .....	(40,000)
EPSCoR .....	(18,000)
STEM Education and Accountability .....	67,000
Total, Education .....	125,000
Cross Agency Support .....	2,823,000
Construction and Environmental Compliance and Restoration .....	680,000
Inspector General .....	38,000
Total, NASA .....	17,862,000

#### SCIENCE

This Act includes \$5,144,000,000 for Science. *Earth Science.*—\$1,785,000,000 is for Earth Science, and language from the Senate report on carbon monitoring is adopted by reference.

*Planetary Science.*—\$1,415,000,000 is for Planetary Science, including \$192,000,000 for Planetary Science Research, \$243,980,000 for Discovery, \$175,000,000 for New Frontiers, \$450,800,000 for Mars Exploration and \$159,000,000 for Outer Planets.

Within the amount provided for Mars Exploration, \$146,400,000 is for the continued development of the MAVEN mission, \$65,000,000 is for operation of the Mars Science Laboratory and \$239,400,000 is for other Mars activities, including the formulation of a future

Mars mission that is responsive to the scientific goals of the most recent planetary science decadal survey and the potential completion of instrumentation or other contributions to international Mars exploration efforts. Direction provided in H.R. 5326 of the 112th Congress and the House report on submitting future Mars mission concepts to the National Research Council for review does not apply to the Mars funding provided herein.

Within the amount provided for Outer Planets, \$75,000,000 shall be for pre-formulation and/or formulation activities in support of a mission that achieves the scientific goals laid out in the Jupiter Europa section of the most recent planetary science decadal survey. These activities include, but are not limited to, concept studies and concept development, technology development and requirements definition.

*James Webb Space Telescope (JWST).*—\$628,000,000 is for JWST and all JWST language from the House report and the Senate report is adopted by reference. There is commitment to this important program and to providing strong, continuing oversight to ensure that it remains on track.

*Astrophysics.*—\$669,000,000 is for Astrophysics, including \$10,000,000 for pre-formulation and/or formulation activities for a mission that meets the science goals of the Wide Field InfraRed Survey Telescope as described in the most recent astronomy and astrophysics decadal survey. Language from the Senate report regarding the Hubble Space Telescope and the Explorer Program is adopted by reference, and language from the House report regarding NASA's planned contributions to the European Space Agency's Euclid program is not adopted.

*Heliophysics.*—\$647,000,000 is for Heliophysics and language from the Senate report regarding the Explorer Program, Magnetospheric MultiScale mission and Solar Probe Plus is adopted by reference.

#### AERONAUTICS

This Act includes \$570,000,000 for Aeronautics. Language from the House report on entry, descent and landing technology development and hypersonic research is adopted by reference.

#### SPACE TECHNOLOGY

This Act includes \$642,000,000 for Space Technology. All funds under this heading should be prioritized toward the continu-

ation of ongoing programs and activities that were funded in fiscal year 2012.

*Satellite servicing.*—Language from the Senate report on satellite servicing is adopted by reference.

#### EXPLORATION

This Act includes \$3,887,000,000 for Exploration.

*Space Launch System (SLS) funding.*—A total of \$2,119,400,000 is for SLS; \$1,857,000,000 of this funding is provided under the "Exploration" heading, including \$1,454,200,000 for SLS vehicle development and \$402,800,000 for Exploration Ground Systems (EGS). This funding level is sufficient for NASA to meet all upcoming SLS and EGS program milestones.

In accordance with an agreement previously reached between NASA and the Committees, the display of SLS funds and their distribution among budget accounts has changed from fiscal year 2012. For purposes of enabling multi-year comparisons, the table below shows the fiscal year 2012 and 2013 SLS vehicle development and EGS budgets in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

#### CROSSWALK OF SPACE LAUNCH SYSTEM APPROPRIATIONS

(In thousands of dollars)

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
SLS Vehicle Development .....	1,543,500	1,665,500	1,543,500	1,665,500
Exploration .....	(1,543,500)	(1,665,500)	(1,503,000)	(1,454,200)
Construction and Environmental Compliance and Restoration .....			(40,500)	(211,300)
Exploration Ground Systems .....	399,700	453,900	399,700	453,900
Exploration .....	(316,500)	(357,200)	(387,700)	(402,800)
Space Operations .....	(83,200)	(96,700)		
Construction and Environmental Compliance and Restoration .....			(12,000)	(51,100)
Total, Space Launch System .....	1,943,200	2,119,400	1,943,200	2,119,400

*SLS vehicle development.*—Support for NASA's evolvable SLS development approach, which will provide a 70 ton SLS configuration by 2017 and build to a 130 ton configuration as work is completed on an upper stage and advanced booster system, is reiterated. However, NASA is urged to identify and implement ways to accelerate the schedule for the attainment of the 130 ton configuration. To enable better congressional oversight of NASA's progress, language from the House report regarding requirements for

quarterly SLS funding reports is adopted by reference.

*EGS.*—It is noted that EGS funds are intended for SLS-related ground operations. Additional funding for non-SLS ground operations activities is provided under the "Space Operations" heading.

*Orion Multi-Purpose Crew Vehicle (MPCV) funding.*—A total of \$1,200,310,000 is for the Orion MPCV, which is to be launched on the SLS in furtherance of NASA's beyond Earth orbit exploration goals and to provide an alternate means of emergency access to the International Space Station (ISS). Within

the amounts provided for the Orion MPCV, \$1,197,000,000 is provided under the "Exploration" heading. This funding level is sufficient for NASA to meet all upcoming Orion MPCV milestones, including a planned flight test in 2014.

Similar to the SLS, the distribution of Orion MPCV funds across budget accounts has changed from fiscal year 2012. The chart below displays all Orion MPCV funding in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

#### CROSSWALK OF ORION MULTI-PURPOSE CREW VEHICLE APPROPRIATIONS

(In thousands of dollars)

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
Orion Multi-Purpose Crew Vehicle .....	1,200,000	1,200,310	1,200,000	1,200,310
Exploration .....	(1,200,000)	(1,200,310)	(1,200,000)	(1,197,000)
Construction and Environmental Compliance and Restoration .....				(3,310)
Total, Orion Multi-Purpose Crew Vehicle .....	1,200,000	1,200,310	1,200,000	1,200,310

*Cost caps.*—The human exploration program should be managed under cost caps based on NASA's analysis and the completed Independent Cost Assessment (ICA). Within 60 days of the enactment of this Act, NASA shall report to the Committees on Appropriations on planned milestones; expected performance and configurations; planned ground and flight testing programs; and deliverables for SLS, EGS and the Orion

MPCV. As part of this report, NASA shall validate the funding levels established by the ICA for SLS, EGS and the Orion MPCV as potential cost caps through fiscal year 2017 or recommend and justify alternate cost caps for each program element.

*Exploration destinations and goals.*—Language from the House report regarding mission goals for the test flights of SLS and the Orion MPCV currently scheduled for 2017 and 2021 is adopted by reference.

*Commercial crew.*—\$525,000,000 is for the Commercial Crew Program (CCP). This funding, which will support the continuation of the Commercial Crew Integrated Capability (CCiCap) phase and the awarding of Certification Products Contracts, is intended to promote the safest, fastest and most cost-effective reestablishment of a domestic means of access to the ISS.

It is expected that CCP activity beyond the CCIcap base period will be funded via Federal Acquisition Regulation—based contracts and that NASA will take all necessary steps to ensure that these contracts can be smoothly awarded with minimal disruption to programmatic progress. NASA is also expected to maintain rigorous oversight of the program and its private sector partners to ensure that all necessary safety standards are being met and all appropriate safeguards for taxpayer interests are being implemented.

#### SPACE OPERATIONS

This Act includes \$3,953,000,000 for Space Operations.

**ISS.**—\$2,958,000,000 is for ISS operations, research and cargo supply and adopts, by reference, language from the Senate report regarding satellite servicing activities.

Language in the House report requiring NASA to provide a report on options for short-term emergency access to the ISS is adopted by reference. This report shall be provided no later than 120 days after the enactment of this Act.

**Launch services.**—Concern remains about potential shortages in both the small- and medium-class launch vehicle markets. Such shortages would threaten both the schedules and budgets for NASA science missions. NASA is directed to continue monitoring its options in both markets and to ensure that management plans for projects in these classes appropriately reflect the risks resulting from uncertainty in launch vehicle availability and pricing.

**Space and Flight Support.**—\$925,000,000 is for Space and Flight Support, including the full requested level for Tracking and Data Relay Satellite System replacement and the 21st Century Space Launch Complex (21CSLC) program. The 21CSLC funds are available for the modification and modernization of launch infrastructure not exclusively used for SLS, including NASA-owned facilities for launch vehicles serving NASA missions and facilities scheduled to launch cargo to the ISS.

Language from the House report regarding strategic planning for upgrades and modernization of the Wallops Flight Facility is adopted by reference.

#### EDUCATION

This Act includes \$125,000,000 for Education.

**Aerospace Research and Career Development.**—\$40,000,000 is for the National Space Grant College program, and \$18,000,000 is for the Experimental Program to Stimulate Competitive Research (EPSCoR). Language from the Senate report regarding the distribution of Space Grant funding to states and jurisdictions is not adopted.

**Informal education.**—\$10,000,000 is for a competitive grant program to fund informal education programs that develop STEM education activities, including exhibits, at qualifying institutions as described in section 616 of the NASA Authorization Act of 2005 (Public Law 109-155), and/or at NASA Visitors Centers.

**K-12 STEM education and youth service organizations.**—It is noted that NASA's Office of Education, mission directorates and centers are involved in multiple efforts to engage K-12 students in STEM-related activities and competitions, in order to help encourage students to pursue future STEM-related studies and careers. Much of NASA's work in this area has been accomplished through partnerships with youth service organizations, including those with a nationwide footprint.

These efforts both augment and leverage the resources and reach of these organizations, helping to bring practical STEM applications to a wider group of young participants. NASA is commended for these efforts, which are an effective way to help build a strong and vibrant future STEM workforce, which in turn helps ensure a strong, globally competitive U.S. economy. NASA is directed, within funds provided both in this account and throughout the NASA budget, to expand the agency's K-12 STEM education efforts with youth service organizations and to report to the Committees on Appropriations within 180 days of enactment on these efforts.

#### CROSS AGENCY SUPPORT

This Act includes \$2,823,000,000 for Cross Agency Support.

**Cybersecurity.**—Language from the Senate report regarding cybersecurity is adopted by reference.

**Comprehensive independent assessment.**—Language from the House report regarding NASA's response to a comprehensive independent assessment of the agency conducted by the National Research Council is adopted by reference.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

This Act includes \$680,000,000 for Construction and Environmental Compliance and Restoration. Within the amounts provided, \$60,000,000 is for Environmental Compliance and Restoration, \$329,200,000 is for Institutional Construction of Facilities (CoF) and \$265,710,000 is for Exploration CoF, including \$3,310,000 for the Orion MPCV and \$142,000,000 for SLS-related test facilities.

#### OFFICE OF INSPECTOR GENERAL

This Act includes \$38,000,000 for the Office of Inspector General.

#### ADMINISTRATIVE PROVISIONS

This Act includes the following administrative provisions for NASA:

- a provision that makes funds for announced prizes available without fiscal year limitation until the prize is claimed or the offer is withdrawn;
- a provision that establishes terms and conditions for the transfer of funds;
- a provision that subjects the NASA spending plan and specified changes to that spending plan to reprogramming procedures under section 505 of this Act; and
- a provision that allows NASA to retain within its Working Capital Fund refunds or rebates received through NASA's credit card programs.

#### NATIONAL SCIENCE FOUNDATION

##### RESEARCH AND RELATED ACTIVITIES

This Act includes \$5,983,280,000 for Research and Related Activities (R&RA).

**Program priorities.**—NSF's proposed R&RA termination and reduction proposals are incorporated as described in the House report.

**Advanced manufacturing.**—Language in the House report regarding advanced manufacturing is adopted by reference.

**Cybersecurity research.**—Language from the Senate report regarding cybersecurity research is adopted by reference.

**Innovation Corps (I-Corps).**—Language from the House report regarding the I-Corps program is adopted by reference. If NSF determines that the directive contained in that language cannot be practically enforced for any specific I-Corps grant, NSF is directed to immediately report that determination, along with an explanation, to the Committees on Appropriations. NSF is expected to make all necessary efforts to ensure that ex-

ceptions to the directive are avoided to the maximum extent possible.

**Cross-Foundation initiatives.**—Limits on the implementation of OneNSF initiatives as proposed in the Senate report are not included because there is value in the further development of interdisciplinary research activities. However, future growth in interdisciplinary research should not come at the expense of adequate support for infrastructure and core research programs in each of NSF's individual scientific disciplines. NSF is urged to assess and refine the balance among these activities in its budget request for fiscal year 2014 and future years.

**Astronomy.**—\$247,550,000 is for astronomical sciences, including \$164,890,000 for infrastructure. Within the infrastructure portfolio, NSF shall fund pre-construction planning and research resources at the budget request level and allocate the remaining funds to observatories. To the extent that increases in infrastructure spending require a reduction in the research budget, those reductions should come from the planned increases for the Enhancing Access to the Radio Spectrum program.

No limitations are placed on the implementation of the Telescope System Instrumentation Plan, and no action or statement herein regarding the Division of Astronomical Sciences (AST) should be construed as an expression of opinion regarding AST's recently concluded portfolio review, which has yet to be submitted to the Congress for consideration.

**EPSCoR.**—\$158,190,000 is for EPSCoR.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

This Act includes \$196,170,000 for Major Research Equipment and Facilities Construction.

#### EDUCATION AND HUMAN RESOURCES

This Act includes \$895,610,000 for Education and Human Resources (EHR).

**Program terminations and reductions.**—NSF's proposed EHR termination and reduction proposals as described in the House report are incorporated, with the exception of NSF's proposal to reduce the Advancing Informal STEM Learning (AISL) program. AISL shall be funded as described in the Senate report.

**Broadening participation programs.**—Funding for the Historically Black Colleges and Universities Undergraduate Program, the Louis Stokes Alliance for Minority Participation, the Tribal Colleges and Universities Program and Centers for Research Excellence in Science and Technology is incorporated, as described in the Senate report.

**Advanced Technological Education (ATE).**—An increase of \$5,000,000 above the request for ATE is included, as described in the House report. NSF shall choose an offset to accommodate this increase from among the EHR programs not otherwise described in this statement.

**Best practices in K-12 STEM education.**—Adopted, by reference, is language from the House report on the implementation of the recommendations contained in the National Research Council's 2011 report entitled Successful K-12 STEM Education: Identifying Effective Approaches in Science, Technology, Engineering, and Mathematics.

**Federal Cyber Service: Scholarships for Service.**—Adopted, by reference, is language from the Senate report regarding the Federal Cyber Service: Scholarships for Service program.

#### AGENCY OPERATIONS AND AWARD MANAGEMENT

This Act includes \$299,400,000 for Agency Operations and Award Management.

*Follow-up on OIG findings.*—NSF management responses to recommendations of the OIG, particularly those regarding workforce management and construction contingency funding, have been inadequate. NSF is directed to provide the report described in the Senate report within 30 days of the enactment of this Act and to provide updates to that report on a semiannual basis.

*NSF headquarters.*—The requested amount for expenses associated with the expiration of NSF's headquarters lease is provided.

#### OFFICE OF THE NATIONAL SCIENCE BOARD

This Act includes \$4,440,000 for the National Science Board.

#### OFFICE OF INSPECTOR GENERAL

This Act includes \$14,200,000 for the OIG.

#### ADMINISTRATIVE PROVISION

This Act includes a provision that establishes terms and conditions for the transfer of funds.

### TITLE IV

#### RELATED AGENCIES

##### COMMISSION ON CIVIL RIGHTS

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

This Act includes \$9,400,000 for the Commission on Civil Rights.

*Improving oversight.*—Language is continued that was first included in fiscal year 2012 establishing an inspector general (IG) function for the Commission on Civil Rights and providing that the function will be carried out by the individual holding the position of IG at the Government Accountability Office (GAO). The IG is tasked with the duties and responsibilities specified in the Inspector General Act of 1978, including conducting audits and reviews of Commission programs, finances and personnel.

Funding is provided for these operations in the amount of \$450,000 by direct transfer to the Office of Inspector General of the GAO. This amount is \$200,000 above the request and the enacted level. The GAO IG was unable to fulfill the statutory requirements for its role as IG for the Commission within the amounts provided in fiscal year 2012. Accordingly, the resources available to the IG have been increased. Also included is language providing the IG flexibility in submitting statutorily required reports so the IG can focus its efforts on more substantive oversight issues. With these additional resources and flexibility, the IG is expected to conduct vigorous oversight of the Commission. The IG also is expected to consult with the Committees on Appropriations before exercising this new authority.

*Vacancies.*—The findings of the IG's recent report on management and performance challenges are concerning. In particular, the Commission has not had a permanent staff director since January 2011 and has not had an acting staff director since April 2012. In addition, the Commission has dozens of other vacant positions, many of which have been unfilled for years. Many other staff have multiple titles and responsibilities. The Commission is directed to examine its staffing structure, realign positions, as appropriate, based on available resources, and report the results to the Committees on Appropriations within 90 days of enactment of this Act. This report is expected to include details on staffing at the Commission's regional offices, as well as an assessment of the role of these offices in carrying out the work of the Commission.

#### EQUAL EMPLOYMENT OPPORTUNITY

##### COMMISSION

##### SALARIES AND EXPENSES

This Act includes \$370,000,000 for the Equal Employment Opportunity Commission (EEOC). Up to \$29,500,000 shall be available for payments to State and local enforcement agencies to ensure that the EEOC provides adequate resources to its State and local partners.

*Strategic plan.*—EEOC is expected to use its resources to implement the strategic objectives identified in the EEOC's 2012–2016 strategic plan; specifically: combating employment discrimination through strategic law enforcement, preventing employment discrimination through education and outreach, and delivering excellent and consistent service.

EEOC is directed to report to the Committees on Appropriations within 60 days of the enactment of this Act on the steps it has taken to reach the fiscal year 2012 goals set forth in the strategic plan, whether those goals were achieved, and, if not, an explanation of why those goals were not achieved. Many of the strategies and measures outlined in the strategic plan are multi-year efforts, and EEOC is expected to provide an analysis of the impact the strategies will have in subsequent years. As noted in the Senate report, there is particular interest in seeing the results of discussions surrounding intake and charge management in the private sector process and the development of a new case management system in the Federal sector process.

In creating the strategic plan, the EEOC sought the input of all members of the EEOC workforce, in addition to the agency's leadership, and solicited and received comments from a wide range of stakeholders and the public. Therefore, it is expected that these invested stakeholders will be active and constructive partners in the plan's implementation by EEOC.

*Age discrimination.*—Section 540 of H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. There is concern that EEOC did not conduct a thorough analysis of this rule's impact on small business. Therefore, notwithstanding the EEOC's determination under section 605(b) of title 5, United States Code, no later than 90 days after enactment of this Act, EEOC shall conduct an analysis equivalent to that required under section 604 of such title and provide the analysis to the Committees on Appropriations as well as to the public. The EEOC shall consult with the Committees on Appropriations prior to undertaking this analysis. This requirement shall not interfere with implementation of the rule.

*Guidance on criminal background checks.*—Section 544 of H.R. 5326 of the 112th Congress is not included. The EEOC recently finalized new guidance regarding the use of criminal record checks, without regard for a directive proposed by the Senate that such guidance should be circulated for public comment at least six months before adoption. The EEOC is directed to report to the Committees on Appropriations within 120 days of enactment of this Act detailing the steps it has taken to alleviate confusion about the new guidance.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

This Act includes \$83,000,000 for the International Trade Commission.

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

This Act includes \$365,000,000 for the Legal Services Corporation (LSC).

*Pro bono task force.*—It is encouraging that the LSC launched a pro bono task force, which released its report this fall. The LSC is urged to implement the recommendations as it continues to work with grantees to adopt measures aimed at increasing the involvement of private attorneys in the delivery of legal services to their clients.

*Pro bono innovation program.*—The pro bono task force's recommendation for the creation of a pro bono innovation program is encouraging, and LSC believes it has authority under the Legal Services Corporation Act to establish this program. LSC is directed to submit a reprogramming request to the Committees on Appropriations before starting the program.

*Headquarters management.*—Language is incorporated from the Senate report regarding LSC headquarters' efforts to incite stakeholders into actively lobbying Congress on budget issues with Federal dollars appropriated to headquarters. The funding expended in these efforts may be better used towards providing services to those in need of LSC counseling in the field. LSC is directed to re-examine its headquarters structure and identify areas of duplication for consolidation or elimination in an effort to provide a more efficient and cost-saving structure, and send more funding to those in the field in need of LSC services. LSC shall report these findings to the Committees on Appropriations within 90 days of enactment of this Act.

#### ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

*Unauthorized uses of funds.*—The Inspector General of the LSC is encouraged to conduct annual audits of LSC grantees to ensure that funds are not being used in contravention of the restrictions on engaging in political activities or any of the other restrictions by which LSC grantees are required to abide. The removal of funds from any LSC grantee determined by the Inspector General to have engaged in unauthorized political activity is recommended.

*Allocation of basic field grants.*—Language, modified from H.R. 5326 of the 112th Congress, making a technical change to the allocation formula for basic field grants is included. The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134) required that the allocation for grantees in each geographic area be based on poverty statistics from the "most recent decennial census." The Census Bureau has since stopped collecting poverty data in the decennial census and instead collects those data in the American Community Survey (ACS). The recommended language alters the formula to reflect this shift. Since ACS data are released more frequently, the language allows reallocation of funding every three years. The language also provides a two-year phase in of the changes. The phase in, which was not included in H.R. 5326 of the 112th Congress, allows grantees to adjust more easily to changes in funding allocations. It is disappointing that LSC waited until the fiscal year 2013 budget request to seek this change, long after it was known that these data would no longer be made available in the decennial census.

#### MARINE MAMMAL COMMISSION

##### SALARIES AND EXPENSES

This Act includes \$3,081,000 for the Marine Mammal Commission.

OFFICE OF THE UNITED STATES TRADE  
REPRESENTATIVE

## SALARIES AND EXPENSES

This Act includes \$51,251,000 for the Office of the U.S. Trade Representative.

## STATE JUSTICE INSTITUTE

## SALARIES AND EXPENSES

This Act includes \$5,121,000 for the State Justice Institute.

**TITLE V****GENERAL PROVISIONS**

## (INCLUDING RESCISSIONS)

This Act includes the following general provisions:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 provides that the expenditure of any appropriation contained in the Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or existing Executive Order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds. Language is included requiring the Department of Justice to notify the Committees 45 days in advance of any such reprogramming.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent,

personnel actions taken in response to funding reductions in the Act shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 delays the obligations of any receipts deposited into the Crime Victims Fund in excess of \$730,000,000 until the following fiscal year.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds in the Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 provides that funds provided for E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 514 permanently requires the Bureau of Alcohol, Tobacco, Firearms and Explosives to include specific language in any release of tracing study data that makes clear that trace data cannot be used to draw broad conclusions about firearms-related crimes.

Section 515 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 516 prohibits funds for information technology acquisitions unless the acquiring department or agency has assessed the risk of cyber-espionage or sabotage. Any acquisition of information technology produced by entities that are owned, directed, or subsidized by the People's Republic of China must be preceded by a determination that the acquisition is in the national interest. Each department or agency covered under section 516 shall submit a quarterly report to the Committees on Appropriations of the House and the Senate describing assessments made pursuant to this section and any associated findings or determinations of risk.

Section 517 prohibits the use of funds in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 518 prohibits the use of funds in this Act to require certain export licenses.

Section 519 prohibits the use of funds in this Act to deny certain import applications regarding "curios or relics" firearms, parts, or ammunition.

Section 520 prohibits the use of funds to include certain language in trade agreements.

Section 521 prohibits the use of funds in this Act to authorize or issue a National Security Letter (NSL) in contravention of cer-

tain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 522 requires congressional notification for any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of at least 10 percent.

Section 523 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2013.

Section 524 requires the departments and agencies funded in this Act to establish and maintain on the homepages of their Internet websites direct links to the Internet websites of their Offices of Inspectors General, and a mechanism by which individuals may anonymously report cases of waste, fraud or abuse.

Section 525 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the IRS Code of 1986, and has no unpaid Federal tax assessment.

## (RESCISSIONS)

Section 526 provides for rescissions of unobligated balances in the Department of Justice. The rescission from the Federal Prison System, Buildings and Facilities account rescinds all remaining balances associated with the "Acquire Existing Institution for Higher Security FCI" project. With respect to rescissions of unobligated balances from the Office on Violence Against Women, the Office of Justice Programs and the Office of Community Oriented Policing Services, it is expected that rescissions will be from grant deobligations and recoveries.

Section 527 prohibits the use of funds in this Act in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws.

Section 528 prohibits the use of funds in this Act for the purchase of first class or premium air travel.

Section 529 prohibits the use of funds to pay for the attendance of more than 50 department or agency employees at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 530 includes language regarding detainees held at Guantanamo Bay.

Section 531 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 532 prohibits the distribution of funds contained in this Act to the Association of Community Organizations for Reform Now or its subsidiaries.

Section 533 includes language regarding the purchase of light bulbs.

Section 534 requires any department, agency or instrumentality of the United States Government receiving funds appropriated under this Act to track and report on undisbursed balances in expired grant accounts.

Section 535 prohibits the use of funds by the National Aeronautics and Space Administration or the Office of Science and Technology Policy to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA or OSTP have made a certification pursuant to subsections (c) and (d) of this section.



Section 536 prohibits the use of funds to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

Section 537 requires the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation to submit spending plans.

Section 538 prohibits funds made available by this Act from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 539 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 540 prohibits funds made available by this Act from being used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 541 prohibits funds made available by this Act from being used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 542 prohibits funds made available by this Act from being used to pay the salaries of an employee of the Department of Commerce to use amounts in the Fisheries

Enforcement Asset Forfeiture Fund of NOAA for any purposes other than specified in the law.

Section 540 from H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 542 from S. 2323 of the 112th Congress regarding vehicle fleets is not included. Instead, all agencies and departments funded under this Act are directed to send to the Committees on Appropriations, at the end of the fiscal year, a report containing a complete inventory of the total number of vehicles owned, permanently retired, and purchased during fiscal year 2013 as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing.

Section 543 from H.R. 5326 of the 112th Congress regarding fisheries catch shares is not included. Instead, direction to NOAA on this subject is included under title I of this statement.

Section 544 from H.R. 5326 of the 112th Congress regarding EEOC guidance on criminal records is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 545 from H.R. 5326 of the 112th Congress, which prohibits the Census Bureau from enforcing section 13 U.S.C. 221(a) regarding the American Community Survey is not included. Instead, direction to the Census Bureau and the Department of Commerce regarding these activities is included under title I of this statement.

Section 546 from H.R. 5326 of the 112th Congress is not included. Direction to the Department of Justice on Operation Fast and Furious is provided under the Department of Justice, General Administration heading under title II of this statement.

Section 549 from H.R. 5326 of the 112th Congress regarding certain court settlements is not included. On February 9, 2012, the Department of Justice announced that the Federal government, along with 49 State attorneys general, reached a landmark \$25,000,000,000 settlement with the nation's five largest banks. It is recognized that investors in mortgage-backed securities (MBS) were excluded from negotiations with respect to the settlement, and are concerned about the effect the settlement will have on

their interests. MBS investors include State retirement systems, 401(k) plans, public and private pension plans, insurance company annuities, and mutual funds. Because the details of the settlement agreement will likely never be known to the public, the Department of Justice is directed to study both the efforts of the five largest banks to comply with the settlement and the impact of the settlement on the revenue of MBS trusts, and submit a report to the Committees on its findings not later than one year after the date of enactment of this Act.

Section 553 from H.R. 5326 of the 112th Congress regarding the National Ocean Policy is not included. Instead, direction to NOAA regarding these activities is included under title I of this statement.

Section 554 from H.R. 5326 of the 112th Congress regarding vehicle efficiency standards is not included. The departments and agencies funded under this Act are expected to adhere to the guidance of Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011, and to notify the Committees on Appropriations regarding any vehicle leases or purchases that are not in accordance with that guidance.

Section 562 from H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. Instead, direction to NOAA regarding this issue is included under title I of this statement.

Section 564 from H.R. 5326 of the 112th Congress regarding the National Science Foundation's (NSF) Climate Change Education (CCE) program is not included. However, within the amounts provided to NSF in title III of this Act, NSF shall spend no more than \$3,130,000 on CCE.

Section 565 from H.R. 5326 of the 112th Congress regarding NSF's political science program is not included. As part of the spending plan required by this Act, NSF is directed to provide: (1) a detailed description of how the agency proposes to allocate funds among the various NSF directorates, divisions and programs; (2) a justification for how this proposed allocation of funds appropriately reflects national scientific and policy priorities; and (3) a discussion of the relative contributions of various scientific disciplines to innovation, economic growth and national security.

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
<b>TITLE I—DEPARTMENT OF COMMERCE</b>					
<b>International Trade Administration</b>					
Operations and administration .....	465,000	526,439	482,538	+ 17,538	— 43,901
Offsetting fee collections .....	— 9,439	— 9,439	— 11,360	— 1,921	— 1,921
Direct appropriation .....	455,561	517,000	471,178	+ 15,617	— 45,822
<b>Bureau of Industry and Security</b>					
Operations and administration .....	69,721	68,049	67,695	— 2,026	— 354
Defense function .....	31,279	34,279	34,101	+ 2,822	— 178
Total, Bureau of Industry and Security .....	101,000	102,328	101,796	+ 796	— 532
<b>Economic Development Administration</b>					
Economic Development Assistance Programs .....	220,000	182,000	187,300	— 32,700	+ 5,300
Disaster relief category .....	200,000	.....	.....	— 200,000	.....
Subtotal .....	420,000	182,000	187,300	— 232,700	+ 5,300
Salaries and expenses .....	37,500	37,719	37,500	.....	— 219
Total, Economic Development Administration .....	457,500	219,719	224,800	— 232,700	+ 5,081
<b>Minority Business Development Agency</b>					
Minority Business Development .....	30,339	28,689	28,689	— 1,650	.....
<b>Economic and Statistical Analysis</b>					
Salaries and expenses .....	96,000	100,269	100,228	+ 4,228	— 41



## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
<b>Bureau of the Census</b>					
Salaries and expenses .....	253,336	259,175	256,255	+ 2,919	— 2,920
Periodic censuses and programs .....	635,000	711,250	649,953	+ 14,953	— 61,297
Total, Bureau of the Census .....	888,336	970,425	906,208	+ 17,872	— 64,217
<b>National Telecommunications and Information Administration</b>					
Salaries and expenses .....	45,568	46,925	45,994	+ 426	— 931
<b>United States Patent and Trademark Office</b>					
Salaries and expenses, current year fee funding .....	2,678,000	2,933,241	2,933,241	+ 255,241	.....
Offsetting fee collections .....	— 2,678,000	— 2,933,241	— 2,933,241	— 255,241	.....
Total, United States Patent and Trademark Office .....	.....	.....	.....	.....	.....
<b>National Institute of Standards and Technology</b>					
Scientific and Technical Research and Services .....	567,000	648,000	621,173	+ 54,173	— 26,827
(transfer out) .....	(— 9,000)	(— 9,000)	(— 9,000)	.....	.....
Industrial Technology Services .....	128,443	149,000	143,000	+ 14,557	— 6,000
Manufacturing extension partnerships .....	(128,443)	(128,000)	(128,500)	(+ 57)	(+ 500)
Advanced manufacturing technology consortia .....	.....	(21,000)	(14,500)	(+ 14,500)	(— 6,500)
Construction of research facilities .....	55,381	60,000	60,000	+ 4,619	.....
Working Capital Fund (by transfer) .....	(9,000)	(9,000)	(9,000)	.....	.....
Total, National Institute of Standards and Technology .....	750,824	857,000	824,173	+ 73,349	— 32,827
<b>National Oceanic and Atmospheric Administration</b>					
Operations, Research, and Facilities .....	3,022,231	3,042,460	3,112,614	+ 90,383	+ 70,154
(by transfer) .....	(109,098)	(119,064)	(119,064)	(+ 9,966)	.....
Promote and Develop Fund (transfer out) .....	(— 109,098)	(— 119,064)	(— 119,064)	(— 9,966)	.....
Subtotal .....	3,022,231	3,042,460	3,112,614	+ 90,383	+ 70,154
Procurement, Acquisition and Construction .....	1,817,094	1,965,736	1,926,036	+ 108,942	— 39,700
Pacific Coastal Salmon Recovery .....	65,000	50,000	65,000	.....	+ 15,000
Fishermen's Contingency Fund .....	350	350	350	.....	.....
Fisheries Finance Program Account .....	— 11,000	— 4,000	— 4,000	+ 7,000	.....
Fisheries Enforcement Asset Forfeiture Fund .....	8,000	.....	.....	— 8,000	.....
Offsetting receipts .....	— 8,000	.....	.....	+ 8,000	.....
Sanctuaries Enforcement Asset Forfeiture Fund .....	1,000	.....	.....	— 1,000	.....
Offsetting receipts .....	— 1,000	.....	.....	+ 1,000	.....
Total, National Oceanic and Atmospheric Administration .....	4,893,675	5,054,546	5,100,000	+ 206,325	+ 45,454
<b>Departmental Management</b>					
Salaries and expenses .....	57,000	56,000	56,000	— 1,000	.....
Renovation and Modernization .....	5,000	2,040	2,040	— 2,960	.....
Office of Inspector General .....	26,946	28,753	28,753	+ 1,807	.....
Total, Departmental Management .....	88,946	86,793	86,793	— 2,153	.....
Total, title I, Department of Commerce .....	7,807,749	7,983,694	7,889,859	+ 82,110	— 93,835
Appropriations .....	(7,807,749)	(7,983,694)	(7,889,859)	(+ 282,110)	(— 93,835)
Disaster relief category .....	(200,000)	.....	.....	(— 200,000)	.....
(by transfer) .....	118,098	128,064	128,064	+ 9,966	.....
(transfer out) .....	— 118,098	— 128,064	— 128,064	— 9,966	.....
<b>TITLE II—DEPARTMENT OF JUSTICE</b>					
<b>General Administration</b>					
Salaries and expenses .....	110,822	127,667	110,822	.....	— 16,845
National Drug Intelligence Center .....	20,000	.....	.....	— 20,000	.....
Justice Information Sharing Technology .....	44,307	33,426	33,426	— 10,881	.....
Tactical Law Enforcement Wireless Communications .....	87,000	.....	.....	— 87,000	.....
Total, General Administration .....	262,129	161,093	144,248	— 117,881	— 16,845
Administrative review and appeals .....	305,000	313,438	313,438	+ 8,438	.....
Transfer from immigration examinations fee account .....	— 4,000	— 4,000	— 4,000	.....	.....
Direct appropriation .....	301,000	309,438	309,438	+ 8,438	.....
Detention Trustee .....	1,580,595	.....	.....	— 1,580,595	.....
Office of Inspector General .....	84,199	85,985	85,985	+ 1,786	.....
<b>United States Parole Commission</b>					
Salaries and expenses .....	12,833	12,772	12,772	— 61	.....
<b>Legal Activities</b>					
Salaries and expenses, general legal activities .....	863,367	903,603	881,000	+ 17,633	— 22,603
Vaccine Injury Compensation Trust Fund .....	7,833	7,833	7,833	.....	.....
Salaries and expenses, Antitrust Division .....	159,587	164,753	162,170	+ 2,583	— 2,583
Offsetting fee collections—current year .....	— 108,000	— 115,000	— 115,000	— 7,000	.....
Direct appropriation .....	51,587	49,753	47,170	— 4,417	— 2,583
Salaries and expenses, United States Attorneys .....	1,960,000	1,974,378	1,969,687	+ 9,687	— 4,691
United States Trustee System Fund .....	223,258	227,407	223,258	.....	— 4,149
Offsetting fee collections .....	— 223,258	— 227,407	— 223,258	.....	+ 4,149
Direct appropriation .....	.....	.....	.....	.....	.....
Salaries and expenses, Foreign Claims Settlement Commission .....	2,000	2,139	2,000	.....	— 139
Fees and expenses of witnesses .....	270,000	270,000	270,000	.....	.....
Salaries and expenses, Community Relations Service .....	11,456	12,036	12,036	+ 580	.....
Assets Forfeiture Fund .....	20,948	20,948	20,948	.....	.....
Total, Legal Activities .....	3,187,191	3,240,690	3,210,674	+ 23,483	— 30,016
<b>United States Marshals Service</b>					
Salaries and expenses .....	1,174,000	1,203,488	1,196,000	+ 22,000	— 7,488
Construction .....	15,000	10,000	10,000	.....	.....
Federal Prisoner Detention .....	.....	1,668,235	1,647,383	+ 1,647,383	— 20,852

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Total, United States Marshals Service .....	1,189,000	2,881,723	2,853,383	+ 1,664,383	— 28,340
National Security Division					
Salaries and expenses .....	87,000	90,039	90,039	+ 3,039	.....
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement .....	527,512	524,793	521,793	— 5,719	— 3,000
Federal Bureau of Investigation					
Salaries and expenses .....	3,376,000	3,403,030	3,320,657	— 55,343	— 82,373
Counterintelligence and national security .....	4,660,991	4,747,991	4,864,350	+ 203,359	+ 116,359
Subtotal .....	8,036,991	8,151,021	8,185,007	+ 148,016	+ 33,986
Construction .....	80,982	80,982	80,982	.....	.....
Total, Federal Bureau of Investigation .....	8,117,973	8,232,003	8,265,989	+ 148,016	+ 33,986
Drug Enforcement Administration					
Salaries and expenses .....	2,347,000	2,403,504	2,403,504	+ 56,504	.....
Diversion control fund .....	— 322,000	— 352,600	— 352,600	— 30,600	.....
Subtotal .....	2,025,000	2,050,904	2,050,904	+ 25,904	.....
Construction .....	10,000	.....	.....	— 10,000	.....
Total, Drug Enforcement Administration .....	2,035,000	2,050,904	2,050,904	+ 15,904	.....
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses .....	1,152,000	1,153,345	1,153,345	+ 1,345	.....
Federal Prison System					
Salaries and expenses .....	6,551,281	6,820,217	6,820,217	+ 268,936	.....
Buildings and facilities .....	90,000	99,189	90,000	.....	— 9,189
Limitation on administrative expenses, Federal Prison Industries, Incorporated .....	2,700	2,700	2,700	.....	.....
Total, Federal Prison System .....	6,643,981	6,922,106	6,912,917	+ 268,936	— 9,189
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs .....	412,500	268,000	416,500	+ 4,000	+ 148,500
(by transfer) .....	.....	(145,000)	.....	.....	(— 145,000)
Office of Justice Programs:					
Research, evaluation and statistics .....	113,000	136,000	127,000	+ 14,000	— 9,000
State and local law enforcement assistance .....	1,162,500	781,500	1,140,418	— 22,082	+ 358,918
(by transfer) .....	.....	(221,000)	.....	.....	(— 221,000)
Juvenile justice programs .....	262,500	245,000	279,500	+ 17,000	+ 34,500
Public safety officer benefits:					
Death benefits .....	62,000	62,000	62,000	.....	.....
Disability and education benefits .....	16,300	16,300	16,300	.....	.....
Subtotal .....	78,300	78,300	78,300	.....	.....
Total, Office of Justice Programs .....	1,616,300	1,240,800	1,625,218	+ 8,918	+ 384,418
Community Oriented Policing Services:					
COPS programs .....	198,500	289,587	222,500	+ 24,000	— 67,087
Total, State and Local Law Enforcement Activities .....	2,227,300	1,798,387	2,264,218	+ 36,918	+ 465,831
Total, title II, Department of Justice .....	27,407,713	27,463,278	27,875,705	+ 467,992	+ 412,427
TITLE III—SCIENCE					
Office of Science and Technology Policy .....	4,500	5,850	5,850	+ 1,350	.....
National Aeronautics and Space Administration					
Science .....	5,090,000	4,911,200	5,144,000	+ 54,000	+ 232,800
Operational Satellite Acquisition .....	.....	.....	.....	.....	.....
Aeronautics .....	569,900	551,500	570,000	+ 100	+ 18,500
Space Technology .....	575,000	699,000	642,000	+ 67,000	— 57,000
Exploration .....	3,770,800	3,932,800	3,887,000	+ 116,200	— 45,800
Space Operations .....	4,233,600	4,013,200	3,953,000	— 280,600	— 60,200
Education .....	138,400	100,000	125,000	— 13,400	+ 25,000
Cross-agency Support .....	2,995,000	2,847,500	2,823,000	— 172,000	— 24,500
Construction and environmental compliance and restoration .....	390,000	619,200	680,000	+ 290,000	+ 60,800
Office of Inspector General .....	37,300	37,000	38,000	+ 700	+ 1,000
Total, National Aeronautics and Space Administration .....	17,800,000	17,711,400	17,862,000	+ 62,000	+ 150,600
National Science Foundation					
Research and related activities .....	5,651,000	5,915,280	5,915,280	+ 264,280	.....
Defense function .....	68,000	68,000	68,000	.....	.....
Subtotal .....	5,719,000	5,983,280	5,983,280	+ 264,280	.....
Major Research Equipment and Facilities Construction .....	167,055	196,170	196,170	+ 29,115	.....
Education and Human Resources .....	829,000	875,610	895,610	+ 66,610	+ 20,000
Agency Operations and Award Management .....	299,400	299,400	299,400	.....	.....
Office of the National Science Board .....	4,440	4,440	4,440	.....	.....
Office of Inspector General .....	14,200	14,200	14,200	.....	.....
Total, National Science Foundation .....	7,033,095	7,373,100	7,393,100	+ 360,005	+ 20,000
Total, title III, Science .....	24,837,595	25,090,350	25,260,950	+ 423,355	+ 170,600
TITLE IV—RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses .....	9,193	9,400	9,400	+ 207	.....
Equal Employment Opportunity Commission					
Salaries and expenses .....	360,000	373,711	370,000	+ 10,000	— 3,711

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
International Trade Commission					
Salaries and expenses .....	80,000	82,800	83,000	+ 3,000	+ 200
Payment to the Legal Services Corporation					
Salaries and expenses .....	348,000	402,000	365,000	+ 17,000	— 37,000
Marine Mammal Commission					
Salaries and expenses .....	3,025	3,081	3,081	+ 56	.....
Office of the U.S. Trade Representative					
Salaries and expenses .....	51,251	53,041	51,251	.....	— 1,790
State Justice Institute					
Salaries and expenses .....	5,121	5,121	5,121	.....	.....
Total, title IV, Related Agencies .....	856,590	929,154	886,853	+ 30,263	— 42,301
TITLE V—GENERAL PROVISIONS					
Emergency steel, oil gas guarantees prgm (rescission) .....	— 700	.....	.....	+ 700	.....
NTIA, Information Infrastructure grants (rescission) .....	— 2,000	.....	.....	+ 2,000	.....
NTIA, Public Telecommunications Facilities, Planning and Construction .....	— 2,750	.....	.....	+ 2,750	.....
Foreign Fishing Observer Fund (rescission) .....	— 350	.....	.....	+ 350	.....
Digital TV Transition Public Safety Fund (rescission) .....	— 4,300	.....	.....	+ 4,300	.....
DOJ, Working Capital Fund (rescission) (Sec. 526a) .....	— 40,000	— 26,000	— 26,000	+ 14,000	.....
DOJ, Assets Forfeiture Fund (rescission) (Sec. 526a) .....	— 675,000	— 675,000	— 722,697	— 47,697	— 47,697
FBI, Salaries and expenses (rescission) .....	.....	— 162,226	.....	.....	+ 162,226
US Marshals Salaries and expenses (rescission) .....	— 2,200	— 14,400	.....	+ 2,200	+ 14,400
ATF (rescission) .....	.....	— 12,400	.....	.....	+ 12,400
ATF Violent Crime Reduction (rescission) (Sec. 526a) .....	.....	— 1,028	— 1,028	— 1,028	.....
DEA, Salaries and expenses (rescission) .....	— 10,000	— 15,600	.....	+ 10,000	+ 15,600
FPS, Buildings and facilities (rescission) (Sec. 526a) .....	— 45,000	— 75,000	— 64,700	— 19,700	+ 10,300
Violence against women prevention and prosecution programs (rescission) (Sec. 526a) .....	— 15,000	— 6,000	— 12,000	+ 3,000	— 6,000
Office of Justice programs (rescission) (Sec. 526a) .....	— 55,000	— 43,000	— 43,000	+ 12,000	.....
COPS (rescission) (Sec. 526a) .....	— 23,605	— 12,200	— 12,200	+ 11,405	.....
NASA (rescission) .....	— 30,000	.....	.....	+ 30,000	.....
Miscellaneous reductions (Sec. 558) .....	.....	.....	.....	.....	.....
Miscellaneous reduction, security category (Sec. 558) .....	.....	.....	.....	.....	.....
Total, title V, Rescissions .....	— 905,905	— 1,042,854	— 881,625	+ 24,280	+ 161,229
DIVISION G					
Section 3001 (rescission) (Non-security) .....	.....	.....	— 1,157,000	— 1,157,000	— 1,157,000
Grand total .....	60,003,742	60,423,622	59,874,742	— 521,000	— 940,880
Appropriations .....	(60,709,647)	(61,913,367)	(61,913,367)	(+ 1,203,720)	(+ 446,891)
Rescissions .....	(— 905,905)	(— 1,042,854)	(— 2,430,625)	(— 1,524,720)	(— 1,387,771)
Disaster relief category .....	(200,000)	.....	.....	(— 200,000)	.....
(by transfer) .....	118,098	494,064	128,064	+ 9,966	— 366,000
(transfer out) .....	— 118,098	— 128,064	— 128,064	— 9,966	.....

References in Division C to “conferees” are deemed to be references to the Committees on Appropriations of the House of Representatives and the Senate, and references to the “conference agreement” are deemed to be references to the Department of Defense Appropriations Act.

#### DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The conference agreement on the Department of Defense Appropriations Act, 2013, incorporates some of the provisions of both the House and the Senate versions of the bill. The language and allocations set forth in House Report 112-493 and Senate Report 112-196 shall be complied with unless specifically addressed to the contrary in the accompanying bill and explanatory statement.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the terms “program, project, and activity” for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2013, the related classified annexes and explanatory statements, and the P-1 and R-1 budget justification documents as subsequently modified by congressional action.

The following exception to the above definition shall apply: for the military personnel and the operation and maintenance accounts, for which the term “program, project, and activity” is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits the budget for fiscal year 2014, the Department of Defense is directed to transmit to the congressional defense committees budget justification documents to be known as the “M-1” and “O-1” which shall identify, at the budget activity, activity group, and sub-activity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2014.

In carrying out any Presidential sequestration, the Department of Defense and related agencies shall conform to the definition for “program, project, and activity” set forth above except that military personnel accounts will be exempt from sequestration per the notification made by the Director of the Office of Management and Budget on July 31, 2012.

#### CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the accompanying classified annex.

#### CONGRESSIONAL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables

or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

#### REPROGRAMMING GUIDANCE

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidance for acquisition accounts as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). For operation and maintenance accounts, the Department of Defense shall continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. The dollar threshold for reprogramming funds shall remain at \$15,000,000 for operation and maintenance; \$20,000,000 for procurement; and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for titles I and II and quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of

Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of an operation and maintenance (O-1), a procurement (P-1), or a research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

#### FUNDING INCREASES

The funding increases outlined in the tables for each appropriation account shall be provided only for the specific purposes indicated in the tables.

#### SHIP MODERNIZATION, OPERATIONS AND SUSTAINMENT FUND

As detailed in House Report 112-493 and Senate Report 112-196, the conferees remain concerned with the Navy's proposal to prematurely retire capable and relevant ships with over 100 years of remaining service life following an initial investment of no less than \$11,600,000,000 in current fiscal year 2012 dollars.

Therefore, the conferees recommend denying these proposed retirements and direct the Secretary of the Navy to retain this force structure in its entirety. The conferees recommend full funding, as identified by the Navy, to man, operate, sustain, upgrade, and modernize only CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, LSD-41, and LSD-46 in the "Ship Modernization, Operations and Sustainment Fund", as specified elsewhere in this conference agreement. The conferees recommend full funding for all known requirements only for these specific platforms for the next two fiscal years, and provide the Secretary of the Navy the authority to transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to the appropriate appropriation accounts in the year of execution following 30 day prior notification to the congressional defense

committees. The conferees direct funds to be transferred in accordance with the requirements previously identified to the congressional defense committees by the Navy and further direct that any deviation from those requirements shall be fully and clearly identified to the congressional defense committees prior to the initiation of any such transfer. The conferees believe that this approach provides the fiscal relief required by the Navy to maintain this force structure and allows the Navy sufficient time to plan and budget for this force structure in future budget submissions.

Additionally, the conferees direct the Comptroller General to review the Navy's methodology and analysis regarding its decommissioning proposal, to include an analysis of the extent to which readiness metrics, maintenance, and inspection data; operating and support costs; and cost metrics related to initial and proposed curtailed service lives were considered. This review shall also address the extent to which decommissioning costs and any costs for maintaining or acquiring like capabilities were considered, the extent to which combatant command requirements were taken into account when the proposal was made, and the impact of the reduced fleet size on the Navy's ability to meet operational and personnel tempo goals and maintenance requirements. The results of this review should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

In addition, the USS Port Royal (CG-73) incurred significant damage following a grounding incident in 2009. Following the incident, the ship was repaired and has since completed a deployment. However, while the Navy claims that the ship never completely recovered from the grounding, the Navy has failed to provide adequate analysis and cost data on the structural condition of the USS Port Royal. Therefore, the conferees direct the Secretary of the Navy to carry out an independent structural assessment of the Port Royal that includes a comparative structural assessment to other cruisers of the same class. The independent review shall provide a detailed cost estimate to repair the ship and how that estimate differs from the cost to repair other cruisers of the same class, including what issues would be corrected during planned maintenance availabilities. The conferees further direct that

this independent assessment be certified by the Government Accountability Office (GAO). Both the independent review and the GAO certification should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

#### FORCE STRUCTURE

The conferees agree to include a provision that prohibits the Air Force from using funds made available by this Act to retire, divest, realign, or transfer aircraft, or to disestablish or convert units, with an exception for actions proposed in the fiscal year 2013 budget request affecting C-5, C-17, and E-8 aircraft, and their associated units.

The conferees do not agree to require the Air Force to submit cost-benefit analyses for the force structure proposals in the fiscal year 2013 budget request, as proposed by the House. However, the conferees expect that any future force structure proposals submitted by the Air Force will be transparently and comprehensively justified.

#### CONFERENCES

The conferees agree to not retain a reporting requirement as established in House Report 112-493 accompanying the Department of Defense Appropriations Act, 2013, which directs the Inspector General to provide reports to the congressional defense committees on conferences.

#### TREATY COMPLIANCE

The conferees believe compliance with nuclear arms control treaties is vital to our national security. The Secretary of Defense is directed to notify the congressional defense committees if any parties with which the United States has signed a nuclear arms control treaty are violating or acting inconsistently with the terms of that treaty.

#### BASE REALIGNMENT AND CLOSURE

The conferees do not support further rounds of Base Realignment and Closure (BRAC). As such, there are no funds included in this Act for new BRAC activities.

#### TITLE I—MILITARY PERSONNEL

The conference agreement provides \$127,533,073,000 in Title I, Military Personnel, instead of \$128,462,794,000 as proposed by the House and \$127,502,463,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
RECAPITULATION		
MILITARY PERSONNEL, ARMY.....	40,777,844	40,199,263
MILITARY PERSONNEL, NAVY.....	27,090,893	26,902,346
MILITARY PERSONNEL, MARINE CORPS.....	12,481,050	12,531,549
MILITARY PERSONNEL, AIR FORCE.....	28,048,539	28,052,826
RESERVE PERSONNEL, ARMY.....	4,513,753	4,456,823
RESERVE PERSONNEL, NAVY.....	1,898,668	1,874,023
RESERVE PERSONNEL, MARINE CORPS.....	664,641	658,251
RESERVE PERSONNEL, AIR FORCE.....	1,741,365	1,722,425
NATIONAL GUARD PERSONNEL, ARMY.....	8,103,207	7,981,577
NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,110,065	3,153,990
	-----	-----
GRAND TOTAL, MILITARY PERSONNEL.....	128,430,025	127,533,073
	=====	=====

## SUMMARY OF MILITARY PERSONNEL END STRENGTH

	Fiscal Year 2012 Authorized	Fiscal Year 2013		
		Budget Request	Recommendation	Change from Request
Active Forces (End Strength)				
Army*.....	562,000	552,100	552,100	-
Navy.....	325,700	322,700	322,700	-
Marine Corps**.....	202,100	197,300	197,300	-
Air Force.....	332,800	328,900	330,008	1,108
<b>Total, Active Forces.....</b>	<b>1,422,600</b>	<b>1,401,000</b>	<b>1,402,108</b>	<b>1,108</b>
Guard and Reserve Forces (End Strength)				
Army Reserve.....	205,000	205,000	205,000	-
Navy Reserve.....	66,200	62,500	62,500	-
Marine Corps Reserve.....	39,600	39,600	39,600	-
Air Force Reserve.....	71,400	70,500	71,365	865
Army National Guard.....	358,200	358,200	358,200	-
Air National Guard.....	106,700	101,600	106,621	5,021
<b>Total, Selected Reserve.....</b>	<b>847,100</b>	<b>837,400</b>	<b>843,286</b>	<b>5,886</b>
<b>Total, Military Personnel.....</b>	<b>2,269,700</b>	<b>2,238,400</b>	<b>2,245,394</b>	<b>6,994</b>

\*For FY12, Army Active Forces end strength includes Temporary End Strength Increase of 14,600 troops

\*For FY13, Army Active Forces end strength includes 49,700 Army end strength requested in the Overseas Contingency Operations budget, as well as 12,400 increase requested in the base budget for the Army's Temporary End strength Army Medical (TEAM) program associated with non-deployable soldiers in the Integrated Disability Evaluation System

\*\*For FY13, Marine Corps Active Forces end strength includes 15,200 Marine Corps end strength requested in the Overseas Contingency Operations budget

## SUMMARY OF GUARD AND RESERVE FULL-TIME SUPPORT

	Fiscal Year 2012	Fiscal Year 2013		Change from Request
	Authorized	Budget Request	Recommendation	
Army Reserve:				
AGR.....	16,261	16,277	16,277	-
Technicians.....	8,395	8,445	8,445	-
Navy Reserve:				
AR.....	10,337	10,114	10,114	-
Marine Corps Reserve:				
AR.....	2,261	2,261	2,261	-
Air Force Reserve:				
AGR.....	2,662	2,888	2,888	-
Technicians.....	10,777	10,283	10,697	414
Army National Guard:				
AGR.....	32,060	32,060	32,060	-
Technicians.....	27,210	28,380	28,380	-
Air National Guard:				
AGR.....	14,833	14,305	14,681	376
Technicians.....	22,509	21,101	22,355	1,254
Totals:				
AGR/AR.....	78,414	77,905	78,281	376
Technicians.....	68,891	68,209	69,877	1,668
<b>Total, Full-Time Support</b>	<b>147,305</b>	<b>146,114</b>	<b>148,158</b>	<b>2,044</b>

## PERMANENT CHANGE OF STATION EFFICIENCIES

The conferees recommend a total reduction of \$146,793,000 in the Permanent Change of Station (PCS) budgets for program efficiencies. The conferees recognize that potential cost savings could be found in the PCS program. The conferees direct the Under Secretary of Defense (Personnel and Readiness) to conduct a review of the PCS program to identify potential efficiencies and to submit a report to the congressional defense committees not later than 180 days after the enactment of this Act on its findings. The conferees understand that each of the Services have increased time on station requirements but that the Services are not meeting these goals. As such, the report should include a review of the reasons that the Services have not met the increased time on sta-

tion goals and a plan to achieve them, including the budget efficiencies that can be gained by increased tour lengths. Furthermore, the report should consider the potential impact of increased tour lengths on servicemembers' job performance and on morale and quality of life for servicemembers and their families. It should also include how a change in policy would impact promotion and professional development opportunities, personnel readiness, and quality of life issues for servicemembers serving in hardship or overseas locations.

## COMPOSITE PAY RATES

For a number of years, the Government Accountability Office (GAO) has used the Department of Defense's composite pay rates in its military personnel end strength analysis to estimate the financial impact of work

year variances on the Services' military personnel budget requests. Although this information has been important to the congressional defense committees in their budget analyses, the conferees believe that GAO's estimates would be more useful if the analysis was made available earlier in the budget process. Therefore, to improve the timeliness of the GAO analysis, the conferees direct that the Services' composite budget pay rates should be reviewed, approved, and published not later than 30 days after the President's budget request is submitted to the Congress.

## MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:



## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
50 MILITARY PERSONNEL, ARMY		
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
150 BASIC PAY.....	6,046,542	6,237,542
200 RETIRED PAY ACCRUAL.....	1,936,899	1,936,899
250 BASIC ALLOWANCE FOR HOUSING.....	1,852,895	1,852,895
300 BASIC ALLOWANCE FOR SUBSISTENCE.....	252,272	252,272
350 INCENTIVE PAYS.....	102,530	102,530
400 SPECIAL PAYS.....	340,023	340,023
450 ALLOWANCES.....	232,696	232,696
500 SEPARATION PAY.....	90,679	90,679
550 SOCIAL SECURITY TAX.....	460,046	460,046
600 TOTAL, BUDGET ACTIVITY 1.....	11,314,582	11,505,582
650 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
700 BASIC PAY.....	13,198,604	12,548,604
750 RETIRED PAY ACCRUAL.....	4,233,149	4,233,149
800 BASIC ALLOWANCE FOR HOUSING.....	4,735,765	4,735,765
850 INCENTIVE PAYS.....	114,035	114,035
900 SPECIAL PAYS.....	699,801	681,801
950 ALLOWANCES.....	880,308	880,308
1000 SEPARATION PAY.....	378,455	378,455
1050 SOCIAL SECURITY TAX .....	1,009,678	1,009,678
1100 TOTAL, BUDGET ACTIVITY 2.....	25,249,795	24,581,795
1150 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
1200 ACADEMY CADETS.....	77,680	77,680
1250 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
1300 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,357,570	1,357,570
1350 SUBSISTENCE-IN-KIND.....	753,551	728,551
1400 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	1,911	1,911
1450 TOTAL, BUDGET ACTIVITY 4.....	2,113,032	2,088,032

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
1500 ACTIVITY 5: PERMANENT CHANGE OF STATION		
1550 ACCESSION TRAVEL.....	163,294	163,294
1600 TRAINING TRAVEL.....	167,995	167,995
1650 OPERATIONAL TRAVEL .....	495,917	471,121
1700 ROTATIONAL TRAVEL .....	677,396	643,526
1750 SEPARATION TRAVEL.....	193,262	193,262
1800 TRAVEL OF ORGANIZED UNITS.....	12,150	12,150
1850 NON-TEMPORARY STORAGE.....	9,726	9,726
1900 TEMPORARY LODGING EXPENSE.....	67,841	67,841
1950 TOTAL, BUDGET ACTIVITY 5.....	1,787,581	1,728,915
2000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
2050 APPREHENSION OF MILITARY DESERTERS.....	1,434	1,434
2100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	687	687
2150 DEATH GRATUITIES.....	62,800	62,800
2200 UNEMPLOYMENT BENEFITS.....	264,874	264,874
2250 EDUCATION BENEFITS.....	698	698
2300 ADOPTION EXPENSES.....	494	494
2350 TRANSPORTATION SUBSIDY.....	7,436	7,436
2400 PARTIAL DISLOCATION ALLOWANCE.....	428	428
2450 RESERVE OFFICERS TRAINING CORPS (ROTC).....	107,370	107,370
2500 JUNIOR ROTC.....	42,845	42,845
2550 TOTAL, BUDGET ACTIVITY 6.....	489,066	489,066
2600 LESS REIMBURSABLES.....	-253,892	-253,892
2650 UNDISTRIBUTED ADJUSTMENT.....	---	-17,915
2700 TOTAL, ACTIVE FORCES, ARMY.....	40,777,844	40,199,263
6300 TOTAL, MILITARY PERSONNEL, ARMY.....	40,777,844	40,199,263

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>BASIC PAY</b>	<b>6,046,542</b>	<b>6,237,542</b>
Lower than budgeted average strength levels		-9,000
Army identified shortfall for officer pay		200,000
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
<b>BASIC PAY</b>	<b>13,198,604</b>	<b>12,548,604</b>
Lower than budgeted average strength levels		-50,000
Army requested transfer to title IX Basic Pay Officers		-182,000
Army requested transfer to title IX Basic Pay Enlisted Personnel		-418,000
<b>SPECIAL PAYS</b>	<b>699,801</b>	<b>681,801</b>
Enlistment bonuses - Army requested transfer to Loan Repayment Program		-18,000
Reenlistment bonuses excess to requirement		-18,000
Loan Repayment Program - Army requested transfer from enlistment bonuses to meet identified shortfall		18,000
<b>BA-4: SUBSISTENCE OF ENLISTED PERSONNEL</b>		
<b>SUBSISTENCE-IN-KIND</b>	<b>753,551</b>	<b>728,551</b>
Army requested transfer to title IX Subsistence-In-Kind		-25,000
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
<b>OPERATIONAL TRAVEL</b>	<b>495,917</b>	<b>471,121</b>
PCS efficiency		-24,796
<b>ROTATIONAL TRAVEL</b>	<b>677,396</b>	<b>643,526</b>
PCS efficiency		-33,870
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-17,915</b>
Unobligated/Unexpended balances		-17,915

## MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
6400 MILITARY PERSONNEL, NAVY		
6450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
6500 BASIC PAY.....	3,949,301	3,949,301
6550 RETIRED PAY ACCRUAL.....	1,266,753	1,266,753
6600 BASIC ALLOWANCE FOR HOUSING.....	1,381,431	1,381,431
6650 BASIC ALLOWANCE FOR SUBSISTENCE.....	158,373	158,373
6700 INCENTIVE PAYS.....	135,303	135,303
6750 SPECIAL PAYS.....	423,059	423,059
6800 ALLOWANCES.....	108,203	108,203
6850 SEPARATION PAY .....	33,001	27,308
6900 SOCIAL SECURITY TAX.....	300,287	300,287
6950 TOTAL, BUDGET ACTIVITY 1.....	7,755,711	7,750,018
7000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
7050 BASIC PAY.....	8,439,026	8,321,026
7100 RETIRED PAY ACCRUAL.....	2,708,787	2,708,787
7150 BASIC ALLOWANCE FOR HOUSING.....	3,864,310	3,864,310
7200 INCENTIVE PAYS.....	101,491	101,491
7250 SPECIAL PAYS.....	699,482	699,482
7300 ALLOWANCES.....	515,163	515,163
7350 SEPARATION PAY.....	229,632	196,489
7400 SOCIAL SECURITY TAX.....	645,586	645,586
7450 TOTAL, BUDGET ACTIVITY 2.....	17,203,477	17,052,334
7500 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN		
7550 MIDSHIPMEN.....	76,628	76,628
7600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
7650 BASIC ALLOWANCE FOR SUBSISTENCE.....	751,528	743,528
7700 SUBSISTENCE-IN-KIND.....	429,247	429,247
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	13	13
7800 TOTAL, BUDGET ACTIVITY 4.....	1,180,788	1,172,788

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
7850 ACTIVITY 5: PERMANENT CHANGE OF STATION		
7900 ACCESSION TRAVEL.....	90,302	90,302
7950 TRAINING TRAVEL.....	119,663	119,663
8000 OPERATIONAL TRAVEL .....	271,324	257,758
8050 ROTATIONAL TRAVEL .....	313,309	297,644
8100 SEPARATION TRAVEL.....	138,273	138,273
8150 TRAVEL OF ORGANIZED UNITS.....	24,342	24,342
8200 NON-TEMPORARY STORAGE.....	5,700	5,700
8250 TEMPORARY LODGING EXPENSE.....	6,426	6,426
8300 OTHER.....	5,622	5,622
8350 TOTAL, BUDGET ACTIVITY 5.....	974,961	945,730
8400 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
8450 APPREHENSION OF MILITARY DESERTERS.....	262	262
8500 INTEREST ON UNIFORMED SERVICES SAVINGS.....	2,464	2,464
8550 DEATH GRATUITIES.....	16,100	16,100
8600 UNEMPLOYMENT BENEFITS.....	103,735	121,235
8650 EDUCATION BENEFITS.....	23,758	20,758
8700 ADOPTION EXPENSES.....	275	275
8750 TRANSPORTATION SUBSIDY.....	6,254	6,254
8800 PARTIAL DISLOCATION ALLOWANCE.....	57	57
8900 RESERVE OFFICERS TRAINING CORPS (ROTC).....	22,945	22,945
8950 JUNIOR ROTC.....	12,784	12,784
9000 TOTAL, BUDGET ACTIVITY 6.....	188,634	203,134
9050 LESS REIMBURSABLES.....	-289,306	-289,306
9100 UNDISTRIBUTED ADJUSTMENT.....	---	-8,980
9200 TOTAL, ACTIVE FORCES, NAVY.....	27,090,893	26,902,346
11000 TOTAL, MILITARY PERSONNEL, NAVY.....	27,090,893	26,902,346

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>SEPARATION PAY</b>	<b>33,001</b>	<b>27,308</b>
Navy identified excess to requirement		-5,693
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
<b>BASIC PAY</b>	<b>8,439,026</b>	<b>8,321,026</b>
Navy identified excess to requirement - transfer to Unemployment Benefits		-17,500
Navy identified excess to requirement		-100,500
<b>SEPARATION PAY</b>	<b>229,632</b>	<b>196,489</b>
Navy identified excess to requirement		-33,143
<b>BA-4: SUBSISTENCE OF ENLISTED PERSONNEL</b>		
<b>BASIC ALLOWANCE FOR SUBSISTENCE</b>	<b>751,528</b>	<b>743,528</b>
Navy identified excess to requirement		-8,000
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
<b>OPERATIONAL TRAVEL</b>	<b>271,324</b>	<b>257,758</b>
PCS efficiency		-13,566
<b>ROTATIONAL TRAVEL</b>	<b>313,309</b>	<b>297,644</b>
PCS efficiency		-15,666
<b>BA-6: OTHER MILITARY PERSONNEL COSTS</b>		
<b>UNEMPLOYMENT BENEFITS</b>	<b>103,735</b>	<b>121,235</b>
Navy identified shortfall - transfer from Basic Pay Enlisted Personnel		17,500
<b>EDUCATION BENEFITS</b>	<b>23,758</b>	<b>20,758</b>
Excess to requirement		-3,000
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-8,980</b>
Unobligated/Unexpended balances		-8,980

## MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
12000 MILITARY PERSONNEL, MARINE CORPS		
12050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
12100 BASIC PAY.....	1,331,519	1,331,519
12150 RETIRED PAY ACCRUAL.....	427,088	427,088
12200 BASIC ALLOWANCE FOR HOUSING.....	446,183	446,183
12250 BASIC ALLOWANCE FOR SUBSISTENCE.....	57,318	57,318
12300 INCENTIVE PAYS.....	52,549	47,549
12350 SPECIAL PAYS.....	21,356	21,356
12400 ALLOWANCES.....	35,637	35,637
12450 SEPARATION PAY.....	15,056	39,459
12500 SOCIAL SECURITY TAX.....	100,832	100,832
12550 TOTAL, BUDGET ACTIVITY 1.....	2,487,538	2,506,941
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
12650 BASIC PAY.....	4,617,777	4,601,777
12700 RETIRED PAY ACCRUAL.....	1,478,142	1,478,142
12750 BASIC ALLOWANCE FOR HOUSING.....	1,639,289	1,639,289
12800 INCENTIVE PAYS.....	9,832	9,832
12850 SPECIAL PAYS.....	165,326	151,326
12900 ALLOWANCES.....	302,682	299,682
12950 SEPARATION PAY.....	71,143	164,337
13000 SOCIAL SECURITY TAX.....	352,300	352,300
13050 TOTAL, BUDGET ACTIVITY 2.....	8,636,491	8,696,685
13100 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
13150 BASIC ALLOWANCE FOR SUBSISTENCE.....	421,262	421,262
13200 SUBSISTENCE-IN-KIND.....	315,470	315,470
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	50	50
13300 TOTAL, BUDGET ACTIVITY 4.....	736,782	736,782

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
13350 ACTIVITY 5: PERMANENT CHANGE OF STATION		
13400 ACCESSION TRAVEL.....	65,546	65,546
13450 TRAINING TRAVEL.....	13,060	13,060
13500 OPERATIONAL TRAVEL .....	222,404	211,284
13550 ROTATIONAL TRAVEL .....	104,397	99,177
13600 SEPARATION TRAVEL.....	84,374	88,506
13650 TRAVEL OF ORGANIZED UNITS.....	768	768
13700 NON-TEMPORARY STORAGE.....	6,600	6,600
13750 TEMPORARY LODGING EXPENSE.....	14,621	14,621
13800 OTHER.....	3,387	3,387
13850 TOTAL, BUDGET ACTIVITY 5.....	515,157	502,949
13900 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
13950 APPREHENSION OF MILITARY DESERTERS.....	968	968
14000 INTEREST ON UNIFORMED SERVICES SAVINGS.....	19	19
14050 DEATH GRATUITIES.....	10,100	10,100
14100 UNEMPLOYMENT BENEFITS.....	104,060	112,060
14150 EDUCATION BENEFITS.....	4,105	4,105
14200 ADOPTION EXPENSES.....	73	73
14250 TRANSPORTATION SUBSIDY.....	3,048	3,048
14300 PARTIAL DISLOCATION ALLOWANCE.....	159	159
14400 JUNIOR ROTC.....	5,911	5,911
14450 TOTAL, BUDGET ACTIVITY 6.....	128,443	136,443
14500 LESS REIMBURSABLES.....	-23,361	-23,361
14600 UNDISTRIBUTED ADJUSTMENT.....	---	-24,890
14650 TOTAL, ACTIVE FORCES, MARINE CORPS.....	12,481,050	12,531,549
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS.....	12,481,050	12,531,549



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>INCENTIVE PAYS</b>	<b>52,549</b>	<b>47,549</b>
Aviation Continuation Bonus excess to requirement		-5,000
<b>SEPARATION PAY</b>	<b>15,056</b>	<b>39,459</b>
Marine Corps identified shortfall - transfer from P,MC line 2		24,403
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
<b>BASIC PAY</b>	<b>4,617,777</b>	<b>4,601,777</b>
Lower than budgeted average strength levels		-16,000
<b>SPECIAL PAYS</b>	<b>165,326</b>	<b>151,326</b>
Projected underexecution		-4,000
Reenlistment bonuses excess to requirement		-10,000
<b>ALLOWANCES</b>	<b>302,682</b>	<b>299,682</b>
Clothing Allowance projected underexecution		-3,000
<b>SEPARATION PAY</b>	<b>71,143</b>	<b>164,337</b>
Marine Corps identified shortfall - transfer from P,MC line 2		93,194
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
<b>OPERATIONAL TRAVEL</b>	<b>222,404</b>	<b>211,284</b>
PCS efficiency		-11,120
<b>ROTATIONAL TRAVEL</b>	<b>104,397</b>	<b>99,177</b>
PCS efficiency		-5,220
<b>SEPARATION TRAVEL</b>	<b>84,374</b>	<b>88,506</b>
Marine Corps identified shortfall - transfer from P,MC line 2		4,132
<b>BA-6: OTHER MILITARY PERSONNEL COSTS</b>		
<b>UNEMPLOYMENT BENEFITS</b>	<b>104,060</b>	<b>112,060</b>
Marine Corps identified shortfall - transfer from P,MC line 2		8,000
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-24,890</b>
Unobligated/Unexpended balances		-24,890

## MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
17000 MILITARY PERSONNEL, AIR FORCE		
17050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
17100 BASIC PAY.....	4,879,598	4,857,898
17150 RETIRED PAY ACCRUAL.....	1,558,889	1,558,889
17200 BASIC ALLOWANCE FOR HOUSING.....	1,398,746	1,421,846
17250 BASIC ALLOWANCE FOR SUBSISTENCE.....	196,731	196,731
17300 INCENTIVE PAYS.....	218,362	218,362
17350 SPECIAL PAYS.....	303,583	303,583
17400 ALLOWANCES.....	142,100	142,100
17450 SEPARATION PAY .....	61,644	61,644
17500 SOCIAL SECURITY TAX.....	371,372	371,372
-----		
17550 TOTAL, BUDGET ACTIVITY 1.....	9,131,025	9,132,425
17600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
17650 BASIC PAY.....	8,715,826	8,715,826
17700 RETIRED PAY ACCRUAL.....	2,789,838	2,789,838
17750 BASIC ALLOWANCE FOR HOUSING.....	3,361,407	3,451,107
17800 INCENTIVE PAYS.....	40,899	40,899
17850 SPECIAL PAYS.....	363,794	363,794
17900 ALLOWANCES.....	590,662	590,662
17950 SEPARATION PAY.....	137,532	137,532
18000 SOCIAL SECURITY TAX .....	666,760	666,760
-----		
18050 TOTAL, BUDGET ACTIVITY 2.....	16,666,718	16,756,418
18100 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
18150 ACADEMY CADETS.....	70,369	70,369
18200 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
18250 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,008,796	1,008,796
18300 SUBSISTENCE-IN-KIND.....	146,157	146,157
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	34	34
-----		
18400 TOTAL, BUDGET ACTIVITY 4.....	1,154,987	1,154,987

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
18450 ACTIVITY 5: PERMANENT CHANGE OF STATION		
18500 ACCESSION TRAVEL.....	87,255	87,255
18550 TRAINING TRAVEL.....	75,236	70,236
18600 OPERATIONAL TRAVEL .....	320,117	304,111
18650 ROTATIONAL TRAVEL .....	530,984	489,435
18700 SEPARATION TRAVEL.....	187,760	158,760
18750 TRAVEL OF ORGANIZED UNITS.....	15,779	15,779
18800 NON-TEMPORARY STORAGE.....	42,843	42,843
18850 TEMPORARY LODGING EXPENSE.....	30,281	30,281
18950 TOTAL, BUDGET ACTIVITY 5.....	1,290,255	1,198,700
19000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
19050 APPREHENSION OF MILITARY DESERTERS.....	149	149
19100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	2,514	2,514
19150 DEATH GRATUITIES.....	16,000	16,000
19200 UNEMPLOYMENT BENEFITS.....	71,683	71,683
19300 EDUCATION BENEFITS.....	340	340
19350 ADOPTION EXPENSES.....	519	519
19400 TRANSPORTATION SUBSIDY.....	5,326	5,326
19450 PARTIAL DISLOCATION ALLOWANCE.....	1,975	1,975
19550 RESERVE OFFICERS TRAINING CORPS (ROTC).....	37,228	37,228
19600 JUNIOR ROTC.....	16,565	16,565
19650 TOTAL, BUDGET ACTIVITY 6.....	152,299	152,299
19700 LESS REIMBURSABLES.....	-417,114	-417,114
19750 UNDISTRIBUTED ADJUSTMENT.....	---	4,742
19800 TOTAL, ACTIVE FORCES, AIR FORCE.....	28,048,539	28,052,826
21000 TOTAL, MILITARY PERSONNEL, AIR FORCE.....	28,048,539	28,052,826

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>BASIC PAY</b>	<b>4,879,598</b>	<b>4,857,898</b>
Excess to requirement		-21,700
<b>BASIC ALLOWANCE FOR HOUSING</b>	<b>1,398,746</b>	<b>1,421,846</b>
Air Force identified shortfall		23,100
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
<b>BASIC ALLOWANCE FOR HOUSING</b>	<b>3,361,407</b>	<b>3,451,107</b>
Air Force identified shortfall		89,700
<b>BA-5: PERMANENT CHANGE OF STATION</b>		
<b>TRAINING TRAVEL</b>	<b>75,236</b>	<b>70,236</b>
Excess to requirement		-5,000
<b>OPERATIONAL TRAVEL</b>	<b>320,117</b>	<b>304,111</b>
PCS efficiency		-16,006
<b>ROTATIONAL TRAVEL</b>	<b>530,984</b>	<b>489,435</b>
Excess to requirement		-15,000
PCS efficiency		-26,549
<b>SEPARATION TRAVEL</b>	<b>187,760</b>	<b>158,760</b>
Excess to requirement		-29,000
<b>UNDISTRIBUTED ADJUSTMENTS</b>		<b>4,742</b>
Retain Global Hawk Block 30		22,000
Retain Air Force force structure		27,400
Unobligated/Unexpended balances		-44,658

## RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
23000 RESERVE PERSONNEL, ARMY		
23050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	1,447,614	1,447,614
23150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	38,868	38,868
23200 PAY GROUP F TRAINING (RECRUITS).....	275,318	275,318
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	12,665	12,665
23300 MOBILIZATION TRAINING .....	7,473	7,473
23350 SCHOOL TRAINING.....	216,544	216,544
23400 SPECIAL TRAINING.....	283,620	283,620
23450 ADMINISTRATION AND SUPPORT.....	2,060,896	2,044,896
23500 EDUCATION BENEFITS.....	41,063	41,063
23550 HEALTH PROFESSION SCHOLARSHIP .....	66,834	66,834
23600 OTHER PROGRAMS .....	62,858	62,858
23650 TOTAL, BUDGET ACTIVITY 1.....	4,513,753	4,497,753
23800 UNDISTRIBUTED ADJUSTMENT.....	---	-40,930
24000 TOTAL RESERVE PERSONNEL, ARMY.....	4,513,753	4,456,823
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>ADMINISTRATION AND SUPPORT</b>	<b>2,060,896</b>	<b>2,044,896</b>
Selected Reserve Incentive Program bonuses excess to requirement		-16,000
<b>UNDISTRIBUTED ADJUSTMENTS</b>		<b>-40,930</b>
Unexecutable OPTEMPO growth		-11,000
Unobligated/Unexpended balances		-29,930

## RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
26000 RESERVE PERSONNEL, NAVY		
26050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	607,595	602,595
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	9,459	9,459
26200 PAY GROUP F TRAINING (RECRUITS).....	51,028	51,028
26250 MOBILIZATION TRAINING.....	9,037	9,037
26300 SCHOOL TRAINING.....	53,791	53,791
26350 SPECIAL TRAINING.....	96,138	96,138
26400 ADMINISTRATION AND SUPPORT.....	1,009,599	1,003,399
26450 EDUCATION BENEFITS.....	1,377	1,377
26500 HEALTH PROFESSION SCHOLARSHIP.....	60,644	60,644
26550 TOTAL, BUDGET ACTIVITY 1.....	1,898,668	1,887,468
26600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,445
27000 TOTAL, RESERVE PERSONNEL, NAVY.....	1,898,668	1,874,023
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)</b>	<b>607,595</b>	<b>602,595</b>
Inactive Duty Training unjustified growth		-5,000
<b>ADMINISTRATION AND SUPPORT</b>	<b>1,009,599</b>	<b>1,003,399</b>
Prior service enlistment bonuses excess to requirement		-1,200
Officer retention bonuses excess to requirement		-5,000
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-13,445</b>
Unobligated/Unexpended balances		-13,445



## RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
28000 RESERVE PERSONNEL, MARINE CORPS		
28050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	222,952	221,952
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	32,908	32,908
28200 PAY GROUP F TRAINING (RECRUITS).....	124,226	124,226
28300 MOBILIZATION TRAINING.....	2,239	2,239
28350 SCHOOL TRAINING.....	11,164	11,164
28400 SPECIAL TRAINING.....	19,927	20,927
28450 ADMINISTRATION AND SUPPORT.....	233,056	233,056
28500 PLATOON LEADER CLASS.....	11,759	11,759
28550 EDUCATION BENEFITS.....	6,410	6,410
28600 TOTAL, BUDGET ACTIVITY 1.....	664,641	664,641
28700 UNDISTRIBUTED ADJUSTMENT.....	---	-6,390
29000 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	664,641	658,251
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)</b>	<b>222,952</b>	<b>221,952</b>
Annual Training projected underexecution - transfer to Special Training		-1,000
<b>SPECIAL TRAINING</b>	<b>19,927</b>	<b>20,927</b>
Restore unjustified efficiency reduction - transfer from Pay Group A Training		1,000
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-6,390</b>
Unobligated/Unexpended balances		-6,390

## RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
30000 RESERVE PERSONNEL, AIR FORCE		
30050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	698,550	698,550
30150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	103,514	103,514
30200 PAY GROUP F TRAINING (RECRUITS).....	64,919	64,919
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	50	50
30300 MOBILIZATION TRAINING.....	773	773
30350 SCHOOL TRAINING.....	146,738	146,738
30400 SPECIAL TRAINING.....	277,193	277,193
30450 ADMINISTRATION AND SUPPORT.....	372,149	350,149
30500 EDUCATION BENEFITS.....	17,512	17,512
30550 HEALTH PROFESSION SCHOLARSHIP.....	55,095	55,095
30600 OTHER PROGRAMS (ADMIN & SUPPORT).....	4,872	4,872
30650 TOTAL, BUDGET ACTIVITY 1.....	1,741,365	1,719,365
30750 UNDISTRIBUTED ADJUSTMENT.....	---	3,060
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	1,741,365	1,722,425
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>ADMINISTRATION AND SUPPORT</b>	<b>372,149</b>	<b>350,149</b>
Full Time Pay and Allowances lower than budgeted average strength levels		-14,000
Reserve Incentive Program - Air Force Reserve identified excess to requirement		-8,000
<b>UNDISTRIBUTED ADJUSTMENTS</b>		<b>3,060</b>
Retain Air Force Reserve force structure		11,800
Unobligated/Unexpended balances		-8,740

## NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
32000 NATIONAL GUARD PERSONNEL, ARMY		
32050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	2,446,262	2,446,262
32150 PAY GROUP F TRAINING (RECRUITS).....	623,345	623,345
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	29,528	24,128
32250 SCHOOL TRAINING.....	500,423	500,423
32300 SPECIAL TRAINING.....	536,856	536,856
32350 ADMINISTRATION AND SUPPORT.....	3,855,110	3,752,610
32400 EDUCATION BENEFITS.....	111,683	111,683
32450 TOTAL, BUDGET ACTIVITY 1.....	8,103,207	7,995,307
32600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,730
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	8,103,207	7,981,577
	=====	=====

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>PAY GROUP P TRAINING (PIPELINE RECRUITS)</b>	<b>29,528</b>	<b>24,128</b>
Individual Clothing and Uniform Allowance excess to requirement		-5,400
<b>ADMINISTRATION AND SUPPORT</b>	<b>3,855,110</b>	<b>3,752,610</b>
Reenlistment bonuses excess to requirement		-39,500
Full Time Pay and Allowances - Army Guard identified excess to requirement		-63,000
<b>UNDISTRIBUTED ADJUSTMENT</b>		<b>-13,730</b>
Unobligated/Unexpended balances		-13,730

## NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
34000 NATIONAL GUARD PERSONNEL, AIR FORCE		
34050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	910,733	903,733
34150 PAY GROUP F TRAINING (RECRUITS).....	122,985	122,985
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	4,811	4,811
34250 SCHOOL TRAINING.....	245,857	245,857
34300 SPECIAL TRAINING.....	142,591	142,591
34350 ADMINISTRATION AND SUPPORT.....	1,648,453	1,641,953
34400 EDUCATION BENEFITS.....	34,635	34,635
34450 TOTAL, BUDGET ACTIVITY 1.....	3,110,065	3,096,565
34700 UNDISTRIBUTED ADJUSTMENT.....	---	57,425
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,110,065	3,153,990
	=====	=====

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BA-1: RESERVE COMPONENT TRAINING AND SUPPORT</b>		
<b>PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)</b>	<b>910,733</b>	<b>903,733</b>
Inactive Duty Training projected underexecution		-3,000
Clothing Allowances excess to requirement		-4,000
<b>ADMINISTRATION AND SUPPORT</b>	<b>1,648,453</b>	<b>1,641,953</b>
Enlistment bonuses excess to requirement		-4,000
Reenlistment bonuses excess to requirement		-2,500
<b>UNDISTRIBUTED ADJUSTMENTS</b>		<b>57,425</b>
Retain Air National Guard force structure		65,600
Unobligated/Unexpended balances		-8,175



## TITLE II—OPERATION AND MAINTENANCE

The conference agreement provides \$173,494,558,000 in Title II, Operation and Maintenance, instead of \$175,103,569,000 as proposed by the House and \$170,785,490,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
RECAPITULATION		
OPERATION & MAINTENANCE, ARMY.....	36,608,592	35,409,260
OPERATION & MAINTENANCE, NAVY.....	41,606,943	41,614,453
OPERATION & MAINTENANCE, MARINE CORPS.....	5,983,163	6,034,963
OPERATION & MAINTENANCE, AIR FORCE.....	35,435,360	34,780,406
OPERATION & MAINTENANCE, DEFENSE-WIDE.....	31,993,013	31,862,980
OPERATION & MAINTENANCE, ARMY RESERVE.....	3,162,008	3,182,923
OPERATION & MAINTENANCE, NAVY RESERVE.....	1,246,982	1,256,347
OPERATION & MAINTENANCE, MARINE CORPS RESERVE.....	272,285	277,377
OPERATION & MAINTENANCE, AIR FORCE RESERVE.....	3,166,482	3,261,324
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.....	7,108,612	7,154,161
OPERATION & MAINTENANCE, AIR NATIONAL GUARD.....	6,015,455	6,494,326
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES...	13,516	13,516
ENVIRONMENTAL RESTORATION, ARMY.....	335,921	335,921
ENVIRONMENTAL RESTORATION, NAVY.....	310,594	310,594
ENVIRONMENTAL RESTORATION, AIR FORCE.....	529,263	529,263
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE.....	11,133	11,133
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES...	237,543	287,543
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID.....	108,759	108,759
COOPERATIVE THREAT REDUCTION ACCOUNT.....	519,111	519,111
DOD ACQUISITION WORKFORCE DEVELOPMENT FUND.....	274,198	50,198
GRAND TOTAL, OPERATION & MAINTENANCE.....	<u>174,938,933</u>	<u>173,494,558</u>

# REPROGRAMMING GUIDANCE FOR OPERATION AND MAINTENANCE ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. Specifically, the dollar threshold for reprogramming funds shall remain at \$15,000,000 for operation and maintenance accounts.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for service and defense-wide accounts in titles I and II of this Act. Further, the conferees direct the Under Secretary of Defense (Comptroller) to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2013 appropriations accounts not later than 60 days after the enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between O-1 budget activities in excess of \$15,000,000. In addition, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 out of the following budget sub-activities:

Army:  
Maneuver units  
Modular support brigades  
Land forces operations support  
Force readiness operations support  
Land forces depot maintenance  
Base operations support  
Facilities Sustainment, Restoration, and Modernization

Navy:  
Aircraft depot maintenance  
Ship depot maintenance  
Facilities Sustainment, Restoration, and Modernization  
Marine Corps:  
Depot maintenance  
Facilities Sustainment, Restoration, and Modernization  
Air Force:  
Primary combat forces  
Combat enhancement forces  
Combat communications  
Facilities Sustainment, Restoration, and Modernization  
Operating forces depot maintenance  
Mobilization depot maintenance  
Training and recruiting depot maintenance  
Administration and service-wide depot maintenance  
Air Force Reserve:  
Depot maintenance  
Air National Guard:  
Depot maintenance

Finally, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 into the following budget sub-activity:

Operation and Maintenance, Army National Guard: Other personnel support/recruiting and advertising

With respect to Operation and Maintenance, Defense-Wide, proposed transfers of funds to or from the levels specified for defense agencies in excess of \$15,000,000 shall be subject to prior approval reprogramming procedures.

## MILITARY INFORMATION SUPPORT OPERATIONS

The conference agreement includes \$187,200,000 for Department of Defense military information support operations, instead of \$170,100,000 as proposed by the House and \$228,600,000 as proposed by the Senate. Of the total amount, the conference agreement includes \$32,400,000 in title II and \$154,800,000 in title IX of this division. The allocation of

funding by combatant command and funding levels for certain programs is specifically delineated in the classified annex accompanying this Act. Those items shall be considered congressional special interest items and be subject to normal reprogramming procedures. The conferees reiterate the direction in House Report 112-493 regarding congressional budget justifications and reporting requirements for military information support operations.

## SPECIAL OPERATIONS COMMAND NATIONAL CAPITAL REGION

The conferees are aware of a proposal to establish a Special Operations Command National Capital Region (SOCOM-NCR) entity. While no funds were requested for this activity in either the fiscal year 2012 or fiscal year 2013 budget submissions, the conferees understand that SOCOM began this initiative using fiscal year 2012 Overseas Contingency Operations funds. Unfortunately, few details have been provided regarding the basis for this proposal and the expected efficiencies. Therefore, the conferees direct that no funds made available in this Act shall be used for the SOCOM-NCR until 30 days after the congressional defense committees have received a copy of the Secretary of Defense's waiver of Section 8018 of this Act and a report which describes the purpose of, and activities to be performed by the SOCOM-NCR, an explanation of the impact of this proposal on existing activities at SOCOM headquarters, and a detailed, by fiscal year, breakout of the staffing and costs associated with its establishment over the future years defense program.

## OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, ARMY		
BUDGET ACTIVITY 1: OPERATING FORCES		
LAND FORCES		
10	MANEUVER UNITS.....	1,223,087 1,055,242
20	MODULAR SUPPORT BRIGADES.....	80,574 67,902
30	ECHELONS ABOVE BRIGADES.....	723,039 620,651
40	THEATER LEVEL ASSETS.....	706,974 602,581
50	LAND FORCES OPERATIONS SUPPORT.....	1,226,650 1,086,855
60	AVIATION ASSETS.....	1,319,832 1,297,479
LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT.....	3,447,174 3,447,174
80	LAND FORCES SYSTEMS READINESS.....	454,774 454,774
90	LAND FORCES DEPOT MAINTENANCE.....	1,762,757 1,110,780
LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	7,401,613 7,669,366
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION..	3,041,074 3,215,474
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	410,171 410,171
130	COMBATANT COMMANDER'S CORE OPERATIONS.....	177,819 177,819
170	COMBATANT COMMANDERS ANCILLARY MISSIONS.....	461,333 461,333
-----		
TOTAL, BUDGET ACTIVITY 1.....		22,436,871 21,677,601
BUDGET ACTIVITY 2: MOBILIZATION		
MOBILITY OPERATIONS		
180	STRATEGIC MOBILITY.....	405,496 405,496
190	ARMY PREPOSITIONED STOCKS.....	195,349 195,349
200	INDUSTRIAL PREPAREDNESS.....	6,379 6,379
-----		
TOTAL, BUDGET ACTIVITY 2.....		607,224 607,224

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
-----			
BUDGET ACTIVITY 3: TRAINING AND RECRUITING			
210	ACCESSION TRAINING OFFICER ACQUISITION.....	112,866	112,866
220	RECRUIT TRAINING.....	73,265	73,265
230	ONE STATION UNIT TRAINING.....	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS.....	443,306	481,306
250	BASIC SKILL AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	1,099,556	1,079,556
260	FLIGHT TRAINING.....	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION.....	191,683	191,683
280	TRAINING SUPPORT.....	652,095	652,095
290	RECRUITING AND OTHER TRAINING AND EDUCATION RECRUITING AND ADVERTISING.....	507,510	507,510
300	EXAMINING.....	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION.....	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING.....	212,477	203,477
330	JUNIOR RESERVE OFFICERS TRAINING CORPS.....	182,691	182,691
TOTAL, BUDGET ACTIVITY 3.....		5,058,610	5,067,610
-----			
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES			
350	LOGISTICS OPERATIONS SERVICEWIDE TRANSPORTATION.....	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES.....	741,324	741,324
370	LOGISTICS SUPPORT ACTIVITIES.....	610,136	610,136
380	AMMUNITION MANAGEMENT.....	478,707	478,707

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
390 SERVICEWIDE SUPPORT ADMINISTRATION.....	556,307	556,307
400 SERVICEWIDE COMMUNICATIONS.....	1,547,925	1,490,880
410 MANPOWER MANAGEMENT.....	362,205	332,205
420 OTHER PERSONNEL SUPPORT.....	220,754	220,754
430 OTHER SERVICE SUPPORT.....	1,153,556	1,153,556
440 ARMY CLAIMS ACTIVITIES.....	250,970	240,970
450 REAL ESTATE MANAGEMENT.....	222,351	211,351
460 BASE OPERATIONS SUPPORT.....	222,379	222,379
460 SUPPORT OF OTHER NATIONS SUPPORT OF NATO OPERATIONS.....	459,710	459,393
470 MISC. SUPPORT OF OTHER NATIONS.....	25,637	25,637
OTHER PROGRAMS OTHER PROGRAMS.....	1,052,595	1,061,495
TOTAL, BUDGET ACTIVITY 4.....	8,505,887	8,406,425
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS.....	---	-100,000
CIVILIAN PERSONNEL COMPENSATION.....	---	-34,000
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-146,600
TRANSFER TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION ARMY.....	---	-22,000
IT CONTRACT SUPPORT GROWTH.....	---	-47,000
TOTAL, OPERATION AND MAINTENANCE, ARMY.....	36,608,592	35,409,260

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>111 MANEUVER UNITS</b>	<b>1,223,087</b>	<b>1,055,242</b>
Unjustified program growth		-167,845
<b>112 MODULAR SUPPORT BRIGADES</b>	<b>80,574</b>	<b>67,902</b>
Unjustified program growth		-12,672
<b>113 ECHELONS ABOVE BRIGADES</b>	<b>723,039</b>	<b>620,651</b>
Unjustified program growth		-97,742
Excess growth in travel		-4,646
<b>114 THEATER LEVEL ASSETS</b>	<b>706,974</b>	<b>602,581</b>
Unjustified program growth		-74,593
Excess growth in travel		-11,715
Army identified excess for Balkans mission contract support		-18,085
<b>115 LAND FORCES OPERATIONS SUPPORT</b>	<b>1,226,650</b>	<b>1,086,855</b>
Unjustified program growth		-139,795
<b>116 AVIATION ASSETS</b>	<b>1,319,832</b>	<b>1,297,479</b>
Unjustified program growth		-22,353
<b>123 LAND FORCES DEPOT MAINTENANCE</b>	<b>1,762,757</b>	<b>1,110,780</b>
Depot Maintenance - Aviation - transfer to title IX		-150,483
Depot Maintenance - Communications Electronics - transfer to title IX		-203,560
Depot Maintenance - General Purpose - transfer to title IX		-102,707
Depot Maintenance - Missiles - transfer to title IX		-161,174
Depot Maintenance - Post Production Software Support - transfer to title IX		-34,053
<b>131 BASE OPERATIONS SUPPORT</b>	<b>7,401,613</b>	<b>7,669,366</b>
Restore funding attributed to unrealistic efficiency saving targets		462,000
Funds to be appropriated to Cemetery Expenses, Army		-25,000
Army requested transfer to OP,A line 191		-52,000
Unjustified request		-101,247
Budget justification does not match summary of price and program changes for the Building Maintenance Fund		-29,000
Environmental conservation for ranges to address shortfalls		13,000
<b>132 FACILITIES SUSTAINMENT, RESTORATION, &amp; MODERNIZATION</b>	<b>3,041,074</b>	<b>3,215,474</b>
Restore unjustified efficiency reduction		174,400
<b>314 SENIOR RESERVE OFFICER TRAINING CORP</b>	<b>443,306</b>	<b>481,306</b>
Maintain ratio of 63% public and 37% private colleges		38,000
<b>321 SPECIALIZED SKILL TRAINING</b>	<b>1,099,556</b>	<b>1,079,556</b>
Program decreases for TRADOC centers of excellence and joint service schools not properly accounted for in budget justification		-20,000
<b>331 RECRUITING AND ADVERTISING</b>	<b>507,510</b>	<b>507,510</b>
Active Army NASCAR sponsorship costs eliminated for fiscal year 2013		-2,300

O-1	Budget Request	Conference
Transfer funds to increase online presence for recruiting and advertising efforts		2,300
<b>334 CIVILIAN EDUCATION AND TRAINING</b>	<b>212,477</b>	<b>203,477</b>
Training load decreases not properly accounted for in budget justification		-9,000
<b>411 SECURITY PROGRAMS</b>	<b>1,052,595</b>	<b>1,061,495</b>
Classified adjustment		8,900
<b>432 SERVICEWIDE COMMUNICATIONS</b>	<b>1,547,925</b>	<b>1,490,880</b>
Expand ABIS to improve data sharing with federal partner agencies - the Unique Identity Task Force		5,000
Overstatement of information technology enterprise collaboration requirement		-57,045
Duplicate request for pricing adjustment for Defense Information Systems Agency		-5,000
<b>433 MANPOWER MANAGEMENT</b>	<b>362,205</b>	<b>332,205</b>
Overstatement of civilian personnel resources support		-30,000
<b>435 OTHER SERVICE SUPPORT</b>	<b>1,153,556</b>	<b>1,153,556</b>
Army support to the Capitol 4th		4,900
Unjustified request		-4,900
<b>436 ARMY CLAIMS ACTIVITIES</b>	<b>250,970</b>	<b>240,970</b>
Overestimate of unemployment compensation cost growth		-10,000
<b>437 REAL ESTATE MANAGEMENT</b>	<b>222,351</b>	<b>211,351</b>
Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-11,000
<b>441 INTERNATIONAL MILITARY HEADQUARTERS</b>	<b>459,710</b>	<b>459,393</b>
Finance foreign currency fluctuation from the Foreign Currency Account		-317
<b>INVENTORY OF SPARE PARTS AND SECONDARY ITEMS</b>		<b>-100,000</b>
<b>ARMY IDENTIFIED EXCESS FOR CIVILIAN PERSONNEL COMPENSATION</b>		<b>-34,000</b>
<b>EXCESS WORKING CAPITAL FUND CARRYOVER</b>		<b>-146,600</b>
<b>TRANSFERS TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY NOT PROPERLY ACCOUNTED FOR IN BUDGET JUSTIFICATION</b>		<b>-22,000</b>
<b>BUDGET JUSTIFICATION DOES NOT MATCH SUMMARY OF PRICE AND PROGRAM CHANGES FOR IT CONTRACT SUPPORT GROWTH</b>		<b>-47,000</b>

## OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
-----			
OPERATION AND MAINTENANCE, NAVY			
BUDGET ACTIVITY 1: OPERATING FORCES			
AIR OPERATIONS			
10	MISSION AND OTHER FLIGHT OPERATIONS.....	4,918,144	4,918,144
20	FLEET AIR TRAINING.....	1,886,825	1,847,825
30	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES.....	44,032	44,032
40	AIR OPERATIONS AND SAFETY SUPPORT.....	101,565	101,565
50	AIR SYSTEMS SUPPORT.....	374,827	374,827
60	AIRCRAFT DEPOT MAINTENANCE.....	960,802	960,802
70	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	37,545	37,545
80	AVIATION LOGISTICS.....	328,805	328,805
SHIP OPERATIONS			
90	MISSION AND OTHER SHIP OPERATIONS.....	4,686,535	4,686,535
100	SHIP OPERATIONS SUPPORT AND TRAINING.....	769,204	769,204
110	SHIP DEPOT MAINTENANCE.....	5,089,981	5,239,981
120	SHIP DEPOT OPERATIONS SUPPORT.....	1,315,366	1,304,485
COMBAT COMMUNICATIONS/SUPPORT			
130	COMBAT COMMUNICATIONS.....	619,909	619,909
140	ELECTRONIC WARFARE.....	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE.....	174,437	174,437
160	WARFARE TACTICS.....	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY.....	333,554	333,554
180	COMBAT SUPPORT FORCES.....	910,087	910,087
190	EQUIPMENT MAINTENANCE.....	167,158	167,158
200	DEPOT OPERATIONS SUPPORT.....	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS.....	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	204,569	204,569



(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
230 WEAPONS SUPPORT CRUISE MISSILE.....	111,884	111,884
240 FLEET BALLISTIC MISSILE.....	1,181,038	1,181,038
250 IN-SERVICE WEAPONS SYSTEMS SUPPORT.....	87,606	87,606
260 WEAPONS MAINTENANCE.....	519,583	539,583
270 OTHER WEAPON SYSTEMS SUPPORT .....	300,435	300,435
280 BASE SUPPORT ENTERPRISE INFORMATION TECHNOLOGY.....	1,077,924	1,069,924
290 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	2,101,279	2,189,179
300 BASE OPERATING SUPPORT.....	4,822,093	4,828,093
TOTAL, BUDGET ACTIVITY 1.....	33,758,297	33,964,316
BUDGET ACTIVITY 2: MOBILIZATION READY RESERVE AND PREPOSITIONING FORCES 310 SHIP PREPOSITIONING AND SURGE.....	334,659	334,659
320 ACTIVATIONS/INACTIVATIONS AIRCRAFT ACTIVATIONS/INACTIVATIONS.....	6,562	6,562
330 SHIP ACTIVATIONS/INACTIVATIONS.....	1,066,329	983,783
340 MOBILIZATION PREPAREDNESS FLEET HOSPITAL PROGRAM.....	83,901	83,901
350 INDUSTRIAL READINESS.....	2,695	2,695
360 COAST GUARD SUPPORT.....	23,502	23,502
TOTAL, BUDGET ACTIVITY 2.....	1,517,648	1,435,102
BUDGET ACTIVITY 3: TRAINING AND RECRUITING ACCESSION TRAINING 370 OFFICER ACQUISITION.....	147,807	147,807
380 RECRUIT TRAINING.....	10,473	10,473
390 RESERVE OFFICERS TRAINING CORPS.....	139,220	139,220
400 BASIC SKILLS AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	582,177	582,177
410 FLIGHT TRAINING.....	5,456	5,456
420 PROFESSIONAL DEVELOPMENT EDUCATION.....	170,746	170,746
430 TRAINING SUPPORT.....	153,403	153,403

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
440 RECRUITING, AND OTHER TRAINING AND EDUCATION RECRUITING AND ADVERTISING.....	241,329	242,366
450 OFF-DUTY AND VOLUNTARY EDUCATION.....	108,226	108,226
460 CIVILIAN EDUCATION AND TRAINING.....	105,776	105,776
470 JUNIOR ROTC.....	51,817	51,817
TOTAL, BUDGET ACTIVITY 3.....	1,716,430	1,717,467
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
480 SERVICEWIDE SUPPORT ADMINISTRATION.....	797,177	797,177
490 EXTERNAL RELATIONS.....	12,872	12,872
500 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT.....	120,181	120,181
510 MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	235,753	235,753
520 OTHER PERSONNEL SUPPORT.....	263,060	263,060
530 SERVICEWIDE COMMUNICATIONS.....	363,213	363,213
550 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT SERVICEWIDE TRANSPORTATION.....	182,343	182,343
570 PLANNING, ENGINEERING AND DESIGN.....	282,464	282,464
580 ACQUISITION AND PROGRAM MANAGEMENT.....	1,092,123	1,092,123
590 HULL, MECHANICAL AND ELECTRICAL SUPPORT.....	53,560	53,560
600 COMBAT/WEAPONS SYSTEMS.....	25,299	25,299
610 SPACE AND ELECTRONIC WARFARE SYSTEMS.....	64,418	64,418
620 SECURITY PROGRAMS NAVAL INVESTIGATIVE SERVICE.....	580,042	580,042
680 SUPPORT OF OTHER NATIONS INTERNATIONAL HEADQUARTERS AND AGENCIES.....	4,984	4,984
OTHER PROGRAMS OTHER PROGRAMS.....	537,079	540,979
TOTAL, BUDGET ACTIVITY 4.....	4,614,568	4,618,468
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-120,900
TOTAL, OPERATION AND MAINTENANCE, NAVY.....	41,606,943	41,614,453

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1A2A FLEET AIR TRAINING</b>	<b>1,886,825</b>	<b>1,847,825</b>
Inadequate budget justification		-39,000
<b>1B4B SHIP DEPOT MAINTENANCE</b>	<b>5,089,981</b>	<b>5,239,981</b>
Navy identified shortfall to repair USS Miami		150,000
<b>1B5B SHIP DEPOT OPERATIONS SUPPORT</b>	<b>1,315,366</b>	<b>1,304,485</b>
Removal of one-time fiscal year 2012 increase		-10,881
<b>1D4D WEAPONS MAINTENANCE</b>	<b>519,583</b>	<b>539,583</b>
Program increase - ship self defense		20,000
<b>BSIT ENTERPRISE INFORMATION TECHNOLOGY</b>	<b>1,077,924</b>	<b>1,069,924</b>
Inadequate budget justification		-8,000
<b>BSM1 FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>2,101,279</b>	<b>2,189,179</b>
Restore unjustified efficiency reduction		87,900
<b>BSS1 BASE OPERATING SUPPORT</b>	<b>4,822,093</b>	<b>4,828,093</b>
Unjustified growth		-7,000
Environmental conservation for ranges to address shortfalls		13,000
<b>2B2G SHIP ACTIVATIONS/INACTIVATIONS</b>	<b>1,066,329</b>	<b>983,783</b>
USS Enterprise inactivation costs ahead of need		-70,000
Retain cruisers		-12,546
<b>3C1L RECRUITING AND ADVERTISING</b>	<b>241,329</b>	<b>242,366</b>
Naval Sea Cadet Corps		1,037
<b>999 OTHER PROGRAMS</b>	<b>537,079</b>	<b>540,979</b>
Classified adjustment		3,900
<b>EXCESS WORKING CAPITAL FUND CARRYOVER</b>		<b>-120,900</b>

## OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, MARINE CORPS		
BUDGET ACTIVITY 1: OPERATING FORCES		
EXPEDITIONARY FORCES		
10 OPERATIONAL FORCES.....	788,055	842,455
20 FIELD LOGISTICS.....	762,614	762,614
30 DEPOT MAINTENANCE.....	168,447	168,447
USMC PREPOSITIONING		
40 MARITIME PREPOSITIONING.....	100,374	100,374
60 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	825,039	825,039
70 BASE OPERATING SUPPORT.....	2,188,883	2,188,083
-----		
TOTAL, BUDGET ACTIVITY 1.....	4,833,412	4,887,012
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
ACCESSION TRAINING		
80 RECRUIT TRAINING.....	18,251	18,251
90 OFFICER ACQUISITION.....	869	869
BASIC SKILLS AND ADVANCED TRAINING		
100 SPECIALIZED SKILLS TRAINING.....	80,914	80,914
120 PROFESSIONAL DEVELOPMENT EDUCATION.....	42,744	42,744
130 TRAINING SUPPORT.....	292,150	292,150
RECRUITING AND OTHER TRAINING EDUCATION		
140 RECRUITING AND ADVERTISING.....	168,609	178,609
150 OFF-DUTY AND VOLUNTARY EDUCATION.....	56,865	56,865
160 JUNIOR ROTC.....	19,912	19,912
-----		
TOTAL, BUDGET ACTIVITY 3.....	680,314	690,314
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
SERVICEWIDE SUPPORT		
180 SERVICEWIDE TRANSPORTATION.....	39,962	39,962
200 ACQUISITION AND PROGRAM MANAGEMENT.....	83,404	83,404
-----		
TOTAL, BUDGET ACTIVITY 4.....	123,366	123,366
OTHER PROGRAMS		
OTHER PROGRAMS.....	346,071	341,071
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-6,800
=====		
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS.....	5,983,163	6,034,963
=====		

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>		<b>Budget Request</b>	<b>Conference</b>
<b>1A1A</b>	<b>OPERATIONAL FORCES</b>	<b>788,055</b>	<b>842,455</b>
	Civilian personnel realignment requested as program growth		-10,600
	Marine Corps identified shortfall for unit deployment program		65,000
<b>BSS1</b>	<b>BASE OPERATING SUPPORT</b>	<b>2,188,883</b>	<b>2,188,083</b>
	Budget justification does not match summary of price and program changes for rents		-13,800
	Environmental conservation for ranges to address shortfalls		13,000
<b>3C1F</b>	<b>RECRUITING AND ADVERTISING</b>	<b>168,609</b>	<b>178,609</b>
	Marine Corps requested transfer from P,MC line 2		10,000
	<b>OTHER PROGRAMS</b>	<b>346,071</b>	<b>341,071</b>
	Removal of one-time fiscal year 2012 costs for technical services organization relocation incentive		-5,000
	<b>EXCESS WORKING CAPITAL FUND CARRYOVER</b>		<b>-6,800</b>

## OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, AIR FORCE		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	2,973,141 2,963,141
20	COMBAT ENHANCEMENT FORCES.....	1,611,032 1,610,513
30	AIR OPERATIONS TRAINING.....	1,472,806 1,422,806
50	DEPOT MAINTENANCE.....	5,545,470 5,537,470
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	1,353,987 1,389,387
70	BASE OPERATING SUPPORT.....	2,595,032 2,535,484
COMBAT RELATED OPERATIONS		
80	GLOBAL C3I AND EARLY WARNING.....	957,040 982,753
90	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS.....	916,200 903,200
100	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES.....	733,716 733,716
SPACE OPERATIONS		
110	LAUNCH FACILITIES.....	314,490 314,490
120	SPACE CONTROL SYSTEMS.....	488,762 488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	862,979 773,479
140	COMBATANT COMMANDERS CORE OPERATIONS.....	222,429 163,962
-----		
TOTAL, BUDGET ACTIVITY 1.....		20,047,084 19,819,163

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
BUDGET ACTIVITY 2: MOBILIZATION		
MOBILITY OPERATIONS		
150	AIRLIFT OPERATIONS.....	1,785,379 1,985,379
160	MOBILIZATION PREPAREDNESS.....	154,049 154,049
170	DEPOT MAINTENANCE.....	1,477,396 1,477,396
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	309,699 324,699
190	BASE SUPPORT.....	707,574 707,574
-----		
	TOTAL, BUDGET ACTIVITY 2.....	4,434,097 4,649,097
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
ACCESSION TRAINING		
200	OFFICER ACQUISITION.....	115,427 115,427
210	RECRUIT TRAINING.....	17,619 17,619
220	RESERVE OFFICER TRAINING CORPS (ROTC).....	92,949 92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	336,433 354,033
240	BASE SUPPORT (ACADEMIES ONLY).....	842,441 793,441
BASIC SKILLS AND ADVANCED TRAINING		
250	SPECIALIZED SKILL TRAINING.....	482,634 482,634
260	FLIGHT TRAINING.....	750,609 750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION.....	235,114 235,114
280	TRAINING SUPPORT.....	101,231 101,231
290	DEPOT MAINTENANCE.....	233,330 233,330
RECRUITING, AND OTHER TRAINING AND EDUCATION		
300	RECRUITING AND ADVERTISING.....	130,217 130,217
310	EXAMINING.....	2,738 2,738
320	OFF DUTY AND VOLUNTARY EDUCATION.....	155,170 155,170
330	CIVILIAN EDUCATION AND TRAINING.....	175,147 175,147
340	JUNIOR ROTC.....	74,809 74,809
-----		
	TOTAL, BUDGET ACTIVITY 3.....	3,745,868 3,714,468

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
LOGISTICS OPERATIONS		
350	LOGISTICS OPERATIONS.....	1,029,734 1,029,734
360	TECHNICAL SUPPORT ACTIVITIES.....	913,843 913,843
370	DEPOT MAINTENANCE.....	--- 29,163
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	303,610 318,010
390	BASE SUPPORT.....	1,266,800 1,266,800
SERVICEWIDE ACTIVITIES		
400	ADMINISTRATION.....	587,654 581,154
410	SERVICEWIDE COMMUNICATIONS.....	667,910 667,910
420	OTHER SERVICEWIDE ACTIVITIES.....	1,094,509 1,094,509
430	CIVIL AIR PATROL CORPORATION.....	23,904 28,404
SUPPORT TO OTHER NATIONS		
460	INTERNATIONAL SUPPORT.....	81,307 81,307
OTHER PROGRAMS.....		
OTHER PROGRAMS.....		
	1,239,040	1,209,877
-----		
TOTAL, BUDGET ACTIVITY 4.....		
	7,208,311	7,220,711
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS.....		
	---	-400,000
RETAIN AIR FORCE FORCE STRUCTURE.....		
	---	14,500
CIVILIAN PERSONNEL COMPENSATION.....		
	---	-167,533
FOREIGN NATIONAL INDIRECT HIRES.....		
	---	-12,000
EXCESS WORKING CAPITAL FUND CARRYOVER.....		
	---	-58,000
=====		
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE.....		
	35,435,360	34,780,406
=====		



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

O-1	Budget Request	Conference
<b>011A PRIMARY COMBAT FORCES</b>	<b>2,973,141</b>	<b>2,963,141</b>
Unjustified increase to travel		-10,000
<b>011C COMBAT ENHANCEMENT FORCES</b>	<b>1,611,032</b>	<b>1,610,513</b>
Remove U-2 retirement costs		-519
Global Hawk Block 30 with 21 aircraft		[133,000]
<b>011D AIR OPERATIONS TRAINING</b>	<b>1,472,806</b>	<b>1,422,806</b>
Unjustified increase to travel		-50,000
<b>011M DEPOT MAINTENANCE</b>	<b>5,545,470</b>	<b>5,537,470</b>
Sustainment funding decrease not accounted for in budget		
justification for cancellation of Light Attack Armed Reconnaissance		
Aircraft		-8,000
<b>011R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>1,353,987</b>	<b>1,389,387</b>
Restore unjustified efficiency reduction		35,400
<b>011Z BASE OPERATING SUPPORT</b>	<b>2,595,032</b>	<b>2,535,484</b>
Unjustified growth of 556 direct hires		-60,048
Unjustified request		-12,500
Environmental conservation for ranges to address shortfalls		13,000
<b>012A GLOBAL C3I AND EARLY WARNING</b>	<b>957,040</b>	<b>982,753</b>
Transfer from RDTE,AF line 59		25,713
<b>012C OTHER COMBAT OPERATIONS SUPPORT PROGRAMS</b>	<b>916,200</b>	<b>903,200</b>
Budget justification does not match summary of price and program		
changes for the Defense Information Services Agency bill		-13,000
<b>015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT</b>	<b>862,979</b>	<b>773,479</b>
Removal of one-time fiscal year 2012 cost to stand up Global		
Adaptive Planning Collaborative Information Environment		-13,100
Unjustified STRATCOM funding		-35,000
Military Information Support Operations - transfer to title IX		-29,400
Civilian pay inconsistency for joint forces command restructure		-12,000
<b>015B COMBATANT COMMANDERS CORE OPERATIONS</b>	<b>222,429</b>	<b>163,962</b>
Unjustified increase for civilian pay program		-58,467
Remove CYBERCOM funds from STATCOM direct mission		
support		-156,400
Establish a CYBERCOM direct mission support line		156,400
<b>021A AIRLIFT OPERATIONS</b>	<b>1,785,379</b>	<b>1,985,379</b>
Airlift readiness account		200,000
<b>021R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>309,699</b>	<b>324,699</b>
Restore unjustified efficiency reduction		15,000
<b>031R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>336,433</b>	<b>354,033</b>
Restore unjustified efficiency reduction		17,600

O-1	Budget Request	Conference
<b>031Z BASE SUPPORT (ACADEMIES ONLY)</b>	<b>842,441</b>	<b>793,441</b>
Unjustified growth for equipment purchases		-49,000
<b>041M DEPOT MAINTENANCE</b>	<b>0</b>	<b>29,163</b>
Correction to President's budget request		29,163
<b>041R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>303,610</b>	<b>318,010</b>
Restore unjustified efficiency reduction		14,400
<b>042A ADMINISTRATION</b>	<b>587,654</b>	<b>581,154</b>
Unjustified increase for personnel service delivery		-6,500
<b>042I CIVIL AIR PATROL CORPORATION</b>	<b>23,904</b>	<b>28,404</b>
Civil Air Patrol		4,500
<b>043A SECURITY PROGRAMS</b>	<b>1,239,040</b>	<b>1,209,877</b>
Correction to President's budget request		-29,163
<b>INVENTORY OF SPARE PARTS AND SECONDARY ITEMS</b>		<b>-400,000</b>
<b>UNJUSTIFIED GROWTH FOR CIVILIAN PERSONNEL COMPENSATION</b>		<b>-167,533</b>
<b>INCORRECT PRICING ADJUSTMENT FOR FOREIGN NATIONAL INDIRECT HIRES</b>		<b>-12,000</b>
<b>EXCESS WORKING CAPITAL FUND CARRYOVER</b>		<b>-58,000</b>
<b>RETAIN AIR FORCE FORCE STRUCTURE</b>		<b>14,500</b>

## OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, DEFENSE-WIDE		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	JOINT CHIEFS OF STAFF.....	485,708 475,708
20	SPECIAL OPERATIONS COMMAND.....	5,091,001 5,012,101
TOTAL, BUDGET ACTIVITY 1.....		5,576,709 5,487,809
-----		
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY.....	147,210 147,210
40	NATIONAL DEFENSE UNIVERSITY.....	84,999 81,999
TOTAL, BUDGET ACTIVITY 3.....		232,209 229,209
-----		
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
50	CIVIL MILITARY PROGRAMS.....	161,294 171,294
80	DEFENSE CONTRACT AUDIT AGENCY.....	573,973 573,973
90	DEFENSE CONTRACT MANAGEMENT AGENCY.....	1,293,196 1,292,596
100	DEFENSE FINANCE AND ACCOUNTING SERVICE.....	17,513 17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY.....	676,186 696,186
120	DEFENSE INFORMATION SYSTEMS AGENCY.....	1,346,847 1,336,847
140	DEFENSE LEGAL SERVICES AGENCY.....	35,137 35,137
150	DEFENSE LOGISTICS AGENCY.....	431,893 434,393
160	DEFENSE MEDIA ACTIVITY.....	224,013 224,013
170	DEFENSE POW /MISSING PERSONS OFFICE.....	21,964 21,964
180	DEFENSE SECURITY COOPERATION AGENCY.....	557,917 542,917
190	DEFENSE SECURITY SERVICE.....	--- 506,662
200	DEFENSE TECHNOLOGY SECURITY AGENCY.....	35,319 35,319
210	DEFENSE THREAT REDUCTION AGENCY.....	--- 443,382

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
220 DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.....	2,744,971	2,787,971
230 MISSILE DEFENSE AGENCY.....	259,975	253,975
250 OFFICE OF ECONOMIC ADJUSTMENT.....	253,437	243,437
260 OFFICE OF THE SECRETARY OF DEFENSE.....	2,095,362	2,097,862
270 WASHINGTON HEADQUARTERS SERVICES.....	521,297	509,297
TOTAL, BUDGET ACTIVITY 4.....	11,250,294	12,224,738
OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION SHORTFALL.	---	-51,000
IMPACT AID.....	---	40,000
IMPACT AID FOR CHILDREN WITH DISABILITIES.....	---	5,000
OTHER PROGRAMS.....	14,933,801	13,927,224
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE.....	31,993,013	31,862,980

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

O-1	Budget Request	Conference
<b>1PL1 JOINT CHIEFS OF STAFF</b>	<b>485,708</b>	<b>475,708</b>
Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-10,000
<b>1PL2 SPECIAL OPERATIONS COMMAND</b>	<b>5,091,001</b>	<b>5,012,101</b>
Military Information Support Operations		9,100
Non-Standard Aviation and Aviation Foreign Internal Defense (AvFID) Consolidation excess to need		-53,000
Unjustified growth in per-graduate costs for initial skills training		-20,000
Decrease shown in spare and repair parts metrics not properly accounted for in budget justification		-15,000
<b>PEV5 NATIONAL DEFENSE UNIVERSITY</b>	<b>84,999</b>	<b>81,999</b>
Excess growth in operations support costs		-3,000
<b>4GT3 CIVIL MILITARY PROGRAMS</b>	<b>161,294</b>	<b>171,294</b>
Youth Challenge		5,000
STARBASE youth program		5,000
<b>4GTB DEFENSE LOGISTICS AGENCY</b>	<b>431,893</b>	<b>434,393</b>
Unjustified growth for virtual interactive processing systems		-7,500
Procurement Technical Assistance Program		10,000
<b>4GTI DEFENSE THREAT REDUCTION AGENCY</b>	<b>0</b>	<b>443,382</b>
Transfer from line 9999		443,382
<b>4GTJ DEFENSE DEPENDENTS EDUCATION</b>	<b>2,744,971</b>	<b>2,787,971</b>
Restore unjustified reduction		43,000
<b>4GT8 DEFENSE HUMAN RESOURCES ACTIVITY</b>	<b>676,186</b>	<b>696,186</b>
Program increase - for suicide prevention program		20,000
<b>4GTO DEFENSE CONTRACT MANAGEMENT AGENCY</b>	<b>1,293,196</b>	<b>1,292,596</b>
Unjustified increase for voluntary separation incentive pay		-600
<b>4GTD DEFENSE SECURITY COOPERATION AGENCY</b>	<b>557,917</b>	<b>542,917</b>
Global Train and Equip program		-15,000
<b>4GTE DEFENSE SECURITY SERVICE</b>	<b>0</b>	<b>506,662</b>
Transfer from line 9999		506,662
<b>4GTM OFFICE OF ECONOMIC ADJUSTMENT</b>	<b>253,437</b>	<b>243,437</b>
Program increase		10,000
Funds requested ahead of need		-20,000
<b>4GTN OFFICE OF THE SECRETARY OF DEFENSE</b>	<b>2,095,362</b>	<b>2,097,862</b>
Unjustified growth for policy planning and integration - transfer to accelerate financial auditability		-2,500
Unjustified growth for the Rewards Program - transfer to accelerate financial auditability		-2,000
Unjustified growth for warfighting support activities - transfer to accelerate financial auditability		-3,000

O-1	Budget Request	Conference
Unfinanced requirement for the Chief Financial Officer initiative to accelerate financial auditability - transfer from OSD reductions		12,000
Excess funding for long range planning for the Office of the Director, Cost Assessment and Program Evaluation - transfer to accelerate financial auditability		-1,000
Program increase - Office of Net Assessment		10,000
Defense Chief Management Office - transfer to DLA for rental payments not properly accounted for in budget justification		-3,500
OSD AT&L - realignment of funding for contingency business tools not properly accounted for in budget justification		-4,000
OSD Policy - transfer to DLA for continuity of operations not properly accounted for in budget justification - transfer to accelerate financial auditability		-3,500
<b>4GTQ WASHINGTON HEADQUARTERS SERVICES</b>	<b>521,297</b>	<b>509,297</b>
Removal of one-time fiscal year 2012 cost for centrally funded Mark Center rent		-12,000
<b>011A MISSILE DEFENSE AGENCY</b>	<b>259,975</b>	<b>253,975</b>
THAAD excess to requirement		-6,000
<b>4GT9 DEFENSE INFORMATION SYSTEMS AGENCY</b>	<b>1,346,847</b>	<b>1,336,847</b>
Program growth requested for circuit transition maintenance unsupported by program metrics		-10,000
<b>9999 OTHER PROGRAMS</b>	<b>14,933,801</b>	<b>13,927,224</b>
Classified adjustment		-101,533
Transfer to DSS for budget request		-506,662
Transfer to DTRA for budget request		-443,382
Additional ISR support to operation observant compass authorization increase		45,000
<b>FUNDS TO CORRECT OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION INADEQUACIES FUNDED VIA GENERAL PROVISION</b>		<b>-51,000</b>
<b>IMPACT AID</b>		<b>40,000</b>
<b>IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES</b>		<b>5,000</b>

## OPERATION AND MAINTENANCE, ARMY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	OPERATION AND MAINTENANCE, ARMY RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	LAND FORCES		
10	MANEUVER UNITS.....	1,391	1,391
20	MODULAR SUPPORT BRIGADES.....	20,889	20,889
30	ECHELONS ABOVE BRIGADES.....	592,724	586,724
40	THEATER LEVEL ASSETS.....	114,983	114,983
50	LAND FORCES OPERATIONS SUPPORT.....	633,091	619,591
60	AVIATION ASSETS.....	76,823	76,823
	LAND FORCES READINESS		
70	FORCES READINESS OPERATIONS SUPPORT.....	481,997	480,147
80	LAND FORCES SYSTEM READINESS.....	70,118	70,118
90	DEPOT MAINTENANCE.....	141,205	189,205
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	287,399	316,139
120	MANAGEMENT AND OPERATIONS HEADQUARTERS.....	52,431	52,431
	TOTAL, BUDGET ACTIVITY 1.....	3,034,929	3,090,319
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION.....	12,995	12,995
140	ADMINISTRATION.....	32,432	32,432
150	SERVICEWIDE COMMUNICATIONS.....	4,895	4,895
160	PERSONNEL/FINANCIAL ADMINISTRATION ..	16,074	11,574
170	RECRUITING AND ADVERTISING.....	60,683	54,708
	TOTAL, BUDGET ACTIVITY 4.....	127,079	116,604
	UNEXECUTABLE OPTEMPO GROWTH.....	---	-24,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE.....	3,162,008	3,182,923

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>113 ECHELONS ABOVE BRIGADES</b>	<b>592,724</b>	<b>586,724</b>
Budget justification does not match summary of price and program changes for Full Time Support costs		-6,000
<b>115 LAND FORCES OPERATIONS SUPPORT</b>	<b>633,091</b>	<b>619,591</b>
Unjustified growth for travel of persons		-3,000
Budget justification does not match summary of price and program changes for Full Time Support costs		-6,500
Budget justification does not match summary of price and program changes for Management and Professional Services		-4,000
<b>121 FORCES READINESS OPERATIONS SUPPORT</b>	<b>481,997</b>	<b>480,147</b>
Unjustified growth for increased schoolhouse capacity		-1,850
<b>123 DEPOT MAINTENANCE</b>	<b>141,205</b>	<b>189,205</b>
Restore unjustified efficiency reduction		48,000
<b>132 FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>287,399</b>	<b>316,139</b>
Restore unjustified efficiency reduction		28,740
<b>433 PERSONNEL/FINANCIAL ADMINISTRATION</b>	<b>16,074</b>	<b>11,574</b>
Unjustified growth for civilian personnel		-4,500
<b>434 RECRUITING AND ADVERTISING</b>	<b>60,683</b>	<b>54,708</b>
Army discontinuation of Army Reserve Recruiter Assistance Program		-5,975
<b>UNEXECUTABLE OPTEMPO GROWTH</b>		<b>-24,000</b>



## OPERATION AND MAINTENANCE, NAVY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
-----			
	OPERATION AND MAINTENANCE, NAVY RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	RESERVE AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS.....	616,776	616,776
20	INTERMEDIATE MAINTENANCE.....	15,076	15,076
30	AIR OPERATIONS AND SAFETY SUPPORT.....	1,479	1,479
40	AIRCRAFT DEPOT MAINTENANCE.....	107,251	110,551
50	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	355	355
	RESERVE SHIP OPERATIONS		
60	MISSION AND OTHER SHIP OPERATIONS.....	82,186	82,186
70	SHIP OPERATIONAL SUPPORT AND TRAINING.....	589	589
80	SHIP DEPOT MAINTENANCE.....	48,593	48,593
	RESERVE COMBAT OPERATIONS SUPPORT		
90	COMBAT COMMUNICATIONS.....	15,274	15,274
100	COMBAT SUPPORT FORCES.....	124,917	124,917
	RESERVE WEAPONS SUPPORT		
110	WEAPONS MAINTENANCE.....	1,978	1,978
120	ENTERPRISE INFORMATION TECHNOLOGY.....	43,699	43,699
	BASE OPERATING SUPPORT		
130	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	60,646	66,711
140	BASE OPERATING SUPPORT.....	105,227	105,227
	TOTAL, BUDGET ACTIVITY 1.....	1,224,046	1,233,411
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
150	ADMINISTRATION.....	3,117	3,117
160	MILITARY MANPOWER & PERSONNEL.....	14,337	14,337
170	SERVICEWIDE COMMUNICATIONS.....	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT.....	3,090	3,090
	TOTAL, BUDGET ACTIVITY 4.....	22,936	22,936
		=====	=====
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE.....	1,246,982	1,256,347
		=====	=====

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1A5A AIRCRAFT DEPOT MAINTENANCE</b>	<b>107,251</b>	<b>110,551</b>
Restore unjustified efficiency reduction		3,300
<b>BSMR FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>60,646</b>	<b>66,711</b>
Restore unjustified efficiency reduction		6,065

## OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
EXPEDITIONARY FORCES		
10	OPERATING FORCES.....	89,690 89,690
20	DEPOT MAINTENANCE.....	16,735 16,735
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	37,913 41,704
50	BASE OPERATING SUPPORT.....	103,746 105,047
TOTAL, BUDGET ACTIVITY 1.....		248,084 253,176
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
70	SERVICEWIDE TRANSPORTATION.....	873 873
80	ADMINISTRATION.....	14,330 14,330
90	RECRUITING AND ADVERTISING.....	8,998 8,998
TOTAL, BUDGET ACTIVITY 4.....		24,201 24,201
		=====
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE		272,285 277,377
		=====

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BSM1 FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>37,913</b>	<b>41,704</b>
Restore unjustified efficiency reduction		3,791
<b>BSS1 BASE OPERATING SUPPORT</b>	<b>103,746</b>	<b>105,047</b>
Restore unjustified efficiency reduction to Morale, Welfare, and Recreation program		1,301

## OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	2,089,326 1,985,215
20	MISSION SUPPORT OPERATIONS.....	112,992 112,992
30	DEPOT MAINTENANCE.....	406,101 536,998
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	71,564 78,720
50	BASE OPERATING SUPPORT.....	364,862 364,862
TOTAL, BUDGET ACTIVITY 1.....		3,044,845 3,078,787
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION.....	78,824 78,824
70	RECRUITING AND ADVERTISING.....	16,020 16,020
80	MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	19,496 19,496
90	OTHER PERSONNEL SUPPORT.....	6,489 6,489
100	AUDIOVISUAL.....	808 808
TOTAL, BUDGET ACTIVITY 4.....		121,637 121,637
RETAIN AIR FORCE RESERVE FORCE STRUCTURE.....		--- 66,400
CIVILIAN PERSONNEL COMPENSATION.....		--- -5,500
		=====
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE.		3,166,482 3,261,324
		=====

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>011A PRIMARY COMBAT FORCES</b>	<b>2,089,326</b>	<b>1,985,215</b>
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-104,111
<b>011M DEPOT MAINTENANCE</b>	<b>406,101</b>	<b>536,998</b>
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011A		104,111
Restore unjustified efficiency reduction		26,786
<b>011R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>71,564</b>	<b>78,720</b>
Restore unjustified efficiency reduction		7,156
<b>RETAIN AIR FORCE RESERVE FORCE STRUCTURE</b>		<b>66,400</b>
<b>UNJUSTIFIED GROWTH IN CIVILIAN PERSONNEL</b>		
<b>COMPENSATION</b>		<b>-5,500</b>

## OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
-----			
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD			
BUDGET ACTIVITY 1: OPERATING FORCES			
10	LAND FORCES MANEUVER UNITS.....	680,206	680,206
20	MODULAR SUPPORT BRIGADES.....	186,408	186,408
30	ECHELONS ABOVE BRIGADE.....	865,628	861,128
40	THEATER LEVEL ASSETS.....	112,651	112,651
50	LAND FORCES OPERATIONS SUPPORT.....	36,091	36,091
60	AVIATION ASSETS.....	907,011	902,011
70	LAND FORCES READINESS FORCE READINESS OPERATIONS SUPPORT.....	751,606	751,606
80	LAND FORCES SYSTEMS READINESS.....	60,043	60,043
90	LAND FORCES DEPOT MAINTENANCE.....	411,940	411,940
100	LAND FORCES READINESS SUPPORT BASE OPERATIONS SUPPORT.....	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	688,189	757,008
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	953,716	936,693
TOTAL, BUDGET ACTIVITY 1.....		6,648,912	6,691,208

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION.....	11,806 11,806
140	REAL ESTATE MANAGEMENT.....	1,656 1,656
150	ADMINISTRATION.....	89,358 82,311
160	SERVICEWIDE COMMUNICATIONS.....	39,513 39,513
170	MANPOWER MANAGEMENT.....	7,224 7,224
180	RECRUITING AND ADVERTISING.....	310,143 310,143
-----		
TOTAL, BUDGET ACTIVITY 4.....		459,700 452,653
RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE.....		--- 10,300
=====		
TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.		7,108,612 7,154,161
=====		



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>113 ECHELONS ABOVE BRIGADE</b>	<b>865,628</b>	<b>861,128</b>
Budget justification does not match summary of price and program changes for Management and Professional Services		-4,500
<b>116 AVIATION ASSETS</b>	<b>907,011</b>	<b>902,011</b>
Budget justification does not match summary of price and program changes for fuel		-5,000
<b>132 FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>688,189</b>	<b>757,008</b>
Restore unjustified efficiency reduction		68,819
<b>133 MANAGEMENT AND OPERATIONAL HEADQUARTERS</b>	<b>953,716</b>	<b>936,693</b>
Unjustified growth for Mission Support		-17,023
<b>431 ADMINISTRATION</b>	<b>89,358</b>	<b>82,311</b>
Unjustified growth for Mission Support		-7,047
<b>RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE -</b>		
<b>RETAIN EIGHT C-23 SHERPAS</b>		<b>10,300</b>

## OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	AIR OPERATIONS	
	AIRCRAFT OPERATIONS.....	3,559,824 3,099,094
20	MISSION SUPPORT OPERATIONS.....	721,225 681,251
30	DEPOT MAINTENANCE.....	774,875 1,555,079
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	270,709 297,780
50	BASE OPERATING SUPPORT.....	624,443 624,443
	TOTAL, BUDGET ACTIVITY 1.....	5,951,076 6,257,647
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
60	SERVICEWIDE ACTIVITIES	
	ADMINISTRATION.....	32,358 32,358
70	RECRUITING AND ADVERTISING.....	32,021 32,021
	TOTAL, BUDGET ACTIVITY 4.....	64,379 64,379
	RETAIN AIR NATIONAL GUARD FORCE STRUCTURE.....	--- 210,300
	CIVILIAN PERRSONNEL COMPENSATION.....	--- -38,000
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD..	6,015,455 6,494,326

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>O-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>011F AIRCRAFT OPERATIONS</b>	<b>3,559,824</b>	<b>3,099,094</b>
C-130 Aircraft Temporary Shelter funding ahead of requirement		-3,000
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-457,730
<b>011G MISSION SUPPORT OPERATIONS</b>	<b>721,225</b>	<b>681,251</b>
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-39,974
<b>011M DEPOT MAINTENANCE</b>	<b>774,875</b>	<b>1,555,079</b>
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011F		457,730
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011G		39,974
Air National Guard identified shortfall - restore unjustified efficiency reduction		282,500
<b>011R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>270,709</b>	<b>297,780</b>
Restore unjustified efficiency reduction		27,071
<b>RETAIN AIR NATIONAL GUARD FORCE STRUCTURE</b>		<b>210,300</b>
<b>UNJUSTIFIED GROWTH IN CIVILIAN COMPENSATION</b>		<b>-38,000</b>

UNITED STATES COURT OF APPEALS  
FOR THE ARMED SERVICES

The conference agreement provides \$13,516,000 for the United States Court of Appeals for the Armed Services, as proposed by both the House and the Senate.

## ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides \$335,921,000 for Environmental Restoration, Army, as proposed by both the House and the Senate.

## ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides \$310,594,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR  
FORCE

The conference agreement provides \$529,263,000 for Environmental Restoration,

Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION,  
DEFENSE-WIDE

The conference agreement provides \$11,133,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION,  
FORMERLY USED DEFENSE SITES

The conference agreement provides \$287,543,000 for Environmental Restoration, Formerly Used Defense Sites, as proposed by the Senate, instead of \$237,543,000 as proposed by the House.

OVERSEAS HUMANITARIAN, DISASTER,  
AND CIVIC AID

The conference agreement provides \$108,759,000 for Overseas Humanitarian, Disaster, and Civic Aid, as proposed by both the House and the Senate.

COOPERATIVE THREAT REDUCTION  
ACCOUNT

The conference agreement provides \$519,111,000 for the Cooperative Threat Reduction Account, as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE ACQUISITION  
WORKFORCE DEVELOPMENT FUND

The conference agreement provides \$50,198,000 for the Department of Defense Acquisition Workforce Development Fund, as proposed by the House, instead of \$720,000,000 as proposed by the Senate.

## TITLE III—PROCUREMENT

The conference agreement provides \$100,350,714,000 in Title III, Procurement, instead of \$102,512,191,000 as proposed by the House and \$97,635,496,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>SUMMARY</b>		
<b>ARMY</b>		
AIRCRAFT.....	5,853,729	6,028,754
MISSILES.....	1,302,689	1,535,433
WEAPONS, TRACKED COMBAT VEHICLES.....	1,501,706	1,857,823
AMMUNITION.....	1,739,706	1,641,306
OTHER.....	6,326,245	5,741,664
TOTAL, ARMY.....	16,724,075	16,804,980
<b>NAVY</b>		
AIRCRAFT.....	17,129,296	17,382,152
WEAPONS.....	3,117,578	3,036,871
AMMUNITION.....	759,539	659,897
SHIPS.....	13,579,845	15,584,212
OTHER.....	6,169,378	5,955,078
MARINE CORPS.....	1,622,955	1,411,411
TOTAL, NAVY.....	42,378,591	44,029,621
<b>AIR FORCE</b>		
AIRCRAFT.....	11,002,999	11,774,019
MISSILES.....	5,491,846	4,962,376
AMMUNITION.....	599,194	594,694
OTHER.....	16,720,848	17,082,508
TOTAL, AIR FORCE.....	33,814,887	34,413,597
<b>DEFENSE-WIDE</b>		
DEFENSE-WIDE.....	4,187,935	4,878,985
DEFENSE PRODUCTION ACT PURCHASES.....	89,189	223,531
TOTAL PROCUREMENT.....	97,194,677	100,350,714

## SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

## REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidance as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). Specifically, the dollar threshold for reprogramming funds will remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with the guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

## DIMINISHING MANUFACTURING SOURCES COSTS IN MISSILE PROGRAMS

The conferees are concerned by the level of diminishing manufacturing sources (DMS) costs in Department of Defense tactical missile programs, particularly the Advanced Medium Range Air-to-Air Missile (AMRAAM). The conferees direct the Under Secretary of Defense (Acquisition, Technology, and Logistics), in coordination with the Service secretaries, to provide two reports to the congressional defense committees.

The first report shall provide information on the management of DMS costs within the AMRAAM program, to include an explanation of the cost drivers of AMRAAM DMS; an explanation of the AMRAAM program's approach to DMS management and its conformity with departmental guidance and best practices; an economic analysis demonstrating the costs and benefits, including the break-even point, of the AMRAAM DMS program; and an analysis of the impact of foreign military sales on AMRAAM DMS costs and management. This report shall be submitted not later than 120 days after the enactment of this Act.

The second report shall provide information on the broader issue of DMS costs and management across all tactical missile procurement programs. This report shall provide an overview of current strategies for addressing DMS, including current and planned joint activities that address common DMS issues; an explanation of the key tactical missile DMS cost drivers; a comparison of DMS costs across all tactical missile programs; and an analysis of the impact of foreign military sales on DMS costs and management. This report shall be submitted not later than 180 days after the enactment of this Act.

In addition, the conferees direct the Secretaries of the Air Force and the Navy to report DMS costs separately from missile unit costs in future budget exhibits to enhance the congressional defense committees' ability to oversee DMS costs.

## JOINT STRIKE FIGHTER ADVANCE PROCUREMENT AND CONTRACT DELAYS

The conferees are concerned with the Joint Strike Fighter (JSF) contract award timelines and the negative impacts on the JSF subcontractor workforce. The combination of inconsistencies in JSF advance procurement for each variant and the contract award delays have a potential to put the industrial base at risk or jeopardize the aircraft delivery schedule. Therefore, the conferees direct the Secretary of Defense to provide a report which examines the authorities and use of JSF advance procurement, including the rationale for the cost differences in advance procurement among the aircraft variants and their associated impacts to the subcontractor workforce. Additionally, the report should examine the causes of procurement contract award delays and the planned corrective action to ensure that final award of the production contracts occurs within the year of appropriation. This report shall be submitted to the congressional defense committees not later than 120 days after the enactment of this Act. USE OF UNM

## USE OF UNMANNED AERIAL VEHICLES IN DOMESTIC AIRSPACE

The conferees are aware of concerns that have been raised regarding the use of unmanned aerial vehicles (UAV) and their sensors in domestic airspace. The conferees understand that the Air Force has policies and procedures in place governing the disposition of UAV collections that may inadvertently capture matters of concern to law enforcement agencies. These policies and procedures are designed to ensure constitutional protections and proper separation between the military and law enforcement. However, it is unclear if other Services and Defense agencies have similar policies and procedures in place, or if these policies and procedures need to be revised or standardized. Therefore, the conferees direct the Secretary of Defense to report to the congressional defense committees on the policies and procedures in place across the Services and Defense agencies governing the use of such collections and to identify any additional steps that need to be taken to ensure that such policies and procedures are adequate and consistent across the Department of Defense. This report shall be submitted not later than 90 days after the enactment of this Act.

## AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
-----			
AIRCRAFT PROCUREMENT, ARMY			
	AIRCRAFT FIXED WING		
1	UTILITY F/W CARGO AIRCRAFT.....	18,639	16,439
4	MQ-1 UAV.....	518,088	414,088
5	RQ-11 (RAVEN).....	25,798	25,798
	ROTARY		
6	HELICOPTER, LIGHT UTILITY (LUH).....	271,983	275,982
7	AH-64 APACHE BLOCK IIIA REMAN.....	577,115	527,115
8	AH-64 APACHE BLOCK IIIA REMAN (AP-CY).....	107,707	101,707
9	AH-64 APACHE BLOCK IIIB NEW BUILD.....	153,993	224,993
10	AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY).....	146,121	135,421
13	UH-60 BLACKHAWK (MYP).....	1,107,087	1,306,087
14	UH-60 BLACKHAWK (MYP) (AP-CY).....	115,113	115,113
15	CH-47 HELICOPTER.....	1,076,036	1,186,036
16	CH-47 HELICOPTER (AP-CY).....	83,346	83,346
	TOTAL, AIRCRAFT.....	4,201,026	4,412,125
	MODIFICATION OF AIRCRAFT		
18	MQ-1 PAYLOAD - UAS.....	231,508	184,608
20	GUARDRAIL MODS (MIP).....	16,272	16,272
21	MULTI SENSOR ABN RECON (MIP).....	4,294	4,294
22	AH-64 MODS.....	178,805	178,805
23	CH-47 CARGO HELICOPTER MODS.....	39,135	87,935
24	UTILITY/CARGO AIRPLANE MODS.....	24,842	24,842
26	UTILITY HELICOPTER MODS.....	73,804	183,804
27	KIOWA WARRIOR.....	192,484	119,584
29	NETWORK AND MISSION PLAN.....	190,789	190,789
30	COMMS, NAV SURVEILLANCE.....	133,191	133,191
31	GATM ROLLUP.....	87,280	87,280
32	RQ-7 UAV MODS.....	104,339	29,265
	TOTAL, MODIFICATION OF AIRCRAFT.....	1,276,743	1,240,669
-----			

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
SUPPORT EQUIPMENT AND FACILITIES		
GROUND SUPPORT AVIONICS		
34 AIRCRAFT SURVIVABILITY EQUIPMENT.....	34,037	34,037
36 CMWS.....	127,751	127,751
OTHER SUPPORT		
37 AVIONICS SUPPORT EQUIPMENT.....	4,886	4,886
38 COMMON GROUND EQUIPMENT.....	82,511	82,511
39 AIRCREW INTEGRATED SYSTEMS.....	77,381	77,381
40 AIR TRAFFIC CONTROL.....	47,235	47,235
41 INDUSTRIAL FACILITIES.....	1,643	1,643
42 LAUNCHER, 2.75 ROCKET.....	516	516
-----		
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	375,960	375,960
-----		
TOTAL, AIRCRAFT PROCUREMENT, ARMY.....	5,853,729	6,028,754
=====		



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 UTILITY F/W CARGO AIRCRAFT</b>	<b>18,639</b>	<b>16,439</b>
Test funding ahead of need		-2,200
<b>4 MQ-1 UAV GRAY EAGLE</b>	<b>518,088</b>	<b>414,088</b>
Schedule delays and prior year unobligated balances		-104,000
<b>6 HELICOPTER, LIGHT UTILITY (LUH)</b>	<b>271,983</b>	<b>275,982</b>
Replace training loss - only for the Army National Guard		7,999
Unjustified economic change orders cost growth		-4,000
<b>7 AH-64 APACHE BLOCK IIIA REMAN</b>	<b>577,115</b>	<b>527,115</b>
Unjustified unit cost increase		-50,000
<b>8 AH-64 APACHE BLOCK IIIA REMAN (AP-CY)</b>	<b>107,707</b>	<b>101,707</b>
Excess advance procurement		-6,000
<b>9 AH-64 APACHE BLOCK IIIB NEW BUILD</b>	<b>153,993</b>	<b>224,993</b>
Additional aircraft		71,000
<b>10 AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY)</b>	<b>146,121</b>	<b>135,421</b>
Excess advance procurement		-10,700
<b>13 UH-60 BLACKHAWK (MYP)</b>	<b>1,107,087</b>	<b>1,306,087</b>
Program increase - only for the Army National Guard		199,000
<b>15 CH-47 HELICOPTER</b>	<b>1,076,036</b>	<b>1,186,036</b>
Additional aircraft		110,000
<b>18 MQ-1 PAYLOAD - UAS</b>	<b>231,508</b>	<b>184,608</b>
Army requested transfer to RDTE, A line 131 for EMAARS		-46,900
<b>23 CH-47 CARGO HELICOPTER MODS</b>	<b>39,135</b>	<b>87,935</b>
Cargo on/off loading system with ballistic protection		48,800
<b>26 UTILITY HELICOPTER MODS</b>	<b>73,804</b>	<b>183,804</b>
UH-60 A to L conversion - only for the Army National Guard		110,000
<b>27 KIOWA WARRIOR</b>	<b>192,484</b>	<b>119,584</b>
OH-58 recap		-37,200
Cockpit and sensor upgrade program - ahead of need		-35,700
<b>32 RQ-7 UAV MODS</b>	<b>104,339</b>	<b>29,265</b>
Ahead of need		-75,074

## MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
MISSILE PROCUREMENT, ARMY		
OTHER MISSILES		
SURFACE-TO-AIR MISSILE SYSTEM		
1 PATRIOT SYSTEM SUMMARY.....	646,590	946,590
2 MSE MISSILE.....	12,850	9,350
AIR-TO-SURFACE MISSILE SYSTEM		
4 HELLFIRE SYS SUMMARY.....	1,401	1,401
ANTI-TANK/ASSAULT MISSILE SYSTEM		
5 JAVELIN (AAWS-M) SYSTEM SUMMARY.....	81,121	81,121
6 TOW 2 SYSTEM SUMMARY.....	64,712	64,712
7 TOW 2 SYSTEM SUMMARY (AP-CY).....	19,931	19,931
8 GUIDED MLRS ROCKET (GMLRS).....	218,679	207,423
9 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR).....	18,767	16,267
10 HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	12,051	12,051
TOTAL, OTHER MISSILES.....	1,076,102	1,358,846
MODIFICATION OF MISSILES		
MODIFICATIONS		
11 PATRIOT MODS.....	199,565	149,565
13 MLRS MODS.....	2,466	2,466
14 HIMARS MODIFICATIONS.....	6,068	6,068
TOTAL, MODIFICATION OF MISSILES.....	208,099	158,099
SPARES AND REPAIR PARTS		
16 SPARES AND REPAIR PARTS.....	7,864	7,864
SUPPORT EQUIPMENT AND FACILITIES		
17 AIR DEFENSE TARGETS.....	3,864	3,864
18 ITEMS LESS THAN \$5.0M (MISSILES).....	1,560	1,560
19 PRODUCTION BASE SUPPORT.....	5,200	5,200
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	10,624	10,624
TOTAL, MISSILE PROCUREMENT, ARMY.....	1,302,689	1,535,433

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 PATRIOT SYSTEM SUMMARY</b>	<b>646,590</b>	<b>946,590</b>
Program increase		300,000
<b>2 MSE MISSILE</b>	<b>12,850</b>	<b>9,350</b>
Excess to requirement		-3,500
<b>8 GUIDED MLRS ROCKET (GMLRS)</b>	<b>218,679</b>	<b>207,423</b>
Unit cost efficiencies		-11,256
<b>9 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)</b>	<b>18,767</b>	<b>16,267</b>
Unit cost efficiencies		-2,500
<b>11 PATRIOT MODS</b>	<b>199,565</b>	<b>149,565</b>
Radar digital processor program delay		-50,000

## PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
PROCUREMENT OF W&TCV, ARMY		
1 TRACKED COMBAT VEHICLES		
1 STRYKER VEHICLE.....	286,818	286,818
3 MODIFICATION OF TRACKED COMBAT VEHICLES		
3 STRYKER (MOD).....	60,881	60,881
4 FIST VEHICLE (MOD).....	57,257	57,257
5 BRADLEY PROGRAM (MOD).....	148,193	288,193
6 HOWITZER, MED SP FT 155MM M109A6 (MOD).....	10,341	8,641
7 PALADIN PIPM MOD IN SERVICE.....	206,101	206,101
8 IMPROVED RECOVERY VEHICLE (M88A2 HERCULES).....	107,909	169,909
9 ARMORED BREACHER VEHICLE.....	50,039	50,039
10 M88 FOV MODS.....	29,930	29,930
11 M1 ABRAMS TANK (MOD).....	129,090	129,090
12 ABRAMS UPGRADE PROGRAM.....	74,433	255,433
SUPPORT EQUIPMENT AND FACILITIES		
13 PRODUCTION BASE SUPPORT (TCV-WTCV).....	1,145	1,145
TOTAL, TRACKED COMBAT VEHICLES.....	1,162,137	1,543,437
WEAPONS AND OTHER COMBAT VEHICLES		
14 INTEGRATED AIR BURST WEAPON SYS FAMILY.....	506	506
17 LIGHTWEIGHT .50 CALIBER MACHINE GUN.....	25,183	---
19 MORTAR SYSTEMS.....	8,104	8,104
21 XM320 GRENADE LAUNCHER MODULE (GLM).....	14,096	14,096
24 M4 CARBINE.....	21,272	21,272
25 SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS).....	6,598	6,598
26 COMMON REMOTELY OPERATED WEAPONS STATION.....	56,725	56,725
27 HOWITZER LT WT 155MM (T).....	13,827	13,827

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
MOD OF WEAPONS AND OTHER COMBAT VEH		
29 M777 MODS.....	26,843	26,843
30 M4 CARBINE MODS.....	27,243	27,243
31 M2 50 CAL MACHINE GUN MODS.....	39,974	39,974
32 M249 SAW MACHINE GUN MODS.....	4,996	4,996
33 M240 MEDIUM MACHINE GUN MODS.....	6,806	6,806
34 SNIPER RIFLES MODIFICATIONS.....	14,113	14,113
35 M119 MODIFICATIONS.....	20,727	20,727
36 M16 RIFLE MODS.....	3,306	3,306
37 MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV).....	3,072	3,072
SUPPORT EQUIPMENT AND FACILITIES		
38 ITEMS LESS THAN \$5.0M (WOCV-WTCV).....	2,026	2,026
39 PRODUCTION BASE SUPPORT (WOCV-WTCV).....	10,115	10,115
40 INDUSTRIAL PREPAREDNESS.....	442	442
41 SMALL ARMS EQUIPMENT (SOLDIER ENH PROG).....	2,378	2,378
-----		
TOTAL, WEAPONS AND OTHER COMBAT VEHICLES.....	308,352	283,169
SPARE AND REPAIR PARTS		
42 SPARES AND REPAIR PARTS (WTCV).....	31,217	31,217
-----		
TOTAL, PROCUREMENT OF W&TCV, ARMY.....	1,501,706	1,857,823
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>5 BRADLEY PROGRAM (MOD)</b>	<b>148,193</b>	<b>288,193</b>
Program increase		140,000
<b>6 HOWITZER, MED SP FT 155MM M109A6 (MOD)</b>	<b>10,341</b>	<b>8,641</b>
Unjustified increase in contractor support		-1,700
<b>8 IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)</b>	<b>107,909</b>	<b>169,909</b>
Program increase		62,000
<b>12 ABRAMS UPGRADE PROGRAM</b>	<b>74,433</b>	<b>255,433</b>
Program increase		181,000
<b>17 LIGHTWEIGHT .50 CALIBER MACHINE GUN</b>	<b>25,183</b>	<b>0</b>
Program cancellation by Army		-25,183

## PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
PROCUREMENT OF AMMUNITION, ARMY		
AMMUNITION		
SMALL/MEDIUM CAL AMMUNITION		
1 CTG, 5.56MM, ALL TYPES.....	158,313	158,313
2 CTG, 7.62MM, ALL TYPES.....	91,438	91,438
3 CTG, HANDGUN, ALL TYPES.....	8,954	8,954
4 CTG, .50 CAL, ALL TYPES.....	109,604	109,604
5 CTG, 20MM, ALL TYPES.....	4,041	4,041
6 CTG, 25MM, ALL TYPES.....	12,654	12,654
7 CTG, 30MM, ALL TYPES.....	72,154	52,154
8 CTG, 40MM, ALL TYPES.....	60,138	31,738
MORTAR AMMUNITION		
9 60MM MORTAR, ALL TYPES.....	44,375	44,375
10 81MM MORTAR, ALL TYPES.....	27,471	27,471
11 120MM MORTAR, ALL TYPES.....	87,811	87,811
TANK AMMUNITION		
12 CTG TANK 105MM AND 120MM: ALL TYPES.....	112,380	112,380
ARTILLERY AMMUNITION		
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES.....	50,861	50,861
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES.....	26,227	26,227
15 PROJ 155MM EXTENDED RANGE XM982.....	110,329	60,329
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES...	43,924	43,924
MINES		
17 MINES AND CLEARING CHARGE, ALL TYPES.....	3,775	3,775
NETWORKED MUNITIONS		
18 SPIDER NETWORK MUNITIONS, ALL TYPES.....	17,408	17,408
ROCKETS		
19 SHOULDER LAUNCHED MUNITIONS, ALL TYPES.....	1,005	1,005
20 ROCKET, HYDRA 70, ALL TYPES.....	123,433	123,433
OTHER AMMUNITION		
21 DEMOLITION MUNITIONS, ALL TYPES.....	35,189	35,189
22 GRENADES, ALL TYPES.....	33,477	33,477
23 SIGNALS, ALL TYPES.....	9,991	9,991
24 SIMULATORS, ALL TYPES.....	10,388	10,388

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
MISCELLANEOUS		
25 AMMO COMPONENTS, ALL TYPES.....	19,383	19,383
26 NON-LETHAL AMMUNITION, ALL TYPES.....	7,336	7,336
27 CAD/PAD ALL TYPES.....	6,641	6,641
28 ITEMS LESS THAN \$5 MILLION.....	15,092	15,092
29 AMMUNITION PECULIAR EQUIPMENT.....	15,692	15,692
30 FIRST DESTINATION TRANSPORTATION (AMMO).....	14,107	14,107
31 CLOSEOUT LIABILITIES.....	106	106
TOTAL, AMMUNITION.....	1,333,697	1,235,297
AMMUNITION PRODUCTION BASE SUPPORT		
32 PRODUCTION BASE SUPPORT		
PROVISION OF INDUSTRIAL FACILITIES.....	220,171	220,171
33 CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL.....	182,461	182,461
34 ARMS INITIATIVE.....	3,377	3,377
TOTAL, AMMUNITION PRODUCTION BASE SUPPORT.....	406,009	406,009
TOTAL, PROCUREMENT OF AMMUNITION, ARMY.....	1,739,706	1,641,306



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>7 CTG, 30MM, ALL TYPES</b>	<b>72,154</b>	<b>52,154</b>
Army requested transfer to title IX - AP,A line 13		-18,000
Excess non-recurring engineering		-2,000
<b>8 CTG, 40MM, ALL TYPES</b>	<b>60,138</b>	<b>31,738</b>
Excess to requirement		-28,400
<b>15 PROJ 155MM EXTENDED RANGE XM982</b>	<b>110,329</b>	<b>60,329</b>
Contract award delays		-50,000

## OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OTHER PROCUREMENT, ARMY		
TACTICAL AND SUPPORT VEHICLES		
TACTICAL VEHICLES		
1 SEMITRAILERS, FLATBED:.....	7,097	7,097
2 FAMILY OF MEDIUM TACTICAL VEH (FMTV).....	346,115	339,515
3 FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN.....	19,292	19,292
4 FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).....	52,933	52,933
5 PLS ESP.....	18,035	18,035
9 TRUCK, TRACTOR, LINE HAUL, M915/M916.....	3,619	3,619
10 HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV.....	26,859	26,859
12 TACTICAL WHEELED VEHICLE PROTECTION KITS.....	69,163	69,163
13 MODIFICATION OF IN SVC EQUIP.....	91,754	91,754
NON-TACTICAL VEHICLES		
18 PASSENGER CARRYING VEHICLES.....	2,548	2,548
19 NONTACTICAL VEHICLES, OTHER.....	16,791	11,791
-----		
TOTAL, TACTICAL AND SUPPORT VEHICLES.....	654,206	642,606
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMM - JOINT COMMUNICATIONS		
20 JOINT COMBAT IDENTIFICATION MARKING SYSTEM.....	10,061	8,961
21 WIN-T - GROUND FORCES TACTICAL NETWORK.....	892,635	545,820
22 SIGNAL MODERNIZATION PROGRAM.....	45,626	45,626
23 JCSE EQUIPMENT (USREDCOM).....	5,143	5,143
COMM - SATELLITE COMMUNICATIONS		
24 DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS.....	151,636	151,636
25 TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.....	6,822	1,822
26 SHF TERM.....	9,108	9,108
28 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE).....	27,353	8,453
29 SMART-T (SPACE).....	98,656	14,040
31 GLOBAL BRDCST SVC - GBS.....	47,131	47,131
32 MOD OF IN-SVC EQUIP (TAC SAT).....	23,281	23,281

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
34 COMM - C3 SYSTEM ARMY GLOBAL CMD & CONTROL SYS (AGCCS).....	10,848	10,848
35 COMM - COMBAT COMMUNICATIONS ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO).....	979	979
36 JOINT TACTICAL RADIO SYSTEM.....	556,250	366,250
37 MID-TIER NETWORKING VEHICULAR RADIO (MNVR).....	86,219	86,219
38 RADIO TERMINAL SET, MIDS LVT(2).....	7,798	7,798
39 SINGARS FAMILY.....	9,001	9,001
40 AMC CRITICAL ITEMS - OPA2.....	24,601	24,601
41 TRACTOR DESK.....	7,779	2,579
43 SPIDER APLA REMOTE CONTROL UNIT.....	34,365	32,365
44 SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS.....	1,833	---
45 TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM.....	12,984	12,984
47 GUNSHOT DETECTION SYSTEM (GDS).....	2,332	---
48 RADIO, IMPROVED HF (COTS) FAMILY.....	1,132	1,132
49 MEDICAL COMM FOR CBT CASUALTY CARE (MC4).....	22,899	22,899
51 COMM - INTELLIGENCE COMM CI AUTOMATION ARCHITECTURE (MIP).....	1,564	1,564
52 RESERVE CA/MISO GPF EQUIPMENT.....	28,781	28,781
53 INFORMATION SECURITY TSEC - ARMY KEY MGT SYS (AKMS).....	23,432	23,432
54 INFORMATION SYSTEM SECURITY PROGRAM-ISSP.....	43,897	43,897
56 COMM - LONG HAUL COMMUNICATIONS TERRESTRIAL TRANSMISSION.....	2,891	2,891
57 BASE SUPPORT COMMUNICATIONS.....	13,872	13,872
58 WW TECH CON IMP PROG (WWTCIP).....	9,595	9,595
59 COMM - BASE COMMUNICATIONS INFORMATION SYSTEMS.....	142,133	131,133
61 INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.....	57,727	57,727
62 PENTAGON INFORMATION MGT AND TELECOM.....	5,000	5,000

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ELECT EQUIP		
ELECT EQUIP - TACT INT REL ACT (TIARA)		
65 JTT/CIBS-M (MIP).....	1,641	1,641
66 PROPHET GROUND (MIP).....	48,797	48,797
69 DCGS-A (MIP).....	184,007	184,007
70 JOINT TACTICAL GROUND STATION (JTAGS).....	2,680	2,680
71 TROJAN (MIP).....	21,483	21,483
72 MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).....	2,412	2,412
73 CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP).....	7,077	7,077
ELECT EQUIP - ELECTRONIC WARFARE (EW)		
75 LIGHTWEIGHT COUNTER MORTAR RADAR.....	72,594	72,594
76 CREW.....	15,446	15,446
78 COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.....	1,470	1,470
79 CI MODERNIZATION (MIP).....	1,368	1,368
ELECT EQUIP - TACTICAL SURV. (TAC SURV)		
80 FAAD GBS.....	7,980	7,980
81 SENTINEL MODS.....	33,444	33,444
82 SENSE THROUGH THE WALL (STTW).....	6,212	---
83 NIGHT VISION DEVICES.....	166,516	166,516
85 NIGHT VISION, THERMAL WPN SIGHT.....	82,162	82,162
86 SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF.....	20,717	20,717
89 GREEN LASER INTERDICTION SYSTEM.....	1,014	1,014
90 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS.....	29,881	27,381
91 PROFILER.....	12,482	12,482
92 MOD OF IN-SVC EQUIP (FIREFINDER RADARS).....	3,075	3,075
94 JOINT BATTLE COMMAND - PLATFORM (JBC-P).....	141,385	141,385
96 MOD OF IN-SERVICE EQUIPMENT (LLDR).....	22,403	88,403
98 MORTAR FIRE CONTROL SYSTEM.....	29,505	21,705
99 COUNTERFIRE RADARS.....	244,409	244,409
100 ENHANCED SENSOR & MONITORING SYSTEM.....	2,426	2,426

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
ELECT EQUIP - TACTICAL C2 SYSTEMS		
101 TACTICAL OPERATIONS CENTERS.....	30,196	30,196
102 FIRE SUPPORT C2 FAMILY.....	58,903	58,903
103 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.....	8,111	8,111
104 FAAD C2.....	5,031	5,031
105 AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD).....	64,144	64,144
106 KNIGHT FAMILY.....	11,999	11,999
107 LIFE CYCLE SOFTWARE SUPPORT (LCSS).....	1,853	1,853
108 AUTOMATIC IDENTIFICATION TECHNOLOGY.....	14,377	14,377
111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE.....	59,821	44,921
112 MANEUVER CONTROL SYSTEM (MCS).....	51,228	51,228
113 SINGLE ARMY LOGISTICS ENTERPRISE (SALE).....	176,901	176,901
114 RECONNAISSANCE AND SURVEYING INSTRUMENT SET.....	15,209	15,209
ELECT EQUIP - AUTOMATION		
115 ARMY TRAINING MODERNIZATION.....	8,866	8,866
116 AUTOMATED DATA PROCESSING EQUIPMENT.....	129,438	129,438
117 GENERAL FUND ENTERPRISE BUSINESS SYSTEM.....	9,184	9,184
118 CSS COMMUNICATIONS.....	20,639	20,639
119 RESERVE COMPONENT AUTOMATION SYS (RCAS).....	35,493	35,493
ELECT EQUIP - AUDIO VISUAL SYS (A/V)		
120 ITEMS LESS THAN \$5.0M (A/V).....	8,467	8,467
121 ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT).....	5,309	5,309
ELECT EQUIP - SUPPORT		
122 PRODUCTION BASE SUPPORT (C-E).....	586	586
-----		
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	4,303,705	3,669,497
OTHER SUPPORT EQUIPMENT		
CHEMICAL DEFENSIVE EQUIPMENT		
126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE).....	3,960	1,000
127 BASE DEFENSE SYSTEMS (BDS).....	4,374	4,374
128 CBRN SOLDIER PROTECTION.....	9,259	9,259
BRIDGING EQUIPMENT		
130 TACTICAL BRIDGING.....	35,499	2,961
131 TACTICAL BRIDGE, FLOAT-RIBBON.....	32,893	20,843

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134 ROBOTIC COMBAT SUPPORT SYSTEM.....	29,106	29,106
135 EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).....	25,459	25,459
136 REMOTE DEMOLITION SYSTEMS.....	8,044	8,044
137 ITEMS LESS THAN \$5M, COUNTERMINE EQUIPMENT.....	3,698	3,698
COMBAT SERVICE SUPPORT EQUIPMENT		
138 HEATERS AND ECU'S.....	12,210	12,210
139 SOLDIER ENHANCEMENT.....	6,522	6,522
140 PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS).....	11,222	11,222
141 GROUND SOLDIER SYSTEM.....	103,317	93,317
143 FIELD FEEDING EQUIPMENT.....	27,417	27,417
145 CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.....	52,065	52,065
146 MORTUARY AFFAIRS SYSTEMS.....	2,358	2,358
147 FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS.....	31,573	31,573
148 ITEMS LESS THAN \$5M (ENG SPT).....	14,093	14,093
PETROLEUM EQUIPMENT		
149 DISTRIBUTION SYSTEMS, PETROLEUM & WATER.....	36,266	36,266
MEDICAL EQUIPMENT		
150 COMBAT SUPPORT MEDICAL.....	34,101	34,101
151 MEDEVAC MISSION EQUIPMENT PACKAGE (MEP).....	20,540	20,540
MAINTENANCE EQUIPMENT		
152 MOBILE MAINTENANCE EQUIPMENT SYSTEMS.....	2,495	2,495
CONSTRUCTION EQUIPMENT		
154 GRADER, ROAD MTZD, HVY, 6X4 (CCE).....	2,028	2,028
156 SCRAPERS, EARTHMOVING.....	6,146	6,146
157 MISSION MODULES - ENGINEERING.....	31,200	31,200
161 TRACTOR, FULL TRACKED.....	20,867	20,867
162 ALL TERRAIN CRANES.....	4,003	3,503
163 PLANT, ASPHALT MIXING.....	3,679	3,679
164 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS.....	30,042	30,042
165 ENHANCED RAPID AIRFIELD CONSTRUCTION.....	13,725	---
166 CONST EQUIP ESP.....	13,351	11,351
167 ITEMS LESS THAN \$5.0M (CONST EQUIP).....	9,134	9,134
RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170 ITEMS LESS THAN \$5.0M (FLOAT/RAIL).....	10,552	10,552

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
GENERATORS		
171 GENERATORS AND ASSOCIATED EQUIPMENT.....	60,302	60,302
MATERIAL HANDLING EQUIPMENT		
173 FAMILY OF FORKLIFTS.....	5,895	5,895
TRAINING EQUIPMENT		
175 COMBAT TRAINING CENTERS SUPPORT.....	104,649	104,649
176 TRAINING DEVICES, NONSYSTEM.....	125,251	122,251
177 CLOSE COMBAT TACTICAL TRAINER.....	19,984	19,984
178 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA.....	10,977	10,977
179 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.....	4,056	4,056
TEST MEASURE AND DIG EQUIPMENT (TMD)		
180 CALIBRATION SETS EQUIPMENT.....	10,494	10,494
181 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE).....	45,508	45,508
182 TEST EQUIPMENT MODERNIZATION (TEMOD).....	24,334	37,334
OTHER SUPPORT EQUIPMENT		
183 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.....	5,078	5,078
184 PHYSICAL SECURITY SYSTEMS (OPA3).....	46,301	46,301
185 BASE LEVEL COM'L EQUIPMENT.....	1,373	1,373
186 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3).....	59,141	59,141
187 PRODUCTION BASE SUPPORT (OTH).....	2,446	2,446
188 SPECIAL EQUIPMENT FOR USER TESTING.....	12,920	12,920
189 AMC CRITICAL ITEMS OPA3.....	19,180	19,180
190 TRACTOR YARD.....	7,368	7,368
191 BCT UNMANNED GROUND VEHICLE.....	83,937	31,937
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TOTAL, OTHER SUPPORT EQUIPMENT.....	1,300,392	1,184,619
SPARE AND REPAIR PARTS		
193 INITIAL SPARES - C&E.....	64,507	64,507
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TOTAL, SPARE AND REPAIR PARTS.....	64,507	64,507
CLASSIFIED PROGRAMS.....	3,435	3,435
EMERGENCY MANAGEMENT MODERNIZATION PROGRAM.....	---	52,000
NON-DEVELOPMENTAL EMERGING TECHNOLOGIES.....	---	25,000
ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM.....	---	100,000
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TOTAL, OTHER PROCUREMENT, ARMY.....	6,326,245	5,741,664
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>2 FAMILY OF MEDIUM TACTICAL VEH (FMTV)</b>	<b>346,115</b>	<b>339,515</b>
Support cost growth		-6,600
<b>19 NONTACTICAL VEHICLES, OTHER</b>	<b>16,791</b>	<b>11,791</b>
Unobligated balances		-5,000
<b>20 JOINT COMBAT IDENTIFICATION MARKING SYSTEM</b>	<b>10,061</b>	<b>8,961</b>
Unobligated balances		-1,100
<b>21 WIN-T - GROUND FORCES TACTICAL NETWORK</b>	<b>892,635</b>	<b>545,820</b>
Increment 2 contract award delay		-346,815
<b>25 TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS</b>	<b>6,822</b>	<b>1,822</b>
Ahead of need		-5,000
<b>28 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)</b>	<b>27,353</b>	<b>8,453</b>
Contract award delay		-18,900
<b>29 SMART-T (SPACE)</b>	<b>98,656</b>	<b>14,040</b>
Army reduced requirement		-84,616
<b>36 JOINT TACTICAL RADIO SYSTEM</b>	<b>556,250</b>	<b>366,250</b>
Manpack contract award delay		-190,000
<b>41 TRACTOR DESK</b>	<b>7,779</b>	<b>2,579</b>
Excess to need		-5,200
<b>43 SPIDER APLA REMOTE CONTROL UNIT</b>	<b>34,365</b>	<b>32,365</b>
Program adjustment		-2,000
<b>44 SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS</b>	<b>1,833</b>	<b>0</b>
Unobligated balances		-1,833
<b>47 GUNSHOT DETECTION SYSTEM (GDS)</b>	<b>2,332</b>	<b>0</b>
Contract award delay		-2,332
<b>59 INFORMATION SYSTEMS</b>	<b>142,133</b>	<b>131,133</b>
Unobligated balances		-11,000
<b>82 SENSE THROUGH THE WALL (STTW)</b>	<b>6,212</b>	<b>0</b>
Contract award delay		-6,212
<b>90 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS</b>	<b>29,881</b>	<b>27,381</b>
Training excess to need		-2,500
<b>96 MOD OF IN-SERVICE EQUIPMENT (LLDR)</b>	<b>22,403</b>	<b>88,403</b>
Light weight laser designator/range finder - Army identified shortfall		66,000
<b>98 MORTAR FIRE CONTROL SYSTEM</b>	<b>29,505</b>	<b>21,705</b>
Program cost growth		-7,800



<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE</b>	<b>59,821</b>	<b>44,921</b>
Unjustified unit cost growth		-11,900
Program support cost growth		-3,000
<b>116 AUTOMATED DATA PROCESSING EQUIPMENT</b>	<b>129,438</b>	<b>129,438</b>
Army requested internal realignment - high performance computing modernization program		[57,700]
<b>126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE)</b>	<b>3,960</b>	<b>1,000</b>
Stun device requirement met with fiscal year 2012 funding		-2,960
<b>130 TACTICAL BRIDGING</b>	<b>35,499</b>	<b>2,961</b>
Dry support bridge contract award delay		-32,000
Line of communication bridge termination		-538
<b>131 TACTICAL BRIDGE, FLOAT-RIBBON</b>	<b>32,893</b>	<b>20,843</b>
Propulsion contract award delay		-12,050
<b>141 GROUND SOLDIER SYSTEM</b>	<b>103,317</b>	<b>93,317</b>
Reduce funding by two brigade combat teams		-10,000
<b>162 ALL TERRAIN CRANES</b>	<b>4,003</b>	<b>3,503</b>
Excess support costs		-500
<b>165 ENHANCED RAPID AIRFIELD CONSTRUCTION</b>	<b>13,725</b>	<b>0</b>
Excess to need		-13,725
<b>166 CONSTRUCTION EQUIPMENT EXTENDED SERVICE PROG</b>	<b>13,351</b>	<b>11,351</b>
Excess support costs		-2,000
<b>176 TRAINING DEVICES, NONSYSTEM</b>	<b>125,251</b>	<b>122,251</b>
Unobligated balances		-3,000
<b>182 TEST EQUIPMENT MODERNIZATION (TEMOD)</b>	<b>24,334</b>	<b>37,334</b>
Test and training ranges upgrades		13,000
<b>191 BCT UNMANNED GROUND VEHICLE</b>	<b>83,937</b>	<b>31,937</b>
Ahead of need		-52,000
<b>xxx EMERGENCY MANAGEMENT MODERNIZATION PROGRAM</b>	<b>0</b>	<b>52,000</b>
Army requested transfer from OM,A line 131		52,000
<b>xxx NON-DEVELOPMENTAL EMERGING TECHNOLOGIES</b>	<b>0</b>	<b>25,000</b>
Army requested transfer from RDTE,A line 169		25,000
<b>xxx ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM</b>	<b>0</b>	<b>100,000</b>
Program increase		100,000

## CONTAINER HANDLING EQUIPMENT

The conferees do not agree to withhold funding made available to the Army in this Act or any other appropriations act for fiscal year 2013 or any previous fiscal year for the

procurement of container handling equipment. However, the conference agreement retains a reporting requirement as established in House Report 112-493, which directs the Comptroller General to provide a report to the congressional defense committees.

## AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>AIRCRAFT PROCUREMENT, NAVY</b>		
<b>COMBAT AIRCRAFT</b>		
1 EA-18G.....	1,027,443	940,965
2 EA-18G (AP-CY).....	---	45,000
3 F/A-18E/F (FIGHTER) HORNET (MYP).....	2,035,131	2,581,565
4 F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY).....	30,296	30,296
5 JOINT STRIKE FIGHTER .....	1,007,632	965,979
6 JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY).....	65,180	32,590
7 JSF STOVL.....	1,404,737	1,241,636
8 JSF STOVL (AP-CY).....	106,199	106,199
9 V-22 (MEDIUM LIFT).....	1,303,120	1,362,120
10 V-22 (MEDIUM LIFT) (AP-CY).....	154,202	154,202
11 UH-1Y/AH-1Z.....	720,933	785,545
12 UH-1Y/AH-1Z (AP-CY).....	69,658	69,658
13 MH-60S (MYP).....	384,792	377,168
14 MH-60S (MYP) (AP-CY).....	69,277	69,277
15 MH-60R.....	656,866	656,866
16 MH-60R (AP-CY).....	185,896	159,541
17 P-8A POSEIDON.....	2,420,755	2,385,209
18 P-8A POSEIDON (ADVANCE PROCUREMENT).....	325,679	325,679
19 E-2D ADV HAWKEYE.....	861,498	833,498
20 E-2D ADV HAWKEYE (AP-CY).....	123,179	123,179
21 C-40A.....	---	79,000
<b>TOTAL, COMBAT AIRCRAFT.....</b>	<b>12,952,473</b>	<b>13,325,172</b>
<b>TRAINER AIRCRAFT</b>		
22 JPATS.....	278,884	243,379
<b>TOTAL, TRAINER AIRCRAFT.....</b>	<b>278,884</b>	<b>243,379</b>

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
OTHER AIRCRAFT		
23 KC-130J.....	3,000	133,000
24 KC-130J (AP-CY).....	22,995	22,995
25 RQ-4 UAV (AP-CY).....	51,124	51,124
26 MQ-8 UAV.....	124,573	124,573
27 STUASLO UAV.....	9,593	---
<hr/>		
TOTAL, OTHER AIRCRAFT.....	211,285	331,692
 MODIFICATION OF AIRCRAFT		
28 EA-6 SERIES.....	30,062	30,062
29 AEA SYSTEMS.....	49,999	44,819
30 AV-8 SERIES.....	38,703	38,703
31 ADVERSARY.....	4,289	4,289
32 F-18 SERIES.....	647,306	600,194
33 H-46 SERIES.....	2,343	2,343
34 AH-1W SERIES.....	8,721	8,721
35 H-53 SERIES.....	45,567	38,067
36 SH-60 SERIES.....	83,527	97,392
37 H-1 SERIES.....	6,508	6,508
38 EP-3 SERIES.....	66,374	63,474
39 P-3 SERIES.....	148,405	137,145
40 E-2 SERIES.....	16,322	16,322
41 TRAINER A/C SERIES.....	34,284	28,134
42 C-2A.....	4,743	4,743
43 C-130 SERIES.....	60,302	45,961
44 FEWSG.....	670	670
45 CARGO/TRANSPORT A/C SERIES.....	26,311	15,629
46 E-6 SERIES.....	158,332	152,732
47 EXECUTIVE HELICOPTERS SERIES.....	58,163	43,163

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
48 SPECIAL PROJECT AIRCRAFT.....	12,421	11,421
49 T-45 SERIES.....	64,488	48,908
50 POWER PLANT CHANGES.....	21,569	13,569
51 JPATS SERIES.....	1,552	1,552
52 AVIATION LIFE SUPPORT MODS.....	2,473	2,473
53 COMMON ECM EQUIPMENT.....	114,690	112,944
54 COMMON AVIONICS CHANGES.....	96,183	92,583
56 ID SYSTEMS.....	39,846	36,112
57 P-8 SERIES.....	5,302	5,302
58 MAGTF EW FOR AVIATION.....	34,127	34,127
59 RQ-7 SERIES.....	49,324	49,324
60 V-22 (TILT/ROTOR ACFT) OSPREY.....	95,856	91,856
TOTAL, MODIFICATION OF AIRCRAFT.....	2,028,762	1,879,242
61 AIRCRAFT SPARES AND REPAIR PARTS SPARES AND REPAIR PARTS.....	1,166,430	1,119,200
62 AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES COMMON GROUND EQUIPMENT.....	387,195	381,195
63 AIRCRAFT INDUSTRIAL FACILITIES.....	23,469	21,474
64 WAR CONSUMABLES.....	43,383	43,383
65 OTHER PRODUCTION CHARGES.....	3,399	3,399
66 SPECIAL SUPPORT EQUIPMENT.....	32,274	32,274
67 FIRST DESTINATION TRANSPORTATION.....	1,742	1,742
TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES.....	491,462	483,467
TOTAL, AIRCRAFT PROCUREMENT, NAVY.....	17,129,296	17,382,152

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 EA-18G</b>	<b>1,027,443</b>	<b>940,965</b>
CFE electronics cost growth		-25,896
Engine cost growth		-13,020
Other GFE contract savings		-1,308
Excess ancillary equipment funding		-4,941
Support funding carryover		-8,000
Avionics PGSE cost growth		-20,000
AEA kit shutdown phasing		-13,313
<b>2 EA-18G (AP-CY)</b>	<b>0</b>	<b>45,000</b>
Program increase - 15 additional aircraft (advance procurement)		45,000
<b>3 F/A-18E/F (FIGHTER) HORNET (MYP)</b>	<b>2,035,131</b>	<b>2,581,565</b>
GFE electronics cost growth		-8,710
Engine cost growth		-28,000
Armament cost growth		-2,458
Excess ECO funding		-11,398
Support funding carryover		-8,000
Program increase - 11 additional aircraft		605,000
<b>5 JOINT STRIKE FIGHTER</b>	<b>1,007,632</b>	<b>965,979</b>
Excess ECO funding		-4,249
Excess NRE		-7,404
Engine PGSE growth		-10,000
Support funding carryover		-20,000
<b>6 JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)</b>	<b>65,180</b>	<b>32,590</b>
Excess advance procurement due to reduced fiscal year 2013 procurement		-32,590
<b>7 JSF STOVL</b>	<b>1,404,737</b>	<b>1,241,636</b>
Engine cost growth		-44,350
ECO growth		-3,950
Excess NRE due to reduced procurement ramp		-77,801
Support funding carryover		-30,000
Engine PGSE growth		-7,000
<b>9 V-22 (MEDIUM LIFT)</b>	<b>1,303,120</b>	<b>1,362,120</b>
Replace operational loss		71,000
Flyaway unit cost savings		-12,000
<b>11 UH-1Y/AH-1Z</b>	<b>720,933</b>	<b>785,545</b>
UH-1Y GFE electronics cost growth		-8,700
AH-1Z GFE electronics cost growth		-6,588
Replace aircraft losses		79,900
<b>13 MH-60S (MYP)</b>	<b>384,792</b>	<b>377,168</b>
Airframe contract savings		-7,624

P-1	Budget Request	Conference
<b>16 MH-60R (AP-CY)</b>	<b>185,896</b>	<b>159,541</b>
Excess advance procurement due to reduced fiscal year 2013 procurement		-26,355
<b>17 P-8A POSEIDON</b>	<b>2,420,755</b>	<b>2,385,209</b>
Excess to need		-35,546
<b>19 E-2D ADV HAWKEYE</b>	<b>861,498</b>	<b>833,498</b>
Airframe cost growth		-28,000
<b>21 C-40A</b>	<b>0</b>	<b>79,000</b>
One C-40 aircraft to mitigate Navy Reserve shortfall		79,000
<b>22 JPATS</b>	<b>278,884</b>	<b>243,379</b>
Airframe cost growth		-21,285
NRE growth		-4,220
Support funding carryover		-4,000
Excess ECO funding		-6,000
<b>23 KC-130J</b>	<b>3,000</b>	<b>133,000</b>
Program increase - two additional aircraft		130,000
<b>27 STUASLO UAV</b>	<b>9,593</b>	<b>0</b>
Program decrease		-9,593
<b>29 AEA SYSTEMS</b>	<b>49,999</b>	<b>44,819</b>
Low band transmitter cost growth		-1,980
Installation equipment NRE growth		-3,000
AEA expendable ahead of need		-200
<b>32 F-18 SERIES</b>	<b>647,306</b>	<b>600,194</b>
ECP 1125 cost growth		-1,504
ILS growth (OSIP 11-84)		-5,000
Excess other support funding (OSIP 10-99)		-1,100
Installation kit non-recurring funding growth (OSIP 11-99)		-10,000
Aft fuselage installation cost growth (OSIP 11-99)		-2,250
Joint helmet mounted cueing system (JHMCS) contract savings (OSIP 24-00)		-5,400
JHMCS (C/D) B-kit cost growth (OSIP 24-00)		-4,000
APG-65/73/79 obsolescence growth (OSIP 002-07)		-4,858
Other support funding growth (OSIP 001-10)		-3,000
Core avionics improvements installation equipment non-recurring engineering unjustified growth		-10,000
<b>35 H-53 SERIES</b>	<b>45,567</b>	<b>38,067</b>
Other support cost growth		-7,500

P-1	Budget Request	Conference
<b>36 SH-60 SERIES</b>	<b>83,527</b>	<b>97,392</b>
ECP 4034 and 4039 kit procurement ahead of need (OSIP 009-07)		-1,535
Automatic radar periscope detection discrimination (OSIP 005-12)		
contract savings		-3,600
Program increase - special warfare support helicopter capability upgrade		20,000
Other support cost growth		-1,000
<b>38 EP-3 SERIES</b>	<b>66,374</b>	<b>63,474</b>
Quick reaction capability unjustified request		-1,000
Other support cost growth		-1,900
<b>39 P-3 SERIES</b>	<b>148,405</b>	<b>137,145</b>
TCAS modification kit procurement ahead of need		-9,500
Special structural inspection kits installation cost growth		-1,760
<b>41 TRAINER A/C SERIES</b>	<b>34,284</b>	<b>28,134</b>
T-44 Avionics obsolescence cost growth (OSIP 005-04)		-6,150
<b>43 C-130 SERIES</b>	<b>60,302</b>	<b>45,961</b>
Other support funding growth (OSIP 008-12)		-4,156
NRE B-kit procurement ahead of need (OSIP 008-12)		-5,400
LAIRCM installation funding ahead of need (OSIP 020-12)		-4,679
C-130J communications navigation surveillance/air traffic management integrated logistics support excess to need		-106
<b>45 CARGO/TRANSPORT A/C SERIES</b>	<b>26,311</b>	<b>15,629</b>
CNS/ATM installation cost growth (OSIP 012-04)		-682
Aircraft survivability equipment excess to need (OSIP 023-12)		-10,000
<b>46 E-6 SERIES</b>	<b>158,332</b>	<b>152,732</b>
Other support growth (OSIP 003-04)		-2,600
SLEP kit installation cost growth (OSIP 003-07)		-3,000
<b>47 EXECUTIVE HELICOPTERS SERIES</b>	<b>58,163</b>	<b>43,163</b>
VH-3D cockpit upgrade non-recurring engineering contract delay		-15,000
<b>48 SPECIAL PROJECT AIRCRAFT</b>	<b>12,421</b>	<b>11,421</b>
Excess other support funding		-1,000
<b>49 T-45 SERIES</b>	<b>64,488</b>	<b>48,908</b>
Excess non-recurring and other support funding (OSIP 008-95)		-6,200
Installation funding carryover (OSIP 008-12)		-1,900
Avionics obsolescence modification kit cost growth (OSIP 017-04)		-2,360
Synthetic radar modification kit cost growth (OSIP 002-06)		-5,120



<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>50 POWER PLANT CHANGES</b>	<b>21,569</b>	<b>13,569</b>
Unobligated balances		-8,000
<b>53 COMMON ECM EQUIPMENT</b>	<b>114,690</b>	<b>112,944</b>
LAIRCM cost growth (OSIP 005-08)		-1,746
<b>54 COMMON AVIONICS CHANGES</b>	<b>96,183</b>	<b>92,583</b>
Blue force situational awareness installation kits procurement ahead of need (OSIP 10-11)		-1,400
Prior year funds available		-2,200
<b>56 ID SYSTEMS</b>	<b>39,846</b>	<b>36,112</b>
Mode 5 IFF cost growth (OSIP 15-03)		-3,734
<b>60 V-22 (TILT/ROTOR ACFT) OSPREY</b>	<b>95,856</b>	<b>91,856</b>
Other support growth (OSIP 022-01)		-4,000
<b>61 SPARES AND REPAIR PARTS</b>	<b>1,166,430</b>	<b>1,119,200</b>
Excess MV-22 initial spares		-11,230
Excess E-2D initial spares		-19,000
MQ-8 spares growth		-2,000
F-35C spares execution		-15,000
<b>62 COMMON GROUND EQUIPMENT</b>	<b>387,195</b>	<b>381,195</b>
Aircrew virtual environment trainer cost growth		-1,000
Support funding carryover		-5,000
<b>63 AIRCRAFT INDUSTRIAL FACILITIES</b>	<b>23,469</b>	<b>21,474</b>
Physical dimension/optical calibration cost growth		-1,995

## WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>WEAPONS PROCUREMENT, NAVY</b>		
<b>BALLISTIC MISSILES</b>		
<b>MODIFICATION OF MISSILES</b>		
1 TRIDENT II MODS.....	1,224,683	1,199,883
<b>SUPPORT EQUIPMENT AND FACILITIES</b>		
2 MISSILE INDUSTRIAL FACILITIES.....	5,553	5,553
<b>TOTAL, BALLISTIC MISSILES.....</b>	<b>1,230,236</b>	<b>1,205,436</b>
<b>OTHER MISSILES</b>		
<b>STRATEGIC MISSILES</b>		
3 TOMAHAWK.....	308,970	293,970
<b>TACTICAL MISSILES</b>		
4 AMRAAM.....	102,683	92,359
5 SIDEWINDER.....	80,226	74,267
6 JSOW.....	127,609	127,609
7 STANDARD MISSILE.....	399,482	381,762
8 RAM.....	66,769	65,769
9 HELLFIRE.....	74,501	74,501
11 AERIAL TARGETS.....	61,518	59,862
12 OTHER MISSILE SUPPORT.....	3,585	3,585
<b>MODIFICATION OF MISSILES</b>		
13 ESSM.....	58,194	53,694
14 HARM MODS.....	86,721	86,721
<b>SUPPORT EQUIPMENT AND FACILITIES</b>		
16 WEAPONS INDUSTRIAL FACILITIES.....	2,014	2,014
17 FLEET SATELLITE COMM FOLLOW-ON.....	21,454	21,454
<b>ORDNANCE SUPPORT EQUIPMENT</b>		
18 ORDNANCE SUPPORT EQUIPMENT.....	54,945	54,945
<b>TOTAL, OTHER MISSILES.....</b>	<b>1,448,671</b>	<b>1,392,512</b>

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
TORPEDOES AND RELATED EQUIPMENT		
TORPEDOES AND RELATED EQUIP		
19 SSTD.....	2,700	2,700
20 ASW TARGETS.....	10,385	10,385
MOD OF TORPEDOES AND RELATED EQUIP		
21 MK-46 TORPEDO MODS.....	74,487	73,487
22 MK-48 TORPEDO ADCAP MODS.....	54,281	48,833
23 QUICKSTRIKE MINE.....	6,852	6,852
SUPPORT EQUIPMENT		
24 TORPEDO SUPPORT EQUIPMENT.....	46,402	46,402
25 ASW RANGE SUPPORT.....	11,927	10,927
DESTINATION TRANSPORTATION		
26 FIRST DESTINATION TRANSPORTATION.....	3,614	3,614
-----		
TOTAL, TORPEDOES AND RELATED EQUIPMENT.....	210,648	203,200
OTHER WEAPONS		
GUNS AND GUN MOUNTS		
27 SMALL ARMS AND WEAPONS.....	12,594	12,594
MODIFICATION OF GUNS AND GUN MOUNTS		
28 CIWS MODS.....	59,303	67,003
29 COAST GUARD WEAPONS.....	19,072	19,072
30 GUN MOUNT MODS.....	54,706	54,706
32 CRUISER MODERNIZATION WEAPONS.....	1,591	1,591
33 AIRBORNE MINE NEUTRALIZATION SYSTEMS.....	20,607	20,607
-----		
TOTAL, OTHER WEAPONS.....	167,873	175,573
34 SPARES AND REPAIR PARTS.....	60,150	60,150
-----		
TOTAL, WEAPONS PROCUREMENT, NAVY.....	<u>3,117,578</u>	<u>3,036,871</u>

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 TRIDENT II MODS</b>	<b>1,224,683</b>	<b>1,199,883</b>
Rocket motor requalification growth		-2,100
Tooling and test/support equipment growth		-10,000
Reduce unjustified program support costs		-12,700
<b>3 TOMAHAWK</b>	<b>308,970</b>	<b>293,970</b>
Contract savings		-15,000
<b>4 AMRAAM</b>	<b>102,683</b>	<b>92,359</b>
Captive air training missile cost growth		-10,324
<b>5 SIDEWINDER</b>	<b>80,226</b>	<b>74,267</b>
All up round missile cost growth		-3,847
Captive air training missile cost growth		-2,112
<b>7 STANDARD MISSILE</b>	<b>399,482</b>	<b>381,762</b>
Maintain fiscal year 2012 SM-6 production level		-17,720
<b>8 RAM</b>	<b>66,769</b>	<b>65,769</b>
Support funding carryover		-1,000
<b>11 AERIAL TARGETS</b>	<b>61,518</b>	<b>59,862</b>
Rocket motor unit cost growth		-1,656
<b>13 ESSM</b>	<b>58,194</b>	<b>53,694</b>
Support funding carryover		-4,500
<b>21 MK-46 TORPEDO MODS</b>	<b>74,487</b>	<b>73,487</b>
Support funding carryover		-1,000
<b>22 MK-48 TORPEDO ADCAP MODS</b>	<b>54,281</b>	<b>48,833</b>
CBASS kit contract savings		-5,448
<b>25 ASW RANGE SUPPORT</b>	<b>11,927</b>	<b>10,927</b>
Stationary target component growth		-1,000
<b>28 CIWS MODS</b>	<b>59,303</b>	<b>67,003</b>
Program increase - additional RMA kits		7,700

## PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
PROC AMMO, NAVY		
NAVY AMMUNITION		
1 GENERAL PURPOSE BOMBS.....	27,024	26,024
2 AIRBORNE ROCKETS, ALL TYPES.....	56,575	54,775
3 MACHINE GUN AMMUNITION.....	21,266	20,266
4 PRACTICE BOMBS.....	34,319	32,619
5 CARTRIDGES & CART ACTUATED DEVICES.....	53,755	53,755
6 AIR EXPENDABLE COUNTERMEASURES.....	61,693	58,233
7 JATOS.....	2,776	2,776
8 LRLAP 6" LONG RANGE ATTACK PROJECTILE.....	7,102	7,102
9 5 INCH/54 GUN AMMUNITION.....	48,320	48,320
10 INTERMEDIATE CALIBER GUN AMMUNITION.....	25,544	18,544
11 OTHER SHIP GUN AMMUNITION.....	41,624	36,184
12 SMALL ARMS & LANDING PARTY AMMO.....	65,893	63,515
13 PYROTECHNIC AND DEMOLITION.....	11,176	11,176
14 AMMUNITION LESS THAN \$5 MILLION.....	4,116	4,116
-----		
TOTAL, PROC AMMO, NAVY.....	461,183	437,405

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
PROC AMMO, MARINE CORPS MARINE CORPS AMMUNITION		
15 SMALL ARMS AMMUNITION.....	83,733	69,455
16 LINEAR CHARGES, ALL TYPES.....	24,645	18,253
17 40 MM, ALL TYPES.....	16,201	16,201
19 81MM, ALL TYPES.....	13,711	3,711
20 120MM, ALL TYPES.....	12,557	12,557
22 GRENADES, ALL TYPES.....	7,634	6,185
23 ROCKETS, ALL TYPES.....	27,528	27,528
24 ARTILLERY, ALL TYPES.....	93,065	55,409
25 DEMOLITION MUNITIONS, ALL TYPES.....	2,047	---
26 FUZE, ALL TYPES.....	5,297	1,255
27 NON LETHALS.....	1,362	1,362
28 AMMO MODERNIZATION.....	4,566	4,566
29 ITEMS LESS THAN \$5 MILLION.....	6,010	6,010
-----		
TOTAL, PROC AMMO, MARINE CORPS.....	298,356	222,492
-----		
TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS.....	759,539	659,897
=====		

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 GENERAL PURPOSE BOMBS</b>	<b>27,024</b>	<b>26,024</b>
-Support funding carryover		-1,000
<b>2 AIRBORNE ROCKETS, ALL TYPES</b>	<b>56,575</b>	<b>54,775</b>
MK-66 rocket motor cost growth		-1,800
<b>3 MACHINE GUN AMMUNITION</b>	<b>21,266</b>	<b>20,266</b>
20MM linkless TP PGU-27 cost growth		-1,000
<b>4 PRACTICE BOMBS</b>	<b>34,319</b>	<b>32,619</b>
MK-76 and MK-82 inert bombs cost growth		-1,700
<b>6 AIR EXPENDABLE COUNTERMEASURES</b>	<b>61,693</b>	<b>58,233</b>
ALE-55 cost growth		-1,700
MJU-57 cost growth		-1,760
<b>10 INTERMEDIATE CALIBER GUN AMMUNITION</b>	<b>25,544</b>	<b>18,544</b>
MK295 cartridge prior year funds available		-1,100
MK295 cartridge decreased unit cost		-5,900
<b>11 OTHER SHIP GUN AMMUNITION</b>	<b>41,624</b>	<b>36,184</b>
20MM MK-244 cartridge cost growth		-2,700
30MM x 173 linked cartridge contract delay		-2,740
<b>12 SMALL ARMS &amp; LANDING PARTY AMMO</b>	<b>65,893</b>	<b>63,515</b>
5.56MM M855 cartridge cost growth		-1,082
7.62MM LKD, ball, and tracer cartridge cost growth		-650
M18A1 mine cost growth		-646
<b>15 SMALL ARMS AMMUNITION</b>	<b>83,733</b>	<b>69,455</b>
5.56MM LAP kit cost growth		-5,300
7.62MM 4 & 1 linked cartridge cost growth		-1,074
.50 caliber 4 & 1 linked cartridge cost growth		-1,600
Prior year funds available		-6,304
<b>16 LINEAR CHARGES, ALL TYPES</b>	<b>24,645</b>	<b>18,253</b>
M58 series charge LAP kit cost growth		-1,295
M58 series charge C-4 composite cost growth		-3,670
Obstacle breaching system complete rounds cost growth		-1,427
<b>19 81MM, ALL TYPES</b>	<b>13,711</b>	<b>3,711</b>
Excess to requirement		-10,000
<b>22 GRENADES, ALL TYPES</b>	<b>7,634</b>	<b>6,185</b>
Signaling colored smoke grenade cost growth		-1,449
<b>24 ARTILLERY, ALL TYPES</b>	<b>93,065</b>	<b>55,409</b>
IMX-101 explosive fill cost growth		-6,900
M795 metal parts cost growth		-4,533
IMX-101 wooden pallets cost growth		-901
155MM projectile M795 HE LAP kit contract delay		-20,340
DA13 propellant M31A2 contract delay		-4,982
<b>25 DEMOLITION MUNITIONS, ALL TYPES</b>	<b>2,047</b>	<b>0</b>
Excess to requirement		-2,047
<b>26 FUZE, ALL TYPES</b>	<b>5,297</b>	<b>1,255</b>
Prior year funds available		-4,042

## SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>SHIPBUILDING &amp; CONVERSION, NAVY</b>		
<b>OTHER WARSHIPS</b>		
1 CARRIER REPLACEMENT PROGRAM.....	608,195	565,371
3 VIRGINIA CLASS SUBMARINE.....	3,217,601	3,217,601
4 VIRGINIA CLASS SUBMARINE (AP-CY).....	874,878	1,652,557
5 CVN REFUELING OVERHAUL.....	1,613,392	1,613,392
6 CVN REFUELING OVERHAULS (AP-CY).....	70,010	70,010
8 DDG 1000.....	669,222	669,222
9 DDG-51.....	3,048,658	4,036,628
10 DDG-51 (AP-CY).....	466,283	466,283
11 LITTORAL COMBAT SHIP.....	1,784,959	1,784,959
TOTAL, OTHER WARSHIPS.....	12,353,198	14,076,023
<b>AMPHIBIOUS SHIPS</b>		
13 LPD-17(AP).....	---	263,255
15 INTRATHEATER CONNECTOR.....	189,196	189,196
TOTAL, AMPHIBIOUS SHIPS.....	189,196	452,451
<b>AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS</b>		
17 MOORED TRAINING SHIP.....	307,300	307,300
18 OUTFITTING.....	309,648	290,035
20 LCAC SLEP.....	47,930	85,830
21 COMPLETION OF PY SHIPBUILDING PROGRAMS.....	372,573	372,573
TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM...	1,037,451	1,055,738
TOTAL, SHIPBUILDING & CONVERSION, NAVY.....	13,579,845	15,584,212



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 CARRIER REPLACEMENT PROGRAM</b>	<b>608,195</b>	<b>565,371</b>
Electronics-ship test and integration growth		-2,500
HM&E engineering services growth		-6,000
Trucks/forklifts growth		-2,000
Ship self defense system engineering growth		-2,000
SEWIP block 2 growth		-5,000
EMALS systems engineering growth		-3,000
EMALS technical engineering services growth		-8,000
JPALS pricing		-1,000
AN/SQQ-34 tactical support center pricing		-1,000
NULKA decoy system pricing		-1,500
AN/UPX-29(V) IFF revised cost estimate		-10,824
<b>4 VIRGINIA CLASS SUBMARINE (AP-CY)</b>	<b>874,878</b>	<b>1,652,557</b>
Program increase - advance procurement		777,679
<b>9 DDG-51</b>	<b>3,048,658</b>	<b>4,036,628</b>
EXCOMM equipment cost growth		-10,214
CIWS hardware cost growth		-1,816
Program increase - one additional ship		1,000,000
<b>13X LPD-17 (AP-CY)</b>	<b>0</b>	<b>263,255</b>
Program increase - advance procurement		263,255
<b>18 OUTFITTING</b>	<b>309,648</b>	<b>290,035</b>
DDG-113 outfitting ahead of need		-397
SSN-786 outfitting phasing		-3,000
SSN-788 outfitting ahead of need		-2,265
CVN-72 outfitting ahead of need		-4,309
JHSV-902 post delivery ahead of need		-3,642
LPD-23 post delivery phasing		-6,000
<b>20 LCAC SLEP</b>	<b>47,930</b>	<b>85,830</b>
Restore unjustified reduction of two craft		37,900

## VIRGINIA CLASS SUBMARINE

The conferees direct the Navy to include ten Virginia Class Submarines in the program's next multi-year procurement opportunity.

## OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>OTHER PROCUREMENT, NAVY</b>		
SHIPS SUPPORT EQUIPMENT		
SHIP PROPULSION EQUIPMENT		
1 LM-2500 GAS TURBINE.....	10,658	10,658
2 <del>ALLISON 501K GAS TURBINE.....</del>	8,469	3,983
NAVIGATION EQUIPMENT		
3 OTHER NAVIGATION EQUIPMENT.....	23,392	23,392
PERISCOPES		
4 SUB PERISCOPES & IMAGING EQUIP.....	53,809	52,609
OTHER SHIPBOARD EQUIPMENT		
5 DDG MOD.....	452,371	412,656
6 FIREFIGHTING EQUIPMENT.....	16,958	9,099
7 COMMAND AND CONTROL SWITCHBOARD.....	2,492	2,492
8 POLLUTION CONTROL EQUIPMENT.....	20,707	18,498
9 SUBMARINE SUPPORT EQUIPMENT.....	12,046	24,546
10 VIRGINIA CLASS SUPPORT EQUIPMENT.....	79,870	77,458
11 LCS CLASS SUPPORT EQUIPMENT.....	19,865	9,300
12 SUBMARINE BATTERIES.....	41,522	41,522
13 LPD CLASS SUPPORT EQUIPMENT.....	30,543	28,048
14 STRATEGIC PLATFORM SUPPORT EQUIP.....	16,257	16,257
15 DSSP EQUIPMENT.....	3,630	3,630
16 CG-MODERNIZATION.....	101,000	101,000
17 LCAC.....	16,645	16,645
18 UNDERWATER EOD PROGRAMS.....	35,446	33,318
19 ITEMS LESS THAN \$5 MILLION.....	65,998	59,026
20 CHEMICAL WARFARE DETECTORS.....	4,359	4,359
21 SUBMARINE LIFE SUPPORT SYSTEM.....	10,218	6,610
REACTOR PLANT EQUIPMENT		
22 REACTOR POWER UNITS.....	286,859	286,859
23 REACTOR COMPONENTS.....	278,503	278,503

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
24 OCEAN ENGINEERING DIVING AND SALVAGE EQUIPMENT.....	8,998	8,998
25 SMALL BOATS STANDARD BOATS.....	30,131	30,131
26 TRAINING EQUIPMENT OTHER SHIPS TRAINING EQUIPMENT.....	29,772	29,772
27 PRODUCTION FACILITIES EQUIPMENT OPERATING FORCES IPE.....	64,346	104,346
28 OTHER SHIP SUPPORT NUCLEAR ALTERATIONS.....	154,652	154,652
29 LCS MODULES.....	31,319	31,319
30 LCS MCM MISSION MODULES.....	38,392	38,392
31 LCS SUW MISSION MODULES.....	32,897	32,897
32 LOGISTICS SUPPORT LSD MIDLIFE.....	49,758	45,793
TOTAL, SHIPS SUPPORT EQUIPMENT.....	2,031,882	1,996,768
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
34 SHIP SONARS SPQ-9B RADAR.....	19,777	49,777
35 AN/SQQ-89 SURF ASW COMBAT SYSTEM.....	89,201	88,201
36 SSN ACOUSTICS.....	190,874	190,874
37 UNDERSEA WARFARE SUPPORT EQUIPMENT.....	17,035	17,035
38 SONAR SWITCHES AND TRANSDUCERS.....	13,410	13,410
40 ASW ELECTRONIC EQUIPMENT SUBMARINE ACOUSTIC WARFARE SYSTEM.....	21,489	15,614
41 SSTD.....	10,716	10,716
42 FIXED SURVEILLANCE SYSTEM.....	98,896	98,896
43 SURTASS.....	2,774	2,774
44 TACTICAL SUPPORT CENTER.....	18,428	18,428
45 ELECTRONIC WARFARE EQUIPMENT AN/SLQ-32.....	92,270	89,270
46 RECONNAISSANCE EQUIPMENT SHIPBOARD IW EXPLOIT.....	107,060	97,064
47 AUTOMATED IDENTIFICATION SYSTEM (AIS).....	914	914
48 SUBMARINE SURVEILLANCE EQUIPMENT SUBMARINE SUPPORT EQUIPMENT PROG.....	34,050	34,050

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
OTHER SHIP ELECTRONIC EQUIPMENT		
49 COOPERATIVE ENGAGEMENT CAPABILITY.....	27,881	22,191
50 TRUSTED INFORMATION SYSTEM (TIS).....	448	448
51 NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS).....	35,732	33,737
53 NAVY COMMAND AND CONTROL SYSTEM (NCCS).....	9,533	9,533
54 MINESWEEPING SYSTEM REPLACEMENT.....	60,111	45,654
55 SHALLOW WATER MCM.....	6,950	6,950
56 NAVSTAR GPS RECEIVERS (SPACE).....	9,089	9,089
57 ARMED FORCES RADIO AND TV.....	7,768	5,568
58 STRATEGIC PLATFORM SUPPORT EQUIP.....	3,614	3,614
TRAINING EQUIPMENT		
59 OTHER TRAINING EQUIPMENT.....	42,911	41,421
AVIATION ELECTRONIC EQUIPMENT		
60 MATCALs.....	5,861	5,861
61 SHIPBOARD AIR TRAFFIC CONTROL.....	8,362	8,362
62 AUTOMATIC CARRIER LANDING SYSTEM.....	15,685	13,623
63 NATIONAL AIR SPACE SYSTEM.....	16,919	14,512
64 AIR STATION SUPPORT EQUIPMENT.....	6,828	6,828
65 MICROWAVE LANDING SYSTEM.....	7,646	7,646
66 ID SYSTEMS.....	35,474	29,856
67 TAC A/C MISSION PLANNING SYS(TAMPS).....	9,958	9,958
OTHER SHORE ELECTRONIC EQUIPMENT		
68 DEPLOYABLE JOINT COMMAND AND CONT.....	9,064	9,064
69 TADIX-B.....	16,026	14,882
70 GCCS-M EQUIPMENT TACTICAL/MOBILE.....	11,886	11,886
71 DCGS-N.....	11,887	11,887
72 CANES.....	341,398	316,389
73 RADIAC.....	8,083	8,083
74 CANES-INTELL.....	79,427	67,956
75 GPETE.....	6,083	6,083
76 INTEG COMBAT SYSTEM TEST FACILITY.....	4,495	4,495
77 EMI CONTROL INSTRUMENTATION.....	4,767	4,767
78 ITEMS LESS THAN \$5 MILLION.....	81,755	74,355
SHIPBOARD COMMUNICATIONS		
80 SHIP COMMUNICATIONS AUTOMATION.....	56,870	55,166

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
81 MARITIME DOMAIN AWARENESS (MDA).....	1,063	1,063
82 COMMUNICATIONS ITEMS UNDER \$5M.....	28,522	28,522
SUBMARINE COMMUNICATIONS		
83 SUBMARINE BROADCAST SUPPORT.....	4,183	4,183
84 SUBMARINE COMMUNICATION EQUIPMENT.....	69,025	63,423
SATELLITE COMMUNICATIONS		
85 SATELLITE COMMUNICATIONS SYSTEMS.....	49,294	49,294
86 NAVY MULTIBAND TERMINAL (NMT).....	184,825	170,521
SHORE COMMUNICATIONS		
87 JCS COMMUNICATIONS EQUIPMENT.....	2,180	2,180
88 ELECTRICAL POWER SYSTEMS.....	1,354	1,354
CRYPTOGRAPHIC EQUIPMENT		
90 INFO SYSTEMS SECURITY PROGRAM (ISSP).....	144,104	142,193
CRYPTOLOGIC EQUIPMENT		
91 CRYPTOLOGIC COMMUNICATIONS EQUIP.....	12,604	12,604
OTHER ELECTRONIC SUPPORT		
92 COAST GUARD EQUIPMENT.....	6,680	6,680
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	2,163,239	2,038,904
AVIATION SUPPORT EQUIPMENT		
SONOBUOYS		
95 SONOBUOYS - ALL TYPES.....	104,677	104,677
AIRCRAFT SUPPORT EQUIPMENT		
96 WEAPONS RANGE SUPPORT EQUIPMENT.....	70,753	80,253
97 EXPEDITIONARY AIRFIELDS.....	8,678	8,678
98 AIRCRAFT REARMING EQUIPMENT.....	11,349	9,269
99 AIRCRAFT LAUNCH & RECOVERY EQUIPMENT.....	82,618	72,618
100 METEOROLOGICAL EQUIPMENT.....	18,339	18,339
101 OTHER PHOTOGRAPHIC EQUIPMENT.....	1,414	1,414
102 AVIATION LIFE SUPPORT.....	40,475	38,675
103 AIRBORNE MINE COUNTERMEASURES.....	61,552	59,552
104 LAMPS MK III SHIPBOARD EQUIPMENT.....	18,771	17,614
105 PORTABLE ELECTRONIC MAINTENANCE AIDS.....	7,954	7,954
106 OTHER AVIATION SUPPORT EQUIPMENT.....	10,023	8,377
107 AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS).....	3,826	3,826
TOTAL, AVIATION SUPPORT EQUIPMENT.....	440,429	431,246

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ORDNANCE SUPPORT EQUIPMENT		
SHIP GUN SYSTEM EQUIPMENT		
108 NAVAL FIRES CONTROL SYSTEM.....	3,472	3,472
109 GUN FIRE CONTROL EQUIPMENT.....	4,528	4,528
SHIP MISSILE SYSTEMS EQUIPMENT		
110 NATO SEASPARROW.....	8,960	8,960
111 RAM GMLS.....	1,185	1,185
112 SHIP SELF DEFENSE SYSTEM.....	55,371	55,371
113 AEGIS SUPPORT EQUIPMENT.....	81,614	78,614
114 TOMAHAWK SUPPORT EQUIPMENT.....	77,767	68,117
115 VERTICAL LAUNCH SYSTEMS.....	754	754
116 MARITIME INTEGRATED PLANNING SYSTEM-MIPS.....	4,965	3,965
FBM SUPPORT EQUIPMENT		
117 STRATEGIC MISSILE SYSTEMS EQUIP.....	181,049	173,549
ASW SUPPORT EQUIPMENT		
118 SSN COMBAT CONTROL SYSTEMS.....	71,316	71,316
119 SUBMARINE ASW SUPPORT EQUIPMENT.....	4,018	4,018
120 SURFACE ASW SUPPORT EQUIPMENT.....	6,465	6,465
121 ASW RANGE SUPPORT EQUIPMENT.....	47,930	47,930
OTHER ORDNANCE SUPPORT EQUIPMENT		
122 EXPLOSIVE ORDNANCE DISPOSAL EQUIP.....	3,579	3,579
123 ITEMS LESS THAN \$5 MILLION.....	3,125	3,125
OTHER EXPENDABLE ORDNANCE		
124 ANTI-SHIP MISSILE DECOY SYSTEM.....	31,743	29,743
125 SURFACE TRAINING DEVICE MODS.....	34,174	34,174
126 SUBMARINE TRAINING DEVICE MODS.....	23,450	23,450
TOTAL, ORDNANCE SUPPORT EQUIPMENT.....	645,465	622,315
CIVIL ENGINEERING SUPPORT EQUIPMENT		
127 PASSENGER CARRYING VEHICLES.....	7,158	7,158
128 GENERAL PURPOSE TRUCKS.....	3,325	3,325
129 CONSTRUCTION & MAINTENANCE EQUIP.....	8,692	8,692
130 FIRE FIGHTING EQUIPMENT.....	14,533	14,533
131 TACTICAL VEHICLES.....	15,330	15,330
132 AMPHIBIOUS EQUIPMENT.....	10,803	10,803
133 POLLUTION CONTROL EQUIPMENT.....	7,265	7,265

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
134 ITEMS UNDER \$5 MILLION.....	15,252	15,252
135 PHYSICAL SECURITY VEHICLES.....	1,161	1,161
TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT.....	83,519	83,519
SUPPLY SUPPORT EQUIPMENT		
136 MATERIALS HANDLING EQUIPMENT.....	15,204	15,204
137 OTHER SUPPLY SUPPORT EQUIPMENT.....	6,330	6,330
138 FIRST DESTINATION TRANSPORTATION.....	6,539	6,539
139 SPECIAL PURPOSE SUPPLY SYSTEMS.....	34,804	22,286
TOTAL, SUPPLY SUPPORT EQUIPMENT.....	62,877	50,359
PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
TRAINING DEVICES		
140 TRAINING SUPPORT EQUIPMENT.....	25,444	25,444
COMMAND SUPPORT EQUIPMENT		
141 COMMAND SUPPORT EQUIPMENT.....	43,165	43,165
142 EDUCATION SUPPORT EQUIPMENT.....	2,251	2,251
143 MEDICAL SUPPORT EQUIPMENT.....	3,148	3,148
146 NAVAL MIP SUPPORT EQUIPMENT.....	3,502	3,502
148 OPERATING FORCES SUPPORT EQUIPMENT.....	15,696	15,696
149 C4ISR EQUIPMENT.....	4,344	4,344
150 ENVIRONMENTAL SUPPORT EQUIPMENT.....	19,492	19,492
151 PHYSICAL SECURITY EQUIPMENT.....	177,149	177,149
152 ENTERPRISE INFORMATION TECHNOLOGY.....	183,995	183,995
TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT.....	478,186	478,186
153 SPARES AND REPAIR PARTS.....	250,718	240,718
CLASSIFIED PROGRAMS.....	13,063	13,063
TOTAL, OTHER PROCUREMENT, NAVY.....	6,169,378	5,955,078

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>2 ALLISON 501K GAS TURBINE</b>	<b>8,469</b>	<b>3,983</b>
Hot section replacement modification funding carryover		-4,486
<b>4 SUB PERISCOPES &amp; IMAGING EQUIP</b>	<b>53,809</b>	<b>52,609</b>
Support funding carryover		-1,200
<b>5 DDG MOD</b>	<b>452,371</b>	<b>412,656</b>
Land based engineering site upgrade funding carryover		-8,000
GEDMS equipment contract savings		-5,236
MCS/DCS equipment cost growth		-1,275
MCS/DCS engineering services growth		-2,842
DVSS equipment cost growth		-1,303
MK-160 gun installation cost growth		-1,100
Aegis weapon system (AWS) equipment cost growth		-2,886
Excess AWS design service agent installation funding		-3,200
Excess multi-mission signal processor engineering services funding		-3,717
SPY-1D upgrades cost growth		-2,697
Excess VLS engineering services funding		-5,759
Excess AN/SQQ-89 engineering services funding		-1,700
<b>6 FIREFIGHTING EQUIPMENT</b>	<b>16,958</b>	<b>9,099</b>
EEBD contract delay		-7,859
<b>8 POLLUTION CONTROL EQUIPMENT</b>	<b>20,707</b>	<b>18,498</b>
Pollution control support systems cost growth		-1,000
R-114 conversion kit cost growth		-1,209
<b>9 SUBMARINE SUPPORT EQUIPMENT</b>	<b>12,046</b>	<b>24,546</b>
Materials research and technology		12,500
<b>10 VIRGINIA CLASS SUPPORT EQUIPMENT</b>	<b>79,870</b>	<b>77,458</b>
Ship alteration 4612K installation cost growth		-2,412
<b>11 LCS CLASS SUPPORT EQUIPMENT</b>	<b>19,865</b>	<b>9,300</b>
LCS waterjet shore spare components ahead of need		-10,565
<b>13 LPD CLASS SUPPORT EQUIPMENT</b>	<b>30,543</b>	<b>28,048</b>
HW/SW installation funding ahead of need		-2,495
<b>18 UNDERWATER EOD PROGRAMS</b>	<b>35,446</b>	<b>33,318</b>
Underwater Mine Countermeasure UUV retrofit kit cost growth		-2,128
<b>19 ITEMS LESS THAN \$5 MILLION</b>	<b>65,998</b>	<b>59,026</b>
Machinery plant upgrades installation cost growth		-2,117
Excess machinery plant upgrades design service agent funding		-4,194
PC ECDIS installation funding ahead of need		-661



P-1	Budget Request	Conference
<b>21 SUBMARINE LIFE SUPPORT SYSTEM</b>	<b>10,218</b>	<b>6,610</b>
Contract savings		-3,608
<b>27 OPERATING FORCES IPE</b>	<b>64,346</b>	<b>104,346</b>
Program increase—shipyard capital investment program		<u>40,000</u>
<b>32 LSD MIDLIFE</b>	<b>49,758</b>	<b>45,793</b>
Excess 30 ton crane control installation funding		-2,000
RO and generator modification cost growth		-1,965
<b>35 AN/SQQ-89 SURF ASW COMBAT SYSTEM</b>	<b>89,201</b>	<b>88,201</b>
Excess ECO funding		-1,000
<b>40 SUBMARINE ACOUSTIC WARFARE SYSTEM</b>	<b>21,489</b>	<b>15,614</b>
NAE beacon contract delay		-3,875
Contract award delays for launch tube and MK3		-2,000
<b>45 AN/SLQ-32</b>	<b>92,270</b>	<b>89,270</b>
Excess block 2 electronic support system installation funding		-2,000
Support funding carryover		-1,000
<b>46 SHIPBOARD IW EXPLOIT</b>	<b>107,060</b>	<b>97,064</b>
SSEE increment F modification kit cost growth		-2,296
SSEE increment F modification installation funding carryover		-6,300
Support funding carryover		-1,400
<b>49 COOPERATIVE ENGAGEMENT CAPABILITY</b>	<b>27,881</b>	<b>22,191</b>
Signal data processor backfit kit contract delay		-1,350
Excess PAAA backfit installation funding		-615
Excess signal data processor backfit kit installation funding		-2,725
Support funding carryover		-1,000
<b>51 NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)</b>	<b>35,732</b>	<b>33,737</b>
Upgrade kit installation cost growth		-1,995
<b>54 MINESWEEPING SYSTEM REPLACEMENT</b>	<b>60,111</b>	<b>45,654</b>
Software integration growth		-2,800
AN/SQQ-32 sonar cost growth		-8,757
Support funding carryover		-2,900
<b>57 ARMED FORCES RADIO AND TV</b>	<b>7,768</b>	<b>5,568</b>
Excess production support funding		-2,200
<b>59 OTHER TRAINING EQUIPMENT</b>	<b>42,911</b>	<b>41,421</b>
Excess BFTT upgrade kit installation funding		-1,490

P-1	Budget Request	Conference
<b>62 AUTOMATIC CARRIER LANDING SYSTEM</b>	<b>15,685</b>	<b>13,623</b>
AN/SPN-46 modification kit cost growth		-850
AN/SPN-46 modification kit procurement ahead of need		-1,212
<b>63 NATIONAL AIR SPACE SYSTEM</b>	<b>16,919</b>	<b>14,512</b>
Digital airport surveillance radar cost growth		-2,407
<b>66 ID SYSTEMS</b>	<b>35,474</b>	<b>29,856</b>
Equipment procurement ahead of need		-2,918
Support funding carryover		-2,700
<b>69 TADIX-B</b>	<b>16,026</b>	<b>14,882</b>
AN/USQ-151 JTT-M system cost growth		-808
Excess design service agent funding		-336
<b>72 CANES</b>	<b>341,398</b>	<b>316,389</b>
Excess ADNS installation (afloat) funding		-2,070
Excess ADNS installation (ashore) funding		-2,415
Contract award delay and protest		-20,524
<b>74 CANES-INTELL</b>	<b>79,427</b>	<b>67,956</b>
Contract delay (DDG-51 class)		-5,532
Contract delay (LHD-7)		-5,939
<b>78 ITEMS LESS THAN \$5 MILLION</b>	<b>81,755</b>	<b>74,355</b>
Dual band radar ECP and production support funding ahead of need		-4,900
SPS-48G ECP growth		-2,500
<b>80 SHIP COMMUNICATIONS AUTOMATION</b>	<b>56,870</b>	<b>55,166</b>
Excess installation funding		-1,704
<b>84 SUBMARINE COMMUNICATION EQUIPMENT</b>	<b>69,025</b>	<b>63,423</b>
Virginia class submarine common submarine radio room installation cost growth		-1,400
Los Angeles class common submarine radio room modification kit cost growth		-1,152
Los Angeles class design service agent funding growth		-1,800
Los Angeles class common submarine radio room installation contract savings		-1,250
<b>86 NAVY MULTIBAND TERMINAL (NMT)</b>	<b>184,825</b>	<b>170,521</b>
Ship terminal procurement ahead of need		-10,000
Shore terminal procurement ahead of need		-2,704
Support funding carryover		-1,600
<b>90 INFO SYSTEMS SECURITY PROGRAM (ISSP)</b>	<b>144,104</b>	<b>142,193</b>
Comsec installation cost growth		-1,911
<b>96 WEAPONS RANGE SUPPORT EQUIPMENT</b>	<b>70,753</b>	<b>80,253</b>
Support funding carryover		-3,500
Test and training range upgrades		13,000
<b>98 AIRCRAFT REARMING EQUIPMENT</b>	<b>11,349</b>	<b>9,269</b>
Weapons assembly station contract delay		-2,080
<b>99 AIRCRAFT LAUNCH &amp; RECOVERY EQUIPMENT</b>	<b>82,618</b>	<b>72,618</b>
Unjustified cost growth for kit purchase		-10,000

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>102 AVIATION LIFE SUPPORT</b>	<b>40,475</b>	<b>38,675</b>
Flight deck cranial cost growth		-1,800
<b>103 AIRBORNE MINE COUNTERMEASURES</b>	<b>61,552</b>	<b>59,552</b>
Modification funding growth		-2,000
<b>104 LAMPS MK III SHIPBOARD EQUIPMENT</b>	<b>18,771</b>	<b>17,614</b>
LAMPS MK III equipment procurement ahead of need		-1,157
<b>106 OTHER AVIATION SUPPORT EQUIPMENT</b>	<b>10,023</b>	<b>8,377</b>
Joint tactical data integration suites cost growth		-1,092
Expeditionary pack up kit cost growth		-554
<b>113 AEGIS SUPPORT EQUIPMENT</b>	<b>81,614</b>	<b>78,614</b>
Aegis weapon system ship change procurement growth		-3,000
<b>114 TOMAHAWK SUPPORT EQUIPMENT</b>	<b>77,767</b>	<b>68,117</b>
Production support funding growth		-9,650
<b>116 MARITIME INTEGRATED PLANNING SYSTEM-MIPS</b>	<b>4,965</b>	<b>3,965</b>
Excess installation funding		-1,000
<b>117 STRATEGIC MISSILE SYSTEMS EQUIP</b>	<b>181,049</b>	<b>173,549</b>
Launcher software refresh/redesign growth		-7,500
<b>124 ANTI-SHIP MISSILE DECOY SYSTEM</b>	<b>31,743</b>	<b>29,743</b>
Installation cost growth		-2,000
<b>139 SPECIAL PURPOSE SUPPLY SYSTEMS</b>	<b>34,804</b>	<b>22,286</b>
Excess to need		-12,518
<b>153 SPARES AND REPAIR PARTS</b>	<b>250,718</b>	<b>240,718</b>
Outfitting spares execution		-10,000

## PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
PROCUREMENT, MARINE CORPS			
WEAPONS AND COMBAT VEHICLES			
TRACKED COMBAT VEHICLES			
1	AAV7A1 PIP.....	16,089	16,089
2	LAV PIP.....	186,216	45,342
ARTILLERY AND OTHER WEAPONS			
3	EXPEDITIONARY FIRE SUPPORT SYSTEM.....	2,502	2,502
4	155MM LIGHTWEIGHT TOWED HOWITZER.....	17,913	17,913
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	47,999	7,107
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION.....	17,706	16,558
OTHER SUPPORT			
7	MODIFICATION KITS.....	48,040	45,775
8	WEAPONS ENHANCEMENT PROGRAM.....	4,537	4,537
TOTAL, WEAPONS AND COMBAT VEHICLES.....		341,002	155,823
GUIDED MISSILES AND EQUIPMENT			
GUIDED MISSILES			
9	GROUND BASED AIR DEFENSE.....	11,054	11,054
11	FOLLOW ON TO SMAW.....	19,650	19,650
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H).....	20,708	20,162
TOTAL, GUIDED MISSILES AND EQUIPMENT.....		51,412	50,866

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMMAND AND CONTROL SYSTEMS		
14 COMBAT OPERATIONS CENTER.....	1,420	1,420
REPAIR AND TEST EQUIPMENT		
15 REPAIR AND TEST EQUIPMENT.....	25,127	25,127
OTHER SUPPORT (TEL)		
16 COMBAT SUPPORT SYSTEM.....	25,822	22,822
17 MODIFICATION KITS.....	2,831	2,831
COMMAND AND CONTROL		
18 ITEMS UNDER \$5 MILLION (COMM & ELEC).....	5,498	5,498
19 AIR OPERATIONS C2 SYSTEMS.....	11,290	11,290
RADAR + EQUIPMENT (NON-TEL)		
20 RADAR SYSTEMS.....	128,079	128,079
21 RQ-21 UAS.....	27,619	14,000
INTELL/COMM EQUIPMENT (NON-TEL)		
22 FIRE SUPPORT SYSTEM.....	7,319	7,319
23 INTELLIGENCE SUPPORT EQUIPMENT.....	7,466	7,466
25 RQ-11 UAV.....	2,318	2,318
26 DCGS-MC.....	18,291	13,291
OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29 NIGHT VISION EQUIPMENT.....	48,084	43,884
OTHER SUPPORT (NON-TEL)		
30 COMMON COMPUTER RESOURCES.....	206,708	206,708
31 COMMAND POST SYSTEMS.....	35,190	35,190
32 RADIO SYSTEMS.....	89,059	89,059
33 COMM SWITCHING & CONTROL SYSTEMS.....	22,500	22,500
34 COMM & ELEC INFRASTRUCTURE SUPPORT.....	42,625	42,625
CLASSIFIED PROGRAMS.....	2,290	2,290
-----		
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	709,536	683,717

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
SUPPORT VEHICLES		
ADMINISTRATIVE VEHICLES		
35 COMMERCIAL PASSENGER VEHICLES.....	2,877	2,877
36 COMMERCIAL CARGO VEHICLES.....	13,960	13,960
TACTICAL VEHICLES		
37 5/4T TRUCK HMMWV (MYP).....	8,052	8,052
38 MOTOR TRANSPORT MODIFICATIONS.....	50,269	50,269
40 LOGISTICS VEHICLE SYSTEM REP.....	37,262	37,262
41 FAMILY OF TACTICAL TRAILERS.....	48,160	48,160
OTHER SUPPORT		
43 ITEMS LESS THAN \$5 MILLION.....	6,705	6,705
-----		
TOTAL, SUPPORT VEHICLES.....	167,285	167,285
ENGINEER AND OTHER EQUIPMENT		
ENGINEER AND OTHER EQUIPMENT		
44 ENVIRONMENTAL CONTROL EQUIP ASSORT.....	13,576	13,576
45 BULK LIQUID EQUIPMENT.....	16,869	16,869
46 TACTICAL FUEL SYSTEMS.....	19,108	19,108
47 POWER EQUIPMENT ASSORTED.....	56,253	56,253
48 AMPHIBIOUS SUPPORT EQUIPMENT.....	13,089	13,089
49 EOD SYSTEMS.....	73,699	73,699
MATERIALS HANDLING EQUIPMENT		
50 PHYSICAL SECURITY EQUIPMENT.....	3,510	3,510
51 GARRISON MOBILE ENGR EQUIP.....	11,490	11,490
52 MATERIAL HANDLING EQUIP.....	20,659	20,659
53 FIRST DESTINATION TRANSPORTATION.....	132	132

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
54 GENERAL PROPERTY FIELD MEDICAL EQUIPMENT.....	31,068	31,068
55 TRAINING DEVICES.....	45,895	45,895
56 CONTAINER FAMILY.....	5,801	5,801
57 FAMILY OF CONSTRUCTION EQUIPMENT.....	23,939	23,939
60 RAPID DEPLOYABLE KITCHEN.....	8,365	8,365
61 OTHER SUPPORT ITEMS LESS THAN \$5 MILLION.....	7,077	7,077
TOTAL, ENGINEER AND OTHER EQUIPMENT.....	350,530	350,530
62 SPARES AND REPAIR PARTS.....	3,190	3,190
TOTAL, PROCUREMENT, MARINE CORPS.....	1,622,955	1,411,411

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>2 LAV-PIIP</b>	<b>186,216</b>	<b>45,342</b>
Marine Corps requested transfer to MP,MC and OM,MC		-140,874
<b>5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM</b>	<b>47,999</b>	<b>7,107</b>
Marine Corps requested transfer to title IX - AP,N line 23		-40,892
<b>6 WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION</b>	<b>17,706</b>	<b>16,558</b>
Scout sniper excess to requirement		-1,148
<b>7 MODIFICATION KITS</b>	<b>48,040</b>	<b>45,775</b>
Abrams suspension unit cost growth		-2,265
<b>12 ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)</b>	<b>20,708</b>	<b>20,162</b>
Unit cost growth		-546
<b>16 COMBAT SUPPORT SYSTEM</b>	<b>25,822</b>	<b>22,822</b>
GCSS program delay		-3,000
<b>21 RQ-21 UAS</b>	<b>27,619</b>	<b>14,000</b>
Program adjustment		-13,619
<b>26 DCGS-MC</b>	<b>18,291</b>	<b>13,291</b>
Prior year unobligated balances		-5,000
<b>29 NIGHT VISION EQUIPMENT</b>	<b>48,084</b>	<b>43,884</b>
Squad thermal system program delay		-4,200



## AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
<b>COMBAT AIRCRAFT</b>		
<b>TACTICAL FORCES</b>		
1 F-35.....	3,124,302	3,039,302
2 F-35 (AP-CY).....	293,400	293,400
<b>TOTAL, COMBAT AIRCRAFT.....</b>	<b>3,417,702</b>	<b>3,332,702</b>
<b>AIRLIFT AIRCRAFT</b>		
<b>OTHER AIRLIFT</b>		
5 C-130J.....	68,373	139,373
6 C-130J ADVANCE PROCUREMENT (CY).....	---	180,000
7 HC-130J.....	152,212	278,212
9 MC-130J.....	374,866	500,866
12 JOINT CARGO AIRCRAFT.....	---	137,863
<b>TOTAL, AIRLIFT AIRCRAFT.....</b>	<b>595,451</b>	<b>1,236,314</b>
<b>OTHER AIRCRAFT</b>		
<b>HELICOPTERS</b>		
15 HH-60 LOSS REPLACEMENT/RECAP.....	60,596	57,396
17 V-22 OSPREY.....	294,220	294,220
18 V-22 OSPREY (AP-CY).....	15,000	15,000
<b>MISSION SUPPORT AIRCRAFT</b>		
19 CIVIL AIR PATROL A/C.....	2,498	9,298

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
OTHER AIRCRAFT		
24 TARGET DRONES.....	129,866	129,866
26 RQ-4 UAV.....	75,000	182,000
28 MC 130 IN BA 04.....	163,970	163,970
30 MQ-9.....	553,530	682,430
31 RQ-4 BLOCK 40 PROC.....	11,654	11,654
TOTAL, OTHER AIRCRAFT.....	1,306,334	1,545,834
MODIFICATION OF INSERVICE AIRCRAFT		
32 STRATEGIC AIRCRAFT		
B-2A.....	82,296	82,296
33 B-1B.....	149,756	149,756
34 B-52.....	9,781	9,781
35 LARGE AIRCRAFT INFRARED COUNTERMEASURES.....	28,800	28,800
TACTICAL AIRCRAFT		
36 A-10.....	89,919	251,119
37 F-15.....	148,378	210,878
38 F-16.....	6,896	6,896
39 F-22A.....	283,871	288,271
40 F-35 MODIFICATIONS.....	147,995	87,995
AIRLIFT AIRCRAFT		
41 C-5.....	6,967	6,967
43 C-5M.....	944,819	874,819
44 C-5M (AP-CY).....	175,800	175,800
46 C-17A.....	205,079	205,079
47 C-21.....	199	199
48 C-32A.....	1,750	1,750
49 C-37A.....	445	445
50 C-130 AMP.....	---	10,000
TRAINER AIRCRAFT		
51 GLIDER MODS.....	126	126
52 T6.....	15,494	15,494
53 T-1.....	272	272
54 T-38.....	20,455	20,455

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OTHER AIRCRAFT		
56 U-2 MODS.....	44,477	44,477
57 KC-10A (ATCA).....	46,921	10,000
58 C-12.....	1,876	1,876
59 MC-12W.....	17,054	17,054
60 C-20 MODS.....	243	243
61 VC-25A MOD.....	11,185	11,185
62 C-40.....	243	243
63 C-130.....	67,853	67,853
65 C130J MODS.....	70,555	70,555
66 C-135.....	46,707	46,707
67 COMPASS CALL MODS.....	50,024	50,024
68 RC-135.....	165,237	181,237
69 E-3.....	193,099	169,599
70 E-4.....	47,616	47,616
71 E-8.....	59,320	49,020
72 H-1.....	5,449	5,449
73 H-60.....	26,227	26,227
74 RQ-4 UAV MODS.....	9,257	7,757
75 HC/MC-130 MODIFICATIONS.....	22,326	22,326
76 OTHER AIRCRAFT.....	18,832	18,832
77 MQ-1 MODS.....	30,861	30,861
78 MQ-9 MODS.....	238,360	192,360
79 MQ-9 PAYLOAD - UAS.....	93,461	93,461
80 CV-22 MODS.....	23,881	23,881
-----		
TOTAL, MODIFICATION OF INSERVICE AIRCRAFT.....	3,610,162	3,616,041
-----		
AIRCRAFT SPARES AND REPAIR PARTS		
81 INITIAL SPARES/REPAIR PARTS.....	729,691	731,669
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TOTAL, AIRCRAFT SPARES AND REPAIR PARTS.....	729,691	731,669

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
COMMON SUPPORT EQUIPMENT		
82 AIRCRAFT REPLACEMENT SUPPORT EQUIP.....	56,542	56,542
POST PRODUCTION SUPPORT		
83 A-10.....	5,100	5,100
84 B-1.....	965	965
86 B-2A.....	47,580	47,580
88 KC-10A (ATCA).....	13,100	13,100
89 C-17A.....	181,703	181,703
90 C-130.....	31,830	31,830
91 C-135.....	13,434	13,434
92 F-15 POST PRODUCTION SUPPORT.....	2,363	2,363
93 F-16 POST PRODUCTION SUPPORT.....	8,506	5,906
96 OTHER AIRCRAFT.....	9,522	9,522
INDUSTRIAL PREPAREDNESS.....		
97 INDUSTRIAL PREPAREDNESS.....	20,731	20,731
WAR CONSUMABLES		
98 WAR CONSUMABLES.....	89,727	89,727
OTHER PRODUCTION CHARGES		
100 OTHER PRODUCTION CHARGES.....	842,392	812,792
<hr/>		
TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES....	1,323,495	1,291,295
CLASSIFIED PROGRAMS.....	20,164	20,164
<hr/>		
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.....	11,002,999	11,774,019
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 F-35</b>	<b>3,124,302</b>	<b>3,039,302</b>
Non-recurring engineering unjustified increase		-55,000
Ancillary equipment unjustified increase		-30,000
<b>5 C-130J</b>	<b>68,373</b>	<b>139,373</b>
Add one aircraft		55,000
Modular Airborne Fire Fighting Systems		16,000
<b>6 C-130J AP (CY)</b>	<b>0</b>	<b>180,000</b>
Unfunded requirement for advance procurement for 18 C/HC/MC/AC-130Js		180,000
<b>7 HC-130J</b>	<b>152,212</b>	<b>278,212</b>
Add two aircraft		126,000
<b>9 MC-130J</b>	<b>374,866</b>	<b>500,866</b>
Add two aircraft		126,000
<b>12 C-27J JOINT CARGO AIRCRAFT</b>	<b>0</b>	<b>137,863</b>
Retain C-27J force structure		137,863
<b>15 HH-60 LOSS REPLACEMENT/RECAP</b>	<b>60,596</b>	<b>57,396</b>
Interim contractor support forward financing		-3,200
<b>19 CIVIL AIR PATROL AIRCRAFT</b>	<b>2,498</b>	<b>9,298</b>
Program increase		6,800
<b>26 RQ-4</b>	<b>75,000</b>	<b>182,000</b>
Restore Block 30 program at 21 aircraft		107,000
<b>30 MQ-9</b>	<b>553,530</b>	<b>682,430</b>
Add 12 aircraft		155,000
Block 50 GCS program adjustment		-26,100
<b>36 A-10</b>	<b>89,919</b>	<b>251,119</b>
Retain A-10 force structure		161,200
<b>37 F-15</b>	<b>148,378</b>	<b>210,878</b>
AESA radars for ANG F-15s - level production rate		62,500
<b>39 F-22A MODIFICATIONS</b>	<b>283,871</b>	<b>288,271</b>
Backup oxygen system		21,500
Engine modifications - excess cost growth		-17,100
<b>40 F-35 MODIFICATIONS</b>	<b>147,995</b>	<b>87,995</b>
Block 3 upgrade kits ahead of need		-60,000
<b>43 C-5M</b>	<b>944,819</b>	<b>874,819</b>
Inflation adjustment and installation efficiencies		-20,000
ECO execution delays and excess growth		-50,000
<b>50 C-130 AMP</b>	<b>0</b>	<b>10,000</b>
C-130 AMP		10,000

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>57 KC-10A (ATCA)</b>	<b>46,921</b>	<b>10,000</b>
CNS/ATM funds requested ahead of need		-36,921
<b>68 RC-135</b>	<b>165,237</b>	<b>181,237</b>
Rivet Joint shortfall		16,000
<b>69 E-3</b>	<b>193,099</b>	<b>169,599</b>
Block 40/45 - reduce one shipset		-17,300
NGIFF excess unit cost growth		-6,200
<b>71 E-8</b>	<b>59,320</b>	<b>49,020</b>
PME-DMS install funding ahead of need		-10,300
<b>74 RQ-4 MODS</b>	<b>9,257</b>	<b>7,757</b>
Excess to requirement		-1,500
<b>78 MQ-9 MODS</b>	<b>238,360</b>	<b>192,360</b>
Block 5 retrofit		-25,000
GCS Block 50 unsustained ramp		-21,000
<b>81 INITIAL SPARES/REPAIR PARTS</b>	<b>729,691</b>	<b>731,669</b>
General reduction		-50,000
C-27 spares - retain force structure		51,978
<b>93 F-16 POST PRODUCTION SUPPORT</b>	<b>8,506</b>	<b>5,906</b>
Production line shutdown excess to need		-2,600
<b>99 OTHER PRODUCTION CHARGES</b>	<b>842,392</b>	<b>812,792</b>
Classified adjustment		-29,600

B-52 COMBAT NETWORK COMMUNICATIONS  
TECHNOLOGY

The fiscal year 2013 budget request included no funds in Aircraft Procurement, Air Force for the B-52 Combat Network Communications Technology (CONNECT) program despite a valid requirement from the Air Force Global Strike Command. Subsequent to the

budget submission, the program achieved conditional entry into Milestone C Low Rate Initial Production (LRIP), with an LRIP contract award contingent upon funding of the B-52 CONNECT program in the fiscal year 2014 Program Objective Memorandum. Accordingly, the conferees recommend the retention of prior year B-52 CONNECT funding

for an LRIP contract award subject to the conditions identified by the Milestone C Acquisition Decision Memorandum.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
MISSILE PROCUREMENT, AIR FORCE		
BALLISTIC MISSILES		
MISSILE REPLACEMENT EQUIPMENT - BALLISTIC		
1 MISSILE REPLACEMENT EQ-BALLISTIC.....	56,906	56,906
OTHER MISSILES		
TACTICAL		
2 JASSM.....	240,399	240,399
3 SIDEWINDER (AIM-9X).....	88,020	81,550
4 AMRAAM.....	229,637	201,637
5 PREDATOR HELLFIRE MISSILE.....	47,675	47,675
6 SMALL DIAMETER BOMB.....	42,000	2,000
INDUSTRIAL FACILITIES		
7 INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION.....	744	744
-----		
TOTAL, OTHER MISSILES.....	648,475	574,005
MODIFICATION OF INSERVICE MISSILES		
CLASS IV		
9 MM III MODIFICATIONS.....	54,794	54,794
10 AGM-65D MAVERICK.....	271	271
11 AGM-88A HARM.....	23,240	23,240
12 AIR LAUNCH CRUISE MISSILE.....	13,620	13,620
13 SMALL DIAMETER BOMB.....	5,000	5,000
-----		
TOTAL, MODIFICATION OF INSERVICE MISSILES.....	96,925	96,925



## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
SPARES AND REPAIR PARTS		
14 INITIAL SPARES/REPAIR PARTS.....	74,373	74,373
OTHER SUPPORT		
SPACE PROGRAMS		
15 ADVANCED EHF.....	557,205	477,205
17 WIDEBAND GAPFILLER SATELLITES.....	36,835	36,835
19 GPS III SPACE SEGMENT.....	410,294	410,294
20 GPS III SPACE SEGMENT (AP-CY).....	82,616	82,616
21 SPACEBORNE EQUIP (COMSEC).....	10,554	10,554
22 GLOBAL POSITIONING (SPACE).....	58,147	48,147
23 DEF METEOROLOGICAL SAT PROG (SPACE).....	89,022	89,022
24 EVOLVED EXPENDABLE LAUNCH VEH (SPACE).....	1,679,856	805,250
24A EVOLVED EXPENDABLE LAUNCH VEH INFRASTRUCTURE (SPACE).. <td>---</td> <td>654,606</td>	---	654,606
25 SBIR HIGH (SPACE).....	454,251	394,251
SPECIAL PROGRAMS		
30 SPECIAL UPDATE PROGRAMS.....	138,904	138,904
-----		
TOTAL, OTHER SUPPORT.....	3,517,684	3,147,684
CLASSIFIED PROGRAMS.....	1,097,483	1,012,483
-----		
TOTAL, MISSILE PROCUREMENT, AIR FORCE.....	5,491,846	4,962,376
=====		

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>3 SIDEWINDER (AIM-9X)</b>	<b>88,020</b>	<b>81,550</b>
All up round missile cost growth		-4,530
Captive air training missile cost growth		-1,940
<b>4 AMRAAM</b>	<b>229,637</b>	<b>201,637</b>
All up round missile cost growth		-17,000
Captive air training missile cost growth		-11,000
<b>6 SMALL DIAMETER BOMB</b>	<b>42,000</b>	<b>2,000</b>
Delay procurement by one year		-40,000
<b>15 ADVANCED EHF</b>	<b>557,205</b>	<b>477,205</b>
Program management unjustified request		-5,000
Schedule delay due to late AP award		-75,000
<b>22 GLOBAL POSITIONING (SPACE)</b>	<b>58,147</b>	<b>48,147</b>
GPS space and control technical support excess to need		-10,000
<b>24 EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)</b>	<b>1,679,856</b>	<b>805,250</b>
EELV launch capability - transfer to line 24a		-874,606
<b>EVOLVED EXPENDABLE LAUNCH VEHICLE INFRASTRUCTURE</b>		
<b>24a (SPACE)</b>	<b>0</b>	<b>654,606</b>
EELV launch capability - transfer from line 24		874,606
EELV launch capability contract savings		-220,000
<b>25 SBIR HIGH (SPACE)</b>	<b>454,251</b>	<b>394,251</b>
Schedule delay due to late AP award		-60,000
<b>999 CLASSIFIED PROGRAMS</b>	<b>1,097,483</b>	<b>1,012,483</b>
Classified adjustment		-85,000

## EVOLVED EXPENDABLE LAUNCH VEHICLE

The conference agreement provides \$805,250,000 for Evolved Expendable Launch Vehicle (EELV) Launch Services and \$654,606,000 for EELV Launch Capability. The funds are provided in separate procurement lines to increase the budget visibility of each program. The conferees direct that none of

the recommended reduction to the EELV Launch Capabilities program be applied against mission assurance activities. Finally, the conferees direct the Secretary of the Air Force to provide clarification and definition of mission assurance activities that can be correlated to the EELV program and contract to the congressional defense

committees not later than 90 days after the enactment of this Act.

PROCUREMENT OF AMMUNITION, AIR  
FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	PROCUREMENT OF AMMO, AIR FORCE		
	ROCKETS.....	8,927	8,927
2	CARTRIDGES.....	118,075	118,075
	BOMBS		
3	PRACTICE BOMBS.....	32,393	31,893
4	GENERAL PURPOSE BOMBS.....	163,467	163,467
5	JOINT DIRECT ATTACK MUNITION.....	101,921	101,921
	FLARE, IR MJU-7B		
6	CAD/PAD.....	43,829	43,829
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD).....	7,515	7,515
8	SPARES AND REPAIR PARTS.....	1,003	1,003
9	MODIFICATIONS.....	5,321	5,321
10	ITEMS LESS THAN \$5,000,000.....	5,066	5,066
	FUZES		
11	FLARES.....	46,010	46,010
12	FUZES.....	36,444	36,444
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE.....	569,971	569,471
	WEAPONS		
13	SMALL ARMS.....	29,223	25,223
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.....	599,194	594,694

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>3 PRACTICE BOMBS</b>	<b>32,393</b>	<b>31,893</b>
MK-84 inert pricing adjustment		-500
<b>13 SMALL ARMS</b>	<b>29,223</b>	<b>25,223</b>
Pricing adjustment		-4,000

## OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
OTHER PROCUREMENT, AIR FORCE		
VEHICULAR EQUIPMENT		
PASSENGER CARRYING VEHICLES		
1 PASSENGER CARRYING VEHICLE.....	1,905	1,905
CARGO + UTILITY VEHICLES		
2 FAMILY MEDIUM TACTICAL VEHICLE.....	18,547	18,547
3 CAP VEHICLES.....	932	932
4 ITEMS LESS THAN \$5M (CARGO).....	1,699	1,699
SPECIAL PURPOSE VEHICLES		
5 SECURITY AND TACTICAL VEHICLES.....	10,850	10,850
6 ITEMS LESS THAN \$5M (SPECIAL).....	9,246	9,246
FIRE FIGHTING EQUIPMENT		
7 FIRE FIGHTING/CRASH RESCUE VEHICLES.....	23,148	23,148
MATERIALS HANDLING EQUIPMENT		
8 ITEMS LESS THAN \$5,000,000.....	18,323	18,323
BASE MAINTENANCE SUPPORT		
9 RUNWAY SNOW REMOVAL & CLEANING EQUIP.....	1,685	1,685
10 ITEMS LESS THAN \$5M.....	17,014	17,014
<hr/>		
TOTAL, VEHICULAR EQUIPMENT.....	103,349	103,349
ELECTRONICS AND TELECOMMUNICATIONS EQUIP		
COMM SECURITY EQUIPMENT(COMSEC)		
12 COMSEC EQUIPMENT.....	166,559	166,559
13 MODIFICATIONS (COMSEC).....	1,133	1,133
INTELLIGENCE PROGRAMS		
14 INTELLIGENCE TRAINING EQUIPMENT.....	2,749	2,749
15 INTELLIGENCE COMM EQUIP.....	32,876	32,876
16 ADVANCE TECH SENSORS.....	877	877
17 MISSION PLANNING SYSTEMS.....	15,295	15,295

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
ELECTRONICS PROGRAMS		
18 TRAFFIC CONTROL/LANDING.....	21,984	21,984
19 NATIONAL AIRSPACE SYSTEM.....	30,698	30,698
20 BATTLE CONTROL SYSTEM - FIXED.....	17,368	17,368
21 THEATER AIR CONTROL SYS IMPRO.....	23,483	23,483
22 WEATHER OBSERVATION FORECAST.....	17,864	17,864
23 STRATEGIC COMMAND AND CONTROL.....	53,995	28,995
24 CHEYENNE MOUNTAIN COMPLEX.....	14,578	14,578
25 TAC SIGNIT SPT.....	208	208
SPECIAL COMM-ELECTRONICS PROJECTS		
27 GENERAL INFORMATION TECHNOLOGY.....	69,743	69,743
28 AF GLOBAL COMMAND & CONTROL SYSTEM.....	15,829	15,829
29 MOBILITY COMMAND AND CONTROL.....	11,023	11,023
30 AIR FORCE PHYSICAL SECURITY SYSTEM.....	64,521	64,521
31 COMBAT TRAINING RANGES.....	18,217	31,217
32 C3 COUNTERMEASURES.....	11,899	11,899
33 GCSS-AF FOS.....	13,920	13,920
34 THEATER BATTLE MGT C2 SYS.....	9,365	9,365
35 AIR OPERATIONS CENTER (AOC).....	33,907	33,907
AIR FORCE COMMUNICATIONS		
36 INFORMATION TRANSPORT SYSTEMS.....	52,464	52,464
38 AFNET.....	125,788	125,788
39 VOICE SYSTEMS.....	16,811	16,811
40 USCENCOM.....	32,138	32,138
DISA PROGRAMS		
41 SPACE BASED IR SENSOR PROG SPACE.....	47,135	47,135
42 NAVSTAR GPS SPACE.....	2,031	2,031
43 NUDET DETECTION SYS (NDS) SPACE.....	5,564	5,564
44 AF SATELLITE CONTROL NETWORK SPACE.....	44,219	44,219
45 SPACELIFT RANGE SYSTEM SPACE.....	109,545	109,545
46 MILSATCOM SPACE.....	47,592	47,592
47 SPACE MODS SPACE.....	47,121	47,121
48 COUNTERSPACE SYSTEM.....	20,961	20,961

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
ORGANIZATION AND BASE		
49 TACTICAL C-E EQUIPMENT.....	126,131	126,131
50 COMBAT SURVIVOR EVADER LOCATER.....	23,707	23,707
51 RADIO EQUIPMENT.....	12,757	12,757
52 CCTV/AUDIOVISUAL EQUIPMENT.....	10,716	10,716
53 BASE COMM INFRASTRUCTURE.....	74,528	74,528
MODIFICATIONS		
54 COMM ELECT MODS.....	43,507	43,507
-----		
TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP.....	1,490,806	1,478,806
OTHER BASE MAINTENANCE AND SUPPORT EQUIP		
PERSONAL SAFETY AND RESCUE EQUIP		
55 NIGHT VISION GOGGLES.....	22,693	22,693
56 ITEMS LESS THAN \$5,000,000 (SAFETY).....	30,887	30,887
DEPOT PLANT + MATERIALS HANDLING EQ		
57 MECHANIZED MATERIAL HANDLING.....	2,850	2,850
BASE SUPPORT EQUIPMENT		
58 BASE PROCURED EQUIPMENT.....	8,387	8,387
59 CONTINGENCY OPERATIONS.....	10,358	10,358
60 PRODUCTIVITY CAPITAL INVESTMENT.....	3,473	3,473
62 MOBILITY EQUIPMENT.....	14,471	14,471
63 ITEMS LESS THAN \$5M (BASE SUPPORT).....	1,894	1,894
SPECIAL SUPPORT PROJECTS		
65 DARP RC135.....	24,176	24,176
66 DISTRIBUTED GROUND SYSTEMS.....	142,928	142,928
68 SPECIAL UPDATE PROGRAM.....	479,446	479,446
69 DEFENSE SPACE RECONNAISSANCE PROGRAM.....	39,155	39,155
-----		
TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP.....	780,718	780,718
SPARE AND REPAIR PARTS		
71 SPARES AND REPAIR PARTS.....	14,663	14,663
CLASSIFIED PROGRAMS.....	14,331,312	14,704,972
-----		
TOTAL, OTHER PROCUREMENT, AIR FORCE.....	16,720,848	17,082,508
=====		



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>23 STRATEGIC COMMAND AND CONTROL</b>	<b>53,995</b>	<b>28,995</b>
Facility fit-out ahead of need		-25,000
<b>31 COMBAT TRAINING RANGES</b>	<b>18,217</b>	<b>31,217</b>
Test and training range upgrades		13,000
<b>999 CLASSIFIED PROGRAMS</b>	<b>14,331,312</b>	<b>14,704,972</b>
Classified adjustment		373,660

## PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
PROCUREMENT, DEFENSE-WIDE		
MAJOR EQUIPMENT		
MAJOR EQUIPMENT, DCAA		
2 MAJOR EQUIPMENT ITEMS LESS THAN \$5M.....	1,486	1,486
MAJOR EQUIPMENT, DCMA		
3 MAJOR EQUIPMENT.....	2,129	2,129
MAJOR EQUIPMENT, DHRA		
5 PERSONNEL ADMINISTRATION.....	6,147	6,147
MAJOR EQUIPMENT, DISA		
12 INFORMATION SYSTEMS SECURITY.....	12,708	12,708
14 GLOBAL COMBAT SUPPORT SYSTEM.....	3,002	3,002
15 TELEPORT PROGRAM.....	46,992	46,992
16 ITEMS LESS THAN \$5M.....	108,462	108,462
17 NET CENTRIC ENTERPRISE SERVICES (NCES).....	2,865	2,865
18 DEFENSE INFORMATION SYSTEMS NETWORK.....	116,906	116,906
19 PUBLIC KEY INFRASTRUCTURE.....	1,827	1,827
21 CYBER SECURITY INITIATIVE.....	10,319	10,319
MAJOR EQUIPMENT, DLA		
22 MAJOR EQUIPMENT.....	9,575	6,775
MAJOR EQUIPMENT, DMACT		
23 A - WEAPON SYSTEM COST.....	15,179	15,179
MAJOR EQUIPMENT, DODEA		
24 AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS.....	1,458	1,458
26 EQUIPMENT.....	2,522	2,522
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27 VEHICLES.....	50	50
28 OTHER MAJOR EQUIPMENT.....	13,096	12,433
MAJOR EQUIPMENT, MDA		
30 THAAD SYSTEM.....	460,728	460,728
31 AEGIS BMD.....	389,626	578,626
32 BMDS AN/TPY-2 RADARS.....	217,244	380,244
33 RADAR SYSTEMS.....	10,177	10,177
33 IRON DOME SYSTEM.....	---	211,000

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
41 MAJOR EQUIPMENT, NSA INFORMATION SYSTEMS SECURITY PROGRAM (ISSP).....	6,770	6,770
42 MAJOR EQUIPMENT, OSD MAJOR EQUIPMENT, OSD.....	45,938	45,938
43 MAJOR EQUIPMENT, INTELLIGENCE.....	17,582	17,582
44 MAJOR EQUIPMENT, TJS MAJOR EQUIPMENT, TJS.....	21,878	21,878
45 MAJOR EQUIPMENT, WHS MAJOR EQUIPMENT, WHS.....	26,550	26,550
TOTAL, MAJOR EQUIPMENT.....	1,551,216	2,110,753
SPECIAL OPERATIONS COMMAND AVIATION PROGRAMS		
46 SOF ROTARY WING UPGRADES AND SUSTAINMENT.....	74,832	74,832
48 MH-60 SOF MODERNIZATION PROGRAM.....	126,780	126,780
49 NON-STANDARD AVIATION.....	99,776	37,000
51 SOF U-28.....	7,530	116,906
52 MH-47 CHINOOK.....	134,785	134,785
53 RQ-11 UNMANNED AERIAL VEHICLE.....	2,062	2,062
54 CV-22 SOF MODIFICATION.....	139,147	139,147
55 MQ-1 UNMANNED AERIAL VEHICLE.....	3,963	26,963
56 MQ-9 UNMANNED AERIAL VEHICLE.....	3,952	39,352
58 STUASLO.....	12,945	---
59 PRECISION STRIKE PACKAGE.....	73,013	73,013
60 AC-130J.....	51,484	32,806
62 C-130 MODIFICATIONS.....	25,248	25,248
64 AIRCRAFT SUPPORT.....	5,314	5,314
SHIPBUILDING		
64 UNDERWATER SYSTEMS.....	23,037	6,449
AMMUNITION PROGRAMS		
66 SOF ORDNANCE REPLENISHMENT.....	113,183	113,183
67 SOF ORDNANCE ACQUISITION.....	36,981	36,981

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
OTHER PROCUREMENT PROGRAMS		
68 COMM EQUIPMENT & ELECTRONICS.....	99,838	145,738
69 SOF INTELLIGENCE SYSTEMS.....	71,428	71,428
70 SMALL ARMS & WEAPONS.....	27,108	27,108
71 DCGS-SOF.....	12,767	15,967
74 SOF COMBATANT CRAFT SYSTEMS.....	42,348	42,348
75 SPARES AND REPAIR PARTS.....	600	600
77 TACTICAL VEHICLES.....	37,421	37,421
78 MISSION TRAINING AND PREPARATIONS SYSTEMS.....	36,949	43,273
79 COMBAT MISSION REQUIREMENTS.....	20,255	20,255
80 MILCON COLLATERAL EQUIPMENT.....	17,590	17,590
82 SOF AUTOMATION SYSTEMS.....	66,573	66,573
83 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	6,549	6,549
84 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	32,335	32,335
85 SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS.....	15,153	15,153
86 SOF VISUAL AUGMENTATION, LASERS AND SENSOR SY.....	33,920	33,920
87 SOF TACTICAL RADIO SYSTEMS.....	75,132	75,132
90 MISCELLANEOUS EQUIPMENT.....	6,667	6,667
91 SOF OPERATIONAL ENHANCEMENTS.....	217,972	251,272
92 MILITARY INFORMATION SUPPORT OPERATIONS.....	27,417	27,417
-----		
TOTAL, SPECIAL OPERATIONS COMMAND.....	1,782,054	1,927,567
-----		
CHEMICAL/BIOLOGICAL DEFENSE		
93 INSTALLATION FORCE PROTECTION.....	24,025	24,025
94 INDIVIDUAL PROTECTION.....	73,720	73,720
95 DECONTAMINATION.....	506	506
96 JOINT BIOLOGICAL DEFENSE PROGRAM.....	32,597	32,597
97 COLLECTIVE PROTECTION.....	3,144	3,144
98 CONTAMINATION AVOIDANCE.....	164,886	164,886
-----		
TOTAL, CHEMICAL/BIOLOGICAL DEFENSE.....	298,878	298,878
CLASSIFIED PROGRAMS.....	555,787	541,787
-----		
TOTAL, PROCUREMENT, DEFENSE-WIDE.....	4,187,935	4,878,985
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**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[in thousands of dollars]

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>22 MAJOR EQUIPMENT</b>	<b>9,575</b>	<b>6,775</b>
Virtual interactive processing system - change in acquisition strategy		-2,800
<b>28 OTHER MAJOR EQUIPMENT</b>	<b>13,096</b>	<b>12,433</b>
Emergent technologies ahead of need		-663
<b>31 AEGIS BMD</b>	<b>389,626</b>	<b>578,626</b>
17 additional SM-3 IB interceptors		189,000
<b>32 BMDS AN/TPY-2 RADARS</b>	<b>217,244</b>	<b>380,244</b>
Additional AN/TPY-2 radar		163,000
<b>34 ISRAELI COOPERATIVE PROGRAMS</b>	<b>0</b>	<b>211,000</b>
Program increase - Iron Dome		211,000
<b>49 NON-STANDARD AVIATION</b>	<b>99,776</b>	<b>37,000</b>
SOCOM requested transfer to line 51 for Aviation Foreign Internal Defense fixed-wing aircraft		-62,776
<b>51 SOF U-28</b>	<b>7,530</b>	<b>116,906</b>
SOCOM requested transfer from line 49 for Aviation Foreign Internal Defense fixed-wing aircraft		62,776
HD full motion video		46,600
<b>55 MQ-1 UAV</b>	<b>3,963</b>	<b>26,963</b>
HD full motion video		23,000
<b>56 MQ-9 UAV</b>	<b>3,952</b>	<b>39,352</b>
HD full motion video		35,400
<b>58 STUASLO</b>	<b>12,945</b>	<b>0</b>
Ahead of need		-12,945
<b>60 AC-130J</b>	<b>51,484</b>	<b>32,806</b>
Excess to need due to testing schedule delays		-18,678
<b>64 UNDERWATER SYSTEMS</b>	<b>23,037</b>	<b>6,449</b>
Program rebaselining excess to need		-4,588
Transfer to RDTE,DW line 272		-12,000
<b>68 COMMUNICATION EQUIPMENT &amp; ELECTRONICS</b>	<b>99,838</b>	<b>145,738</b>
HD full motion video		3,900
SOF deployable node		42,000
<b>71 DCGS-SOF</b>	<b>12,767</b>	<b>15,967</b>
HD full motion video		3,200
<b>78 MISSION TRAINING AND PREPARATIONS SYSTEMS</b>	<b>36,949</b>	<b>43,273</b>
HD full motion video		5,000
SOCOM requested transfer from RDTE,DW line 262		1,324
<b>91 SOF OPERATIONAL ENHANCEMENTS</b>	<b>217,972</b>	<b>251,272</b>
HD full motion video		25,300
Tactical airborne ISR		8,000
<b>CLASSIFIED PROGRAMS</b>	<b>555,787</b>	<b>541,787</b>
Classified adjustment		-14,000

DEFENSE PRODUCTION ACT PURCHASES

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	Conference
GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS .....	5,031	5,031
CADMIUM ZINC TELLURIDE SUBSTRATE PRODUCTION .....	1,900	1,900
READ OUT INTEGRATED CIRCUIT FOUNDRY IMPROVEMENT AND SUSTAINABILITY .....	1,200	1,200
SPACE QUALIFIED SOLAR CELL SUPPLY CHAIN .....	1,000	1,000
TRAVELING WAVE TUBE AMPLIFIERS .....	1,320	1,320
COMPLEMENTARY METAL OXIDE SEMICONDUCTOR FOCAL PLAN ARRAYS FOR VISIBLE SENSORS FOR STAR TRACKERS .....	1,800	1,800
ADVANCED PROJECTS .....	1,280	1,280
PRODUCTION BASE INVESTMENT ASSESSMENTS AND ACTIVITIES .....	5,658	0
Program reduction .....		— 5,658
ADVANCED DROP-IN BIOFUEL PRODUCTION .....	70,000	60,000
Ahead of need .....		— 10,000
PROGRAM INCREASE .....		150,000
TOTAL, DEFENSE PRODUCTION ACT .....	89,189	223,531

## TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides \$69,928,477,000 in Title IV, Research, Development, Test and Evaluation, instead of \$69,984,145,000 as proposed by the House and \$69,091,078,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
RECAPITULATION		
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	8,929,415	8,676,627
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	16,882,877	16,963,398
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	25,428,046	25,432,738
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	17,982,161	18,631,946
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	185,268	223,768
	-----	-----
GRAND TOTAL, RDT&E.....	<u>69,407,767</u>	<u>69,928,477</u>

## SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION  
ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). Specifically, the dollar threshold for reprogramming funds will remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense

committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

DEPARTMENT OF DEFENSE AND SERVICE CYBER  
ACTIVITIES

The conferees understand that the Department is revising the budget justification materials to be provided with the fiscal year 2014 budget submission that are in support of cyber activities. The conferees support the Department's efforts to provide increased detail on this important national security issue and will continue to work with the Department to ensure there is adequate oversight on cyber activities.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:



(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
1	BASIC RESEARCH		
	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	20,860	20,860
2	DEFENSE RESEARCH SCIENCES.....	219,180	219,180
3	UNIVERSITY RESEARCH INITIATIVES.....	80,986	80,986
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS.....	123,045	107,446
	TOTAL, BASIC RESEARCH.....	444,071	428,472
5	APPLIED RESEARCH		
	MATERIALS TECHNOLOGY.....	29,041	74,041
6	SENSORS AND ELECTRONIC SURVIVABILITY.....	45,260	45,260
7	TRACTOR HIP.....	22,439	22,439
8	AVIATION TECHNOLOGY.....	51,607	51,607
9	ELECTRONIC WARFARE TECHNOLOGY.....	15,068	15,068
10	MISSILE TECHNOLOGY.....	49,383	49,383
11	ADVANCED WEAPONS TECHNOLOGY.....	25,999	25,999
12	ADVANCED CONCEPTS AND SIMULATION.....	23,507	23,507
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.....	69,062	69,062
14	BALLISTICS TECHNOLOGY.....	60,823	60,823
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY....	4,465	4,465
16	JOINT SERVICE SMALL ARMS PROGRAM.....	7,169	7,169
17	WEAPONS AND MUNITIONS TECHNOLOGY.....	35,218	50,218
18	ELECTRONICS AND ELECTRONIC DEVICES.....	60,300	80,300
19	NIGHT VISION TECHNOLOGY.....	53,244	53,244
20	COUNTERMINE SYSTEMS.....	18,850	31,850
21	HUMAN FACTORS ENGINEERING TECHNOLOGY.....	19,872	19,872
22	ENVIRONMENTAL QUALITY TECHNOLOGY.....	20,095	20,095
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY.....	28,852	28,852
24	COMPUTER AND SOFTWARE TECHNOLOGY.....	9,830	9,830
25	MILITARY ENGINEERING TECHNOLOGY.....	70,693	77,693
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY.....	17,781	17,781
27	WARFIGHTER TECHNOLOGY.....	28,281	54,281

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
28	MEDICAL TECHNOLOGY.....	107,891	107,891
	TOTAL, APPLIED RESEARCH.....	874,730	1,000,730
29	ADVANCED TECHNOLOGY DEVELOPMENT WARFIGHTER ADVANCED TECHNOLOGY.....	39,359	39,359
30	MEDICAL ADVANCED TECHNOLOGY.....	69,580	108,580
31	AVIATION ADVANCED TECHNOLOGY.....	64,215	64,215
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.....	67,613	77,613
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.....	104,359	141,359
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY..	4,157	4,157
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY..	9,856	9,856
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY.....	50,661	50,661
37	TRACTOR HIKE.....	9,126	9,126
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS.....	17,257	17,257
39	TRACTOR ROSE.....	9,925	9,925
40	MILITARY HIV RESEARCH.....	6,984	22,984
41	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT.....	9,716	9,716
42	TRACTOR NAIL.....	3,487	3,487
43	TRACTOR EGGS.....	2,323	2,323
44	ELECTRONIC WARFARE TECHNOLOGY.....	21,683	21,683
45	MISSILE AND ROCKET ADVANCED TECHNOLOGY.....	71,111	90,111
46	TRACTOR CAGE.....	10,902	10,902
47	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.....	180,582	228,182
48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.....	27,204	27,204
49	JOINT SERVICE SMALL ARMS PROGRAM.....	6,095	6,095
50	NIGHT VISION ADVANCED TECHNOLOGY.....	37,217	37,217
51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.....	13,626	13,626
52	MILITARY ENGINEERING ADVANCED TECHNOLOGY.....	28,458	28,458
53	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	25,226	25,226
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	890,722	1,059,322

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
54 DEMONSTRATION & VALIDATION ARMY MISSILE DEFENSE SYSTEMS INTEGRATION.....	14,505	24,505
55 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE).....	9,876	9,876
56 LANDMINE WARFARE AND BARRIER - ADV DEV.....	5,054	5,054
57 SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV.....	2,725	2,725
58 TANK AND MEDIUM CALIBER AMMUNITION.....	30,560	30,560
59 ADVANCED TANK ARMAMENT SYSTEM (ATAS).....	14,347	14,347
60 SOLDIER SUPPORT AND SURVIVABILITY.....	10,073	4,014
61 TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD.....	8,660	8,660
62 NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.....	10,715	10,715
63 ENVIRONMENTAL QUALITY TECHNOLOGY.....	4,631	4,631
64 WARFIGHTER INFORMATION NETWORK-TACTICAL.....	278,018	181,418
65 NATO RESEARCH AND DEVELOPMENT.....	4,961	4,961
66 AVIATION - ADV DEV.....	8,602	8,602
67 LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV.....	14,605	14,605
68 COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION.....	5,054	5,054
69 MEDICAL SYSTEMS - ADV DEV.....	24,384	24,384
70 SOLDIER SYSTEMS - ADVANCED DEVELOPMENT.....	32,050	32,050
71 INTEGRATED BROADCAST SERVICE.....	96	96
72 TECHNOLOGY MATURATION INITIATIVES.....	24,868	2,197
72A ANALYSIS OF ALTERNATIVES.....	---	10,871
73 TRACTOR JUTE.....	59	59
75 INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERC	76,039	28,829
77 INTEGRATED BASE DEFENSE.....	4,043	4,043
78 ENDURANCE UAVS.....	26,196	23,197
TOTAL, DEMONSTRATION & VALIDATION.....	610,121	455,453

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
79	ENGINEERING & MANUFACTURING DEVELOPMENT AIRCRAFT AVIONICS.....	78,538	50,038
80	ARMED, DEPLOYABLE OH-58D.....	90,494	90,494
81	ELECTRONIC WARFARE DEVELOPMENT.....	181,347	128,247
83	MID-TIER NETWORKING VEHICULAR RADIO.....	12,636	2,636
84	ALL SOURCE ANALYSIS SYSTEM.....	5,694	5,694
85	TRACTOR CAGE.....	32,095	13,295
86	INFANTRY SUPPORT WEAPONS.....	96,478	90,578
87	MEDIUM TACTICAL VEHICLES.....	3,006	3,006
89	JAVELIN.....	5,040	5,040
90	FAMILY OF HEAVY TACTICAL VEHICLES.....	3,077	3,077
91	AIR TRAFFIC CONTROL.....	9,769	9,769
92	TACTICAL UNMANNED GROUND VEHICLE.....	13,141	3,141
99	NIGHT VISION SYSTEMS - SDD.....	32,621	32,621
100	COMBAT FEEDING, CLOTHING, AND EQUIPMENT.....	2,132	2,132
101	NON-SYSTEM TRAINING DEVICES - SDD.....	44,787	44,787
102	TERRAIN INFORMATION - SDD.....	1,008	1,008
103	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD....	73,333	48,408
104	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.....	28,937	28,937
105	AUTOMATIC TEST EQUIPMENT DEVELOPMENT.....	10,815	10,815
106	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD.....	13,926	13,926
107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE.....	17,797	17,797
108	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.....	214,270	214,270
109	WEAPONS AND MUNITIONS - SDD.....	14,581	14,581

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
110	LOGISTICS AND ENGINEER EQUIPMENT - SDD.....	43,706	43,706
111	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD.....	20,776	20,776
112	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT.	43,395	43,395
113	LANDMINE WARFARE/BARRIER - SDD.....	104,983	44,483
114	ARTILLERY MUNITIONS.....	4,346	4,346
116	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE...	77,223	49,023
117	RADAR DEVELOPMENT.....	3,486	3,486
118	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs).....	9,963	27,163
119	FIREFINDER.....	20,517	20,517
120	SOLDIER SYSTEMS - WARRIOR DEM/VAL.....	51,851	31,851
121	ARTILLERY SYSTEMS.....	167,797	167,797
122	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP).....	400,861	380,861
123	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK.....	7,922	7,922
124	INFORMATION TECHNOLOGY DEVELOPMENT.....	51,463	51,463
125	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH	158,646	136,546
126	JOINT AIR-TO-GROUND MISSILE (JAGM).....	10,000	10,000
128	PAC-2/MSE MISSILE.....	69,029	69,029
129	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).....	277,374	277,374
130	MANNED GROUND VEHICLE.....	639,874	639,874
131	AERIAL COMMON SENSOR.....	47,426	118,026
132	JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING....	72,295	66,386
133	TROJAN - RH12.....	4,232	4,232
134	ELECTRONIC WARFARE DEVELOPMENT.....	13,942	13,942
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	3,286,629	3,066,495

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
135	RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	18,090	18,090
136	TARGET SYSTEMS DEVELOPMENT.....	14,034	14,034
137	MAJOR T&E INVESTMENT.....	37,394	50,394
138	RAND ARROYO CENTER.....	21,026	21,026
139	ARMY KWAJALEIN ATOLL.....	176,816	176,816
140	CONCEPTS EXPERIMENTATION PROGRAM.....	27,902	27,902
142	ARMY TEST RANGES AND FACILITIES.....	369,900	369,900
143	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.....	69,183	69,183
144	SURVIVABILITY/LETHALITY ANALYSIS.....	44,753	44,753
146	AIRCRAFT CERTIFICATION.....	5,762	5,762
147	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.....	7,402	7,402
148	MATERIEL SYSTEMS ANALYSIS.....	19,954	19,954
149	EXPLOITATION OF FOREIGN ITEMS.....	5,535	5,535
150	SUPPORT OF OPERATIONAL TESTING.....	67,789	70,789
151	ARMY EVALUATION CENTER.....	62,765	62,765
152	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)....	1,545	1,545
153	PROGRAMWIDE ACTIVITIES.....	83,422	83,422
154	TECHNICAL INFORMATION ACTIVITIES.....	50,820	50,820
155	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY...	46,763	56,763
156	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.....	4,601	4,601
157	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)....	18,524	18,524
	TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,153,980	1,179,980

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
159 OPERATIONAL SYSTEMS DEVELOPMENT MLRS PRODUCT IMPROVEMENT PROGRAM.....	143,005	123,005
161 PATRIOT PRODUCT IMPROVEMENT.....	109,978	49,978
162 AEROSTAT JOINT PROJECT OFFICE.....	190,422	159,922
164 ADV FIELD ARTILLERY TACTICAL DATA SYSTEM.....	32,556	32,556
165 COMBAT VEHICLE IMPROVEMENT PROGRAMS.....	253,959	237,559
166 MANEUVER CONTROL SYSTEM.....	68,325	68,325
167 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS...	280,247	226,147
168 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	898	898
169 DIGITIZATION.....	35,180	10,180
169A NETWORK INTEGRATED EVALUATION (NIE).....	---	28,200
171 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.....	20,733	20,733
172 TRACTOR CARD.....	63,243	63,243
173 JOINT TACTICAL GROUND SYSTEM.....	31,738	31,738
174 JOINT HIGH SPEED VESSEL (JHSV).....	35	35
176 SECURITY AND INTELLIGENCE ACTIVITIES.....	7,591	7,591
177 INFORMATION SYSTEMS SECURITY PROGRAM.....	15,961	15,961
178 GLOBAL COMBAT SUPPORT SYSTEM.....	120,927	120,927
179 SATCOM GROUND ENVIRONMENT (SPACE).....	15,756	15,756
180 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.....	14,443	14,443
182 TACTICAL UNMANNED AERIAL VEHICLES.....	31,303	28,503
183 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	40,876	40,876
184 MQ-1 SKY WARRIOR A UAV.....	74,618	74,618
185 RQ-11 UAV.....	4,039	4,039
186 RQ-7 UAV.....	31,158	31,158
187 VERTICAL UAS.....	2,387	---
188 BIOMETRICS ENABLED INTELLIGENCE.....	15,248	15,248
189 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.....	59,908	59,908
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	1,664,534	1,481,547
999 CLASSIFIED PROGRAMS.....	4,628	4,628
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.....	8,929,415	8,676,627

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>4 UNIVERSITY AND INDUSTRY RESEARCH CENTERS</b>	<b>123,045</b>	<b>107,446</b>
Historically black colleges and universities - transfer to RDTE,DW line 9		-15,599
<b>5 MATERIALS TECHNOLOGY</b>	<b>29,041</b>	<b>74,041</b>
Program increase - corrosion control		10,000
Materials research and technology		13,000
Nanotechnology research		9,000
Silicon carbide research		13,000
<b>17 WEAPONS AND MUNITIONS TECHNOLOGY</b>	<b>35,218</b>	<b>50,218</b>
Program increase		15,000
<b>18 ELECTRONICS AND ELECTRONIC DEVICES</b>	<b>60,300</b>	<b>80,300</b>
Program increase - energy efficiency		20,000
<b>20 COUNTERMINE SYSTEMS</b>	<b>18,850</b>	<b>31,850</b>
Unexploded ordnance and landmine detection research		13,000
<b>25 MILITARY ENGINEERING TECHNOLOGY</b>	<b>70,693</b>	<b>77,693</b>
U.S. Army Corps of Engineers research		7,000
<b>27 WARFIGHTER TECHNOLOGY</b>	<b>28,281</b>	<b>54,281</b>
Clothing and equipment technology		13,000
Power generation and storage		13,000
<b>30 MEDICAL ADVANCED TECHNOLOGY</b>	<b>69,580</b>	<b>108,580</b>
Peer-Reviewed neurotoxin exposure treatment parkinsons research program		16,000
Peer-Reviewed neurofibromatosis research program		15,000
Military burn research program		8,000
<b>32 WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY</b>	<b>67,613</b>	<b>77,613</b>
Program increase		10,000
<b>33 COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY</b>	<b>104,359</b>	<b>141,359</b>
Alternative energy research		37,000
<b>40 MILITARY HIV RESEARCH</b>	<b>6,984</b>	<b>22,984</b>
Program increase		16,000
<b>45 MISSILE AND ROCKET ADVANCED TECHNOLOGY</b>	<b>71,111</b>	<b>90,111</b>
Restore unjustified reduction		19,000
<b>47 HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM</b>	<b>180,582</b>	<b>228,182</b>
Restore unjustified reduction		47,600
<b>54 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION</b>	<b>14,505</b>	<b>24,505</b>
Program increase		10,000
<b>60 SOLDIER SUPPORT AND SURVIVABILITY</b>	<b>10,073</b>	<b>4,014</b>
C08 unjustified request		-6,059



R-1	Budget Request	Conference
<b>64 WARFIGHTER INFORMATION NETWORK-TACTICAL</b>	<b>278,018</b>	<b>181,418</b>
Increment III excess growth		-90,000
Management services excess growth		-6,600
<b>72 TECHNOLOGY MATURATION INITIATIVES</b>	<b>24,868</b>	<b>2,197</b>
Army identified excess to requirement		-11,800
Analysis of alternatives - transfer to line 72A		-10,871
<b>72A ANALYSIS OF ALTERNATIVES</b>		<b>10,871</b>
Analysis of alternatives - transfer from line 72		10,871
<b>INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-</b>		
<b>75 INTERCEPT</b>	<b>76,039</b>	<b>28,829</b>
Technology development contract award delays		-47,210
<b>78 ENDURANCE UAVS</b>	<b>26,196</b>	<b>23,197</b>
Fielding delays		-2,999
<b>79 AIRCRAFT AVIONICS</b>	<b>78,538</b>	<b>50,038</b>
Degraded visual environment ONS - transfer to title IX		-28,500
<b>81 ELECTRONIC WARFARE DEVELOPMENT</b>	<b>181,347</b>	<b>128,247</b>
Common infrared counter measures technology development delays		-53,100
<b>83 MID-TIER NETWORKING VEHICULAR RADIO</b>	<b>12,636</b>	<b>2,636</b>
Funded via prior approval above threshold reprogramming fiscal Year 12-14		-10,000
<b>85 TRACTOR CAGE</b>	<b>32,095</b>	<b>13,295</b>
Lack of requirement		-18,800
<b>86 INFANTRY SUPPORT WEAPONS</b>	<b>96,478</b>	<b>90,578</b>
S61 Increment 1b program adjustment		-5,900
<b>92 TACTICAL UNMANNED GROUND VEHICLE</b>	<b>13,141</b>	<b>3,141</b>
Lack of competitive acquisition strategy		-10,000
<b>103 AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD</b>	<b>73,333</b>	<b>48,408</b>
Interceptor enhancements - program terminated by Army		-24,925
<b>113 LANDMINE WARFARE/BARRIER - SDD</b>	<b>104,983</b>	<b>44,483</b>
HMDS contract award delays and change to acquisition strategy		-40,000
EHP - Army requested adjustment		-10,600
RCIS program delays		-5,400
AMDS contract award delays		-4,500
<b>ARMY TACTICAL COMMAND &amp; CONTROL HARDWARE</b>		
<b>116 &amp; SOFTWARE</b>	<b>77,223</b>	<b>49,023</b>
C34 - transfer to line 169A		-28,200
<b>GENERAL FUND ENTERPRISE BUSINESS</b>		
<b>118 SYSTEM (GFEBs)</b>	<b>9,963</b>	<b>27,163</b>
Program increase to develop secure capability		17,200

R-1	Budget Request	Conference
<b>120 SOLDIER SYSTEMS - WARRIOR DEM/VAL</b>	<b>51,851</b>	<b>31,851</b>
S75 - excessive new hardware and software development, integration and evaluation		-20,000
<b>122 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM</b>	<b>400,861</b>	<b>380,861</b>
Program adjustment		-400,861
Completion of proof of concept or termination liability required by paragraph 19.5.2 of memorandum of understanding if certified by the Secretary of Defense		348,000
US MEADS national program office		52,861
US MEADS national program office reduction		-20,000
<b>ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMHRS), OR INTEGRATED PERSONNEL AND PAY SYSTEM -</b>		
<b>125 ARMY (IPPS-A)</b>	<b>158,646</b>	<b>136,546</b>
IPPS-A execution delays and Increment II concurrency		-22,100
<b>131 AERIAL COMMON SENSOR</b>	<b>47,426</b>	<b>118,026</b>
Army requested transfer from AP,A line 18 only to exercise the option for two additional EMD aircraft		46,900
Program increase only to fully fund EMD		23,700
<b>132 JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING</b>	<b>72,295</b>	<b>66,386</b>
Two month contract award delay		-5,909
<b>137 MAJOR TEST AND EVALUATION INVESTMENT</b>	<b>37,394</b>	<b>50,394</b>
Program increase - restore unjustified reduction		13,000
<b>150 SUPPORT OF OPERATIONAL TESTING</b>	<b>67,789</b>	<b>70,789</b>
Program increase - restore unjustified reduction		3,000
<b>155 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY</b>	<b>46,763</b>	<b>56,763</b>
Program increase		10,000
<b>159 MLRS PRODUCT IMPROVEMENT PROGRAM</b>	<b>143,005</b>	<b>123,005</b>
Fire control system forward financing		-20,000
<b>161 PATRIOT PRODUCT IMPROVEMENT</b>	<b>109,978</b>	<b>49,978</b>
Growth without acquisition strategy		-60,000
<b>162 AEROSTAT JOINT PROJECT OFFICE-JLENS</b>	<b>190,422</b>	<b>159,922</b>
COCOM exercise ahead of need		-30,500
<b>165 COMBAT VEHICLE IMPROVEMENT PROGRAMS</b>	<b>253,959</b>	<b>237,559</b>
DS5 ahead of need for fiscal year 2014 contract		-16,400
<b>AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT</b>		
<b>167 PROGRAMS</b>	<b>280,247</b>	<b>226,147</b>
Improved turbine engine program ahead of need		-54,100

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>169 DIGITIZATION</b>	<b>35,180</b>	<b>10,180</b>
Army requested transfer to OP,A for non-developmental emerging technologies		-25,000
<b>NETWORK INTEGRATED EVALUATION [NIE] TECHNOLOGY</b>		
<b>169A TRANSITION</b>		<b>28,200</b>
Transfer from line 116, C34 only for NIE technology transition		28,200
<b>182 TACTICAL UNMANNED AERIAL VEHICLES</b>	<b>31,303</b>	<b>28,503</b>
11B - TSP increment II ahead of need		-2,800
<b>187 VERTICAL UAS</b>	<b>2,387</b>	<b>0</b>
Lack of justification		-2,387

## ACTIVE DENIAL TECHNOLOGY

The fiscal year 2013 budget request included \$35,218,000 in Research, Development, Test and Evaluation, Army, program element 0602624A, “Weapons and Munitions Technology”. The conferees are aware that multiple programs and projects are funded in

this program element, including non-lethal technologies. The conferees recognize the benefits to units in the field of developing non-lethal technologies, including counter-personnel and directed energy technologies. The conference agreement provides an additional \$15,000,000, as proposed by the House, to support Army research and development

efforts in both lethal and non-lethal technologies.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
	BASIC RESEARCH		
1	UNIVERSITY RESEARCH INITIATIVES.....	113,690	133,690
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	18,261	18,261
3	DEFENSE RESEARCH SCIENCES.....	473,070	482,070
	TOTAL, BASIC RESEARCH.....	605,021	634,021
	APPLIED RESEARCH		
4	POWER PROJECTION APPLIED RESEARCH.....	89,189	99,189
5	FORCE PROTECTION APPLIED RESEARCH.....	143,301	209,301
6	MARINE CORPS LANDING FORCE TECHNOLOGY.....	46,528	46,528
7	COMMON PICTURE APPLIED RESEARCH.....	41,696	41,696
8	WARFIGHTER SUSTAINMENT APPLIED RESEARCH.....	44,127	44,127
9	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.....	78,228	78,228
10	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.....	49,635	64,635
11	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.....	5,973	5,973
12	UNDERSEA WARFARE APPLIED RESEARCH.....	96,814	96,814
13	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV.....	162,417	162,417
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.....	32,394	32,394
	TOTAL, APPLIED RESEARCH.....	790,302	881,302
	ADVANCED TECHNOLOGY DEVELOPMENT		
15	POWER PROJECTION ADVANCED TECHNOLOGY.....	56,543	56,543
16	FORCE PROTECTION ADVANCED TECHNOLOGY.....	18,616	18,616
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.....	54,858	63,858
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)..<	130,598	130,598
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.....	11,706	11,706
22	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV.....	256,382	288,382
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.....	3,880	42,580
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY.....	---	10,000
25	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.....	51,819	51,819
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	584,402	674,102

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
28 DEMONSTRATION & VALIDATION AIR/OCEAN TACTICAL APPLICATIONS.....	34,085	34,085
29 AVIATION SURVIVABILITY.....	8,783	8,783
30 DEPLOYABLE JOINT COMMAND AND CONTROL.....	3,773	3,773
31 AIRCRAFT SYSTEMS.....	24,512	24,512
32 ASW SYSTEMS DEVELOPMENT.....	8,090	8,090
33 TACTICAL AIRBORNE RECONNAISSANCE.....	5,301	5,301
34 ADVANCED COMBAT SYSTEMS TECHNOLOGY.....	1,506	1,506
35 SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.....	190,622	188,622
36 SURFACE SHIP TORPEDO DEFENSE.....	93,346	93,346
37 CARRIER SYSTEMS DEVELOPMENT.....	108,871	108,871
39 PILOT FISH.....	101,169	101,169
40 RETRACT LARCH.....	74,312	74,312
41 RETRACT JUNIPER.....	90,730	90,730
42 RADIOLOGICAL CONTROL.....	777	777
43 SURFACE ASW.....	6,704	4,504
44 ADVANCED SUBMARINE SYSTEM DEVELOPMENT.....	555,123	77,028
44A OHIO REPLACEMENT PROGRAM.....	---	483,095
45 SUBMARINE TACTICAL WARFARE SYSTEMS.....	9,368	9,368
46 SHIP CONCEPT ADVANCED DESIGN.....	24,609	24,609
47 SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.....	13,710	34,810
48 ADVANCED NUCLEAR POWER SYSTEMS.....	249,748	249,748
49 ADVANCED SURFACE MACHINERY SYSTEMS.....	29,897	29,897
50 CHALK EAGLE.....	509,988	499,988
51 LITTORAL COMBAT SHIP (LCS).....	429,420	414,920
52 COMBAT SYSTEM INTEGRATION.....	56,551	50,551
53- CONVENTIONAL MUNITIONS.....	7,342	7,342
54 MARINE CORPS ASSAULT VEHICLES.....	95,182	83,182
55 MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.....	10,496	10,496

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	52,331	38,331
57 COOPERATIVE ENGAGEMENT.....	56,512	56,512
58 OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.....	7,029	7,029
59 ENVIRONMENTAL PROTECTION.....	21,080	21,080
60 NAVY ENERGY PROGRAM.....	55,324	95,324
61 FACILITIES IMPROVEMENT.....	3,401	3,401
62 CHALK CORAL.....	45,966	45,966
63 NAVY LOGISTIC PRODUCTIVITY.....	3,811	3,811
64 RETRACT MAPLE.....	341,305	341,305
65 LINK PLUMERIA.....	181,220	181,220
66 RETRACT ELM.....	174,014	162,014
68 LINK EVERGREEN.....	68,654	68,654
69 SPECIAL PROCESSES.....	44,487	44,487
70 NATO RESEARCH AND DEVELOPMENT.....	9,389	9,389
71 LAND ATTACK TECHNOLOGY.....	16,132	16,132
72 NONLETHAL WEAPONS.....	44,994	44,994
74 JOINT PRECISION APPROACH AND LANDING SYSTEMS.....	137,369	122,369
77 TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES.....	73,934	73,934
78 ASE SELF-PROTECTION OPTIMIZATION.....	711	711
79 JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE.	71,300	46,936
78 PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.....	5,654	5,654
79 SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE..	31,549	28,949
82 OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.....	86,801	86,801
83 JOINT LIGHT TACTICAL VEHICLE ENGINEERING/MANUFACTURING	44,500	38,591
80 ASW SYSTEMS DEVELOPMENT - MIP.....	13,172	13,172
82 ELECTRONIC WARFARE DEVELOPMENT - MIP.....	643	643
TOTAL, DEMONSTRATION & VALIDATION.....	4,335,297	4,280,824

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
87 ENGINEERING & MANUFACTURING DEVELOPMENT OTHER HELO DEVELOPMENT.....	33,978	24,978
88 AV-8B AIRCRAFT - ENG DEV.....	32,789	17,535
89 STANDARDS DEVELOPMENT.....	84,988	74,988
90 MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.....	6,866	6,866
91 AIR/OCEAN EQUIPMENT ENGINEERING.....	4,060	4,060
92 P-3 MODERNIZATION PROGRAM.....	3,451	3,451
93 WARFARE SUPPORT SYSTEM.....	13,071	11,071
94 TACTICAL COMMAND SYSTEM.....	71,645	71,645
95 ADVANCED HAWKEYE.....	119,065	128,065
96 H-1 UPGRADES.....	31,105	31,105
97 ACOUSTIC SEARCH SENSORS.....	34,299	34,299
98 V-22A.....	54,412	49,412
99 AIR CREW SYSTEMS DEVELOPMENT.....	2,717	2,717
100 EA-18.....	13,009	13,009
101 ELECTRONIC WARFARE DEVELOPMENT.....	51,304	51,304
102 VH-71A EXECUTIVE HELO DEVELOPMENT.....	61,163	51,163
103 NEXT GENERATION JAMMER (NGJ).....	187,024	167,024
104 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY).....	337,480	267,480
105 SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.....	260,616	260,616
106 LPD-17 CLASS SYSTEMS INTEGRATION.....	824	824
107 SMALL DIAMETER BOMB (SDB).....	31,064	31,064
108 STANDARD MISSILE IMPROVEMENTS.....	63,891	48,391
109 AIRBORNE MCM.....	73,246	66,996
110 MARINE AIR GROUND TASK FORCE ELECTRONIC WARFARE .....	10,568	10,568
111 NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	39,974	39,974
112 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM.....	122,481	102,481
113 ADVANCED ABOVE WATER SENSORS.....	255,516	40,895
113A AIR AND MISSILE DEFENSE RADAR.....	---	223,621
114 SSN-688 AND TRIDENT MODERNIZATION.....	82,620	82,620
115 AIR CONTROL.....	5,633	5,633
116 SHIPBOARD AVIATION SYSTEMS.....	55,826	55,826



## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
117 COMBAT INFORMATION CENTER CONVERSION.....	918	918
118 NEW DESIGN SSN.....	165,230	90,230
119 SUBMARINE TACTICAL WARFARE SYSTEM.....	49,141	49,141
120 SHIP CONTRACT DESIGN/LIVE FIRE T&E.....	196,737	196,737
121 NAVY TACTICAL COMPUTER RESOURCES.....	3,889	3,889
122 MINE DEVELOPMENT.....	8,335	8,335
123 LIGHTWEIGHT TORPEDO DEVELOPMENT.....	49,818	51,818
124 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	10,099	8,099
125 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS....	7,348	5,348
126 JOINT STANDOFF WEAPON SYSTEMS.....	5,518	5,518
127 SHIP SELF DEFENSE (DETECT & CONTROL).....	87,662	87,662
128 SHIP SELF DEFENSE (ENGAGE: HARD KILL).....	64,079	64,079
129 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW).....	151,489	139,489
131 MEDICAL DEVELOPMENT.....	12,707	41,707
132 NAVIGATION/ID SYSTEM.....	47,764	41,764
133 JOINT STRIKE FIGHTER (JSF) - EMD.....	737,149	718,949
134 JOINT STRIKE FIGHTER (JSF).....	743,926	720,209
135 INFORMATION TECHNOLOGY DEVELOPMENT.....	12,143	12,143
136 INFORMATION TECHNOLOGY DEVELOPMENT.....	72,209	72,209
138 CH-53K.....	606,204	606,204
140 MULTI-MISSION MARITIME AIRCRAFT (MMA).....	421,102	436,102
141 DDG-1000.....	124,655	124,655
142 TACTICAL COMMAND SYSTEM - MIP.....	1,170	1,170
144 TACTICAL CRYPTOLOGIC SYSTEMS.....	23,255	23,255
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	5,747,232	5,489,311

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
146 RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	30,790	30,790
147 TARGET SYSTEMS DEVELOPMENT.....	59,221	59,221
148 MAJOR T&E INVESTMENT.....	35,894	35,894
149 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	7,573	6,573
150 STUDIES AND ANALYSIS SUPPORT - NAVY.....	20,963	17,963
151 CENTER FOR NAVAL ANALYSES.....	46,856	46,856
153 TECHNICAL INFORMATION SERVICES.....	796	796
154 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.....	32,782	47,782
155 STRATEGIC TECHNICAL SUPPORT.....	3,306	3,306
156 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT.....	70,302	70,302
157 RDT&E SHIP AND AIRCRAFT SUPPORT.....	144,033	144,033
158 TEST AND EVALUATION SUPPORT.....	342,298	372,298
159 OPERATIONAL TEST AND EVALUATION CAPABILITY.....	16,399	16,399
160 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.....	4,579	4,579
161 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT.....	8,000	8,000
162 MARINE CORPS PROGRAM WIDE SUPPORT.....	18,490	18,490
163 TACTICAL CRYPTOLOGIC ACTIVITIES.....	2,795	2,795
TOTAL, RDT&E MANAGEMENT SUPPORT.....	845,077	886,077
167 OPERATIONAL SYSTEMS DEVELOPMENT UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT.	142,282	142,282
170 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT.....	105,892	105,892
171 SSBN SECURITY TECHNOLOGY PROGRAM.....	34,729	34,729
172 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT.....	1,434	1,434
173 NAVY STRATEGIC COMMUNICATIONS.....	19,208	19,208
174 RAPID TECHNOLOGY TRANSITION (RTT).....	25,566	25,566
175 F/A-18 SQUADRONS.....	188,299	169,299
176 E-2 SQUADRONS.....	8,610	8,610
177 FLEET TELECOMMUNICATIONS (TACTICAL).....	15,695	15,695
178 SURFACE SUPPORT.....	4,171	3,371

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
179	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) ..	11,265	11,265
180	INTEGRATED SURVEILLANCE SYSTEM.....	45,922	45,922
181	AMPHIBIOUS TACTICAL SUPPORT UNITS.....	8,435	8,435
182	GROUND/AIR TASK ORIENTED RADAR.....	75,088	75,088
183	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.....	20,229	18,544
184	CRYPTOLOGIC DIRECT SUPPORT.....	1,756	1,756
185	ELECTRONIC WARFARE (EW) READINESS SUPPORT.....	19,843	19,843
186	HARM IMPROVEMENT.....	11,477	11,477
187	TACTICAL DATA LINKS.....	118,818	90,618
188	SURFACE ASW COMBAT SYSTEM INTEGRATION.....	27,342	27,342
189	MK-48 ADCAP.....	28,717	38,717
190	AVIATION IMPROVEMENTS.....	89,157	89,157
191	NAVY SCIENCE ASSISTANCE PROGRAM.....	3,450	3,450
192	OPERATIONAL NUCLEAR POWER SYSTEMS.....	86,435	86,435
193	MARINE CORPS COMMUNICATIONS SYSTEMS.....	219,054	210,054
194	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS....	181,693	167,693
195	MARINE CORPS COMBAT SERVICES SUPPORT.....	58,393	54,393
196	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)....	22,966	22,966
197	TACTICAL AIM MISSILES.....	21,107	21,107
198	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)....	2,857	2,857
199	JOINT HIGH SPEED VESSEL (JHSV).....	1,932	1,932
204	SATELLITE COMMUNICATIONS (SPACE).....	188,482	188,482
205	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES.....	16,749	16,749
206	INFORMATION SYSTEMS SECURITY PROGRAM.....	26,307	26,307
207	WWMCCS/Global Command and Control System.....	500	500
210	COBRA JUDY.....	17,091	17,091
211	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)...	810	810
212	JOINT MILITARY INTELLIGENCE PROGRAMS.....	8,617	8,617
213	TACTICAL UNMANNED AERIAL VEHICLES.....	9,066	7,566
215	MANNED RECONNAISSANCE SYSTEMS.....	30,654	30,654

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
216	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	25,917	25,917
217	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	14,676	14,676
218	RQ-4 UAV.....	657,483	657,483
219	MQ-8 UAV.....	99,600	92,000
220	RQ-11 UAV.....	495	495
221	RQ-7 UAV.....	863	863
223	SMALL (LEVEL 0) TACTICAL UAS (STUASLO).....	9,734	9,734
225	RQ-21A.....	22,343	22,343
226	MODELING AND SIMULATION SUPPORT.....	5,908	5,908
227	DEPOT MAINTENANCE (NON-IF).....	27,391	27,391
229	INDUSTRIAL PREPAREDNESS.....	54,879	72,879
230	MARITIME TECHNOLOGY (MARITECH).....	5,000	5,000
	TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	2,824,387	2,766,602
999	CLASSIFIED PROGRAMS.....	1,151,159	1,351,159
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	16,882,877	16,963,398

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>1 UNIVERSITY RESEARCH INITIATIVES</b>	<b>113,690</b>	<b>133,690</b>
Program increase - cooperative based university research program		20,000
<b>3 DEFENSE RESEARCH SCIENCES</b>	<b>473,070</b>	<b>482,070</b>
Nanotechnology research		9,000
<b>4 POWER PROJECTION APPLIED RESEARCH</b>	<b>89,189</b>	<b>99,189</b>
Program increase - power projection applied research		10,000
<b>5 FORCE PROTECTION APPLIED RESEARCH</b>	<b>143,301</b>	<b>209,301</b>
Alternative energy research		40,000
Materials research and technology		13,000
Power generation and storage research		13,000
<b>10 OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH</b>	<b>49,635</b>	<b>64,635</b>
Program increase - AGOR mid-life refit		15,000
<b>19 ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY</b>	<b>54,858</b>	<b>63,858</b>
Advanced radar research		9,000
<b>FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY</b>		
<b>22 DEVELOPMENT</b>	<b>256,382</b>	<b>288,382</b>
Technology transition - restore unjustified reduction		32,000
<b>23 WARFIGHTER PROTECTION ADVANCED TECHNOLOGY</b>	<b>3,880</b>	<b>42,580</b>
Program increase - bone marrow registry program		31,500
Program increase - tactical athlete program		7,200
<b>24 UNDERSEA WARFARE ADVANCED TECHNOLOGY</b>	<b>0</b>	<b>10,000</b>
Program increase - ASW research		10,000
<b>35 SURFACE AND SHALLOW WATER MINE COUNTERMEASURES</b>	<b>190,622</b>	<b>188,622</b>
Excess to need		-2,000
<b>43 SURFACE ASW</b>	<b>6,704</b>	<b>4,504</b>
Program execution		-2,200
<b>44 ADVANCED SUBMARINE SYSTEM DEVELOPMENT</b>	<b>555,123</b>	<b>77,028</b>
Transfer to line 44X		-483,095
Seawolf risk reduction efforts		5,000
<b>14X OHIO CLASS REPLACEMENT PROGRAM</b>	<b>0</b>	<b>483,095</b>
Transfer from line 44		483,095
<b>47 SHIP PRELIMINARY DESIGN &amp; FEASIBILITY STUDIES</b>	<b>13,710</b>	<b>34,810</b>
Program delay		-3,900
TAO(X) design		25,000
<b>50 CHALK EAGLE</b>	<b>509,988</b>	<b>499,988</b>
Unjustified cost growth		-10,000

R-1	Budget Request	Conference
<b>51 LITTORAL COMBAT SHIP (LCS)</b>	<b>429,420</b>	<b>414,920</b>
Increment 2 missile system ahead of need		-8,000
Irregular warfare module ahead of need		-4,000
Program increase - small business technology insertion		10,000
Reduction to training architecture		-12,500
<b>52 COMBAT SYSTEM INTEGRATION</b>	<b>56,551</b>	<b>50,551</b>
Program execution		-6,000
<b>54 MARINE CORPS ASSAULT VEHICLES</b>	<b>95,182</b>	<b>83,182</b>
Program execution		-12,000
<b>56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT</b>	<b>52,331</b>	<b>38,331</b>
Program execution		-14,000
<b>60 NAVY ENERGY PROGRAM</b>	<b>55,324</b>	<b>95,324</b>
Program increase - alternative energy initiatives		40,000
<b>66 RETRACT ELM</b>	<b>174,014</b>	<b>162,014</b>
Program execution		-12,000
<b>73 JOINT PRECISION APPROACH AND LANDING SYSTEMS</b>	<b>137,369</b>	<b>122,369</b>
Program management cost growth		-15,000
<b>JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC</b>		
<b>78 WARFARE</b>	<b>71,300</b>	<b>46,936</b>
Program execution		-20,000
Unjustified miscellaneous contract		-4,364
<b>SPACE &amp; ELECTRONIC WARFARE (SEW)</b>		
<b>80 ARCHITECTURE/ENGINE</b>	<b>31,549</b>	<b>28,949</b>
Program execution		-2,600
<b>JOINT LIGHT TACTICAL VEHICLE</b>		
<b>83 ENGINEERING/MANUFACTURING</b>	<b>44,500</b>	<b>38,591</b>
Contract award delay		-5,909
<b>87 OTHER HELO DEVELOPMENT</b>	<b>33,978</b>	<b>24,978</b>
Program execution		-9,000
<b>88 AV-8B AIRCRAFT - ENG DEV</b>	<b>32,789</b>	<b>17,535</b>
Excess functional control computer funding		-15,254
<b>89 STANDARDS DEVELOPMENT</b>	<b>84,988</b>	<b>74,988</b>
Support funding growth		-2,000
Program execution		-8,000
<b>93 WARFARE SUPPORT SYSTEM</b>	<b>13,071</b>	<b>11,071</b>
Program execution		-2,000
<b>95 ADVANCED HAWKEYE</b>	<b>119,065</b>	<b>128,065</b>
Advanced radar research		9,000
<b>98 V-22A</b>	<b>54,412</b>	<b>49,412</b>
Program execution		-5,000

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>102 VH-71A EXECUTIVE HELO DEVELOPMENT</b>	<b>61,163</b>	<b>51,163</b>
Program execution		-10,000
<b>103 NEXT GENERATION JAMMER (NGJ)</b>	<b>187,024</b>	<b>167,024</b>
Milestone delay		-20,000
<b>104 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)</b>	<b>337,480</b>	<b>267,480</b>
Revised acquisition strategy		-70,000
<b>108 STANDARD MISSILE IMPROVEMENTS</b>	<b>63,891</b>	<b>48,391</b>
Program execution		-5,500
Modernization program delay due to development issues		-10,000
<b>109 AIRBORNE MCM</b>	<b>73,246</b>	<b>66,996</b>
Program not meeting key performance parameters		-3,000
Program execution		-3,250
<b>112 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM</b>	<b>122,481</b>	<b>102,481</b>
Milestone A delay		-20,000
<b>113 ADVANCED ABOVE WATER SENSORS</b>	<b>255,516</b>	<b>40,895</b>
Transfer to line 113X		-223,621
Advanced radar research		9,000
<b>113X AIR AND MISSILE DEFENSE RADAR</b>	<b>0</b>	<b>223,621</b>
Transfer from line 113		223,621
<b>118 NEW DESIGN SSN</b>	<b>165,230</b>	<b>90,230</b>
Program increase - small business technology insertion		15,000
Virginia payload module ahead of need		-90,000
<b>123 LIGHTWEIGHT TORPEDO DEVELOPMENT</b>	<b>49,818</b>	<b>51,818</b>
Program increase - small business technology insertion		10,000
Program forward financed		-8,000
<b>124 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT</b>	<b>10,099</b>	<b>8,099</b>
Program execution		-2,000
<b>125 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS</b>	<b>7,348</b>	<b>5,348</b>
Program execution		-2,000
<b>129 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)</b>	<b>151,489</b>	<b>139,489</b>
Program execution		-12,000
<b>131 MEDICAL DEVELOPMENT</b>	<b>12,707</b>	<b>41,707</b>
Program increase - NAMRU research		10,000
Program increase - wound care research		13,000
Program increase - military dental research		6,000
<b>132 NAVIGATION/ID SYSTEM</b>	<b>47,764</b>	<b>41,764</b>
Program execution		-6,000

R-1	Budget Request	Conference
<b>133 JOINT STRIKE FIGHTER (JSF) - EMD</b>	<b>737,149</b>	<b>718,949</b>
Block IV development ahead of need		-3,200
Development support excess to need		-15,000
<b>134 JOINT STRIKE FIGHTER (JSF)</b>	<b>743,926</b>	<b>720,209</b>
Block IV development ahead of need		-8,717
Development support excess to need		-15,000
<b>140 MULTI-MISSION MARITIME AIRCRAFT (MMA)</b>	<b>421,102</b>	<b>436,102</b>
Program increase - small business technology insertion		15,000
<b>149 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION</b>	<b>7,573</b>	<b>6,573</b>
Program execution		-1,000
<b>150 STUDIES AND ANALYSIS SUPPORT - NAVY</b>	<b>20,963</b>	<b>17,963</b>
Program execution		-3,000
<b>154 MANAGEMENT, TECHNICAL &amp; INTERNATIONAL SUPPORT</b>	<b>32,782</b>	<b>47,782</b>
Printed circuit board executive agent - previous NDAA mandate		15,000
<b>158 TEST AND EVALUATION SUPPORT</b>	<b>342,298</b>	<b>372,298</b>
Program increase - major range and test facility base		30,000
<b>175 F/A-18 SQUADRONS</b>	<b>188,299</b>	<b>169,299</b>
Program execution		-19,000
<b>178 SURFACE SUPPORT</b>	<b>4,171</b>	<b>3,371</b>
Program execution		-800
<b>183 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT</b>	<b>20,229</b>	<b>18,544</b>
Program execution		-1,685
<b>187 TACTICAL DATA LINKS</b>	<b>118,818</b>	<b>90,618</b>
Program execution		-28,200
<b>189 MK-48 ADCAP</b>	<b>28,717</b>	<b>38,717</b>
Program increase - small business technology insertion		10,000
<b>193 MARINE CORPS COMMUNICATIONS SYSTEMS</b>	<b>219,054</b>	<b>210,054</b>
Common aviation command and control system late contract award		-9,000
<b>MARINE CORPS GROUND COMBAT/SUPPORTING ARMS</b>		
<b>194 SYSTEMS</b>	<b>181,693</b>	<b>167,693</b>
Program execution		-10,000
Marine personnel carrier - excess program management		-4,000
<b>195 MARINE CORPS COMBAT SERVICES SUPPORT</b>	<b>58,393</b>	<b>54,393</b>
Program execution		-4,000
<b>213 TACTICAL UNMANNED AERIAL VEHICLES</b>	<b>9,066</b>	<b>7,566</b>
Contract award delay		-1,500



<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>219 MQ-8 UAV</b>	<b>99,600</b>	<b>92,000</b>
Program execution		-7,600
<b>229 INDUSTRIAL PREPAREDNESS</b>	<b>54,879</b>	<b>72,879</b>
Program increase		18,000
<b>999 CLASSIFIED PROGRAMS</b>	<b>1,151,159</b>	<b>1,351,159</b>
Classified adjustment		200,000

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
	BASIC RESEARCH		
1	DEFENSE RESEARCH SCIENCES.....	361,787	361,787
2	UNIVERSITY RESEARCH INITIATIVES.....	141,153	141,153
3	HIGH ENERGY LASER RESEARCH INITIATIVES.....	13,094	13,094
	TOTAL, BASIC RESEARCH.....	516,034	516,034
	APPLIED RESEARCH		
4	MATERIALS.....	114,166	123,166
5	AEROSPACE VEHICLE TECHNOLOGIES.....	120,719	120,719
6	HUMAN EFFECTIVENESS APPLIED RESEARCH.....	89,319	89,319
7	AEROSPACE PROPULSION.....	232,547	232,547
8	AEROSPACE SENSORS.....	127,637	127,637
9	SPACE TECHNOLOGY.....	98,375	98,375
10	CONVENTIONAL MUNITIONS.....	77,175	77,175
11	DIRECTED ENERGY TECHNOLOGY.....	106,196	108,196
	DOMINANT INFORMATION SCIENCES AND METHODS.....	104,362	104,362
13	HIGH ENERGY LASER RESEARCH.....	38,557	38,557
	TOTAL, APPLIED RESEARCH.....	1,109,053	1,120,053
	ADVANCED TECHNOLOGY DEVELOPMENT		
14	ADVANCED MATERIALS FOR WEAPON SYSTEMS.....	47,890	60,890
15	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T).....	6,565	6,565
16	ADVANCED AEROSPACE SENSORS.....	37,657	37,657
17	AEROSPACE TECHNOLOGY DEV/DEMO.....	81,376	81,376
18	AEROSPACE PROPULSION AND POWER TECHNOLOGY.....	151,152	164,152
19	ELECTRONIC COMBAT TECHNOLOGY.....	32,941	26,941
20	ADVANCED SPACECRAFT TECHNOLOGY.....	64,557	64,557
21	MAUI SPACE SURVEILLANCE SYSTEM (MSSS).....	29,256	29,256
22	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT...	21,523	21,523
23	CONVENTIONAL WEAPONS TECHNOLOGY.....	36,352	36,352
24	ADVANCED WEAPONS TECHNOLOGY.....	19,004	19,004
25	MANUFACTURING TECHNOLOGY PROGRAM.....	37,045	57,045
26	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION.....	31,419	31,419
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	596,737	636,737

## (IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
28	ADVANCED COMPONENT DEVELOPMENT INTELLIGENCE ADVANCED DEVELOPMENT.....	3,866	3,866
29	PHYSICAL SECURITY EQUIPMENT.....	3,704	3,704
30	ADVANCED EHF MILSATCOM (SPACE).....	229,171	231,171
31	POLAR MILSATCOM (SPACE).....	120,676	120,676
32	SPACE CONTROL TECHNOLOGY.....	25,144	23,144
33	COMBAT IDENTIFICATION TECHNOLOGY.....	32,243	29,243
34	NATO RESEARCH AND DEVELOPMENT.....	4,507	4,507
35	INTERNATIONAL SPACE COOPERATIVE R&D.....	652	652
36	SPACE PROTECTION PROGRAM (SPP).....	10,429	10,429
37	INTEGRATED BROADCAST SERVICE.....	19,938	19,938
38	INTERCONTINENTAL BALLISTIC MISSILE.....	71,181	71,181
39	WIDEBAND GAFILLER SYSTEM RDT&E (SPACE).....	12,027	12,027
40	POLLUTION PREVENTION (DEM/VAL).....	2,054	1,054
41	JOINT PRECISION APPROACH AND LANDING SYSTEMS.....	57,975	12,975
42	NEXT GENERATION BOMBER.....	291,742	291,742
43	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT.....	114,417	111,417
44	TECHNOLOGY TRANSFER.....	2,576	2,576
45	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM.....	16,711	16,711
47	REQUIREMENTS ANALYSIS AND MATURATION.....	16,343	16,343
48	WEATHER SATELLITE FOLLOW-ON.....	2,000	---
50	GROUND ATTACK WEAPONS FUZE DEVELOPMENT.....	9,423	9,423
54	OPERATIONALLY RESPONSIVE SPACE.....	---	105,000
55	TECH TRANSITION PROGRAM.....	37,558	34,558
56	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)....	96,840	71,840
	TOTAL, ADVANCED COMPONENT DEVELOPMENT.....	1,181,177	1,204,177

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
58 ENGINEERING & MANUFACTURING DEVELOPMENT GLOBAL BROADCAST SERVICE (GBS).....	14,652	14,652
59 NUCLEAR WEAPONS SUPPORT.....	25,713	---
60 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.....	6,583	5,630
61 ELECTRONIC WARFARE DEVELOPMENT.....	1,975	1,975
62 JOINT TACTICAL RADIO.....	2,594	---
63 TACTICAL DATA NETWORKS ENTERPRISE.....	24,534	24,534
64 PHYSICAL SECURITY EQUIPMENT.....	51	51
65 SMALL DIAMETER BOMB (SDB).....	143,000	138,000
66 COUNTERSPACE SYSTEMS.....	28,797	27,797
67 SPACE SITUATION AWARENESS SYSTEMS.....	267,252	230,152
68 AIRBORNE ELECTRONIC ATTACK.....	4,118	4,118
69 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH END.....	448,594	531,594
70 ARMAMENT/ORDNANCE DEVELOPMENT.....	9,951	9,951
71 SUBMUNITIONS.....	2,567	2,567
72 AGILE COMBAT SUPPORT.....	13,059	26,059
73 LIFE SUPPORT SYSTEMS.....	9,720	6,720
74 COMBAT TRAINING RANGES.....	9,222	9,222
76 INTELLIGENCE EQUIPMENT.....	803	803
77 JOINT STRIKE FIGHTER (JSF).....	1,210,306	1,177,999
78 INTERCONTINENTAL BALLISTIC MISSILE.....	135,437	135,437
79 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE).....	7,980	32,980
80 LONG RANGE STANDOFF WEAPON.....	2,004	2,004
81 ICBM FUZE MODERNIZATION.....	73,512	73,512
82 F-22 MODERNIZATION INCREMENT 3.2B.....	140,100	140,100
83 NEXT GENERATION AERIAL REFUELING AIRCRAFT.....	1,815,588	1,738,488
84 CSAR HH-60 RECAPITALIZATION.....	123,210	115,210
85 HC/MC-130 RECAP RDT&E.....	19,039	10,739
86 B-2 DEFENSIVE MANAGEMENT SYSTEM.....	281,056	281,056

## (IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
87	NUCLEAR WEAPONS MODERNIZATION.....	80,200	80,200
89	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE.	310	310
90	FULL COMBAT MISSION TRAINING.....	14,861	14,861
91	MC-12.....	19,949	19,949
	JOINT CARGO AIRCRAFT (JCA).....	---	6,500
93	CV-22.....	28,027	28,027
94	AIRBORNE SENIOR LEADER C3 (SLC3S).....	1,960	1,960
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	4,966,724	4,893,157
95	RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	22,812	22,812
96	MAJOR T&E INVESTMENT.....	42,236	42,236
97	RAND PROJECT AIR FORCE.....	25,579	25,579
99	INITIAL OPERATIONAL TEST & EVALUATION.....	16,197	16,197
100	TEST AND EVALUATION SUPPORT.....	722,071	722,071
101	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE).....	16,200	16,200
102	SPACE TEST PROGRAM (STP).....	10,051	45,051
103	FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL..	42,597	42,597
104	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT..	27,301	27,301
105	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE.....	13,964	13,964
106	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.....	203,766	195,766
107	ACQUISITION AND MANAGEMENT SUPPORT.....	42,430	32,530
107A	ELECTRONIC ACQUISITION SERVICES ENVIRONMENT.....	---	4,800
108	GENERAL SKILL TRAINING.....	1,294	---
111	INTERNATIONAL ACTIVITIES.....	3,851	3,851
	TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,190,349	1,210,955

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
112 OPERATIONAL SYSTEMS DEVELOPMENT GPS III - OPERATIONAL CONTROL SEGMENT.....	371,595	350,095
114 AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM..	91,697	45,697
115 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY.....	17,037	37,037
117 B-52 SQUADRONS.....	53,208	18,508
118 AIR-LAUNCHED CRUISE MISSILE (ALCM).....	431	431
119 B-1B SQUADRONS.....	16,265	16,265
120 B-2 SQUADRONS.....	35,970	35,970
121 STRAT WAR PLANNING SYSTEM - USSTRATCOM.....	30,889	23,189
122 NIGHT FIST - USSTRATCOM.....	10	---
124 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION..	5,609	5,609
126 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	15,098	5,098
127 MQ-9 UAV.....	147,971	147,971
128 MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT.....	49,848	49,848
129 A-10 SQUADRONS.....	13,538	13,538
130 F-16 SQUADRONS.....	190,257	176,757
131 F-15E SQUADRONS.....	192,677	171,677
132 MANNED DESTRUCTIVE SUPPRESSION.....	13,683	13,683
133 F-22 SQUADRONS.....	371,667	365,167
134 F-35 SQUADRONS.....	8,117	---
135 TACTICAL AIM MISSILES.....	8,234	6,634
136 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	87,041	87,041
137 JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS).....	1,472	1,472
138 COMBAT RESCUE AND RECOVERY.....	2,095	2,095
139 COMBAT RESCUE - PARARESCUE.....	1,119	1,119
140 AF TENCAP.....	63,853	63,853
141 PRECISION ATTACK SYSTEMS PROCUREMENT.....	1,063	1,063
142 COMPASS CALL.....	12,094	12,094
143 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	187,984	187,984

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
145 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).....	7,950	7,950
146 AIR AND SPACE OPERATIONS CENTER (AOC).....	76,315	76,315
147 CONTROL AND REPORTING CENTER (CRC).....	8,653	8,653
148 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).....	65,200	48,900
149 TACTICAL AIRBORNE CONTROL SYSTEMS.....	5,767	5,767
152 COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES.....	5,756	5,756
154 TACTICAL AIR CONTROL PARTY--MOD.....	16,226	16,226
156 C2ISR TACTICAL DATA LINK.....	1,633	1,633
157 COMMAND AND CONTROL (C2) CONSTELLATION.....	18,086	15,786
158 DCAVES.....	15,690	15,690
159 JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM....	24,241	24,241
160 SEEK EAGLE.....	22,654	22,654
161 USAF MODELING AND SIMULATION.....	15,501	15,501
162 WARGAMING AND SIMULATION CENTERS.....	5,699	5,699
163 DISTRIBUTED TRAINING AND EXERCISES.....	4,425	3,225
164 MISSION PLANNING SYSTEMS.....	69,377	69,377
165 INFORMATION WARFARE SUPPORT.....	7,159	7,159
166 CYBER COMMAND ACTIVITIES.....	66,888	66,888
174 SPACE SUPERIORITY INTELLIGENCE.....	12,056	12,056
175 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).....	4,159	4,159
176 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	20,124	20,124
177 INFORMATION SYSTEMS SECURITY PROGRAM.....	69,133	69,133
178 GLOBAL COMBAT SUPPORT SYSTEM.....	6,512	3,512
179 GLOBAL COMMAND AND CONTROL SYSTEM.....	4,316	2,316
180 MILSATCOM TERMINALS.....	107,237	107,237
182 AIRBORNE SIGINT ENTERPRISE.....	129,106	129,106
185 GLOBAL AIR TRAFFIC MANAGEMENT (GATM).....	4,461	4,461
186 CYBER SECURITY INITIATIVE.....	2,055	2,055
187 DOD CYBER CRIME CENTER.....	285	285
188 SATELLITE CONTROL NETWORK (SPACE).....	33,773	33,773
189 WEATHER SERVICE.....	29,048	29,048

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
190 AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC).	43,187	39,687
191 AERIAL TARGETS.....	50,496	46,096
194 SECURITY AND INVESTIGATIVE ACTIVITIES.....	354	354
195 ARMS CONTROL IMPLEMENTATION.....	4,000	4,000
196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.....	342	---
198 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)...	29,621	29,621
199 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL).	14,335	14,335
201 SPACE AND MISSILE TEST AND EVALUATION CENTER.....	3,680	3,680
202 SPACE WARFARE CENTER.....	2,430	2,430
203 SPACELIFT RANGE SYSTEM (SPACE).....	8,760	8,360
205 DRAGON U-2.....	23,644	23,644
206 ENDURANCE UNMANNED AERIAL VEHICLES.....	21,000	81,000
207 AIRBORNE RECONNAISSANCE SYSTEMS.....	96,735	96,735
208 MANNED RECONNAISSANCE SYSTEMS.....	13,316	13,316
209 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	63,501	48,501
210 PREDATOR UAV (JMIP).....	9,122	9,122
211 RQ-4 UAV.....	236,265	252,265
212 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA).....	7,367	7,367
213 COMMON DATA LINK (CDL).....	38,094	36,694
214 NATO AGS.....	210,109	210,109
215 SUPPORT TO DCGS ENTERPRISE.....	24,500	24,500
216 GPS III SPACE SEGMENT.....	318,992	318,992
217 JSPOC MISSION SYSTEM.....	54,645	53,045
218 RAPID CYBER ACQUISITION.....	4,007	2,007
219 INTELLIGENCE SUPPORT TO INFORMATION WARFARE.....	13,357	13,357
220 NUDET DETECTION SYSTEM (SPACE).....	64,965	63,365
221 SPACE SITUATION AWARENESS OPERATIONS.....	19,586	19,586
223 SHARED EARLY WARNING (SEW).....	1,175	1,175
224 C-130 AIRLIFT SQUADRON.....	5,000	15,000
225 C-5 AIRLIFT SQUADRONS.....	35,115	35,115
226 C-17 AIRCRAFT.....	99,225	86,225
227 C-130J PROGRAM.....	30,652	20,652



## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
228 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).....	7,758	7,758
229 LIGHT MOBILITY AIRCRAFT (LiMA).....	100	---
231 KC-10S.....	24,022	21,022
232 OPERATIONAL SUPPORT AIRLIFT.....	7,471	18,571
234 SPECIAL TACTICS / COMBAT CONTROL.....	4,984	4,984
235 DEPOT MAINTENANCE (NON-IF).....	1,588	1,588
236 LOGISTICS SUPPORT ACTIVITIES.....	577	577
237 LOGISTICS INFORMATION TECHNOLOGY (LOGIT).....	119,327	77,327
238 SUPPORT SYSTEMS DEVELOPMENT.....	15,873	72,873
240 OTHER FLIGHT TRAINING.....	349	349
242 OTHER PERSONNEL ACTIVITIES.....	117	---
243 JOINT PERSONNEL RECOVERY AGENCY.....	2,018	2,018
244 CIVILIAN COMPENSATION PROGRAM.....	1,561	1,561
245 PERSONNEL ADMINISTRATION.....	7,634	2,634
246 AIR FORCE STUDIES AND ANALYSIS AGENCY.....	1,175	675
247 FACILITIES OPERATION--ADMINISTRATION.....	3,491	3,491
248 FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT..	100,160	100,160
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	4,695,789	4,570,503
CLASSIFIED PROGRAMS.....	11,172,183	11,281,122
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	25,428,046	25,432,738

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>4 MATERIALS</b>	<b>114,166</b>	<b>123,166</b>
Nanotechnology research		9,000
<b>11 DIRECTED ENERGY TECHNOLOGY</b>	<b>106,196</b>	<b>108,196</b>
Space situational awareness		9,000
Delay electronic laser on a large aircraft		-7,000
<b>14 ADVANCED MATERIALS FOR WEAPON SYSTEMS</b>	<b>47,890</b>	<b>60,890</b>
Materials research and technology		13,000
<b>18 AEROSPACE PROPULSION AND POWER TECHNOLOGY</b>	<b>151,152</b>	<b>164,152</b>
Silicon carbide research		13,000
<b>19 ELECTRONIC COMBAT TECHNOLOGY</b>	<b>32,941</b>	<b>26,941</b>
Protection concepts for 6th generation aircraft ahead of need		-2,000
Rapidly fieldable operational demonstrations unjustified request		-4,000
<b>25 MANUFACTURING TECHNOLOGY PROGRAM</b>	<b>37,045</b>	<b>57,045</b>
Program increase		20,000
<b>30 ADVANCED EHF MILSATCOM (SPACE)</b>	<b>229,171</b>	<b>231,171</b>
Program management services excess to need		-3,000
Satellite and MCS interim contractor support excess to need		-20,000
Program increase - space modernization initiatives		25,000
<b>32 SPACE CONTROL TECHNOLOGY</b>	<b>25,144</b>	<b>23,144</b>
Operationally responsive space - transfer to line 54		-2,000
<b>33 COMBAT IDENTIFICATION TECHNOLOGY</b>	<b>32,243</b>	<b>29,243</b>
Underexecution		-3,000
<b>40 POLLUTION PREVENTION - DEM/VAL</b>	<b>2,054</b>	<b>1,054</b>
Forward financing		-1,000
<b>41 JOINT PRECISION APPROACH AND LANDING SYSTEM - DEM/VAL</b>	<b>57,975</b>	<b>12,975</b>
Development contract award delay		-45,000
<b>BATTLE MANAGEMENT COMMAND &amp; CONTROL SENSOR</b>		
<b>43 DEVELOPMENT</b>	<b>114,417</b>	<b>111,417</b>
SAR/MTI alternatives		10,000
Excess to need		-13,000
<b>48 WEATHER SATELLITE FOLLOW-ON</b>	<b>2,000</b>	<b>0</b>
Carryover of fiscal year 2012 funds		-2,000
<b>54 OPERATIONALLY RESPONSIVE SPACE</b>	<b>0</b>	<b>105,000</b>
Program increase		100,000
Space control technology - transfer from line 32		2,000
Tech transition program - transfer from line 55		3,000
<b>55 TECH TRANSITION PROGRAM</b>	<b>37,558</b>	<b>34,558</b>
Operationally responsive space - transfer to line 54		-3,000

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)</b>		
<b>56 (SPACE)</b>	<b>96,840</b>	<b>71,840</b>
GPS user equipment, directorate, and other support unjustified growth		-2,500
GPS user equipment, FFRDC, and management services unjustified growth		-2,500
Reduction to growth due to protracted pre-engineering and manufacturing development phase		-20,000
<b>59 NUCLEAR WEAPON SUPPORT</b>	<b>25,713</b>	<b>0</b>
Global C3I and early warning - transfer to OM,AF line 12A		-25,713
<b>60 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING</b>	<b>6,583</b>	<b>5,630</b>
Program delays		-953
<b>62 JOINT TACTICAL RADIO</b>	<b>2,594</b>	<b>0</b>
Unjustified request		-2,594
<b>65 SMALL DIAMETER BOMB (SDB)</b>	<b>143,000</b>	<b>138,000</b>
Other product development cost growth		-5,000
<b>66 COUNTERSPACE SYSTEMS</b>	<b>28,797</b>	<b>27,797</b>
Historical excess from general reductions		-1,000
<b>67 SPACE SITUATION AWARENESS SYSTEMS</b>	<b>267,252</b>	<b>230,152</b>
Space fence delay of award		-37,100
U.S.-Australia C-band radar project - internal realignment		[11,200]
<b>69 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH</b>	<b>448,594</b>	<b>531,594</b>
SBIRS SMI, architecture studies		-5,000
SBIRS evolution		-10,000
SBIRS ground expansion for HEO C2		40,000
SBIRS ground starrer/scanner integration acceleration		40,000
Program increase - space modernization initiatives		18,000
<b>72 AGILE COMBAT SUPPORT</b>	<b>13,059</b>	<b>26,059</b>
Power generation and storage research		13,000
<b>73 LIFE SUPPORT SYSTEMS</b>	<b>9,720</b>	<b>6,720</b>
Forward financing		-3,000
<b>77 F-35</b>	<b>1,210,306</b>	<b>1,177,999</b>
Block 4 ahead of need		-2,307
Unjustified growth in other		-30,000
<b>79 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)</b>	<b>7,980</b>	<b>32,980</b>
RL-10 conversions		25,000
<b>83 NEXT GENERATION AERIAL REFUELING AIRCRAFT</b>	<b>1,815,588</b>	<b>1,738,488</b>
Air Force identified forward financing		-77,100
<b>84 CSAR HH-60 RECAP</b>	<b>123,210</b>	<b>115,210</b>
Unobligated prior year funds		-8,000
<b>85 HC/MC-130 RECAP</b>	<b>19,039</b>	<b>10,739</b>
Forward financing		-8,300

R-1	Budget Request	Conference
<b>92 C-27J JOINT CARGO AIRCRAFT</b>	<b>0</b>	<b>6,500</b>
Retain Air Force force structure		6,500
<b>102 SPACE TEST PROGRAM (STP)</b>	<b>10,051</b>	<b>45,051</b>
Program increase		35,000
<b>106 SPACE AND MISSILE CENTER CIVILIAN WORKFORCE</b>	<b>203,766</b>	<b>195,766</b>
Excess to need		-8,000
<b>107 ACQUISITION AND MANAGEMENT SUPPORT</b>	<b>42,430</b>	<b>32,530</b>
Recruiting and development excess growth		-2,700
Acquisition systems unjustified cost growth		-2,400
Electronic acquisition services environment - transfer to line 107a		-4,800
<b>107a ELECTRONIC ACQUISITION SERVICES ENVIRONMENT</b>	<b>0</b>	<b>4,800</b>
Transfer from line 107		4,800
<b>108 GENERAL SKILL TRAINING</b>	<b>1,294</b>	<b>0</b>
Excess to need		-1,294
<b>GLOBAL POSITIONING SYSTEM III - OPERATIONAL CONTROL</b>		
<b>112 SEGMENT</b>	<b>371,595</b>	<b>350,095</b>
GPS/OCX - Phase B, OCX, Block 1 and 2 development ahead of need		-50,000
GPS launch control system acceleration		50,000
GPS/OCX FFRDC excess to need		-8,000
GPS - enterprise integrator FFRDC excess to need		-5,000
GPS - enterprise integrator excess to need		-8,500
<b>114 AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)</b>	<b>91,697</b>	<b>45,697</b>
Contract award delay		-46,000
<b>115 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY</b>	<b>17,037</b>	<b>37,037</b>
Alternative power sources for anti-tamper technology		20,000
<b>117 B-52 SQUADRONS</b>	<b>53,208</b>	<b>18,508</b>
CONNECT restructure		-34,700
<b>121 STRAT WAR PLANNING SYSTEMS - USSTRATCOM</b>	<b>30,889</b>	<b>23,189</b>
SWPS Increment 3 excess to need		-7,700
<b>122 NIGHT FIST - USSTRATCOM</b>	<b>10</b>	<b>0</b>
Unjustified request		-10
<b>WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID</b>		
<b>126 TRANSITION FUND</b>	<b>15,098</b>	<b>5,098</b>
Unobligated balances		-10,000
<b>130 F-16 SQUADRONS</b>	<b>190,257</b>	<b>176,757</b>
Flight test unjustified increase		-3,500
Combat avionics programmed extension suite program delay		-10,000
<b>131 F-15E SQUADRONS</b>	<b>192,677</b>	<b>171,677</b>
Forward financing		-21,000
<b>133 F-22A SQUADRONS</b>	<b>371,667</b>	<b>365,167</b>
Should cost review savings		-6,500

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>134 F-35 SQUADRONS</b>	<b>8,117</b>	<b>0</b>
Block 4 ahead of need		-8,117
<b>135 TACTICAL AIM MISSILES</b>	<b>8,234</b>	<b>6,634</b>
Product development cost growth		-1,600
<b>148 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)</b>	<b>65,200</b>	<b>48,900</b>
Underexecution		-16,300
<b>157 COMMAND AND CONTROL (C2) CONSTELLATION</b>	<b>18,086</b>	<b>15,786</b>
Architecture and systems engineering unjustified increase		-2,300
<b>163 DISTRIBUTED TRAINING AND EXERCISES</b>	<b>4,425</b>	<b>3,225</b>
Wargaming unjustified increase		-1,200
<b>178 GLOBAL COMBAT SUPPORT SYSTEM</b>	<b>6,512</b>	<b>3,512</b>
Program restructure		-3,000
<b>179 GLOBAL COMMAND AND CONTROL SYSTEM</b>	<b>4,316</b>	<b>2,316</b>
Underexecution		-2,000
<b>AIR TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM</b>		
<b>190 (ATCALS)</b>	<b>43,187</b>	<b>39,687</b>
NextGen forward financing		-3,500
<b>191 AERIAL TARGETS</b>	<b>50,496</b>	<b>46,096</b>
QF-16 late contract award		-4,400
<b>196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES</b>	<b>342</b>	<b>0</b>
Unobligated balances		-342
<b>203 SPACELIFT RANGE SYSTEM (SPACE)</b>	<b>8,760</b>	<b>8,360</b>
Historical excess from general reductions		-400
<b>206 ENDURANCE UNMANNED AERIAL VEHICLES</b>	<b>21,000</b>	<b>81,000</b>
Testing base for EUAVs		10,000
Long Dwell/Persistent ISR response for JUONs CC-0151 and CC-0302		50,000
<b>209 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS</b>	<b>63,501</b>	<b>48,501</b>
Data compression contract award delay		-15,000
<b>211 RQ-4 UAV</b>	<b>236,265</b>	<b>252,265</b>
Restore Block 30 program		16,000
<b>213 COMMON DATA LINK (CDL)</b>	<b>38,094</b>	<b>36,694</b>
Unjustified program growth		-1,400
<b>217 JSPOC MISSION SYSTEM</b>	<b>54,645</b>	<b>53,045</b>
Historical excess from general reductions		-1,600
<b>218 RAPID CYBER ACQUISITION</b>	<b>4,007</b>	<b>2,007</b>
Unsustained funding level		-2,000
<b>220 NUDET DETECTION SYSTEM (SPACE)</b>	<b>64,965</b>	<b>63,365</b>
ICADS/UGNT execution delays		-1,600
<b>224 C-130 AIRLIFT SQUADRON</b>	<b>5,000</b>	<b>15,000</b>
C-130 AMP		10,000

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>226 C-17 AIRCRAFT</b>	<b>99,225</b>	<b>86,225</b>
Unobligated balances		-13,000
<b>227 C-130J PROGRAM</b>	<b>30,652</b>	<b>20,652</b>
C-130J forward financing		-10,000
<b>229 LIGHT MOBILITY AIRCRAFT (LIMA)</b>	<b>100</b>	<b>0</b>
Program termination		-100
<b>231 KC-10</b>	<b>24,022</b>	<b>21,022</b>
Aircraft modernization program forward financing		-3,000
<b>232 OPERATIONAL SUPPORT AIRLIFT</b>	<b>7,471</b>	<b>18,571</b>
Air Force identified shortfall - VC-25 avionics modernization program		11,100
<b>237 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)</b>	<b>119,327</b>	<b>77,327</b>
Unobligated balances		-42,000
<b>238 SUPPORT SYSTEMS DEVELOPMENT</b>	<b>15,873</b>	<b>72,873</b>
Alternative energy research		37,000
Coal to liquid fuel only for lower emission research		20,000
<b>242 OTHER PERSONNEL ACTIVITIES</b>	<b>117</b>	<b>0</b>
Unobligated balances		-117
<b>245 PERSONNEL ADMINISTRATION</b>	<b>7,634</b>	<b>2,634</b>
Unjustified growth		-5,000
<b>246 AIR FORCE STUDIES AND ANALYSIS AGENCY</b>	<b>1,175</b>	<b>675</b>
Unobligated balances		-500
<b>999 CLASSIFIED PROGRAMS</b>	<b>11,172,183</b>	<b>11,281,122</b>
Classified adjustment		108,939

## SPACE MODERNIZATION INITIATIVES

The conference agreement provides an additional \$18,000,000 for the Space Based Infra-Red System (SBIRS) and \$25,000,000 for the Advanced Extremely High Frequency (AEHF) Satellite Modernization Initiative (SMI) efforts and reiterates the direction as detailed in Senate Report 112–196 for the Secretary of the Air Force to provide the congressional defense committees a report detailing how the additional SMI funds will be used not less than 30 days prior to the obligation of such funds.

The conferees support the evolution of current space systems but are concerned that the Department of Defense and the Air Force have yet to define the architectural and system specific goals being pursued with these funds. The conferees direct the Secretary of the Air Force, in coordination with the

Under Secretary of Defense (Acquisition, Technology, and Logistics), to provide to the congressional defense committees, not later than 90 days after the enactment of this Act, a report describing the overall SMI strategy and goals, a specific accounting of the studies and technologies to be pursued, the current and follow-on costs for those efforts, schedules for delivery of such efforts, and a roadmap of how these efforts correlate or support the future acquisition plans for SBIRS, AEHF, and Global Positioning System satellite and ground segments.

## PROMOTING ENERGY SECURITY

The conferees do not include a provision as proposed by the House regarding the Energy Independence and Security Act. However, the conferees provide \$20,000,000 in Research, Development, Test and Evaluation, Air

Force only for research that will improve emissions of coal to liquid fuel to enable this technology to be a competitive alternative energy resource to meet the goals established in the Department of Defense's Operational Energy Strategy and its Implementation Plan. The conferees direct the Secretary of the Air Force, in consultation with the Assistant Secretary of Defense for Operational Energy Plans and Programs, to inform the congressional defense committees 30 days prior to any obligation or expenditure of these funds.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
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RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE			
1	BASIC RESEARCH DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	45,071	45,071
2	DEFENSE RESEARCH SCIENCES.....	309,051	309,051
3	BASIC RESEARCH INITIATIVES.....	19,405	19,405
5	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.....	39,676	39,676
6	NATIONAL DEFENSE EDUCATION PROGRAM.....	87,979	87,979
7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	50,566	50,566
TOTAL, BASIC RESEARCH.....		551,748	551,748
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7	APPLIED RESEARCH JOINT MUNITIONS TECHNOLOGY.....	20,615	20,615
8	BIOMEDICAL TECHNOLOGY.....	110,900	105,900
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU).....	---	35,599
10	LINCOLN LABORATORY RESEARCH PROGRAM.....	36,826	36,826
11	SYSTEMS 2020 APPLIED RESEARCH.....	7,898	---
12	INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	392,421	392,421
13	COGNITIVE COMPUTING SYSTEMS.....	30,424	30,424
15	BIOLOGICAL WARFARE DEFENSE.....	19,236	19,236
16	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	223,269	223,269
17	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT.....	13,753	8,753
18	CYBER SECURITY RESEARCH.....	18,985	11,485
19	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	6,771	6,771
20	TACTICAL TECHNOLOGY.....	233,209	228,209
21	MATERIALS AND BIOLOGICAL TECHNOLOGY.....	166,067	175,067
22	ELECTRONICS TECHNOLOGY.....	222,416	214,416
23	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	172,352	172,352
24	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	28,739	41,591
TOTAL, APPLIED RESEARCH.....		1,703,881	1,722,934
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(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
25	ADVANCED TECHNOLOGY DEVELOPMENT JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	25,612	20,012
26	SO/LIC ADVANCED DEVELOPMENT.....	26,324	26,324
27	COMBATING TERRORISM TECHNOLOGY SUPPORT.....	77,144	122,144
28	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	275,022	275,022
29	BALLISTIC MISSILE DEFENSE TECHNOLOGY.....	79,975	75,975
31	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.....	20,032	20,032
32	AGILE TRANSPD FOR THE 21ST CENTURY (AT21) - THEATER CA	3,892	3,892
33	SPECIAL PROGRAM--MDA TECHNOLOGY.....	36,685	36,685
34	ADVANCED AEROSPACE SYSTEMS.....	174,316	181,816
35	SPACE PROGRAMS AND TECHNOLOGY.....	159,704	159,704
36	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	234,280	234,280
37	JOINT ELECTRONIC ADVANCED TECHNOLOGY.....	6,983	6,983
38	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.....	158,263	158,263
39	NETWORKED COMMUNICATIONS CAPABILITIES.....	25,393	25,393
40	JOINT DATA MANAGEMENT RESEARCH.....	13,754	8,754
42	CYBER SECURITY ADVANCED RESEARCH.....	19,935	12,435
43	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	8,235	8,235
44	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	21,966	51,966
45	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.....	24,662	24,662
47	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.....	24,605	24,605
48	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY.....	30,678	30,678
49	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.....	65,282	65,282
50	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT....	72,234	62,234
51	JOINT WARFIGHTING PROGRAM.....	8,403	8,403
52	ADVANCED ELECTRONICS TECHNOLOGIES.....	111,008	111,008
54	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.....	237,859	229,859
55	CLASSIFIED DARPA PROGRAMS.....	3,000	3,000
56	NETWORK-CENTRIC WARFARE TECHNOLOGY.....	236,883	244,383
57	SENSOR TECHNOLOGY.....	299,438	294,438
57XX	DEFENSE RAPID INNOVATION PROGRAM.....	---	250,000

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
58 DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT..	12,195	12,195
59 SOFTWARE ENGINEERING INSTITUTE.....	30,036	30,036
60 QUICK REACTION SPECIAL PROJECTS.....	107,002	82,002
62 JOINT EXPERIMENTATION.....	21,230	21,230
63 MODELING AND SIMULATION MANAGEMENT OFFICE.....	47,433	43,433
64 DIRECTED ENERGY RESEARCH.....	46,944	22,944
65 NEXT GENERATION AEGIS MISSILE.....	224,077	61,377
66 TEST & EVALUATION SCIENCE & TECHNOLOGY.....	92,602	92,602
68 OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.....	26,244	26,244
69 CWMD SYSTEMS.....	53,946	38,946
70 SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT....	45,317	45,317
71 AVIATION ENGINEERING ANALYSIS.....	861	861
72 SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECH...	4,959	4,959
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	3,194,413	3,258,613
73 DEMONSTRATION & VALIDATION NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT..	33,234	33,234
74 RETRACT LARCH.....	21,023	21,023
75 WALKOFF.....	94,624	94,624
77 ADVANCE SENSOR APPLICATIONS PROGRAM.....	16,958	18,958
78 ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
79 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT....	316,929	301,929
80 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT...	903,172	978,172
81 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	179,023	179,023
82 BALLISTIC MISSILE DEFENSE SENSORS.....	347,012	347,012
84 BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS.....	362,711	362,711
85 SPECIAL PROGRAMS - MDA.....	272,387	262,387
86 AEGIS BMD.....	992,407	992,407
87 SPACE SURVEILLANCE & TRACKING SYSTEM.....	51,313	51,313
88 BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.....	6,912	6,912
89 BALLISTIC MISSILE DEFENSE C2BMC.....	366,552	360,552
90 BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT....	55,550	55,550
91 BALLISTIC MISSILE DEFENSE INTERGRATION AND OPERATIONS CENTER (MDIOC).....	63,043	63,043

## (IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
92	REGARDING TRENCH.....	11,371	11,371
93	SEA BASED X-BAND RADAR (SBX).....	9,730	27,730
94	ISRAELI COOPERATIVE PROGRAMS.....	99,836	268,736
95	BALLISTIC MISSILE DEFENSE TEST.....	454,400	454,400
96	BALLISTIC MISSILE DEFENSE TARGETS.....	435,747	435,747
97	HUMANITARIAN DEMINING.....	13,231	13,231
98	COALITION WARFARE.....	11,398	11,398
99	DEPARTMENT OF DEFENSE CORROSION PROGRAM.....	3,283	33,283
100	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	12,368	12,368
101	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	5,131	5,131
104	JOINT SYSTEMS INTEGRATION.....	3,273	3,273
106	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM.....	7,364	7,364
107	LAND-BASED SM-3 (LBSM3).....	276,338	276,338
108	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT.....	420,630	470,630
109	PRECISION TRACKING SPACE SYSTEM RDT&E.....	297,375	242,375
111	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST).....	58,742	18,742
113	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.....	3,158	3,158
115	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT .	6,817	6,817
116	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.....	110,383	200,383
	TOTAL, DEMONSTRATION & VALIDATION.....	6,399,366	6,707,266

## (IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
117	ENGINEERING & MANUFACTURING DEVELOPMENT CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	311,071	311,071
119	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)..	25,787	25,787
120	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.....	5,749	5,749
122	INFORMATION TECHNOLOGY DEVELOPMENT.....	12,699	12,699
125	HOMELAND PERSONNEL SECURITY INITIATIVE.....	387	387
126	DEFENSE EXPORTABILITY PROGRAM.....	1,859	1,859
127	OUS(D) IT DEVELOPMENT INITIATIVES.....	7,010	7,010
128	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION..	133,104	111,000
129	DCMO POLICY AND INTEGRATION.....	25,269	25,269
131	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY.....	10,238	10,238
132	GLOBAL COMBAT SUPPORT SYSTEM.....	19,670	19,670
133	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)...	3,556	3,556
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	577,087	554,983
135	RDT&E MANAGEMENT SUPPORT DEFENSE READINESS REPORTING SYSTEM (DRRS).....	6,383	6,383
136	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT.....	3,845	3,845
137	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	144,109	156,109
138	ASSESSMENTS AND EVALUATIONS.....	2,419	2,419
139	THERMAL VICAR.....	8,214	8,214
140	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).....	19,380	19,380
141	TECHNICAL STUDIES, SUPPORT AND ANALYSIS.....	32,266	32,266
142	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT.....	840	840
143	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION.....	56,012	56,012
144	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	55,508	55,508
145	CLASSIFIED PROGRAM USD(P).....	---	100,000

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
146 FOREIGN COMPARATIVE TESTING.....	18,174	18,174
147 SYSTEMS ENGINEERING.....	43,195	43,195
148 STUDIES AND ANALYSIS SUPPORT.....	6,457	6,457
149 NUCLEAR MATTERS - PHYSICAL SECURITY.....	4,901	4,901
150 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.....	6,307	6,307
151 GENERAL SUPPORT TO USD (INTELLIGENCE).....	6,601	15,601
DEFENSE-WIDE ELECTRONIC PROCUREMENT.....	---	20,000
152 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	92,849	92,849
159 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	1,857	1,857
160 DEFENSE TECHNOLOGY ANALYSIS.....	12,056	12,056
162 DEFENSE TECHNICAL INFORMATION CENTER (DTIC).....	55,454	55,454
163 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	16,364	16,364
164 DEVELOPMENT TEST AND EVALUATION.....	15,110	20,110
166 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT).....	69,767	69,767
167 BUDGET AND PROGRAM ASSESSMENTS.....	4,454	4,454
169 OPERATIONS SECURITY (OPSEC).....	2,637	2,637
174 SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES...	8,238	8,238
176 CYBER SECURITY INITIATIVE.....	1,801	1,801
177 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)...	16,041	16,041
180 COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION.	77,475	62,475
182 MANAGEMENT HEADQUARTERS - MDA.....	34,855	34,855
183 IT SOFTWARE DEV INITIATIVES.....	104	104
999 CLASSIFIED PROGRAMS.....	64,255	64,255
TOTAL, RDT&E MANAGEMENT SUPPORT.....	887,928	1,018,928

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
185 OPERATIONAL SYSTEMS DEVELOPMENT ENTERPRISE SECURITY SYSTEM (ESS).....	8,866	8,866
186 REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	3,238	3,238
187 OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	288	288
188 CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	14,745	14,745
190 JOINT INTEGRATION AND INTEROPERABILITY.....	5,013	5,013
191 PLANNING AND DECISION AID SYSTEM.....	3,922	3,922
192 C4I INTEROPERABILITY.....	72,574	72,574
194 JOINT/ALLIED COALITION INFORMATION SHARING.....	6,214	6,214
201 NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.....	499	499
202 DEFENSE INFO INFRASTRUCTURE ENGINEERING & INTEGRATION.	14,498	14,498
203 LONG HAUL COMMUNICATIONS (DCS).....	26,164	26,164
204 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	12,931	12,931
205 PUBLIC KEY INFRASTRUCTURE (PKI).....	6,296	6,296
206 KEY MANAGEMENT INFRASTRUCTURE (KMI).....	30,948	30,948
207 INFORMATION SYSTEMS SECURITY PROGRAM.....	11,780	11,780
208 INFORMATION SYSTEMS SECURITY PROGRAM.....	191,452	191,452
211 GLOBAL COMMAND AND CONTROL SYSTEM.....	36,575	36,575
212 JOINT SPECTRUM CENTER.....	24,278	24,278
213 NET-CENTRIC ENTERPRISE SERVICES (NCES).....	2,924	2,924
214 JOINT MILITARY DECEPTION INITIATIVE.....	1,294	1,294
215 TELEPORT PROGRAM.....	6,050	6,050
217 SPECIAL APPLICATIONS FOR CONTINGENCIES.....	17,058	17,058
222 CYBER SECURITY INITIATIVE.....	4,189	4,189
223 CRITICAL INFRASTRUCTURE PROTECTION (CIP).....	10,462	10,462
227 POLICY R&D PROGRAMS.....	6,360	6,360
229 NET CENTRICITY.....	21,190	21,190
232 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	7,114	7,714
236 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	3,247	3,247
237 MQ-1 PREDATOR A UAV.....	1,355	1,355
240 HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.....	2,303	2,303
241 INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT.	1,478	1,478
249 INDUSTRIAL PREPAREDNESS.....	27,044	27,044

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
250 LOGISTICS SUPPORT ACTIVITIES.....	4,711	4,711
251 MANAGEMENT HEADQUARTERS (JCS).....	4,100	4,100
253 MQ-9 UAV.....	3,002	3,002
257 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV.....	97,267	97,267
258 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT.....	821	821
259 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT...	25,935	25,935
260 SOF OPERATIONAL ENHANCEMENTS.....	51,700	63,700
261 SPECIAL OPERATIONS CV-22 DEVELOPMENT.....	1,822	1,822
262 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS).....	10,131	8,807
263 MC130J SOF TANKER RECAPITALIZATION.....	19,647	19,647
264 SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS..	2,225	2,225
265 SOF TACTICAL RADIO SYSTEMS.....	3,036	3,036
266 SOF WEAPONS SYSTEMS.....	1,511	1,511
267 SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS.....	4,263	4,263
268 SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS.....	4,448	4,448
269 SOF TACTICAL VEHICLES.....	11,325	11,325
270 SOF MUNITIONS.....	1,515	1,515
271 SOF ROTARY WING AVIATION.....	24,430	24,430
272 SOF UNDERWATER SYSTEMS.....	26,405	75,405
273 SOF SURFACE CRAFT.....	8,573	8,573
275 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	7,620	7,620
276 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	16,386	13,386
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	913,222	970,498
DARPA CLASSIFIED.....	---	-25,000
999 CLASSIFIED PROGRAMS.....	3,754,516	3,871,976
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE.	17,982,161	18,631,946

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>8 BIOMEDICAL TECHNOLOGY</b>	<b>110,900</b>	<b>105,900</b>
Reduction to new starts		-5,000
<b>HISTORICALLY BLACK COLLEGES &amp; UNIVERSITIES (HBCU)</b>		
<b>9 SCIENCE</b>	<b>0</b>	<b>35,599</b>
DDRE requested transfer from RDTE,A line 4		15,599
Program adjustment		20,000
<b>11 SYSTEMS 2020 APPLIED RESEARCH</b>	<b>7,898</b>	<b>0</b>
Reduction to new starts		-7,898
<b>12 INFORMATION AND COMMUNICATIONS TECHNOLOGY</b>	<b>392,421</b>	<b>392,421</b>
Program increase - power efficiency technology		10,000
Excess prior year funds		-5,000
Reduce program growth		-5,000
<b>17 DATA TO DECISIONS APPLIED RESEARCH</b>	<b>13,753</b>	<b>8,753</b>
Excess growth		-5,000
<b>18 CYBER SECURITY RESEARCH</b>	<b>18,985</b>	<b>11,485</b>
Excess growth		-7,500
<b>20 TACTICAL TECHNOLOGY</b>	<b>233,209</b>	<b>228,209</b>
Reduce program growth		-5,000
<b>21 MATERIALS AND BIOLOGICAL TECHNOLOGY</b>	<b>166,067</b>	<b>175,067</b>
Technology transfer		9,000
<b>22 ELECTRONICS TECHNOLOGY</b>	<b>222,416</b>	<b>214,416</b>
Reduce program growth		-8,000
<b>24 SOF TECHNOLOGY DEVELOPMENT</b>	<b>28,739</b>	<b>41,591</b>
Sensor development - restore unjustified reduction		12,852
<b>JOINT MUNITIONS ADVANCED TECHNOLOGY INSENSITIVE</b>		
<b>25 MUNITIONS ADVANCED TECHNOLOGY</b>	<b>25,612</b>	<b>20,012</b>
Excess growth		-5,600
<b>27 COMBATING TERRORISM TECHNOLOGY SUPPORT</b>	<b>77,144</b>	<b>122,144</b>
Program increase		45,000
<b>29 BALLISTIC MISSILE DEFENSE TECHNOLOGY</b>	<b>79,975</b>	<b>75,975</b>
Advanced technology modeling and simulation+B357 ahead of need		-4,000
<b>34 ADVANCED AEROSPACE SYSTEMS</b>	<b>174,316</b>	<b>181,816</b>
Technology transfer and transition		7,500
<b>40 DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>13,754</b>	<b>8,754</b>
Excess growth		-5,000
<b>42 CYBER SECURITY ADVANCED RESEARCH</b>	<b>19,935</b>	<b>12,435</b>
OSD identified excess to need		-7,500



R-1	Budget Request	Conference
<b>DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY</b>		
<b>44 PROGRAM</b>	<b>21,966</b>	<b>51,966</b>
Program increase		30,000
<b>MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND</b>		
<b>50 SUPPORT</b>	<b>72,234</b>	<b>62,234</b>
90nm next generation foundry		-10,000
<b>54 COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS</b>	<b>237,859</b>	<b>229,859</b>
Reduction to new starts		-8,000
<b>56 NETWORK-CENTRIC WARFARE TECHNOLOGY</b>	<b>236,883</b>	<b>244,383</b>
Technology transfer and transition		7,500
<b>57 SENSOR TECHNOLOGY</b>	<b>299,438</b>	<b>294,438</b>
Reduction to new starts		-5,000
<b>57XX DEFENSE RAPID INNOVATION FUND</b>	<b>0</b>	<b>250,000</b>
Program increase		250,000
<b>60 QUICK REACTION SPECIAL PROJECTS</b>	<b>107,002</b>	<b>82,002</b>
Excess growth		-25,000
<b>63 MODELING AND SIMULATION MANAGEMENT OFFICE</b>	<b>47,433</b>	<b>43,433</b>
Reduction to new starts		-4,000
<b>64 DIRECTED ENERGY RESEARCH</b>	<b>46,944</b>	<b>22,944</b>
Unjustified request		-24,000
<b>65 NEXT GENERATION AEGIS MISSILE</b>	<b>224,077</b>	<b>61,377</b>
SM-3 Block IIB program reduction		-112,700
MD70 transfer to line 108 for test and development risk reduction		-50,000
<b>69 COMBATING WEAPONS OF MASS DESTRUCTION SYSTEMS</b>	<b>53,946</b>	<b>38,946</b>
Program reduction		-15,000
<b>77 ADVANCE SENSOR APPLICATIONS PROGRAM</b>	<b>16,958</b>	<b>18,958</b>
Program increase		2,000
<b>79 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT</b>	<b>316,929</b>	<b>301,929</b>
Program support unjustified growth		-10,000
Excess to need		-5,000
<b>80 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT</b>	<b>903,172</b>	<b>978,172</b>
Program increase - sustainment		75,000
<b>85 SPECIAL PROGRAMS - MDA</b>	<b>272,387</b>	<b>262,387</b>
Program adjustment		-10,000
<b>89 BALLISTIC MISSILE DEFENSE C2BMC</b>	<b>366,552</b>	<b>360,552</b>
Unjustified growth		-6,000
<b>93 SEA BASED X-BAND RADAR (SBX)</b>	<b>9,730</b>	<b>27,730</b>
SBX software sustainment unjustified reduction		18,000

R-1	Budget Request	Conference
<b>94 ISRAELI COOPERATIVE PROGRAMS</b>	<b>99,836</b>	<b>268,736</b>
Upper tier		23,800
Arrow program		33,700
David's sling weapon system		111,400
<b>99 DEPARTMENT OF DEFENSE CORROSION PROGRAM</b>	<b>3,283</b>	<b>33,283</b>
Program increase		30,000
<b>108 AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT</b>	<b>420,630</b>	<b>470,630</b>
Transfer from line 65 for test development risk reduction		50,000
<b>109 PRECISION TRACKING SPACE SYSTEM RDT&amp;E</b>	<b>297,375</b>	<b>242,375</b>
Program reduction		-55,000
<b>111 ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)</b>	<b>58,742</b>	<b>18,742</b>
Lack of acquisition strategy		-40,000
<b>116 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT</b>	<b>110,383</b>	<b>200,383</b>
Advanced hypersonic weapon		90,000
<b>DOD ENTERPRISE SYSTEMS DEVELOPMENT AND</b>		
<b>128 DEMONSTRATION</b>	<b>133,104</b>	<b>111,000</b>
Program growth		-22,104
<b>137 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT</b>	<b>144,109</b>	<b>156,109</b>
Restore unjustified reduction		12,000
<b>145 CLASSIFIED PROGRAM USD(P)</b>	<b>0</b>	<b>100,000</b>
Classified adjustment		100,000
<b>151 GENERAL SUPPORT TO USD (INTELLIGENCE)</b>	<b>6,601</b>	<b>15,601</b>
Irregular warfare resource intelligence program for emerging technologies collection, exploitation, and research		9,000
<b>151X DEFENSE-WIDE ELECTRONIC PROCUREMENT</b>	<b>0</b>	<b>20,000</b>
Program increase - contract management services program		20,000
<b>164 DEVELOPMENT TEST AND EVALUATION</b>	<b>15,110</b>	<b>20,110</b>
Program increase		5,000
<b>COCOM EXERCISE ENGAGEMENT AND TRAINING</b>		
<b>180 TRANSFORMATION</b>	<b>77,475</b>	<b>62,475</b>
Duplication with Service initiatives		-15,000
<b>232 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS</b>	<b>7,114</b>	<b>7,714</b>
HD full motion video		600
<b>260 SOF OPERATIONAL ENHANCEMENTS</b>	<b>51,700</b>	<b>63,700</b>
Signature management and digital optics		14,000
Excess prior year funds		-4,000
Tactical airborne ISR		2,000
<b>262 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)</b>	<b>10,131</b>	<b>8,807</b>
SOCOM requested transfer to P,DW line 78		-1,324

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>272 SOF UNDERWATER SYSTEMS</b>	<b>26,405</b>	<b>75,405</b>
Risk reduction		35,000
SOCOM requested transfer from P,DW line 64		14,000
<b>276 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE</b>	<b>16,386</b>	<b>13,386</b>
Excess prior year funds		-3,000
<b>CLASSIFIED PROGRAMS</b>	<b>3,754,516</b>	<b>3,871,976</b>
Classified adjustment		117,460
<b>DARPA</b>	<b>0</b>	<b>-25,000</b>
Program adjustment for unjustified special access programs		-25,000

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

	R-1	Budget Request	Conference
RD&E MANAGEMENT SUPPORT			
1 OPERATIONAL TEST AND EVALUATION		72,501	91,501
National cyber range shortfall			4,000
Cyber testing shortfall			15,000
2 LIVE FIRE TESTING		49,201	49,201
3 OPERATIONAL TEST ACTIVITIES AND ANALYSIS		63,566	83,066
Restore unjustified reductions			19,500
TOTAL, OPERATIONAL TEST & EVALUATION, DEFENSE		185,268	223,768

## TITLE V—REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides \$2,214,024,000 in Title V, Revolving and Management Funds as proposed by the Senate, instead of \$2,080,820,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
TITLE V		
REVOLVING AND MANAGEMENT FUNDS		
DEFENSE WORKING CAPITAL FUNDS.....	1,516,184	1,516,184
NATIONAL DEFENSE SEALIFT FUND.....	608,136	697,840
	-----	-----
TOTAL, TITLE V, REVOLVING AND MANAGEMENT FUNDS..	2,124,320	2,214,024

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides \$1,516,184,000 for the Defense Working Capital Funds, as proposed by both the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides \$697,840,000 for the National Defense Sealift Fund as proposed by the Senate, instead of \$564,636,000 as proposed by the House.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
STRATEGIC SEALIFT ACQUISITION .....	77,386	172,590
Navy requested transfer of funds for AFSB 1 only .....		— 38,000
Fully fund AFSB 1 modification only .....		140,500
MLP #3 outfitting and post delivery ahead of need .....		— 7,296
DoD MOBILIZATION ASSETS .....	184,616	184,616
SEALIFT RESEARCH AND DEVELOPMENT .....	42,811	37,311
Transfer of funds for AFSB 1 only .....		— 5,500
READY RESERVE FORCE OPERATIONS AND MAINTENANCE .....	303,323	303,323
TOTAL, NATIONAL DEFENSE SEALIFT FUND .....	608,136	697,840

## TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement provides \$35,526,674,000 in Title VI, Other Department of Defense Programs, instead of \$35,905,118,000 as proposed by the House and \$35,013,758,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
TITLE VI		
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
DEFENSE HEALTH PROGRAM:		
OPERATION AND MAINTENANCE.....	31,349,279	30,885,165
PROCUREMENT.....	506,462	521,762
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	672,977	1,308,377
	-----	-----
TOTAL, DEFENSE HEALTH PROGRAM.....	32,528,718	32,715,304
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE:		
OPERATION AND MAINTENANCE.....	635,843	635,843
PROCUREMENT.....	18,592	18,592
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	647,351	647,351
	-----	-----
TOTAL, CHEMICAL AGENTS.....	1,301,786	1,301,786
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	999,363	1,159,263
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.....	227,414	---
JOINT URGENT OPERATIONAL NEEDS FUND.....	99,477	---
OFFICE OF THE INSPECTOR GENERAL.....	273,821	350,321
	-----	-----
TOTAL, TITLE VI, OTHER DEPARTMENT OF DEFENSE PROGRAMS.....	35,430,579	35,526,674

## DEFENSE HEALTH PROGRAM

The conference agreement provides \$32,715,304,000 for the Defense Health Program, instead of \$32,902,234,000 as proposed by the House and \$32,240,788,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE		
IN-HOUSE CARE.....	8,625,507	8,558,870
PRIVATE SECTOR CARE.....	16,148,263	15,557,970
CONSOLIDATED HEALTH SUPPORT.....	2,309,185	2,289,185
INFORMATION MANAGEMENT.....	1,465,328	1,465,328
MANAGEMENT ACTIVITIES.....	332,121	332,121
EDUCATION AND TRAINING.....	722,081	717,581
BASE OPERATIONS/COMMUNICATIONS.....	1,746,794	1,964,110
	-----	-----
SUBTOTAL, OPERATION AND MAINTENANCE.....	31,349,279	30,885,165
PROCUREMENT		
DEFENSE HEALTH PROGRAM.....	506,462	521,762
RESEARCH DEVELOPMENT TEST AND EVALUATION		
DEFENSE HEALTH PROGRAM.....	672,977	1,308,377
	-----	-----
SUBTOTAL, RESEARCH DEVELOPMENT TEST AND EVALUATION	672,977	1,308,377
	-----	-----
TOTAL, DEFENSE HEALTH PROGRAM.....	32,528,718	32,715,304
	=====	=====



**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

	<b>Budget Request</b>	<b>Conference</b>
<b>OPERATION AND MAINTENANCE</b>	<b>31,349,279</b>	<b>30,885,165</b>
<b>IN-HOUSE CARE</b>	<b>8,625,507</b>	<b>8,558,870</b>
Lower than budgeted TEAM strength		-66,637
<b>PRIVATE SECTOR CARE</b>	<b>16,148,263</b>	<b>15,557,970</b>
TRICARE historical underexecution		-807,413
Pharmacy funding unjustified growth		-20,000
Lower than budgeted TEAM strength		-35,880
Program adjustment to restore proposed TRICARE fee increases		273,000
<b>CONSOLIDATED HEALTH SUPPORT</b>	<b>2,309,185</b>	<b>2,289,185</b>
Historical underexecution		-25,000
Program increase - wounded warrior military adaptive sports program		5,000
<b>INFORMATION MANAGEMENT</b>	<b>1,465,328</b>	<b>1,465,328</b>
<b>MANAGEMENT ACTIVITIES</b>	<b>332,121</b>	<b>332,121</b>
<b>EDUCATION AND TRAINING</b>	<b>722,081</b>	<b>717,581</b>
Travel excess growth		-4,500
<b>BASE OPERATIONS AND COMMUNICATIONS</b>	<b>1,746,794</b>	<b>1,964,110</b>
JTF CAPMED sustainment excess growth		-7,684
Air Force FSRM for medical facilities		100,000
Army FSRM for medical facilities		75,000
Navy FSRM for medical facilities		55,000
Visual information systems excess growth		-5,000
<b>PROCUREMENT</b>	<b>506,462</b>	<b>521,762</b>
Navy medical equipment		15,300
<b>RESEARCH AND DEVELOPMENT</b>	<b>672,977</b>	<b>1,308,377</b>
Walter Reed National Military Medical Center comprehensive cancer center		10,000
Peer-Reviewed alcohol and substance abuse disorders research		4,000
Peer-Reviewed ALS research		7,500
Peer-Reviewed alzheimer research		12,000
Peer-Reviewed autism research		6,000
Peer-Reviewed bone marrow failure disease research		3,200
Peer-Reviewed breast cancer research		120,000
Peer-Reviewed cancer research		15,000
Peer-Reviewed Duchenne muscular dystrophy research		3,200
Peer-Reviewed gulf war illness research		20,000
Peer-Reviewed lung cancer research		10,500
Peer-Reviewed medical research		50,000
Peer-Reviewed multiple sclerosis research		5,000
Peer-Reviewed orthopedic research		30,000
Peer-Reviewed ovarian cancer research		20,000
Peer-Reviewed prostate cancer research		80,000
Peer-Reviewed spinal cord research		30,000
Peer-Reviewed traumatic brain injury and psychological health research		135,000
Peer-Reviewed tuberous sclerosis complex research		6,000
Peer-Reviewed vision research		10,000
Global HIV/AIDS prevention		8,000
Joint warfighter medical research		50,000

#### REPROGRAMMING GUIDANCE FOR THE DEFENSE HEALTH PROGRAM

The conferees remain concerned regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and improve oversight within the Defense Health Program operation and maintenance account, the conferees include a provision which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The provision and accompanying explanatory statement language included by the conferees should not be interpreted by the Department as limiting the amount of funds that may be transferred to the Direct Care System from other budget activities within the Defense Health Program. In addition, the conferees continue to designate the funding for the Direct Care System as a special interest item. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures.

The Department shall also provide written notification to the congressional defense committees of cumulative transfers in excess of \$15,000,000 out of the Private Sector Care budget activity. The conferees further direct the Assistant Secretary of Defense (Health Affairs) to provide quarterly reports to the congressional defense committees on budget execution data for all of the Defense Health Program accounts and to adequately reflect changes to the budget activities requested by the Services in future budget submissions.

#### CARRYOVER

For fiscal year 2013, the conferees recommend one percent carryover authority for the operation and maintenance account of the Defense Health Program. The conferees direct the Assistant Secretary of Defense (Health Affairs) to submit a detailed spending plan for any fiscal year 2012 designated carryover funds to the congressional defense committees not less than 30 days prior to executing the carryover funds.

#### PEER-REVIEWED CANCER RESEARCH PROGRAM

The conference agreement provides \$15,000,000 for a Peer-Reviewed Cancer Research Program that would research cancers not addressed in the breast, prostate, ovarian, and lung cancer research programs currently executed by the Department of Defense, and specifically by the U.S. Army Medical Research and Materiel Command.

The funds provided are directed to be used to conduct research in the following areas: melanoma and other skin cancers, pediatric brain tumors, genetic cancer research, pancreatic cancer, kidney cancer, blood cancer, colorectal cancer, mesothelioma, neuroblastoma, and listeria vaccine for cancer.

The funds provided under the Peer-Reviewed Cancer Research Program shall only be used for the purposes listed above. The conferees direct the Assistant Secretary of Defense (Health Affairs) to provide a report not later than 60 days after the enactment of this Act to the congressional defense committees on the status of the Peer-Reviewed Cancer Research Program. For each research area, the report should include the funding amount awarded, the progress of the research, and the relevance of the research to servicemembers and their families.

#### PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The conference agreement provides \$50,000,000 for a Peer-Reviewed Medical Research Program. The conferees direct the Secretary of Defense, in conjunction with the Service Surgeons General, to select medical research projects of clear scientific merit and direct relevance to military health. Research areas considered under this funding are restricted to the following areas: chronic kidney disease, chronic migraine and post-traumatic headaches, composite tissue transplantation, dengue, DNA vaccine technology for postexposure prophylaxis, dystonia, epilepsy, food allergies, Fragile X syndrome, hantavirus, hereditary angioedema, inflammatory bowel disease, interstitial cystitis, leishmaniasis, lupus, malaria, nanomedicine for drug delivery science, pancreatitis, polycystic kidney disease, post-traumatic osteoarthritis, pulmonary hypertension, rheumatoid arthritis, scleroderma, and tinnitus. The conferees emphasize that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

#### INTEGRATED ELECTRONIC HEALTH RECORD

The conference agreement includes a provision restricting the amount of funding that may be obligated to develop the integrated Department of Defense-Department of Veterans Affairs (DoD-VA) integrated Electronic Health Record (iEHR) to 25 percent of the funding provided until the DoD-VA Interagency Program Office (IPO) provides the House and Senate Appropriations Committees an expenditure plan which includes elements such as a budget and cost baseline with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to the Government Accountability Office for review.

The conferees are concerned that after four years of working to establish a joint framework to collaborate and develop an integrated Electronic Health Record, the two Departments still seem to be operating as single entities. The conferees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated Electronic Health Record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, the conferees have seen little benefit from establishing this office since both Departments appear to operate as separate entities. Despite repeated inquiries, neither the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. The conferees are concerned that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding the progress and future plans for this project.

As a result, the conferees direct the IPO to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and the Government Accountability Office (GAO) a quarterly report that includes a detailed explanation of the cost and schedule of the iEHR development, to include milestones, knowledge points, and acquisition timelines as they impact both Departments, as well as quarterly obligation reports. The conferees also direct the IPO to continue briefing the House and Senate Appropriations Committees on a quarterly basis, coinciding with the report submission. The conferees further direct the GAO to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

#### CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The conference agreement provides \$1,301,786,000 for Chemical Agents and Munitions Destruction, Defense, as proposed by both the House and the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
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CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	635,843	635,843
CHEM DEMILITARIZATION - PROCUREMENT.....	18,592	18,592
CHEM DEMILITARIZATION - RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	647,351	647,351
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TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.....	<u>1,301,786</u>	<u>1,301,786</u>

DRUG INTERDICTION AND COUNTER-  
DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$1,159,263,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of \$1,133,363,000 as proposed by the House and \$1,138,263,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES .....	999,363	1,159,263
National Guard counter-drug program .....		130,000
Young Marines drug demand reduction program .....		4,000
Program increase—drug demand reduction program for expanded drug testing .....		25,900

JOINT IMPROVISED EXPLOSIVE DEVICE  
DEFEAT FUND

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
STAFF AND INFRASTRUCTURE JIEDDO Staff and Infrastructure—transfer to title IX .....	227,414	0
		− 227,414

The conference agreement does not recommend funding for the Joint Improvised Explosive Device Defeat Fund in the base budget. The conferees address the funding requirements of the Joint Improvised Explosive Device Defeat Organization in title IX, Overseas Contingency Operations.

OFFICE OF THE INSPECTOR GENERAL  
The conference agreement provides \$350,321,000 for the Office of the Inspector General as proposed by the House, instead of

\$332,921,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
OPERATION AND MAINTENANCE ....	272,821	347,621
Program increase .....		74,800
PROCUREMENT .....	1,000	2,700
Program increase .....		1,700
TOTAL, OFFICE OF THE INSPECTOR GENERAL .....	273,821	350,321

TITLE VII—RELATED AGENCIES  
The conference agreement provides \$1,048,421,000 in Title VII, Related Agencies, instead of \$1,025,476,000 as proposed by the House and \$1,056,346,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## (IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
-----		
TITLE VII		
RELATED AGENCIES		
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND.....	514,000	514,000
INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT (ICMA).....	540,252	534,421
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TOTAL, TITLE VII, RELATED AGENCIES.....	1,054,252	1,048,421

## CLASSIFIED ANNEX

Adjustments to classified programs are addressed in a separate detailed and comprehensive classified annex. The Intelligence Community, Department of Defense, and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2013.

## CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides \$514,000,000 for the Central Intelligence Agency Retirement and Disability Fund, as proposed by both the House and the Senate.

## INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The conference agreement provides \$534,421,000 for the Intelligence Community Management Account, instead of \$511,476,000 as proposed by the House and \$542,346,000 as proposed by the Senate.

## TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority of \$4,000,000,000.

The conference agreement retains a provision proposed by the House which identifies tables as Explanation of Project Level Adjustments. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate regarding limitations and conditions on the use of funds made available by this Act to initiate multi-year contracts.

The conference agreement retains a provision proposed by the Senate which prohibits the use of funds to demilitarize or dispose of certain small firearms. The House bill contained a similar provision but made it permanent.

The conference agreement retains a provision proposed by the Senate which provides funding from various appropriations for the Civil Air Patrol Corporation. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which prohibits the sale of the F-22 to any foreign government. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides that the Office of Economic Adjustment may use funds made available under Operation and Maintenance, Defense-Wide to make grants and supplement other federal funds in accordance with guidance provided. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of \$2,142,447,000 from the following programs:

## (RESCISSIONS)

## 2007 Appropriations:

## Shipbuilding and Conversion, Navy:

DDG-51 Destroyer .....	\$98,400,000
DDG-51 Destroyer advance procurement .....	2,500,000
CVN refueling over-haul .....	14,100,000

## 2011 Appropriations:

## Procurement of Ammunition, Army:

40mm ammunition ....	14,862,000
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## Other Procurement, Army:

Defense enterprise wideband SATCOM systems .....	10,900,000
Tractor Desk .....	6,900,000
Sense through the wall .....	1,845,000

Long range advanced scout surveillance system .....	17,200,000
BCT network .....	36,000,000

Handheld standoff mine detection system .....	11,500,000
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Mounted soldier system .....	2,753,000
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Training logistics management .....	21,000,000
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## Aircraft Procurement, Navy:

P-8A .....	30,100,000
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EA-18G advance procurement .....	5,960,000
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Special support equipment .....	7,800,000
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## Shipbuilding and Conversion, Navy:

DDG-51 Destroyer .....	215,300,000
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## Weapons Procurement, Navy:

Tomahawk contract savings .....	22,000,000
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## Aircraft Procurement, Air Force:

Light mobility aircraft .....	65,300,000
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C-130 AMP .....	28,100,000
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## Other Procurement, Air Force:

GCSS-AF FOS (ECSS) .....	9,500,000
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## 2012 Appropriations:

## Operation and Maintenance, Defense-Wide

Office of Economic Adjustment grant to Guam .....	21,000,000
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## Aircraft Procurement, Army:

Utility F/W aircraft ..	800,000
MQ-1 payload-UAS ..	31,600,000

Global air traffic management .....	15,000,000
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## Other Procurement, Army:

Warfighter information network—tactical .....	80,000,000
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Tractor Desk .....	2,200,000
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Gunshot detection system .....	1,000,000
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Handheld standoff mine detection system .....	34,000,000
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Mounted soldier system .....	5,000,000
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Training logistics management .....	26,008,000
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Knight family .....	31,400,000
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## Aircraft Procurement, Navy:

F-18 series OSIP 14-03 ILS .....	10,000,000
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H-53 series IMDS installation kits .....	4,400,000
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F-18E/F advance procurement .....	4,640,000
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## Shipbuilding and Conversion, Navy:

Littoral combat ship over-target contingency .....	28,800,000
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DDG-51 Destroyer .....	83,000,000
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## Weapons Procurement, Navy:

Tomahawk contract savings .....	18,000,000
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AMRAAM contract savings .....	6,915,000
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ASW targets .....	10,000,000
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AIM-9X sidewinder ..	1,552,000
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## Procurement of Ammunition, Navy and Marine Corps:

Demolition munitions, all types .....	16,300,000
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## Procurement, Marine Corps:

LAV PIP .....	86,555,000
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Follow on to SMAW Air operations C2 systems .....	37,300,000
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## Aircraft Procurement, Air Force:

Common vertical lift support platform ...	52,800,000
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Light attack armed reconnaissance .....	115,049,000
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RQ-4 advance procurement .....	71,500,000
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C-17 modifications ....	37,750,000
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C-130 AMP .....	117,200,000
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## Missile Procurement, Air Force:

AMRAAM contract savings .....	42,624,000
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AIM-9X sidewinder ...	3,274,000
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Classified programs ..	7,000,000
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## Other Procurement, Air Force:

GCSS-AF FOS (ECSS) .....	55,800,000
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## Procurement, Defense-Wide:

MDA-AN/TPY-2 .....	16,000,000
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## Research, Development, Test and Evaluation, Army:

Joint air-to-ground missile .....	33,000,000
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Enhanced medium altitude reconnaissance surveillance system .....	8,000,000
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## Research, Development, Test and Evaluation, Navy:

Medium range maritime UAS .....	12,000,000
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Joint air-to-ground missile .....	105,000,000
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Littoral combat ship launched airborne surveillance and strike system .....	9,000,000
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Joint strike fighter—EMD Navy .....	100,000,000
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Depot maintenance (non-IF) .....	5,000,000
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## Research, Development, Test and Evaluation, Air Force:

JSpoC modernization system .....	10,000,000
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Classified programs ..	80,000,000
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EW development (MALD-J II) .....	7,630,000
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Common vertical lift support platform ...	5,365,000
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Light attack armed reconnaissance .....	11,021,000
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AWACS .....	10,000,000
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B-2 squadrons .....	10,526,000
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Specialized undergraduate pilot training .....	12,000,000
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Minimum essential  
emergency commu-  
nications network 2,918,000

The conference agreement retains a provision proposed by the Senate regarding the Global Security Contingency Fund. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides a grant to the Fisher House Foundation, Inc. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate related to funding for the Israeli Cooperative Defense programs. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding combatant commander operational and administrative control of various forces. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding the use of funds to initiate new start programs without prior written notification. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which provides funding to the United Service Organizations and the Red Cross. The Senate bill contained a similar provision but did not provide funding to the Red Cross.

The conference agreement retains a provision proposed by the Senate which prohibits funding from being used to transfer program authority relating to current tactical unmanned aerial vehicles from the Army. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which establishes a baseline for application of reprogramming and transfer authorities for the Office of the Director of National Intelligence. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which allows for the transfer of funding for government-wide information sharing activities. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House establishing prior approval reprogramming and transfer procedures for National Intelligence Programs. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which directs the Department of Defense to continue to report contingency operations costs for Operation New Dawn, Operation Enduring Freedom, or any other named operation in the U.S. Central Command area of responsibility. The Senate bill contained a similar provision but did not include a reference to any other named operation.

The conference agreement retains a provision proposed by the House which prohibits the Office of the Director of National Intelligence from employing more Senior Executive Service employees than are specified in the classified annex. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House to provide grants through the Office of Economic Adjustment to assist the civilian population of Guam. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate to create the Ship Modernization, Operations and Sustainment Fund. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding parking spaces provided by the BRAC 133 project. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding reporting requirements for civilian personnel end strength by appropriation account. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to separate the National Intelligence Program from the Department of Defense budget. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides general transfer authority of \$2,000,000,000 for funds made available for the intelligence community. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which requires certain certifications to be met prior to the transfer of detainees from Naval Station Guantanamo Bay, Cuba to foreign countries. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Trafficking Victims Protection Act of 2000. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Child Soldier Prevention Act of 2008. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the War Powers Resolution. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funds from being used to retire, divest, realign, or transfer Air Force aircraft, with certain exceptions. The Senate bill contained no similar language.

The conference agreement retains a provision proposed by the Senate expressing the sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits the retirement of the C-23 Sherpa aircraft. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding civilian pay. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to enter into a non-competitive contract for UH-60 Leak Proof Drip Pans. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding the sharing of classified information related to missile defense systems with Russia. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits

funding from being used in contravention of section 41106 of title 49, U.S.C., regarding the Civil Reserve Air Fleet. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used in violation of Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funding from being used to enter into contracts with entities that have been convicted of fraud. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House related to funding for Rosoboronexport. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used to implement enrollment fees for the TRICARE for Life program. The Senate bill contained no similar provision.

#### TITLE IX—OVERSEAS CONTINGENCY OPERATIONS

The conference agreement provides \$86,954,838,000 in Title IX, Overseas Contingency Operations, instead of \$87,105,081,000 as proposed by the House and \$93,026,000,000 as proposed by the Senate.

#### REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution report as required by the Department of Defense Financial Management Regulation, Chapter 23, Volume 12. The conferees further direct the Department to continue providing Cost of War reports to the congressional defense committees that include the following information by appropriation account: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

#### EXTREMIST ORGANIZATIONS

The conferees are aware that certain governments and organizations have policies and practices counter to the best interests of the United States. The conferees reiterate that extremist governments and organizations should not be funded by this Act and that the conferees will closely monitor the expenditure of funds by the Department of Defense regarding such matters.

#### MILITARY PERSONNEL

The conference agreement provides \$14,116,821,000 for Military Personnel, instead of \$13,934,683,000 as proposed by the House and \$14,410,421,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

M-1	Budget Request	Conference
<b>MILITARY PERSONNEL, ARMY</b>		
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
BASIC PAY	1,569,045	1,751,045
Army requested transfer from title I Basic Pay Enlisted Personnel		182,000
RETIRED PAY ACCRUAL	460,708	460,708
BASIC ALLOWANCE FOR HOUSING	463,305	463,305
BASIC ALLOWANCE FOR SUBSISTENCE	63,244	63,244
INCENTIVE PAYS	4,660	4,660
SPECIAL PAYS	45,672	45,672
ALLOWANCES	21,361	21,361
SEPARATION PAY	6,332	6,332
SOCIAL SECURITY TAX	118,601	118,601
TOTAL, BA-1	2,752,928	2,934,928
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
BASIC PAY	2,414,145	2,832,145
Army requested transfer from title I Basic Pay Enlisted Personnel		418,000
RETIRED PAY ACCRUAL	686,605	686,605
BASIC ALLOWANCE FOR HOUSING	943,334	943,334
INCENTIVE PAYS	3,614	3,614
SPECIAL PAYS	224,329	224,329
ALLOWANCES	131,845	131,845
SEPARATION PAY	20,915	20,915
SOCIAL SECURITY TAX	183,570	183,570
TOTAL, BA-2	4,608,357	5,026,357
<b>BA-4: SUBSISTENCE OF ENLISTED PERSONNEL</b>		
BASIC ALLOWANCE FOR SUBSISTENCE	287,016	287,016
SUBSISTENCE-IN-KIND	862,270	887,270
Army requested transfer from title I Subsistence-In-Kind		25,000
TOTAL, BA-4	1,149,286	1,174,286
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
ACCESSION TRAVEL	16,933	16,933
TRAINING TRAVEL	16,772	16,772
OPERATIONAL TRAVEL	90,749	90,749
ROTATIONAL TRAVEL	72,592	72,592
SEPARATION TRAVEL	40,634	40,634
TRAVEL OF ORGANIZED UNITS	1,204	1,204
TOTAL, BA-5	238,884	238,884
<b>BA-6: OTHER MILITARY PERSONNEL COSTS</b>		
INTEREST ON UNIFORMED SERVICES SAVINGS	4,589	4,589
DEATH GRATUITIES	10,800	10,800
UNEMPLOYMENT BENEFITS	248,903	248,903
RESERVE INCOME REPLACEMENT PROGRAM	207	207
SGLI EXTRA HAZARD PAYMENTS	113,317	113,317
TRAUMATIC INJURY PROTECTION COVERAGE	37,811	37,811
TOTAL, BA-6	415,627	415,627
<b>TOTAL, MILITARY PERSONNEL, ARMY</b>	<b>9,165,082</b>	<b>9,790,082</b>



M-1	Budget Request	Conference
<b>MILITARY PERSONNEL, NAVY</b>		
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>BASIC PAY</b>	<b>126,814</b>	<b>98,514</b>
Navy identified excess to requirement - transfer to Unemployment		
Benefits		-6,600
Navy identified excess to requirement		-21,700
<b>RETIRED PAY ACCRUAL</b>	<b>30,943</b>	<b>30,943</b>
<b>BASIC ALLOWANCE FOR HOUSING</b>	<b>40,210</b>	<b>40,210</b>
<b>BASIC ALLOWANCE FOR SUBSISTENCE</b>	<b>4,367</b>	<b>4,367</b>
<b>INCENTIVE PAYS</b>	<b>3,886</b>	<b>3,886</b>
<b>SPECIAL PAYS</b>	<b>22,340</b>	<b>22,340</b>
<b>ALLOWANCES</b>	<b>12,967</b>	<b>12,967</b>
<b>SEPARATION PAY</b>	<b>9</b>	<b>9</b>
<b>SOCIAL SECURITY TAX</b>	<b>9,701</b>	<b>9,701</b>
<b>TOTAL, BA-1</b>	<b>251,237</b>	<b>222,937</b>
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL</b>		
<b>BASIC PAY</b>	<b>162,655</b>	<b>118,955</b>
Navy identified excess to requirement		-43,700
<b>RETIRED PAY ACCRUAL</b>	<b>39,688</b>	<b>39,688</b>
<b>BASIC ALLOWANCE FOR HOUSING</b>	<b>75,673</b>	<b>75,673</b>
<b>INCENTIVE PAYS</b>	<b>566</b>	<b>566</b>
<b>SPECIAL PAYS</b>	<b>89,027</b>	<b>89,027</b>
<b>ALLOWANCES</b>	<b>30,207</b>	<b>30,207</b>
<b>SEPARATION PAY</b>	<b>410</b>	<b>410</b>
<b>SOCIAL SECURITY TAX</b>	<b>12,443</b>	<b>12,443</b>
<b>TOTAL, BA-2</b>	<b>410,669</b>	<b>366,969</b>
<b>BA-4: SUBSISTENCE OF ENLISTED PERSONNEL</b>		
<b>BASIC ALLOWANCE FOR SUBSISTENCE</b>	<b>19,223</b>	<b>16,123</b>
Navy identified excess to requirement		-3,100
<b>SUBSISTENCE-IN-KIND</b>	<b>25,647</b>	<b>23,747</b>
Navy identified excess to requirement		-1,900
<b>TOTAL, BA-4</b>	<b>44,870</b>	<b>39,870</b>
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
<b>ACCESSION TRAVEL</b>	<b>4,092</b>	<b>3,492</b>
Navy identified excess to requirement		-600
<b>OPERATIONAL TRAVEL</b>	<b>21,807</b>	<b>5,207</b>
Navy identified excess to requirement		-16,600
<b>ROTATIONAL TRAVEL</b>	<b>27,897</b>	<b>15,097</b>
Navy identified excess to requirement		-12,800
<b>SEPARATION TRAVEL</b>	<b>3,168</b>	<b>3,168</b>
<b>TOTAL, BA-5</b>	<b>56,964</b>	<b>26,964</b>
<b>BA-6: OTHER MILITARY PERSONNEL COSTS</b>		
<b>DEATH GRATUITIES</b>	<b>900</b>	<b>900</b>
<b>UNEMPLOYMENT BENEFITS</b>	<b>55,522</b>	<b>62,122</b>
Navy identified shortfall - transfer from Basic Pay Officers		6,600
<b>SGI EXTRA HAZARD PAYMENTS</b>	<b>54,463</b>	<b>54,463</b>
<b>TOTAL, BA-6</b>	<b>110,885</b>	<b>117,485</b>
<b>TOTAL, MILITARY PERSONNEL, NAVY</b>	<b>874,625</b>	<b>774,225</b>
<b>MILITARY PERSONNEL, MARINE CORPS</b>		
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>		
<b>BASIC PAY</b>	<b>206,978</b>	<b>285,578</b>

M-1	Budget Request	Conference
Marine Corps identified shortfall - transfer from Basic Pay Enlisted Personnel		78,600
RETIRED PAY ACCRUAL	61,932	61,932
BASIC ALLOWANCE FOR HOUSING	70,235	70,235
BASIC ALLOWANCE FOR SUBSISTENCE	8,590	8,590
SPECIAL PAYS	7,960	7,960
ALLOWANCES	5,099	5,099
SEPARATION PAY	1,896	1,896
SOCIAL SECURITY TAX	15,834	15,834
TOTAL, BA-1	378,524	457,124
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	542,667	304,867
Marine Corps identified excess to requirement - transfer to Basic Pay Officers		-78,600
Marine Corps identified excess to requirement		-159,200
RETIRED PAY ACCRUAL	166,183	166,183
BASIC ALLOWANCE FOR HOUSING	194,800	194,800
SPECIAL PAYS	56,287	56,287
ALLOWANCES	22,729	22,729
SEPARATION PAY	4,004	4,004
SOCIAL SECURITY TAX	41,514	41,514
TOTAL, BA-2	1,028,184	790,384
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	77,753	58,053
Marine Corps identified excess to requirement		-19,700
TOTAL, BA-4	77,753	58,053
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ROTATIONAL TRAVEL	51,816	40,816
Marine Corps identified excess to requirement		-11,000
TOTAL, BA-5	51,816	40,816
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	930	930
DEATH GRATUITIES	12,000	6,900
Marine Corps identified excess to requirement		-5,100
UNEMPLOYMENT BENEFITS	37,733	39,733
Marine Corps identified shortfall - transfer from P,MC line 2		2,000
SGLI EXTRA HAZARD PAYMENTS	34,416	31,216
Marine Corps identified excess to requirement		-3,200
TOTAL, BA-6	85,079	78,779
<b>TOTAL, MILITARY PERSONNEL, MARINE CORPS</b>	<b>1,621,356</b>	<b>1,425,156</b>
<b>MILITARY PERSONNEL, AIR FORCE</b>		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	220,573	220,573
RETIRED PAY ACCRUAL	53,829	53,829
BASIC ALLOWANCE FOR HOUSING	68,601	68,601
BASIC ALLOWANCE FOR SUBSISTENCE	7,873	7,873
SPECIAL PAYS	23,638	23,638
ALLOWANCES	10,097	10,097
SOCIAL SECURITY TAX	16,877	16,877
TOTAL, BA-1	401,488	401,488
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	332,878	332,878
RETIRED PAY ACCRUAL	81,235	81,235

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>BASIC ALLOWANCE FOR HOUSING</b>	<b>145,832</b>	<b>145,832</b>
<b>SPECIAL PAYS</b>	<b>75,965</b>	<b>75,965</b>
<b>ALLOWANCES</b>	<b>29,568</b>	<b>29,568</b>
<b>SOCIAL SECURITY TAX</b>	<b>25,468</b>	<b>25,468</b>
<b>TOTAL, BA-2</b>	<b>690,946</b>	<b>690,946</b>
<b>BA-4: SUBSISTENCE OF ENLISTED PERSONNEL</b>		
<b>BASIC ALLOWANCE FOR SUBSISTENCE</b>	<b>36,263</b>	<b>36,263</b>
<b>SUBSISTENCE-IN-KIND</b>	<b>60,537</b>	<b>60,537</b>
<b>TOTAL, BA-4</b>	<b>96,800</b>	<b>96,800</b>
<b>BA-5: PERMANENT CHANGE OF STATION TRAVEL</b>		
<b>OPERATIONAL TRAVEL</b>	<b>5,243</b>	<b>5,243</b>
<b>TOTAL, BA-5</b>	<b>5,243</b>	<b>5,243</b>
<b>BA-6: OTHER MILITARY PERSONNEL COSTS</b>		
<b>DEATH GRATUITIES</b>	<b>2,000</b>	<b>2,000</b>
<b>UNEMPLOYMENT BENEFITS</b>	<b>23,174</b>	<b>23,174</b>
<b>SGLI EXTRA HAZARD PAYMENTS</b>	<b>67,132</b>	<b>67,132</b>
<b>TOTAL, BA-6</b>	<b>92,306</b>	<b>92,306</b>
<b>TOTAL, MILITARY PERSONNEL, AIR FORCE</b>	<b>1,286,783</b>	<b>1,286,783</b>
<b>RESERVE PERSONNEL, ARMY</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)</b>	<b>32,401</b>	<b>32,401</b>
<b>SCHOOL TRAINING</b>	<b>15,365</b>	<b>15,365</b>
<b>SPECIAL TRAINING</b>	<b>109,127</b>	<b>109,127</b>
<b>TOTAL, BA-1</b>	<b>156,893</b>	<b>156,893</b>
<b>TOTAL, RESERVE PERSONNEL, ARMY</b>	<b>156,893</b>	<b>156,893</b>
<b>RESERVE PERSONNEL, NAVY</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>SCHOOL TRAINING</b>	<b>3,966</b>	<b>3,966</b>
<b>SPECIAL TRAINING</b>	<b>33,813</b>	<b>33,813</b>
<b>ADMINISTRATION AND SUPPORT</b>	<b>1,556</b>	<b>1,556</b>
<b>TOTAL, BA-1</b>	<b>39,335</b>	<b>39,335</b>
<b>TOTAL, RESERVE PERSONNEL, NAVY</b>	<b>39,335</b>	<b>39,335</b>
<b>RESERVE PERSONNEL, MARINE CORPS</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>SCHOOL TRAINING</b>	<b>4,437</b>	<b>4,437</b>
<b>SPECIAL TRAINING</b>	<b>19,912</b>	<b>19,912</b>
<b>ADMINISTRATION AND SUPPORT</b>	<b>373</b>	<b>373</b>
<b>TOTAL, BA-1</b>	<b>24,722</b>	<b>24,722</b>
<b>TOTAL, RESERVE PERSONNEL, MARINE CORPS</b>	<b>24,722</b>	<b>24,722</b>
<b>RESERVE PERSONNEL, AIR FORCE</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>SPECIAL TRAINING</b>	<b>25,348</b>	<b>25,348</b>
<b>TOTAL, BA-1</b>	<b>25,348</b>	<b>25,348</b>
<b>TOTAL, RESERVE PERSONNEL, AIR FORCE</b>	<b>25,348</b>	<b>25,348</b>

<b>M-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>NATIONAL GUARD PERSONNEL, ARMY</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)</b>	<b>132,368</b>	<b>132,368</b>
<b>SCHOOL TRAINING</b>	<b>21,461</b>	<b>21,461</b>
<b>SPECIAL TRAINING</b>	<b>369,858</b>	<b>369,858</b>
<b>ADMINISTRATION AND SUPPORT</b>	<b>60,117</b>	<b>60,117</b>
<b>TOTAL, BA-1</b>	<b>583,804</b>	<b>583,804</b>
<b>TOTAL, NATIONAL GUARD PERSONNEL, ARMY</b>	<b>583,804</b>	<b>583,804</b>
<b>NATIONAL GUARD PERSONNEL, AIR FORCE</b>		
<b>BA-1: UNIT AND INDIVIDUAL TRAINING</b>		
<b>SPECIAL TRAINING</b>	<b>10,473</b>	<b>10,473</b>
<b>TOTAL, BA-1</b>	<b>10,473</b>	<b>10,473</b>
<b>TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE</b>	<b>10,473</b>	<b>10,473</b>
<b>TOTAL, MILITARY PERSONNEL</b>	<b>13,788,421</b>	<b>14,116,821</b>

## OPERATION AND MAINTENANCE

The conference agreement provides \$62,131,012,000 for Operation and Maintenance, instead of \$62,866,554,000 as proposed by the House and \$65,479,099,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

O-1		Budget Request	Conference
<b>OPERATION AND MAINTENANCE, ARMY</b>			
114	<b>THEATER LEVEL ASSETS</b>	2,758,162	2,758,162
115	<b>LAND FORCES OPERATIONS SUPPORT</b>	991,396	991,396
116	<b>AVIATION ASSETS</b>	40,300	40,300
121	<b>FORCE READINESS OPERATIONS SUPPORT</b>	1,755,445	1,715,445
	Decrease in contract linguist costs not properly accounted for in budget justification		-40,000
122	<b>LAND FORCES FORCES SYSTEMS READINESS</b>	307,244	307,244
123	<b>LAND FORCES DEPOT MAINTENANCE</b>	0	651,977
	Depot Maintenance Aviation - transfer from title II		150,483
	Depot Maintenance Communications Electronics - transfer from title II		203,560
	Depot Maintenance General Purpose - transfer from title II		102,707
	Depot Maintenance Missiles - transfer from title II		161,174
	Depot Maintenance Post Production Software Support - transfer from title II		34,053
131	<b>BASE OPERATIONS SUPPORT</b>	393,165	393,165
132	<b>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	250,000	250,000
135	<b>ADDITIONAL ACTIVITIES</b>	12,524,137	12,490,737
	Military Information Support Operations excess to need		-23,000
	Task Force for stability operations - operations/sustainment request		-10,000
	ARGUS A-160 cancellation		-48,400
	Falcon - transfer from JIEDDO line 1		48,000
136	<b>COMMANDERS EMERGENCY RESPONSE PROGRAM</b>	400,000	200,000
	CERP Afghanistan		-200,000
137	<b>RESET</b>	3,687,973	3,687,973
411	<b>SECURITY PROGRAMS</b>	1,828,717	1,828,717
421	<b>SERVICEWIDE TRANSPORTATION</b>	3,238,310	3,238,310
422	<b>CENTRAL SUPPLY ACTIVITIES</b>	129,000	129,000
424	<b>AMMUNITION MANAGEMENT</b>	78,022	78,022
432	<b>SERVICEWIDE COMMUNICATIONS</b>	0	22,000
	Biometrics ID funding to be used for Biometrics Identity Management Agency - transfer from JIEDDO line 1		22,000
434	<b>OTHER PERSONNEL SUPPORT</b>	137,277	97,277
	Army requested transfer to OP, A line 61		-40,000
435	<b>OTHER SERVICE SUPPORT</b>	72,293	72,293
	<b>UNJUSTIFIED GROWTH IN AVERAGE OPERATIONS PER TROOP</b>		-500,000
<b>TOTAL, OPERATION AND MAINTENANCE, ARMY</b>		<b>28,591,441</b>	<b>28,452,018</b>
<b>OPERATION AND MAINTENANCE, NAVY</b>			
1A1A	<b>MISSION AND OTHER FLIGHT OPERATIONS</b>	937,098	937,098
1A3A	<b>AVIATION TECHNICAL DATA &amp; ENGINEERING SVCS</b>	1,000	1,000
1A4A	<b>AIR OPERATIONS AND SAFETY SUPPORT</b>	15,794	15,794
1A4N	<b>AIR SYSTEMS SUPPORT</b>	19,013	19,013
1A5A	<b>AIRCRAFT DEPOT MAINTENANCE</b>	201,912	201,912
1A6A	<b>AIRCRAFT DEPOT OPERATIONS SUPPORT</b>	3,000	3,000
1A9A	<b>AVIATION LOGISTICS</b>	44,150	44,150
1B1B	<b>MISSION AND OTHER SHIP OPERATIONS</b>	463,738	463,738
1B2B	<b>SHIP OPERATIONS SUPPORT &amp; TRAINING</b>	24,774	24,774

O-1	Budget Request	Conference
<b>1B4B SHIP DEPOT MAINTENANCE</b>	<b>1,310,010</b>	<b>1,310,010</b>
<b>1C1C COMBAT COMMUNICATIONS</b>	<b>42,965</b>	<b>42,965</b>
<b>1C4C WARFARE TACTICS</b>	<b>25,970</b>	<b>25,970</b>
<b>1C5C OPERATIONAL METEOROLOGY AND OCEANOGRAPHY</b>	<b>19,226</b>	<b>19,226</b>
<b>1C6C COMBAT SUPPORT FORCES</b>	<b>1,668,359</b>	<b>1,912,359</b>
Unjustified growth		-30,000
Navy identified shortfalls for CENTCOM - increased carrier presence		219,000
Navy identified shortfalls for CENTCOM - ISR		37,000
Navy identified shortfalls for CENTCOM - mine countermeasure ships		18,000
<b>1C7C EQUIPMENT MAINTENANCE</b>	<b>7,954</b>	<b>7,954</b>
<b>1D3D IN-SERVICE WEAPONS SYSTEMS SUPPORT</b>	<b>94,655</b>	<b>64,655</b>
Unjustified growth		-30,000
<b>1D4D WEAPONS MAINTENANCE</b>	<b>303,087</b>	<b>303,087</b>
<b>BSM1 FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>3,218</b>	<b>3,218</b>
<b>BSS1 BASE OPERATING SUPPORT</b>	<b>143,442</b>	<b>143,442</b>
<b>2C1H FLEET HOSPITAL PROGRAM</b>	<b>31,395</b>	<b>31,395</b>
<b>2C3H COAST GUARD SUPPORT</b>	<b>254,461</b>	<b>0</b>
Transfer to Department of Homeland Security		-254,461
<b>3B1K SPECIALIZED SKILL TRAINING</b>	<b>50,903</b>	<b>50,903</b>
<b>4A1M ADMINISTRATION</b>	<b>1,377</b>	<b>1,377</b>
<b>4A2M EXTERNAL RELATIONS</b>	<b>487</b>	<b>487</b>
<b>4A4M MILITARY MANPOWER AND PERSONNEL MANAGEMENT</b>	<b>6,022</b>	<b>6,022</b>
<b>4A5M OTHER PERSONNEL SUPPORT</b>	<b>3,514</b>	<b>3,514</b>
<b>4B1N SERVICEWIDE TRANSPORTATION</b>	<b>184,864</b>	<b>184,864</b>
<b>4B3N ACQUISITION AND PROGRAM MANAGEMENT</b>	<b>2,026</b>	<b>2,026</b>
<b>4C1P NAVAL INVESTIGATIVE SERVICE</b>	<b>1,425</b>	<b>1,425</b>
<b>999 OTHER PROGRAMS</b>	<b>14,556</b>	<b>14,556</b>
<b>TOTAL, OPERATION AND MAINTENANCE, NAVY</b>	<b>5,880,395</b>	<b>5,839,934</b>
<b>OPERATION AND MAINTENANCE, MARINE CORPS</b>		
<b>1A1A OPERATIONAL FORCES</b>	<b>1,921,258</b>	<b>1,851,258</b>
Unjustified growth for reserve component activation/deactivation		-20,000
Unjustified growth for OPTEMPO		-50,000
<b>1A2A FIELD LOGISTICS</b>	<b>1,094,028</b>	<b>1,094,028</b>
<b>1A3A DEPOT MAINTENANCE</b>	<b>222,824</b>	<b>342,824</b>
Increased funding for equipment reset		120,000
<b>BSS1 BASE OPERATING SUPPORT</b>	<b>88,690</b>	<b>88,690</b>
<b>3B4D TRAINING SUPPORT</b>	<b>215,212</b>	<b>215,212</b>
<b>4A3G SERVICEWIDE TRANSPORTATION</b>	<b>512,627</b>	<b>512,627</b>
<b>9999 OTHER PROGRAMS (GWOT)</b>	<b>11,701</b>	<b>11,701</b>
<b>TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS</b>	<b>4,066,340</b>	<b>4,116,340</b>
<b>OPERATION AND MAINTENANCE, AIR FORCE</b>		
<b>011A PRIMARY COMBAT FORCES</b>	<b>1,494,144</b>	<b>1,479,679</b>
Equipment reset - transfer to SAG 011M		-14,465
<b>011C COMBAT ENHANCEMENT FORCES</b>	<b>809,531</b>	<b>809,531</b>
<b>011D AIR OPERATIONS TRAINING</b>	<b>13,095</b>	<b>13,095</b>
<b>011M DEPOT MAINTENANCE</b>	<b>1,403,238</b>	<b>1,417,703</b>
Transfer of reset funds from SAG 011A		14,465
<b>011R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>155,954</b>	<b>105,954</b>
Unjustified growth in FSRM projects		-50,000
<b>011Z BASE OPERATING SUPPORT</b>	<b>342,226</b>	<b>342,226</b>
<b>012A GLOBAL C3I AND EARLY WARNING</b>	<b>15,108</b>	<b>15,108</b>

O-1	Budget Request	Conference
<b>012C OTHER COMBAT OPERATIONS SUPPORT PROGRAMS</b>	<b>271,390</b>	<b>162,213</b>
Unjustified growth		-109,177
<b>012F TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES</b>	<b>25,400</b>	<b>25,400</b>
<b>013C SPACE CONTROL SYSTEMS</b>	<b>5,110</b>	<b>5,110</b>
<b>015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT</b>	<b>52,173</b>	<b>57,873</b>
Military Information Support Operations unjustified growth		-20,000
Military Information Support Operations - transfer from title II and program reduction		25,700
<b>021A AIRLIFT OPERATIONS</b>	<b>3,187,211</b>	<b>3,187,211</b>
<b>021D MOBILIZATION PREPAREDNESS</b>	<b>43,509</b>	<b>43,509</b>
<b>021M DEPOT MAINTENANCE</b>	<b>554,943</b>	<b>754,943</b>
CLS contract for C-17 engine maintenance - transfer from WCF,AF		230,400
CLS contract for C-17 engine maintenance - savings from competition for component parts		-30,400
<b>021R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>4,431</b>	<b>4,431</b>
<b>021Z BASE SUPPORT</b>	<b>9,256</b>	<b>9,256</b>
<b>031R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>424</b>	<b>424</b>
<b>031Z BASE SUPPORT</b>	<b>1,036</b>	<b>1,036</b>
<b>032A SPECIALIZED SKILL TRAINING</b>	<b>10,923</b>	<b>10,923</b>
<b>032B FLIGHT TRAINING</b>	<b>72</b>	<b>72</b>
<b>032C PROFESSIONAL DEVELOPMENT EDUCATION</b>	<b>323</b>	<b>323</b>
<b>032D TRAINING SUPPORT</b>	<b>352</b>	<b>352</b>
<b>041A LOGISTICS OPERATIONS</b>	<b>100,429</b>	<b>100,429</b>
<b>041R FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</b>	<b>47,200</b>	<b>47,200</b>
<b>041Z BASE SUPPORT</b>	<b>7,242</b>	<b>7,242</b>
<b>042A ADMINISTRATION</b>	<b>1,552</b>	<b>1,552</b>
<b>042B SERVICEWIDE COMMUNICATIONS</b>	<b>82,094</b>	<b>82,094</b>
<b>042G OTHER SERVICEWIDE ACTIVITIES</b>	<b>582,977</b>	<b>537,977</b>
Unjustified growth for the DFAS bill		-45,000
<b>043A SECURITY PROGRAMS</b>	<b>20,270</b>	<b>26,870</b>
Classified adjustment		6,600
<b>TOTAL, OPERATION AND MAINTENANCE, AIR FORCE</b>	<b>9,241,613</b>	<b>9,249,736</b>
<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>		
<b>1PLT1 JOINT CHIEFS OF STAFF</b>	<b>2,000</b>	<b>2,000</b>
<b>1PL2 SPECIAL OPERATIONS COMMAND</b>	<b>2,503,060</b>	<b>2,476,260</b>
Military Information Support Operations		-26,800
<b>ES18 DEFENSE MEDIA ACTIVITY</b>	<b>10,823</b>	<b>10,823</b>
<b>4GT6 DEFENSE CONTRACT AUDIT AGENCY</b>	<b>30,674</b>	<b>30,674</b>
<b>4GT8 DEFENSE HUMAN RESOURCES ACTIVITY</b>	<b>3,334</b>	<b>13,334</b>
Program increase - suicide prevention programs		10,000
<b>4GT9 DEFENSE INFORMATION SYSTEMS AGENCY</b>	<b>152,925</b>	<b>152,925</b>
<b>4GT0 DEFENSE CONTRACT MANAGEMENT AGENCY</b>	<b>69,803</b>	<b>69,803</b>
<b>4GTA DEFENSE LEGAL SERVICES AGENCY</b>	<b>102,322</b>	<b>102,322</b>
<b>46TJ DEFENSE DEPENDENTS EDUCATION</b>	<b>139,830</b>	<b>159,830</b>
Beyond Yellow Ribbon program		20,000
<b>4GTD DEFENSE SECURITY COOPERATION AGENCY</b>	<b>2,200,000</b>	<b>2,100,000</b>
Program adjustment to CSF for Pakistan reimbursement only		-100,000
<b>4GTN OFFICE OF THE SECRETARY OF DEFENSE</b>	<b>87,805</b>	<b>74,105</b>
Civilian expeditionary workforce		-1,500
Project Archer		-12,200
<b>9999 OTHER PROGRAMS</b>	<b>2,522,003</b>	<b>2,522,003</b>
<b>TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>	<b>7,824,579</b>	<b>7,714,079</b>

O-1		Budget Request	Conference
<b>OPERATION AND MAINTENANCE, ARMY RESERVE</b>			
113	ECHELONS ABOVE BRIGADE	78,600	78,600
115	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
121	FORCES READINESS OPERATIONS SUPPORT	20,726	18,576
	Unjustified increase		-2,150
131	BASE OPERATIONS SUPPORT	34,400	39,900
	Yellow Ribbon program		5,500
<b>TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE</b>		<b>154,537</b>	<b>157,887</b>
<b>OPERATION AND MAINTENANCE, NAVY RESERVE</b>			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
1A3A	INTERMEDIATE MAINTENANCE	300	300
1A5A	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
1B1B	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
1B4B	SHIP DEPOT MAINTENANCE	929	929
1C6C	COMBAT SUPPORT FORCES	8,244	8,244
BSSR	BASE OPERATING SUPPORT	40	40
<b>TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE</b>		<b>55,924</b>	<b>55,924</b>
<b>OPERATION AND MAINTENANCE, MARINE CORPS RESERVE</b>			
1A1A	OPERATING FORCES	22,657	22,657
BSS1	BASE OPERATING SUPPORT	2,820	2,820
<b>TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE</b>		<b>25,477</b>	<b>25,477</b>
<b>OPERATION AND MAINTENANCE, AIR FORCE RESERVE</b>			
011A	PRIMARY COMBAT FORCES	7,600	0
	Consolidate depot maintenance funding in the Depot Maintenance		
	SAG - transfer to SAG 011M		-7,600
011M	DEPOT MAINTENANCE	106,768	54,368
	Consolidate depot maintenance funding in the Depot Maintenance		
	SAG - transfer from SAG 011A		7,600
	Air Force Reserve identified excess to requirement		-60,000
011Z	BASE OPERATING SUPPORT	6,250	6,250
<b>TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE</b>		<b>120,618</b>	<b>60,618</b>
<b>OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD</b>			
111	MANEUVER UNITS	38,485	38,485
112	MODULAR SUPPORT BRIGADES	1,959	1,959
113	ECHELONS ABOVE BRIGADE	20,076	20,076
114	THEATER LEVEL ASSETS	2,028	2,028
116	AVIATION ASSETS	183,811	183,811
121	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780
131	BASE OPERATIONS SUPPORT	70,237	80,237
	Yellow Ribbon program		10,000
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	20,072	20,072



O-1	Budget Request	Conference
<b>432 SERVICEWIDE COMMUNICATIONS</b>	<b>2,000</b>	<b>2,000</b>
<b>TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD</b>	<b>382,448</b>	<b>392,448</b>
<b>OPERATION AND MAINTENANCE, AIR NATIONAL GUARD</b>		
<b>011G MISSION SUPPORT OPERATIONS</b>	<b>19,975</b>	<b>34,500</b>
Restore unjustified efficiency reduction to Yellow Ribbon program and Strong Bonds		14,525
<b>TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD</b>	<b>19,975</b>	<b>34,500</b>
<b>OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT</b>		
<b>OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND</b>	<b>0</b>	<b>582,884</b>
Program increase		582,884
<b>TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT</b>	<b>0</b>	<b>582,884</b>
<b>AFGHANISTAN INFRASTRUCTURE FUND</b>		
<b>AFGHANISTAN INFRASTRUCTURE FUND</b>	<b>400,000</b>	<b>325,000</b>
Program adjustment		-75,000
<b>TOTAL, AFGHANISTAN INFRASTRUCTURE FUND</b>	<b>400,000</b>	<b>325,000</b>
<b>AFGHANISTAN SECURITY FORCES FUND</b>		
<b>Defense Forces</b>	<b>3,713,726</b>	<b>3,613,726</b>
Sustainment	2,523,825	2,523,825
Infrastructure	190,000	90,000
Infrastructure		-100,000
Equipment and Transportation	241,521	241,521
Training and Operations	758,380	758,380
<b>Interior Forces</b>	<b>2,010,677</b>	<b>2,010,677</b>
Sustainment	1,305,950	1,305,950
Infrastructure	50,000	50,000
Equipment and Transportation	84,859	84,859
Training and Operations	569,868	569,868
<b>Related Activities</b>	<b>24,764</b>	<b>24,764</b>
Sustainment	18,325	18,325
Infrastructure	1,200	1,200
Equipment and Transportation	1,239	1,239
Training and Operations	4,000	4,000
General reduction due to lack of execution		-525,000
<b>TOTAL, AFGHANISTAN SECURITY FORCES FUND</b>	<b>5,749,167</b>	<b>5,124,167</b>
<b>TOTAL, OPERATION AND MAINTENANCE</b>	<b>62,512,514</b>	<b>62,131,012</b>

## PROCUREMENT

The conference agreement provides \$8,979,438,000 for Procurement, instead of \$7,906,039,000 as proposed by the House and \$10,126,300,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Conference
<b>AIRCRAFT PROCUREMENT, ARMY</b>		
<b>9 AH-64 APACHE BLOCK IIIB NEW BUILD</b>	<b>71,000</b>	<b>142,000</b>
Two Apache battle loss replacements		71,000
<b>12 KIOWA WARRIOR UPGRADE (OH-58 D)</b>	<b>183,900</b>	<b>120,900</b>
Maintain fiscal year 2012 WRA rate		-63,000
<b>13 UH-60 BLACKHAWK (MYP)</b>		<b>56,500</b>
Battle loss replacement		19,900
Army requested transfer from titles III and IX PA,A line 7 for battle loss replacements		36,600
<b>15 CH-47 HELICOPTER</b>	<b>231,300</b>	<b>231,300</b>
<b>TOTAL, AIRCRAFT PROCUREMENT, ARMY</b>	<b>486,200</b>	<b>550,700</b>
<b>MISSILE PROCUREMENT, ARMY</b>		
<b>4 HELLFIRE SYSTEM SUMMARY</b>	<b>29,100</b>	<b>48,700</b>
Army identified shortfall for additional missiles		19,600
<b>8 GUIDED MLRS ROCKET (GMLRS)</b>	<b>20,553</b>	<b>19,251</b>
Unit cost efficiencies		-1,302
<b>TOTAL, MISSILE PROCUREMENT, ARMY</b>	<b>49,653</b>	<b>67,951</b>
<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
<b>36 M16 RIFLE MODS</b>	<b>15,422</b>	<b>15,422</b>
<b>TOTAL, PROCUREMENT OF W&amp;TCV, ARMY</b>	<b>15,422</b>	<b>15,422</b>
<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
<b>3 CTG, HANDGUN, ALL TYPES</b>	<b>1,500</b>	<b>1,500</b>
<b>4 CTG, .50 CAL, ALL TYPES</b>	<b>10,000</b>	<b>10,000</b>
<b>7 CTG, 30MM, ALL TYPES</b>	<b>80,000</b>	<b>61,000</b>
Army requested transfer to title IX AP,A line 13		-18,600
Excess to requirement		-400

P-1	Budget Request	Conference
9 60MM MORTAR, ALL TYPES	14,000	14,000
10 81MM MORTAR, ALL TYPES	6,000	6,000
11 120MM MORTAR, ALL TYPES	56,000	56,000
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES	29,956	29,956
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
15 PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES	17,000	17,000
17 MINES, CLEARING CHARGE, ALL TYPES	12,000	12,000
20 ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
23 SIGNALS, ALL TYPES	16,858	16,858
28 ITEMS LESS THAN \$5 MILLION	1,200	1,200
<b>TOTAL, PROCUREMENT OF AMMUNITION, ARMY</b>	<b>357,493</b>	<b>338,493</b>
<b>OTHER PROCUREMENT, ARMY</b>		
2 FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
4 FAMILY OF HEAVY TACTICAL VEHICLES	2,050	2,050
11 HMMWV RECAPITALIZATION PROGRAM	271,000	221,000
Excess to need		-50,000
14 MINE-RESISTANT AMBUSH-PROTECTED MODS	927,400	721,400
Federal roads excise tax		-106,000
Excess to need		-100,000
52 RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
61 INSTALLATION INFO INFRASTRUCTURE MOD	25,000	50,000
Army requested transfer from OM,A line 434 for fiber optic line		40,000
Excess to need		-15,000
69 DCGS-A (MIP)	90,355	90,355
73 CI HUMINT AUTO REPORTING AND COLLECTION	6,516	6,516
75 LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
77 FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	27,000
Delayed spares contract awards		-25,000
78 COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	160,459
Prior year funds available		-42,000
LEMV sensors ahead of need		-2,750

<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>92 MOD OF IN-SVC EQUIP (FIREFINDER RADARS)</b>	<b>14,600</b>	<b>14,600</b>
<b>99 COUNTERFIRE RADARS</b>	<b>54,585</b>	<b>54,585</b>
<b>102 FIRE SUPPORT C2 FAMILY</b>	<b>22,430</b>	<b>22,430</b>
<b>103 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM</b>	<b>2,400</b>	<b>2,400</b>
<b>112 MANEUVER CONTROL SYSTEM</b>	<b>6,400</b>	<b>6,400</b>
<b>113 SINGLE ARMY LOGISTICS ENTERPRISE</b>	<b>5,160</b>	<b>5,160</b>
<b>126 FAMILY OF NON-LETHAL EQUIPMENT</b>	<b>15,000</b>	<b>15,000</b>
<b>127 BASE DEFENSE SYSTEMS</b>	<b>66,100</b>	<b>66,100</b>
<b>135 EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT</b>	<b>3,565</b>	<b>3,565</b>
<b>143 FORCE PROVIDER</b>	<b>39,700</b>	<b>39,700</b>
<b>CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE 145 SYSTEM</b>	<b>650</b>	<b>650</b>
<b>149 DISTRIBUTION SYSTEMS, PETROLEUM &amp; WATER</b>	<b>2,119</b>	<b>2,119</b>
<b>152 MOBILE MAINTENANCE EQUIPMENT SYSTEMS</b>	<b>428</b>	<b>428</b>
<b>153 ITEMS LESS THAN \$5M (MAINT EQ)</b>	<b>30</b>	<b>30</b>
<b>175 COMBAT TRAINING CENTERS SUPPORT</b>	<b>7,000</b>	<b>7,000</b>
<b>176 TRAINING DEVICES, NONSYSTEM</b>	<b>27,250</b>	<b>27,250</b>
<b>178 AVIATION COMBINED ARMS TACTICAL TRAINER</b>	<b>1,000</b>	<b>1,000</b>
<b>179 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING</b>	<b>5,900</b>	<b>5,900</b>
<b>183 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT</b>	<b>98,167</b>	<b>123,167</b>
Program increase for solar power units		25,000
<b>TOTAL, OTHER PROCUREMENT, ARMY</b>	<b>2,015,907</b>	<b>1,740,157</b>

P-1	Budget Request	Conference
<b>AIRCRAFT PROCUREMENT, NAVY</b>		
<b>11 UH-1Y/AH-1Z</b>	<b>29,800</b>	<b>27,170</b>
AH-1Z pricing		-2,630
<b>23 KC-130J</b>	<b>0</b>	<b>72,021</b>
Transfer from title III P,MC line 5 for one KC-130J		40,892
Transfer from title IX P,MC line 5 for one KC-130J		31,129
<b>30 AV-8 SERIES</b>	<b>42,238</b>	<b>38,138</b>
Installation equipment NRE growth		-1,500
Litening pod other support cost growth		-2,600
<b>32 F-18 SERIES</b>	<b>41,243</b>	<b>31,068</b>
IR Marker installation kit cost growth (OSIP 12-01)		-10,175
<b>35 H-53 SERIES</b>	<b>15,870</b>	<b>11,870</b>
Other support funding growth (OSIP 008-06)		-4,000
<b>38 EP-3 SERIES</b>	<b>13,030</b>	<b>13,030</b>
<b>43 C-130 SERIES</b>	<b>16,737</b>	<b>16,737</b>
<b>48 SPECIAL PROJECT AIRCRAFT</b>	<b>2,714</b>	<b>2,714</b>
<b>54 COMMON AVIONICS CHANGES</b>	<b>570</b>	<b>570</b>
<b>62 COMMON GROUND EQUIPMENT</b>	<b>2,380</b>	<b>2,380</b>
<b>TOTAL, AIRCRAFT PROCUREMENT, NAVY</b>	<b>164,582</b>	<b>215,698</b>
<b>WEAPONS PROCUREMENT, NAVY</b>		
<b>9 HELLFIRE</b>	<b>17,000</b>	<b>17,000</b>
<b>10 STAND OFF PRECISION GUIDED MUNITIONS</b>	<b>6,500</b>	<b>5,500</b>
Support funding carryover		-1,000
<b>TOTAL, WEAPONS PROCUREMENT, NAVY</b>	<b>23,500</b>	<b>22,500</b>

P-1	Budget Request	Conference
<b>PROCUREMENT OF AMMO, NAVY &amp; MARINE CORPS</b>		
1 GENERAL PURPOSE BOMBS	18,000	18,000
2 AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
3 MACHINE GUN AMMUNITION	21,500	21,500
6 AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
11 OTHER SHIP GUN AMMUNITION	532	532
12 SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
13 PYROTECHNIC AND DEMOLITION	2,322	2,322
14 AMMUNITION LESS THAN \$5 MILLION	6,308	6,308
15 SMALL ARMS AMMUNITION	10,948	10,948
16 LINEAR CHARGES, ALL TYPES	9,940	9,940
17 40 MM, ALL TYPES	5,963	5,963
20 120MM, ALL TYPES	11,605	11,605
21 CTG 25MM, ALL TYPES	2,831	1,534
25MM TP-T linked LAP kits cost growth		-1,297
22 GRENADES, ALL TYPES	2,359	2,359
23 ROCKETS, ALL TYPES	3,051	3,051
24 ARTILLERY, ALL TYPES	54,886	54,886
25 DEMOLITION MUNITIONS, ALL TYPES	1,391	0
Prior year funds available		-1,391
26 FUZE, ALL TYPES	30,945	30,945
27 NON LETHALS	8	8
29 ITEMS LESS THAN \$5 MILLION	12	12
<b>TOTAL, PROCUREMENT OF AMMO, NAVY &amp; MARINE CORPS</b>	<b>285,747</b>	<b>283,059</b>

P-1	Budget Request	Conference
<b>OTHER PROCUREMENT, NAVY</b>		
70 TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
97 EXPEDITIONARY AIRFIELDS	58,200	58,200
127 PASSENGER CARRYING VEHICLES	3,901	3,901
128 GENERAL PURPOSE TRUCKS	852	852
129 CONSTRUCTION & MAINTENANCE EQUIPMENT	2,436	2,436
130 FIRE FIGHTING EQUIPMENT	3,798	3,798
131 TACTICAL VEHICLES	13,394	13,394
134 ITEMS UNDER \$5 MILLION	375	375
149 C4ISR EQUIPMENT	3,000	3,000
150 PHYSICAL SECURITY EQUIPMENT	9,323	9,323
<b>TOTAL, OTHER PROCUREMENT, NAVY</b>	<b>98,882</b>	<b>98,882</b>
<b>PROCUREMENT, MARINE CORPS</b>		
2 LAV PIP	10,000	10,000
5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM Marine Corps requested transfer to title IX AP,N line 23	108,860	77,731 -31,129
10 JAVELIN Unit cost efficiencies	29,158	28,658 -500
13 MODIFICATION KITS	41,602	41,602
15 REPAIR AND TEST EQUIPMENT	13,632	13,632
17 MODIFICATION KITS	2,831	2,831
19 AIR OPERATIONS C2 SYSTEMS	15,575	15,575
20 RADAR SYSTEMS	8,015	8,015
23 INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
29 NIGHT VISION EQUIPMENT	652	652
30 COMMON COMPUTER RESOURCES	19,807	19,807
32 RADIO SYSTEMS	36,482	36,482
33 COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
39 MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
41 FAMILY OF TACTICAL TRAILERS	7,642	7,642

P-1	Budget Request	Conference
45 BULK LIQUID EQUIPMENT	18,239	18,239
46 TACTICAL FUEL SYSTEMS	51,359	51,359
47 POWER EQUIPMENT ASSORTED	20,247	20,247
49 EOD SYSTEMS	362,658	272,658
JCREW 3.3 contract award delay		-90,000
50 PHYSICAL SECURITY EQUIPMENT	55,500	55,500
52 MATERIAL HANDLING EQUIPMENT	19,100	19,100
54 FIELD MEDICAL EQUIPMENT	15,751	15,751
55 TRAINING DEVICES	3,602	3,602
57 FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
<b>TOTAL, PROCUREMENT, MARINE CORPS</b>	<b>943,683</b>	<b>822,054</b>
<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
35 LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
55 U-2 MODS	46,800	46,800
63 C-130	11,400	11,400
67 COMPASS CALL MODS	14,000	14,000
68 RC-135	8,000	8,000
75 HC/MC-130 MODIFICATIONS	4,700	4,700
81 INITIAL SPARES/REPAIR PARTS	21,900	21,900
100 OTHER PRODUCTION CHARGES	59,000	59,000
<b>TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE</b>	<b>305,600</b>	<b>305,600</b>
<b>MISSILE PROCUREMENT, AIR FORCE</b>		
5 PREDATOR HELLFIRE MISSILE	34,350	34,350
<b>TOTAL, MISSILE PROCUREMENT, AIR FORCE</b>	<b>34,350</b>	<b>34,350</b>
<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
2 CARTRIDGES	13,592	13,592
4 GENERAL PURPOSE BOMBS	23,211	23,211
5 JOINT DIRECT ATTACK MUNITION	53,923	53,923
6 CAD/PAD	2,638	2,638



<b>P-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>10 ITEMS LESS THAN \$5 MILLION</b>	<b>2,600</b>	<b>2,600</b>
<b>11 FLARES</b>	<b>11,726</b>	<b>11,726</b>
<b>12 FUZES</b>	<b>8,513</b>	<b>8,513</b>
<b>TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE</b>	<b>116,203</b>	<b>116,203</b>
<b>OTHER PROCUREMENT, AIR FORCE</b>		
<b>2 MEDIUM TACTICAL VEHICLE</b>	<b>2,010</b>	<b>2,010</b>
<b>4 ITEMS LESS THAN \$5M (CARGO)</b>	<b>2,675</b>	<b>2,675</b>
<b>6 ITEMS LESS THAN \$5M (SPECIAL)</b>	<b>2,557</b>	<b>2,557</b>
<b>8 ITEMS LESS THAN \$5,000,000</b>	<b>4,329</b>	<b>4,329</b>
<b>9 RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT</b>	<b>984</b>	<b>984</b>
<b>10 ITEMS LESS THAN \$5,000,000</b>	<b>9,120</b>	<b>9,120</b>
<b>22 WEATHER OBSERVATION FORECAST</b>	<b>5,600</b>	<b>5,600</b>
<b>27 GENERAL INFORMATION TECHNOLOGY</b>	<b>11,157</b>	<b>11,157</b>
<b>49 TACTICAL C-E EQUIPMENT</b>	<b>7,000</b>	<b>7,000</b>
<b>53 BASE COMM INFRASTRUCTURE</b>	<b>10,654</b>	<b>554</b>
Excess to need		-10,100
<b>54 COMM ELECT MODS</b>	<b>8,000</b>	<b>8,000</b>
<b>55 NIGHT VISION GOGGLES</b>	<b>902</b>	<b>902</b>
<b>59 CONTINGENCY OPERATIONS</b>	<b>60,090</b>	<b>43,190</b>
JCREW LRIP delay		-16,900
<b>62 MOBILITY EQUIPMENT</b>	<b>9,400</b>	<b>9,400</b>
<b>63 ITEMS LESS THAN \$5 MILLION (BASES)</b>	<b>9,175</b>	<b>9,175</b>
<b>999 OTHER PROGRAMS</b>	<b>2,672,317</b>	<b>2,561,317</b>
Classified adjustment		-111,000
<b>71 SPARES AND REPAIR PARTS</b>	<b>2,300</b>	<b>2,300</b>
<b>TOTAL, OTHER PROCUREMENT, AIR FORCE</b>	<b>2,818,270</b>	<b>2,680,270</b>

P-1	Budget Request	Conference
<b>PROCUREMENT, DEFENSE-WIDE</b>		
15 TELEPORT PROGRAM	5,260	5,260
61 MQ-8 UAV	16,500	8,250
Program adjustment		-8,250
68 COMMUNICATIONS EQUIPMENT & ELECTRONICS	151	151
69 SOF INTELLIGENCE SYSTEMS	30,528	30,528
77 TACTICAL VEHICLES	1,843	1,843
82 SOF AUTOMATION SYSTEMS	1,000	1,000
86 SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	108	108
91 SOF OPERATIONAL ENHANCEMENTS	14,758	14,758
OTHER PROGRAMS	126,201	126,201
<b>TOTAL, PROCUREMENT, DEFENSE-WIDE</b>	<b>196,349</b>	<b>188,099</b>
<b>NATIONAL GUARD &amp; RESERVE EQUIPMENT ACCOUNT</b>		
<b>RESERVE EQUIPMENT</b>		
ARMY RESERVE	0	240,000
MISCELLANEOUS EQUIPMENT (OCO)		240,000
NAVY RESERVE	0	90,000
MISCELLANEOUS EQUIPMENT (OCO)		90,000
MARINE CORPS RESERVE	0	120,000
MISCELLANEOUS EQUIPMENT (OCO)		120,000
AIR FORCE RESERVE	0	130,000
MISCELLANEOUS EQUIPMENT (OCO)		130,000
<b>NATIONAL GUARD EQUIPMENT</b>		
ARMY NATIONAL GUARD	0	460,000
MISCELLANEOUS EQUIPMENT (OCO)		460,000
AIR NATIONAL GUARD	0	460,000
MISCELLANEOUS EQUIPMENT (OCO)		460,000
<b>TOTAL, NATIONAL GUARD &amp; RESERVE EQUIPMENT ACCOUNT</b>	<b>0</b>	<b>1,500,000</b>
<b>TOTAL, PROCUREMENT</b>	<b>7,911,841</b>	<b>8,979,438</b>

## NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement provides \$1,500,000,000 for National Guard and Reserve Equipment. Of that amount, \$460,000,000 is for the Army National Guard, \$460,000,000 for the Air National Guard, \$240,000,000 for the Army Reserve, \$90,000,000 for the Navy Reserve, \$120,000,000 for the Marine Corps Reserve, and \$130,000,000 for the Air Force Reserve to meet urgent equipment needs that may arise this fiscal year.

This funding will allow the Guard and reserve components to procure high priority equipment that may be used by these components for both their combat missions and their missions in support of state governors. The conferees direct that the National Guard and Reserve Equipment account shall be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: A-10 Situation Awareness Upgrade; ARC 210 Radios for ANG F-16s; Arctic Search and Rescue Packages; Armory-Based Individual and Unstabilized Gunnery Trainers; Batteries and Battery Support Equipment; Bradley Modifications; C-130 Crash-Resistant Loadmaster Seats; C-130 Secure Line-of-Sight [SLOS] Beyond Line-of-Sight [BLOS] Capability; C-130/KC-135 Real Time Information in Cockpit [RTIC] Data Link; CH-47 Door Gun Mounts; Combat Mobility Equipment; Combined Arms Virtual Trainers; F-15 AESA Radars; Field Engineering, Logistics, Maintenance, and Security Equipment; Force Protection Equipment; Generation 4 Advanced Targeting Pods; Green Laser Inter-

diction Systems; handheld laser trackers; HC-130 Forward Area Refueling Point; Helicopter Firefighting Equipment; Helmet-Mounted Cueing System; HMMWV Recapitalization; In-Flight Propeller Balancing System; Internal and External Auxiliary Fuel Tanks for Apaches and Chinooks; Joint Threat Emitters; Large Aircraft Infrared Countermeasures [LAIRCM]; Light Utility Helicopters; Modular Airborne Firefighting System II; Modular Small Arms Training Systems; MRAP Vehicle Virtual Trainers; Naval Construction Force Tactical Vehicles and Support Equipment; Reactive Skin Decontamination Lotions; SATCOM Ground Stations; Support Wide Area Network [SWAN] D V3/MRT Packages; Targeting Pod Upgrades; Thermal Imaging Systems; Ultra-Light Tactical Vehicles; Unit Maintenance Aerial Recovery Kits; Virtual Convoy Operations Trainers; and Virtual Door Gunner Trainers.

## RESERVE COMPONENT SIMULATION TRAINING SYSTEMS

The use of simulation training systems has yielded a military that is better trained, more capable, and more confident as compared to units that do not have access to modern simulation training devices. Simulation training is a cost-effective means by which reserve units can improve tactical decision-making skills and ultimately save lives. It is anticipated that a portion of the funding in the National Guard and Reserve Equipment account will be used to procure a variety of simulation training systems. To ensure the most efficient and effective train-

ing programs, these systems should be a combination of both government owned and operated simulators, as well as simulation support from a dedicated commercial activity capable of providing frequent hardware and software updates.

## NATIONAL GUARD AND RESERVE EQUIPMENT RESEARCH AND DEVELOPMENT

The conferees are concerned that the active Services are not providing the necessary research, development, test and evaluation funding for federal and domestic operations requirements as they relate to equipping the reserve components, especially equipment unique to the reserve component or legacy systems with limited active component investment. The conferees understand that the funding required is minimal, and therefore direct the Services, particularly the Air Force, to provide the necessary research, development, test and evaluation funds to ensure that modernizing equipment or legacy systems unique to the reserve component be given the required design, integration, test, and software efforts needed prior to procurement.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides \$247,716,000 for Research, Development, Test and Evaluation, instead of \$235,516,000 as proposed by the House and \$260,413,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>R-1</b>	<b>Budget Request</b>	<b>Conference</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, ARMY</b>		
<b>60 SOLDIER SUPPORT AND SURVIVABILITY</b>	<b>19,860</b>	<b>12,360</b>
Program adjustment		-7,500
<b>79 AIRCRAFT AVIONICS</b>	<b>0</b>	<b>17,300</b>
Degraded visual environment - transfer from title IV		17,300
<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, ARMY</b>	<b>19,860</b>	<b>29,660</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, NAVY</b>		
<b>56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT</b>	<b>4,600</b>	<b>4,600</b>
<b>131 MEDICAL DEVELOPMENT</b>	<b>2,173</b>	<b>2,173</b>
<b>160 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT</b>	<b>5,200</b>	<b>5,200</b>
<b>195 MARINE CORPS COMBAT SERVICES SUPPORT</b>	<b>6,762</b>	<b>6,762</b>
<b>221 RQ-7 UAV</b>	<b>7,600</b>	<b>0</b>
Undefined weapons capability		-7,600
<b>999 OTHER PROGRAMS</b>	<b>33,784</b>	<b>33,784</b>
<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, NAVY</b>	<b>60,119</b>	<b>52,519</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, AIR FORCE</b>		
<b>999 OTHER PROGRAMS</b>	<b>53,150</b>	<b>53,150</b>
<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, AIR FORCE</b>	<b>53,150</b>	<b>53,150</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, DEFENSE-WIDE</b>		
<b>239 MQ-8 UAV</b>	<b>5,000</b>	<b>5,000</b>
<b>999 OTHER PROGRAMS</b>	<b>107,387</b>	<b>107,387</b>
<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION, DEFENSE-WIDE</b>	<b>112,387</b>	<b>112,387</b>
<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVALUATION</b>	<b>245,516</b>	<b>247,716</b>

## REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides \$243,600,000 for the Defense Working Capital Funds, instead of \$293,600,000 as proposed by the House and \$1,467,864,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
WORKING CAPITAL FUND, ARMY			
Army .....	PREPOSITIONED WAR RESERVE STOCKS.	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY.	42,600	42,600
WORKING CAPITAL FUND, AIR FORCE			
AF .....	C-17 CLS ENGINE REPAIR.	230,400	0
	Transfer to OM, AF line 021M.		-230,400
	TRANSPORTATION OF FALLEN HEROES.	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE.	240,400	10,000
WORKING CAPITAL FUND, DEFENSE-WIDE			
DLA .....	DEFENSE LOGISTICS AGENCY.	220,364	191,000
	Excess growth in OEF disposition operations.		-18,364
	Excess growth in OEF consolidated shipping costs.		-2,000
	Excess growth in DLA distributions in Kuwait for OEF.		-9,000
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE.	220,364	191,000
	TOTAL, DEFENSE WORKING CAPITAL FUND.	503,364	243,600

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

The conference agreement provides \$993,898,000 for the Defense Health Program as proposed by the Senate, instead of \$1,003,898,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
OPERATION AND MAINTENANCE ....		993,898	993,898
IN-HOUSE CARE .....		483,326	483,326
PRIVATE SECTOR CARE .....		376,982	376,982
CONSOLIDATED HEALTH SUPPORT .....		111,675	111,675
INFORMATION MANAGEMENT .....		4,773	4,773
MANAGEMENT ACTIVITIES .....		660	660
EDUCATION AND TRAINING ...		15,370	15,370
BASE OPERATIONS AND COMMUNICATIONS .....		1,112	1,112

## DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$469,025,000 for Drug Interdiction and

Counter-Drug Activities, Defense, as proposed by both the House and the Senate.

## JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement provides \$1,622,614,000 for the Joint Improvised Explosive Device Defeat Fund, all in title IX, instead of \$217,414,000 in title VI and \$1,614,900,000 in title IX as proposed by the House, and \$1,514,114,000, all in title IX, as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
1 .....	ATTACK THE NET-WORK.	950,500	807,500
	Biometric ID—transfer to OM, A line 432.		-22,000
	Falcon—transfer to OM, A line 135.		-48,000
	Sand Dragon—excess prior year carryover funding.		-40,000
	TEDAC—excess prior year carryover funding.		-33,000
2 .....	DEFEAT THE DEVICE	400,000	393,300
	ALARM excess to need.		-4,700
	3-Band Long Wave infrared camera ahead of need.		-2,000
3 .....	TRAIN THE FORCE	149,500	119,000
	ISR emulation and trainer ahead of need.		-28,500
	Dismounted virtual simulators—undefined unit cost increase.		-2,000
4 .....	STAFF AND INFRA-STRUCTURE.	175,400	302,814
	Staff and infrastructure—transfer from title VI.		227,414
	Forward financed from prior years.		-100,000
	TOTAL, JOINT IED DEFEAT FUND.	1,675,400	1,622,614

The conference agreement provides funding for the Joint Improvised Explosive Device Defeat Fund in title IX as such requirements are considered to be war related.

## OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$10,766,000 for the Office of the Inspector General, as proposed by both the House and the Senate.

## GENERAL PROVISIONS—THIS TITLE

The conference agreement for title IX incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority not to exceed \$3,500,000,000.

The conference agreement retains a provision proposed by the Senate regarding funding and guidelines for the Commander's Emergency Response Program. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate concerning fund-

ing and guidelines for the Task Force for Business and Stability Operations in Afghanistan. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the House concerning transition activities of the Office of Security Cooperation in Iraq and security assistance teams. The Senate bill contained a similar provision.

## (RESCISSIONS)

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of \$1,860,052,000 from the following programs:

## 2009 Appropriations:

## General Provisions:

Retroactive stop loss special pay program ..... \$127,200,000

## 2012 Appropriations:

## Afghanistan Security

## Forces Fund:

## Afghanistan Security

## Forces Fund .....

1,000,000,000

## Other Procurement,

## Army:

## Gunshot detection

## system .....

10,100,000

## Base support commu-

## nications .....

5,000,000

## Sense through the

## wall .....

10,000,000

## Installation info in-

## frastructure mod

## program .....

125,500,000

## Knight family .....

42,000,000

## Tactical bridging .....

15,000,000

## Procurement of Ammuni-

## tion, Navy and Marine Corps:

## 60mm, all types .....

6,900,000

## 81mm, all types .....

22,276,000

## Demolition muni-

## tions .....

3,000,000

## Procurement, Marine Corps:

## Weapons under \$5

## million .....

2,776,000

## Mine Resistant Ambush

## Protection Vehicle

## Fund:

## MRAP carryover .....

400,000,000

## Research, Development,

## Test and Evaluation,

## Air Force:

## Endurance unmanned

## aerial vehicles—

## Blue Devil .....

50,000,000

## Joint Improvised Explo-

## sive Device Defeat

## Fund:

## ALARM .....

19,300,000

## Integrated supply

## chain .....

21,000,000

The conference agreement modifies a provision proposed by the House which makes Coalition Support Funds for Pakistan contingent on a certification by the Secretary of Defense, with concurrence from the Secretary of State, that certain conditions are met. The Senate bill contained no similar provision.

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
<b>TITLE I</b>					
<b>MILITARY PERSONNEL</b>					
Military Personnel, Army .....	43,298,409	40,777,844	40,199,263	− 3,099,146	− 578,581
Military Personnel, Navy .....	26,803,334	27,090,893	26,902,346	+ 99,012	− 188,547
Military Personnel, Marine Corps .....	13,635,136	12,481,050	12,531,549	− 1,103,587	+ 50,499
Military Personnel, Air Force .....	28,096,708	28,048,539	28,052,826	− 43,882	+ 4,287
Reserve Personnel, Army .....	4,289,407	4,513,753	4,456,823	+ 167,416	− 56,930
Reserve Personnel, Navy .....	1,935,544	1,898,668	1,874,023	− 61,521	− 24,645
Reserve Personnel, Marine Corps .....	644,722	664,641	658,251	+ 13,529	− 6,390
Reserve Personnel, Air Force .....	1,712,705	1,741,365	1,722,425	+ 9,720	− 18,940
National Guard Personnel, Army .....	7,585,645	8,103,207	7,981,577	+ 395,932	− 121,630
National Guard Personnel, Air Force .....	3,088,929	3,110,065	3,153,990	+ 65,061	+ 43,925
Total, Title I, Military Personnel .....	131,090,539	128,430,025	127,533,073	− 3,557,466	− 896,952
<b>TITLE II</b>					
<b>OPERATION AND MAINTENANCE</b>					
Operation and Maintenance, Army .....	31,072,902	36,608,592	35,409,260	+ 4,336,358	− 1,199,332
Operation and Maintenance, Navy .....	38,120,821	41,606,943	41,614,453	+ 3,493,632	+ 7,510
Operation and Maintenance, Marine Corps .....	5,542,937	5,983,163	6,034,963	+ 492,026	+ 51,800
Operation and Maintenance, Air Force .....	34,985,486	35,435,360	34,780,406	− 205,080	− 654,954
Operation and Maintenance, Defense-Wide .....	30,152,008	31,993,013	31,862,980	+ 1,710,972	− 130,033
Operation and Maintenance, Army Reserve .....	3,071,733	3,162,008	3,182,923	+ 111,190	+ 20,915
Operation and Maintenance, Navy Reserve .....	1,305,134	1,246,982	1,256,347	− 48,787	+ 9,365
Operation and Maintenance, Marine Corps Reserve .....	271,443	272,285	277,377	+ 5,934	+ 5,092
Operation and Maintenance, Air Force Reserve .....	3,274,359	3,166,482	3,261,324	− 13,035	+ 94,842
Operation and Maintenance, Army National Guard .....	6,924,932	7,108,612	7,154,161	+ 229,229	+ 45,549
Operation and Maintenance, Air National Guard .....	6,098,780	6,015,455	6,494,326	+ 395,546	+ 478,871
United States Court of Appeals for the Armed Forces .....	13,861	13,516	13,516	− 345	.....
Environmental Restoration, Army .....	346,031	335,921	335,921	− 10,110	.....
Environmental Restoration, Navy .....	308,668	310,594	310,594	+ 1,926	.....
Environmental Restoration, Air Force .....	525,453	529,263	529,263	+ 3,810	.....
Environmental Restoration, Defense-Wide .....	10,716	11,133	11,133	+ 417	.....
Environmental Restoration, Formerly Used Defense Sites .....	326,495	237,543	287,543	− 38,952	+ 50,000
Overseas Humanitarian, Disaster, and Civic Aid .....	107,662	108,759	108,759	+ 1,097	.....
Cooperative Threat Reduction Account .....	508,219	519,111	519,111	+ 10,892	.....
Department of Defense Acquisition Workforce Development Fund .....	105,501	274,198	50,198	− 55,303	− 224,000
Total, Title II, Operation and maintenance .....	163,073,141	174,938,933	173,494,558	+ 10,421,417	− 1,444,375
<b>TITLE III</b>					
Advanced Extremely High Frequency Communications Satellites, Advanced appropriation fiscal year 2014 .....	.....	833,500	.....	.....	− 833,500
Advanced appropriation fiscal year 2015 .....	.....	763,900	.....	.....	− 763,900
Advanced appropriation fiscal year 2016 .....	.....	708,400	.....	.....	− 708,400
Advanced appropriation fiscal year 2017 .....	.....	1,107,200	.....	.....	− 1,107,200
Advanced appropriation fiscal year 2018 .....	.....	1,013,700	.....	.....	− 1,013,700
Total, Advanced appropriations .....	.....	4,426,700	.....	.....	− 4,426,700
Procurement of Ammunition, Air Force .....	499,185	599,194	594,694	+ 95,509	− 4,500
Other Procurement, Air Force .....	17,403,564	16,720,848	17,082,508	− 321,056	+ 361,660
Procurement, Defense-Wide .....	4,893,428	4,187,935	4,878,985	− 14,443	+ 691,050
National Guard and Reserve Equipment .....	.....	.....	.....	.....	.....
Defense Production Act Purchases .....	169,964	89,189	223,531	+ 53,567	+ 134,342
Total, Title III, Procurement .....	104,579,701	101,621,377	100,350,714	− 4,228,987	− 1,270,663
Fiscal year 2013 .....	(104,579,701)	(97,194,677)	(100,350,714)	(− 4,228,987)	(+ 3,156,037)
<b>TITLE IV</b>					
<b>RESEARCH, DEVELOPMENT, TEST AND EVALUATION</b>					
Research, Development, Test and Evaluation, Army .....	8,745,492	8,929,415	8,676,627	− 68,865	− 252,788
Research, Development, Test and Evaluation, Navy .....	17,753,940	16,882,877	16,963,398	− 790,542	+ 80,521
Research, Development, Test and Evaluation, Air Force .....	26,535,956	25,428,046	25,432,738	− 1,103,258	+ 4,692
Research, Development, Test and Evaluation, Defense-Wide .....	19,193,955	17,982,161	18,631,946	− 562,009	+ 649,785
Operational Test and Evaluation, Defense .....	191,292	185,268	223,768	+ 32,476	+ 38,500
Total, Title IV, Research, Development, Test and Evaluation .....	72,420,675	69,407,767	69,928,477	− 2,492,198	+ 520,710
<b>TITLE V</b>					
<b>REVOLVING AND MANAGEMENT FUNDS</b>					
Defense Working Capital Funds .....	1,575,010	1,516,184	1,516,184	− 58,826	.....
National Defense Sealift Fund .....	1,100,519	608,136	697,840	− 402,679	+ 89,704
Total, Title V, Revolving and Management Funds .....	2,675,529	2,124,320	2,214,024	− 461,505	+ 89,704
<b>TITLE VI</b>					
<b>OTHER DEPARTMENT OF DEFENSE PROGRAMS</b>					
Defense Health Program:					
Operation and maintenance .....	30,582,235	31,349,279	30,885,165	+ 302,930	− 464,114
Procurement .....	632,518	506,462	521,762	− 110,756	+ 15,300
Research, development, test and evaluation .....	1,267,306	672,977	1,308,377	+ 41,071	+ 635,400
Total, Defense Health Program <sup>1</sup> .....	32,482,059	32,528,718	32,715,304	+ 233,245	+ 186,586
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance .....	1,147,691	635,843	635,843	− 511,848	.....
Procurement .....	.....	18,592	18,592	+ 18,592	.....
Research, development, test and evaluation .....	406,731	647,351	647,351	+ 240,620	.....
Total, Chemical Agents <sup>2</sup> .....	1,554,422	1,301,786	1,301,786	− 252,636	.....
Drug Interdiction and Counter-Drug Activities, Defense .....	1,209,620	999,363	1,159,263	− 50,357	+ 159,900
Joint Improvised Explosive Device Defeat Fund <sup>2</sup> .....	.....	227,414	.....	.....	− 227,414
Joint Urgent Operational Needs Fund .....	.....	99,477	.....	.....	− 99,477
Office of the Inspector General <sup>1</sup> .....	346,919	273,821	350,321	+ 3,402	+ 76,500
Total, Title VI, Other Department of Defense Programs .....	35,593,020	35,430,579	35,526,674	− 66,346	+ 96,095

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
<b>TITLE VII</b>					
<b>RELATED AGENCIES</b>					
Central Intelligence Agency Retirement and Disability System Fund .....	513,700	514,000	514,000	+ 300	.....
Intelligence Community Management Account (ICMA) .....	547,891	540,252	534,421	− 13,470	− 5,831
Total, Title VII, Related agencies .....	1,061,591	1,054,252	1,048,421	− 13,170	− 5,831
<b>TITLE VIII</b>					
<b>GENERAL PROVISIONS</b>					
Additional transfer authority (Sec. 8005) .....	(3,750,000)	(5,000,000)	(4,000,000)	( + 250,000)	( − 1,000,000)
Indian Financing Act incentives (Sec. 8019) .....	15,000	.....	15,000	.....	+ 15,000
FFRDC (Sec. 8023) .....	− 150,245	.....	.....	+ 150,245	.....
Overseas Military Facility Invest Recovery (Sec. 8028) .....	1,000	.....	.....	− 1,000	.....
Rescissions (Sec. 8041) .....	− 2,575,217	.....	− 2,142,447	+ 432,770	− 2,142,447
O&M, Defense-wide transfer authority (Sec. 8052) .....	(30,000)	(30,000)	(30,000)	.....	.....
O&M, Army transfer authority (Sec. 8067) .....	(124,493)	(133,381)	(133,381)	( + 8,888)	.....
Global Security Contingency Fund (O&M, Defense-wide transfer) (Sec. 8069) .....	(200,000)	(200,000)	(200,000)	.....	.....
Fisher House Foundation (Sec. 8070) .....	4,000	.....	4,000	.....	+ 4,000
National grants (Sec. 8078) .....	44,000	.....	44,000	.....	+ 44,000
Shipbuilding & conversion funds, Navy (Sec. 8083) .....	8,000	8,000	8,000	.....	.....
Working Capital Fund excess cash balances .....	− 515,000	.....	.....	+ 515,000	.....
ICMA transfer authority (Sec. 8090) .....	(20,000)	(20,000)	(20,000)	.....	.....
Excess Army Working Capital Fund carryover .....	.....	.....	.....	.....	.....
Fisher House transfer authority (Sec. 8095) .....	(11,000)	(11,000)	(11,000)	.....	.....
Defense Health O&M transfer authority (Sec. 8100) .....	(135,631)	(139,204)	(139,204)	( + 3,573)	.....
Alternative Energy Resources for Deployed Forces .....	10,000	.....	.....	− 10,000	.....
Ship Modernization, Operations and Sustainment Fund (Sec. 8105) .....	.....	.....	2,382,100	+ 2,382,100	+ 2,382,100
Operation and Maintenance, Defense-Wide (Sec. 8110) .....	250,000	.....	270,000	+ 20,000	+ 270,000
(transfer authority) .....	.....	(51,000)	.....	.....	( − 51,000)
MIP Transfer Fund .....	310,758	.....	.....	− 310,758	.....
Eliminate civilian pay raise (Sec. 8123) .....	.....	.....	− 72,718	− 72,718	− 72,718
Defense spending freeze (exclude Title I, Defense Health Program, and Title IX) (House) .....	.....	.....	.....	.....	.....
Total, Title VIII, General Provisions .....	− 2,597,704	8,000	507,935	+ 3,105,639	+ 499,935
<b>TITLE IX</b>					
<b>OVERSEAS CONTINGENCY OPERATIONS (OCO) <sup>3</sup></b>					
<b>Military Personnel</b>					
Military Personnel, Army (OCO) .....	7,195,335	9,165,082	9,790,082	+ 2,594,747	+ 625,000
Military Personnel, Navy (OCO) .....	1,259,234	874,625	774,225	− 485,009	− 100,400
Military Personnel, Marine Corps (OCO) .....	714,360	1,621,356	1,425,156	+ 710,796	− 196,200
Military Personnel, Air Force (OCO) .....	1,492,381	1,286,783	1,286,783	− 205,598	.....
Reserve Personnel, Army (OCO) .....	207,162	156,893	156,893	− 50,269	.....
Reserve Personnel, Navy (OCO) .....	44,530	39,335	39,335	− 5,195	.....
Reserve Personnel, Marine Corps (OCO) .....	25,421	24,722	24,722	− 699	.....
Reserve Personnel, Air Force (OCO) .....	26,815	25,348	25,348	− 1,467	.....
National Guard Personnel, Army (OCO) .....	664,579	583,804	583,804	− 80,775	.....
National Guard Personnel, Air Force (OCO) .....	9,435	10,473	10,473	+ 1,038	.....
Total, Military Personnel .....	11,639,252	13,788,421	14,116,821	+ 2,477,569	+ 328,400
<b>Operation and Maintenance</b>					
Operation & Maintenance, Army (OCO) .....	44,794,156	28,591,441	28,452,018	− 16,342,138	− 139,423
Operation & Maintenance, Navy (OCO) .....	7,674,026	5,880,395	5,839,934	− 1,834,092	− 40,461
Coast Guard (by transfer) (OCO) .....	.....	(254,461)	.....	.....	( − 254,461)
Operation & Maintenance, Marine Corps (OCO) .....	3,935,210	4,066,340	4,116,340	+ 181,130	+ 50,000
Operation & Maintenance, Air Force (OCO) .....	10,879,347	9,241,613	9,249,736	− 1,629,611	+ 8,123
Operation & Maintenance, Defense-Wide (OCO) .....	9,252,211	7,824,579	7,714,079	− 1,538,132	− 110,500
Coalition support funds (OCO) .....	(1,690,000)	(1,750,000)	(1,650,000)	( − 40,000)	( − 100,000)
Operation & Maintenance, Army Reserve (OCO) .....	217,500	154,537	157,887	− 59,613	+ 3,350
Operation & Maintenance, Navy Reserve (OCO) .....	74,148	55,924	55,924	− 18,224	.....
Operation & Maintenance, Marine Corps Reserve (OCO) .....	36,084	25,477	25,477	− 10,607	.....
Operation & Maintenance, Air Force Reserve (OCO) .....	142,050	120,618	60,618	− 81,432	− 60,000
Operation & Maintenance, Army National Guard (OCO) .....	377,544	382,448	392,448	+ 14,904	+ 10,000
Operation & Maintenance, Air National Guard (OCO) .....	34,050	19,975	34,500	+ 450	+ 14,525
Overseas Contingency Operations Transfer Fund (OCO) .....	.....	.....	582,884	+ 582,884	+ 582,884
Subtotal, Operation and Maintenance .....	77,416,326	56,363,347	56,681,845	− 20,734,481	+ 318,498
Afghanistan Infrastructure Fund (OCO) .....	400,000	400,000	325,000	− 75,000	− 75,000
Afghanistan Security Forces Fund (OCO) .....	11,200,000	5,749,167	5,124,167	− 6,075,833	− 625,000
Total, Operation and Maintenance .....	89,016,326	62,512,514	62,131,012	− 26,885,314	− 381,502
<b>Procurement</b>					
Aircraft Procurement, Army (OCO) .....	1,137,381	486,200	550,700	− 586,681	+ 64,500
Missile Procurement, Army (OCO) .....	126,556	49,653	67,951	− 58,605	+ 18,298
Procurement of Weapons and Tracked Combat Vehicles, Army (OCO) .....	37,117	15,422	15,422	− 21,695	.....
Procurement of Ammunition, Army (OCO) .....	208,381	357,493	338,493	+ 130,112	− 19,000
Other Procurement, Army (OCO) .....	1,334,345	2,015,907	1,740,157	+ 405,812	− 275,750
Aircraft Procurement, Navy (OCO) .....	480,935	164,582	215,698	− 265,237	+ 51,116
Weapons Procurement, Navy (OCO) .....	41,070	23,500	22,500	− 18,570	− 1,000
Procurement of Ammunition, Navy and Marine Corps (OCO) .....	317,100	285,747	283,059	− 34,041	− 2,688
Other Procurement, Navy (OCO) .....	236,125	98,882	98,882	− 137,243	.....
Procurement, Marine Corps (OCO) .....	1,233,996	943,683	822,054	− 411,942	− 121,629
Aircraft Procurement, Air Force (OCO) .....	1,235,777	305,600	305,600	− 930,177	.....
Missile Procurement, Air Force (OCO) .....	41,220	34,350	34,350	− 6,870	.....
Procurement of Ammunition, Air Force (OCO) .....	109,010	116,203	116,203	+ 7,193	.....
Other Procurement, Air Force (OCO) .....	3,088,510	2,818,270	2,680,270	− 408,240	− 138,000
Procurement, Defense-Wide (OCO) .....	405,768	196,349	188,099	− 217,669	− 8,250
National Guard and Reserve Equipment (OCO) .....	1,000,000	.....	1,500,000	+ 500,000	+ 1,500,000
Mine Resistant Ambush Protected Vehicle Fund (OCO) .....	2,600,170	.....	.....	− 2,600,170	.....
Total, Procurement .....	13,633,461	7,911,841	8,979,438	− 4,654,023	+ 1,067,597
<b>Research, Development, Test and Evaluation</b>					
Research, Development, Test & Evaluation, Army (OCO) .....	18,513	19,860	29,660	+ 11,147	+ 9,800
Research, Development, Test & Evaluation, Navy (OCO) .....	53,884	60,119	52,519	− 1,365	− 7,600
Research, Development, Test & Evaluation, Air Force (OCO) .....	259,600	53,150	53,150	− 206,450	.....
Research, Development, Test and Evaluation, Defense-Wide (OCO) .....	194,361	112,387	112,387	− 81,974	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Total, Research, Development, Test and Evaluation .....	526,358	245,516	247,716	— 278,642	+ 2,200
Revolving and Management Funds .....					
Defense Working Capital Funds (OCO) .....	435,013	503,364	243,600	— 191,413	— 259,764
Total, Revolving and Management Funds .....	435,013	503,364	243,600	— 191,413	— 259,764
Other Department of Defense Programs .....					
Defense Health Program:					
Operation and maintenance (OCO) .....	1,228,288	993,898	993,898	— 234,390	.....
Total, Defense Health Program <sup>1</sup> .....	1,228,288	993,898	993,898	— 234,390	.....
Drug Interdiction and Counter-Drug Activities, Defense (OCO) .....	456,458	469,025	469,025	+ 12,567	.....
Joint IED Defeat Fund (OCO) <sup>2</sup> .....	2,441,984	1,675,400	1,622,614	— 819,370	— 52,786
Joint Urgent Operational Needs Fund (OCO) .....	100,000	.....	.....	.....	— 100,000
Office of the Inspector General (OCO) .....	11,055	10,766	10,766	— 289	.....
Total, Other Department of Defense Programs .....	4,137,785	3,249,089	3,096,303	— 1,041,482	— 152,786
TITLE IX General Provisions .....					
Additional transfer authority (OCO) (Sec. 9002) .....	(4,000,000)	(4,000,000)	(3,500,000)	(— 500,000)	(— 500,000)
Troop reduction (OCO) .....	— 4,042,500	.....	.....	+ 4,042,500	.....
Rescissions (OCO) (Sec. 9013) .....	— 380,060	.....	— 1,860,052	— 1,479,992	— 1,860,052
Total, General Provisions .....	— 4,422,560	.....	— 1,860,052	+ 2,562,508	— 1,860,052
Total, Title IX .....	114,965,635	88,210,745	86,954,838	— 28,010,797	— 1,255,907
DIVISION G .....					
Section 3001 (rescission) (Security) .....	.....	.....	— 472,000	— 472,000	— 472,000
Total for the bill (net) .....	622,862,127	601,225,998	597,086,714	— 25,775,413	— 4,139,284
Less appropriations for subsequent years .....	.....	— 4,426,700	.....	.....	+ 4,426,700
Net grand total .....	622,862,127	596,799,298	597,086,714	— 25,775,413	+ 287,416

<sup>1</sup> Included in Budget under Operation and Maintenance.<sup>2</sup> Included in Budget under Procurement.<sup>3</sup> Global War on Terrorism (GWOT).<sup>4</sup> Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, Public Law 108–375) (CBO est).

## DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

The following is an explanation of the effects of Division D, which makes appropriations for the Department of Homeland Security for fiscal year 2013. Unless otherwise noted, reference to the House and Senate reports are to House Report 112–492 and Senate Report 112–169, respectively. The language and allocations contained in House Report 112–492 and Senate Report 112–169 should be complied with and carry the same emphasis as the language included in the explanatory statement, unless specifically addressed to the contrary in the bill or this explanatory statement. While repeating some report language for emphasis, this explanatory statement does not intend to negate the language referred to above unless expressly provided herein. When this explanatory statement refers to the Committees or the Committees on Appropriations, unless otherwise noted, this reference is to the House Subcommittee on Homeland Security and the Senate Subcommittee on the Department of Homeland Security. In cases where the explanatory statement directs the submission of a report, such report shall be provided to the Committees on Appropriations by April 3, 2013, unless otherwise directed. In cases where the explanatory statement directs a briefing, such briefing shall be provided to the Committees by April 3, 2013, unless otherwise directed.

This explanatory statement refers to the following laws and organizations as follows: Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288 is referenced as the Stafford Act; the Department of Homeland Security is referenced as DHS or the Department; the Government Accountability Office

is referenced as GAO; and the Office of Inspector General of the Department of Homeland Security is referenced as OIG. In addition, any reference to “full-time equivalents” shall be referred to as FTE; any reference to “program, project, and activity” shall be referred to as PPA; and any reference to “the Secretary” shall be interpreted to mean the Secretary of Homeland Security.

## Classified Programs

Recommended adjustments to classified programs are addressed in a classified annex accompanying this explanatory statement.

TITLE I—DEPARTMENTAL  
MANAGEMENT AND OPERATIONS  
OFFICE OF THE SECRETARY AND EXECUTIVE  
MANAGEMENT

The bill provides \$130,000,000 for “Office of the Secretary and Executive Management.” Not to exceed \$45,000 of this funding shall be for official reception and representation expenses, and the Department is directed to submit quarterly reports to the Committees on DHS reception and representation expenses, as specified in the Senate report. The amount provided under this heading does not include \$370,000 as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The bill also continues a provision requiring that funds made available for “Immediate Office of the Secretary” and “Immediate Office of the Deputy Secretary” shall be used to pay for official costs associated with use of government aircraft by DHS personnel in support of official travel of the Secretary and Deputy Secretary. In addition, a new general provision is included in the bill withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this

Act to be submitted on or before May 1, 2013. New bill language also is included that mandates the submission of expenditure plans for the Office of Policy, Office of Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer not later than 90 days after the date of enactment of this Act. This language supersedes reporting requirements set forth in the Senate report.

The amount provided for this appropriation by PPA is as follows:

Immediate Office of the Secretary .....	\$4,286,000
Immediate Office of the Deputy Secretary .....	2,094,000
Office of the Chief of Staff .....	2,175,000
Executive Secretary .....	7,592,000
Office of Policy .....	43,750,000
Office of Public Affairs .....	5,475,000
Office of Legislative Affairs .....	5,800,000
Office of Intergovernmental Affairs .....	2,380,000
Office of General Counsel ..	21,158,000
Office for Civil Rights and Civil Liberties .....	21,640,000
Citizenship and Immigration Services Ombudsman .....	5,650,000
Privacy Officer .....	8,000,000

Total, Office of the Secretary and Executive Management .....

\$130,000,000

Executive Aircraft Usage and Funding

Congress adopted a new proviso covering the funding of official travel on government aircraft as part of the fiscal year 2010 appropriation for the Office of the Secretary and Executive Management (OSEM), and that language has remained in effect. Congressional intent set forth in the explanatory statement of managers for that appropriation, and reaffirmed since, is that the OSEM



appropriation is to be used to fund all official costs associated with the use of government aircraft by the Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary. This proviso was adopted to provide increased oversight of executive travel. The Committees understand, however, that the Department has narrowly interpreted the proviso by defining as "direct" costs those that are funded by the OSEM appropriation and as "indirect" costs those that are funded by the Coast Guard.

The Secretary is directed to provide a report no later than April 3, 2013, detailing all costs of official and nonofficial travel by the Secretary and the Deputy Secretary (both direct and indirect), delineated by each trip from fiscal year 2008 through the present within all DHS appropriations.

#### Office of Policy

The bill includes \$43,750,000 for the Office of Policy. This funding should also cover the costs of the Office of International Affairs, Office of State and Local Law Enforcement, and the Private Sector Office. The Committees deny the request to fund those three offices as separate entities that report directly to the Secretary.

#### External Affairs

The Department is directed to brief the Committees no later than April 3, 2013, on the potential of establishing an external affairs office within OSEM, as discussed in the House report.

#### Office for Civil Rights and Civil Liberties

The bill includes \$21,640,000 for the Office for Civil Rights and Civil Liberties (CRCL), reflecting programmatic increases proposed by the Department to ensure immigration enforcement efforts are carried out in a manner consistent with applicable law.

#### Appropriate Assistance to Stakeholders

Funds are available in a number of DHS offices and components, including CRCL, the Citizenship and Immigration Services Ombudsman, U.S. Immigration and Customs Enforcement (ICE), and United States Citizenship and Immigration Services (USCIS) Customer Service and Public Engagement Directorate, to provide appropriate assistance and guidance to aliens and their advocates in order to facilitate adherence to U.S. laws and, where possible, avoid costly and needless litigation. These entities assist in communication between the Department and its various stakeholders. Frequently, this results in budgetary savings when the correct information is provided at the earliest stages of the immigration process. The Committees support these efforts.

#### User Fees

The Secretary is directed to submit to the Committees as soon as possible the contingency plan to address gaps between actual and budgeted collections of user fees mandated in the conference report accompanying Public Law 111-83, and submit a revised plan no later than 90 days after the date of enactment of this Act.

#### Quarterly Reports and Other Information Requirements

The Committees underscore the importance of timely submission of quarterly reports on operations, as outlined in the joint explanatory statement accompanying Public Law 112-74. DHS shall continue to submit the Border Security Status Reports, the Secure Communities Quarterly Reports, and the Detention and Removal Operations Quarterly Reports with the detailed information as re-

quired by such statement. In addition, the information on apprehensions and recidivism rates noted in the House report shall be included in the Border Security Status Reports for fiscal year 2013 and beyond.

The U.S. Customs and Border Protection (CBP) and ICE are to brief the Committees no later than April 3, 2013, on their tools to reduce recidivism, as required by the House report.

Further, the Office of Immigration Statistics, in conjunction with all the relevant DHS components, are to brief the Committees no later than April 3, 2013, regarding collection and reporting of complete immigration enforcement statistics, as required by the House report.

#### Weapons of Mass Destruction Policy and Program Management

Language in the House report regarding the need to elevate and streamline the Department's focus on efforts to address chemical, biological, radiological and nuclear threats and deter and counter weapons of mass destruction (WMD) is agreed to. In particular, DHS should ensure clear assignment of responsibilities and unrestricted lines of communication both within the Department and in DHS engagement with the interagency and intergovernmental community. In working towards this, DHS should eliminate duplication of efforts within and between Departmental components, both in terms of administrative resources and organization. The Department is therefore directed to undertake an in-depth review of its organization, operations, and communications in carrying out its WMD programs, to include an evaluation of potential improvements in performance and possible savings in costs that might be gained by consolidation of current organizations and missions, including the option of merging functions of the Domestic Nuclear Detection Office (DNDO) and the Office of Health Affairs (OHA). While evaluating this option, consideration should be given to realigning certain functions outside of the new office, as detailed in the House report. The review should encompass all current and authorized DHS program activity for WMD defense; examine options for improvements on a holistic, department-wide basis, for carrying out these functions and operations; and include specific recommendations, to include statutory, organizational, administrative and funding changes. The Secretary is directed to submit the results of this review not later than September 1, 2013. Submission of this review is in lieu of the direction contained in the House report to develop a consolidation plan to merge DNDO and OHA into an Office of Weapons of Mass Destruction Defense for fiscal year 2014.

#### Federally Funded Research and Development Centers

The Department is directed to submit a detailed report at the time it submits its fiscal year 2014 budget on its current and projected use of federally funded research and development centers (FFRDCs), identifying FFRDCs used by components and projects they are supporting, and detailing FFRDC by project and appropriation for fiscal years 2012 and projected for fiscal years 2013 and 2014.

#### TWIC Reader Rule

The Department, and in particular the Coast Guard and the Transportation Security Administration (TSA), is directed to take all necessary action to expedite the completion and publication of a final rule governing the Transportation Worker Identification Credential (TWIC) reader requirement.

#### Evolving Threats

DHS is directed to brief the Committees on how it is applying its resources to address evolving terrorist threats, as specified in the Senate report.

#### Chemical Security

Congress directed the Coast Guard and the National Protection and Programs Directorate to complete a planned Memorandum of Understanding (MOU) to harmonize chemical security responsibilities established by the Chemical Facilities Anti-Terrorism Standards (CFATS) regulations and Maritime Transportation Security Act (MTSA) regulatory programs no later than March 30, 2012, but the agreement has not been finalized. The MOU is to be completed expeditiously. The Deputy Secretary is also directed to continue semiannual reporting to the Committees on these matters as outlined in Senate Report 112-74.

#### Departmental Integrity Efforts

The Deputy Secretary, jointly with the OIG, CBP, and ICE, is directed to brief the Committees not later than 60 days after the date of enactment of this Act on steps for addressing corruption of DHS employees, as discussed in the Senate report.

#### Compact of Freely Associated States

The Department is directed to promulgate regulations for the admission and residency of Freely Associated States (FAS) migrants, and to continue its work within the National Security Council Interagency Policy Committee on Freely Associated State Affairs, as stated in the Senate report.

#### Overhead Costs

The Department is directed to submit a plan to reduce overhead costs within 60 days of the date of enactment of this Act, as specified in the Senate report.

#### Research and Development Portfolio Reviews

The Secretary is directed, through the Under Secretary for Science and Technology, to establish a review process for all research and development and related work within DHS, as specified in the Senate report, and to brief the Committees on this effort no later than 120 days after the date of enactment of this Act.

#### Port Security Training Program

The Department and Coast Guard are directed to move forward with issuing new national requirements for security training at marine terminals, as stated in the Senate report.

#### OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The bill provides \$218,511,000 for "Office of the Under Secretary for Management." Not to exceed \$2,250 of this funding shall be for official reception and representation expenses. The amount provided under this heading does not include \$538,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

A new general provision is included withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this Act to be submitted on or before May 1, 2013. In addition bill language is included requiring the Under Secretary for Management to submit to the Committees, at the same time the President's fiscal year 2014 budget is submitted, a Comprehensive Acquisition Status Report (CASR) including the information

specified in the joint explanatory statement accompanying Public Law 112-74, and to provide quarterly updates thereafter.

Pursuant to a general provision in Title V of this Act, the bill provides \$29,000,000 for "Office of the Under Secretary for Management" for costs associated with headquarters consolidation and mission support consolidation. The Under Secretary shall submit an expenditure plan no later than 90 days after the date of enactment of this Act detailing how this \$29,000,000 in total funding will be allocated, including a revised schedule and cost estimates for headquarters consolidation. Quarterly briefings are required on headquarters and mission support consolidation activities, including any deviation from the expenditure plan.

The amount provided for this appropriation by PPA is as follows:

Immediate Office of the Under Secretary for Management .....	\$3,100,000
Office of the Chief Security Officer .....	69,000,000
Office of the Chief Procurement Officer .....	72,000,000
Office of the Chief Human Capital Officer	
Salaries and Expenses .....	24,971,000
Human Resources Information Technology .....	9,680,000
Subtotal .....	34,651,000
Office of the Chief Administrative Officer	
Salaries and Expenses .....	34,312,000
Nebraska Avenue Complex .....	5,448,000
Subtotal .....	39,760,000

Total, Office of the Under Secretary for Management.....	\$218,511,000
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Insourcing and Balanced Workforce Strategy

The Department has been carrying out a program to balance its workforce between direct employees and contractor-held positions in the interest of achieving the optimal degree of Federal control of DHS work and to reduce overreliance on contractors. In order to assess the performance of this effort, and its relative costs and benefits, the Department is directed to include in the President's annual budget request a detailed justification of any planned insourcing or outsourcing initiatives to include a net present value comparison of the life-cycle cost of a contracted position or task to the cost of a federalized FTE. In addition, the Department is directed to submit to the Committees not later than April 3, 2013, a detailed report on the performance of the Department's balanced workforce strategy, including numbers of insourcing or outsourcing decisions by component for each of fiscal years 2009-2012, associated savings or costs resulting from those decisions, and methodology and metrics used in the analysis.

#### Buy American Requirements

The Secretary is directed to submit, as part of the fiscal year 2014 budget request, a detailed analysis on how the Department could comply with Title VI of Section 604 of Public Law 111-5, as specified in the House report.

#### Front-End Technology Assessment

The Under Secretaries for Management and for Science and Technology are directed to develop a plan for a formal technology assessment of alternatives for all non-informa-

tion technology acquisitions and to brief the Committees as stated in the Senate report.

#### OFFICE OF THE CHIEF FINANCIAL OFFICER

The bill provides \$51,500,000 for "Office of the Chief Financial Officer." Within this, \$5,000,000 shall remain available until September 30, 2014, to support financial systems modernization efforts. The amount provided under this heading does not include \$144,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. A new general provision in this Act withholding 20 percent of this appropriation from obligation until the Committees receive the reports and plans required in this Act to be submitted on or before May 1, 2013.

#### Financial Systems Modernization

The Chief Financial Officer is directed to continue providing briefings to the Committees at least semiannually on its financial systems modernization efforts, and to highlight any funding, schedule, or implementation issues relevant to continued progress. Because the Coast Guard and ICE are planning improvements for their core financial systems, the Office of the Chief Financial Officer, in tandem with the Coast Guard and ICE, are to brief the Committees on the preferred solutions before funds can be obligated to initiate improvement efforts. The briefing is to include total resource requirements by fiscal year and a timeline for implementation with discrete milestones.

#### Annual Budget Justifications

The Chief Financial Officer is directed to ensure that fiscal year 2014 budget justifications for classified and unclassified budgets of all Department components are submitted concurrent with the President's budget submission to Congress. The justifications shall include detailed information and explanations that reflect the requirements set forth under this heading in the Senate report. The Department is directed to submit a Future Years Homeland Security Program budget as specified in the House report. In addition, the Department is directed to inform the Committees of the base funding level of any activity for which the budget request proposes to increase or decrease funding for an activity within a PPA category—and not simply cite the total PPA funding level.

#### DHS Annual Financial Report

The Department is commended for achieving a significant milestone by presenting all five financial statements for audit for the first time in the Department's history and earning its first qualified audit opinion on a full-scope audit. The Committees will closely monitor the Department's progress moving forward in clearing remaining material weaknesses in Financial Reporting, Information Technology Controls and Financial System Functionality, Property, Plant, and Equipment, Environmental and other Liabilities, and Budgetary Accounting, and achieving full compliance with the Federal Managers' Financial Integrity Act of 1982 (FMFIA), the Federal Financial Management Improvement Act of 1996 (FFMIA), the Single Audit Act Amendments of 1996, and the Anti-deficiency Act (ADA).

#### Appropriations Liaisons

The DHS Budget Officer shall serve as the primary point of contact with the House and Senate Committees on Appropriations for Departmental and cross-cutting interagency issues related to budget formulation and exe-

cution, with component Chief Financial Officers and Budget Officers serving as primary points of contact for those components, as proposed in the House report.

#### Office of the Chief Information Officer

The bill provides \$243,732,000 for "Office of the Chief Information Officer." The amount provided under this heading does not include \$200,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Language is continued requiring the submission of a multi-year investment justification and management plan. This plan is intended to cover investments funded through this account as well as those overseen by the CIO through the Working Capital Fund (WCF). However, the plan should not include investments funded under other appropriations, as such information is provided in other reports. The CIO is not required to keep the Committees informed about developments in mitigating insider threats, as proposed by the House, as this matter is addressed elsewhere in the Department.

The amount provided for this appropriation by PPA is as follows:

Salaries and Expenses .....	\$118,000,000
Information Technology Services .....	27,600,000
Infrastructure and Security Activities .....	56,000,000
Homeland Secure Data Network .....	42,132,000

Total, Office of the Chief Information Officer .....	\$243,732,000
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#### Data Center Migration

The bill provides \$55,000,000 for data center migration under a general provision in Title V of this Act. The Department is directed to continue to brief the Committees quarterly on data center migration status and plans for further migration in fiscal year 2014.

#### HSPD-12/Trusted Internet Connection

Given the significant investment that will be required to transition the Department to logical access as required by Homeland Security Presidential Directive-12, the Department is directed to submit an implementation plan that includes estimated costs and deployment milestones by component no later than April 3, 2013. The Department is also directed to provide semiannual briefings to the Committees on its progress in developing trusted internet connections, in lieu of quarterly briefings on OneNet implementation and Network migration proposed in the Senate report.

#### ANALYSTS AND OPERATIONS

A total of \$322,280,000 is provided for "Analysis and Operations," of which \$94,359,000 shall remain available until September 30, 2014, and of which not to exceed \$3,825 shall be for official reception and representation expenses. No additional funding is provided for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The requested increase in executive service salaries for the Office of Operations Coordination and Planning is denied as is the requested increase in funding associated with the Air Domain Intelligence Integration Element. In addition, \$1,800,000 of prior year balances is rescinded. Other funding details are included within the accompanying classified annex.

As detailed in the Senate report, the Chief Intelligence Officer is directed to submit an

expenditure plan for fiscal year 2013 no later than 60 days after the date of enactment of this Act. Furthermore, the Office of Intelligence and Analysis is directed to continue to provide annual briefings on the State and Local Fusion Center Program, as specified in the Senate report.

#### OFFICE OF INSPECTOR GENERAL

The bill provides \$145,164,000 for “Office of Inspector General,” including \$121,164,000 for direct appropriations and \$24,000,000 transferred from the Federal Emergency Management Agency “Disaster Relief Fund” (DRF) for audits and investigations related to that funding. The amount provided under this heading does not include \$400,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The OIG is directed to submit a plan for expenditure of all funds no later than 30 days after the date of enactment of this Act and to include DRF transfers in the CFO’s monthly budget execution reports submitted to the Committees, which shall satisfy the requirements for notification of DRF transfers under a general provision in Title V of this Act.

#### Integrity Investigations

Within the total provided, an increase of \$3,000,000 is provided for integrity investigations. The fiscal year 2013 expenditure plan should identify the total funds dedicated to integrity investigations and their intended purpose.

#### GAO Review

The Committees are concerned that the current organization of the OIG may not allow for adequate independence of the OIG’s inspections and evaluations function, and that current organizational reporting lines hinder the timely and complete delivery of information to OIG leadership. Recent developments at OIG that have left many senior positions occupied by acting heads have adversely affected OIG’s ability to manage its growing workload, and raised questions about its effectiveness and reliability in conducting investigative operations for which it has been assigned unique jurisdiction within DHS. This has occurred at a time when the workload for OIG is growing, compounded by the need to address the potential of fraud associated with ever increasing disaster assistance and the highly sensitive issue of integrity investigations in the Department, particularly with regard to border security operations. GAO is directed to undertake a review of (1) the organizational structure of the OIG; (2) how OIG is organized to report the results of audits, investigations, and inspections and evaluations; and (3) whether these functions are properly placed within the organizational structure of OIG to ensure compliance with applicable independence standards. The review should be completed by December 1, 2013.

#### TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

##### U.S. CUSTOMS AND BORDER PROTECTION SALARIES AND EXPENSES

A total of \$8,293,351,000 is provided for “Salaries and Expenses.” The funding level reflects changes in the activities supported by this appropriation. In addition, the bill institutes a new PPA structure and distribution for greater accountability.

The bill provides \$315,000,000 in appropriated funds to rectify CBP’s salary shortfall, created by the flawed budget request that incorrectly assumed CBP access to fee

revenues and demonstrated inexcusably poor budget development by CBP. Specifically, the President’s budget request for fiscal year 2013 assumes that CBP has access to \$110,000,000 in fee revenues pursuant to the Colombia Free Trade Agreement’s elimination of certain exemptions to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) fees. While the fees are being collected today from travelers entering the United States, the fees are not accessible to CBP. Further, the shortfall created by this inaccessibility persists annually until fiscal year 2022. The Department is directed, in coordination with the Office of Management and Budget (OMB), to include a means of access to these fees in the fiscal year 2014 budget request and beyond, with appropriate offsets. The gap cannot be filled by appropriated funds and trade-offs within CBP accounts into the future.

Compounding this deficit, CBP failed to adequately estimate its salary needs for its operational workforce resulting in an estimated \$214,000,000 shortage in fiscal year 2013. After months of unanswered questions from OMB, DHS, and CBP, the House Appropriations Committee undertook an audit of CBP’s budget development and execution processes that revealed significant weaknesses. The Department is directed to ensure the fiscal year 2014 request fully funds CBP’s operational workforce and mission needs. Further, the Committees will continue to work with CBP in the coming months to ensure the weaknesses are addressed.

The CBP funding level reflects savings and deferrals proposed by CBP to reduce the shortfall, including: \$50,000,000 in rent savings and deferrals; \$10,000,000 in project reprioritization and cancellations taken from Facilities Construction and Sustainment; and \$35,889,000 from deferral of vehicle replacement. While the Committees are concerned about longer term deferral of vehicle replacement, CBP currently has a sufficient, well-maintained fleet for fiscal year 2013. CBP proposed other, internal offsets that were wholly unacceptable. No funds are included for the Joint Operations Division created by CBP in 2011.

The amount provided under this heading does not include the full amount requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. However, to avoid exacerbating CBP’s pay shortfall, the bill provides \$19,558,000 across the appropriate PPAs and in the “Air and Marine Operations” appropriation as a contingency for a potential pay raise to cover operational personnel. Should the President decide not to institute the pay raise, CBP shall apply those funds to other operational needs, in accordance with a general provision in Title V and with appropriate notification to the Committees.

The bill also restructures the Headquarters Management and Administration PPAs to provide greater visibility into CBP’s expenditures, as outlined in the House report. The new PPA structure is provided in the table listed below. In the fiscal year 2014 budget request, CBP is directed to distribute the working capital fund expenditures among the PPAs as appropriate to reflect the actual costs to each CBP office rather than including a total in the Administration PPA.

Further, funds in existing PPAs across the “Salaries and Expenses” appropriation are redistributed to more closely align to offices, as outlined in the House report. For example, the Office of Information Technology

(OIT) is funded for its activities in the Automated Targeting Systems (ATS) and Inspection and Detection Technology Investments PPAs, in addition to the funds in the “Automation Modernization” appropriation that now contains OIT’s salaries and expenses.

Border Security Inspections and Trade Facilitation (Inspections) is funded at \$3,206,458,000, including \$215,000,000 to address part of the salary shortfall noted above; \$5,747,000 for prior year annualization of CBP officer staffing enhancements; \$14,076,000 for annualization of CBP officer staff for new ports of entry and enhanced operations; \$10,000,000 as requested for enhancing intellectual property rights enforcement efforts; \$13,032,000 to re-baseline the Container Security Initiative; realignment of funds to the Other International Programs PPA from International Cargo Screening; and consolidation of funds into the ATS and National Targeting Center PPAs to more fully display the costs of those activities. Other International Programs is reduced by \$2,218,000, as recommended in the Senate report. As included in the House report, \$12,284,000 is provided to the Office of Field Operations for its entry-exit policy and operations responsibilities. CBP is expected to maintain no less than 21,775 CBP officers, a number adjusted by CBP from prior year targets to account for all CBP officers as intended.

Border Security and Control between Ports of Entry is funded at \$3,705,735,000, which reflects an \$8,000,000 decrease to transfer responsibility for detainee medical costs to ICE, \$11,500,000 in cost savings for detainee transportation, \$100,000,000 to address part of the salary shortfall noted above, and full funding for the Office of Border Patrol and the Joint Field Command. This level continues to support a Border Patrol agent force of 21,370.

The Air and Marine Operations PPA is moved to the “Air and Marine Operations” appropriation and renamed the Salaries and Expenses PPA. As outlined in the House report, the PPA does not include funds for the Joint Operations Division and the Joint Field Command.

The Committees reject the proposal to move the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) from the National Protection and Programs Directorate (NPPD) to CBP. Instead, the bill realigns the policy and operational responsibilities of US-VISIT while retaining the information technology systems in a new Office of Biometric Identity Management (OBIM) in NPPD discussed later.

CBP has long been subject to limitations, terms and conditions on overtime funds that are carried in the Salaries and Expenses appropriation. Funds moved from the Salaries and Expenses appropriation into the “Automation Modernization” and “Air and Marine Operations” appropriations are still subject to those limitations, terms and conditions.

The amount provided for the “Salaries and Expenses” appropriation by PPA is as follows:

Headquarters, Management, and Administration:	
Commissioner .....	\$17,415,000
Chief Counsel .....	43,078,000
Congressional Affairs ..	2,568,000
Internal Affairs .....	154,108,000
Public Affairs .....	12,563,000
Training and Development .....	77,721,000
Tech, Innovation, Acquisition .....	26,004,000

Intelligence/Investigative Liaison .....	68,156,000
Administration .....	414,674,000
Rent .....	564,871,000
Subtotal .....	1,381,158,000
Border Security Inspections and Trade Facilitation:	
Inspections, trade, and travel facilitation at ports of entry .....	2,718,654,000
Harbor maintenance fee collection (trust fund) .....	3,274,000
International cargo screening .....	71,487,000
Other international programs .....	14,799,000
Customs-Trade Partnership Against Terrorism (C-TPAT) .....	43,069,000
Trusted Traveler programs .....	10,811,000
Inspection and detection technology investments .....	117,565,000
Automated Targeting Systems .....	113,826,000
National Targeting Center .....	68,127,000
Training .....	34,846,000
Subtotal .....	3,206,458,000
Border Security and Control between Ports of Entry:	
Border security and control .....	3,631,796,000
Training .....	73,939,000
Subtotal .....	3,705,735,000
Total, Salaries and Expenses .....	\$8,293,351,000

#### Financial Plan

CBP is directed to submit its fiscal year 2013 financial plan by office no later than 30 days after the date of enactment of this Act, consistent with the new distribution and PPAs. Additionally, CBP shall include the working capital fund estimates by office and PPA.

#### Management of User Fee Revenues

CBP has not demonstrated the ability to manage fluctuations in fee funding levels. Given that approximately 37 percent of CBP officers are funded by user fees, the failure to properly project and manage these fees has a significant operational impact—not only on CBP but on the traveling public and on our national security posture. To address these failures and to assist the Committees in their oversight, the Commissioner is directed to take the actions required by the House report on user fee management. In addition, as required by the Senate report, CBP shall brief on the use of APHS fee revenues and report on steps to advance its relationship with port authorities on staffing.

#### Fee Balances

As directed in the House report, CBP shall report on the final determination regarding the availability of \$639,400,000 in unobligated fee balances and the path for eliminating them from CBP's financial statements. Unfortunately, these funds are not accessible to CBP; however, the agency has not responded adequately to the question of availability raised by GAO.

#### Innovation and Facilitation

CBP is directed to continue considering and instituting innovations to more effi-

ciently process legitimate travel and trade, such as those outlined in the House report. Further, the bill provides funds above the request toward this end, including \$10,000,000 for preclearance operations and \$2,500,000 for improved signage and information about the entry process, as recommended in the Senate report, and \$4,500,000 for Global Entry expansion, kiosks, and promotion, as recommended in the House and Senate reports. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for these activities as well as the use of the increased funds.

#### Workload Staffing Model

The Department is directed to immediately submit the CBP workload staffing model for Field Operations required by the joint explanatory statement accompanying Public Law 112-74. This report, which has languished in a bureaucratic clearance “do loop,” is necessary for a responsible dialogue on CBP mission needs, including any demonstrated staffing needs.

#### Cargo Security Strategy

The bill provides an additional \$3,000,000 for the Customs-Trade Partnership Against Terrorism (C-TPAT) program to ensure audits of participants are conducted as needed based on a risk determination. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for C-TPAT as well as the use of the increased funds.

Further, the Committees concur with the direction and concerns outlined in the House report regarding the cargo security strategy and look forward to seeing the Secretary develop and propose a meaningful alternative to 100 percent scanning.

#### Targeting

The bill provides an additional \$3,000,000 for National Targeting Center (NTC) operations to cover pre-adjudication vetting of visa applicants. No later than 60 days after the date of enactment of this Act, CBP shall brief the Committees in detail on its full fiscal year 2013 funding for NTC as well as the use of the increased funds.

As required in the House report, CBP is directed to provide a detailed accounting of funds executed by the Targeting Analysis Systems Project Office no later than 30 days after the date of enactment of this Act. CBP shall also include an annual update of this information with the President's budget request.

#### Entry-Exit Policy and Operations

CBP is the DHS lead for entry-exit policy and operations, as recommended by the House. Responsibility for implementing a biometric exit program lies with CBP. Within 120 days after the date of enactment of this Act, CBP, in conjunction with OBIM and any other appropriate partners, such as the Science and Technology Directorate, shall report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and the House Committees on Appropriations, the Judiciary, and Homeland Security on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program. The Committees on Appropriations shall be briefed semiannually on exit thereafter.

#### Border Patrol and Border Security Between Ports of Entry

CBP shall submit a report to the Committees no later than 90 days after the date of enactment of this Act on its five-year staffing and deployment plan for the Border Patrol. In addition, the budget justification for fiscal year 2014 shall include a plan detailing staffing and funding for the Northern Border. Further, CBP is prohibited from closing Border Patrol stations in Texas, as proposed in the budget request. CBP and ICE have not produced a transition plan to ensure the immigration enforcement needs of local sheriffs will be supported without a Border Patrol presence.

#### Joint Field Command Structure

While CBP allocated funds within its budget for the Joint Field Command (JFC), it is important to reassess the cost-benefit of operating the JFC, particularly as CBP considers other joint operation and coordination structures and confronts enormous budget challenges. The need for operational coordination within CBP is no less imperative than its coordination with ICE, Coast Guard, and other law enforcement agencies active in a particular area of responsibility. Therefore, CBP is directed to brief the Committees, no later than 60 days after the date of enactment of this Act, on all plans, milestones, and costs for establishing and operating joint field efforts, as required in the House report. In addition, the brief shall include the cost-benefit of operating the JFC.

#### Integrity Programs

The bill supports CBP efforts to reduce and prevent corruption, as well as ensure that its ethics, integrity, and conduct programs include training at all stages of an agent's or officer's career. Over the past five years, as the Federal law enforcement presence on the Nation's borders has increased due to major increases in hiring of Border Patrol agents and other law enforcement officers, Congress has provided resources above the Presidents' requests for the OIG, CBP, and ICE to ensure that a greater level of scrutiny is focused on preventing officer corruption and enhancing training on public integrity. Given these efforts, combined with the full implementation of the Anti-Border Corruption Act of 2011 (Public Law 111-338), sufficient funds were requested in the budget and are provided by this Act to continue rigorous attention to public integrity of DHS law enforcement personnel. CBP is expected to work with OIG and ICE to aggressively investigate reports of fraud and to provide continuous integrity training to current as well as new employees. CBP is directed to continue briefing the Committees on a semiannual basis on integrity efforts, per the House report. In addition, GAO is directed to report on CBP's integrity program no later than 120 days after the date of enactment of this Act, as required in the House report.

#### Workers' Compensation Plans

CBP is directed to brief the Committees on its progress in implementing the OIG recommendations and related issues, as required by the House report, no later than April 3, 2013.

#### Preventing Human Trafficking

The Committees strongly support DHS efforts to broaden human trafficking awareness, including through CBP's Blue Lightning Initiative. In lieu of the level recommended by the House, CBP shall fund its Blue Campaign efforts, as requested, and brief the Committees, as required by the House report.

## Training

Per the House report, CBP is directed to brief the Committees on its corrective action plan and the status of implementation of recommendations contained in GAO-12-269, not later than April 3, 2013. In addition, GAO is directed to follow up on its findings one year after its release to identify progress that has been made and any remaining deficiencies.

## AUTOMATION MODERNIZATION

A total of \$719,866,000 is provided for "Automation Modernization." Of that amount, \$394,340,000 is for Information Technology, which includes salaries and expenses for OIT; \$138,794,000 is for the Automated Commercial Environment (ACE); and \$186,732,000, as requested, is for Current Operations Protection and Processing Support. As provided in a general provision in this Act, CBP is required to submit an updated multi-year investment and management plan for all funds executed by OIT that are now largely consolidated in "Automation Modernization."

The amount provided under this heading does not include the requested funding for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

## Briefings

CBP is directed to continue briefing the Committees on a quarterly basis on ACE progress, including the information directed by the House and Senate reports. CBP and ICE are directed to jointly brief the Committees on the status of TECS modernization efforts, as required by the House and Senate reports, on a semiannual basis with the first briefing no later than 60 days after the date of enactment of this Act.

## BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

A total of \$324,099,000 is provided for "Border Security Fencing, Infrastructure, and Technology" (BSFIT). No funds are provided for further environmental mitigation efforts with the Department of Interior.

The Committees remain concerned about the lack of progress in deploying critical tools and technology that the Border Patrol clearly needs to secure the border. The schedule for awarding a contract for Integrated Fixed Towers (IFT) as well as to upgrade and purchase Remote Video Surveillance Systems (RVSS) continues to slip. In fact, CBP's schedule does not show full deployment of RVSS and IFT before fiscal years 2014 and 2016 respectively—years after the original timelines. Given these delays, CBP is directed to continue quarterly briefings and weekly notifications on procurement actions, as directed in the House report. In addition, CBP is currently evaluating proposals submitted for IFT, a process that shall include a demonstration evaluation. After the demonstration phase, CBP is directed to brief DHS leadership, OMB, and the Committees before a contract award for IFT that would specify the number and pace of deployments. The briefing is not intended to involve procurement-sensitive information; rather the focus is on understanding CBP's intention regarding the number and pace of deployments rather than vendor-specific information.

As of October 1, 2012, CBP has \$400,000,000 in prior year unobligated balances in BSFIT in addition to the funds provided for fiscal year 2013. As a result, the bill includes a rescission of \$73,232,000, to ensure that funds do not languish unused for years. As rec-

ommended in the House report, those funds are applied to CBP Air and Marine operations, supporting a significant increase in proposed flight hours. These funds will provide immediate border security operational benefit while enabling CBP to maintain its IFT investments and deployments as currently planned.

## AIR AND MARINE OPERATIONS

A total of \$799,006,000 is provided for "Air and Marine Operations." The funding includes \$283,570,000 for a new Salaries and Expenses PPA moved from the CBP "Salaries and Expenses" appropriation; \$397,399,000 for Operations and Maintenance to restore flight hours, including to restore unmanned aerial systems (UAS) flight hours above the fiscal year 2011 level; and \$118,037,000 for Procurement. The procurement funds include an additional \$21,500,000 for purchase of an additional multi-enforcement aircraft; \$39,000,000 for the service life extension of the P-3 fleet; and \$18,567,000 for enhanced sensor capabilities for UAS.

The amount provided under this heading does not include the full amount requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. However, to avoid exacerbating CBP's pay shortfall, the bill provides \$870,000, as part of the total \$19,558,000 provided to CBP, in the Salaries and Expenses PPA as a contingency to cover operational personnel. Should the President decide not to institute the pay raise, CBP shall apply those funds to other operational needs, in accordance with a general provision in Title V of this Act and with appropriate notification to the Committees.

## U.S. Security Interests in the Caribbean

There are significant concerns about public safety and security in the Caribbean, as outlined in the House report, and it is excepted that the Secretary will allocate resources, assets, and personnel to Puerto Rico and the U.S. Virgin Islands in a manner and to a degree consistent with those concerns. Further, DHS is encouraged to work with the Department of Defense to address surveillance capabilities, as specified in the House report under a different heading.

## CONSTRUCTION AND FACILITIES MANAGEMENT

A total of \$233,563,000 is provided for "Construction and Facilities Management." Of that amount, \$176,214,000 is for Facilities Construction and Sustainment and \$57,349,000 is for Program Oversight and Management. Per the Senate report, the Department is directed to encourage the use of small businesses, including the use of public-private partnerships, in all phases of the contracting process for construction and renovation of ports of entry.

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

## SALARIES AND EXPENSES

A total of \$5,394,402,000 is provided for "Salaries and Expenses" to ensure robust enforcement of our Nation's immigration laws. Within this amount, the bill supports maintenance of no fewer than 34,000 detention beds and funds the 287(g) program at the fiscal year 2012 level of \$68,321,000 across PPAs in this appropriation. Additionally, \$138,249,000 is provided to complete nationwide deployment of the Secure Communities program. The bill includes the transfer of overstay analysis from US-VISIT to ICE and increase the amount proposed for transfer to Domestic Investigations by \$2,307,000 for a total of \$19,917,000. Further, the amount pro-

vided under this heading does not include \$14,083,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Headquarters Management and Administration:	
Personnel, compensation and benefits, services and other costs .....	\$220,044,000
Headquarters managed IT investments. ....	160,464,000
Subtotal, Headquarters Management and Administration. ....	380,508,000
Legal Proceedings. ....	207,041,000
Investigations:	
Domestic investigations. ....	1,686,859,000
International Investigations: .....	
International operations. ....	115,122,000
Visa Security Program. ....	34,561,000
Subtotal, International Investigations. ....	149,683,000
Subtotal, Investigations. ....	1,836,542,000
Intelligence. ....	78,452,000
Detention and Removal Operations:	
Custody operations. ....	2,025,016,000
Fugitive operations. ....	145,325,000
Criminal Alien Program. ....	216,510,000
Alternatives to detention. ....	96,557,000
Transportation and removal program. ....	270,202,000
Subtotal, Detention and Removal Operations. ....	2,753,610,000
Secure Communities. ....	138,249,000
Total, Salaries and Expenses. ....	\$5,394,402,000

## ICE Headquarters Management and Administration

The bill provides \$380,508,000 for ICE Headquarters Management and Administration. ICE has failed to submit the multi-year investment and management plan required by Public Law 112-74 for funds executed by the Office of Information Technology. Submission of that plan is expected immediately. Timely submission of the update with the submission of the fiscal year 2014 budget request is also expected, as required by law.

## Immigration Proceedings

The bill does not include the proposed transfer authority for \$5,000,000 from ICE to the Executive Office for Immigration Review (EOIR) to bolster the Legal Orientation Program. However, given the extensive caseload pending before immigration courts and the paper-intensive process, the bill provides \$3,000,000 in ICE "Automation Modernization" to improve case management and electronic communication between ICE and EOIR to achieve more efficient processing. Further, ICE is directed to formalize its internal policy to utilize digital records and provide a copy of the policy to the Committees no later than 30 days after the date of enactment of this Act.

As required in the House report under this heading, ICE is directed to report no later than April 3, 2013, on all corrective actions and controls instituted to prevent recurrence of the embezzlement and kick-back scheme uncovered last year in the Office of Intelligence.

#### ICE Domestic Investigations

A total of \$1,686,859,000 is provided for Domestic Investigations, reflecting a reduction of \$10,000,000 realigning responsibility for illegal aliens on parole and probation to Enforcement and Removal Operations (ERO).

#### Combatting Human Trafficking

The bill provides an additional \$11,000,000 to support ICE's efforts in countering human trafficking and human smuggling. Of these funds, no less than \$1,200,000 is provided to further the Hidden in Plain Sight public outreach campaign under the Blue Campaign umbrella. ICE is directed, no later than 90 days after the date of enactment of this Act, to brief the Committees in detail on its full fiscal year 2013 funding for efforts related to countering human smuggling and human trafficking as well as its plans for these additional funds.

#### Law Enforcement Support Center

The bill provides no less than \$34,900,000, as requested, for the Law Enforcement Support Center.

#### Overstay Analysis

Of the total provided in Domestic Investigations, \$19,917,000 is for overstay analysis activities previously performed by US-VISIT. ICE is the appropriate mission owner for visa-overstay investigations and operations. As required in the House report, ICE is directed to provide semiannual briefings on the overstay backlog elimination effort; to ensure that similar backlogs do not arise again in the future; and to update the Committees on its overstay enforcement strategy. Further, ICE shall brief the Committees no later than April 3, 2013, on the number of visa overstays in the United States by nationality and the actionable measures ICE will take to reduce the overstay population, as directed in the House report.

#### Worksite Enforcement

The bill provides \$134,626,000 for worksite enforcement activities, as requested, and requires ICE to follow the direction in the House report under this heading.

#### Trade Compliance and Enforcement

The bill provides no less than \$10,187,000 for the Intellectual Property Rights Coordination Center, as requested. As required by the Senate report, CBP and ICE are directed to jointly brief the Committees by May 1, 2013, on the ongoing efforts to improve commercial trade enforcement and intellectual property rights.

#### International Investigations

A total of \$34,561,000 is provided for the Visa Security Program (VSP), including an additional \$2,000,000 to support pre-adjudication vetting of visa applicants. ICE is directed to update the Committees no later than 90 days after the date of enactment of this Act on the VSP.

Of the amount provided to International Operations, no less than \$8,000,000 shall be for ICE's vetted units. ICE is directed to specifically budget for these units in the fiscal year 2014 budget request.

#### Cooperation from Foreign Countries on Repatriation

The Committees remain concerned about the public safety impacts of the release of

certain criminal aliens stemming from the decision in *Zadvydas v. Davis*, 533 U.S. 678, 121 S. Ct. 2491 (2001), as outlined in the House report. ICE shall provide a detailed report on this issue, as directed in the House report, no later than 90 days after the date of enactment of this Act.

#### Fugitive Operations

A total of \$145,325,000 is provided for fugitive operations, as specified by the House.

#### Criminal Alien Program

A total of \$216,510,000 is provided for the Criminal Alien Program, as specified by the House.

#### Alternatives to Detention

A total of \$96,557,000 is provided for Alternatives to Detention (ATD) programs. As required in the House report, ICE is directed to address factors that may hamper program goals in its utilization of program funds; to expand the Fast Track pilot program working with EOIR; to identify and implement best practices for more effective processing of the non-detained docket; and to utilize the appropriate level of supervision warranted by the individual enrolled in ATD. As required in the Senate report, ICE is directed to brief the Committees quarterly on the Fast Track pilots and post on its website any contractor evaluations and OIG reports related to the ATD program.

#### Secure Communities

A total of \$138,249,000 is provided to complete nationwide deployment of Secure Communities. ICE is directed to update the Committees no later than 30 days after the date of enactment of this Act on jurisdictions failing to honor ICE detainers, as required in the House report. Further, as directed in the House report, ICE shall update the Committees on its effort to digitize paper fingerprint cards from legacy immigration files, no later than April 3, 2013.

#### Detention Standards

As required by the House report, ICE is directed to consider the cost implications of changes to its detention standard requirements and budget accordingly.

#### U.S. Citizen Children of Removed Aliens

Within 30 days of the date of enactment of this Act, ICE is to brief the Committees on its capabilities to identify, track, and report on the status of unaccompanied alien children after the removal or departure of their parent or legal guardian and related issues, as directed in the Senate report.

#### AUTOMATION MODERNIZATION (INCLUDING TRANSFER OF FUNDS)

A total of \$33,500,000 is provided for "Automation Modernization," as requested and including an increase of \$3,000,000 above the request to improve case management and electronic communication between ICE and EOIR to achieve more efficient processing. Given the interdependencies in ICE and EOIR systems, ICE may transfer up to \$1,000,000 to EOIR to further this effort.

#### CONSTRUCTION

A total of \$5,000,000 is provided for "Construction," as requested.

#### TRANSPORTATION SECURITY ADMINISTRATION

##### AVIATION SECURITY

A total of \$5,052,620,000 is provided for "Aviation Security." The amount does not include \$13,823,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

In addition to the amounts appropriated, a mandatory appropriation totaling \$250,000,000 is available through the Aviation Security Capital Fund. Statutory language reflects the collection of \$2,070,000,000 from aviation security fees, as authorized.

The amount provided for this appropriation by PPA is as follows:

#### Screening Operations:

Screener Workforce:	
Privatized Screening	\$147,690,000
Screener Personnel, Compensation, and Benefits ...	3,078,709,000
Subtotal, Screener Workforce ...	3,226,399,000
Screener Training and Other: .....	224,984,000
Checkpoint Support:....	115,204,000
EDS/ETD Systems:	
EDS Procurement and Installation .....	99,930,000
Screening Technology Maintenance and Utilities	309,000,000
Subtotal, EDS/ETD Systems .....	408,930,000
Subtotal, Screening Operations .....	3,975,517,000
Aviation Security Direction and Enforcement:	
Aviation Regulation and Other Enforcement .....	368,255,000
Airport Management and Support .....	562,349,000
Federal Flight Deck Officer and Flight Crew Training .....	24,730,000
Air Cargo .....	121,769,000
Subtotal, Aviation Security Direction and Enforcement...	1,077,103,000
Total, Aviation Security ..	\$5,052,620,000

#### Privatized Screening

The bill provides a total of \$147,690,000 for the Screening Partnership Program (SPP), reflecting an increase of \$4,500,000 to address increased costs for current participants and to provide some funding for airports that may request to join the program. TSA is directed to brief the Committees no later than 90 days after the date of enactment of this Act on how it is complying with the FAA reauthorization law (Public Law 112-95) provisions regarding evaluation of SPP applications, and the extent to which it is implementing GAO recommendations to compare cost and performance of SPP airports and non-SPP airports. The brief should also cover how TSA is addressing court rulings related to its administration of the SPP program. TSA is to provide the Committees quarterly reports on its execution of the SPP program and processing of applications for participation. In addition, as TSA implements new statutory requirements for privatized screening, TSA is expected to disapprove any new contract application where privatized screening does not currently exist if the annual cost of the contract exceeds the annual cost to TSA of providing Federal screening services.

#### Screener Personnel, Compensation, and Benefits

The provides \$3,078,709,000 for Screener Personnel, Compensation, and Benefits. This reflects no funding for the fiscal year 2013 pay raise, as noted above, as well as reductions in costs due to delays in deployment of the advanced imaging technology (AIT), shifts in workload to SPP airports, and efficiencies

from checkpoint and baggage processing streamlining. Some of these efficiencies may come in the form of behavior detection officers (BDOs) being used to execute the travel document checker function in some cases, which may increase efficiency and possibly reduce duplicative positions.

#### Checkpoint Support

A total of \$115,204,000 is provided for Checkpoint Support. The reduction below the request is justified due to an identical amount in unobligated balances that have remained unspent for over five years.

#### Advanced Imaging Technology Study

As detailed in the Senate report, the Secretary is instructed to allocate resources for an independent study of the potential health risks associated with the use of AIT scanning machines at airport security checkpoints, including backscatter x-ray and millimeter wave technologies. The study is to be conducted by an independent laboratory selected by the Secretary. In addition, the Secretary shall convene an independent panel of experts to evaluate the results of this study to consider any risk posed by AIT from a public health perspective in addition to the risk to each airline passenger. Among other things, the study shall evaluate the possible malfunctions and fail-safe mechanisms of such machines as well as the radiation emissions of AIT. The independent panel should evaluate the results of the study and also review risks posed by AIT to certain, more vulnerable passengers screened or affected by such machines. Upon completion, the Secretary shall submit to Congress a report that contains the results of the study and evaluation. Further, the Secretary is directed to ensure that easily readable signs or equivalent electronic displays are placed at the front of airline passenger checkpoint queues where AIT scanning machines are used to alert passengers to the use of such technology and screening alternatives available.

#### Risk-Based Approaches to Passenger Screening

TSA is directed to brief the Committees on a semiannual basis, beginning no later than 90 days after the date of enactment of this Act, on progress in developing and applying trusted traveler approaches and any legal or budgetary impediments to their implementation. The briefing should also identify savings and efficiencies generated by these efforts. In addition, TSA is directed to include in the briefing: (1) its plans to expand Pre-Check to additional airlines and passengers who currently do not qualify for the program, including a timeline and milestones; (2) statistics detailing the incremental progress being made to increase the eligible population of passengers that have access to Pre-Check and expand the number of airport locations where Pre-Check is available; (3) key indicators of success such as passenger satisfaction data; (4) projected cost savings from Pre-Check and other risk-based screening initiatives; (5) a description of efforts to ensure the public is fully aware of the program; (6) wait times for Pre-Check and non-Pre-Check lanes; and (7) a description of security measures being implemented to ensure that eligible passengers in the Pre-Check program are truly low-risk. This last point is also addressed in the classified annex.

#### Passenger Complaints

As highlighted in the Senate report, concerns remain about the process TSA has established for resolving passenger complaints. As directed by the joint explanatory state-

ment accompanying Public Law 112-74, GAO recently completed a review of TSA's policies and procedures for resolving passenger complaints and whether current resolution processes conform to independent standards. GAO made several recommendations to TSA as a result of its review, such as establishing: (1) a consistent policy for receiving complaints; (2) a process for systematically analyzing information on complaints from all mechanisms; (3) a policy for informing passengers about the screening complaint process; and (4) mechanisms to share information on best practices among airports. TSA is to brief the Committees no later than 60 days after the date of enactment of this Act on its efforts to address the recommendations in the GAO report. The Committee is also aware of efforts TSA has undertaken to ensure the complaint resolution process is independent, such as referring cases directly to its Ombudsman Division and training current employees to be passenger advocates. TSA is required to fund these efforts at a level that will enable them to respond fully to passengers seeking assistance.

#### Security Breaches

As detailed in the Senate report, the findings in the DHS OIG Investigation Report entitled "Transportation Security Administration's Efforts to Identify and Track Security Breaches at Our Nation's Airports" are of concern, and the TSA Administrator is therefore directed to submit a report to the Committees not later than 60 days after the date of enactment of this Act as specified in the Senate report.

#### Explosives Detection Systems

The bill provides a total of \$99,930,000 for Explosives Detection Systems (EDS) Procurement and Installation.

TSA is directed to brief the Committees no later than 60 days after the date of enactment of this Act on its plans to upgrade all EDS units procured and deployed with its 2010 detection standards, and how it will address the concerns highlighted in the GAO report (GAO-11-740). Statutory language is included under the "Transportation Security Support" appropriation withholding the obligation of \$20,000,000 from headquarters administration until TSA submits to the Committees, no later than 60 days after the date of enactment of this Act, detailed expenditure plans for fiscal year 2013 for checkpoint security and EDS refurbishments, procurement, and installations on an airport-by-airport basis. The plans shall include: specific technologies for purchase; program schedules and major milestones; a schedule for obligation of the funds; recapitalization priorities; and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. Further, the plan shall include a new section providing details on passenger screening pilot programs that are in progress or being considered for implementation in fiscal year 2013, to include: a summary of the pilot program that describes what the program is attempting to achieve; potential capabilities and benefits of the program; the airports where the pilots will be operating; funding commitments; and plans for expansion. In addition, TSA is to provide quarterly EDS and checkpoint expenditures briefings to the Committees, including any deviations from the original plan.

#### Aviation Regulation and Other Enforcement

The bill provides a total of \$368,255,000 for Aviation Regulation and Other Enforcement, including an increase of \$3,000,000 to support an increase in canine teams for domestic inspections in the air cargo and aviation regu-

lation environments. When combined with a similar increase in funding under the "Surface Transportation Security" appropriation, TSA will be able to field no fewer than 50 new canine teams overall. In addition, the agreement includes a reduction of \$6,000,000 for visible intermodal protection and response (VIPR) teams, which have experienced significant delays in hiring. TSA is directed to brief the Committees on an updated VIPR expenditure plan for fiscal year 2013 within 60 days after the date of enactment of this Act and using the same format provided in the March 12, 2012, report to the Committees.

#### Foreign Repair Station Security Regulations

In 2003, Congress directed TSA to issue final regulations to ensure the security of foreign and domestic aircraft repair stations. A provision is not included affecting funding for the DHS Office of General Counsel that was proposed by the House, but TSA is directed to brief the Committees if the final rule is not approved and published in the fourth quarter of calendar year 2012, as anticipated.

#### Five-Year Strategic Plan for Investments

TSA is directed to submit a five-year budget estimate within its fiscal year 2014 congressional budget justification that includes projected funding levels for the next five fiscal years individually for all passenger screening technology acquisitions. The plan shall indicate the total cost and estimated completion date for each technology.

#### Use of Unclaimed Money for Assistance to Military Personnel and Dependents

Section 44945 of title 49, United States Code, enacted as part of the fiscal year 2005 DHS Appropriations Act, authorized and directed unclaimed money collected at airport security checkpoints to be used for civil aviation security. However, such collections have been little used, and Congress has thus rescinded unobligated balances. The Committees prefer that these funds be applied productively to an important public mission, and therefore the Department and TSA, in consultation with the Department of Defense, are directed to submit a report to the Committees on Appropriations and Armed Services of the House and the Senate, the House Committee on Homeland Security, and the Senate Committee on Commerce, Science and Transportation not later than 90 days after the date of enactment of this Act, which considers the feasibility of transferring the collections to nonprofit organizations that are selected on a competitive basis to operate airport centers in multiple locations throughout the United States to provide a place of rest and recuperation for members of the armed forces and their families. The report, which shall include any recommendations for new statutory language, cost estimates for TSA to manage such a program, and administrative action that may be required, shall also address ways to ensure small airports have a mechanism for transferring unclaimed money to TSA headquarters, which shall consolidate the collections.

#### SURFACE TRANSPORTATION SECURITY

The bill provides a total of \$124,418,000 for "Surface Transportation Security." The amount provided under this heading does not include \$358,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Within the amount appropriated,



\$36,353,000 is provided for staffing and operations and \$88,065,000 for surface transportation security inspectors and canines. This reflects an increase of \$2,000,000 for additional surface canine teams for passenger and cargo screening in the mass transit and maritime domain. In combination with increased funding provided under the "Aviation Security" appropriation, TSA will be able to field no fewer than 50 new canine teams overall. It also reflects a reduction of \$1,500,000 for VIPR teams, which have experienced significant delays in hiring.

#### TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

A total of \$272,144,000 is provided for "Transportation Threat Assessment and Credentialing." The amount provided under this heading does not include \$207,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. To facilitate oversight, TSA is directed to brief the Committees on the status of TTAC Infrastructure Modernization no later than 30 days after the date of enactment of this Act and quarterly thereafter, and to advise the Committees of any developments that might delay initial operating capacity in 2014 or to publish a Universal Fee Rule.

The amount provided for this appropriation by PPA is as follows:

Secure Flight .....	\$106,935,000
Crew and Other Vetting Programs .....	85,489,000
Subtotal, Direct Appropriations .....	192,424,000
TWIC Fees .....	47,300,000
Hazardous Materials Fees .....	12,000,000
Alien Flight School Fees ...	5,000,000
Air Cargo/Certified Cargo Screening Program .....	7,200,000
Secure Identification Display Area Checks .....	8,000,000
Other Security Threat Assessments .....	120,000
General Aviation at DCA ..	100,000
Subtotal, Fee Collections .....	\$79,720,000

#### TWIC Readers

The Coast Guard, the Department, and TSA are directed to take all necessary action to expedite the completion and publication of a final TWIC reader rule and to expand Universal Enrollment Centers that will result in no less than 50 percent expansion in the number of available TWIC enrollment sites.

#### TRANSPORTATION SECURITY SUPPORT

The bill provides a total of \$954,277,000 for "Transportation Security Support." The amount provided under this heading does not include \$432,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. Bill language, proposed by the Senate, also is included to withhold \$20,000,000 from obligation until the TSA Administrator submits detailed expenditure plans for air cargo security, checkpoint support, and EDS refurbishment, procurement and installation.

The amount provided for this appropriation by PPA is as follows:

Headquarters Administration .....	\$276,122,000
Information Technology. ...	417,196,000
Human Capital Services ....	215,829,000
Intelligence .....	45,130,000
Total, Transportation Security Support .....	\$954,277,000

#### Account Structure and Availability of Appropriations

TSA is directed to include a proposal for account restructuring with the fiscal year 2014 budget request. The proposal should reflect the proposal set forth in the Senate report to establish a one-year appropriation for salaries and related expenses, and DHS is to continue to consult with the Committees on its development of this proposal.

#### Human Capital Services

The bill provides a total of \$215,829,000 for Human Capital Services. The reduction may come from advisory and assistance services.

#### FEDERAL AIR MARSHALS

A total of \$907,757,000 is provided for "Federal Air Marshals", including \$793,786,000 for Management and Administration and \$113,971,000 for Travel and Training. The amount provided under this heading does not include \$2,743,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013. The funding reduction reflects a readjustment in light of the multiple security enhancements in aviation security put in place since the Christmas Day 2009 bombing attempt. This level of funding is adequate to ensure coverage of all high-risk international and domestic flights, and provide additional discussion of this in the classified annex to this statement. TSA is directed to submit a report no later than 120 days after the date of enactment of this Act outlining the best options for leveraging the Federal law enforcement population to supplement Federal Air Marshal Service (FAMS) resources, including a detailed description of what the Department is doing to develop such options beyond a notional phase. Further, TSA is directed to brief the Committees no later than 60 days after the date of enactment of this Act on its optimal mix of staff, the types and frequency of flights for which FAMS coverage should be provided, and any legislative or regulatory changes that might be required to improve FAMS operations and overall aviation security.

#### COAST GUARD

##### OPERATING EXPENSES

The bill provides a total of \$7,074,782,000 for "Operating Expenses," including \$594,000,000 for defense activities, of which \$254,000,000 is designated as being for overseas contingency operations (OCO) and the global war on terrorism (GWOT). Funds provided in support of GWOT and OCO under this heading may be allocated notwithstanding section 503 in Title V of this Act.

The amount provided for this appropriation includes the following reductions from the budget request: a decrease of \$2,947,000 for civilian pay and a decrease of \$5,000,000 for the Headquarters Directorate. None of the reductions shall come from small boat acquisitions. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation includes the following increases above the budget request: an additional \$23,842,000 to reduce the backlog in critical depot level maintenance; \$1,977,000 to prevent the decommissioning of three 110-foot patrol boats; \$10,191,000 to reduce the operational gap created by the disestablishment of the high-tempo high-maintenance program; \$8,413,000 to maintain one of the two High Endurance

Cutters proposed for decommissioning; \$5,200,000 for seasonal air facilities; and \$3,115,000 for the annualization of marine environmental response positions.

The amount provided for this appropriation by PPA is as follows:

Military Pay and Allowances .....	\$3,415,181,000
Civilian Pay and Benefits ..	786,580,000
Training and Recruiting ...	214,183,000
Operating Funds and Unit Level Maintenance .....	1,093,893,000
Centrally Managed Accounts .....	351,072,000
Intermediate and Depot Level Maintenance .....	959,873,000
Overseas contingency operations/global war on terrorism .....	254,000,000

Total, Operating Expenses .....	\$7,074,782,000
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#### Program Terminations and New Starts

The Coast Guard is directed to brief the Committees prior to starting the process of terminating programs that have been specifically requested in the budget and funded by Congress, such as the termination of the high tempo-high maintenance program and the H-60 radar program. Further, the Coast Guard is directed to comply with the general provisions in Title V of this Act with respect to the creation of programs not previously requested and justified or the elimination of programs previously requested and justified to Congress in the justification accompanying the President's budget.

#### Overseas Contingency Operations Funding and Global War on Terrorism

Funding is included for OCO/GWOT within the Coast Guard "Operating Expenses" appropriation instead of within funding provided to the Department of Defense. There is concern with the continued overreliance on OCO/GWOT funds to support activities that have become part of the Coast Guard's routine mission set. As activities overseas continue to draw down, it is expected that there will be a similar decrease in OCO/GWOT funding requested by the Administration for the Coast Guard. The Coast Guard is directed to brief the Committees no later than 30 days after the date of enactment of this Act on any changes expected to funding for the OCO/GWOT during fiscal year 2013. Further, the Coast Guard is directed to include in the classified annex for fiscal year 2014 details of its current and future support to Central Command.

#### TWIC Readers

The Coast Guard, the Department, and TSA are directed to take all necessary action to expedite the completion and publication of a final TWIC reader rule.

#### Seasonal Air Facilities

The request to replace five H-65 helicopters in operation at Air Station Traverse City with three H-60 helicopters and to close two seasonal Air Facilities at Muskegon, Michigan and Waukegan, Illinois is denied. There also is concern that two of the H-60 aircraft proposed to be transferred to Air Station Traverse City would be taken from Operation Bahamas, Turks and Caicos, resulting in a significant loss of annual hours dedicated to drug and migrant interdiction and search and rescue in that area of responsibility.

#### Marine Environmental Response

The Coast Guard is expected to keep the Committees apprised of marine environmental response hiring efforts in fiscal year



2013 to achieve 718 positions, including 26 positions added in this Act, and to report to the Committees within 15 days if it deviates from this plan.

#### Support of Military Families

The Coast Guard is directed to submit a copy of its National Housing Assessment no later than 30 days after the date of enactment of this Act. The report shall prioritize short-term and long-term improvements needed, including resource requirements.

#### Infrastructure and Response Capabilities in the Arctic

The Coast Guard is directed to report to the Committees within 90 days after the date of enactment of this Act on the actions taken to reach international agreements on ensuring adequate maritime transportation infrastructure and response capabilities in the Arctic.

#### Coast Guard Yard

The Coast Guard Yard located at Curtis Bay, Maryland, is recognized as a critical component of the Coast Guard's core logistics capability that directly supports fleet readiness. Sufficient industrial work should be assigned to the Yard to sustain this capability.

#### Sexual Harassment Reporting Requirements

The Coast Guard is directed to provide to the Committees the annual report required by Section 217 of the Coast Guard Authorization Act of 2010.

#### Command and Control Aircraft

The Coast Guard is directed to notify the Committees prior to making any changes in the type or number of the command and control aircraft.

#### Automation Modernization

A new appropriation for Automation Modernization is not included; however, the Coast Guard is directed to provide a report to the Committees no later than 90 days after the date of enactment of this Act detailing funding for fiscal year 2012, planned for fiscal year 2013, and requested for fiscal year 2014 by program, project and activity for new information technology investments and automation modernization.

#### Chemical Security

In House report 112-331, the Coast Guard and NPPD are directed to complete a planned Memorandum of Understanding (MOU) to harmonize chemical security responsibilities established by the CFATS regulations and MTSA regulatory programs no later than March 30, 2012, but the agreement has not been finalized. The MOU is to be completed expeditiously.

#### Funding for Minor Shore Infrastructure Improvements

The bill continues to allow funds from the "Operating Expenses" appropriation to be used for the sustainment, repair, replacement and maintenance of shore infrastructure, including projects to correct deficiencies for code compliance or that threaten life, health, or safety to an amount not exceeding 50 percent of a building's or structure's replacement value. Additionally, "Operating Expenses" funds are allowed to be used for contingent, emergent, or other unspecified minor construction projects, which includes new construction, procurement, development, conversion, rebuilding, improvement, or an extension of any facility not exceeding \$1,000,000 in total costs at any location for planned or unplanned operational needs.

Minor construction projects funded from the "Operating Expenses" appropriation can

be combined with depot level maintenance projects for the sake of administrative and economic efficiency. Such projects and any sustainment, repair, replacement or maintenance projects over \$1,000,000 shall be detailed in a semiannual report to the Committees.

#### ENVIRONMENTAL COMPLIANCE AND RESTORATION

The bill provides a total of \$13,151,000 for "Environmental Compliance and Restoration." The amount provided for this appropriation includes a decrease of \$11,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### RESERVE TRAINING

The bill provides a total of \$132,528,000 for "Reserve Training." The amount provided for this appropriation includes a decrease of \$26,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The bill provides a total of \$1,545,393,000 for "Acquisition, Construction, and Improvements."

The amount provided for this appropriation by PPA is as follows:

Vessels	
Survey and Design-Vessel and Boats .....	\$2,500,000
Response Boat—Medium	8,000,000
National Security Cutter	679,300,000
Offshore Patrol Cutter ...	30,000,000
Fast Response Cutter ....	335,000,000
Cutter boats .....	4,000,000
Polar ice breaking vessel	8,000,000
Subtotal, Vessels .....	1,082,800,000
Aircraft	
Airframes Replacement (CGNR 6017) .....	14,000,000
Maritime Patrol Aircraft	55,000,000
Long range Surveillance Aircraft .....	90,000,000
H-65 conversion/sustainment projects ...	31,500,000
Subtotal, Aircraft .....	190,500,001
Other	
Program Oversight and Management .....	15,000,000
Systems Engineering and Integration .....	0
C4ISR .....	40,500,000
Coast Guard—Logistics Information Management System .....	2,500,000
Nationwide Automatic Identification System	6,000,000
Subtotal, Other Equipment .....	64,000,000
Shore Facilities and Aids to Navigation	
Major construction: Housing, ATON, and Survey & design .....	30,000,000
Minor Shore .....	5,000,000
Subtotal, Shore Facilities and Aids to Navigation .....	84,411,000
Military Housing .....	10,000,000
Personnel and Related Support	
Direct Personnel Costs ...	113,082,000

Core Acquisition Costs ... 600,000

Subtotal, Personnel and Related Support ..... 113,682,000

Total, Acquisition, Construction, and Improvements ..... \$1,545,393,000

#### Quarterly Reports on Acquisition Projects and Mission Emphasis

The Commandant is to continue to brief the Committees quarterly on all major acquisitions consistent with the direction in the joint explanatory statement accompanying Public Law 112-74. In addition to the information normally provided, these required briefings shall include: the top five risks for each acquisition, if applicable, and if these risks have future budget implications; the objective for operational hours the Coast Guard expects to achieve; the gap between that objective, current capabilities, and stated mission requirements; and how the acquisition of the specific asset closes the gap. The information presented at these briefings shall also include a discussion of how the Coast Guard calculated the operational hours, and an explanation on risks to mission performance associated with any current shortfall, and the operational strategy to mitigate such risks. Finally, the briefings are to include a status chart on all shore construction projects that have not been completed, including the funding status, design status, and procurement and construction status.

#### Revised Budget Justification

The Coast Guard is directed to include a detailed budget justification for each PPA for which funding is requested, or funding is available from prior years. Further, as detailed on page 86 in the House report, the budget justification for aircraft and vessels in fiscal year 2014 shall include detailed cost information consistent with the appropriate work elements for the program, and standardized for similar type systems such as aircraft and vessels.

The budget justification for programs that are conversions or sustainment shall provide similar data and include types of modifications, quantity of kits, and planned installation schedule of modification kits.

The budget justification for Program Oversight and Management, Systems Engineering and Integration and C4ISR shall provide a breakout of funding by asset.

In the budget justification, the Coast Guard is directed to provide procurement history and planning for the prior year, current year, and budget year to include quantity and unit cost, contracting office location, contractor, contract method/type, award date, date of first delivery, and the availability of technical data package.

Additionally, to address continued deficiencies in the budget justification for Program Oversight and Management, the Coast Guard is directed to provide a detailed subdivision of funding requested for government program management in its justification materials accompanying the fiscal year 2014 budget submission. This includes providing funding associated with each subdivision.

#### Full Funding

Bill language is included that directs the funds provided in this Act be immediately available and allotted to contract for the production of the sixth National Security Cutter (NSC) notwithstanding the availability of post-delivery activity funding and long lead time materials, components, and designs of the seventh NSC notwithstanding

the availability of production funds for the seventh NSC.

Further, a new general provision in Title V of this Act sets requirements related to funding availability and contract awards for long lead materials and production of Coast Guard cutters. In addition, the Secretary shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with statutory language in the general provision and consistent with the DoD Financial Management Regulations (Volume 2A Chapter 1, C. Procedures for Full Funding) directing the funding and allocation of funds for production contracts and long lead time material contracts. This policy shall include that (1) the costs of outfitting and post-delivery activities and spare or repair parts shall be requested not earlier than for the first fiscal year in which it is necessary to incur such costs to maintain a planned production schedule, which may be subsequent to the fiscal year for which production costs are requested; and (2) the costs of long lead time items shall be requested for the fiscal year in which it is necessary to incur such costs to maintain a planned production schedule, which may be in advance of the fiscal year for which production costs are requested.

#### Carry Over

The Coast Guard is directed, to the maximum extent possible, to budget for programs, assets, modifications, and installations that it will execute in the budget request year so as not to accumulate excessive carryover.

#### National Security Cutter

A total of \$679,300,000 is provided for the National Security Cutter (NSC) program. Of this amount, \$557,000,000, as requested, is for the production of NSC-6 and \$77,000,000 is to acquire long lead time materials for the production of NSC-7.

#### Fast Response Cutter

A total of \$335,000,000 is provided for the acquisition of six Fast Response Cutters (FRCs) instead of two FRCs, as requested. This funding will allow the Coast Guard to acquire FRC hulls (19-24). Procuring six Fast Response Cutters in fiscal year 2013 will maximize the production line and generate cost savings of \$5,000,000 per hull for a total savings to the taxpayers of \$30,000,000.

#### Offshore Patrol Cutter

A total of \$30,000,000 is provided for the Offshore Patrol Cutter (OPC). The Coast Guard is directed to update the Committees on changes or updates in the Operation Requirements Documents.

#### Medium Endurance Cutter Sustainment

A total of \$16,000,000 is provided for the Medium Endurance Cutter (WMEC) Sustainment, to include \$3,000,000 above the amount requested to be used to conduct a WMEC condition survey to address potential service life extension requirements, as described in the House report.

#### Polar Icebreaker

As requested, \$8,000,000 is provided to initiate survey and design activities for a new Coast Guard polar icebreaker. The Coast Guard is directed to provide the Committees with its Mission Needs Statement no later than 30 days after it receives Departmental approval and to brief the Committees on its timeline for completing a concept of operations, market research, specification development, and other acquisition milestones leading to a request for proposal and contract award.

#### Response Boat-Medium

A total of \$8,000,000 is provided for the Response Boat-Medium (RB-M) acquisition.

These funds will allow the Coast Guard to purchase 4 RB-Ms in fiscal year 2013, bringing the total funded for the Coast Guard to 170 boats.

#### H-60 Helicopter

A total of \$14,000,000 is provided for aircraft replacement of one H-60 helicopter, an increase of \$14,000,000 above the amount requested.

#### HC-130J Aircraft

A total of \$90,000,000 is provided for one HC-130J aircraft.

#### Maritime Patrol Aircraft

A total of \$55,000,000 is provided for the Maritime Patrol Aircraft (MPA), \$12,000,000 above the amount requested. This fully funds one MPA, including funding to acquire a Mission System Pallet and spares, which were not included in the fiscal year 2013 request.

#### Unmanned Aircraft Systems

As described in the Senate report, the Coast Guard is directed to keep the Committees informed of its efforts to pursue a small Unmanned Aircraft System (UAS) as an interim capability for the NSC and to keep the Committees apprised of its efforts for both cutter-based and land-based UAS development.

#### Program Oversight and Management

A total of \$15,000,000 is provided for Program Oversight and Management.

#### Systems Engineering and Integration

All funding for Systems Engineering and Integration is denied, a reduction of \$2,500,000 from the amount requested, because of high carryover from prior appropriations.

#### Major Shore Construction, Housing, Aids to Navigation, and Survey and Design

A total of \$30,000,000 is provided for Major Shore Construction, Housing, Aids to Navigation, and Survey and Design. The Coast Guard is directed to submit an expenditure plan for these funds to the Committees no later than 30 days after the date of enactment of this Act, including a prioritized list of all backlogged projects and the Coast Guard's plan to address them. In addition, the Coast Guard is directed to include a detailed description of any changes from the fiscal year 2013 budget justification for major acquisition systems infrastructure.

#### Coast Guard Military Housing

A total of \$10,000,000 is provided for the recapitalization, improvement, and acquisition of housing to support military families. Of this amount, \$6,828,691 is derived from the Coast Guard Housing Fund. The Coast Guard shall provide an expenditure plan to the Committees for these funds in the shore facilities report required to be submitted no later than 45 days after the date of enactment of this Act.

#### Acquisition Personnel

A total of \$113,682,000 is provided for direct costs of acquisition personnel. The amount provided includes a decrease of \$216,000 in civilian pay and a decrease of \$3,500,000 for efficiencies. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### Fleet Requirements

The Secretary and the Commandant are directed to comply with Senate language with

respect to developing a working group to examine available studies on Coast Guard fleet requirements.

#### Unfunded Priorities

The Commandant is directed to provide to the Committees, at the time of the President's budget submission, a list of approved but unfunded Coast Guard priorities and the funds needed for each.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

The bill provides a total of \$19,690,000 for "Research, Development, Test, and Evaluation". The amount provided for this appropriation includes a decrease of \$38,000 in civilian pay. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The Commandant is directed to provide a detailed prioritized listing of planned activities relative to stated mission requirements in the justification materials accompanying the fiscal year 2014 budget submission. Further, the Commandant is directed to comply with the Senate direction to study the viability and applicability of persistent unmanned maritime vehicles and other cost-saving maritime technologies through a competitive process.

#### RETIRED PAY

The bill provides a total of \$1,423,000,000 for "Retired Pay". The Coast Guard's "Retired Pay" appropriation is a mandatory budget activity.

#### UNITED STATES SECRET SERVICE

##### SALARIES AND EXPENSES

The bill provides \$1,555,913,000 for "Salaries and Expenses", of which not to exceed \$19,125 shall be for official reception and representation expenses. The amount provided under this heading does not include \$4,058,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Protection:	
Protection of persons and facilities .....	\$855,236,000
Protective intelligence activities .....	68,125,000
Presidential candidate nominee protection ..	57,960,000
National Special Security Event fund .....	4,500,000
Subtotal, Protection: ..	985,821,000
Investigations:	
Domestic field operations .....	299,690,000
International field office administration, operations and training .....	30,971,000
Support for missing and exploited children .....	8,366,000
Subtotal, Investigations:	339,027,000
Headquarters, Management and Administration .....	174,334,000
Rowley Training Center ....	55,598,000
Information Integration and Technology Transformation .....	1,133,000
Total, Salaries and Expenses .....	\$1,555,913,000

### Salaries and Expenses Account Structure

The current account structure for Programs, Projects, and Activities (PPAs) is retained, with the following consolidations requested in the budget: White House mail screening now is funded within the Protection of Persons and Facilities PPA, and the Electronic Crimes Special Agent Program (ECSAP) and Electronic Crimes Task Forces are now funded within Domestic Field Operations.

The Committees do not agree with the proposal to reduce the number of PPAs to five, with single PPAs for pay and benefits, protection, and investigations as requested in the budget. The Secret Service has stated that because current PPA structure spreads pay and expenses across many programs, it is constantly challenged by having to balance shifting demands between protection and investigations, and as a result, must either submit formal reprogramming, or employ inefficient and conservative financial management to avoid them. The Committees understand this argument, particularly as it applies to the Secret Service field office organization, where the same agents may be involved in both protective operations and a variety of investigations efforts. While the bill maintains the current PPA structure some flexibility has been provided in statute to the Secret Service to reprogram \$15,000,000 or 10 percent, whichever is lower, between the Protection of Persons and Facilities PPA and the Domestic Field Operations PPA.

The Secret Service is developing a financial reporting system that it asserts will enable it to report enterprise-wide labor costs on a timelier basis and the Secret Service is invited to provide such evidence to the Committees for consideration during the 2014 appropriations process.

### International Operations

The tempo of international investigative operations has increased for the Secret Service, with notable successes in investigating and halting counterfeiting and other forms of electronic and financial crime through its overseas field operations, including its new locations in Beijing, China and Lima, Peru. The Secret Service is directed to brief the Committees not later than April 3, 2013, on the status of its overseas investigative operations, including staffing and funding for its field offices.

### Domestic Field Operations and Electronic Crimes Investigations

The partial consolidation provided in the bill includes incorporation of the previously separate PPA for Electronic Crimes Special Agent Program (ECSAP) and Electronic Crimes Task Forces (ECTF) into the Domestic Field Operations PPA. This consolidation does not reflect any dissatisfaction with the ECSAP or ECTF programs; on the contrary, those activities have proven highly productive and deserve strong support. Therefore, the bill includes an increase of \$3,500,000 within the PPA to be distributed between the ECSAP/ECTF programs and other high priority domestic investigative efforts. While ECSAP/ECTF will no longer have a separate reporting and reprogramming line, the Committees expect: (1) to receive periodic briefings on the status of investigations; (2) to see the funding and programmatic efforts sustained; and (3) the funding and personnel resources for them continue to be identified in future budgets.

In addition, as a step to aligning the program and funding for electronic crimes investigation support, the bill includes \$4,000,000 within the Domestic Field Oper-

ations PPA for grant assistance for electronic crime investigation and forensic training for State and local law enforcement agencies, which the Secret Service has been providing to date at the National Computer Forensics Institute, previously funded through the National Protection and Programs Directorate (NPPD). The Secret Service is directed to coordinate with NPPD as the subject matter experts to ensure the curriculum is sound and consistent with current risk and threat, and to avoid duplication and ensure efficiency.

### Support for Missing and Exploited Children

The bill provides \$8,366,000 to fund grant assistance and investigative support for investigations related to missing and exploited children as proposed by the House.

### Professionalism Reinforcement Working Group

The Secret Service is directed to provide quarterly briefings to the Committees on the status of the Professionalism Reinforcement Working Group and its review of Secret Service professional standards of conduct, and their relationship to training, policy and procedures.

### National Special Security Events

The bill provides \$4,500,000, as requested, to defray costs specific to Secret Service execution of its statutory responsibilities to direct the planning and coordination of National Special Security Events (NSSEs). Some federal agencies have sought reimbursement from the Secret Service for participation in and support of prior NSSEs, despite the fact the Secret Service, as a matter of policy and practice, has sought and accepted such support only on the explicit understanding that such support is provided on a voluntary and non-reimbursable basis. Further, when other agencies and departments elect to participate in NSSEs, they are fulfilling their responsibilities set forth in Homeland Security Presidential Directive 15 and National Security Presidential Directive 46, and their authority to fund such participation derives from those Directives. Based on this understanding, and to clarify the expectation that participating agencies should budget for and fund their own costs, a new general provision is included in the Act that provides that none of the funds in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

To resolve ongoing disputes over prior funding responsibilities, determine whether any agency participation in past NSSEs should be eligible for reimbursement, and dispel ambiguity about how participating agencies will be funded for future NSSEs, the Administration must either propose a change in current law or issue clear administrative guidance.

The Department and the Office of Management and Budget are directed to jointly resolve this issue, address the appropriate assignment of budgeting and funding responsibilities for the costs of agency participation in NSSEs, and submit a specific plan to accomplish this, including proposed statutory remedies if necessary, not later than April 3, 2013.

In addition, the USSS is directed to provide periodic updates on NSSEs planned for fiscal year 2013 prior to and following the event, instead of quarterly briefings as proposed by the Senate.

### Technology Activities

The bill includes \$1,133,000 for information integration and technology transformation

activities of the Secret Service, and direct the Secret Service to provide greater detail in its annual budget justification accompanying the fiscal year 2014 budget request on all USSS information technology activities, to include the multi-year investment plan called for in statutory language for the acquisition account.

### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The bill provides a total of \$56,750,000 for "Acquisition, Construction, Improvements, and Related Expenses." This funding covers the acquisition, construction, improvements and related expenses for the Rowley Training Center and investments in Information Integration and Technology Transformation (IITT) programs. Bill language is included requiring the Director to submit a multi-year IITT investment plan along with the budget request for fiscal year 2014, as proposed by the House.

### TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

#### NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

##### MANAGEMENT AND ADMINISTRATION

A total of \$50,220,000 is provided for "Management and Administration" of the National Protection and Programs Directorate (NPPD), of which no more than \$3,825 is for official reception and representation expenses. The amount provided under this heading does not include \$101,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

##### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

A total of \$1,157,529,000 is provided for "Infrastructure Protection and Information Security" (IPIS), of which \$200,000,000 is available until September 30, 2014. The amount provided under this heading does not include \$590,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

The amount provided for this appropriation by PPA is as follows:

Infrastructure Protection:	
Infrastructure Analysis & Planning .....	\$58,969,000
Sector Management & Governance .....	67,061,000
Regional Field Operations .....	56,418,000
Infrastructure Security Compliance .....	77,945,000
Subtotal, Infrastructure Protection .....	260,393,000
Cybersecurity and Communications:	
Cybersecurity:	
Cybersecurity Coordination .....	3,986,000
US Computer Emergency Readiness Team (US-CERT) Operations .....	92,927,000
Federal Network Security .....	235,992,000
Network Security Deployment .....	329,009,000
Global Cybersecurity Management .....	25,955,000
Critical Infrastructure Cyber Protection & Awareness .....	62,748,000
Business Operations .....	6,211,000
Subtotal, Cybersecurity .....	756,828,000

Communications:	
Office of Emergency Communications .....	38,654,000
Priority Telecommunications Services .....	53,265,000
Next Generation Networks .....	24,499,000
Programs to Study and Enhance Telecommunications .....	12,930,000
Critical Infrastructure Protection Programs ...	10,960,000
Subtotal, Communications .....	140,308,000
Subtotal, Cybersecurity and Communications .....	897,136,000
Total, Infrastructure Protection and Information Security .....	\$1,157,529,000

The NPPD Office of Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan not later than 45 days after the date of enactment of this Act.

NPPD is directed to fund the Multi-State Information Sharing and Analysis Center at the same level as fiscal year 2012. Of the total provided, \$13,551,000 is for the Office of Bombing Prevention, and the Office is encouraged to work with the National Guard and the Department of Defense as discussed in the Senate report; \$20,588,000 is for vulnerability assessments and NPPD is encouraged to share information regionally; and \$16,876,000 is for cybersecurity education. Funding for the National Computer Forensics Institute has been provided under the heading United States Secret Service, "Salaries and Expenses." No funds are provided under this heading for such activity.

Of the total provided, \$77,945,000 is for Infrastructure Security Compliance to implement the Chemical Facility Anti-Terrorism Standards (CFATS) program, of which \$20,000,000 is not available for obligation until the Under Secretary for NPPD submits to the Committees an expenditure plan for the CFATS program for fiscal year 2013, including the number of facilities covered, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2013. NPPD is directed to brief the Committees on the findings of recent GAO testimony summarizing the DHS actions to better manage its chemical security program (GAO-12-1044T), including progress in addressing the recommendations and in implementing the action plan.

In lieu of language in House report 112-492, directing a review by NPPD, in conjunction with the Coast Guard, GAO is directed to continue its ongoing effort to examine the extent to which DHS has made progress and encountered challenges in developing a viable CFATS program. Once the CFATS program begins performing and completing a sufficient number of compliance inspections, GAO shall review how compliance inspections are performed, whether inspectors are properly trained and have the right skill sets to perform compliance inspections and if the CFATS program faces any barriers or challenges in managing the compliance inspection process. GAO shall complete this review in consultation with the Committees.

NPPD is not required to provide the report on the CFATS action plan as required in Senate report 112-169, since the information has been provided. NPPD is directed to provide a report regarding CFATS semiannual data as required in Senate report 112-169, and a briefing, instead of a report, regarding al-

ternative security programs as required in the House report 112-492. NPPD is expected to continue to increase its on-board FTEs to reach the fiscal year 2013 requested level, to include the hiring of the appropriate level of inspectors to meet mission requirements, and is directed to include in the aforementioned report, with semiannual data, any variation to the level of inspectors requested with a justification for the change. NPPD is directed to brief the Committees regularly on the status of any proposed personnel surty information collection requests and include in the briefings how addressing industry concerns with respect to notifying industry of denials are being addressed.

NPPD is directed to brief the Committees on the progress toward implementing the recommendations included in the recent GAO report entitled "DHS Could Better Manage Security Surveys and Vulnerability Assessments" (GAO-12-378).

Within the total amount provided, \$202,000,000 shall be used to deploy technology to improve the information security on Federal computer systems in accordance with a new general provision contained in Title V of this Act. The Under Secretary is directed to provide an expenditure plan, in the same format as the plan submitted to fulfill the requirement in section 137 (b) of Public Law 112-175, for the entire fiscal year 2013 amount.

Within the total amount provided, \$329,009,000 is for Network Security Deployment, which fully funds the amount that will be obligated in fiscal year 2013 for the Einstein program and related activities.

Within the total amount provided, \$24,499,000 is provided for Next Generation Networks to prevent delays in deploying priority communications services capability.

The Under Secretary is directed to provide a report detailing all fiscal year 2013 NPPD grant programs including the justification, strategy, and future funding requirements for the grants, as well as the determinations and findings to justify sole source awards.

#### FEDERAL PROTECTIVE SERVICE

A total of \$1,301,824,000 is provided for the "Federal Protective Service" (FPS), as requested, for fiscal year 2013. This amount is fully offset by collections of security fees. A provision is included requiring the Secretary and the Director of the OMB to certify, no later than May 1, 2013, that FPS will collect a sufficient amount in fees to cover the total number of FTE requested in the budget, or adjust the fee to cover all costs.

The NPPD Office of Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan for funds provided in this Act not later than 45 days after the date of enactment of this Act.

FPS is directed to brief the Committees on progress in implementing the recommendations made in a recent GAO report, "DHS Needs to Refocus Its Efforts to Lead the Government Facilities Sector" (GAO-12-852), not later than 45 days after the date of enactment of this Act, including a specific timeframe for publishing an action plan.

#### OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

A total of \$232,422,000 is provided for the "Office of Biometric Identity Management." This level includes: \$40,546,000 for Salaries and Expenses (S&E); \$15,980,000 for Systems Engineering; \$155,840,000 for Operations and Maintenance (O&M), to include \$65,500,000 for IDENT; and \$20,056,000 for Identity Management and Screening Services. Funding is not provided for the Office of Biometric Identity Management (OBIM) to continue US-VISIT's

staff rotations to international partner agencies. As provided in bill language, the S&E and half of the O&M funds have an availability of one year. The bill provides \$19,917,000 to ICE in order to fully fund overstay analysis previously performed by US-VISIT, to include the Data Integrity Group. The bill also provides \$12,284,000 to CBP related to entry-exit policy and operations. Statutory language is included ensuring that the appropriate successor account is charged for amounts obligated under US-VISIT. Further, the amount provided under this heading does not include funds requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

As outlined in the House report, OBIM is the lead entity within DHS responsible for biometric identity management services through its management of the Automated Biometric Identification System, or IDENT. OBIM assumes the most significant and cross-cutting responsibility from what was known as US-VISIT—namely to serve customers across DHS, at other Federal agencies, in State and local law enforcement, and overseas through storage of biometric identities, recurrent matching against derogatory information, and other biometric expertise and services. OBIM is expected to reconstitute what is now known as the US-VISIT Executive Stakeholder Board to ensure strong coordination with DHS and interagency partners.

OBIM is encouraged to identify efficiencies under this new structure through reassessing its staffing, travel, and contractor support requirements.

#### Operations and Maintenance

OBIM retains budget and responsibility for the Arrival Departure Information System (ADIS) as well as IDENT. OBIM is directed to undertake a rigorous review of its Information Technology costs, as well as IDENT and ADIS modernization needs, and develop proposals for efficiencies and cost savings, including considering managed service options with the CBP Office of Information Technology and examining contractor services. OBIM is encouraged to apply efficiencies and cost savings to continue the Unique Identity program and modernize IDENT. All modernization activities should be outlined in OBIM's investment and management plan.

As directed in the House report, OBIM shall continue its data sharing and connectivity improvement efforts with the Intelligence Community. OBIM also is directed to brief the Committees on a semi-annual basis on its workload and service levels, staffing, modernization efforts, and other operations.

#### Unique Identity

OBIM and its counterparts at the Justice, State, and Defense Departments as well as its stakeholders within DHS are directed to continue providing semiannual briefings on the progress in implementing system interoperability, as required by the House and Senate reports.

#### Exit

CBP is the DHS lead for entry-exit policy and operations. Responsibility for implementing a biometric exit program lies with CBP. As a transitional matter, OBIM is directed to ensure that the entry data exchange program with Canada, as referenced in the Senate report, is fully funded in fiscal year 2013. Within 120 days after the date of

enactment of this Act, CBP, in conjunction with OBIM and any other appropriate partners, such as the Science and Technology Directorate, shall report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs and the House Committees on Appropriations, the Judiciary, and Homeland Security on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program. The Committees on Appropriations shall be briefed semiannually on exit thereafter.

#### OFFICE OF HEALTH AFFAIRS

A total of \$132,499,000 is provided for the "Office of Health Affairs" (OHA). The amount provided under this heading does not include \$55,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Of the total amount provided, \$2,000,000 is for the Chemical Defense Program, \$1,500,000 above the request for two additional demonstration projects, to be awarded through a competitive process; \$13,000,000 is for the National Bio-Surveillance Integration System, \$5,000,000 above the request to sustain existing activities and support new pilots, to be awarded through a competitive process; and \$5,407,000 is for Planning and Coordination, \$500,000 above the request to support programs that address the wellness and resiliency of the DHS workforce and the needs of the Food, Agriculture, and Veterinary Defense Division.

Of the total amount provided, \$26,702,000 is for salaries and expenses. The decrease below the request is due to continued under execution of on-board FTE and lapsed balances.

Of the total amount provided, \$85,390,000 is for BioWatch, \$39,900,000 below the request which was intended for BioWatch Generation 3 testing and evaluation. The Committees have consistently demonstrated strong support for the development of an early warning network to detect biological agents to speed response and recovery from a terrorist attack. While the Committees support OHA's ongoing efforts to improve the Nation's biological detection capabilities, serious concerns have been raised about the Biowatch Generation 3 program, to include scientific validity and delays in execution that have created large carryover balances. The Department is encouraged to continue with Phase II, Stage I activities, as currently planned with available carryover funding, to ensure candidate systems meet entry criteria through performance testing. However, prior to entering Phase II, Stage 2 that includes down-selection for a single solution and entering operational testing and evaluation, the Secretary shall certify to the Committees that the science used to develop the technology is proven and warrants operational testing and evaluation.

The OHA Chief Financial Officer is directed to brief the Committees on the entire year expenditure plan for funds provided in this Act not later than 45 days after the date of enactment of this Act.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY SALARIES AND EXPENSES

A total of \$973,118,000 is provided for "Salaries and Expenses." The following programs are funded, within the total, at last year's levels as listed in Senate report 112-169: the

National Hurricane Program, the National Earthquake Hazards Reduction Program and the National Dam Safety Program. Of the amounts provided, no less than \$35,180,000 is for the Urban Search and Rescue Response System and \$2,000,000 is for the Emergency Management Assistance Compact. An additional \$5,000,000 for automation modernization and \$5,000,000 for national training center infrastructure improvements is provided. The amount provided under this heading does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

Of the total amount provided, \$4,293,000 is included for the Office of National Capital Region Coordination (ONCRC), which is a reduction of \$806,000 below the request. ONCRC is directed to work expeditiously on its highest priority activities in fiscal year 2013.

The grant management and administration costs associated with "State and Local Programs", "Firefighters Assistance Grants", and "Emergency Management Performance Grants" are fully funded within the "Salaries and Expenses" appropriation instead of through transfers as has been done in previous years.

The amount provided for this appropriation by PPA is as follows:

Administrative and regional offices .....	\$257,409,000
Office of National Capital Region Coordination .....	(4,293,000)
Preparedness and protection .....	179,047,000
Response .....	179,428,000
Urban search and rescue response system .....	(35,180,000)
Recovery .....	55,299,000
Mitigation .....	29,814,000
Mission support .....	157,534,000
Centrally managed accounts .....	114,587,000
<b>Total, Salaries and Expenses .....</b>	<b>\$973,118,000</b>

A provision is continued and made permanent a provision directing the inclusion of West Virginia and Pennsylvania to be incorporated into efforts to integrate the activities of Federal, State, and local government in the National Capital Region.

FEMA is directed to brief the Committees on an expenditure plan, within 90 days of the date of enactment of this Act, detailed by PPA and by office, which shall include: funding levels for the prior year, the current year, and deviations between the two years. The number of positions, the number of FTE, the amount for salaries and benefits and the amount for the program showing all sources of funding, to include transfers from other appropriations, shall also be included. FEMA shall include fiscal year 2014 budget detail for each FEMA office and region by: object classification, FTEs on-board, FTE vacancies, and the appropriation accounts used to support the office and its programs. Further, FEMA is directed to present the fiscal year 2014 budget in the same account and PPA structure as provided in this Act and statement. Should FEMA determine that changes to the funding structure facilitate better resource management and transparency in spending, changes shall be presented in an addendum to the Congressional Justification with a clear justification.

FEMA is directed to maintain the Children's Coordinator position within the Office

of the Administrator and sustain the ongoing efforts of the working group to address children's disaster-related needs.

FEMA is directed to provide an expenditure plan for capital improvement for the Mount Weather facility for fiscal year 2013 no later than 30 days after the date of the enactment of this Act and for fiscal years 2013 through 2018 no later than May 1, 2013.

A new appropriation for "Automation Modernization" is not included. Instead, \$5,000,000 above the request is provided for automation modernization within "Salaries and Expenses." This amount is to continue the effort begun by the Committees in fiscal year 2012 to update FEMA's technological capabilities in order to better meet its mission. No funds were identified in the fiscal year 2013 budget request for this effort; however, should there be funds intended for this purpose, the \$5,000,000 provided is in addition to that amount. FEMA is directed to provide a report 90 days after the date of enactment of this Act detailing funding for fiscal year 2012, planned for fiscal year 2013, and requested for fiscal year 2014 by program, project, and activity for new information technology investments and automation modernization. FEMA is directed to work with the Committees in developing the presentation of this information.

#### STATE AND LOCAL PROGRAMS

A total of \$1,466,082,000 is provided for "State and Local Programs." The amount provided for this appropriation by PPA is as follows:

Discretionary State and Local Grants .....	\$188,932,000
State Homeland Security Grant Program .....	346,600,000
Operation Stonegarden .....	(46,600,000)
Urban Area Security Initiative .....	500,376,000
Nonprofit security grants .....	(10,000,000)
Public transportation security assistance and railroad security assistance .....	97,500,000
Amtrak security .....	(10,000,000)
Port Security Grants .....	97,500,000
Education, Training, and Exercises .....	
Emergency Management Institute .....	17,805,000
Center for Domestic Preparedness .....	64,991,000
National Domestic Preparedness Consortium .....	93,000,000
National Exercise Program .....	32,378,000
Continuing Training .....	27,000,000
<b>Subtotal, Education, Training, and Exercises .....</b>	<b>235,174,000</b>
<b>Total, State and Local Programs .....</b>	<b>\$1,466,082,000</b>

The National Preparedness Grant Program, as proposed in the budget request is rejected due to a lack of justification, and a new general provision is included in Title V of this Act that prohibits the obligation of funds for such program or any successor program unless explicitly authorized by Congress. Instead, the bill provides no less than the amounts distributed in fiscal year 2012 for the State Homeland Security Grant Program, Operation Stonegarden, the Urban Area Security Initiative, Nonprofit Security Grants, Public Transportation Security Assistance and Railroad Security Assistance

Grants to include grants to Amtrak security, and Port Security Grants. Within the total amount provided, \$188,932,000 is to be allocated by the Secretary according to threat, vulnerability, and consequence to assist in preventing, preparing for, protecting against, and responding to acts of terrorism.

Several provisions are included related to grant administration. Grant guidance shall be issued within 60 days after the date of enactment of this Act, applicants shall apply within 80 days of receiving guidance, and award decisions shall be made within 65 days of the receipt of applications. Grantees may not use more than 5 percent of a grant for grant administration and shall provide reports on the use of funds as determined necessary by the Secretary. The installation of communications towers is not considered construction under State Homeland Security Grants and the Urban Area Security Initiative.

A provision is included and made permanent allowing the Center for Domestic Preparedness to train, and be reimbursed for such training, certain emergency personnel provided it does not interfere with the primary mission to train state and local emergency response providers.

The Secretary and the Administrator are directed to refine the grant reform proposal and include enough detail for the appropriate committees of jurisdiction, potential grantees, and the general public to understand how such reform will further the safety and security of the Nation and its citizens.

The Committees believe that the UASI program should be further focused on the areas under the greatest threat and at the greatest risk, providing funding to a maximum of 25 regions. FEMA is directed to clearly identify the specific criteria that will be used to determine the risk to urban areas in a briefing to the Committees prior to grant guidance being issued, and to justify the reason for final determinations in a clear and transparent manner to the Committees five days prior to the announcement of awards, in accordance with a general provision in Title V of this Act.

Within the total amount provided, \$27,000,000 is for Continuing Training Grants, of which no less than \$3,000,000 may be awarded through a competitive process to provide and deliver FEMA-certified training to rural first responders.

FEMA is directed to brief the Committees on its progress toward resolving the recommendations of the June 2012 OIG report, "Requirements for Reporting Homeland Security Grant Program Achievements" (OIG-12-92), not later than 45 days after the date of enactment of this Act.

The Regional Catastrophic Preparedness Grant Program Progress Report, required by the joint explanatory statement accompanying Public Law 112-74, which was received on August 14, 2012, details the challenges regional catastrophic planning presents and the results of the grant program in overcoming those challenges. The comprehensive report completed by grant recipients, which was included as part of the FEMA report, in particular highlights specific progress. FEMA is directed to continue its technical assistance to areas at greatest risk of a catastrophic event and to promote regional planning for on-going and emerging needs.

#### FIREFIGHTER ASSISTANCE GRANTS

A total of \$675,000,000 is provided for "Firefighter Assistance Grants" including \$337,500,000 for firefighter assistance grants and \$337,500,000 for firefighter staffing

grants. In lieu of providing a report as directed in House report 112-492, FEMA is directed to brief the Committees semiannually on efforts to hire veterans.

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

A total of \$350,000,000 is provided for "Emergency Management Performance Grants."

#### RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Statutory language is included providing for the receipt and expenditure of fees collected, as authorized by P.L. 105-276.

#### UNITED STATES FIRE ADMINISTRATION

A total of \$44,000,000 is provided for the "United States Fire Administration." The amount provided does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

In 2050, the number of elderly in America is projected to be 88.5 million, more than double the 40.2 million in 2010. This shift in our demographics will have a dramatic impact on services provided by the fire service and emergency medical personnel. The FEMA Administrator, in consultation with the USFA Administrator, is directed to submit to the Committees no later than May 1, 2013, a report describing the need for educational outreach to the elderly on prevention, improved training and equipment for fire service and emergency medical personnel on how to assist the elderly, and where appropriate, model laws, regulations, or guidelines to prevent injury or loss of life.

#### DISASTER RELIEF FUND (INCLUDING TRANSFER OF FUNDS)

A total of \$7,007,926,000 is provided for the "Disaster Relief Fund," of which \$6,400,000,000 is designated as being for disaster relief for major disasters pursuant to 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985. This level of funding is an increase of \$919,000,000 above the President's request, due to the impact of Hurricane Sandy which made landfall on October 29, 2012, and other designated disasters. A provision is included transferring \$24,000,000 to the OIG for audits and investigations related to all disasters. Several provisions directing FEMA to submit reports are included.

#### FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

A total of \$95,329,000 is provided for "Flood Hazard Mapping and Risk Analysis Program." The amount provided does not include funds, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### NATIONAL FLOOD INSURANCE FUND

A total of \$22,000,000 is provided for salaries and expenses and \$149,000,000 for flood plain management and mapping. The Committees note that eliminating severe repetitive loss properties results in the greatest savings to the National Flood Insurance Fund, and FEMA is encouraged to continue to prioritize reducing the number of such properties. FEMA is directed to report to the relevant committees of jurisdiction as required by Senate report 112-169 and including the House Committee on Financial Services, on efforts to improve levee analysis and mapping procedures.

#### NATIONAL PREDISASTER MITIGATION FUND

A total of \$25,000,000 is provided for "National Predisaster Mitigation Fund."

#### EMERGENCY FOOD AND SHELTER

A total of \$120,000,000 is provided for the "Emergency Food and Shelter" program.

#### TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

##### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

A total of \$111,924,000 is provided in discretionary appropriations for USCIS for E-Verify. The amount provided under this heading does not include funds requested for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing funds for fiscal year 2013.

##### Military Naturalizations

The cost of military naturalizations is to be paid for by the Department of Defense through the execution of an annual Inter-Agency Agreement (IAA) for reimbursement. Therefore, no USCIS funds are provided for military naturalizations, and USCIS is directed to ensure that IAAs are executed in a timely manner each year.

##### Electronic Access to Immigration Information

USCIS shall work with ICE and EOIR to maximize the sharing of digital records and ultimately minimize the cost of shipping and managing cumbersome paper files. Funds are specified to support efforts to that end in ICE Automation Modernization; USCIS is encouraged to participate in and support these efforts as well. USCIS is also directed to provide no less than \$29,000,000 to continue conversion of immigration records to digital format.

##### Electronic I-94

As required by the House report, USCIS and CBP are directed to brief the Committees quarterly on their progress toward elimination of the paper I-94. Before the Department implements interim changes, extensive outreach should be undertaken to ensure that those affected understand the interim process of obtaining the valid I-94 number.

##### E-Verify

The Director of USCIS is expected to submit a report to the Committees identifying the costs of expanding the use of E-Verify no later than 90 days after the date of enactment of this Act, as required by the Senate report.

##### Stateless Persons

As directed by the House report, USCIS, with other DHS components as appropriate, shall brief the Committees on its efforts to quantify the number of stateless persons in the country.

##### Immigrant Integration Grants

A general provision in Title V of this Act is included providing \$2,500,000 in appropriated funds and \$7,500,000 from fee revenue for immigrant integration grants. None of the appropriated funds may be used to administer the program.

##### FEDERAL LAW ENFORCEMENT TRAINING CENTER

##### SALARIES AND EXPENSES

A total of \$228,467,000 is provided for "Salaries and Expenses." Within the funds provided, \$29,163,000 is for Management and Administration and \$1,300,000 for the Federal Law Enforcement Training Accreditation

Board. The amount provided under this heading does not include \$472,000, as requested, for a civilian pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### Support of the DHS Office of the Chief Human Capital Officer

The Department informed and briefed the Committees that beginning in fiscal year 2012, it planned to partner with the Federal Law Enforcement Training Center (FLETC) through an IAA to fulfill its human resource service requirements, with FLETC being fully reimbursed through the Working Capital Fund. The Department assured the Committees that this partnership would result in reduced costs for human resources service needs for headquarters components and deliver these services in a more efficient manner. Since the initial announcement, the Chief Human Capital Officer has decided to modify the execution plan, potentially moving some functions back to DHS Headquarters. There is no objection to this arrangement as long as it does not adversely impact FLETC's mission requirements. As such, the Office of the Chief Human Capital Officer and FLETC are directed to brief the Committees no later than 90 days after the date of enactment of this Act on the current plan to deliver human resource services.

#### Full Utilization of FLETC Training Facilities

In the current fiscal environment, law enforcement agencies are not hiring at the rate that has been experienced in the past ten years. For that reason, FLETC is experiencing lower demand for basic training and has greater capacity to support advanced training and potentially other activities. FLETC is encouraged to ensure that its facilities and assets are fully utilized to support the needs of its customers. For example, if training does not fully utilize firing ranges, FLETC should consider use of firing ranges for law enforcement qualification requirements. FLETC is directed to brief the Committees within 60 days of the date of enactment of this Act on its utilization rates.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of \$28,385,000 is provided for "Acquisitions, Construction, Improvements, and Related Expenses."

#### SCIENCE AND TECHNOLOGY

##### MANAGEMENT AND ADMINISTRATION

The bill provides \$132,000,000 for "Management and Administration," including not to exceed \$7,650 for official reception and representation expenses. The amount provided includes a reduction of \$228,000 for the pay raise. Should the President provide a civilian pay raise for 2013, it is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

##### RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

The bill provides \$703,471,000 for "Research, Development, Acquisition, and Operations."

The amount provided for this appropriation by PPA is as follows:

Research, Development, and Innovation .....	\$450,555,000
Laboratory Facilities .....	164,932,000
Acquisition and Operations Support .....	47,984,000
University Programs .....	40,000,000

Total, Research, Development, Acquisition and Operations .....	\$703,471,000
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#### Research, Development, and Innovation

The bill includes \$450,555,000 for Research, Development, and Innovation (RDI). This funding is expected to permit the Science and Technology Directorate (S&T) to restart and sustain its efforts in its top priority areas, to include biological defense, cybersecurity, border security, and first responder technologies. However, the Committees do not support having RDI as an undifferentiated PPA for this activity, breakouts by research thrust areas are preferred. At the same time, since funding is below the request, some adjustment will be made to prioritize the funding. S&T is directed, as was done in the joint explanatory statement accompanying Public Law 112-74, to provide to the Committees a detailed breakout of funding levels proposed for each of its research thrust areas within the RDI PPA, and submit this no later than 30 days after the date of enactment of this Act. These revised allocations by thrust area shall subsequently serve as PPAs and control levels for fiscal year 2013 for purposes of reprogramming notification and approval, governed by the requirements of the general provisions in Title V of this Act. This funding plan shall also include project-level detail on how S&T intends to fund individual research initiatives within each thrust area PPA.

#### Portfolio Reviews

S&T is directed to brief the Committees on the results of any portfolio reviews conducted in fiscal year 2013 no later than 30 days after completion of the review and assessment of its results. As required by the House report, the briefing shall include an assessment of the most promising projects, an appraisal of those that scored poorly, any plans to modify or reallocate funding from underperforming initiatives, as well as a detailed overview of how S&T measures and scrutinizes the cost and schedule of its research projects.

#### Customer Engagement

S&T is directed to brief the Committees no later than 60 days after the date of enactment of this Act on the process for determining each customer's research and development needs; for prioritizing S&T work for them; and for assessing customer satisfaction with S&T's work. The briefing shall also describe the extent to which S&T customers are involved in the Directorate's portfolio reviews.

#### Apex Projects

S&T and its partner components are directed to brief the Committees no later than 60 days after the date of enactment of this Act, and periodically thereafter on funding, schedule, and progress of Apex projects. S&T is also directed to notify the Committees at least 14 days before initiating a new Apex project.

#### National Bio- and Agro-defense Facility

The bill provides \$37,500,000 within the Laboratory Facilities PPA for the National Bio- and Agro-defense Facility (NBAF). This funding shall be applied, in conjunction with \$90,000,000 in previous appropriations, to the construction of the new biological security level facility needed to handle large animal research into infectious animal and zoonotic diseases. If additional funds are to be considered for NBAF in fiscal year 2014, or any fiscal year thereafter, such funds must be in addition to the Department's enacted budget, thereby not displacing resources for Departmental programs. S&T is directed to submit a detailed update of its fiscal year 2013 NBAF construction plan and schedule no

later than 60 days after the date of enactment of this Act.

#### Plum Island Animal Disease Center

S&T is directed to provide with the fiscal year 2014 budget an updated and detailed report on projected costs required to keep Plum Island Animal Disease Center sustainable in the short- and medium-term, and update periodically as estimates change. The report shall include cost estimates and plans for repair as a result of damage caused by Hurricane Sandy.

#### Cyber Security Research

The Committees support increased funding for cyber security research. The Department is encouraged to fund multi-disciplinary programs of study and research that focus on addressing cyber security problems on a global scale, as specified in the Senate report. In addition, S&T is encouraged to pursue cyber security programs that will assist the U.S. financial industry, as required in the Senate report. While a specific level of funding is not directed, as proposed by the House, S&T is expected to take advantage of, and leverage, the expertise of existing governmental organizations to improve DHS cyber security capabilities, to include the use of competitively awarded research and development projects.

S&T is also directed to submit a report no later than 90 days after the date of enactment of this Act on the expenditure of funds for financial sector cyber attack simulations and outcomes, as required by the Senate report.

#### Reporting Requirements

S&T is directed to provide in conjunction with the President's fiscal year 2014 budget request, the results of its research and development for the prior fiscal year, and a report on the amounts de-obligated from projects during the prior fiscal year and to what projects those funds were subsequently obligated. S&T shall also provide quarterly briefings to the Committees on the test and evaluation status of all level 1 acquisitions. In addition, no later than April 3, 2013, S&T shall brief the Committee on progress in implementing its new strategic initiatives, as specified in the Senate report.

#### Disaster Communications

In lieu of direction in the House report, the Department of Homeland Security, the Federal Communications Commission, and the National Institute of Standards and Technology are encouraged to explore existing methods and technologies to sustain communications during disasters, and to brief the Committees on its findings within 180 days of the date of enactment of this Act.

#### Disaster Resilience

Within the funds provided for disaster resilience research, S&T is encouraged to work with appropriate universities and existing Federal research centers, as discussed in the Senate report.

#### Canines

As discussed in both the House and Senate reports, the Department is encouraged to strongly consider the development of standards, protocols and certifications for the breeding, training, and deployment of explosives-detection canines.

#### DOMESTIC NUCLEAR DETECTION OFFICE

##### MANAGEMENT AND ADMINISTRATION

The bill provides a total of \$39,650,000 for "Management and Administration." The amount provided includes a reduction of \$43,000 for the pay raise. Should the President provide a civilian pay raise for 2013, it



is assumed that the cost of the pay raise will be absorbed within existing appropriations for fiscal year 2013.

#### RESEARCH, DEVELOPMENT, AND OPERATIONS

The bill provides a total of \$226,830,000 for "Research, Development, and Operations."

The amount provided for this appropriation by PPA is as follows:

Systems Engineering and Architecture .....	\$30,000,000
Systems Development .....	28,000,000
Transformational Research and Development .....	74,766,000
Assessments .....	33,000,000
Operations Support .....	35,500,000
National Technical Nuclear Forensics Center ....	25,564,000
<b>Total, Research, Development, and Operations .....</b>	<b>\$226,830,000</b>
Semiannual Briefings	

As specified in the House and Senate reports, DNDO is directed to brief the Committees semiannually on program updates and to provide periodic updates on new threats, research, and studies and assessments related to the Global Nuclear Detection Architecture (GNDA). Semiannual briefings should also cover DNDO's core programs and initiatives by means of a pathway-by-pathway assessment for radiological and nuclear threats, beginning with the areas of greatest risk. In addition, DNDO is directed to brief the Committees semiannually on major Transformational and Applied Research initiatives and its red-teaming efforts.

#### Systems Development

DNDO is directed to provide, at the time the President submits the fiscal year 2014 budget request, a report on its Commercial First approach, including any resulting successful partnerships with industry.

#### Rail Detection Solutions

As described in the Senate report, DNDO is directed to brief the Committees on the results of rail detection solutions no later than 30 days after the date of enactment of this Act. If the results of this testing prove successful and result in a priority shift in funding needs to support the GNDA, DNDO is directed to maintain the possibility of restarting these efforts with funding provided for Systems Development.

#### Test and Evaluation

DNDO is directed to provide a report to the Committees no later than 120 days after the date of enactment of this Act on the status of systems being researched, under development, or being tested to improve the Nation's ability to prevent shielded and unshielded special nuclear material from entering into the United States.

#### SYSTEMS ACQUISITION

The bill provides a total of \$51,455,000 for "Systems Acquisition."

The amount provided for this appropriation by PPA is as follows:

Radiation Portal Monitor Program .....	\$1,355,000
Securing the Cities .....	22,000,000
Human Portable Radiation Detection Systems .....	28,100,000
<b>Total, Systems Acquisition .....</b>	<b>\$51,455,000</b>
Securing the Cities	

The bill provides \$22,000,000 for the Securing the Cities (STC) Program, as requested, to fund efforts in New York City and Los An-

geles. DNDO is directed to provide performance updates based on pre-established measures for each STC location during semi-annual briefings and to include the STC program in its annual strategic investment plan.

#### Human Portable Radiation Detection Systems

The bill provides \$28,100,000 for Human Portable Radiation Detection Systems (HPRDS), as requested. DNDO is directed to provide periodic updates on efforts to better leverage certain HPRDS investments with new technology to virtually connect individual detectors. In addition, DNDO is directed to provide the Committees at the time the fiscal year 2014 budget is submitted a multiyear procurement forecast and deployment schedule.

#### TITLE V—GENERAL PROVISIONS

Section 501. A provision is continued that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. A provision is continued that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. A provision is continued that provides authority to reprogram appropriations within an account and to transfer up to 5 percent between appropriations accounts with 15-day advance notification to the Committees. A detailed funding table identifying programs, projects, and activities is included at the end of this statement. This table along with funding levels specified in the statement shall serve as the control level for all reprogrammings. These reprogramming guidelines shall be complied with by all agencies funded by this Act.

The Department shall submit reprogramming requests on a timely basis and provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent position) levels for the current fiscal year and to the levels requested in the President's budget for the following fiscal year.

The Department shall manage its programs and activities within the levels appropriated. The Department should only submit reprogramming or transfer requests in the case of an unforeseeable emergency or situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committees and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request not approved.

The Department is not to submit a reprogramming or transfer of funds after June 30 except in extraordinary circumstances, which imminently threaten the safety of human life or the protection of property. If a reprogramming or transfer is needed after June 30, the notice should contain sufficient documentation as to why it meets this statutory exception.

Funds that are deobligated by the Department are also subject to the reprogramming and transfer guidelines and requirements set forth in this section.

Section 504. A provision is continued that prohibits funds appropriated or otherwise made available to the Department to make payment to the Department's Working Capital Fund, except for activities and amounts allowed in the President's fiscal year 2013 request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the contributing component. Any funds paid in advance or reimbursed must reflect the full cost of each service. The WCF shall be subject to the requirements of section 503 of this Act.

Section 505. A provision is continued that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2013 from appropriations made for salaries and expenses shall remain available through fiscal year 2014 subject to section 503 reprogramming guidelines.

Section 506. A provision is continued that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

Section 507. A provision is continued and modified requiring notification of the Committees three days before grant allocations, grant awards, contract awards, other transactional agreements, letters of intent, a task or delivery order on a multiple contract award totaling \$1,000,000 or more, a task or delivery order greater than \$10,000,000 from multi-year funds, or sole-source grant awards, are announced by the Department, including contracts covered by the Federal Acquisition Regulation. The Department is required to brief the Committees 5 full business days prior to announcing the intention to make a grant under State and Local Programs. Notification shall include a description of the project or projects to be funded, including city, county, and State.

Section 508. A provision is continued that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without advance approval of the Committees.

Section 509. A provision is continued that none of the funds may be used for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

Section 510. A provision is continued that consolidates by reference prior year statutory bill language into one provision. These provisions relate to contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Section 511. A provision is continued that none of the funds may be used in contravention of the Buy American Act.

Section 512. A provision is continued on reporting requirements of the privacy officer.

Section 513. A provision is continued regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 514. A provision is continued requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 45 days after the close of each month.

Section 515. A provision is included directing that any funds appropriated or transferred to TSA "Aviation Security", "Administration", and "Transportation Security



Support'' in fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for procurement and installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Quarterly reports must be submitted identifying any funds that are recovered or deobligated.

Section 516. A provision is included regarding the competitive sourcing for United States Citizenship and Immigration Services.

Section 517. A provision is continued for fiscal year 2013 requiring that any funds appropriated to the Coast Guard's 110-123 foot patrol boat conversion that are recovered, collected, or otherwise received as a result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

Section 518. A provision is continued for fiscal year 2013 relating to undercover investigative operations authority of the U.S. Secret Service.

Section 519. A provision is continued classifying the functions of the instructor staff at the Federal Law Enforcement Training Center as inherently governmental for purposes of the Federal Activities Inventory Reform Act.

Section 520. A provision is continued prohibiting the obligation of funds by the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, and the Office of the Chief Financial Officer for grants or contracts awarded by any means other than full and open competition. Certain exceptions apply, and this provision does not require new competitions of existing contracts during their current terms. It also requires the Inspector General to review Departmental contracts awarded noncompetitively and report on the results to the Committees.

Section 521. A provision is included that prohibits funding pertaining to the Principal Federal Official during a Stafford Act declared disaster or emergency, with certain exceptions.

Section 522. A provision is continued that precludes DHS from using funds in this Act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components, subject to section 503 of this Act. This language prevents large scale reorganization of the Department, which the Committees believe should be acted on legislatively by the relevant Congressional committees of jurisdiction.

Section 523. A provision is included prohibiting the Secretary from reducing operations within the Coast Guard's Civil Engineering Program except as specifically authorized by a statute enacted after the date of enactment of this Act.

Section 524. A provision is continued that prohibits funding to grant an immigration benefit to any individual unless the results of the background checks required in statute, to be completed prior to the grant of the benefit, have been received by DHS.

Section 525. A provision is included extending other transactional authority for DHS through fiscal year 2013.

Section 526. A provision is continued requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 527. A provision is included regarding waivers of the Jones Act.

Section 528. A provision is continued prohibiting the obligation of funds for the Office

of the Secretary and Executive Management for any new hires at DHS if they are not verified through the E-Verify program.

Section 529. A provision is included prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff.

Section 530. A provision is continued related to prescription drugs.

Section 531. A provision is included prohibiting funds to be used to conduct or implement the results of a competition under Office of Management and Budget Circular A-76 with respect to the Coast Guard National Vessel Documentation Center.

Section 532. A provision is continued requiring the Secretary, in conjunction with the Secretary of the Treasury, to notify the Committees of any proposed transfers from the Department of Treasury Forfeiture Fund to any agency within DHS. No funds may be obligated until the Committees approve the proposed transfers.

Section 533. A provision is continued prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 534. A provision is included requiring the TSA Administrator to certify that no security risks will result if an airport does not participate in the E-Verify program.

Section 535. A provision is included that requires a report, to be posted on the FEMA website, summarizing damage assessment information used to determine whether to declare a major disaster.

Section 536. A provision is continued directing that any official required by this Act to report or to certify to the Committees on Appropriations may not delegate any such authority unless expressly authorized to do so in this Act.

Section 537. A provision is continued extending risk-based security standards for chemical facilities cited in section 550 of Public Law 109-295, as amended, for one year.

Section 538. A provision is continued prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Section 539. A provision is continued prohibiting funds in this Act to be used for first-class travel.

Section 540. A provision is continued and made permanent prohibiting funds in this Act to be used for adverse personnel actions for employees who use protective equipment or measures, including surgical masks, N95 respirators, gloves, or hand-sanitizers in the conduct of their official duties.

Section 541. A provision is continued prohibiting funds to be used to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Section 542. A provision is continued and modified relating to the proper disposal of personal information collected through the Registered Traveler program.

Section 543. A provision is continued prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 544. A provision is continued and modified that requires the TSA Administrator to submit semiannual reports on how the agency will meet the requirement to screen 100 percent of air cargo transportation on passenger aircraft arriving in the United States.

Section 545. A provision is included that requires any new processes developed to

screen aviation passengers and crews for transportation or national security to consider privacy and civil liberties, consistent with applicable laws, regulations, and guidance.

Section 546. A provision is included that allocates \$7,500,000 of deposits into the Immigration Examinations Fee Account to United States Citizenship and Immigration Services for the purposes of providing immigrant integration grants and provides an additional \$2,500,000 in appropriated funds for the same purpose in fiscal year 2013. The grants shall be used to provide services to individuals who have been lawfully admitted into the U.S. for permanent residence.

Section 547. A provision is included providing \$5,000,000 for the Federal Emergency Management Agency to reimburse costs incurred by State and local governments affected by National Special Security Events, including use of services, personnel, equipment, and facilities.

Section 548. A provision is included providing some flexibility to the Department for financing a response to an immigration emergency, subject to notification.

Section 549. A provision is included prohibiting funds appropriated or otherwise made available by this Act for DHS to enter into a Federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or Chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 550. A provision is included providing \$55,000,000 for data center migration activities to be allocated by the Secretary and allowing the Secretary to transfer data center migration funds made available by this Act between appropriations after notifying the Committees 15 days in advance.

Section 551. A provision is included permitting the Department to sell ICE-owned detention facilities and use the proceeds from any sale for improvement to other facilities provided that any such sale will not result in the maintenance of less than 34,000 detention beds.

Section 552. A provision is included providing a total of \$29,000,000 for consolidation of the new DHS headquarters at St. Elizabeths and consolidation of mission support activities.

Section 553. A provision is included providing the Secretary discretion to waive certain provisions of law related to requirements for Staffing for Adequate Fire and Emergency Response (SAFER) grants.

Section 554. A provision is included prohibiting availability of funds in this Act for the Association of Community Organizations for Reform Now (ACORN) and its affiliated organizations.

Section 555. A provision is included directing CBP and ICE to submit multi-year investment and management plans for multiple accounts.

Section 556. A provision is continued stating that the Secretary shall ensure enforcement of immigration laws.

Section 557. A provision is included that reforms Coast Guard acquisition processes and definitions, and directs the Coast Guard to develop fiscal guidance when submitting costs related to acquisitions.

Section 558. A provision is included regarding Federal network security.

Section 559. A provision is included regarding restrictions on electronic access to pornography, except for law enforcement purposes.

Section 560. A provision is included authorizing CBP to enter into not more than five reimbursable agreements for the provision of CBP services and other costs incurred by CBP relating to such services. Only payment of overtime can be reimbursed at existing air facilities. Current statutory limitations on CBP's authority to receive outside funding, except in narrowly defined instances, have prevented CBP from receiving reimbursement from private sector and international, State, and local partners. Funds collected pursuant to this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation.

Section 561. A provision is included regarding the transfer of firearms by Federal law enforcement personnel.

Section 562. A provision is included that withholds 20 percent of funds available to the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, and the Office of the Chief Financial Officer until all statutorily required expenditure plans, investment plans, and acquisition plans due on or before May 1, 2013, are submitted to the Committees.

Section 563. A provision is included authorizing collection of a \$30 fee for a petition to compete for consideration of a visa under 8 U.S.C. 1153(c), effective October 1, 2013. Such

petitions are submitted through an electronic entry form completed on-line and submitted via an Internet website established by the Secretary for the purpose of receiving such petitions. In order to address any issues regarding possible fraud within such program, the Department of State, in consultation with DHS, is directed to report to the Committees no later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO report (GAO-07-1174).

Section 564. A provision is included related to community disaster loans.

Section 565. A provision is included regarding an OIG review and arbitration of disaster assistance.

Section 566. A provision is included prohibiting any funds from this or any other Act to be used for creation of the National Preparedness Grant Program or any successor grant programs unless explicitly authorized by Congress.

Section 567. A provision is included prohibiting funds for the ICE public advocate position.

Section 568. A provision is included that prohibits funds made available by this Act to reimburse any Federal department or agency for its participation in a NSSE. Additional explanation on this section is included in this statement under the heading United

States Secret Service, "Salaries and Expenses".

Section 569. A provision is included regarding funding restrictions and reporting requirements regarding conferences occurring outside of the United States.

#### RESCISSIONS

Section 570. A provision is included rescinding \$254,307,311 in unobligated balances of prior year appropriations in multiple appropriations across the Department.

#### RESCISSION

Section 571. A provision is included rescinding \$12,000,000 of the unobligated prior year balances available for FEMA "National Predisaster Mitigation Fund".

#### RESCISSIONS

Section 572. A provision is included rescinding unobligated balances made available to the Department when it was created in 2003.

#### RESCISSIONS

Section 573. A provision is included rescinding lapsed balances made available pursuant to section 505 of this Act.

#### FUNDING RECOMMENDATIONS

Detailed funding recommendations, specified by program, project, and activity level, are contained in the table listed below.

#### COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary .....	5,000	4,295	4,286	-714	-9
Immediate Office of the Deputy Secretary .....	1,918	2,387	2,094	+176	-293
Office of the Chief of Staff .....	2,300	2,498	2,175	-125	-323
Office of Counternarcotics Enforcement .....	1,800	.....	.....	-1,800	.....
Executive Secretary .....	8,100	7,993	7,592	-508	-401
Office of Policy .....	40,000	33,678	43,750	+3,750	+10,072
Office of Public Affairs .....	5,800	5,966	5,475	-325	-491
Office of Legislative Affairs .....	6,000	6,041	5,800	-200	-241
Office of Intergovernmental Affairs .....	2,650	2,648	2,380	-270	-268
Office of General Counsel .....	22,400	21,947	21,158	-1,242	-789
Office for Civil Rights and Civil Liberties .....	22,500	21,716	21,640	-860	-76
Citizenship and Immigration Services Ombudsman .....	6,200	5,950	5,650	-550	-300
Privacy Officer .....	8,491	8,387	8,000	-491	-387
Office of International Affairs .....	.....	8,001	.....	.....	-8,001
Office of State and Local Law Enforcement .....	.....	892	.....	.....	-892
Private Sector Office .....	.....	1,751	.....	.....	-1,751
Subtotal .....	133,159	134,150	130,000	-3,159	-4,150
Office of the Under Secretary for Management:					
Immediate Office of the Under Secretary for Management .....	2,550	3,112	3,100	+550	-12
Office of the Chief Security Officer .....	70,000	69,258	69,000	-1,000	-258
Office of the Chief Procurement Officer .....	78,000	73,176	72,000	-6,000	-1,176
Subtotal .....	150,550	145,546	144,100	-6,450	-1,446
Office of the Chief Human Capital Officer:					
Salaries and expenses .....	25,165	25,971	24,971	-194	-1,000
Human resources information technology .....	14,172	9,689	9,680	-4,492	-9
Subtotal .....	39,337	35,660	34,651	-4,686	-1,009
Office of the Chief Administrative Officer:					
Salaries and expenses .....	40,700	35,117	34,312	-6,388	-805
Nebraska Avenue Complex [NAC] .....	5,000	5,448	5,448	.....	.....
Subtotal .....	45,700	40,565	39,760	-5,940	-805
Subtotal, Office of the Under Secretary for Management .....	235,587	221,771	218,511	-17,076	-3,260
DHS Consolidated Headquarters Project .....	.....	89,000	.....	.....	-89,000
Office of the Chief Financial Officer .....	50,860	55,414	51,500	+640	-3,914
Office of the Chief Information Officer:					
Salaries and expenses .....	105,500	120,670	118,000	+12,500	-2,670
Information technology services .....	38,800	28,002	27,600	-11,200	-402
Infrastructure and security activities .....	69,000	121,839	56,000	-13,000	-65,839
Homeland Secure Data Network .....	44,000	42,132	42,132	-1,868	.....
Subtotal .....	257,300	312,643	243,732	-13,568	-68,911
Analysis and Operations .....	338,068	321,982	322,280	-15,788	+298
Total, Departmental Operations .....	1,014,974	1,134,960	966,023	-48,951	-168,937
Office of Inspector General:					
Operating expenses .....	117,000	143,664	121,164	+4,164	-22,500

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
(by transfer from Disaster Relief) .....	(24,000)	.....	(24,000)	.....	(+ 24,000)
Total, Office of Inspector General .....	141,000	143,664	145,164	+ 4,164	+ 1,500
Total, title I, Departmental Management and Operations (by transfer) .....	1,131,974 (24,000)	1,278,624	1,087,187 (24,000)	— 44,787	— 191,437 (+ 24,000)
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Salaries and Expenses:					
Headquarters, Management, and Administration:					
Commissioner .....			17,415	+ 17,415	+ 17,415
Chief Counsel .....			43,078	+ 43,078	+ 43,078
Congressional Affairs .....			2,568	+ 2,568	+ 2,568
Internal Affairs .....			154,108	+ 154,108	+ 154,108
Public Affairs .....			12,563	+ 12,563	+ 12,563
Training and Development .....			77,721	+ 77,721	+ 77,721
Tech, Innovation, Acquisition .....			26,004	+ 26,004	+ 26,004
Intelligence/Investigative Liaison .....			68,156	+ 68,156	+ 68,156
Administration .....			414,674	+ 414,674	+ 414,674
Rent .....	483,749	614,871	564,871	+ 81,122	— 50,000
Management and administration, border security inspections and trade facilitation .....	667,794	601,414	.....	— 667,794	— 601,414
Management and administration, border security and control between ports of entry .....	717,309	665,646	.....	— 717,309	— 665,646
Subtotal .....	1,868,852	1,881,931	1,381,158	— 487,694	— 500,773
Border Security Inspections and Trade Facilitation:					
Inspections, trade, and travel facilitation at ports of entry .....	2,484,235	2,480,674	2,718,654	+ 234,419	+ 237,980
Harbor maintenance fee collection (trust fund) .....	3,274	3,285	3,274	.....	— 11
International cargo screening .....	74,557	71,534	71,487	— 3,070	— 47
Other international programs .....	10,684	27,084	24,799	+ 14,115	— 2,285
Customs-Trade Partnership Against Terrorism [C-TPAT] .....	44,979	40,082	43,069	— 1,910	+ 2,987
Trusted Traveler programs .....	6,311	10,811	10,811	+ 4,500	+ 4,500
Inspection and detection technology investments .....	148,537	117,575	117,565	— 30,972	— 10
Automated Targeting Systems .....	41,400	113,826	113,826	+ 72,426	.....
National Targeting Center .....	51,950	65,127	68,127	+ 16,177	+ 3,000
Training .....	37,834	34,860	34,846	— 2,988	— 14
Subtotal .....	2,903,761	2,960,358	3,206,458	+ 302,697	+ 246,100
Border Security and Control Between Ports of Entry:					
Border security and control .....	3,530,994	3,551,840	3,631,796	+ 100,802	+ 79,956
Training .....	88,610	74,110	73,939	— 14,671	— 171
Subtotal .....	3,619,604	3,625,950	3,705,735	+ 86,131	+ 79,785
Air and Marine Operations .....	287,901	280,819	.....	— 287,901	— 280,819
US-VISIT .....	.....	261,523	.....	.....	— 261,523
Subtotal, Salaries and expenses .....	8,680,118	9,010,581	8,293,351	— 386,767	— 717,230
Appropriations .....	(8,676,844)	(9,007,296)	(8,290,077)	(— 386,767)	(— 717,219)
Harbor maintenance trust fund .....	(3,274)	(3,285)	(3,274)	.....	(— 11)
Automation Modernization:					
Information Technology .....	.....	.....	394,340	+ 394,340	+ 394,340
Automated Commercial Environment/International Trade Data System [ITDS] .....	140,000	140,794	138,794	— 1,206	— 2,000
Current operations protection and processing support [COPPS] .....	194,275	186,732	186,732	— 7,543	.....
Subtotal .....	334,275	327,526	719,866	+ 385,591	+ 392,340
Border Security Fencing, Infrastructure, and Technology [BSFIT]:					
Development and deployment .....	212,377	188,816	188,816	— 23,561	.....
Operations and maintenance .....	133,248	138,283	135,283	+ 2,035	— 3,000
Program management .....	54,375	.....	.....	— 54,375	.....
Subtotal .....	400,000	327,099	324,099	— 75,901	— 3,000
Air and Marine Operations:					
Salaries and Expenses .....	.....	.....	283,570	+ 283,570	+ 283,570
Operations and maintenance .....	365,087	368,799	397,399	+ 32,312	+ 28,600
Procurement .....	138,879	66,970	118,037	— 20,842	+ 51,067
Subtotal .....	503,966	435,769	799,006	+ 295,040	+ 363,237
Construction and Facilities Management:					
Facilities construction and sustainment .....	182,500	186,214	176,214	— 6,286	— 10,000
Program oversight and management .....	54,096	57,452	57,349	+ 3,253	— 103
Subtotal .....	236,596	243,666	233,563	— 3,033	— 10,103
Total, U.S. Customs and Border Protection direct appropriations .....	10,154,955	10,344,641	10,369,885	+ 214,930	+ 25,244
Fee Accounts:					
Immigration inspection user fee .....	(527,629)	(568,790)	(568,790)	(+ 41,161)	.....
Immigration enforcement fines .....	(1,041)	(1,093)	(1,093)	(+ 52)	.....
Electronic System for Travel Authorization fee .....	(44,524)	(46,318)	(46,318)	(+ 1,794)	.....
Land border inspection fee .....	(28,909)	(35,935)	(35,935)	(+ 7,026)	.....
COBRA passenger inspection fee .....	(468,521)	(529,352)	(419,352)	(— 49,169)	(— 110,000)
APHIS inspection fee .....	(323,000)	(329,000)	(329,000)	(+ 6,000)	.....
Global Entry user fee .....	(2,615)	(13,743)	(13,743)	(+ 11,128)	.....
Puerto Rico collections .....	(91,779)	(96,367)	(96,367)	(+ 4,588)	.....
Small airport user fee .....	(8,167)	(8,318)	(8,318)	(+ 151)	.....
Subtotal, fee accounts .....	(1,496,185)	(1,628,916)	(1,518,916)	(+ 22,731)	(— 110,000)
Total, U.S. Customs and Border Protection .....	11,651,140	11,973,557	11,888,801	+ 237,661	— 84,756
Appropriations .....	(10,154,955)	(10,344,641)	(10,369,885)	(+ 214,930)	(+ 25,244)
Fee accounts .....	(1,496,185)	(1,628,916)	(1,518,916)	(+ 22,731)	(— 110,000)
U.S. Immigration and Customs Enforcement					
Salaries and Expenses:					
Headquarters Management and Administration:					
Personnel compensation and benefits, services and other costs .....	233,251	220,122	220,044	— 13,207	— 78
Headquarters managed IT investment .....	184,227	157,188	160,464	— 23,763	+ 3,276

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Subtotal .....	417,478	377,310	380,508	— 36,970	+ 3,198
Legal Proceedings .....	215,935	207,580	207,041	— 8,894	— 539
Investigations:					
Domestic investigations .....	1,725,234	1,672,526	1,686,859	— 38,375	+ 14,333
International Investigations:					
International operations .....	114,928	110,370	115,122	+ 194	+ 4,752
Visa Security Program .....	33,889	32,616	34,561	+ 672	+ 1,945
Subtotal .....	148,817	142,986	149,683	+ 866	+ 6,697
Subtotal, Investigations .....	1,874,051	1,815,512	1,836,542	— 37,509	+ 21,030
Intelligence .....	81,503	78,748	78,452	— 3,051	— 296
Detention and Removal Operations:					
Custody operations .....	2,050,545	1,959,363	2,025,016	— 25,529	+ 65,653
Fugitive operations .....	154,597	132,925	145,325	— 9,272	+ 12,400
Criminal alien program .....	196,696	216,724	216,510	+ 19,814	— 214
Alternatives to detention .....	72,373	111,590	96,557	+ 24,184	— 15,033
(transfer out to Department of Justice) .....		(— 5,000)			(+ 5,000)
Transportation and removal program .....	276,632	258,227	270,202	— 6,430	+ 11,975
Subtotal .....	2,750,843	2,678,829	2,753,610	+ 2,767	+ 74,781
Secure Communities .....	189,064	138,713	138,249	— 50,815	— 464
Subtotal, Salaries and expenses .....	5,528,874	5,296,692	5,394,402	— 134,472	+ 97,710
Automation Modernization:					
Automation modernization .....	21,710			— 21,710	
TECS modernization .....		23,000	23,000	+ 23,000	
Detention and removals modernization .....		4,000	7,000	+ 7,000	+ 3,000
Electronic health records .....		3,500	3,500	+ 3,500	
Subtotal .....	21,710	30,500	33,500	+ 11,790	+ 3,000
Construction .....		5,000	5,000	+ 5,000	
Total, U.S. Immigration and Customs Enforcement direct appropriations .....	5,550,584	5,332,192	5,432,902	— 117,682	+ 100,710
Fee Accounts:					
Immigration inspection user fee .....	(116,869)	(116,869)	(116,869)		
Breached bond/detention fund .....	(75,000)	(75,000)	(75,000)		
Student exchange and visitor fee .....	(120,000)	(120,000)	(120,000)		
Subtotal .....	311,869	311,869	311,869		
Total, U.S. Immigration and Customs Enforcement .....	5,862,453	5,644,061	5,744,771	— 117,682	+ 100,710
Appropriations .....	(5,550,584)	(5,332,192)	(5,432,902)	(— 117,682)	(+ 100,710)
Fee accounts .....	(311,869)	(311,869)	(311,869)		
(Transfer out) .....		(— 5,000)			(+ 5,000)
Transportation Security Administration					
Aviation Security:					
Screening Operations:					
Screener workforce:					
Privatized screening .....	144,193	143,190	147,690	+ 3,497	+ 4,500
Screener personnel, compensation, and benefits .....	3,025,771	3,107,649	3,078,709	+ 52,938	— 28,940
Subtotal .....	3,169,964	3,250,839	3,226,399	+ 56,435	— 24,440
Screener training and other .....	249,796	225,012	224,984	— 24,812	— 28
Checkpoint support .....	204,768	120,239	115,204	— 89,564	— 5,035
EDS/ETD Systems:					
EDS procurement and installation .....	222,738	117,349	99,930	— 122,808	— 17,419
Screening technology maintenance, utilities .....	320,365	309,000	309,000	— 11,365	
Subtotal .....	543,103	426,349	408,930	— 134,173	— 17,419
Subtotal, Screening operations .....	4,167,631	4,022,439	3,975,517	— 192,114	— 46,922
Aviation Security Direction and Enforcement:					
Aviation regulation and other enforcement .....	369,984	371,989	368,255	— 1,729	— 3,734
Airport management and support .....	570,226	569,615	562,349	— 7,877	— 7,266
Federal flight deck officer and flight crew training .....	25,461	12,500	24,730	— 731	+ 12,230
Air cargo .....	120,654	122,096	121,769	+ 1,115	— 327
Subtotal .....	1,086,325	1,076,200	1,077,103	— 9,222	+ 903
Aviation Security Capital Fund (mandatory) .....	(250,000)	(250,000)	(250,000)		
Total, Aviation security (gross) .....	5,253,956	5,098,639	5,052,620	— 201,336	— 46,019
Aviation security fees (offsetting collections) .....	— 2,030,000	— 2,070,000	— 2,070,000	— 40,000	
Additional offsetting collections (leg. proposal) .....		— 115,000			+ 115,000
Total, Aviation security (net, discretionary) .....	3,223,956	2,913,639	2,982,620	— 241,336	+ 68,981
Surface Transportation Security:					
Staffing and operations .....	38,514	36,711	36,353	— 2,161	— 358
Surface transportation security inspectors and canines .....	96,234	87,565	88,065	— 8,169	+ 500
Subtotal .....	134,748	124,276	124,418	— 10,330	+ 142
Transportation Threat Assessment and Credentialing:					
Secure Flight .....	92,414	107,074	106,935	+ 14,521	— 139
Crew and other vetting programs .....	71,540	85,557	85,489	+ 13,949	— 68
TWIC fees .....	(8,300)	(47,300)	(47,300)	(+ 39,000)	
Hazardous materials fees .....	(12,000)	(12,000)	(12,000)		
Alien Flight School fees (by transfer from DOJ) .....	(4,000)	(5,000)	(5,000)	(+ 1,000)	
Air Cargo/Certified cargo screening program .....	(5,200)	(7,200)	(7,200)	(+ 2,000)	
Large aircraft security program .....	(1,200)			(— 1,200)	
Commercial aviation and airports/Secure identification display area checks .....	(8,000)	(8,000)	(8,000)		
Other security threat assessments .....	(100)	(120)		(+ 20)	
General aviation at DCA .....	(100)	(100)	(100)		
Indirect air cargo .....	(1,400)			(— 1,400)	
Sensitive security information (SSI) fees .....	(20)			(— 20)	

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Subtotal .....	204,274	272,351	272,144	+ 67,870	— 207
Direct appropriations .....	(163,954)	(192,631)	(192,424)	(+ 28,470)	(— 207)
Fee funded programs .....	(40,320)	(79,720)	(79,720)	(+ 39,400)	.....
Transportation Security Support:					
Headquarters administration .....	292,334	281,554	276,122	— 16,212	— 5,432
Information technology .....	447,200	417,196	417,196	— 30,004	.....
Human capital services .....	249,400	225,829	215,829	— 33,571	— 10,000
Intelligence .....	42,992	45,130	45,130	+ 2,138	.....
Subtotal .....	1,031,926	969,709	954,277	— 77,649	— 15,432
Federal Air Marshals:					
Management and administration .....	842,500	815,639	793,786	— 48,714	— 21,853
Travel and training .....	123,615	113,971	113,971	— 9,644	.....
Subtotal .....	966,115	929,610	907,757	— 58,358	— 21,853
Total, Transportation Security Administration .....	7,841,019	7,644,585	7,561,216	— 279,803	— 83,369
Offsetting collections .....	(— 2,030,000)	(— 2,185,000)	(— 2,070,000)	(— 40,000)	(+ 115,000)
Aviation Security Capital Fund (mandatory) .....	(250,000)	(250,000)	(250,000)	.....	.....
Fee funded programs .....	(40,320)	(79,720)	(79,720)	(+ 39,400)	.....
Total, Transportation Security Administration (net) .....	5,520,699	5,129,865	5,161,496	— 359,203	+ 31,631
Coast Guard					
Operating Expenses:					
Military pay and allowances .....	3,413,061	3,415,595	3,415,181	+ 2,120	— 414
Civilian pay and benefits .....	784,256	790,130	786,580	+ 2,324	— 3,550
Training and recruiting .....	213,321	212,761	214,183	+ 862	+ 1,422
Operating funds and unit level maintenance .....	1,109,623	1,092,419	1,093,893	— 15,730	+ 1,474
Centrally managed accounts .....	336,653	350,178	351,072	+ 14,419	+ 894
Intermediate and depot level maintenance .....	936,140	930,095	959,873	+ 23,733	+ 29,778
Overseas contingency operations/Global war on terrorism .....	258,000	.....	254,000	— 4,000	+ 254,000
(Permissive transfer from Navy O&M) .....	.....	(254,461)	.....	.....	(— 254,461)
Subtotal .....	7,051,054	6,791,178	7,074,782	+ 23,728	+ 283,604
(Defense) .....	(598,000)	(339,000)	(594,000)	(— 4,000)	(+ 255,000)
(Nondefense) .....	(6,453,054)	(6,452,178)	(6,480,782)	(+ 27,728)	(+ 28,604)
Environmental Compliance and Restoration .....	13,500	13,162	13,151	— 349	— 11
Reserve Training .....	134,278	132,554	132,528	— 1,750	— 26
Acquisition, Construction, and Improvements:					
Vessels:					
Survey and design-vessel and boats .....	6,000	2,500	2,500	— 3,500	.....
Response boat-medium .....	110,000	.....	8,000	— 102,000	+ 8,000
In-service vessel sustainment .....	14,000	.....	.....	— 14,000	.....
National security cutter .....	77,000	683,000	679,300	+ 602,300	— 3,700
Offshore patrol cutter .....	25,000	30,000	30,000	+ 5,000	.....
Fast response cutter .....	358,000	139,000	335,000	— 23,000	+ 196,000
Cutter small boats .....	5,000	4,000	4,000	— 1,000	.....
Medium endurance cutter sustainment .....	47,000	13,000	16,000	— 31,000	+ 3,000
Polar ice breaking vessel .....	.....	8,000	8,000	+ 8,000	.....
Subtotal .....	642,000	879,500	1,082,800	+ 440,800	+ 203,300
Aircraft:					
Airframe replacement (CGNR 6017) .....	18,300	.....	14,000	— 4,300	+ 14,000
Maritime patrol aircraft .....	129,500	43,000	55,000	— 74,500	+ 12,000
HH-60 conversion projects .....	56,100	.....	.....	— 56,100	.....
Long range surveillance aircraft .....	62,000	.....	90,000	+ 28,000	+ 90,000
(DOD transfer for C-130J) (Public Law 112-74) .....	(63,500)	.....	.....	(— 63,500)	.....
HH-65 conversion/sustainment projects .....	24,000	31,500	31,500	+ 7,500	.....
Subtotal .....	289,900	74,500	190,500	— 99,400	+ 116,000
Other Acquisition Programs:					
Program oversight and management .....	26,000	25,000	15,000	— 11,000	— 10,000
Systems engineering and integration .....	17,140	2,500	.....	— 17,140	— 2,500
C4ISR .....	38,500	40,500	40,500	+ 2,000	.....
CG-Logistics Information Management System .....	6,500	2,500	2,500	— 4,000	.....
Nationwide automatic identification system .....	5,000	6,000	6,000	+ 1,000	.....
Rescue 21 .....	65,000	.....	.....	— 65,000	.....
Interagency operations centers .....	3,000	.....	.....	— 3,000	.....
Subtotal .....	161,140	76,500	64,000	— 97,140	— 12,500
Shore Facilities and Aids to Navigation:					
Major construction; Housing; ATON; and Survey and design .....	92,900	15,000	30,000	— 62,900	+ 15,000
Major acquisition systems infrastructure .....	81,500	49,411	49,411	— 32,089	.....
Minor shore .....	6,292	5,000	5,000	— 1,292	.....
Subtotal .....	180,692	69,411	84,411	— 96,281	+ 15,000
Military Housing .....	20,000	.....	10,000	— 10,000	+ 10,000
Personnel and Related Support:					
Direct personnel costs .....	109,592	116,798	113,082	+ 3,490	— 3,716
Core acquisition costs .....	600	600	600	.....	.....
Subtotal .....	110,192	117,398	113,682	+ 3,490	— 3,716
Rescission of unexpended balances (Public Law 111-83) .....	.....	— 25,000	.....	.....	+ 25,000
Subtotal, Acquisition, Construction, and Improvements .....	1,403,924	1,192,309	1,545,393	+ 141,469	+ 353,084
(By transfer) .....	(63,500)	.....	.....	(— 63,500)	.....
Research, Development, Test, and Evaluation .....	27,779	19,728	19,690	— 8,089	— 38
Health care fund contribution (permanent indefinite discretionary appropriation) .....	261,871	203,000	203,000	— 58,871	.....
Retired Pay (mandatory) .....	1,440,157	1,423,000	1,423,000	— 17,157	.....
Total, Coast Guard .....	10,332,563	9,774,931	10,411,544	+ 78,981	+ 636,613
Appropriations .....	(10,074,563)	(9,799,931)	(10,157,544)	(+ 82,981)	(+ 357,613)
Rescissions .....	.....	(— 25,000)	.....	.....	(+ 25,000)
Overseas contingency operations/Global war on terrorism .....	(258,000)	.....	(254,000)	(— 4,000)	(+ 254,000)

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
(By transfer) .....	(63,500)	(1,423,000)	(1,423,000)	(- 63,500)	.....
(mandatory) .....	(1,440,157)	(8,351,931)	(8,988,544)	(- 17,157)	.....
(discretionary) .....	(8,892,406)			(+ 96,138)	(+ 636,613)
United States Secret Service					
Salaries and Expenses:					
Protection:					
Protection of persons and facilities .....	832,463	837,646	855,236	+ 22,773	+ 17,590
Protective intelligence activities .....	68,125	68,373	68,125	.....	- 248
Presidential candidate nominee protection .....	113,462	57,960	57,960	- 55,502	.....
National special security event fund .....	19,307	4,500	4,500	- 14,807	.....
White House mail screening .....	18,472	19,855	.....	- 18,472	- 19,855
Subtotal .....	1,051,829	988,334	985,821	- 66,008	- 2,513
Investigations:					
Domestic field operations .....	223,991	238,553	299,690	+ 75,699	+ 61,137
International field office administration, operations and training .....	32,971	31,016	30,971	- 2,000	- 45
Electronic crimes special agent program and electronic crimes task forces .....	53,051	54,655	.....	- 53,051	- 54,655
Support for missing and exploited children .....	8,366	.....	8,366	.....	+ 8,366
Subtotal .....	318,379	324,224	339,027	+ 20,648	+ 14,803
Headquarters, Management and Administration .....	191,588	174,669	174,334	- 17,254	- 335
Rowley Training Center .....	55,598	55,749	55,598	.....	- 151
Information Integration and Technology Transformation .....	43,843	1,137	1,133	- 42,710	- 4
Subtotal, Salaries and Expenses .....	1,661,237	1,544,113	1,555,913	- 105,324	+ 11,800
Acquisition, Construction, Improvements, and Related Expenses .....	5,380	.....	.....	- 5,380	.....
Facilities .....	.....	4,430	4,430	+ 4,430	.....
Information Integration and Technology Transformation .....	.....	52,320	52,320	+ 52,320	.....
Subtotal .....	5,380	56,750	56,750	+ 51,370	.....
Total, United States Secret Service .....	1,666,617	1,600,863	1,612,663	- 53,954	+ 11,800
Total, title II, Security, Enforcement, and Investigations .....	33,225,418	32,182,492	32,988,490	- 236,928	+ 805,998
Appropriations .....	(32,967,418)	(32,207,492)	(32,734,490)	(- 232,928)	(+ 526,998)
Rescissions .....	.....	(- 25,000)	.....	.....	(+ 25,000)
Overseas contingency operations/Global war on terrorism .....	(258,000)	.....	(254,000)	(- 4,000)	(+ 254,000)
(By transfer) .....	(63,500)	.....	.....	(- 63,500)	.....
(Transfer out) .....	.....	(- 5,000)	.....	.....	(+ 5,000)
(Fee Accounts) .....	(1,848,374)	(2,020,505)	(1,910,505)	(+ 62,131)	(- 110,000)
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Management and Administration:					
Administrative activities .....	46,454	50,321	50,220	+ 3,766	- 101
Risk management and analysis .....	4,241	.....	.....	- 4,241	.....
Subtotal .....	50,695	50,321	50,220	- 475	- 101
Infrastructure Protection and Information Security:					
Infrastructure Protection:					
Infrastructure analysis and planning .....	70,518	56,909	58,969	- 11,549	+ 2,060
Sector management and governance .....	74,219	67,132	67,061	- 7,158	- 71
Regional field operations .....	57,367	56,497	56,418	- 949	- 79
Infrastructure security compliance .....	93,348	74,544	77,945	- 15,403	+ 3,401
Subtotal, Infrastructure protection .....	295,452	255,082	260,393	- 35,059	+ 5,311
Cybersecurity and Communications:					
Cybersecurity:					
Cybersecurity coordination .....	4,500	3,995	3,986	- 514	- 9
US Computer Emergency Readiness Team [US-CERT] Operations .....	79,116	93,002	92,927	+ 13,811	- 75
Federal Network Security .....	35,000	236,014	235,992	+ 200,992	- 22
Network Security Deployment .....	229,000	345,046	329,009	+ 100,009	- 16,037
Global Cybersecurity Management .....	23,992	21,957	25,955	+ 1,963	+ 3,998
Critical Infrastructure Cyber Protection and Awareness .....	60,000	62,763	62,748	+ 2,748	- 15
Business Operations .....	11,568	6,227	6,211	- 5,357	- 16
Subtotal, Cybersecurity .....	443,176	769,004	756,828	+ 313,652	- 12,176
Communications:					
Office of Emergency Communications .....	43,495	38,689	38,654	- 4,841	- 35
Priority telecommunications services .....	56,074	53,286	53,265	- 2,809	- 21
Next generation networks .....	25,253	20,000	24,499	- 754	+ 4,499
Programs to study and enhance telecommunications .....	13,441	19,594	12,930	- 511	- 6,664
Critical infrastructure protection programs .....	11,352	10,978	10,960	- 392	- 18
Subtotal, Communications .....	149,615	142,547	140,308	- 9,307	- 2,239
Subtotal, Cybersecurity and Communications .....	592,791	911,551	897,136	+ 304,345	- 14,415
Subtotal, Infrastructure Protection and Information Security .....	888,243	1,166,633	1,157,529	+ 269,286	- 9,104
Federal Protective Service:					
Basic security .....	247,478	271,540	271,540	+ 24,062	.....
Building-specific security .....	501,039	509,056	509,056	+ 8,017	.....
Reimbursable Security Fees (contract guard services) .....	513,020	521,228	521,228	+ 8,208	.....
Subtotal, Federal Protective Service .....	1,261,537	1,301,824	1,301,824	+ 40,287	.....
Offsetting collections .....	- 1,261,537	- 1,301,824	- 1,301,824	- 40,287	.....
U.S. Visitor and Immigrant Status Indicator Technology .....	306,802	.....	.....	- 306,802	.....
Office of Biometric Identity Management .....	.....	.....	232,422	+ 232,422	+ 232,422
Total, National Protection and Programs Directorate (gross) .....	2,507,277	2,518,778	2,741,995	+ 234,718	+ 223,217
Offsetting collections .....	(- 1,261,537)	(- 1,301,824)	(- 1,301,824)	(- 40,287)	.....
Total, National Protection and Programs Directorate (net) .....	1,245,740	1,216,954	1,440,171	+ 194,431	+ 223,217
Office of Health Affairs					
BioWatch .....	114,164	125,294	85,390	- 28,774	- 39,904

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
National Biosurveillance Integration Center .....	12,013	8,000	13,000	+ 987	+ 5,000
Chemical Defense Program .....	5,439	500	2,000	– 3,439	+ 1,500
Planning and Coordination .....	6,162	4,907	5,407	– 755	+ 500
Salaries and Expenses .....	29,671	27,757	26,702	– 2,969	– 1,055
Total, Office of Health Affairs .....	167,449	166,458	132,499	– 34,950	– 33,959
Federal Emergency Management Agency					
Salaries and Expenses:					
Administrative and regional offices .....	110,495	214,603	257,409	+ 146,914	+ 42,806
Office of National Capital Region Coordination .....	(5,493)	(5,099)	(4,293)	(– 1,200)	(– 806)
Preparedness and protection .....	109,873	73,153	179,047	+ 69,174	+ 105,894
Response .....	226,228	171,897	179,428	– 46,800	+ 7,531
Urban search and rescue response system .....	(41,250)	(27,513)	(35,180)	(– 6,070)	(+ 7,667)
Recovery .....	78,373	55,423	55,299	– 23,074	– 124
Mitigation .....	43,675	27,110	29,814	– 13,861	+ 2,704
Mission support .....	219,433	152,806	157,534	– 61,899	+ 4,728
Centrally managed accounts .....	107,273	94,180	114,587	+ 7,314	+ 20,407
Subtotal, Salaries and Expenses .....	895,350	789,172	973,118	+ 77,768	+ 183,946
(Defense) .....	(99,099)	(58,000)	(58,000)	(– 41,099)	.....
(Nondefense) .....	(796,251)	(731,172)	(915,118)	(+ 118,867)	(+ 183,946)
(by transfer from State and Local Programs) .....	(91,778)	(279,304)	.....	(– 91,778)	(– 279,304)
(available from Firefighter Assistance Grants) .....	(33,750)	.....	.....	(– 33,750)	.....
(available from Emergency Management Performance Grants) .....	(10,500)	.....	.....	(– 10,500)	.....
Subtotal, Salaries and Expenses (net) .....	1,031,378	1,068,476	973,118	– 58,260	– 95,358
Grants and Training:					
State and Local Programs:					
Discretionary State and local grants .....	1,118,000	.....	188,932	– 929,068	+ 188,932
State Homeland Security Grant Program .....	.....	.....	346,600	+ 346,600	+ 346,600
Operation Stonegarden .....	(50,000)	.....	(46,600)	(– 3,400)	(+ 46,600)
Urban area security initiative .....	.....	.....	500,376	+ 500,376	+ 500,376
Nonprofit security grants .....	.....	.....	(10,000)	(+ 10,000)	(+ 10,000)
Public transportation security assistance and railroad security assistance .....	.....	.....	97,500	+ 97,500	+ 97,500
Amtrak security .....	.....	.....	(10,000)	(+ 10,000)	(+ 10,000)
Port Security Grants .....	.....	.....	97,500	+ 97,500	+ 97,500
Education, Training, and Exercises:					
Emergency Management Institute .....	16,181	.....	17,805	+ 1,624	+ 17,805
Center for Domestic Preparedness .....	62,500	.....	64,991	+ 2,491	+ 64,991
National Domestic Preparedness Consortium .....	93,000	.....	93,000	.....	+ 93,000
National Exercise Program .....	34,000	.....	32,378	– 1,622	+ 32,378
Continuing training .....	26,000	.....	27,000	+ 1,000	+ 27,000
Subtotal .....	231,681	.....	235,174	+ 3,493	+ 235,174
National Preparedness Grant Program .....	.....	1,540,908	.....	.....	– 1,540,908
First Responder Assistance Program:					
Emergency Management Performance Grants .....	.....	350,000	.....	.....	– 350,000
Fire Grants .....	.....	335,000	.....	.....	– 335,000
Staffing for Adequate Fire and Emergency Response [SAFER] Act Grants .....	.....	335,000	.....	.....	– 335,000
Training Partnership Grants .....	.....	60,000	.....	.....	– 60,000
Subtotal, First Responder Assistance Program .....	.....	1,080,000	.....	.....	– 1,080,000
Management and Administration .....	.....	279,304	.....	.....	– 279,304
Subtotal, State and Local Programs .....	1,349,681	2,900,212	1,466,082	+ 116,401	– 1,434,130
(Defense) .....	(50,000)	.....	(46,600)	(– 3,400)	(+ 46,600)
(Nondefense) .....	(1,299,681)	(2,900,212)	(1,419,482)	(+ 119,801)	(– 1,480,730)
(transfer out to Salaries and Expenses) .....	(– 91,778)	(– 279,304)	.....	(+ 91,778)	(+ 279,304)
Subtotal, State and Local Programs (net) .....	1,257,903	2,620,908	1,466,082	+ 208,179	– 1,154,826
Firefighter Assistance Grants:					
Fire grants .....	337,500	.....	337,500	.....	+ 337,500
Staffing for Adequate Fire and Emergency Response [SAFER] Act grants .....	337,500	.....	337,500	.....	+ 337,500
Subtotal .....	675,000	.....	675,000	.....	+ 675,000
(available to Salaries and Expenses) .....	(– 33,750)	.....	.....	(+ 33,750)	.....
Subtotal, Firefighter Assistance Grants(net) .....	641,250	.....	675,000	+ 33,750	+ 675,000
Emergency Management Performance Grants .....	350,000	.....	350,000	.....	+ 350,000
(available to Salaries and Expenses) .....	(– 10,500)	.....	.....	(+ 10,500)	.....
Subtotal, Emergency Management Performance Grants (net) .....	339,500	.....	350,000	+ 10,500	+ 350,000
Subtotal, Grants and Training .....	2,374,681	2,900,212	2,491,082	+ 116,401	– 409,130
(transfer out/available to Salaries and Expenses) .....	– 136,028	– 279,304	.....	+ 136,028	+ 279,304
Subtotal, Grants and Training (net) .....	2,238,653	2,620,908	2,491,082	+ 252,429	– 129,826
Radiological Emergency Preparedness Program .....	– 896	– 1,443	– 1,443	– 547	.....
United States Fire Administration .....	44,038	42,520	44,000	– 38	+ 1,480
Disaster Relief Fund:					
Base disaster relief .....	700,000	607,926	607,926	– 92,074	.....
Disaster relief category .....	6,400,000	5,481,000	6,400,000	.....	+ 919,000
Subtotal, Disaster Relief Fund .....	7,100,000	6,088,926	7,007,926	– 92,074	+ 919,000
(transfer out to Inspector General) .....	(– 24,000)	.....	(– 24,000)	.....	(– 24,000)
Subtotal, Disaster Relief Fund (net) .....	7,076,000	6,088,926	6,983,926	– 92,074	+ 895,000
Disaster Assistance Direct Loan Program Account:					
(Limitation on direct loans) .....	(25,000)	(25,000)	.....	(– 25,000)	(– 25,000)
Direct loan subsidy .....	295	.....	.....	– 295	.....
Flood Hazard Mapping and Risk Analysis Program .....	97,712	89,329	95,329	– 2,383	+ 6,000
National Flood Insurance Fund:					
Salaries and expenses .....	22,000	22,000	22,000	.....	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Flood plain management and mapping .....	149,000	149,000	149,000	.....	.....
Subtotal .....	171,000	171,000	171,000	.....	.....
Offsetting fee collections .....	— 171,000	— 171,000	— 171,000	.....	.....
National Predisaster Mitigation Fund .....	35,500	.....	25,000	— 10,500	+ 25,000
Emergency Food and Shelter .....	120,000	100,000	120,000	.....	+ 20,000
Total, Federal Emergency Management Agency .....	10,666,680	10,008,716	10,755,012	+ 88,332	+ 746,296
(Appropriations) .....	(4,266,680)	(4,527,716)	(4,355,012)	(+ 88,332)	(— 172,704)
(Disaster relief category) .....	(6,400,000)	(5,481,000)	(6,400,000)	.....	(+ 919,000)
(By transfer) .....	(91,778)	(279,304)	.....	(— 91,778)	(— 279,304)
(Transfer out) .....	(— 115,778)	(— 279,304)	(— 24,000)	(+ 91,778)	(+ 255,304)
(Limitation on direct loans) .....	(25,000)	(25,000)	.....	(— 25,000)	(— 25,000)
Total, title III, Protection, Preparedness, Response and Recovery Directorate .....	12,079,869	11,392,128	12,327,682	+ 247,813	+ 935,554
Appropriations .....	(5,679,869)	(5,911,128)	(5,927,682)	(+ 247,813)	(+ 16,554)
Disaster relief category .....	(6,400,000)	(5,481,000)	(6,400,000)	.....	(+ 919,000)
(By transfer) .....	(91,778)	(279,304)	.....	(— 91,778)	(— 279,304)
(Transfer out) .....	(— 115,778)	(— 279,304)	(— 24,000)	(+ 91,778)	(+ 255,304)
(Limitation on direct loans) .....	(25,000)	(25,000)	.....	(— 25,000)	(— 25,000)
TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Appropriations:					
Systematic Alien Verification for Entitlements .....	.....	20,048	.....	.....	— 20,048
E-Verify program .....	102,424	111,924	111,924	+ 9,500	.....
Immigrant integration programs .....	.....	11,002	.....	.....	— 11,002
Subtotal .....	102,424	142,974	111,924	+ 9,500	— 31,050
Fee Accounts:					
Adjudication Services:					
District operations .....	(1,315,570)	(1,283,771)	(1,313,702)	(— 1,868)	(+ 29,931)
(Immigrant Integration Grants) .....	(10,000)	.....	(7,500)	(— 2,500)	(+ 7,500)
Service center operations .....	(532,414)	(507,479)	(524,788)	(— 7,626)	(+ 17,309)
Asylum, refugee and international operations .....	(196,877)	(196,274)	(196,584)	(— 293)	(+ 310)
Records operations .....	(86,631)	(86,774)	(86,774)	(+ 143)	.....
Business transformation .....	(344,055)	(269,216)	(269,216)	(— 74,839)	.....
(Digitization program) .....	(29,000)	.....	(29,000)	.....	(+ 29,000)
Subtotal .....	2,475,547	2,343,514	2,391,064	— 84,483	+ 47,550
Information and Customer Services:					
Operating expenses .....	(88,891)	(89,011)	(89,011)	(+ 120)	.....
Administration:					
Operating expenses .....	(381,666)	(382,334)	(382,334)	(+ 668)	.....
Systematic Alien Verification for Entitlements [SAVE] .....	(29,937)	.....	(20,048)	(— 9,889)	(+ 20,048)
Subtotal, Fee accounts .....	2,976,041	2,814,859	2,882,457	— 93,584	+ 67,598
H1—B Visa Fee Account:					
Adjudication Services:					
Service center operations .....	.....	(12,550)	.....	.....	(— 12,550)
H1—B and L Fraud Prevention Fee Account:					
Adjudication Services:					
District operations .....	.....	(35,000)	.....	.....	(— 35,000)
Total, Fee accounts .....	2,976,041	2,862,409	2,882,457	— 93,584	+ 20,048
Total, United States Citizenship and Immigration Services .....	(3,078,465)	(3,005,383)	(2,994,381)	(— 84,084)	(— 11,002)
Appropriations .....	(102,424)	(142,974)	(111,924)	(+ 9,500)	(— 31,050)
Fee accounts .....	(2,976,041)	(2,862,409)	(2,882,457)	(— 93,584)	(+ 20,048)
(Immigration Examination Fee Account) .....	(2,923,845)	(2,814,859)	(2,882,457)	(— 41,388)	(+ 67,598)
(H1—B Visa Fee Account) .....	(13,000)	(12,550)	.....	(— 13,000)	(— 12,550)
(H1—B and L Fraud Prevention Fee Account) .....	(39,196)	(35,000)	.....	(— 39,196)	(— 35,000)
Federal Law Enforcement Training Center					
Salaries and Expenses:					
Law enforcement training .....	207,937	198,375	198,004	— 9,933	— 371
Management and administration .....	29,716	29,261	29,163	— 553	— 98
Accreditation .....	1,304	1,303	1,300	— 4	— 3
Subtotal .....	238,957	228,939	228,467	— 10,490	— 472
Acquisitions, Construction, Improvements, and Related Expenses .....	32,456	29,385	28,385	— 4,071	— 1,000
Total, Federal Law Enforcement Training Center .....	271,413	258,324	256,852	— 14,561	— 1,472
Science and Technology					
Management and Administration .....	135,000	138,008	132,000	— 3,000	— 6,008
Research, Development, Acquisition, and Operations:					
Research, development, and innovation .....	265,783	478,048	450,555	+ 184,772	— 27,493
Laboratory facilities .....	176,500	127,432	164,932	— 11,568	+ 37,500
Acquisition and operations support .....	54,154	47,984	47,984	— 6,170	.....
University programs .....	36,563	40,000	40,000	+ 3,437	.....
Subtotal .....	533,000	693,464	703,471	+ 170,471	+ 10,007
Total, Science and Technology .....	668,000	831,472	835,471	+ 167,471	+ 3,999
Domestic Nuclear Detection Office					
Management and Administration .....	38,000	39,692	39,650	+ 1,650	— 42
Research, Development, and Operations:					
Systems engineering and architecture .....	30,000	30,091	30,000	.....	— 91
Systems development .....	51,000	28,401	28,000	— 23,000	— 401
Transformational research and development .....	40,000	83,897	74,766	+ 34,766	— 9,131
Assessments .....	38,000	33,198	33,000	— 5,000	— 198
Operations support .....	33,000	35,679	35,500	+ 2,500	— 179
National Technical Nuclear Forensics Center .....	23,000	25,564	25,564	+ 2,564	.....



## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Subtotal .....	215,000	236,830	226,830	+ 11,830	— 10,000
Systems Acquisition:					
Radiation portal monitor program .....	7,000	1,355	1,355	— 5,645	.....
Securing the Cities .....	22,000	22,000	22,000	.....	.....
Human portable radiation detection systems .....	8,000	28,100	28,100	+ 20,100	.....
Subtotal .....	37,000	51,455	51,455	+ 14,455	.....
Total, Domestic Nuclear Detection Office .....	290,000	327,977	317,935	+ 27,935	— 10,042
Total, title IV, Research and Development, Training, and Services .....	1,331,837	1,560,747	1,522,182	+ 190,345	— 38,565
(Fee Accounts) .....	(2,976,041)	(2,862,409)	(2,882,457)	(— 93,584)	(+ 20,048)
TITLE V—GENERAL PROVISIONS					
USCIS Immigrant Integration Grants .....			2,500	+ 2,500	+ 2,500
NSSE reimbursement fund .....	7,500		5,000	— 2,500	+ 5,000
Data center migration .....	70,000		55,000	— 15,000	+ 55,000
DHS Consolidated Headquarters Project .....	55,979		29,000	— 26,979	+ 29,000
Community disaster loans .....			13,000	+ 13,000	+ 13,000
ICE Salaries and expenses (rescission) .....	— 10,000			+ 10,000	.....
ICE Automation Modernization (rescission) .....	— 10,000			+ 10,000	.....
CBP Automation Modernization (rescission) .....	— 5,000			+ 5,000	.....
USCG AC&I Great Lakes Icebreaker (rescission) .....	— 2,427			+ 2,427	.....
TASC (rescission) .....	— 5,000			+ 5,000	.....
US-VISIT (rescission) .....	— 27,400			+ 27,400	.....
Analysis and Operations (rescission) .....			— 1,800	— 1,800	— 1,800
CBP BSFIT (rescission) .....	— 7,000		— 73,232	— 66,232	— 73,232
ICE Construction (rescission) .....			— 3,108	— 3,108	— 3,108
TSA Surface Transportation (rescission) .....	— 71,300		— 21,667	+ 49,633	— 21,667
Rescission of NSC #5 fiscal year 2011 funding .....			— 43,500	— 43,500	— 43,500
Rescission of NSC #4 fiscal year 2010 funding .....			— 25,000	— 25,000	— 25,000
Rescission of NSC .....			— 25,000	— 25,000	— 25,000
USCG AC&I (rescission) .....			— 15,000	— 15,000	— 15,000
USCG AC&I (rescission) .....			— 15,000	— 15,000	— 15,000
Patrol boats (fiscal year 2010)(rescission) .....			— 8,000	— 8,000	— 8,000
H-60 (fiscal year 2012)(rescission) .....			— 5,000	— 5,000	— 5,000
H-60 (rescission) .....			— 3,000	— 3,000	— 3,000
Program Management (rescission) .....			— 5,000	— 5,000	— 5,000
H-65 (rescission) .....			— 10,000	— 10,000	— 10,000
Predisaster Mitigation Fund (rescission) .....			— 12,000	— 12,000	— 12,000
Rescission of legacy funds .....	— 20,654		— 7,680	+ 12,974	— 7,680
Rescission of unobligated balances .....	— 45,411		— 33,011	+ 12,400	— 33,011
Total, title V, General Provisions .....	— 70,713		— 202,498	— 131,785	— 202,498
Appropriations .....	(133,479)		(104,500)	(— 28,979)	(+ 104,500)
Rescissions .....	(— 204,192)		(— 306,998)	(— 102,806)	(— 306,998)
DIVISION G					
Section 3001 (rescission) (Security) .....			— 37,000	— 37,000	— 37,000
Grand total .....	47,698,385	46,413,991	47,686,043	— 12,342	+ 1,272,052
Appropriations .....	(41,244,577)	(40,957,991)	(41,376,041)	(+ 131,464)	(+ 418,050)
Rescissions .....	(— 204,192)	(— 25,000)	(— 343,998)	(— 139,806)	(— 318,998)
Overseas contingency operations/Global war on terrorism .....	(258,000)		(254,000)	(— 4,000)	(+ 254,000)
Disaster relief category .....	(6,400,000)	(5,481,000)	(6,400,000)		(+ 919,000)
(Fee funded programs) .....	(4,824,415)	(4,882,914)	(4,792,962)	(— 31,453)	(— 89,952)
(Limitation on direct loans) .....	(25,000)	(25,000)		(— 25,000)	(— 25,000)
(by transfer) .....	(179,278)	(279,304)	(24,000)	(— 155,278)	(— 255,304)
(transfer out) .....	(— 115,778)	(— 284,304)	(— 24,000)	(+ 91,778)	(+ 260,304)

**DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

*Matters Addressed by Only One Committee.*—

The language and allocations set forth in House Report 112-491 and Senate Report 112-168 should be complied with unless specifically addressed to the contrary in this explanatory statement. Report language included by the House, which is not changed by the report of the Senate or this explanatory statement, and Senate report language, which is not changed by this explanatory statement, is approved by the Committees on Appropriations of both Houses of Congress. This explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate has directed the submission of a report, such report is to be submitted to both Houses of Congress. House or Senate reporting requirements with deadlines prior to, or within 15 days after, enactment of this Act shall be submitted no later than 60 days after enactment of this Act. All other reporting deadlines not changed by this explanatory statement are to be met.

*Department of Defense and Veterans Affairs Joint Collaboration on Medical Facility Construction.*—Having the Department of Defense (DOD) and Department of Veterans Affairs (VA) medical facility construction accounts in the same bill allows the Committees to review coordinated efforts and efficiencies within the two systems. An overarching concern of the Committees has been to facilitate the seamless transition from active duty service member to veteran, including the transition from DOD to VA medical facilities. There have been multiple instances in which DOD and the VA have failed to coordinate medical facility construction efforts, in particular, where the VA is currently collocated with an existing DOD medical facility, but hospital replacement facilities are planned and budgeted in the military construction budget without coordination or consultation with the VA. Better coordination between the two Departments on construction activities, where appropriate, has the potential to save money by reducing duplicative construction costs, and provides a unique opportunity for creating more efficient use of medical equipment once the hospitals or outpatient clinics become operational. The TRICARE Management Activity and the Veterans Health Administration are therefore directed to report to the congressional defense committees no later than 180 days after enactment of this Act on the current construction coordination between the two agencies. The report should include a comparison by fiscal year of the TRICARE Management Activity and the Veterans Health Administration's future year construction plans for new facilities that currently are collocated as well as any potential new collocation sites.

*Hiring of veterans.*—The unemployment rates among the Nation's veterans, particularly for those who have recently left active duty, continue to be of concern. With impending force reductions, this problem is likely to worsen. The Department of Veterans Affairs (VA), as well as the Department of Defense and the domestic agencies funded in title III of this division, are urged to redouble their efforts to hire returning veterans and to exceed where possible statutory requirements for veterans hiring preferences. In recognizing the skills and spe-

cialty certifications veterans have received through their military training, these agencies will gain a superior workforce and at the same time demonstrate the Government's appreciation for our veterans' service.

**TITLE I**

**DEPARTMENT OF DEFENSE  
ITEMS OF GENERAL INTEREST**

*Incrementally Funded Projects.*—The Administration requested several large military construction projects that can be incrementally funded, but were instead submitted as large single-year requests, in accordance with a directive from the Office of Management and Budget to the Department of Defense to severely restrict the use of incremental funding for military construction. The Committees on Appropriations of both Houses of Congress have previously notified the Administration that they reserve the prerogative to provide incremental funding where appropriate, in accordance with authorizing legislation. In general, the Committees support full funding for military construction projects. In some cases, however, incremental funding makes fiscal and programmatic sense. The bill therefore incrementally funds the following projects: Ambulatory Care Center Phase 3, Joint Base San Antonio, Texas; STRATCOM Replacement Facility, Increment 2, Offutt AFB, Nebraska; U.S. Military Academy Cadet Barracks, West Point, New York; and Aegis Ashore Missile Defense Complex, Deveselu, Romania.

**MILITARY CONSTRUCTION, ARMY**

The bill appropriates \$1,684,323,000 for Military Construction, Army. Within this amount, the bill provides \$80,173,000 for study, planning, design, architect and engineer services, and host nation support.

*Arlington Cemetery.*—The budget request proposed to fund Arlington National Cemetery through three accounts: \$25,000,000 to be provided through Operation and Maintenance, Army, \$103,000,000 to be provided through Military Construction, Army, and \$45,800,000 to be provided through Cemetery Expenses, Army for a total of \$173,800,000. Instead of including the \$103,000,000 in title I as requested, the funds are provided in title III of Division E under Cemetery Expenses, Army.

**MILITARY CONSTRUCTION, NAVY AND  
MARINE CORPS**

The bill appropriates \$1,549,164,000 for Military Construction, Navy and Marine Corps. Within this amount, the bill provides \$102,619,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, AIR FORCE**

The bill appropriates \$322,543,000 for Military Construction, Air Force. Within this amount, the bill provides \$18,635,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, DEFENSE-  
WIDE**

**(INCLUDING TRANSFER OF FUNDS)**

The bill appropriates \$3,582,423,000 for Military Construction, Defense-Wide. Within this amount, the bill provides \$315,562,000 for study, planning, design, architect and engineer services.

*Energy Conservation Investment Program (ECIP).*—The bill provides \$150,000,000 for ECIP. Additionally, the bill provides \$10,000,000 in dedicated funding for ECIP planning and design. The Committees strongly support the efforts of the Department of Defense to promote energy conserva-

tion, green building initiatives, energy security, and investment in renewable energy resources, and commend the leadership of the Department and the services for making energy efficiency a key component of construction on military installations. The Department is urged to use the dedicated planning and design funds to invest in innovative renewable energy projects as well as projects that enhance energy security at military installations. The Department is also encouraged to request dedicated planning and design funding for ECIP in future budget submissions.

**MILITARY CONSTRUCTION, ARMY  
NATIONAL GUARD**

The bill appropriates \$613,799,000 for Military Construction, Army National Guard. Within this amount, the bill provides \$26,622,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, AIR  
NATIONAL GUARD**

The bill appropriates \$42,386,000 for Military Construction, Air National Guard. Within this amount, the bill provides \$4,000,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, ARMY  
RESERVE**

The bill appropriates \$305,846,000 for Military Construction, Army Reserve. Within this amount, the bill provides \$15,951,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, NAVY  
RESERVE**

The bill appropriates \$49,532,000 for Military Construction, Navy Reserve. Within this amount, the bill provides \$2,118,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, AIR FORCE  
RESERVE**

The bill appropriates \$10,979,000 for Military Construction, Air Force Reserve. Within this amount, the bill provides \$2,879,000 for study, planning, design, architect and engineer services.

**NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM**

The bill appropriates \$254,163,000 for the North Atlantic Treaty Organization Security Investment Program.

**FAMILY HOUSING CONSTRUCTION, ARMY**

The bill appropriates \$4,641,000 for Family Housing Construction, Army.

**FAMILY HOUSING OPERATION AND  
MAINTENANCE, ARMY**

The bill appropriates \$530,051,000 for Family Housing Operation and Maintenance, Army.

**FAMILY HOUSING CONSTRUCTION, NAVY  
AND MARINE CORPS**

The bill appropriates \$102,182,000 for Family Housing Construction, Navy and Marine Corps.

**FAMILY HOUSING OPERATION AND  
MAINTENANCE, NAVY AND MARINE  
CORPS**

The bill appropriates \$378,230,000 for Family Housing Operation and Maintenance, Navy and Marine Corps.

**FAMILY HOUSING CONSTRUCTION, AIR  
FORCE**

The bill appropriates \$83,824,000 for Family Housing Construction, Air Force.

# FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The bill appropriates \$497,829,000 for Family Housing Operation and Maintenance, Air Force.

# FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

The bill appropriates \$52,238,000 for Family Housing Operation and Maintenance, Defense-Wide.

# DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The bill appropriates \$1,786,000 for the Department of Defense Family Housing Improvement Fund.

# DEPARTMENT OF DEFENSE HOMEOWNERS ASSISTANCE FUND

The bill provides no appropriation for the Department of Defense Homeowners Assistance Fund in fiscal year 2013, the same as the budget request.

# CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

The bill appropriates \$151,000,000 for Chemical Demilitarization Construction, Defense-Wide.

# DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

The bill appropriates \$409,396,000 for the Department of Defense Base Closure Account 1990. This amount is \$60,000,000 above the budget request to accelerate the pace of environmental cleanup at closed or realigned military installations. Based on requirements identified by the services, of the additional funding provided, \$30,000,000 shall be made available for the Army, and \$30,000,000 for the Navy. These funds are to be allocated at the discretion of the services to meet the most pressing unfunded environmental cleanup requirements at closed or realigned bases.

# DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The bill appropriates \$126,697,000 for the Department of Defense Base Closure Account 2005. Significant bid savings have been realized in the BRAC 2005 military construction program, primarily as a result of the favorable bid climate over the past several years, and these savings should be used to offset current BRAC 2005 requirements. The bill therefore rescinds \$132,513,000 from previous BRAC 2005 appropriations (Sec. 131 of Administrative Provisions) to offset the fiscal year 2013 request.

**BRAC 133.**—In an effort to mitigate traffic congestion surrounding the Mark Center site, the bill includes a limitation on the number of parking spaces the Department

may utilize at the Mark Center to no more than 2,500, with the exception of disabled parking spaces. The limitation may be waived in part, but not in whole, if the Secretary of Defense certifies that none of the intersections surrounding the Mark Center reach failing levels of service “e” or “f,” as defined by the Transportation Research Board Highway Capacity Manual, during a consecutive 90 day period.

# ADMINISTRATIVE PROVISIONS (Including Transfers and Rescissions of Funds)

The bill includes section 101 limiting the use of funds under a cost-plus-a-fixed-fee contract.

The bill includes section 102 allowing the use of construction funds in this title for hire of passenger motor vehicles.

The bill includes section 103 allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The bill includes section 104 prohibiting construction of new bases in the United States without a specific appropriation.

The bill includes section 105 limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The bill includes section 106 prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The bill includes section 107 limiting the use of minor construction funds to transfer or relocate activities.

The bill includes section 108 prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The bill includes section 109 prohibiting the use of construction or family housing funds to pay real property taxes in any foreign nation.

The bill includes section 110 prohibiting the use of funds to initiate a new installation overseas without prior notification.

The bill includes section 111 establishing a preference for American architectural and engineering services for overseas projects.

The bill includes section 112 establishing a preference for American contractors in certain locations.

The bill includes section 113 requiring congressional notification of military exercises when construction costs exceed \$100,000.

The bill includes section 114 allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The bill includes section 115 limiting obligations in the last two months of the fiscal year.

The bill includes section 116 allowing the use of expired or lapsed funds to pay the cost of supervision for any project being completed with lapsed funds.

The bill includes section 117 allowing military construction funds to be available for five years.

The bill includes section 118 allowing the transfer of proceeds between BRAC accounts.

The bill includes section 119 allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund.

The bill includes section 120 allowing transfers to the Homeowners Assistance Fund.

The bill includes section 121 limiting the source of operation and maintenance funds for flag and general officer quarters and allowing for notification by electronic medium.

The bill includes section 122 extending the availability of funds in the Ford Island Improvement Account.

The bill includes section 123 placing limitations on the expenditure of funds for projects impacted by BRAC 2005.

The bill includes section 124 allowing the transfer of expired funds to the Foreign Currency Fluctuations, Construction, Defense account.

The bill includes section 125 which limits parking at BRAC 133 to 2,500 spaces and includes other requirements and exemptions.

The bill includes section 126 prohibiting the use of funds for any action related to the expansion of Pinon Canyon Maneuver Site, Colorado.

The bill includes section 127 allowing for the reprogramming of construction funds among projects and activities subject to certain criteria.

The bill includes section 128 restricting the obligation of funds for relocating an Army unit that performs a testing mission.

The bill includes section 129 prohibiting the obligation or expenditure of funds provided to the Department of Defense for military construction for projects at Arlington National Cemetery.

The bill includes section 130 rescinding unobligated balances from the contingency construction account in Military Construction, Defense-Wide.

The bill includes section 131 rescinding unobligated balances from the Department of Defense Base Closure Account 2005.

The bill includes section 132 allowing the transfer of funds to the Secretary of the Navy from the Defense Family Housing Improvement Fund.

# MILITARY CONSTRUCTION

(In thousands of dollars)

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
ALABAMA			
ARMY NATIONAL GUARD: FORT MC CLELLAN: LIVE FIRE SHOOT HOUSE .....	5,400	5,400	.....
ALASKA			
ARMY: FORT WAINWRIGHT: MODIFIED RECORD FIRE RANGE .....	10,400	10,400	.....
JOINT BASE ELMENDORF-RICHARDSON: MODIFIED RECORD FIRE RANGE .....	7,900	7,900	.....
ARIZONA			
NAVY: YUMA: COMBAT AIRCRAFT LOADING APRON .....	15,985	15,985	.....
SECURITY OPERATIONS COMPLEX .....	13,300	13,300	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
DEFENSE-WIDE:			
MARANA:			
SOF PARACHUTE TRAINING FACILITY .....	6,477	6,477	.....
YUMA:			
TRUCK UNLOAD FACILITY .....	1,300	1,300	.....
NAVY RESERVE:			
YUMA:			
RESERVE TRAINING FACILITY—YUMA AZ .....	5,379	5,379	.....
ARIZONA			
AIR FORCE:			
LITTLE ROCK AFB:			
C-130J FLIGHT SIMULATOR ADDITION .....	4,178	4,178	.....
C-130J FUEL SYSTEMS MAINTENANCE HANGAR .....	26,000	26,000	.....
ARMY NATIONAL GUARD:			
SEARCY:			
FIELD MAINTENANCE SHOP .....	6,800	6,800	.....
CALIFORNIA			
ARMY:			
CONCORD:			
ENGINEERING/HOUSING MAINTENANCE SHOP .....	3,100	3,100	.....
NAVY:			
LIGHTNING PROTECTION SYSTEM .....	5,800	5,800	.....
CAMP PENDLETON:			
COMM INFORMATION SYSTEMS OPS COMPLEX .....	78,897	78,897	.....
MV22 AVIATION SIMULATOR BUILDING .....	4,139	4,139	.....
SAN JACINTO ROAD EXTENSION .....	5,074	5,074	.....
CORONADO:			
BACHELOR QUARTERS .....	76,063	76,063	.....
H-60S SIMULATOR TRAINING FACILITY .....	2,478	2,478	.....
VENTURA COUNTY:			
BAMS MAINTENANCE TRAINING FACILITY .....	14,843	12,790	— 2,053
MIRAMAR:			
HANGAR 5 RENOVATIONS & ADDITION .....	27,897	27,897	.....
SAN DIEGO:			
ENTRY CONTROL POINT (GATE FIVE) .....	11,752	11,752	.....
LCS TRAINING FACILITY .....	59,436	59,436	.....
SEAL BEACH:			
STRATEGIC SYSTEMS WEAPONS EVAL TEST LAB .....	30,594	30,594	.....
TWENTYNINE PALMS:			
LAND EXPANSION PHASE 2 .....	47,270	47,270	.....
DEFENSE-WIDE:			
CORONADO:			
SOF CLOSE QUARTERS COMBAT/DYNAMIC SHOOT FAC .....	13,969	13,969	.....
SOF INDOOR DYNAMIC SHOOTING FACILITY .....	31,170	31,170	.....
SOF MOBILE COMM DETACHMENT SUPPORT FACILITY .....	10,120	10,120	.....
DEF FUEL SUPPORT POINT—SAN DIEGO:			
REPLACE FUEL PIER .....	91,563	91,563	.....
EDWARDS AIR FORCE BASE:			
REPLACE FUEL STORAGE .....	27,500	27,500	.....
TWENTYNINE PALMS:			
MEDICAL CLINIC REPLACEMENT .....	27,400	27,400	.....
ARMY NATIONAL GUARD:			
FORT IRWIN:			
MANEUVER AREA TRAINING & EQUIPMENT SITE PH3 .....	25,000	25,000	.....
AIR NATIONAL GUARD:			
FRESNO YOSEMITE IAP ANG:			
F-15 CONVERSION .....	11,000	11,000	.....
ARMY RESERVE:			
FORT HUNTER LIGGETT:			
ORTC .....	64,000	64,000	.....
UPH BARRACKS .....	4,300	4,300	.....
TUSTIN:			
ARMY RESERVE CENTER .....	27,000	27,000	.....
COLORADO			
ARMY:			
FORT CARSON:			
DIGITAL MULTIPURPOSE TRAINING RANGE .....	18,000	18,000	.....
DEFENSE-WIDE:			
BUCKLEY AIR FORCE BASE:			
DENVER POWER HOUSE .....	30,000	30,000	.....
FORT CARSON:			
SOF BATTALION OPERATIONS COMPLEX .....	56,673	56,673	.....
PIKES PEAK:			
HIGH ALTITUDE MEDICAL RESEARCH LAB .....	3,600	3,600	.....
PUEBLO DEPOT:			
AMMUNITION DEMILITARIZATION FACILITY, PH XIV .....	36,000	36,000	.....
CONNECTICUT			
ARMY NATIONAL GUARD:			
CAMP HARTELL:			
COMBINED SUPPORT MAINTENANCE SHOP .....	32,000	32,000	.....
DELAWARE			
DEFENSE-WIDE:			
DOVER AFB:			
REPLACE TRUCK OFF-LOAD FACILITY .....	2,000	2,000	.....
ARMY NATIONAL GUARD:			
BETHANY BEACH:			
REGIONAL TRAINING INSTITUTE PH1 .....	5,500	5,500	.....
DISTRICT OF COLUMBIA			
ARMY:			
FORT MCNAIR:			
VEHICLE STORAGE BUILDING, INSTALLATION .....	7,200	7,200	.....
FLORIDA			
NAVY:			
JACKSONVILLE:			
BAMS MISSION CONTROL COMPLEX .....	21,980	21,980	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
AIR FORCE:			
TYNDALL AFB:			
F-22 ADAL HANGAR FOR LOW OBSERVABLE/COMPOSITE .....	14,750	14,750	.....
DEFENSE-WIDE:			
EGLIN AFB:			
SOF AVFID OPS AND MAINTENANCE FACILITIES .....	41,695	41,695	.....
HURLBURT FIELD:			
CONSTRUCT FUEL STORAGE FACILITY .....	16,000	16,000	.....
MACDILL AFB:			
SOF JOINT SPECIAL OPS UNIVERSITY FAC (JSOU) .....	34,409	34,409	.....
ARMY NATIONAL GUARD:			
CAMP BLANDING:			
COMBINED ARMS COLLECTIVE TRAINING FAC .....	9,000	9,000	.....
MIRAMAR:			
READINESS CENTER .....	20,000	20,000	.....
GEORGIA			
ARMY:			
FORT BENNING:			
GROUND SOURCE HEAT TRANSFER SYSTEM .....	16,000	16,000	.....
FORT GORDON:			
GROUND SOURCE HEAT TRANSFER SYSTEM .....	12,200	12,200	.....
MODIFIED RECORD FIRE RANGE .....	4,000	4,000	.....
MULTIPURPOSE MACHINE GUN RANGE .....	7,100	7,100	.....
FORT STEWART:			
AUTOMATED COMBAT PISTOL QUAL CRSE .....	3,650	3,650	.....
DIGITAL MULTIPURPOSE TRAINING RANGE .....	22,000	22,000	.....
UNMANNED AERIAL VEHICLE COMPLEX .....	24,000	24,000	.....
AIR FORCE:			
FORT STEWART:			
AIR SUPPORT OPERATIONS CENTER (ASOC) .....	7,250	7,250	.....
MOODY AFB:			
HC-130J SIMULATOR FACILITY .....	8,500	8,500	.....
HAWAII			
ARMY:			
POHAKULOA TRAINING AREA:			
AUTOMATED INFANTRY PLATOON BATTLE COURSE .....	29,000	29,000	.....
SCHOFIELD BARRACKS:			
BARRACKS .....	41,000	41,000	.....
BARRACKS .....	55,000	55,000	.....
WHEELER ARMY AIR FIELD:			
COMBAT AVIATION BRIGADE BARRACKS .....	85,000	85,000	.....
NAVY:			
KANEHOE BAY:			
AIRCRAFT STAGING AREA .....	14,680	14,680	.....
MV-22 HANGAR AND INFRASTRUCTURE .....	82,630	82,630	.....
DEFENSE-WIDE:			
JOINT BASE PEARL HARBOR—HICKAM:			
SOF SDVT-1 WATERFRONT OPERATIONS FACILITY .....	24,289	24,289	.....
ARMY NATIONAL GUARD:			
KAPOLEI:			
ARMY AVIATION SUPPORT FACILITY PH1 .....	28,000	28,000	.....
AIR NATIONAL GUARD:			
JOINT BASE PEARL HARBOR—HICKAM:			
TF1—F-22 COMBAT APRON ADDITION .....	6,500	6,500	.....
IDAHO			
ARMY NATIONAL GUARD:			
ORCHARD TRAINING AREA:			
ORTC (BARRACKS) PH2 .....	40,000	40,000	.....
ILLINOIS			
DEFENSE-WIDE:			
GREAT LAKES:			
DRUG LABORATORY REPLACEMENT .....	28,700	28,700	.....
SCOTT AFB:			
DISA FACILITY UPGRADES .....	84,111	84,111	.....
MEDICAL LOGISTICS WAREHOUSE .....	2,600	2,600	.....
ARMY RESERVE:			
FORT SHERIDAN:			
ARMY RESERVE CENTER .....	28,000	28,000	.....
INDIANA			
DEFENSE-WIDE:			
GRISSOM ARB:			
REPLACE HYDRANT FUEL SYSTEM .....	26,800	26,800	.....
ARMY NATIONAL GUARD:			
SOUTH BEND:			
ARMED FORCES RESERVE CENTER ADD/ALT .....	21,000	21,000	.....
TERRE HAUTE:			
FIELD MAINTENANCE SHOP .....	9,000	9,000	.....
IOWA			
ARMY NATIONAL GUARD:			
CAMP DODGE:			
URBAN ASSAULT COURSE .....	3,000	3,000	.....
NAVY RESERVE:			
FORT DES MOINES:			
JOINT RESERVE CENTER—DES MOINES IA .....	19,162	19,162	.....
KANSAS			
ARMY:			
FORT RILEY:			
UNMANNED AERIAL VEHICLE COMPLEX .....	12,200	12,200	.....
ARMY NATIONAL GUARD:			
TOPEKA:			
TAXIWAY, RAMP & HANGAR ALTERATIONS .....	9,500	9,500	.....
KENTUCKY			
ARMY:			
FORT CAMPBELL:			
BATTALION HEADQUARTERS COMPLEX .....	55,000	55,000	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
LIVE FIRE EXERCISE SHOOTHOUSE .....	3,800	3,800	.....
UNMANNED AERIAL VEHICLE COMPLEX .....	23,000	23,000	.....
FORT KNOX: AUTOMATED INFANTRY SQUAD BATTLE COURSE .....	6,000	6,000	.....
DEFENSE-WIDE: BLUE GRASS ARMY DEPOT: AMMUNITION DEMILITARIZATION PH XIII .....	115,000	115,000	.....
FORT CAMPBELL: REPLACE BARKLEY ELEMENTARY SCHOOL .....	41,767	41,767	.....
SOF GROUND SUPPORT BATTALION .....	26,313	26,313	.....
SOF LANDGRAF HANGAR EXTENSION .....	3,559	3,559	.....
ARMY NATIONAL GUARD: FRANKFORT: ARMY AVIATION SUPPORT FACILITY .....	32,000	32,000	.....
LOUISIANA			
DEFENSE-WIDE BARKSDALE AFB: UPGRADE PUMPHOUSE .....	11,700	11,700	.....
NAVY RESERVE: NEW ORLEANS: TRANSIENT QUARTERS .....	7,187	7,187	.....
MARYLAND			
DEFENSE-WIDE: ANNAPOLIS: HEALTH CLINIC REPLACEMENT .....	66,500	66,500	.....
BETHESDA NAVAL HOSPITAL: BASE INSTALLATION ACCESS/APPEARANCE PLAN .....	7,000	7,000	.....
ELECTRICAL CAPACITY AND COOLING TOWERS .....	35,600	35,600	.....
TEMPORARY MEDICAL FACILITIES .....	26,600	26,600	.....
FORT DETRICK: USAMRIID STAGE I, INCR 7 .....	19,000	19,000	.....
FORT MEADE: HIGH PERFORMANCE COMPUTING CENTER INC 2 .....	300,521	300,521	.....
NSAW RECAPITALIZE BUILDING #1/SITE M INC 1 .....	25,000	25,000	.....
ARMY RESERVE: ABERDEEN PROVING GROUND: ARMY RESERVE CENTER .....	21,000	21,000	.....
BALTIMORE: ADD/ALT ARMY RESERVE CENTER .....	10,000	10,000	.....
MASSACHUSETTS			
ARMY NATIONAL GUARD: CAMP EDWARDS: UNIT TRAINING EQUIPMENT SITE .....	22,000	22,000	.....
ARMY RESERVE: DEVENS RESERVE FORCES TRAINING AREA: AUTOMATIC RECORD FIRE RANGE .....	4,800	4,800	.....
COMBAT PISTOL/MP FIREARMS QUALIFICATION .....	3,700	3,700	.....
MINNESOTA			
ARMY NATIONAL GUARD: CAMP RIPLEY: SCOUT RECONNAISSANCE RANGE .....	17,000	17,000	.....
ARDEN HILLS: READINESS CENTER .....	17,000	17,000	.....
MISSISSIPPI			
NAVY: MERIDIAN: DINING FACILITY .....	10,926	10,926	.....
MISSOURI			
ARMY FORT LEONARD WOOD: BATTALION COMPLEX FACILITIES .....	26,000	26,000	.....
TRAINEE BARRACKS COMPLEX 3, PH 2 .....	58,000	58,000	.....
VEHICLE MAINTENANCE SHOP .....	39,000	39,000	.....
DEFENSE-WIDE: FORT LEONARD WOOD: DENTAL CLINIC .....	18,100	18,100	.....
ARMY NATIONAL GUARD: FORT LEONARD WOOD: REGIONAL TRAINING INSTITUTE .....	18,000	18,000	.....
KANSAS CITY: READINESS CENTER ADD/ALT .....	1,900	1,900	.....
MONETT: READINESS CENTER ADD/ALT .....	820	820	.....
PERRYVILLE: READINESS CENTER ADD/ALT .....	700	700	.....
MONTANA			
ARMY NATIONAL GUARD: MILES CITY: READINESS CENTER .....	11,000	11,000	.....
NEBRASKA			
AIR FORCE: OFFUTT AFB: US STRATCOM REPLACEMENT FACILITY, INCR 2 .....	161,000	128,000	— 33,000
NEVADA			
ARMY RESERVE: LAS VEGAS: ARMY RESERVE CENTER/AMSA .....	21,000	21,000	.....
NEW JERSEY			
ARMY: JOINT BASE MCGUIRE-DIX-LAKEHURST: FLIGHT EQUIPMENT COMPLEX .....	47,000	47,000	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
PICATINNY ARSENAL: BALLISTIC EVALUATION CENTER .....	10,200	10,200	.....
NAVY: EARLE: COMBAT SYSTEM ENGINEERING BUILDING ADDITION .....	33,498	33,498	.....
ARMY NATIONAL GUARD: SEA GIRT: REGIONAL TRAINING INSTITUTE .....	34,000	34,000	.....
ARMY RESERVE: JOINT BASE MCGUIRE-DIX-LAKEHURST: AUTOMATED INFANTRY SQUAD BATTLE COURSE .....	7,400	7,400	.....
NEW MEXICO			
AIR FORCE: HOLLOMAN AFB: MQ-9 MAINTENANCE HANGAR .....	25,000	25,000	.....
DEFENSE-WIDE: CANNON AFB: MEDICAL/DENTAL CLINIC REPLACEMENT .....	71,023	71,023	.....
SOF AC-130J COMBAT PARKING APRON .....	22,062	22,062	.....
AIR NATIONAL GUARD: KIRTLAND AFB: ALTER TARGET INTELLIGENCE FACILITY .....	8,500	8,500	.....
NEW YORK			
ARMY: FORT DRUM: AIRCRAFT MAINTENANCE HANGAR .....	95,000	95,000	.....
U.S. MILITARY ACADEMY: CADET BARRACKS .....	192,000	86,000	— 106,000
DEFENSE-WIDE: FORT DRUM: IDT COMPLEX .....	25,900	25,900	.....
SOLDIER SPECIALTY CARE CLINIC .....	17,300	17,300	.....
ARMY NATIONAL GUARD: STORMVILLE: COMBINED SUPPORT MAINT SHOP PH1 .....	24,000	24,000	.....
NAVY RESERVE: BROOKLYN: VEHICLE MAINT FAC—BROOKLYN NY .....	4,430	4,430	.....
AIR FORCE RESERVE: NIAGARA FALLS IAP: FLIGHT SIMULATOR FACILITY .....	6,100	6,100	.....
NORTH CAROLINA			
ARMY: FORT BRAGG: AERIAL GUNNERY RANGE .....	42,000	42,000	.....
INFRASTRUCTURE .....	30,000	.....	— 30,000
UNMANNED AERIAL VEHICLE COMPLEX .....	26,000	26,000	.....
NAVY: CAMP LEJEUNE: BASE ACCESS AND ROAD—PHASE 3 .....	40,904	40,904	.....
STAFF NCO ACADEMY FACILITIES .....	28,986	28,986	.....
CHERRY POINT MARINE CORPS AIR STATION: ARMORY .....	11,581	11,581	.....
MARINE AIR SUPPORT SQUADRON COMPOUND .....	34,310	34,310	.....
NEW RIVER: PERSONNEL ADMINISTRATION CENTER .....	8,525	8,525	.....
DEFENSE-WIDE: CAMP LEJEUNE: MEDICAL CLINIC REPLACEMENT .....	21,200	21,200	.....
SOF MARINE BATTALION COMPANY/TEAM FACILITIES .....	53,399	53,399	.....
SOF SURVIVAL EVASION RESIST ESCAPE TNG FAC .....	5,465	5,465	.....
FORT BRAGG: SOF BATTALION OPERATIONS FACILITY .....	40,481	70,481	+ 30,000
SOF CIVIL AFFAIRS BATTALION COMPLEX .....	31,373	31,373	.....
SOF SUPPORT ADDITION .....	3,875	3,875	.....
SOF SUSTAINMENT BRIGADE COMPLEX .....	24,693	24,693	.....
SEYMOUR JOHNSON AFB: MEDICAL CLINIC REPLACEMENT .....	53,600	53,600	.....
REPLACE PIPELINE .....	1,850	1,850	.....
NORTH DAKOTA			
AIR FORCE: MINOT AFB: B-52 ADD/ALTER MUNITIONS AGE FACILITY .....	4,600	4,600	.....
OHIO			
ARMY NATIONAL GUARD: CHILLICOTHE: FIELD MAINTENANCE SHOP ADD/ALT .....	3,100	3,100	.....
DELAWARE: READINESS CENTER .....	12,000	12,000	.....
OKLAHOMA			
ARMY: FORT SILL: MODIFIED RECORD FIRE RANGE .....	4,900	4,900	.....
ARMY NATIONAL GUARD: CAMP GRUBER: OPERATIONS READINESS TRAINING COMPLEX .....	25,000	25,000	.....
PENNSYLVANIA			
DEFENSE-WIDE: DEF DISTRIBUTION DEPOT NEW CUMBERLAND: REPLACE COMMUNICATIONS BUILDING .....	6,800	6,800	.....
REPLACE RESERVOIR .....	4,300	4,300	.....
REPLACE SEWAGE TREATMENT PLANT .....	6,300	6,300	.....
SOUTH CAROLINA			
ARMY: FORT JACKSON: TRAINEE BARRACKS COMPLEX 2, PH 2 .....	24,000	24,000	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
NAVY:			
BEAUFORT:			
AIRCRAFT MAINTENANCE HANGAR .....	42,010	42,010	.....
AIRFIELD SECURITY UPGRADES .....	13,675	13,675	.....
GROUND SUPPORT EQUIPMENT SHOP .....	9,465	9,465	.....
RECYCLING/HAZARDOUS WASTE FACILITY .....	3,743	3,743	.....
SIMULATED LHD FLIGHT DECK .....	12,887	12,887	.....
PARRIS ISLAND:			
FRONT GATE ATPF IMPROVEMENTS .....	10,135	10,135	.....
DEFENSE-WIDE:			
SHAW AFB:			
MEDICAL CLINIC REPLACEMENT .....	57,200	57,200	.....
TEXAS			
ARMY:			
CORPUS CHRISTI:			
AIRCRAFT COMPONENT MAINTENANCE SHOP .....	13,200	13,200	.....
AIRCRAFT PAINT SHOP .....	24,000	24,000	.....
FORT BLISS:			
MULTIPURPOSE MACHINE GUN RANGE .....	7,200	7,200	.....
FORT HOOD:			
MODIFIED RECORD FIRE RANGE .....	4,200	4,200	.....
TRAINING AIDS CENTER .....	25,000	25,000	.....
UNMANNED AERIAL VEHICLE COMPLEX .....	22,000	22,000	.....
JOINT BASE SAN ANTONIO:			
BARRACKS .....	21,000	21,000	.....
AIR FORCE:			
JOINT BASE SAN ANTONIO:			
DORMITORY (144 RM) .....	18,000	18,000	.....
DEFENSE-WIDE:			
FORT BLISS:			
HOSPITAL REPLACEMENT INCR 4 .....	207,400	207,400	.....
JOINT BASE SAN ANTONIO:			
AMBULATORY CARE CENTER PHASE 3 INCR .....	80,700	26,400	— 54,300
RED RIVER ARMY DEPOT:			
DFAS FACILITY .....	16,715	16,715	.....
NAVY RESERVE:			
FORT WORTH:			
COMMERCIAL VEHICLE INSPECTION SITE .....	11,256	11,256	.....
UTAH			
AIR FORCE:			
HILL AFB:			
F-35 ADAL BUILDING 118 FOR FLIGHT SIMULATOR .....	4,000	4,000	.....
F-35 ADAL HANGAR 45W/AMU .....	7,250	7,250	.....
F-35 MODULAR STORAGE MAGAZINES .....	2,280	2,280	.....
DEFENSE-WIDE:			
CAMP WILLIAMS:			
IC CNCI DATA CENTER 1 INC 4 .....	191,414	191,414	.....
ARMY NATIONAL GUARD:			
CAMP WILLIAMS:			
BEQ FACILITY (REGIONAL TRAINING INSTITUTE) .....	15,000	15,000	.....
REGIONAL TRAINING INSTITUTE PH2 .....	21,000	21,000	.....
VIRGINIA			
ARMY:			
ARLINGTON:			
CEMETERY EXPANSION MILLENNIUM SITE .....	84,000	.....	— 84,000
FORT BELVOIR:			
SECURE ADMIN/OPERATIONS FACILITY .....	94,000	94,000	.....
FORT LEE:			
ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH2 .....	81,000	81,000	.....
NAVY:			
DAHLGREN:			
CRUISER/DESTROYER UPGRADE TRAINING FACILITY .....	16,494	16,494	.....
PHYSICAL FITNESS CENTER .....	11,734	11,734	.....
OCEANA NAVAL AIR STATION:			
A SCHOOL BARRACKS .....	39,086	39,086	.....
PORTSMOUTH:			
DRYDOCK 8 ELECTRICAL DISTRIBUTION UPGRADE .....	32,706	32,706	.....
QUANTICO:			
INFRASTRUTURE—WIDEN RUSSELL ROAD .....	14,826	14,826	.....
THE BASIC SCHOOL STUDENT QUARTERS—PHASE 7 .....	31,012	31,012	.....
WEAPONS TRAINING BATTALION MESS HALL .....	12,876	12,876	.....
YORKTOWN:			
ARMORY .....	4,259	4,259	.....
BACHELOR ENLISTED QUARTERS .....	18,422	18,422	.....
MOTOR TRANSPORTATION FACILITY .....	6,188	6,188	.....
REGIMENTAL HEADQUARTERS .....	11,015	11,015	.....
SUPPLY WAREHOUSE FACILITY .....	8,939	8,939	.....
DEFENSE-WIDE:			
JOINT EXPEDITIONARY BASE LITTLE CREEK—STORY:			
SOF COMBAT SERVICES SUPPORT FACILITY—EAST .....	11,132	11,132	.....
NORFOLK:			
VETERINARY FACILITY REPLACEMENT .....	8,500	8,500	.....
WASHINGTON			
ARMY:			
JOINT BASE LEWIS-MCCHORD:			
BATTALION COMPLEX .....	73,000	73,000	.....
WASTE WATER TREATMENT PLANT .....	91,000	91,000	.....
YAKIMA:			
CONVOY LIVE FIRE RANGE .....	5,100	5,100	.....
NAVY:			
KITSAP:			
EXPLOSIVES HANDLING WHARF #2 (INC) .....	280,041	280,041	.....
WHIDBEY ISLAND:			
EA-18G FLIGHT SIMULATOR FACILITY .....	6,272	6,272	.....
DEFENSE-WIDE:			
FORT LEWIS:			
SOF BATTALION OPERATIONS FACILITY .....	46,553	46,553	.....
SOF MILITARY WORKING DOG KENNEL .....	3,967	3,967	.....
ARMY NATIONAL GUARD:			
FORT LEWIS:			
READINESS CENTER .....	35,000	35,000	.....



## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
ARMY RESERVE: JOINT BASE LEWIS-MCCHORD: ARMY RESERVE CENTER .....	40,000	40,000	.....
WEST VIRGINIA			
ARMY NATIONAL GUARD: LOGAN: READINESS CENTER .....	14,200	14,200	.....
WISCONSIN			
ARMY NATIONAL GUARD: WAUSAU: FIELD MAINTENANCE SHOP .....	10,000	10,000	.....
ARMY RESERVE: FORT MCCOY: CENTRAL ISSUE FACILITY .....	12,200	12,200	.....
DINING FACILITY .....	8,600	8,600	.....
ECS TACTICAL EQUIP MAINT FACILITY (TEMP) .....	27,000	27,000	.....
WYOMING			
AIR NATIONAL GUARD: CHEYENNE MAP: C-130 FLIGHT SIMULATOR TRAINING FACILITY .....	6,486	6,486	.....
BAHRAIN ISLAND			
NAVY: SW ASIA: COMBINED DINING FACILITY .....	9,819	.....	— 9,819
TRANSIENT QUARTERS .....	41,529	.....	— 41,529
BELGIUM			
DEFENSE-WIDE: BRUSSELS: NATO HEADQUARTERS FACILITY .....	26,969	26,969	.....
DIEGO GARCIA			
NAVY: DIEGO GARCIA: COMMUNICATIONS INFRASTRUCTURE .....	1,691	1,691	.....
DJIBOUTI			
NAVY: CAMP LEMONIER: CONTAINERIZED LIVING AND WORK UNITS .....	7,510	.....	— 7,510
FITNESS CENTER .....	26,960	.....	— 26,960
GALLEY ADDITION AND WAREHOUSE .....	22,220	.....	— 22,220
JOINT HQ/JOINT OPERATIONS CENTER FACILITY .....	42,730	.....	— 42,730
GERMANY			
DEFENSE-WIDE: RHINE ORDNANCE BARRACKS: MEDICAL CENTER REPLACEMENT INCR 2 .....	127,000	127,000	.....
STUTTGART—PATCH BARRACKS: DISA EUROPE FACILITY UPGRADES .....	2,413	2,413	.....
VOGELWEH: REPLACE VOGELWEH ELEMENTARY SCHOOL .....	61,415	61,415	.....
WIESBADEN: WIESBADEN HIGH SCHOOL ADDITION .....	52,178	52,178	.....
GREECE			
NAVY: SOUDA BAY: AIRCRAFT PARKING APRON EXPANSION .....	20,493	20,493	.....
INTERMODAL ACCESS ROAD .....	4,630	4,630	.....
GREENLAND			
AIR FORCE: THULE AB: DORMITORY (48 PN) .....	24,500	24,500	.....
GUAM			
NAVY: JOINT REGION MARIANAS: NORTH RAMP PARKING (ANDERSEN AFB)—INC 2 .....	25,904	25,904	.....
DEFENSE-WIDE: ANDERSEN AFB: UPGRADE FUEL PIPELINE .....	67,500	67,500	.....
ARMY NATIONAL GUARD: BARRIGADA: JFHQ PH4 .....	8,500	8,500	.....
GUANTANAMO BAY, CUBA			
DEFENSE-WIDE: GUANTANAMO BAY: REPLACE FUEL PIER .....	37,600	37,600	.....
REPLACE TRUCK LOAD FACILITY .....	2,600	2,600	.....
ITALY			
ARMY: CAMP EDERLE: BARRACKS .....	36,000	36,000	.....
VICENZA: SIMULATIONS CENTER .....	32,000	32,000	.....
AIR FORCE: AVIANO AB: F-16 MISSION TRAINING CENTER .....	9,400	9,400	.....
JAPAN			
ARMY: OKINAWA: SATELLITE COMMUNICATIONS FACILITY .....	78,000	78,000	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
SAGAMI:			
NAVY: VEHICLE MAINTENANCE SHOP .....	18,000	18,000	.....
IWAKUNI:			
MAINTENANCE HANGAR IMPROVEMENTS .....	5,722	5,722	.....
VERTICAL TAKE-OFF AND LANDING PAD NORTH .....	7,416	7,416	.....
OKINAWA:			
BACHELOR QUARTERS .....	8,206	8,206	.....
DEFENSE-WIDE:			
CAMP ZAMA:			
RENOVATE ZAMA HIGH SCHOOL .....	13,273	13,273	.....
KADENA AB:			
REPLACE ELEMENTARY SCHOOL .....	71,772	71,772	.....
REPLACE STEARLEY HEIGHTS ELEMENTARY SCHOOL .....	71,773	71,773	.....
SASEBO:			
REPLACE SASEBO ELEMENTARY SCHOOL .....	35,733	35,733	.....
ZUKERAN:			
REPLACE ZUKERAN ELEMENTARY SCHOOL .....	79,036	79,036	.....
KOREA			
ARMY:			
CAMP HUMPHREYS:			
BATTALION HEADQUARTERS COMPLEX .....	45,000	45,000	.....
DEFENSE-WIDE:			
KUNSAN AIR BASE:			
MEDICAL/DENTAL CLINIC ADDITION .....	13,000	13,000	.....
OSAN AFB:			
HOSPITAL ADDITION/ALTERATION .....	34,600	34,600	.....
REPLACE OSAN ELEMENTARY SCHOOL .....	42,692	42,692	.....
PORTUGAL			
AIR FORCE:			
LAJES AFB:			
SANITARY SEWER LIFT/PUMP STATION .....		2,000	+ 2,000
PUERTO RICO			
ARMY NATIONAL GUARD:			
CAMP SANTIAGO			
READINESS CENTER .....	3,800	3,800	.....
CEIBA:			
REFILL STATION BUILDING .....	2,200	2,200	.....
GUAYNABO:			
READINESS CENTER (JFHQ) .....	15,000	15,000	.....
GURABO:			
READINESS CENTER .....	14,700	14,700	.....
ROMANIA			
NAVY:			
DEVESELU, ROMANIA:			
AEGIS ASHORE MISSILE DEFENSE COMPLEX .....	45,205	45,205	.....
DEFENSE-WIDE:			
DEVESELU, ROMANIA:			
AEGIS ASHORE MISSILE DEFENSE SYSTEM COMPLEX .....	157,900	120,000	— 37,900
SPAIN			
NAVY:			
ROTA:			
GENERAL PURPOSE WAREHOUSE .....	3,378	3,378	.....
HIGH EXPLOSIVE MAGAZINE .....	13,837	13,837	.....
AIR FORCE:			
ROTA:			
TRANSIENT CONTINGENCY DORMITORY .....			.....
TRANSIENT AIRCRAFT HANGARS .....			.....
UNITED KINGDOM			
DEFENSE-WIDE:			
MENWITH HILL STATION:			
MHS UTILITIES AND ROADS .....	3,795	3,795	.....
REPLACE MENWITH HILL ELEMENTARY/HIGH SCHOOL .....	46,488	46,488	.....
RAF FELTWELL:			
FELTWELL ELEMENTARY SCHOOL ADDITION .....	30,811	30,811	.....
RAF MILDENHALL:			
SOF CV-22 SIMULATOR FACILITY .....	6,490	6,490	.....
NATO SECURITY INVESTMENT PROGRAM .....	254,163	254,163	.....
WORLDWIDE UNSPECIFIED			
ARMY:			
HOST NATION SUPPORT .....	34,000	34,000	.....
MINOR CONSTRUCTION .....	25,000	25,000	.....
PLANNING AND DESIGN .....	65,173	46,173	— 19,000
NAVY:			
PLANNING AND DESIGN .....	102,619	102,619	.....
MINOR CONSTRUCTION .....	16,535	16,535	.....
BAMS OPERATIONAL FACILITIES .....	34,048	34,048	.....
AIR FORCE:			
PLANNING AND DESIGN .....	18,635	18,635	.....
MINOR CONSTRUCTION .....	18,200	18,200	.....
SANITARY SEWER LIFT/PUMP STATION .....	2,000		— 2,000
TRANSIENT CONTINGENCY DORMITORY .....	17,625		— 17,625
TRANSIENT AIRCRAFT HANGARS .....	15,032		— 15,032
DEFENSE-WIDE:			
CONTINGENCY CONSTRUCTION .....	10,000		— 10,000
RESCISSION .....		— 20,000	— 20,000
ENERGY CONSERVATION INVESTMENT PROGRAM .....	150,000	150,000	.....
PLANNING AND DESIGN:			
DEFENSE LEVEL ACTIVITIES .....	47,978	37,978	— 10,000
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION .....	105,569	105,569	.....
ENERGY CONSERVATION INVESTMENT PROGRAM .....		10,000	+ 10,000
NATIONAL SECURITY AGENCY .....	8,300	8,300	.....
SPECIAL OPERATIONS COMMAND .....	27,620	27,620	.....
TRICARE MANAGEMENT ACTIVITY .....	105,700	105,700	.....
WASHINGTON HEADQUARTERS SERVICE .....	7,928	7,928	.....

## MILITARY CONSTRUCTION—Continued

[In thousands of dollars]

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
MISSILE DEFENSE AGENCY .....	4,548	4,548	.....
DEFENSE INTELLIGENCE AGENCY .....	2,919	2,919	.....
DEFENSE LOGISTICS AGENCY .....	5,000	5,000	.....
SUBTOTAL, PLANNING AND DESIGN .....	315,562	315,562	.....
UNSPECIFIED MINOR CONSTRUCTION:			
DEFENSE LOGISTICS AGENCY .....	7,254	7,254	.....
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION .....	4,091	4,091	.....
NATIONAL SECURITY AGENCY .....	3,000	3,000	.....
JOINT CHIEFS OF STAFF .....	6,440	6,440	.....
SPECIAL OPERATIONS COMMAND .....	10,000	10,000	.....
TRICARE MANAGEMENT ACTIVITY .....	5,000	5,000	.....
DEFENSE LEVEL ACTIVITIES .....	3,000	3,000	.....
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION .....	38,785	38,785	.....
ARMY NATIONAL GUARD:			
PLANNING AND DESIGN .....	26,622	26,622	.....
MINOR CONSTRUCTION .....	15,057	15,057	.....
AIR NATIONAL GUARD:			
PLANNING AND DESIGN .....	4,000	4,000	.....
MINOR CONSTRUCTION .....	5,900	5,900	.....
ARMY RESERVE:			
PLANNING AND DESIGN .....	15,951	15,951	.....
MINOR CONSTRUCTION .....	10,895	10,895	.....
NAVY RESERVE:			
PLANNING AND DESIGN .....	2,118	2,118	.....
AIR FORCE RESERVE:			
PLANNING AND DESIGN .....	2,879	2,879	.....
MINOR CONSTRUCTION .....	2,000	2,000	.....
FAMILY HOUSING, ARMY			
PLANNING AND DESIGN .....	4,641	4,641	.....
SUBTOTAL, CONSTRUCTION .....	4,641	4,641	.....
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT .....	88,112	88,112	.....
SERVICES ACCOUNT .....	13,487	13,487	.....
MANAGEMENT ACCOUNT .....	56,970	56,970	.....
MISCELLANEOUS ACCOUNT .....	620	620	.....
FURNISHINGS ACCOUNT .....	31,785	31,785	.....
LEASING .....	203,533	203,533	.....
MAINTENANCE OF REAL PROPERTY .....	109,534	109,534	.....
PRIVATIZATION SUPPORT COSTS .....	26,010	26,010	.....
SUBTOTAL, OPERATION AND MAINTENANCE .....	530,051	530,051	.....
FAMILY HOUSING, NAVY AND MARINE CORPS			
CONSTRUCTION IMPROVEMENTS .....	97,655	97,655	.....
PLANNING AND DESIGN .....	4,527	4,527	.....
SUBTOTAL, CONSTRUCTION .....	102,182	102,182	.....
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT .....	80,860	80,860	.....
SERVICES ACCOUNT .....	19,615	19,615	.....
MANAGEMENT ACCOUNT .....	62,741	62,741	.....
MISCELLANEOUS ACCOUNT .....	491	491	.....
FURNISHINGS ACCOUNT .....	17,697	17,697	.....
LEASING .....	83,774	83,774	.....
MAINTENANCE OF REAL PROPERTY .....	85,254	85,254	.....
PRIVATIZATION SUPPORT COSTS .....	27,798	27,798	.....
SUBTOTAL, OPERATION AND MAINTENANCE .....	378,230	378,230	.....
FAMILY HOUSING, AIR FORCE			
CONSTRUCTION IMPROVEMENTS .....	79,571	79,571	.....
PLANNING AND DESIGN .....	4,253	4,253	.....
SUBTOTAL, CONSTRUCTION .....	83,824	83,824	.....
OPERATION AND MAINTENANCE:			
UTILITIES ACCOUNT .....	75,662	75,662	.....
MANAGEMENT ACCOUNT .....	55,002	55,002	.....
SERVICES ACCOUNT .....	16,550	16,550	.....
FURNISHINGS ACCOUNT .....	37,878	37,878	.....
MISCELLANEOUS ACCOUNT .....	1,943	1,943	.....
LEASING .....	62,730	62,730	.....
MAINTENANCE .....	201,937	201,937	.....
PRIVATIZATION SUPPORT COSTS .....	46,127	46,127	.....
SUBTOTAL, OPERATION AND MAINTENANCE .....	497,829	497,829	.....
FAMILY HOUSING, DEFENSE-WIDE			
OPERATION AND MAINTENANCE:			
NATIONAL SECURITY AGENCY:			
UTILITIES .....	12	12	.....
FURNISHING .....	66	66	.....
LEASING .....	10,822	10,822	.....
MAINTENANCE OF REAL PROPERTY .....	73	73	.....
DEFENSE INTELLIGENCE AGENCY:			
FURNISHINGS .....	4,660	4,660	.....
LEASING .....	35,333	35,333	.....
DEFENSE LOGISTICS AGENCY:			
UTILITIES .....	283	283	.....
FURNISHINGS .....	422	422	.....
MAINTENANCE OF REAL PROPERTY .....	567	567	.....
SUBTOTAL, OPERATION AND MAINTENANCE .....	52,238	52,238	.....
DOD FAMILY HOUSING IMPROVEMENT FUND .....	1,786	1,786	.....
BASE REALIGNMENT AND CLOSURE			
BASE REALIGNMENT AND CLOSURE ACCOUNT, 1990 .....	349,396	409,396	+ 60,000

## MILITARY CONSTRUCTION—Continued

(In thousands of dollars)

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
BASE REALIGNMENT AND CLOSURE ACCOUNT, 2005 .....	126,697	126,697	.....
RESCISSION BASE REALIGNMENT AND CLOSURE, 2005 .....		-132,513	-132,513
SUBTOTAL, BRAC .....	476,093	403,580	-72,513
NAVY LAND TRANSFER (SEC 132) .....		11,000	+11,000
RECAP			
ARMY .....	1,923,323	1,684,323	-239,000
NAVY AND MARINE CORPS .....	1,701,985	1,549,164	-152,821
AIR FORCE .....	388,200	322,543	-65,657
DEFENSE-WIDE .....	3,654,623	3,582,423	-72,200
RESCISSION .....		-20,000	-20,000
ARMY NATIONAL GUARD .....	613,799	613,799	.....
AIR NATIONAL GUARD .....	42,386	42,386	.....
ARMY RESERVE .....	305,846	305,846	.....
NAVY RESERVE .....	49,532	49,532	.....
AIR FORCE RESERVE .....	10,979	10,979	.....
NATO .....	254,163	254,163	.....
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE .....	151,000	151,000	.....
DOD FAMILY HOUSING IMPROVEMENT FUND .....	1,786	1,786	.....
FAMILY HOUSING, ARMY .....	534,692	534,692	.....
FAMILY HOUSING, NAVY AND MARINE CORP .....	480,412	480,412	.....
FAMILY HOUSING, AIR FORCE .....	581,653	581,653	.....
FAMILY HOUSING, DEFENSE-WIDE .....	52,238	52,238	.....
BRAC .....	476,093	536,093	+60,000
RESCISSION .....		-132,513	-132,513
CIVILIAN PAY RAISE REDUCTION .....			.....
NAVY LAND TRANSFER (SEC 132) .....		11,000	+11,000
GRAND TOTAL .....	11,222,710	10,611,519	-611,191

## TITLE II

## DEPARTMENT OF VETERANS AFFAIRS

*Budget justification requirements.*—Both the House and Senate Committees on Appropriations believe that the Department of Veterans Affairs (VA) must strengthen its presentation of budget justification materials in several areas. There is agreement with the direction of the Senate regarding the budget detail for components of the Veterans Health Administration (VHA) such as the VHA central office, Veterans Integrated Service Network (VISN) staff offices and centralized field support offices. The VA is requested to provide more detailed information about the Board of Veterans Appeals staffing and claims workloads and is required to provide the data requested in the House report pertaining to full-time equivalents and funding within administrative line items. The VA is also required to provide a breakout of all reimbursable or cost sharing arrangements exceeding \$5,000,000 in value that are in place for crosscutting efforts across the Department.

#### VETERANS BENEFITS ADMINISTRATION COMPENSATION AND PENSIONS (INCLUDING TRANSFER OF FUNDS)

The bill appropriates \$60,599,855,000 for Compensation and Pensions. The bill reflects new estimates provided in the Administration's mid-session review. Of the amount provided, not more than \$9,204,000 is to be transferred to General Operating Expenses, Veterans Benefits Administration and Information Technology Systems, for reimbursement of necessary expenses in implementing provisions of title 38.

## READJUSTMENT BENEFITS

The bill appropriates \$12,023,458,000 for Readjustment Benefits. The bill reflects new estimates provided in the Administration's mid-session review. The bill provides full funding for the Veterans Retraining Assistance Program (VRAP), for which the Department of Veterans Affairs (VA) estimates it will obligate more than \$1,100,000,000 in fiscal year 2013.

## VETERANS INSURANCE AND INDEMNITIES

The bill appropriates \$104,600,000 for Veterans Insurance and Indemnities.

## VETERANS HOUSING BENEFIT PROGRAM FUND

The bill appropriates such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund. The bill limits obligations for direct loans to not more than \$500,000 and provides that \$157,814,000 shall be available for administrative expenses.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

The bill appropriates \$19,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account, plus \$346,000 to be paid to the appropriation for General Operating Expenses, Veterans Benefits Administration. The bill provides for a direct loan limitation of \$2,729,000.

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

The bill appropriates \$1,089,000 for administrative expenses of the Native American Veteran Housing Loan Program Account.

#### VETERANS HEALTH ADMINISTRATION AREAS OF INTEREST

*Advance appropriation budgeting.*—It is incumbent upon the Department to provide more detailed explanations within its budget justification so the Committees on Appropriations of the House of Representatives and the Senate ("Committees") will have an accurate and complete view of how its advance funding requests were determined. There is agreement with the data requirements for advance funding described in the Senate report.

*Reprogramming for medical care initiatives.*—The bill includes an administrative provision requiring the Department to submit a reprogramming request whenever funding allocated in the fiscal year 2013 expenditure plan for a medical care initiative differs by more than \$25,000,000 from the allocation shown in the 2013 congressional budget justification. Due to the nature of advance appropriations, the Department submits its budget request almost seven full fiscal year quarters before the funding becomes available for obligation. Medical care funding is dynamic in nature, and this length of time between budget submission and obligation creates a situation in which funding priorities and needs may

change. This has limited the Committees' ability to provide proper budget oversight of initiatives which are budgeted outside of the actuarial model. Therefore, reprogramming requests submitted throughout the year should identify current year estimates whenever the Department intends to make significant funding shifts within these initiatives. The term "medical care initiative" in the bill language refers only to the initiatives, not legislative proposals, in the "Initiatives/Legislative Proposals" section of the VA Medical Care Obligations by Program display on page 1A-5 of Volume 2 of the fiscal year 2013 budget justification. The bill language does not refer to special purpose funds allocated outside the Veterans Equitable Resource Allocation model. The Committees request that reprogrammings be identified only in the aggregate and not by specific project or location.

There is agreement with the Senate direction regarding life cycle costs as it relates to the acquisition of batteries. The Department is directed to submit the reporting requirement contained in the Senate report no later than 180 days after enactment of this Act.

## MEDICAL SERVICES

The bill appropriates \$43,557,000,000 in advance for fiscal year 2014 for Medical Services. The bill also provides \$155,000,000 for fiscal year 2013 in addition to the advance appropriation provided last year. The bill includes language citing new authority for services for those affected by drinking water contamination at Camp Lejeune, NC. Additional fiscal year 2013 funding is provided for hiring mental health providers and offsetting a projected decline in revenues.

The bill provides \$1,351,851,000 in fiscal year 2014 to fully implement VA homeless assistance programs, including the providers grant and per diem, domiciliary care for homeless veterans, and the HUD-VA supported housing program. In addition, the bill provides \$4,816,132,000 for homeless veteran treatment costs in fiscal year 2014.

The bill provides the full fiscal year 2014 request of \$6,453,027,000 for mental health programs, including \$443,332,000 for post-traumatic stress disorder (PTSD), \$246,400,000 for traumatic brain injury, and \$75,605,000 for suicide prevention.

The Committees support the VA effort to hire an additional 1,600 mental health clinicians and 300 support staff as part of an ongoing review of mental health operations. The VA is directed to provide the Committees, no later than 60 days after enactment of this Act, a detailed staffing plan and timeline to add these additional personnel.

The bill provides \$250,000,000 for the Office of Rural Health. The VA is making substantial efforts to improve access and quality of care for rural areas, but there is concern that significant gaps remain. To address the ongoing challenges in recruiting and retaining highly qualified healthcare professionals in rural areas, the VA is urged to consider innovative ways to rotate practitioners through rural areas, including the approaches suggested in the Senate report. Secondly, the VA is urged to move expeditiously in its implementation of the grant program that will allow veterans service organizations to provide better transportation options for rural veterans seeking care at VA facilities. Finally, the VA is urged to thoroughly test the approach for providing non-VA care in rural facilities that is being demonstrated in the Access Received Closer to Home program (Project ARCH) and consider expanding Project ARCH's reach.

There is agreement with the direction of the House regarding an annual report detailing the distribution of medical services funding among the VISNs, central headquarters, and medical centers.

The time period for the Office of Management and Budget's (OMB) review of the regulation establishing VA participation in State prescription drug monitoring boards has expired. OMB is urged to facilitate publication of the regulation so that the program may be implemented before the end of the calendar year.

The VA is urged to work in conjunction with the Department of Justice's veterans treatment courts program to provide collaborative, rehabilitative approaches for continuing judicial supervision over offenders who are veterans.

#### MEDICAL SUPPORT AND COMPLIANCE

The bill appropriates \$6,033,000,000 in advance for fiscal year 2014 for Medical Support and Compliance.

#### MEDICAL FACILITIES

The bill appropriates \$4,872,000,000 in advance for fiscal year 2014 for Medical Facilities.

In March of 2012, the Committees were notified that contracting errors were made in the Solicitation for Offers to build the Community Based Outpatient Clinics (CBOCs) in Southwest Louisiana. These errors have resulted in delays in the opening of the Lake Charles CBOC and the expansion of the Lafayette CBOC. The Department is directed to continue to provide the Committees regular updates on the progress being made to correct the errors and to complete these CBOCs in an expeditious manner.

#### MEDICAL AND PROSTHETIC RESEARCH

The bill appropriates \$582,674,000 for Medical and Prosthetic Research.

#### NATIONAL CEMETERY ADMINISTRATION

The bill appropriates \$258,284,000 for the National Cemetery Administration (NCA). Of the amount provided, \$25,828,000 is available until September 30, 2014.

There is concern that the NCA is not adequately serving the Nation's veterans in rural areas. While the strategy to serve rural veterans outlined in the fiscal year 2013 budget request is a partial step, it fails to

offer a long-term strategy for addressing this underserved veteran population. There is concern that the NCA places undue emphasis on major urban areas whereas the NCA's effort toward rural areas appears to be a lower priority. As a result, the bill includes language requiring the Secretary to provide a report to the Committees within 180 days of enactment of this Act outlining a strategy to address the shortcomings identified in House Report 112-491, with proposed policies and an implementation timeframe. In addition, the bill requires the Government Accountability Office to conduct a review of this strategy and submit it to the Committees not later than 180 days after the Committees receive the strategy.

The bill includes language directing the Secretary to issue guidelines on committal services at VA national cemeteries to ensure that veterans' families may hold committal services with any religious or secular content they desire and invite the participation of an honor guard and veterans service organizations, subject to VA security, safety, and law enforcement regulations. The bill also restricts VA from editing or controlling the content of speeches at events at national cemeteries, subject to VA authorities provided in section 2413 of title 38, United States Code.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION (INCLUDING TRANSFER OF FUNDS)

The bill appropriates \$424,737,000 for General Administration. Of the amount provided, \$20,837,000 is available for obligation until September 30, 2014. The bill includes language permitting the transfer of funds from this account to "General Operating Expenses, Veterans Benefits Administration."

The bill includes language designating that not less than \$86,006,000 is provided for the Board of Veterans Appeals. The Department is directed to provide to the Committees within 30 days of enactment of this Act a fiscal year 2013 staffing plan and detailed strategic plan to address wait time and backlogs at the Board of Veterans Appeals.

The bill includes language indicating that such sums as may be necessary are provided so that the Department may comply with the energy management requirements under the National Energy Conservation Policy Act.

The bill includes the following funding levels:

(IN THOUSANDS OF DOLLARS)	
Office	Amount
Office of the Secretary .....	10,085
Board of Veterans Appeals .....	86,006
Office of General Counsel .....	83,099
Office of Management .....	45,598
Office of Human Resources .....	70,379
Office of Policy and Planning .....	26,015
Office of Operations, Security and Preparedness .....	18,510
Office of Public and Intergovernmental Affairs .....	23,037
Office of Congressional Affairs and Legislative Affairs .....	6,302
Office of Acquisition, Logistics and Construction .....	55,706
Total .....	424,737

There is agreement with the House language for the Major Construction account regarding a report on the contract audit program for construction projects and the periodic reporting done by building contractors. The report should be provided by the VA central office. There is also agreement with the Senate language for the General Administration account requesting a report outlining processes that are in place to ensure proper oversight of construction, including which components of central oversight are performed outside of the various VA adminis-

trations and whether spot audits are performed in the field.

There is agreement with House language regarding the VA budget office being the primary communication source within the VA to the Committees and their Members.

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

The bill appropriates \$2,164,074,000 for General Operating Expenses, Veterans Benefits Administration. The bill makes available not to exceed \$113,000,000 of this funding until the end of fiscal year 2014.

The lengthy wait time and persistent backlog of claims at the Veterans Benefits Administration (VBA) continue to impose an unacceptable burden on disabled veterans. The Department has set 2015 as the date by which it plans to achieve a significant reduction in the backlog of claims and to increase the accuracy rate at all regional offices to 98 percent. There is agreement with direction and reporting requirements in the Senate report, and the Department is directed to submit one report 90 days after enactment of this Act containing: (1) the metrics developed for evaluating the success in reducing the backlog of claims and the average adjudication time by utilizing external vendors in specific areas of collecting claims materials; (2) the wait times, accuracy rates, and backlog of disability claims decisions at all 57 regional offices; (3) how the quality-review teams and the quality initiatives at each regional office have affected the performance, wait times, and rates at each location; and (4) the specific metrics the VBA uses in determining personnel performance.

The Department is directed to provide quarterly reports on the implementation of the Veterans Benefits Management System (VBMS) and how the implementation has increased the efficiency and timeliness of VBA claims processing, with the quarterly reports including the number and location of the regional offices that have adopted the paperless claims processing system and the rollout of the individual improved business processes.

Recent findings by the Department of Veterans Affairs Office of Inspector General that the Oakland, Los Angeles and San Diego, California VA Regional Offices have high error rates and claims processing times compared to other regional offices across the Nation is unacceptable. For example, the Inspector General found that 80 percent of claims reviewed in the Los Angeles office were unnecessarily delayed and that in one case a claim in Oakland had been pending for 8 years. The Department is directed to submit a report to the Committees no later than 90 days after enactment of this Act detailing how the Inspector General's recommendations are being implemented at these Regional Offices. The report shall also include an explanation about why the Los Angeles office is currently operating in what is referred to as "safe mode," which means that staff is not held accountable to VA standards.

#### INFORMATION TECHNOLOGY SYSTEMS

##### (INCLUDING TRANSFER OF FUNDS)

The bill appropriates \$3,327,444,000 for Information Technology (IT) Systems. The bill identifies separately the funding available for pay (\$1,021,000,000); operations and maintenance (\$1,812,045,000); and systems development, modernization, and enhancement (\$494,399,000). The bill makes \$30,630,000 of pay funding available until the end of fiscal year 2014; \$126,000,000 of operations and maintenance funding available until the end of

fiscal year 2014; and all IT systems development, modernization and enhancement funding available until the end of fiscal year 2014.

The bill includes language prohibiting the obligation of IT development, modernization, and enhancement funding until the VA submits a certification of the amounts to be obligated, in part or in full, for each development project.

The bill includes language permitting funding made available for the three IT subaccounts to be transferred among them after the VA requests and receives approval from the Committees.

The bill includes language providing that funding may be transferred between development projects or to new projects subject to the Committees' approval.

The bill includes language restricting the amount of funding that may be obligated to develop the integrated Department of Defense/Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR) to 25 percent of the funding provided until the DOD-VA Interagency Program Office (IPO) provides the Committees an expenditure plan including elements such as a long-term roadmap for the life of the project, with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to the Government Accountability Office (GAO) for review. The Department of Defense Appropriations Act has comparable bill language.

There is concern that after four years of working to establish a joint framework to collaborate and develop an integrated electronic health record, the two Departments still seem to be operating as separate entities. The Committees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated electronic health record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, there has been little evidence of the benefit from establishing this office, since both Departments still appear to operate as separate entities. Despite repeated inquiries, neither of the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. There is concern that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding progress and future plans for this project.

As a result, the IPO is directed to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and to the GAO a quarterly report that includes a detailed, plain English narrative explanation of the cost and schedule of the iEHR development, to include milestones, knowledge points, and acquisition timelines as it impacts both Departments, as well as quarterly obligation reports. The IPO is also directed to continue briefing the Committees on a quarterly basis. The GAO is directed to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

As part of the VA's modernization effort, the Department plans to replace its current

automated appointment scheduling system with a modern application. The Committees support this effort; however, there is concern that the VA has not developed a clear strategy aimed at replacing this system. Therefore the Department is directed to submit a report to the Committees detailing the timeline, cost estimate, and implementation strategy for replacing the scheduling system.

Bill language is included making funds available for IT development, modernization, and enhancement for the projects and in the amounts specified in the following table:

Information Technology Development Projects (In thousands of dollars)	
Project	Amount
Access to Healthcare IT Development .....	40,313
Surgical Quality and Workflow Management Development .....	27,503
Healthcare Efficiency IT Development .....	4,659
Homelessness IT Development .....	3,075
Integrated Electronic Health Record (iEHR) .....	104,000
Mental Health IT Development .....	8,818
New Models of Care IT Development .....	35,724
Veterans Benefits Management System (VBMS) .....	38,525
Virtual Lifetime Electronic Record (VLER) .....	49,939
Veterans Relationship Management (VRM) .....	96,218
Health Management Platform Development .....	7,500
International Classification of Diseases-10 Development .....	11,500
VHA Research IT Support Development .....	18,521
Human Capital Development .....	9,100
Integrated Operating Model .....	14,100
VA Learning Management Systems Development .....	5,540
Other IT Development .....	19,364
<b>Total All Development .....</b>	<b>494,399</b>

This table is intended to serve as the Department's approved list of development projects; any requested changes are subject to reprogramming guidelines.

The bill directs the Department to submit an expenditure plan to the Committees within 30 days of enactment of this Act. This plan should be in the same format as the table above.

#### OFFICE OF INSPECTOR GENERAL

The bill appropriates \$115,000,000 for the Office of Inspector General. Of the amount provided, \$6,000,000 is available for obligation until September 30, 2014. The increase above the budget request is intended to be used for review of VA spending on conferences, the NCA rural cemetery strategy, and VHA audit and field review activities.

#### CONSTRUCTION, MAJOR PROJECTS

The bill appropriates \$532,470,000 for Construction, Major Projects. The bill makes this funding available for five years, except that \$30,000,000 is made available until expended.

The Department is commended for beginning the process of transitioning major construction to a five-year funding cycle. During this implementation period, extended availability is provided for a small amount of the funding while the VA reaches the requirement that project design be 35 percent complete prior to requesting construction funding. The extended availability will protect VA investment if unanticipated circumstances mandate expenditures beyond the five-year project window.

The bill funds the following items as requested in the budget submission:

Project	Amount
Veterans Health Admin (VHA):	
St. Louis, MO medical facility improvements .....	\$130,300,000
Palo Alto, CA polytrauma/ambulatory care building .....	177,823,000
Seattle, WA mental health building .....	55,000,000

	Amount
Dallas, TX spinal cord injury building .....	33,500,000
Advance Planning Fund .....	70,000,000
Asbestos .....	8,000,000
Major Construction Staff .....	24,000,000
Claims Analysis .....	2,000,000
Facility Security .....	7,200,000
Hazardous Waste .....	5,000,000
Judgment Fund .....	5,000,000
<b>Total VHA .....</b>	<b>517,823,000</b>
National Cemetery Admin (NCA):	
Advance Planning Fund .....	2,647,000
NCA Land Acquisition Fund .....	7,000,000
<b>Total NCA .....</b>	<b>9,647,000</b>
General Admin staff offices advance planning fund ....	5,000,000

Major construction total .....

532,470,000  
The VA is directed to submit a master plan at the time of the budget submission describing each major construction project included in the budget. The plan should include the projected timeline for completion of each component of each of the projects and the annual and total cost of each project. The format of the DOD Form 1391 is a good model for the VA to use to describe clearly and completely the expected obligations for each project.

#### CONSTRUCTION, MINOR PROJECTS

The bill appropriates \$607,530,000 for Construction, Minor Projects. The bill makes this funding available for five years. The bill provides \$506,332,000 for the Veterans Health Administration; \$58,100,000 for the National Cemetery Administration; \$13,405,000 for the General Administration—Staff Offices; and \$29,693,000 for the Veterans Benefits Administration.

The Department is directed to provide to the Committees an expenditure plan for this account within 30 days of enactment of this Act.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

The bill appropriates \$85,000,000 for Grants for Construction of State Extended Care Facilities.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

The bill appropriates \$46,000,000 for Grants for Construction of Veterans Cemeteries.

#### ADMINISTRATIVE PROVISIONS

(Including Transfers and Rescissions of Funds)

The bill includes section 201 allowing for transfers among the three mandatory accounts.

The bill includes section 202 allowing for the transfer of funds among the three medical accounts.

The bill includes section 203 allowing salaries and expenses funds to be used for related authorized purposes.

The bill includes section 204 restricting the use of funds for the acquisition of land.

The bill includes section 205 limiting the use of funds in the Medical Services account only for entitled beneficiaries unless reimbursement is made to the Department.

The bill includes section 206 allowing for the use of certain mandatory appropriations accounts for payment of prior year accrued obligations for those accounts.

The bill includes section 207 allowing the use of appropriations available in this title to pay prior year obligations.

The bill includes section 208 allowing the Department to use surplus earnings from the National Service Life Insurance Fund, the Veterans' Special Life Insurance Fund, and the United States Government Life Insurance Fund to administer these programs.

The bill includes section 209 allowing the Department to cover the administrative expenses of enhanced-use leases and provides authority to obligate these reimbursements in the year in which the proceeds are received.

The bill includes section 210 limiting the amount of reimbursement the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication can charge other offices of the Department for services provided.

The bill includes section 211 limiting the use of funds for any lease with an estimated annual rental cost of more than \$1,000,000 unless approved by the Committees.

The bill includes section 212 requiring the Department to collect third-party payer information for persons treated for a non-service connected disability.

The bill includes section 213 allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The bill includes section 214 outlining authorized uses for medical services funds.

The bill includes section 215 allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services account.

The bill includes section 216 which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations.

The bill includes section 217 providing for the transfer of funds from the Department of Veterans Affairs Capital Asset Fund to the Construction, Major Projects and Construction, Minor Projects accounts and makes those funds available until expended.

The bill includes section 218 prohibiting the use of funds for any policy prohibiting the use of outreach or marketing to enroll new veterans.

The bill includes section 219 requiring the Secretary to submit quarterly reports on the financial status of the Veterans Health Administration.

The bill includes section 220 requiring the Department to notify and receive approval from the Committees of any proposed transfer of funding to or from the Information Technology Systems account.

The bill includes section 221 prohibiting any funds to be used to contract out any function performed by more than ten employees without a fair competition process.

The bill includes section 222 limiting the obligation of non-recurring maintenance funds during the last two months of the fiscal year.

The bill includes section 223 providing up to \$247,356,000 for transfer to the joint DOD-VA Medical Facility Demonstration Fund.

The bill includes section 224 which authorizes transfers from the Medical Care Collec-

tions Fund to the joint DOD-VA Demonstration Fund.

The bill includes section 225 which transfers at least \$15,000,000 from VA medical accounts to the DOD-VA health care sharing incentive fund.

The bill includes section 226 which rescinds fiscal year 2013 medical account funding and re-appropriates it to be available for two years. The provision rescinds and re-appropriates \$1,500,000,000 for Medical Services, \$200,000,000 for Medical Support and Compliance, and \$250,000,000 for Medical Facilities.

The bill includes section 227 requiring that the Department notify the Committees of bid savings in major construction projects of at least \$5,000,000 or 5 percent within 14 days of a contract identifying the programmed amount.

The bill includes section 228 which prohibits the VA from increasing the scope of work for a major construction project above the scope specified in the original budget request.

The bill includes section 229 requiring the Secretary to report to the Committees each quarter about any single national outreach and awareness marketing campaign exceeding \$2,000,000.

The bill includes section 230 requiring the VA to submit a reprogramming request whenever funding allocated in the expenditure plan for a Medical Care initiative differs by more than \$25,000,000 from the allocation shown in the 2013 congressional budget justification.

The bill includes section 231 prohibiting the use of funds in the Act for any contract using procedures that do not give to small business concerns owned and controlled by veterans any preference with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans.

The bill includes section 232 clarifying that Medical Services funds appropriated in advance for fiscal year 2013 may be used for newly authorized services for those affected by drinking water contamination at Camp Lejeune, NC.

### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

The bill includes \$62,929,000 for Salaries and Expenses of the American Battle Monuments Commission. The bill provides an additional \$4,529,000 above the budget request to be used for additional engineering and maintenance projects and interpretive activities.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

The bill includes such sums as necessary, estimated at \$15,200,000, for the Foreign Currency Fluctuations Account.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

The bill includes \$32,481,000 for Salaries and Expenses.

*Pro Bono Program.*—The Veterans Consortium Pro Bono program is directed to provide an annual report to the Committees that includes the expenditure plan for funds provided by this bill not later than 60 days after the enactment of this Act.

### DEPARTMENT OF DEFENSE—CIVIL

#### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

The budget request proposed to fund Arlington National Cemetery through three accounts: \$25,000,000 to be provided through Operation and Maintenance, Army, \$103,000,000 to be provided through Military Construction, Army, and \$45,800,000 to be provided through Cemeterial Expenses, Army for a total of \$173,800,000. The bill provides \$65,800,000 for Salaries and Expenses, which includes \$20,000,000 to address the maintenance and infrastructure repairs proposed for funding through Operation and Maintenance, Army. Language is included to make \$27,000,000 available until September 30, 2015 instead of providing all funds as available until expended. The bill also establishes a new construction account.

##### CONSTRUCTION

The bill provides \$103,000,000 for construction, and language has been included to make these funds available until September 30, 2017. The budget request proposed to fund these projects through Military Construction, Army.

##### ARMED FORCES RETIREMENT HOME TRUST FUND

The bill includes \$67,590,000 for the Armed Forces Retirement Home, to be derived from the Trust Fund.

##### ADMINISTRATIVE PROVISION

The bill includes section 301 permitting funds to be provided to Arlington County, Virginia for the relocation of a water main located on the Arlington National Cemetery property.

### TITLE IV

#### OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

The bill includes title IV, Overseas Contingency Operations. Title IV provides funding for certain military construction projects in the Central Command and Africa Command Areas of Responsibility that were requested in title I, Military Construction, in the budget submission. The projects transferred to title IV are necessary to support the global war on terrorism and should be designated as overseas contingency operations functions.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The bill appropriates \$150,768,000 for Military Construction, Navy and Marine Corps.

##### ADMINISTRATIVE PROVISION

(Including Rescission of Funds)

The bill includes section 401 rescinding unobligated balances from section 2005 in title X, of Public Law 112-10 and division H in title IV, of Public Law 112-74 in the specific amount of \$150,768,000.

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

(In thousands of dollars)

	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs request
TITLE IV			
FISCAL YEAR 2013 OVERSEAS CONTINGENCY OPERATIONS			
BAHRAIN ISLAND			
NAVY:			
SW ASIA:			
COMBINED DINING FACILITY .....		9,819	+ 9,819
TRANSIENT QUARTERS .....		41,529	+ 41,529
DJIBOUTI			
NAVY:			
CAMP LEMONIER:			
CONTAINERIZED LIVING AND WORK UNITS .....		7,510	+ 7,510
FITNESS CENTER .....		26,960	+ 26,960
GALLEY ADDITION AND WAREHOUSE .....		22,220	+ 22,220
JOINT HQ/JOINT OPERATIONS CENTER FACILITY .....		42,730	+ 42,730
RESCISSION FROM SECTION 2005 IN TITLE X OF PUBLIC LAW 112-10 AND TITLE IV OF DIVISION H PUBLIC LAW 112-74 .....		- 150,768	- 150,768
TOTAL .....			

Note: Funding for these projects was requested and is displayed in title I, Military Construction. The recommendation provides the level of funding for these projects in title IV.

### TITLE V GENERAL PROVISIONS

The bill includes section 501 prohibiting the obligation of funds in this Act beyond the current fiscal year unless expressly so provided.

The bill includes section 502 prohibiting the use of the funds in this Act for programs, projects or activities not in compliance with Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

The bill includes section 503 prohibiting the use of funds in this Act to support or defeat legislation pending before Congress.

The bill includes section 504 encouraging all Departments to expand their use of "E-Commerce".

The bill includes section 505 specifying the Congressional Committees that are to receive all reports and notifications.

The bill includes section 506 prohibiting the transfer of funds to any instrumentality of the United States Government without authority from an appropriations Act.

The bill includes section 507 prohibiting the use of funds for a project or program

named for a serving Member, Delegate, or Resident Commissioner of the United States House of Representatives.

The bill includes section 508 requiring all reports submitted to the Congress to be posted on official websites of the submitting agency.

The bill includes section 509 prohibiting the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution, or adjudication activities.

The bill includes section 510 prohibiting funds in this Act for the Association of Community Organizations for Reform Now or its subsidiaries or successors.

The bill includes section 511 prohibiting the use of funds in this Act for the renovation, expansion, or construction of any facility in the continental United States for the purpose of housing any individual who has been detained at the United States Naval Station, Guantanamo Bay, Cuba.

The bill includes section 512 prohibiting the use of funds for the payment of first-

class travel by an employee of the executive branch.

The bill includes section 513 prohibiting the use of funds in this Act for any contract where the contractor has not complied with E-Verify requirements.

The bill includes section 514 prohibiting the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation convicted of a felony criminal violation within the preceding 24 months, where the awarding agency is aware of the conviction.

The bill includes section 515 prohibiting the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation with an unpaid tax liability.

The bill includes section 516 requiring pay raises to be absorbed within the levels appropriated in the Act.

The bill includes section 517 prohibiting the use of funds to pay for attendance of more than 50 employees at any single conference outside the United States.

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—DEPARTMENT OF DEFENSE					
Military construction, Army .....	3,006,491	1,923,323	1,684,323	- 1,322,168	- 239,000
Military construction, Navy and Marine Corps .....	2,112,823	1,701,985	1,549,164	- 563,659	- 152,821
Military construction, Air Force .....	1,227,058	388,200	322,543	- 904,515	- 65,657
Military construction, Defense-Wide .....	3,431,957	3,654,623	3,582,423	+ 150,466	- 72,200
Total, Active components .....	9,778,329	7,668,131	7,138,453	- 2,639,876	- 529,678
Military construction, Army National Guard .....	773,592	613,799	613,799	- 159,793	.....
Military construction, Air National Guard .....	116,246	42,386	42,386	- 73,860	.....
Military construction, Army Reserve .....	280,549	305,846	305,846	+ 25,297	.....
Military construction, Navy Reserve .....	26,299	49,532	49,532	+ 23,233	.....
Military construction, Air Force Reserve .....	33,620	10,979	10,979	- 22,641	.....
Total, Reserve components .....	1,230,306	1,022,542	1,022,542	- 207,764	.....
Total, Military construction .....	11,008,635	8,690,673	8,160,995	- 2,847,640	- 529,678
North Atlantic Treaty Organization Security Investment Program .....	247,611	254,163	254,163	+ 6,552	.....
Family housing construction, Army .....	176,897	4,641	4,641	- 172,256	.....
Family housing operation and maintenance, Army .....	493,458	530,051	530,051	+ 36,593	.....
Family housing construction, Navy and Marine Corps .....	100,972	102,182	102,182	+ 1,210	.....
Family housing operation and maintenance, Navy and Marine Corps .....	367,863	378,230	378,230	+ 10,367	.....
Family housing construction, Air Force .....	60,042	83,824	83,824	+ 23,782	.....
Family housing operation and maintenance, Air Force .....	429,523	497,829	497,829	+ 68,306	.....
Family housing operation and maintenance, Defense-Wide .....	50,723	52,238	52,238	+ 1,515	.....
Department of Defense Family Housing Improvement Fund .....	2,184	1,786	1,786	- 398	.....
Homeowners assistance fund .....	1,284	.....	.....	- 1,284	.....
Total, Family housing .....	1,682,946	1,650,781	1,650,781	- 32,165	.....
Chemical demilitarization construction, Defense-Wide .....	75,312	151,000	151,000	+ 75,688	.....
Base realignment and closure:					
Base realignment and closure account, 1990 .....	323,543	349,396	409,396	+ 85,853	+ 60,000



## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

(In thousands of dollars)

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Base realignment and closure account, 2005 .....	258,776	126,697	126,697	— 132,079	.....
Total, Base realignment and closure .....	582,319	476,093	536,093	— 46,226	+ 60,000
Rescission (Sec. 130):					
Military Construction, Army .....	— 100,000	.....	.....	+ 100,000	.....
Military Construction, Navy and Marine Corps .....	— 25,000	.....	.....	+ 25,000	.....
Military Construction, Air Force .....	— 32,000	.....	.....	+ 32,000	.....
Military Construction, Defense-Wide .....	— 131,400	.....	— 20,000	+ 111,400	— 20,000
Rescission (Sec. 131):					
Base Realignment and Closure, 2005 .....	— 258,776	.....	— 132,513	+ 126,263	— 132,513
Rescission (Sec. 129):					
Civilian pay raise reduction .....	.....	.....	.....	.....	.....
Navy Land Transfer (Sec. 132) .....	.....	.....	11,000	+ 11,000	+ 11,000
Total, title I, Department of Defense .....	13,049,647	11,222,710	10,611,519	— 2,438,128	— 611,191
Appropriations .....	(13,596,823)	(11,222,710)	(10,764,032)	(— 2,832,791)	(— 458,678)
Rescissions .....	(— 547,176)	.....	(— 152,513)	(+ 394,663)	(— 152,513)
TITLE II—DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions .....	51,237,567	61,741,232	60,599,855	+ 9,362,288	— 1,141,377
Readjustment benefits .....	12,108,488	12,607,476	12,023,458	— 85,030	— 584,018
Veterans insurance and indemnities .....	100,252	104,600	104,600	+ 4,348	.....
Veterans housing benefit program fund (indefinite) .....	318,612	184,859	184,859	— 133,753	.....
(Limitation on direct loans) .....	(500)	(500)	(500)	.....	.....
Administrative expenses .....	154,698	157,814	157,814	+ 3,116	.....
Vocational rehabilitation loans program account .....	19	19	19	.....	.....
(Limitation on direct loans) .....	(3,019)	(2,729)	(2,729)	(— 290)	.....
Administrative expenses .....	343	346	346	+ 3	.....
Native American veteran housing loan program account .....	1,116	1,089	1,089	— 27	.....
Total, Veterans Benefits Administration .....	63,921,095	74,797,435	73,072,040	+ 9,150,945	— 1,725,395
Veterans Health Administration					
Medical services:					
Advance from prior year .....	(39,649,985)	(41,354,000)	(41,354,000)	(+ 1,704,015)	.....
Current year request .....	.....	165,000	155,000	+ 155,000	— 10,000
Advance appropriation, fiscal year 2014 .....	41,354,000	43,557,000	43,557,000	+ 2,203,000	.....
Subtotal .....	41,354,000	43,722,000	43,712,000	+ 2,358,000	— 10,000
Medical support and compliance:					
Advance from prior year .....	(5,535,000)	(5,746,000)	(5,746,000)	(+ 211,000)	.....
Advance appropriation, fiscal year 2014 .....	5,746,000	6,033,000	6,033,000	+ 287,000	.....
Medical facilities:					
Advance from prior year .....	(5,426,000)	(5,441,000)	(5,441,000)	(+ 15,000)	.....
Advance appropriation, fiscal year 2014 .....	5,441,000	4,872,000	4,872,000	— 569,000	.....
Medical and prosthetic research .....	581,000	582,674	582,674	+ 1,674	.....
Medical care cost recovery collections:					
Offsetting collections .....	— 3,326,000	— 2,527,000	— 2,527,000	+ 799,000	.....
Appropriations (indefinite) .....	3,326,000	2,527,000	2,527,000	— 799,000	.....
DoD—VA Joint Medical Funds (transfers out) .....	.....	(— 280,000)	(— 280,000)	(— 280,000)	.....
DoD—VA Joint Medical Funds (by transfer) .....	.....	(280,000)	(280,000)	(+ 280,000)	.....
Total, Veterans Health Administration .....	53,122,000	55,209,674	55,199,674	+ 2,077,674	— 10,000
Appropriations .....	(581,000)	(747,674)	(737,674)	(+ 156,674)	(— 10,000)
Advance appropriations, fiscal year 2014 .....	(52,541,000)	(54,462,000)	(54,462,000)	(+ 1,921,000)	.....
Advances from prior year appropriations .....	(50,610,985)	(52,541,000)	(52,541,000)	(+ 1,930,015)	.....
National Cemetery Administration					
National Cemetery Administration .....	250,934	258,284	258,284	+ 7,350	.....
Departmental Administration					
General administration .....	416,737	416,737	424,737	+ 8,000	+ 8,000
General operating expenses, VBA .....	2,018,764	2,164,074	2,164,074	+ 145,310	.....
Information technology systems .....	3,111,376	3,327,444	3,327,444	+ 216,068	.....
Office of Inspector General .....	112,391	113,000	115,000	+ 2,609	+ 2,000
Construction, major projects .....	589,604	532,470	532,470	— 57,134	.....
Construction, minor projects .....	482,386	607,530	607,530	+ 125,144	.....
Grants for construction of State extended care facilities .....	85,000	85,000	85,000	.....	.....
Grants for the construction of veterans cemeteries .....	46,000	46,000	46,000	.....	.....
Total, Departmental Administration .....	6,862,258	7,292,255	7,302,255	+ 439,997	+ 10,000
Administrative Provisions					
Medical services .....	.....	.....	1,500,000	+ 1,500,000	+ 1,500,000
(Rescission) .....	.....	.....	— 1,500,000	— 1,500,000	— 1,500,000
Medical support and compliance .....	.....	.....	200,000	+ 200,000	+ 200,000
(Rescission) .....	.....	.....	— 200,000	— 200,000	— 200,000
Medical facilities .....	.....	.....	250,000	+ 250,000	+ 250,000
(Rescission) .....	.....	.....	— 250,000	— 250,000	— 250,000
Total, Administrative Provisions .....	.....	.....	.....	.....	.....
Total, title II .....	124,156,287	137,557,648	135,832,253	+ 11,675,966	— 1,725,395
Appropriations .....	(71,615,287)	(83,095,648)	(83,320,253)	(+ 11,704,966)	(+ 224,605)
Rescissions .....	.....	.....	(— 1,950,000)	(— 1,950,000)	(— 1,950,000)
Advance appropriations, fiscal year 2014 .....	(52,541,000)	(54,462,000)	(54,462,000)	(+ 1,921,000)	.....
Discretionary .....	(60,391,368)	(62,919,481)	(62,919,481)	(+ 2,528,113)	.....
Mandatory .....	(63,764,919)	(74,638,167)	(72,912,772)	(+ 9,147,853)	(— 1,725,395)
Advances from prior year appropriations .....	(50,610,985)	(52,541,000)	(52,541,000)	(+ 1,930,015)	.....
(Limitation on direct loans) .....	(3,519)	(3,229)	(3,229)	(— 290)	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued

[In thousands of dollars]

	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
<b>TITLE III—RELATED AGENCIES</b>					
American Battle Monuments Commission					
Salaries and expenses .....	61,100	58,400	62,929	+ 1,829	+ 4,529
Foreign currency fluctuations account .....	16,000	15,200	15,200	— 800	.....
Total, American Battle Monuments Commission .....	77,100	73,600	78,129	+ 1,029	+ 4,529
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses .....	30,770	32,481	32,481	+ 1,711	.....
Department of Defense—Civil Cemeterial Expenses, Army					
Salaries and expenses .....	45,800	45,800	65,800	+ 20,000	+ 20,000
Construction program .....	.....	.....	103,000	+ 103,000	+ 103,000
Total, Cemeterial Expenses, Army .....	45,800	45,800	168,800	+ 123,000	+ 123,000
Armed Forces Retirement Home—Trust Fund					
Operation and maintenance .....	65,700	65,590	65,590	— 110	.....
Capital program .....	2,000	2,000	2,000	.....	.....
Armed Forces Retirement Home—General Fund					
Capital program .....	14,630	.....	.....	— 14,630	.....
Total, Armed Forces Retirement Home .....	82,330	67,590	67,590	— 14,740	.....
Total, title III .....	236,000	219,471	347,000	+ 111,000	+ 127,529
<b>TITLE IV—OVERSEAS CONTINGENCY OPERATIONS</b>					
Military Construction, Army .....	80,000	.....	.....	— 80,000	.....
Military Construction, Navy and Marine Corps .....	189,703	.....	150,768	— 38,935	+ 150,768
Rescission (Public Law 112–10 and Public Law 112–74) .....	— 269,703	.....	— 150,768	+ 118,935	— 150,768
Total, title IV .....	.....	.....	.....	.....	.....
<b>DIVISION G</b>					
Section 3001:					
(Rescission) (Security) .....	.....	.....	— 66,000	— 66,000	— 66,000
(Rescission) (Non-security) .....	.....	.....	— 8,000	— 8,000	— 8,000
Total, Division G .....	.....	.....	— 74,000	— 74,000	— 74,000
Grand total .....	137,441,934	148,999,829	146,716,772	+ 9,274,838	— 2,283,057
Appropriations .....	(85,448,110)	(94,537,829)	(94,431,285)	(+ 8,983,175)	(— 106,544)
Rescissions .....	(— 547,176)	.....	(— 2,176,513)	(— 1,629,337)	(— 2,176,513)
Advance appropriations, fiscal year 2014 .....	(52,541,000)	(54,462,000)	(54,462,000)	(+ 1,921,000)	.....
Overseas contingency operations .....	.....	.....	.....	.....	.....
Advances from prior year appropriations .....	(50,610,985)	(52,541,000)	(52,541,000)	(+ 1,930,015)	.....
(By transfer) .....	.....	(280,000)	(280,000)	(+ 280,000)	.....
(Transfer out) .....	.....	(— 280,000)	(— 280,000)	(— 280,000)	.....
(Limitation on direct loans) .....	(3,519)	(3,229)	(3,229)	(— 290)	.....

DIVISION F—FURTHER CONTINUING  
APPROPRIATIONS ACT, 2013

## TITLE I—GENERAL PROVISIONS

Sec. 1101. Provides continuing appropriations for the remainder of fiscal year under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects, programs, and activities in the following bills: Energy and Water Development and Related Agencies Appropriations Act; Financial Services and General Government Appropriations Act; Department of the Interior, Environment, and Related Agencies Appropriations Act; Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act; Legislative Branch Appropriations Act; Department of State, Foreign Operations, and Related Programs Appropriations Act; and Transportation and Housing and Urban Development, and Related Agencies Appropriations Act.

Sec. 1102. Specifies that funds in section 1101 shall be available to the extent and in the manner that would be provided in the pertinent appropriations Act.

Sec. 1103. Provides that funds in this division will have comparable terms of availability, for multi-year and no year funds, as would be provided in the pertinent appropriations Act.

Sec. 1104. Provides for no new starts in this division.

Sec. 1105. Continues all authorities requirements and limitations through September 30, 2013.

Sec. 1106. Set the expiration of the division as September 30, 2013.

Sec. 1107. Provides that expenditures pursuant to the previous continuing resolution for activities funded in this division be charged to the relevant account funded in this division.

Sec. 1108. Provides waiver authority routinely carried in appropriations Acts for the expenditure of funds in the absence of certain authorizations.

Sec. 1109. Provides funding for entitlements and other mandatory spending, and makes advance appropriations for those entitlements that received advances in last year's bill.

Sec. 1110. Provides for the designation as Overseas Contingency Operations (OCO) for those funds made available by reference that previously had an OCO designation.

Sec. 1111. Provides for advance appropriations at current levels.

Sec. 1112. Continues the prohibition of automatic statutory pay increases for the remainder of calendar year 2013.

Sec. 1113. Requires submission within 30 days of a spending or operating plan from the agencies funded in this division.

Sec. 1114. Requires submission of a monthly obligation reports by the agencies funded in this division.

## DIVISION G—OTHER MATTERS

Sec. 3001. Provides for across-the-board reductions to the five bills contained in divisions A through E, to assure compliance with the statutory caps under Congressional Budget Office scoring.

Sec. 3002. Provides language affirming that nothing in the bill changes current law with respect to sequestration.

Sec. 3003. Provides government-wide restriction on conferences.

Sec. 3004. Provides for across-the-board reductions to the fiscal year 2013 discretionary appropriations to assure compliance with the statutory caps under Office of Management and Budget scoring.

## TRIBUTE TO DOUG WHITLOCK

Mr. MCCONNELL. Madam President, I rise today to pay tribute to a good friend of mine and a friend to the Commonwealth of Kentucky who has served his State and his community for decades. I was saddened to hear that Doug Whitlock, the president of Eastern Kentucky University since 2007, will retire from that position this summer. In his 6 years at the helm, he has led Eastern Kentucky University to new growth and success, including the establishment of the ECU Center for the Arts, the New Science Building, the Noel Studio for Academic Creativity, the Center for Renewable and Alternative Fuel Technologies, and much more.

Doug is ECU's 11th president. Like his predecessors, his mission has been to uphold the rich tradition of ECU while guiding the school to even greater excellence. Of course, this came naturally to Doug, as ECU is his own alma mater. Doug earned two degrees from ECU as a first-generation graduate—his bachelor's degree in history and social science in 1965, followed by a master's degree in history in 1966. Doug also earned a doctoral degree in higher education from the University of Kentucky in 1981.

Doug's been with ECU since 1968, when he became the school's director of publications. From 1971 to 1976, he served as director of public information; then as executive assistant to the president from 1976 to 1998, and vice president for administrative affairs from 1998 to 2003. From 2003 to 2006, he returned to the classroom, teaching computer science.

Perhaps Doug's greatest strength is that he understands the power of collaboration. He knows how to lead others to see great goals accomplished. Aside from the progress he has brought to ECU, he has served with the Madison County Schools Board of Education, the Richmond Chamber of Commerce Board of Directors, Commerce Lexington's Central Kentucky Public Policy Council, the Bluegrass Tomorrow Board of Directors, the International Town and Gown Association, the Southern Growth Policies Board, and the American Association of State Colleges and Universities.

Under Doug's tenure, ECU produced its first Truman, Goldwater, and Fulbright Scholars and added several new Ph.D. programs. The 16,000-student school also gained several national distinctions, including recognition by both Forbes and U.S. News & World Report as ranking among America's best colleges; recognition by the Carnegie Foundation for the Advancement of Teaching as a community-engaged university; and recognition by the Chronicle of Higher Education as one of America's "Great Colleges to Work For."

Thanks to Doug's leadership, ECU also was honored as a veterans-friendly

campus by G.I. Jobs magazine and earned the No. 1 ranking in the Nation for 2 of the last 3 years from Military Times EDGE magazine for being the university that is "Best for Vets."

As much as Doug will be missed by ECU's students, staff, and faculty, I am sure his family will appreciate seeing more of him in his retirement—including his wife, Joanne, and his granddaughters. I also understand Doug intends to spend a little more time on his hobbies, photography and electronics.

Whatever endeavors are next for ECU President Doug Whitlock, I know my colleagues in the U.S. Senate join me in wishing him all the best and congratulating him for his decades of service to Eastern Kentucky University and to the Commonwealth. He has advanced the cause of higher education in his tenure, and he will be missed by the many who have had the pleasure of working with him, including this Senator.

RECOGNIZING SOUTH LAUREL  
MIDDLE SCHOOL DANCE TEAM

Mr. MCCONNELL. Madam President, I would like to recognize the South Laurel Middle School Dance Team, a group of young ladies from Laurel County in eastern Kentucky who have recently achieved national success. South Laurel Middle's dance team won a Universal Dance Association national title, marking the first time any dance team from South Laurel has won such an accolade.

Head coach Bettina Rogers recounts that "they danced with all their hearts" and gratefully recognized the support of the school and the friends, family, and community that surrounds these exceptional young ladies. The girls embody the Kentucky spirit of hard work and dedication, practicing up to 4 hours a day, 5 days a week, in preparation for their competition. The team, which formed in March, won a plethora of other titles this year, and it is clear that their hours of practice have paid off.

At this time, I would like to applaud and recognize the South Laurel Middle School Dance Team for their national title win and all their recent accomplishments, and I ask unanimous consent that an article extolling the team's achievements from a Laurel County-area newspaper, the Sentinel Echo, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sentinel Echo, February 6, 2013]

CHAMPS! SLMS DANCE TEAM WINS  
NATIONAL TITLE

(By Magen McCrerey)

LAUREL COUNTY, KY.—South Laurel Middle's Dance Team broke a Laurel County record last week and won a Universal Dance Association (UDA) national title. The girls rode into school on Tuesday morning on a

City of London fire truck as the entire school cheered them on as the Junior High Kick National Champions.

"This is the first time in Laurel County that any dance team has won UDA nationals," said Bettina Rogers, head coach for the team.

Rogers has been coaching the team for eight years and said she couldn't be more proud of her girls. South Laurel Middle's Dance Team has not only won nationals this year, but also gained the title of Kentucky Dance Coaches Organization Overall Middle School Grand Champions, took first place in the Pom Division as well as first place in the Open Division, JAMfest Dance Grand Champions, and were the 2013 Big Blue Cheer and Dance Challenge Grand Champions.

"I believe that they danced with all their hearts and souls on that stage, and I'm thankful for the support from our school, administration and their parents," Rogers said.

"Their dance was perfection, it was just incredible . . . it was flawless," added Assistant Coach Jo Anna Sizemore.

The team of six eighth-graders, seven seventh-graders and one sixth-grader took form in March following try-outs. The girls practiced for the national competition five days a week for approximately three hours, and sometimes four, Sizemore said.

"It means the world to me to get to spend five days a week with my dance sisters, not only my sisters in dance, but my sisters in Christ," said Megan Ford, an eighth-grade dance team member.

"I feel that our win was deserved, for all the hard work we've done. But I also have to give all the glory to God for keeping us safe as we go. I'm so thankful for all of these girls for how we've been spending our time together and how we've stuck together as a team—and not just as a team, but as a family," said Hannah Sears, an eighth-grade dance team member.

Six eighth-graders will be moving on to high school next year, vacating their spots on the award-winning dance team. Coach Rogers says try-outs will begin this March.

#### FREEDOM FOR BOB LEVINSON

Mr. NELSON. Madam President, I rise today to remind this body of the plight of a missing person and the suffering of his family.

On March 8, 2007, retired FBI agent Bob Levinson traveled to the Iranian island of Kish on a business trip. From what we know, he checked into his hotel, checked out on March 9, got into a taxi, and then disappeared.

This week marks the sixth year of his disappearance, making Bob one of the longest held or missing Americans in history.

And for Bob's wife Christine and their seven children, it's been 6 years of excruciating suffering. Bob's safe return remains their highest priority—as it must for the U.S. Government as well.

With the assistance of the U.S. Department of State, we continue to receive word that Bob is alive and remains in captivity somewhere in Southwest Asia.

Yet the Government of Iran continues to provide next to nothing in terms of real assistance. Given Iran's

resources and capabilities in the region, they could be doing so much more to help reunite Bob with his family.

I remain convinced that our two countries share the same goal: finally putting to rest all the speculation behind Bob's disappearance by safely getting him back to Florida where he belongs.

Today I rise to implore all parties to view this as a humanitarian case that transcends the differences between the United States and Iran. We must all redouble our efforts to bring Bob home.

#### LEAD EXPOSURE REDUCTION AMENDMENTS ACT

Mr. INHOFE. Madam President, I want to thank Senator WICKER for being an original supporter of S. 484, a bill aiming to improve EPA's lead paint rule. He has been a tremendous help throughout the long effort we have had to address this onerous and frustrating regulation. He and I firmly believe that this rule can be implemented in a way that both protects the health of children and pregnant women without unnecessarily raising the cost of construction projects when there exists only a negligible risk of harm. That is what our bill aims to do, and I want to thank him for being in lockstep with us from the beginning.

#### THE PUBLIC LIBRARY OF MOUNT VERNON AND KNOX COUNTY

Mr. PORTMAN. Madam President, today I wish to honor the 125th anniversary of The Public Library of Mount Vernon and Knox County and its service to the community.

The library opened on February 16, 1888, to serve residents of Mount Vernon. In 1924, services were expanded throughout the Mount Vernon school district and in 1985, the library was officially renamed, The Public Library of Mount Vernon and Knox County.

Promoting education and cultural awareness, the public library is a valuable resource to the Knox County community. Volunteers have been delivering books to hospital patients and residents of nursing facilities since in 1948. The library delivers books today through its outreach service department, serving hospitals, nursing homes, the local jail, Amish schools, and daycare facilities. More than 35,000 citizens of Knox County benefit from the public library system.

I extend my sincere congratulations to The Public Library of Mount Vernon and Knox County on 125 years of dedicated service to the community.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DAVE HOFFMAN

• Mr. BEGICH. Madam President, today I would like to recognize retired

LTC Dave Hoffman for his outstanding service to the United States Air Force as a search and rescue helicopter pilot. Mr. Hoffman journeyed to Alaska in the 1970s to fly helicopters in the 71st Aerospace Rescue and Recovery Squadron, ARRS, an Air Force Unit that performed search and rescue for both civilians and military members in remote Alaska.

At that time, a United States Air Force air rescue unit was considered top notch if they logged two or more "saves" in a year. The 71st ARRS that Dave Hoffman flew for logged over 90 saves in 1978. With temperatures dipping to 30 degrees below zero, the pilots of the 71st were often on their own in the Alaskan wilderness for days, putting their own lives at risk to save the lives of others.

After his service in the USAF, Dave joined the Alaska Army National Guard, assisting his unit in countless saves. When the Air Force decided to deactivate the 71st ARRS, legislation was introduced that created the 210th Rescue Squadron, RQS, in the Alaska Air National Guard at Kulis Air National Guard Base in Anchorage, AK. Initially, as a cadre instructor pilot and later as first commander of Detachment 1, Dave Hoffman continued the tradition of greatness. By 1996, the 210th RQS had saved a record 310 lives and held the record for both the highest altitude rescue, 14,400 ft., and the furthest rescue, 2037 miles, in an HH-60G helicopter.

In the fall of 1991, then Major Hoffman participated in a rescue effort less than 400 nautical miles from the North Pole where a Canadian C-130 crashed. Flying night and day for over 3 days, Dave Hoffman's ability to persevere under the worst conditions resulted in saving 13 lives while managing to return all rescuers and assets unharmed. This mission earned him the Air Medal.

In 1993, he was involved in the first military exercise teaming Russian and American forces on Russian soil. Lieutenant Colonel Hoffman flew with such precision during an aerial refueling that Russian General Kalugin was convinced an automated mechanism had performed the feat. When it was proven that Dave Hoffman had, in fact, piloted the helicopter, the Russian general presented him with a medal for "superior airmanship."

Although Dave Hoffman is one of the best rescue and recovery pilots, his personality outshines his technical ability. After a rough landing, Dave is known to flash his famous smile and say, "You know, my dashing young lieutenant, if you aren't so hard on the equipment it'll last longer." His loyalty to the guard and to the men and women he served with has touched all who know him.

Many recall a man who is always calm, sincere, honest, and has a great joy for life. Those who had the pleasure

of flying with Dave, affectionately called "Hoff-person" and "King Biscuit," are not shy about the respect, admiration and love that they have for the man. Whether he was saving lives or sharing in them, he left a lasting glow within the recipients. On this day, I would like to honor Mr. Dave Hoffman and thank him for his service to this country, to Alaska, and to so many who are lucky enough to know him.●

#### TRIBUTE TO LYAL HANSON

● Mr. BEGICH. Madam President, today I wish to honor Mr. Lyal Hanson, who is entering his 50th year of service to the United States Postal Service. The State of Alaska had only been a State for 5 years when Mr. Hanson began delivering mail.

In Alaska, mail delivery is not just a convenience; it is a necessity. For interior villages, towns on the coast, and residents who live in the Bush, the mail is a lifeline and often the only method of regular communication. In Alaska's urban and rural areas, the mail is a critical part of our communications infrastructure which allows small businesses to transport goods.

Today, Mr. Hanson delivers mail in South Anchorage near Tudor Road. Residents on his delivery route know him and appreciate his public service. Letter carriers like Lyal Hanson helped Alaska in the early stages of statehood and his work ties our communities together as we continue to grow.

Our State's economy has developed tremendously since Lyal Hanson began delivering mail, and the public service of people like him is part of our success story. At this time, I would like to recognize and thank Mr. Hanson for his many years of service to the United States Postal Service. We are fortunate to have someone as dedicated and committed to delivering mail in our communities.●

#### TRIBUTE TO LIEUTENANT COLONEL GLENN JOHNSON

● Mr. BEGICH. Madam President, I rise today to congratulate LTC Glenn Johnson for his outstanding service to our Nation on the occasion of his retirement. His dedicated service to the citizens of our Nation is both admirable and commendable.

Lieutenant Colonel Johnson enlisted in the Army National Guard and Army Reserve directly out of high school, and then was commissioned as a Field Artillery Officer upon graduation from the University of South Carolina in December 1991. He has served in units in the United States, Germany, Korea, Egypt, Saudi Arabia, Kuwait and Qatar, and has supported Operations Desert Shield, Desert Storm, Enduring Freedom, and Iraqi Freedom.

Over the course of his distinguished career, he has served at all levels of the Army, from platoon leader to Chief of the Exercise and Training Branch, U.S. Force Korea, to legislative liaison in the Army Legislative Affairs division. I was honored to have Lieutenant Colonel Johnson serve as a military fellow in my office in 2010.

I would like to extend my deepest thanks to Lieutenant Colonel Johnson for his many years of service to our Nation. I wish the absolute best to him, his wife Bernadette, and their son Brent as they begin this next stage in their lives.●

#### REMEMBERING ROBERT TEXTOR PH.D

● Mr. WYDEN. Madam President, earlier this year my home state of Oregon lost one of its most visionary citizens, Dr. Robert Bayard Textor. Today I wish to join his friends, family, colleagues, and I hope the rest of the country, in mourning the loss of this thoughtful and uniquely accomplished man, who would have turned 90 this week.

Linguists tell us that the term "citizen" is synonymous with an inhabitant of a city or community. Bob was all of that and much more.

Bob began his studies at Antioch College before joining the U.S. Army in 1943. After the war he volunteered to use newly acquired language skills to aid in the reconstruction of post-war Japan. Like our late colleague former Senator Mark Hatfield, his experiences in that war-ravaged country proved to be a turning point in his life. When he left Japan in 1948, Bob resumed his formal education and focused his Ph.D. studies at Cornell on what would be his lifelong passion—cultural anthropology—and committed himself to a career of seeking better ways to handle human problems.

Amid the Cold War and the arms race, Bob's drive to reduce intercultural misunderstanding led him to study first in Vienna, Austria, and later in Asia where he studied four different Asian languages.

Upon his return to the U.S., Bob advised the then-nascent Peace Corps in 1961–1962. During that time, he helped train the first cohort of Peace Corps Volunteers to be deployed in Thailand and wrote a memo to Peace Corps Director Sargent Shriver titled "In-Up-Out." That concept, specifying how the Peace Corps would benefit by staying youthful and vigorous, guides the agency to this day.

Bob joined the faculty of Stanford University in 1964. When he retired in 1990, he served as a Courtesy Professor of International Studies at the University of Oregon, bringing his rare gifts to Oregonians and visiting students alike.

While he researched, taught and studied at Harvard, Stanford, Oregon,

and Cornell, above all, Dr. Textor was an anthropologist and an important innovator in the use of quantitative methods in comparative global analysis. He remains a force in what is now known as anticipatory anthropology and his work in this field lives on through the Textor Family Prize for Excellence in Anticipatory Anthropology.

He wrote a comprehensive book on the legendary Margaret Mead titled "The World Ahead," and, at the request of Motorola, co-authored an analysis of its corporate culture titled "Uncompromising Integrity: Motorola's Global Challenge."

While Dr. Textor will be remembered by his peers for his academic and governmental achievements, Bob Textor's legacy is much more personal. In Portland, Bob served on the Metro Future Vision Commission and helped craft a report which still guides the Portland Metro area's development.

In 1998, Bob's "thirst" for knowledge prompted him to found a policy salon that lives today: The Thirsters. Convened every Thursday except Thanksgiving, the Thirsters bring together policy experts, diplomats, business people and academicians to thrash out issues of technology, politics, social justice, ethics, sustainability and culture, all done amicably over glasses of Oregon's famous home-grown beverages.

To quote his fellow Thirster, Lewis and Clark College Professor Emeritus Roger Paget: "He leaves a significant legacy, not only in several professional fields and the community of Thirsters, but above all in Marisa and Alex, his children, both of whom imbibed his love of making sense out of being in different cultures."

On behalf of his colleagues, the millions who have benefitted from their experience with the Peace Corps and my constituents in the Thirsters, I want to express my appreciation for Bob Textor's life and service to his country and the world.●

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-728. A communication from the Chairman of the Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Buy American Act Report for fiscal year 2012; to the Committee

on Homeland Security and Governmental Affairs.

EC-729. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-479, "Compassionate Release Authorization Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-730. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-649, "Schedule H Property Tax Relief Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-731. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-651, "State Board of Education Personnel Authority Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-732. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-652, "Israel Senior Residences Tax Exemption Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-733. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-653, "Washington Metropolitan Area Transit Authority Board of Directors Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-734. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-654, "Council Notification on Enforcement of Laws Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-735. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-655, "Retail Incentive Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-736. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-656, "Sign Regulation Authorization Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-737. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-657, "Re-entry Facilitation Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-738. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-658, "Motorized Bicycle Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-739. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-659, "Service Animals Access Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-740. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-660, "Bloomington and

LeDroit Park Backwater Valve and Sandbag Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-741. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-661, "District of Columbia Flood Assistance Fund Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-742. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-662, "Construction and Demolition Waste Recycling Accountability Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-743. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-663, "Administrative Disposition for Weapons Offenses Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-664, "United House of Prayer for All People Real Property Tax Exemption Technical Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-745. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-665, "Beulah Baptist Church Real Property Equitable Tax Relief Temporary Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-746. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-666, "Bad Actor Debarment and Suspension Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-747. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-667, "Uniform Commercial Code Revision Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-668, "Workplace Fraud Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-650, "Equity in Survivor Benefits Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-669, "Uniform Commercial Code Article 9 Amendments Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-751. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-670, "Pharmacy Technician Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-752. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 19-671, "Interstate Compact on Educational Opportunity for Military Children Establishment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-672, "Benefit Corporation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-673, "Portable Electronics Insurance Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-674, "Safety-Based Traffic Enforcement Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-756. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-675, "Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-757. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-676, "Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-758. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-677, "Omnibus Criminal Code Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-759. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-678, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-760. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-679, "Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-761. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-680, "Retirement of Public-School Teachers Omnibus Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-762. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-681, "Retirement of Public-School Teachers Omnibus Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-763. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-682, "Police and Firefighter's Retirement and Disability Omnibus Amendment Act of 2012"; to the Committee on

Homeland Security and Governmental Affairs.

EC-764. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-13, "Medical Marijuana Cultivation Center Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-765. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General George J. Flynn, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-766. A communication from the Assistant Secretary of the Navy (Financial Management and Comptroller), Department of Defense, transmitting, pursuant to law, a report relative to meals sold by messes for United States Navy and Naval Auxiliary vessels; to the Committee on Armed Services.

EC-767. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to potential civilian furloughs within the Department of Defense; to the Committee on Armed Services.

EC-768. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List" (RIN0694-AF85) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-769. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-770. A communication from the Deputy Director for Management, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Report to the Congress on the Joint Committee Sequestration for Fiscal Year 2013"; to the Committee on the Budget.

EC-771. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of NRC Enforcement Policy" (NRC-2013-0014) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

EC-772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; 110(a) (1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards" (FRL No. 9787-6) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

EC-773. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky; 110(a) (1) and (2)

Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards" (FRL No. 9788-6) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Environment and Public Works.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU:

S. 511. A bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. GRASSLEY (for himself, Ms. MIKULSKI, and Mr. CASEY):

S. 512. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE:

S. 513. A bill to clarify the role of the Cherokee Nation of Oklahoma regarding the maintenance of the W.D. Mayo Lock and Dam in the State of Oklahoma; to the Committee on Indian Affairs.

By Mr. BROWN:

S. 514. A bill to amend title 38, United States Code, to provide additional educational assistance under Post-9/11 Educational Assistance to veterans pursuing a degree in science, technology, engineering, math, or an area that leads to employment in a high-demand occupation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN:

S. 515. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. BLUNT):

S. 516. A bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients; to

the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HATCH, Mr. LEE, and Ms. KLOBUCHAR):

S. 517. A bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 518. A bill to authorize the issuance of H2O nonimmigrant visas for aliens temporarily performing labor in the seafood processing industry; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. BEGICH, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. JOHNSON of South Dakota, Mr. LAUTENBERG, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Mr. WYDEN):

S. 519. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself and Mrs. BOXER):

S. 520. A bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 521. A bill to require the Secretary of Defense to award grants to fund research on orthotics and prosthetics; to the Committee on Armed Services.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 522. A bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes; to the Committee on Veterans' Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mrs. BOXER, Mr. BEGICH, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, and Mr. WHITEHOUSE):

S. Res. 74. A resolution supporting the goals of International Women's Day; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 54

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to

voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 195

At the request of Mr. FRANKEN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 210

At the request of Mr. HELLER, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Nevada (Mr. REID), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 294, a bill to amend title 38, United

States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 310

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 310, a bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 370

At the request of Mr. COCHRAN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 375

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 392

At the request of Mr. UDALL of New Mexico, the names of the Senator from Colorado (Mr. UDALL) and the Senator

from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 445

At the request of Mr. FRANKEN, the names of the Senator from Maine (Mr. KING) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 445, a bill to improve security at State and local courthouses.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 464

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 469

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 469, a bill to assist the Secretary of Housing and Urban Development in stabilizing the Home Equity Conversion Mortgage program.

S. 470

At the request of Mr. TESTER, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Michigan (Ms. STABENOW), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 470, a bill to amend



title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 478

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 478, a bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

S. 485

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 485, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 492

At the request of Mr. BURR, the name of the Senator from Florida (Mr. RUBIO) was withdrawn as a cosponsor of S. 492, a bill to amend title 38, United States Code, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes.

S. 495

At the request of Mr. BURR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 495, a bill to amend title 38, United States Code, to require Federal agencies to hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes.

S. 500

At the request of Mr. SANDERS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000.

S. 504

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 504, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 505

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 505, a bill to prohibit the use of drones to kill citizens of the United States within the United States.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S.J. Res. 10, a joint resolution

proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 4

At the request of Mr. UDALL of New Mexico, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from South Dakota (Mr. JOHNSON), the Senator from South Carolina (Mr. SCOTT), the Senator from Arizona (Mr. FLAKE), the Senator from Washington (Mrs. MURRAY), the Senator from Virginia (Mr. KAINE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 511. A bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to introduce the Expanding Access to Capital for Entrepreneurial Leaders Act, or the EXCEL Act. This legislation will enhance the already successful Small Business Investment Company, SBIC, program at the Small Business Administration, SBA, that has helped over 100,000 small businesses. The best part of this bill is that the EXCEL Act should not cost the taxpayer anything.

The SBA runs a venture capital program by guaranteeing money borrowed by qualified investment funds who invest in small businesses. The qualified funds, or Small Business Investment Companies, SBICs, are privately owned and operated, but licensed and regulated by the SBA. Using a combination of private investments and the loans guaranteed by the SBA, typically at a ratio of \$2 in guaranteed funds for every \$1 of private capital, SBICs make

longterm investments in American small businesses. In order to participate in the program, funds pay licensing fees which serve to cover all SBIC program costs. As a result, the core SBIC program, Debenture SBICs, not only boasts a strong success rate, but also incurs no cost to the U.S. government. Since the program's inception, over \$50 billion has been invested in over 100,000 small businesses.

In the last Congress, the former Ranking Member of the Small Business Committee, Senator Olympia Snowe, and I conducted a roundtable with 14 participants from the SBA, SBICs, SBIC investors, and small businesses to elicit suggestions on enhancing the program. Out of that was born the EXCEL Act.

The EXCEL Act is a bipartisan effort encompassing much-needed changes that will allow the SBIC program to meet growing demand and will make improvements so that more small businesses can access capital.

First, the EXCEL Act raises the SBIC program authorization level from \$3 billion to \$4 billion and pegs it to inflation. This change is long overdue—the ceiling has been at \$3 billion for some time, despite inflation and the impressive growth in the SBIC program. To illustrate: the program grew 50 percent in fiscal year 2011 alone. In order to meet demand, we need to give the program room to grow.

Secondly, the EXCEL Act will encourage successful investors by raising the limit on “families of funds.” Family of funds refers to a team of SBIC fund managers who operate several funds. These are currently limited to \$225 million of SBA-guaranteed debt. However, SBIC fund managers who manage more than one fund generally see better investment results. The EXCEL Act will encourage that kind of success by giving families of funds a higher limit of \$350 million, which will be indexed to inflation.

Next, the EXCEL Act improves transparency and accountability in the program. The legislation requires that the SBA make public how effective individual SBICs are in their small business investments, guaranteeing that SBA-backed money is being used responsibly.

Finally, the EXCEL Act promotes outreach, thereby ensuring that the maximum possible number of small businesses can benefit from the SBIC program. The legislation encourages outreach to community banks and other lenders, states and municipalities, and asks the SBA to make their SBIC website more user-friendly.

The EXCEL Act contains a number of commonsense provisions that have had support across the aisle. It enhances a program with proven success in providing capital to small businesses, and does so with the expectation that it will not add a dime to the deficit. Let

us get this bill passed. Let us help small businesses excel.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HATCH, Mr. LEE, and Ms. KLOBUCHAR):

S. 517. A bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing bipartisan legislation that will help promote competition in the wireless industry and restore consumer choice. From 2006 until last year, an exemption to the Digital Millennium Copyright Act, DMCA, permitted cell phone users to “unlock” their cell phones when their contract expired, allowing them to change wireless providers and thereby promoting consumer choice. This exemption has enhanced competition in the cell phone market, but it was allowed to expire last year.

Over the past few weeks and months, consumers have spoken clearly—they want to retain the right to transfer their cell phones between wireless providers, if they so choose, when their contracts expire. I agree, which is why today I am pleased to introduce the Unlocking Consumer Choice and Wireless Competition Act, along with Senator GRASSLEY, Senator HATCH, Senator LEE and Senator FRANKEN, who chairs the Judiciary Committee’s Subcommittee on Privacy, Technology and the Law. We are working closely with Chairman GOODLATTE and members of the House Judiciary Committee to pass commonsense legislation and provide consumers with better choice.

The Unlocking Consumer Choice and Wireless Competition Act reestablishes the Library of Congress’s rule permitting cell phone unlocking. It also directs the Library to undertake a new proceeding to consider whether to broaden this exemption to allow unlocking of other wireless devices such as tablets. At a time when the line between phone and tablet is beginning to blur, it makes sense for the Library to consider extending this exemption to those devices as well.

The DMCA maintains an important balance between protecting copyright owners and users. It was designed to be sufficiently flexible to meet the challenges of an ever-evolving digital copyright world. Every 3 years, the Library of Congress conducts its public review of the exemptions permitted under the DMCA to help promote that flexibility. Unfortunately, in its most recent proceeding, there was not a sufficient record for the Library to continue the cell phone exemption, despite the strong merits of the rule. Our legislation restores the important exemption that had been in effect in previous

years. Although Congress has stepped in in this instance to restore an important policy objective, I urge parties in future rulemakings to provide a more full record so that the rulemaking process can proceed as it was designed.

When I wrote the DMCA, the law was intended to allow choice and protect consumers. This straightforward restoring bill furthers that objective. When consumers finish the terms of their contract, they should be able to keep their phones and make their own decision about which wireless provider to use. They should not be forced to stay with their original provider due to software that restricts a phone to only one network. I am pleased that many wireless providers already sell unlocked phones, or will unlock phones for consumers once contracts expire, but that does not mean that consumers should face penalties under the DMCA for taking those same steps on their own. This bill will protect and promote competition in the wireless market by allowing consumers to bring their phones with them to the provider that best suits their needs.

I urge all Senators to support this narrow, commonsense legislation to protect consumers and promote competition.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 517

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Unlocking Consumer Choice and Wireless Competition Act”.

#### SEC. 2. REPEAL OF EXISTING RULE AND ADDITIONAL RULEMAKING BY LIBRARIAN OF CONGRESS.

(a) REPEAL AND REPLACE.—Paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as amended and revised by the Librarian of Congress on October 28, 2012, pursuant to his authority under section 1201(a) of title 17, United States Code, shall have no force and effect, and such paragraph shall read, and shall be in effect, as such paragraph was in effect on July 27, 2010.

(b) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Librarian of Congress, upon the recommendation of the Register of Copyrights, who shall consult with the Assistant Secretary for Communications and Information of the Department of Commerce and report and comment on his or her views in making such recommendation, shall determine, consistent with the requirements set forth under section 1201(a)(1) of title 17, United States Code, whether to extend the exemption for the class of works described in section 201.40(b)(3) of title 37, Code of Federal Regulations, as amended by subsection (a), to include any other category of wireless devices in addition to wireless telephone handsets.

(c) RULE OF CONSTRUCTION.—Nothing in this Act alters, or shall be construed to

alter, the authority of the Librarian of Congress under section 1201(a)(1) of title 17, United States Code.

By Ms. HIRONO (for herself, Mr. BEGICH, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. JOHNSON of South Dakota, Mr. LAUTENBERG, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Mr. WYDEN):

S. 519. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Health, Education, Labor, and Pensions.

Ms. HIRONO. Mr. President, I rise today to introduce the Providing Resources Early for Kids Act of 2013—the PRE-K Act.

Research shows that quality early education is foundational for success in school and in life.

The PRE-K Act will help more children enter school ready to succeed. It creates a new federal-state partnership to provide better preschool opportunities for our country’s children. High quality preschool makes the biggest difference, so this bill focuses on quality.

The PRE-K Act would provide Federal grants to States to strengthen quality. States could use the funding to increase the number of highly trained early educators in preschool classrooms.

The bill would improve the student-to-teacher ratios in preschools; provide vital comprehensive services such as health screenings and nutritional assistance.

The bill would increase the hours per day and weeks per year families have access to high quality early education programs; and improve programs for our youngest children, from birth to three years old.

States would need to coordinate with existing Head Start providers and their State Advisory Councils.

The PRE-K Act recognizes that not all states have a high-quality state preschool program in place yet. This bill meets states where they are. States that already have a high-quality program could apply as “Qualified States” and get money improve quality and expand to serve more children. Other States, like Hawaii, could apply as “Selected States,” earning Federal grants to establish a high-quality preschool program within two years.

In Hawaii, Governor Abercrombie is leading the fight to build a State preschool program for low-income families. The PRE-K Act could support Hawaii’s efforts through Federal partnership grants.

Decades of research show that high quality early education programs can help kids enter kindergarten ready to learn and avoid falling behind. Later in life, kids who have high-quality preschool are more likely to avoid crime or teen pregnancy, graduate high

school and college, earn more income, pay taxes, and need fewer public services.

The studies have found that investing \$1 in quality early learning can bring a return on investment of between \$2 and \$17 down the line. A University of Hawaii/Good Beginnings Alliance study of a theoretical Hawaii program found we'd get \$4.20 for every \$1 invested. In this tight fiscal environment, wise Federal spending is key. High quality early learning is one of the best investments we can make.

That is why business and financial leaders, from the Hawaii Business Roundtable to Federal Reserve Chairman Ben Bernanke, agree that quality early education is critically important in providing the tools children need for success in school and in adulthood.

Law enforcement officials know that quality early learning helps prevent kids from falling behind, dropping out of high school, or getting involved in crime. High-ranking military leaders have also stressed the importance of quality early education as a national security issue. Today 75 percent of Americans age 17 to 24 are ineligible for military service due to poor education, physical un-fitness, or involvement with crime. Quality early learning helps kids get on the right path—before they fall behind.

Parents know the high cost of child care is difficult to afford. If parents can't find child care, they can't go to work. Parents also want more than just supervision for their children. They want to know their children are being engaged by effective teachers who are preparing them academically, socially, and emotionally for success in school.

Teachers and school administrators know firsthand that their students who come to kindergarten with quality preschool are more likely to succeed. Special education professionals and advocates for students with disabilities know that quality early learning can identify disabilities early and bring intervention to get kids on track with their peers.

Education is the great equalizer, and starting children on an early path to success is critical. I have been working to strengthen quality early education for over a decade. As Lieutenant Governor, I helped establish Hawaii's Pre-Plus program, which constructed preschool classrooms for use by nonprofit, private, or public preschools. In the U.S. House of Representatives, I first introduced the PRE-K Act in 2007. The bill passed through the House Education and Labor Committee with a bipartisan vote. President Obama has made quality early learning a key part of his education platform. I helped lead a coalition of over 100 bipartisan House members to enact and fund President Obama's Early Learning Challenge. We also fought for increases in Head Start

and Child Care subsidies to serve more children and families.

In his 2013 State of the Union address, President Obama called for new Federal support for high-quality state preschool. This is the first time in a generation that a president has used the State of the Union address to call for expanding preschool access. The PRE-K Act answers this call.

The time is right. I look forward to working with my colleagues in the House and Senate to move this forward.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 521. A bill to require the Secretary of Defense to award grants to fund research on orthotics and prosthetics; to the Committee on Armed Services.

Mr. DURBIN. Mr. President, I want to tell you about a wounded warrior.

He was fitted with a prosthetic leg that fit reasonably well and he was able to carry on with his life. But from time to time his leg would give out.

He would fall, but he carried on.

Then he and his wife were blessed with their first child. He was immensely happy to be a father. But he was terrified to hold his baby.

He was afraid that his leg would give out and he would fall and hurt his baby.

Can you imagine going to war to make the world safe for your children and then being afraid to hold your own child?

One day this young father mentioned his fear to a prosthetics practitioner, who began researching other prosthetic legs and was able to find a leg that fit him better and was more stable.

Finally, that new father was able to hold his baby without fear.

Most Americans will never need for a prosthetic limb. But many do. They include people who suffer catastrophic injuries in battle and accidents and others who lose limbs to illnesses such as cancer and diabetes.

For these people, proper-fitting, advanced prosthetics and orthotics fitted by highly trained, experienced clinicians can mean the difference between constant pain and discomfort—and a certain amount of anxiety, or living a happier, healthier and more productive life.

Let me tell you about another veteran who lives in Illinois.

He lost a leg in Vietnam.

He was fitted with a prosthetic leg that included a hydraulic knee unit. That was the state of the art decades ago.

Several times a year he would fall. Many of the falls resulted in broken bones and other injuries.

This veteran was also overweight, with high blood pressure.

About 6 years ago, he was fitted with his first computer-controlled knee.

He had more stability and more range of motion. He moved with more confidence.

With his new, advanced knee, he was able to exercise. He lost weight.

His health improved and he was able to stop taking multiple medications. He is living a happier, healthier life.

Finding the right prosthetic is more than luck or guess work. It requires a great deal of education, training and experience. There are many talented prosthetic clinicians working today in Veterans Administration Hospitals and other hospitals and rehabilitation clinics.

But we have a problem. Just as the need for these health professionals is increasing, many are retiring.

Wounded warriors deserve the best medical care our grateful Nation has to offer.

Today, with Senators BLUMENTHAL and HARKIN, I am introducing two bills to help ensure that service members and veterans who need prosthetics receive the care and equipment they deserve.

The first bill, the Wounded Warrior Workforce Enhancement Act, will establish a competitive grant program at the Department of Veterans Affairs to train more health professionals in the fields of orthotics and prosthetics.

These grants can be used to create new degree programs or expand existing programs in these fields.

Our bill will also require the VA to establish a Center of Excellence in Prosthetic and Orthotic Education to research and share information about the knowledge, skills, and training clinical professionals in the field need the most.

The work at the Center would add to higher education's clinical expertise to train the students going into prosthetics and orthotics.

The second bill we are introducing today, the Wounded Warrior Research Enhancement Act, directs the Secretary of Defense to establish an ongoing program of research and best practices in orthotics and prosthetics care.

We ask OD to then make sure clinical professionals serving service members and veterans are kept up to date on innovations in technology and care.

In the wars in both Iraq and Afghanistan, tens of thousands of our service members have been wounded by roadside bombs, rocket propelled grenades and small arms fire.

As our involvement in these wars winds down, many returning veterans are living with complex wounds that require sophisticated prosthetics and orthotics.

We can build on the breakthrough advances made by researchers at the Rehabilitation Institute of Chicago and by private providers such as Scheck & Siress, founded in Oak Park, IL.

Northwestern University in Evanston, Illinois, is home to the largest and oldest prosthetics and orthotics program in the Western Hemisphere.

It offers first-rate master's level education and training and graduates 50 clinicians every year.

Northwestern can be a model for other universities around the country to meet the needs of veteran amputees.

New technologies are improving the quality of life for amputees. We need to make sure that clinicians in the field have the skills and training to help veterans take advantage of these advances.

Recently the standard for entry-level qualifications for clinicians in prosthetics was changed to require a master's degree.

That makes sense. There is a lot to know. But right now there are not enough master's degree programs in our universities to meet the current demands for prosthetics and orthotics technicians.

Many experienced clinicians are nearing retirement age.

Veterans are not the only people who benefit when we train more clinicians in the fields of prosthetics and orthotics.

As America's population ages and rates of diabetes and cardiovascular disease increase, more Americans find themselves in need of prosthetics and orthotics. They, too, will benefit from this investment in research and training.

When we ask our service members to risk their lives for us, they don't say, "Ask me later." They go.

If they come home needing a new limb, we shouldn't tell them, "Ask me later."

We know that the VA is facing a critical and impending shortage of clinicians who are trained in prosthetics and orthotics.

By working together now, we can prevent that shortage and help America's wounded warriors live the fullest lives possible. I hope my colleagues will join me in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 521

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Wounded Warrior Research Enhancement Act".

#### SEC. 2. ORTHOTIC AND PROSTHETIC RESEARCH.

(a) PURPOSE.—The purpose of the grants described in this section is to advance orthotic and prosthetic clinical care for members of the Armed Forces, veterans, and civilians who have undergone amputation, traumatic brain injury, and other serious physical injury as a result of combat or military experience.

(b) GRANTS FOR RESEARCH ON PATIENT OUTCOMES.—The Secretary of Defense shall award grants to persons to carry out research on the following:

(1) The actions that can be taken to prevent amputation of limbs.

(2) The point in the course of patient treatment during which orthotic and prosthetic intervention is most effective.

(3) The orthotic interventions that are most effective in treating the physical effects of traumatic brain injury.

(4) The patients that benefit most from particular orthotic and prosthetic technologies.

(5) The orthotic and prosthetic services that best facilitate the return to active duty of members of the Armed Forces.

(6) The effect of the aging process on the use of prosthetics, including—

(A) increased skin breakdown;

(B) loss of balance;

(C) falls; and

(D) other issues that arise during the aging process.

(c) GRANTS ON MATERIALS RESEARCH.—The Secretary shall award grants to persons to carry out research on the following:

(1) The improvement of existing materials used in orthotics and prosthetics for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(2) The development of new materials used in orthotics and prosthetics for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(d) GRANTS ON TECHNOLOGY RESEARCH.—The Secretary shall award grants to persons to carry out research on the following:

(1) The improvement of existing orthotic and prosthetic technology and devices for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(2) The development of new orthotic and prosthetic technology and devices for the purpose of improving quality of life and health outcomes for individuals with limb loss.

(e) REQUEST FOR PROPOSALS.—A person seeking the award of a grant under this section shall submit to the Secretary an application therefore in the form and accompanied by such information as the Secretary shall require.

(f) AWARD REQUIREMENTS.—

(1) PEER-REVIEWED PROPOSALS.—Grants under this section may be awarded only for research that is peer-reviewed.

(2) COMPETITIVE PROCEDURES.—Grants under this section shall be awarded through competitive procedures.

(g) GRANT USE.—A person awarded a grant under subsection (b), (c), or (d) shall use the grant amount to carry out the research described in the applicable subsection.

(h) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, veterans, community-based clinicians, and expert researchers in the field of orthotics and prosthetics, submit to Congress a report setting forth the following:

(1) An agenda for orthotic and prosthetic research that identifies and prioritizes the most significant unanswered orthotic and prosthetic research questions pertinent to the provision of evidence-based clinical care to members of the Armed Forces, veterans, and civilians.

(2) For each report after the initial report under this subsection—

(A) a summary of how the grants awarded under subsection (b) are addressing the most significant orthotic and prosthetic needs; and

(B) the progress made towards resolving orthotic and prosthetic challenges facing members of the Armed Forces and veterans.

(i) VETERAN DEFINED.—In this section, the term "veteran" has the meaning given that

term in section 101 of title 38, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of Defense for the Defense Health Program, \$30,000,000 to carry out this section.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 522. A bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 522

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Wounded Warrior Workforce Enhancement Act".

#### SEC. 2. ORTHOTICS AND PROSTHETICS EDUCATION IMPROVEMENT.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall award grants to eligible institutions to enable the eligible institutions—

(A) to establish a master's degree or doctoral degree program in orthotics and prosthetics; or

(B) to expand upon an existing master's degree program in orthotics and prosthetics, including by admitting more students, further training faculty, expanding facilities, or increasing cooperation with the Department of Veterans Affairs and the Department of Defense.

(2) PRIORITY.—The Secretary shall give priority in the award of grants under this section to eligible institutions that have entered into a partnership with a medical center or clinic administered by the Department of Veterans Affairs or a facility administered by the Department of Defense, including by providing clinical rotations at such medical center, clinic, or facility.

(3) GRANT AMOUNTS.—Grants awarded under this section shall be in amounts of not less than \$1,000,000 and not more than \$1,500,000.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for two years, the Secretary shall issue a request for proposals from eligible institutions for grants under this section.

(2) PROPOSALS.—An eligible institution that seeks the award of a grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, including—

(A) demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) a commitment, and demonstration of an ability, to maintain an accredited orthotics and prosthetics education program after the end of the grant period.

(c) GRANT USES.—

(1) IN GENERAL.—An eligible institution awarded a grant under this section shall use

grant amounts to carry out any of the following:

(A) Building new or expanding existing orthotics and prosthetics master's or doctoral programs.

(B) Training doctoral candidates in fields related to orthotics and prosthetics to prepare them to instruct in orthotics and prosthetics programs.

(C) Training faculty in orthotics and prosthetics education or related fields for the purpose of instruction in orthotics and prosthetics programs.

(D) Salary supplementation for faculty in orthotics and prosthetics education.

(E) Financial aid that allows eligible institutions to admit additional students to study orthotics and prosthetics.

(F) Funding faculty research projects or faculty time to undertake research in the areas of orthotics and prosthetics for the purpose of furthering their teaching abilities.

(G) Renovation of buildings or minor construction to house orthotics and prosthetics education programs.

(H) Purchasing equipment for orthotics and prosthetics education.

(2) **LIMITATION ON CONSTRUCTION.**—An eligible institution awarded a grant under this section may use not more than 50 percent of the grant amount to carry out paragraph (1)(G).

(3) **ADMISSIONS PREFERENCE.**—An eligible institution awarded a grant under this section shall give preference in admission to the orthotics and prosthetics master's or doctoral programs to veterans, to the extent practicable.

(4) **PERIOD OF USE OF FUNDS.**—An eligible institution awarded a grant under this section may use the grant funds for a period of three years after the award of the grant.

(1) **DEFINITIONS.**—In this section:

(A) The term “eligible institution” means an educational institution that offers an orthotics and prosthetics education program that—

(A) is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs (referred to in this section as the “National Commission”); or

(B) demonstrates an ability to meet the accreditation requirements for orthotic and prosthetic education from the National Commission if the institution receives a grant under this section.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated for fiscal year 2014 for the Department of Veterans Affairs, \$15,000,000 to carry out this section. The amount so authorized to be appropriated shall remain available for obligation until September 30, 2016.

(2) **UNOBLIGATED AMOUNTS TO BE RETURNED TO THE TREASURY.**—Any amounts authorized to be appropriated by paragraph (1) that are not obligated by the Secretary as of September 30, 2016, shall be returned to the Treasury of the United States.

### SEC. 3. CENTER OF EXCELLENCE IN ORTHOTIC AND PROSTHETIC EDUCATION.

(a) **GRANT FOR ESTABLISHMENT OF CENTER.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall award a grant to an eligible institution to enable the eligible institution to—

(A) establish the Center of Excellence in Orthotic and Prosthetic Education (hereafter in this section referred to as the “Center”); and

(B) enable the eligible institution to improve orthotic and prosthetic outcomes for veterans, members of the Armed Forces, and civilians by conducting evidence-based research on—

(i) the knowledge, skills, and training most needed by clinical professionals in the field of orthotics and prosthetics; and

(ii) how to most effectively prepare clinical professionals to provide effective, high-quality orthotic and prosthetic care.

(2) **PRIORITY.**—The Secretary shall give priority in the award of a grant under this section to an eligible institution that has in force, or demonstrates the willingness and ability to enter into, a memorandum of understanding with the Department of Veterans Affairs, Department of Defense, or other appropriate Government agency, or a cooperative agreement with an appropriate private sector entity, which memorandum of understanding or cooperative agreement provides for either, or both, of the following:

(A) The provision of resources, whether in cash or in kind, to the Center.

(B) To assist the Center in research and the dissemination of the results of such research.

(3) **GRANT AMOUNT.**—The grant awarded under this section shall be in the amount of \$5,000,000.

(b) **REQUESTS FOR PROPOSALS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from eligible institutions for a grant under this section.

(2) **PROPOSALS.**—An eligible institution that seeks the award of the grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(c) **GRANT USES.**—

(1) **IN GENERAL.**—The eligible institution awarded the grant under this section shall use the grant amount for purposes as follows:

(A) To develop an agenda for orthotics and prosthetics education research.

(B) To fund research in the area of orthotics and prosthetics education.

(C) To publish or otherwise disseminate research findings relating to orthotics and prosthetics education.

(2) **PERIOD OF USE OF FUNDS.**—The eligible institution awarded the grant under this section may use the grant amount for a period of five years after the award of the grant.

(d) **DEFINITIONS.**—In this section:

(1) The term “eligible institution” means an educational institution that—

(A) has a robust research program;

(B) offers an orthotics and prosthetics education program that is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs;

(C) is well recognized in the field of orthotics and prosthetics education; and

(D) has an established association with—

(i) a medical center or clinic of the Department of Veterans Affairs; and

(ii) a local rehabilitation hospital.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for

fiscal year 2014 for the Department of Veterans Affairs, \$5,000,000 to carry out this section.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 74—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Mrs. COLLINS, Mrs. BOXER, Mr. BEGICH, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 74

Whereas there are more than 3,300,000,000 women in the world today;

Whereas women around the world participate in the political, social, and economic life of their communities, play a critical role in providing and caring for their families, contribute substantially to the growth of economies, and, as both farmers and caregivers, play an important role in advancing food security for their communities;

Whereas the advancement of women around the world is a foreign policy priority for the United States;

Whereas, on January 30, 2013, President Barack Obama signed a presidential memorandum recognizing the need for “dedicated professionals with . . . expertise and stature” to sustain advances in the status of women and girls worldwide and directing the Secretary of State to ensure that an Ambassador-at-Large continues to lead the Office of Global Women's Issues;

Whereas, on December 19, 2011, the Obama Administration launched the first-ever United States National Action Plan on Women, Peace, and Security that included a comprehensive set of national commitments to advance the active participation of women in decision making relating to matters of war and peace;

Whereas President Obama said, “[o]ur common prosperity will be advanced by allowing all humanity—men and women—to reach their full potential”;

Whereas, on August 10, 2012, President Obama announced the first interagency Strategy to Prevent and Respond to Gender-based Violence Globally;

Whereas the ability of women to realize their full potential is critical to the ability of a country to achieve strong and lasting economic growth and political and social stability;

Whereas, according to the International Monetary Fund, “focusing on the needs and empowerment of women is one of the keys to human development”;

Whereas, according to the 2012 World Economic Forum Global Gender Gap Report, “reducing gender inequality enhances productivity and economic growth”;

Whereas, according to the World Bank 2012 World Development Report: Gender Equality and Development, “greater gender equality is also smart economics, enhancing productivity and improving other development outcomes, including prospects for the next generation and for the quality of societal policies and institutions”;

Whereas, although strides have been made in recent decades, women around the world

continue to face significant obstacles in all aspects of their lives, including underrepresentation in all aspects of public life, denial of basic human rights, and discrimination;

Whereas, despite some achievements by individual women leaders, women around the world are still vastly underrepresented in high level positions and in national and local legislatures and governments and, according to the Inter-Parliamentary Union, women account for only 20.3 percent of national parliamentarians;

Whereas women remain underrepresented in conflict prevention and conflict resolution efforts, despite proven successes by women in conflict-affected regions in moderating violent extremism, resolving disputes through non-violent mediation and negotiation, and stabilizing their societies by improving access to peace and security services, institutions, and decision-making venues;

Whereas, according to the United Nations, 1 in 3 women around the world has experienced some form of gender-based violence and 1 in 4 women has been abused during pregnancy;

Whereas, according to the World Health Organization, as many as 1 in 5 women report being sexually abused before the age of 15;

Whereas, according to UNESCO, women account for 64 percent of the 796,000,000 adults worldwide who lack basic literacy skills;

Whereas, according to the United Nations Population Fund, 1 in 9 girls in developing countries (excluding the People's Republic of China) will be married before the age of 15;

Whereas, according to Save the Children, pregnancy-related complications are a leading cause of death among girls between the ages of 15 and 19 in developing countries;

Whereas, according to the Food and Agriculture Organization, the majority of women living in rural areas of the developing world are heavily engaged in agricultural labor, yet they receive less credit, land, agricultural inputs, and training than their male counterparts;

Whereas it is imperative to alleviate violence and discrimination against women and afford them every opportunity to be full and productive members of their communities; and

Whereas March 8 is recognized each year as International Women's Day, a global day to celebrate the economic, political, and social achievements of women past, present, and future, and a day to recognize the obstacles that women still face in the struggle for equal rights and opportunities: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of countries to generate economic growth, sustainable democracy, and inclusive security;

(3) recognizes and honors the women in the United States and around the world who have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic human rights of women and girls worldwide; and

(5) encourages the people of the United States to observe International Women's

Day with appropriate programs and activities.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 26. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

SA 26. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause, and insert in lieu thereof:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2013, and for other purposes, namely:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated and Further Continuing Appropriations Act, 2013".

#### SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Availability of funds.

#### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Food and Drug Administration and Farm Credit Administration
- Title VII—General provisions

#### DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related agencies
- Title V—General provisions

#### DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

- Title I—Military Personnel
- Title II—Operation and Maintenance
- Title III—Procurement
- Title IV—Research, Development, Test and Evaluation
- Title V—Revolving and Management Funds
- Title VI—Other Department of Defense Programs
- Title VII—Related agencies
- Title VIII—General provisions
- Title IX—Overseas contingency operations

#### DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

- Title I—Departmental management and operations
- Title II—Security, enforcement, and investigations
- Title III—Protection, preparedness, response, and recovery
- Title IV—Research and development, training, and services
- Title V—General provisions

#### DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Defense
- Title II—Department of Veterans Affairs
- Title III—Related agencies
- Title IV—Overseas contingency operations
- Title V—General provisions

#### DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

- Title I—General Provisions
- Title II—Energy and Water Development
- Title III—Financial Services and General Government
- Title IV—Interior, Environment, and Related Agencies
- Title V—Labor, Health and Human Services, and Education, and Related Agencies
- Title VI—Legislative Branch
- Title VII—State, Foreign Operations, and Related Programs
- Title VIII—Transportation and Housing and Urban Development, and Related Agencies

#### DIVISION G—OTHER MATTERS

#### SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in division A, B, C, D, or E of this Act shall be treated as referring only to the provisions of that division.

#### SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act printed in the Senate section of the Congressional Record on or about March 11, 2013, by the Chairwoman of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

#### SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

#### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs and for other purposes, namely:

##### TITLE I

##### AGRICULTURAL PROGRAMS

##### PRODUCTION, PROCESSING AND MARKETING

##### OFFICE OF THE SECRETARY

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$46,388,000, of which not to exceed

\$5,051,000 shall be available for the immediate Office of the Secretary; not to exceed \$498,000 shall be available for the Office of Tribal Relations; not to exceed \$1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed \$1,422,000 shall be available for the Office of Advocacy and Outreach; not to exceed \$25,046,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$24,242,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed \$3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$9,006,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed \$11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558: *Provided further*, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

## EXECUTIVE OPERATIONS

## OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$16,008,000, of which \$4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

## NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$14,225,000.

## OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,049,000.

## OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$44,031,000.

## OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$6,247,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or

Circular A-76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

## OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$893,000.

## OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$22,692,000.

## AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

## (INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$271,336,000, to remain available until expended, of which \$175,694,000 shall be available for payments to the General Services Administration for rent; of which \$13,473,000 is for payments to the Department of Homeland Security for building security activities; and of which \$82,169,000 is for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

## HAZARDOUS MATERIALS MANAGEMENT

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, \$89,016,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of

informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

## OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$45,074,000.

## OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, \$3,405,000.

## OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, \$893,000.

## ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$77,397,000.

## NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$179,477,000, of which up to \$62,500,000 shall be available until expended for the Census of Agriculture.

## AGRICULTURAL RESEARCH SERVICE

## SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,101,853,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That section 732(b) of division A of Public Law 112-55 (125 Stat. 587) is amended by adding at the end the following new sentence: "The conveyance authority provided by this subsection expires September 30, 2013, and all conveyances



under this subsection must be completed by that date.”: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

##### RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$738,638,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Research and Education Activities” in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

#### NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

##### EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$475,854,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93-471 shall be available for retirement and employees’ compensation costs for extension agents.

##### INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$21,482,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2014.

#### OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$893,000.

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$821,851,000, of which \$1,500,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (“contingency fund”) to the extent necessary to meet emergency conditions; of which \$15,970,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$36,858,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$696,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$52,000,000, to remain available until expended, shall be used to support avian health; of which \$4,335,000, to remain available until expended, shall be for information technology infrastructure; of which \$153,950,000, to remain available until expended, shall be for specialty crop pests; of which, \$9,068,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$56,638,000, to remain available until expended, shall be for tree and wood pests; of which \$2,750,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, \$4,971,000 shall remain available until expended: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred

amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2013, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity’s liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

##### BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,175,000, to remain available until expended.

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$78,863,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$62,592,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

#### FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

##### (INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

##### PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,331,000.



GRAIN INSPECTION, PACKERS AND STOCKYARDS  
ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, \$40,261,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING  
SERVICES EXPENSES

Not to exceed \$50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD  
SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$811,000.

## FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,001,427,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2013 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110-246: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM  
AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, \$893,000.

## FARM SERVICE AGENCY

## SALARIES AND EXPENSES

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,208,290,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended.

## STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$4,369,000.

GRASSROOTS SOURCE WATER PROTECTION  
PROGRAM

For necessary expenses to carry out well-head or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb-2), \$5,500,000, to remain available until expended.

## DAIRY INDEMNITY PROGRAM

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387, 114 Stat. 1549A-12).

AGRICULTURAL CREDIT INSURANCE FUND  
PROGRAM ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$1,500,000,000 for guaranteed farm ownership loans and \$475,000,000 for farm ownership direct loans; \$1,500,000,000 for unsubsidized guaranteed operating loans and \$1,050,090,000 for direct operating loans; emergency loans, \$34,658,000; Indian tribe land acquisition loans, \$2,000,000; guaranteed conservation loans, \$150,000,000; Indian highly fractionated land loans, \$10,000,000; and for boll weevil eradication program loans, \$100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, \$20,140,000 for direct loans; farm operating loans, \$58,490,000 for direct operating loans, \$17,850,000 for unsubsidized guaranteed operating loans, emergency loans, \$1,317,000, to remain available until expended; and Indian highly fractionated land loans, \$173,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$312,897,000, of which \$304,977,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

## RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, \$74,900,000: *Provided*, That the funds made available under section 522(e)

of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

## CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

## FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

## COMMODITY CREDIT CORPORATION FUND

## REIMBURSEMENT FOR NET REALIZED LOSSES

## (INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 7141) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

## HAZARDOUS WASTE MANAGEMENT

## (LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

## TITLE II

## CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR  
NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$893,000.

## NATURAL RESOURCES CONSERVATION SERVICE

## CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or

purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$830,998,000, to remain available until September 30, 2014: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

#### WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$14,700,000 is provided.

### TITLE III

#### RURAL DEVELOPMENT PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$893,000.

##### RURAL DEVELOPMENT SALARIES AND EXPENSES

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$206,857,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

##### RURAL HOUSING SERVICE

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$900,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$27,952,000 for section 504 housing repair loans; \$31,277,000 for section 515 rental housing; \$150,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$53,730,000 shall be for direct loans; section 504 housing repair loans, \$3,821,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$11,000,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the

projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2013.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$16,526,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$410,627,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

##### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$907,128,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than \$3,000,000 is available for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That any unexpended balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2013 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

##### MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, \$27,782,000, to remain available until expended: *Provided*, That of the funds made available under this heading, \$10,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, \$17,782,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

## MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$30,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

## RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$33,136,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL COMMUNITY FACILITIES PROGRAM  
ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,200,000,000 for direct loans and \$57,481,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$3,880,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$28,428,000, to remain available until expended: *Provided*, That \$6,121,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That \$5,938,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106-387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That \$3,369,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That of the total amount appropriated under this heading, the amount

equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

## RURAL BUSINESS—COOPERATIVE SERVICE

## RURAL BUSINESS PROGRAM ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, \$85,904,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed \$1,000,000 shall be made available for two grants to qualified national organizations to provide technical assistance for rural transportation in order to promote economic development and \$3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

RURAL DEVELOPMENT LOAN FUND PROGRAM  
ACCOUNT

## (INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$18,889,000.

For the cost of direct loans, \$6,052,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$900,000 shall be available through June 30, 2013, for Federally Recognized Native American Tribes; and of which \$2,000,000 shall be available through June 30, 2013, for Mississippi Delta Region counties (as determined in accordance with Public Law 100-460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Eco-

nomic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$4,438,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

## RURAL ECONOMIC DEVELOPMENT LOANS

## PROGRAM ACCOUNT

## (INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$180,000,000 shall not be obligated and \$180,000,000 are rescinded.

## RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$27,706,000, of which \$2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed \$3,456,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

## RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$3,400,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

## RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM  
ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$524,466,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That \$66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may

be provided to a consortium formed pursuant to section 325 of Public Law 105-83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance programs: *Provided further*, That not to exceed \$19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$5,750,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed \$15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed \$3,400,000 shall be for solid waste management grants: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: *Provided further*, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section, for projects whose features include agricultural water supply benefits, groundwater protection, environmental enhancement and flood control, \$40,000,000: *Provided*, That such loans shall be made by the Rural Utilities Service.

#### RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and

306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, \$100,000,000; loans made pursuant to section 306 of that Act, rural electric, \$6,500,000,000; guaranteed underwriting loans pursuant to section 313A, \$500,000,000; cost of money rural telecommunications loans, \$690,000,000: *Provided*, That up to \$2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$34,467,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, \$42,239,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$24,950,000, to remain available until expended: *Provided*, That \$3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: *Provided further*, That \$3,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, \$4,000,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, \$10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

#### TITLE IV

#### DOMESTIC FOOD PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, \$811,000.

##### FOOD AND NUTRITION SERVICE

##### CHILD NUTRITION PROGRAMS

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$19,916,436,000, to remain available through September 30, 2014, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this

Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, \$16,504,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, \$35,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

#### SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$7,046,000,000, to remain available through September 30, 2014: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$60,000,000 shall be used for breastfeeding peer counselors and other related activities, \$14,000,000 shall be used for infrastructure, and \$35,000,000 shall be used for management information systems: *Provided further*, That funds made available for the purposes specified in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of funds in the contingency reserve that are without fiscal year limitation: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

#### SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$77,290,160,000, of which \$3,000,000,000, to remain available through September 30, 2014, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

## COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$253,952,000, to remain available through September 30, 2014: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2013 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2014: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

## NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$143,505,000: *Provided*, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

## TITLE V

## FOREIGN ASSISTANCE AND RELATED PROGRAMS

## FOREIGN AGRICULTURAL SERVICE

## SALARIES AND EXPENSES

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$176,789,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

## FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83-480) and the Food for Progress Act of 1985, \$2,806,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries

and Expenses": *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

## FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,435,000,000, to remain available until expended.

## MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

## COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$6,806,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$6,452,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

## TITLE VI

## RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$4,223,295,000: *Provided*, That of the amount provided under this heading, \$718,669,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2014 but collected in fiscal year 2013; \$97,722,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and re-

main available until expended; \$299,000,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$20,242,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until expended; \$23,848,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$6,031,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available until expended; \$505,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; \$12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; \$15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2013 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2013 received during fiscal year 2013, including any such fees assessed prior to fiscal year 2013 but credited for fiscal year 2013, shall be subject to the fiscal year 2013 limitations: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) \$887,162,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$1,261,369,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$329,708,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$167,576,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$393,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$59,429,000 shall be for the National Center for Toxicological Research; (7) \$482,398,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$168,971,000 shall be for Rent and Related activities, of which \$61,713,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$213,352,000 shall be for payments to the General Services Administration for rent; and (10) \$259,342,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and

Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That the Secretary may, prior to the due date for such fees, accept payment of prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts payment in fiscal year 2013 shall not be included in amounts provided under this heading: *Provided further*, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$5,320,000, to remain available until expended.

#### INDEPENDENT AGENCY

##### FARM CREDIT ADMINISTRATION

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$63,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

#### TITLE VII

##### GENERAL PROVISIONS

##### (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles of which 170 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances of the Department of Agriculture that are remaining available at the end of the fiscal year, to the Working Capital Fund for the acquisition of plant and capital

equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 726 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. Funds made available by this Act under title II of the Food for Peace Act (7

U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over \$25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2014, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–



246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. Notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

SEC. 716. None of the funds made available in fiscal year 2013 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of \$20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 717. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 718. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 719. For an additional amount for “Food and Drug Administration, Salaries and Expenses”, \$50,000,000, to remain available until expended, of which \$40,000,000 is for one-time activities directly related to implementation of the Food Safety Modernization Act, and of which \$10,000,000 is for one-time activities directly related to improving the safety of the human drug supply.

SEC. 720. There is hereby appropriated \$1,996,000 to carry out section 1621 of Public Law 110-246.

SEC. 721. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H

of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa-8) in excess of \$1,400,000,000;

(3) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb-1)) in excess of \$73,000,000; and

(4) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of \$2,500,000 for the Natural Resources Conservation Service.

SEC. 722. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(v) of section 14222 of Public Law 110-246 in excess of \$981,000,000, as follows: Child Nutrition Programs—\$465,000,000; Entitlement Commodities—\$5,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110-246 in excess of \$41,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110-246, until October 1, 2013: *Provided further*, That \$117,000,000 made available on October 1, 2013, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110-246 shall be excluded from the limitation described in subsection (b)(2)(A)(vi) of section 14222 of Public Law 110-246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74-320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(v) of section 14222 of Public Law 110-246, \$150,000,000 are hereby rescinded.

SEC. 723. Subject to authorizing legislation by the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, the Secretary may reserve, through April 1, 2013, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural economic development program; rural microenterprise program; biorefinery assistance program; rural energy for America program; value-added producer grants; broadband program; water and waste program; and rural community facilities program.

SEC. 724. There is hereby appropriated \$600,000 for the purposes of section 727 of division A of Public Law 112-55.

SEC. 725. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes

revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2014 appropriations Act.

SEC. 726. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both

Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 727. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 728. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 729. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 730. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 731. Notwithstanding any other provision of law, any area eligible for rural housing programs of the Rural Housing Service on September 30, 2012, shall remain eligible for such programs until September 30, 2013.

SEC. 732. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 733. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority respon-

sible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 734. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide non-recourse marketing assistance loans for mo-hair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 735. In the event that a determination of non-regulated status made pursuant to section 411 of the Plant Protection Act is or has been invalidated or vacated, the Secretary of Agriculture shall, notwithstanding any other provision of law, upon request by a farmer, grower, farm operator, or producer, immediately grant temporary permit(s) or temporary deregulation in part, subject to necessary and appropriate conditions consistent with section 411(a) or 412(c) of the Plant Protection Act, which interim conditions shall authorize the movement, introduction, continued cultivation, commercialization and other specifically enumerated activities and requirements, including measures designed to mitigate or minimize potential adverse environmental effects, if any, relevant to the Secretary's evaluation of the petition for non-regulated status, while ensuring that growers or other users are able to move, plant, cultivate, introduce into commerce and carry out other authorized activities in a timely manner: *Provided*, That all such conditions shall be applicable only for the interim period necessary for the Secretary to complete any required analyses or consultations related to the petition for non-regulated status: *Provided further*, That nothing in this section shall be construed as limiting the Secretary's authority under section 411, 412 and 414 of the Plant Protection Act.

SEC. 736. None of the funds made available by this or any other Act may be used to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

SEC. 737. Of the unobligated balance of funds available to the Department of Agriculture for the cost of broadband loans under the heading "Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program" in prior appropriation Acts, \$25,320,000 is rescinded.

SEC. 738. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104), \$28,045,000 are hereby rescinded.

SEC. 739. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

SEC. 740. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 741. There is hereby appropriated for the "Emergency Conservation Program", \$11,100,000, to remain available until expended; for the "Emergency Forestry Restoration Program", \$14,200,000, to remain available until expended; and for the "Emergency Watershed Protection Program", \$65,454,000, to remain available until expended: *Provided*, That not less than \$48,257,000 made available for the Emergency Watershed Protection Program under this general provision are provided for necessary expenses for a major disaster declaration issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

SEC. 742. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed \$100,000,000 or such rules have already been published in compliance with Section 721 of the Consolidated and Further Continuing Appropriations Act, 2012, Public Law 112-55: *Provided*, That no funds made available by this or any other Act be used to publish a final or interim final rule in furtherance of, or otherwise to implement, proposed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)): *Provided further*, That none of the funds made available by this or any other Act may be used to implement such rules until 60 days from the publication date of such rules: *Provided further*, That none of the funds made available by this Act may be used to enforce or to take regulatory action based on or in furtherance of sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations, as they exist at the time this Act is passed, or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria embodied in these sections: *Provided further*, That the Secretary of Agriculture shall, within 60 days, rescind sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013".

#### **DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

##### **TITLE I**

##### **DEPARTMENT OF COMMERCE**

##### **INTERNATIONAL TRADE ADMINISTRATION**

##### **OPERATIONS AND ADMINISTRATION**

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard



to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$482,538,000, to remain available until September 30, 2014, of which \$11,360,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than \$16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

#### BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$101,796,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export

administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

#### ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees authorized by section 27 (15 U.S.C. 3722) of such Act, \$187,300,000, to remain available until expended; of which \$5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which \$5,000,000 shall be for loan guarantees under section 26; and of which up to \$5,000,000 shall be for loan guarantees under section 27: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such sections 26 and 27 combined are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$70,000,000.

#### SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$37,500,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

#### MINORITY BUSINESS DEVELOPMENT AGENCY MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$28,689,000.

#### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$100,228,000, to remain available until September 30, 2014.

#### BUREAU OF THE CENSUS

##### SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$256,255,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

#### PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, \$667,953,000, to remain available until September 30, 2014: *Provided*, That \$649,953,000 is appropriated from the general fund and \$18,000,000 is derived from available unobligated balances from the Census Working Capital Fund: *Provided further*, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated,

\$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$45,994,000, to remain available until September 30, 2014: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

#### PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

#### UNITED STATES PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$2,933,241,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2013, should the total amount of such offsetting collections be less than \$2,933,241,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of \$2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2013 for official reception and representation expenses: *Provided further*, That in fiscal year 2013 from the amounts made available for "Salaries and Expenses" for the

USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): *Provided further*, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), \$621,173,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed \$5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$143,000,000, to remain available until expended, of which \$128,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$14,500,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e), \$60,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction

project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
OPERATIONS, RESEARCH, AND FACILITIES  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,112,614,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, \$119,064,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the \$3,246,678,000 provided for in direct obligations under this heading \$3,112,614,000 is appropriated from the general fund, \$119,064,000 is provided by transfer and \$15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$212,664,000: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,926,036,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the \$1,941,036,000 provided for in direct obligations under this heading, \$1,926,036,000 is appropriated from the general fund and \$15,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated

for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2014: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$56,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on

job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

#### RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of Department of Commerce facilities, \$2,040,000, to remain available until expended.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$28,753,000.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55) is amended—

(1) by striking “paragraph (2)” and inserting “subsection (e)(2)”; and

(2) by striking “this subsection” and inserting “subsection (e)”.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

SEC. 110. Section 113(b)(3) of division B of Public Law 112–55 is amended by striking “2012” and inserting “2013”.

This title may be cited as the “Department of Commerce Appropriations Act, 2013”.

#### TITLE II

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$110,822,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

##### JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$33,426,000, to remain available until expended.

##### ADMINISTRATIVE REVIEW AND APPEALS

##### (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and

immigration-related activities, \$313,438,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the “Immigration Examinations Fee” account.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$85,985,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$12,772,000.

##### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$881,000,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to “Salaries and Expenses, General Legal Activities” from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

##### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$162,170,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting

collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at \$47,170,000.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, \$1,969,687,000: *Provided*, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking: *Provided further*, That of the total amount appropriated, \$10,000,000 shall only be available after the Attorney General certifies that each United States Attorney is participating in a United States Attorney-led task force on human trafficking.

#### UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That not less than \$1,500,000 shall be for debtor audits: *Provided further*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at \$0.

#### SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,000,000.

#### FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

#### SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$12,036,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General

may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

#### UNITED STATES MARSHALS SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,196,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

##### CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$10,000,000, to remain available until expended.

#### FEDERAL PRISONER DETENTION (INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,647,383,000, to remain available until expended: *Provided*, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

#### NATIONAL SECURITY DIVISION

##### SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$90,039,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### INTERAGENCY LAW ENFORCEMENT

##### INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant

drug trafficking and affiliated money laundering organizations not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$521,793,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

#### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,185,007,000, of which not to exceed \$216,900,000 shall remain available until expended: *Provided*, That not to exceed \$184,500 shall be available for official reception and representation expenses: *Provided further*, That \$500,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States.

##### CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; \$80,982,000, to remain available until expended.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,050,904,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

#### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

##### SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,153,345,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$15,000,000 shall remain available until expended: *Provided*, That, in the current fiscal year and any fiscal year thereafter, no funds

appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of "Curios or relics" in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

#### FEDERAL PRISON SYSTEM

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed \$35, of which \$88 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,820,217,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed \$5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2014: *Provided further*, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assist-

ance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: *Provided further*, That of the amount provided under this heading, not less than \$99,496,000 shall be for activation of newly constructed prisons in Berlin, New Hampshire, Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton, West Virginia, as requested in the Department's fiscal year 2013 budget.

##### BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$90,000,000, to remain available until expended, of which not less than \$66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

##### FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

##### LIMITATION ON ADMINISTRATIVE EXPENSES,

##### FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

##### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

##### OFFICE ON VIOLENCE AGAINST WOMEN

##### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the preven-

tion and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and for related victims services, \$416,500,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) \$189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) \$10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;

(6) \$25,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$15,500,000 is for a grant program to support families in the justice system, including for the purposes described in the safe

havens for children program, as authorized by section 1301 of the 2000 Act, and the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(12) \$5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) \$500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

#### OFFICE OF JUSTICE PROGRAMS

##### RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); and other programs, \$127,000,000, to remain available until expended, of which—

(1) \$48,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which \$36,000,000 is for the administration and redesign of the National Crime Victimization Survey;

(2) \$43,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act: *Provided*, That of the amounts provided under this paragraph, \$5,000,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the National Institute of Justice for research, testing and evaluation programs;

(3) \$1,000,000 is for an evaluation clearinghouse program; and

(4) \$35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and

Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); and other programs, \$1,140,418,000, to remain available until expended as follows—

(1) \$392,418,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, \$4,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, \$5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), \$6,000,000 is for a criminal justice reform and recidivism reduction program, and \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) \$255,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$5,000,000 for a border prosecutor initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) \$19,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(5) \$13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386, and for programs authorized under Public Law 109-164;

(6) \$41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(7) \$9,000,000 for mental health courts and adult and juvenile collaboration program

grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(8) \$12,500,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) \$3,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(10) \$9,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403;

(11) \$4,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110-315;

(12) \$20,000,000 for implementation of the Adam Walsh Act and related activities;

(13) \$13,000,000 for an initiative relating to children exposed to violence;

(14) \$18,000,000 for an Edward Byrne Memorial criminal justice innovation program;

(15) \$21,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That \$1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(16) \$1,000,000 for the National Sex Offender Public Website;

(17) \$5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(18) \$12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110-180);

(19) \$6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(20) \$12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(21) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108-405;

(22) \$6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(23) \$38,000,000 for assistance to Indian tribes;

(24) \$68,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), of which not to exceed \$5,000,000 is for a program to improve State, local, and tribal probation supervision efforts and strategies;

(25) \$4,000,000 for a veterans treatment courts program;



(26) \$1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(27) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(28) \$12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79);

(29) \$3,500,000 for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98-473); and

(30) \$2,750,000 to establish and operate a National Center for Campus Public Safety: *Provided*, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

#### JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); and other juvenile justice programs, \$279,500,000, to remain available until expended as follows—

(1) \$44,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, non-profit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) \$90,000,000 for youth mentoring grants;

(3) \$20,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) \$10,000,000 shall be for the Tribal Youth Program;

(B) \$5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; and

(C) \$5,000,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(4) \$19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) \$25,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(6) \$11,000,000 for community-based violence prevention initiatives;

(7) \$67,000,000 for missing and exploited children programs, including as authorized

by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act);

(8) \$1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(9) \$2,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention:

*Provided*, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (6), (8) and (9) may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

#### PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### COMMUNITY ORIENTED POLICING SERVICES COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), \$222,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided—

(1) \$12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) \$190,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or

rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated, \$15,000,000 shall be transferred to the Tribal Resources Grant Program: *Provided further*, That of the amounts appropriated under this paragraph, \$10,000,000 is for community policing development activities in furtherance of the purposes in section 1701.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107-296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102-395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to

conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs, and

of such amounts, \$1,300,000 shall be transferred to the Bureau of Prisons for Federal inmate research and evaluation purposes.

SEC. 215. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated by this or any other Act making appropriations for fiscal years 2010 through 2013 for the following programs, waive the following requirements:

(1) For the Adult and Juvenile Offender State and Local Reentry Demonstration Projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and Local Reentry Courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w-2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the Prosecution Drug Treatment Alternatives to Prison Program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q-3), the requirements under section 2904 of such part.

(4) For Grants to Protect Inmates and Safeguard Communities under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2013, \$154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives

and the Senate not later than 45 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

This title may be cited as the "Department of Justice Appropriations Act, 2013".

## TITLE III

### SCIENCE

#### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,850,000.

#### NATIONAL AERONAUTICS AND SPACE

##### ADMINISTRATION

##### SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$5,144,000,000, to remain available until September 30, 2014, of which up to \$14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of re-establishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: *Provided*, That \$75,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey: *Provided further*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed \$8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

##### AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of



passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$570,000,000, to remain available until September 30, 2014.

#### SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$642,000,000, to remain available until September 30, 2014.

#### EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,887,000,000, to remain available until September 30, 2014: *Provided*, That not less than \$1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than \$1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, \$1,454,200,000 shall be for launch vehicle development and \$402,800,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: *Provided further*, That \$525,000,000 shall be for commercial spaceflight activities: *Provided further*, That \$308,000,000 shall be for exploration research and development.

#### SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$3,953,000,000, to remain available until September 30, 2014.

#### EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$125,000,000, to remain available until September 30, 2014, of which \$18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$40,000,000 shall be for the National Space Grant College program.

#### CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,823,000,000, to remain available until September 30, 2014: *Provided*, That not less than \$39,100,000 shall be available for independent verification and validation activities.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$680,000,000, to remain available until September 30, 2018: *Provided*, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: *Provided further*, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed \$3,791,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$38,000,000, of which \$500,000 shall remain available until September 30, 2014.

#### ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3) by striking the period at the end inserting "and"; and

(3) by adding at the end the following:

"(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs."

#### NATIONAL SCIENCE FOUNDATION

##### RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,983,280,000, to remain available until September 30, 2014, of which not to exceed \$500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That not less than \$158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110-69.

##### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$196,170,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

## EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$895,610,000, to remain available until September 30, 2014: *Provided*, That not less than \$54,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110-69.

## AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$299,400,000: *Provided*, That not to exceed \$8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

## OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,440,000: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$14,200,000, of which \$400,000 shall remain available until September 30, 2014.

## ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2013".

## TITLE IV

## RELATED AGENCIES

## COMMISSION ON CIVIL RIGHTS

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,400,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one spe-

cial assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further*, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: *Provided further*, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: *Provided further*, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: *Provided further*, That the Inspector General may waive any statutorily required reporting requirement (with the exception of the semiannual report required by section 5 of the Inspector General Act of 1978) upon a certification to the Committees on Appropriations of the House of Representatives and the Senate that such report is not necessary for effective oversight of the Commission: *Provided further*, That of the amounts made available in this paragraph, \$450,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110-233), the ADA Amendments Act of 2008 (Public Law 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$370,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

## INTERNATIONAL TRADE COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$83,000,000, to remain available until expended.

## LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES  
CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$365,000,000, of which \$339,400,000 is for basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$17,000,000 is for management and grants oversight; \$3,400,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this division, and section 3003 of division G, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES  
CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134) is amended by striking "on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code" and inserting "triennially by the Bureau of the Census, except that, with respect to fiscal year 2013, the change in allocation resulting from the amendment made to this subparagraph by the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 shall only be half of the change which would otherwise result from that amendment in order to phase in the change over a 2 year period".

## MARINE MAMMAL COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,081,000.

OFFICE OF THE UNITED STATES TRADE  
REPRESENTATIVE  
SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$51,251,000, of which \$1,000,000 shall remain available until expended: *Provided*, That not to exceed \$111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE  
SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall remain available until September 30, 2014: *Provided*, That not to exceed \$2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V  
GENERAL PROVISIONS  
(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) Subject to subsections (b) and (c), none of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including

savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 45 days in advance of such reprogramming of funds.

(c) Subsection (b) of this section shall sunset on September 30, 2013.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A-87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end

of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in any fiscal year in excess of \$730,000,000 shall not be available for obligation until the following fiscal year.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are

traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National

Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

#### (RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) “Working Capital Fund”, \$26,000,000;

(2) “Legal Activities, Assets Forfeiture Fund”, \$722,697,000;

(3) “Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program”, \$1,028,000;

(4) “Federal Prison System, Buildings and Facilities”, \$64,700,000;

(5) “State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs”, \$12,000,000;

(6) “State and Local Law Enforcement Activities, Office of Justice Programs”, \$43,000,000; and

(7) “State and Local Law Enforcement Activities, Community Oriented Policing Services”, \$12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013, specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 529. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 530. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 531. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 532. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 533. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

SEC. 534. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track

undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 535. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 536. None of the funds made available in this Act may be used to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

SEC. 537. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 538. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 539. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 540. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 541. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 542. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013".

#### **DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

##### **TITLE I**

##### **MILITARY PERSONNEL**

##### **MILITARY PERSONNEL, ARMY**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,199,263,000.

##### **MILITARY PERSONNEL, NAVY**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities,

permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,902,346,000.

##### **MILITARY PERSONNEL, MARINE CORPS**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,531,549,000.

##### **MILITARY PERSONNEL, AIR FORCE**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,052,826,000.

##### **RESERVE PERSONNEL, ARMY**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,456,823,000.

##### **RESERVE PERSONNEL, NAVY**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,874,023,000.

##### **RESERVE PERSONNEL, MARINE CORPS**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with per-

forming duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$658,251,000.

##### **RESERVE PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,722,425,000.

##### **NATIONAL GUARD PERSONNEL, ARMY**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,981,577,000.

##### **NATIONAL GUARD PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,153,990,000.

##### **TITLE II**

##### **OPERATION AND MAINTENANCE**

##### **OPERATION AND MAINTENANCE, ARMY**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$35,409,260,000.

##### **OPERATION AND MAINTENANCE, NAVY**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of



necessity for confidential military purposes, \$41,614,453,000.

#### OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,034,963,000.

#### OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,780,406,000.

#### OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,862,980,000: *Provided*, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,182,923,000.

#### OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance,

including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,256,347,000.

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$277,377,000.

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,261,324,000.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,154,161,000.

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,494,326,000.

#### UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

#### ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall,

upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY  
USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND  
CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION  
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$50,198,000.

TITLE III  
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,028,754,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,535,433,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED  
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,857,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,641,306,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including

tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,741,664,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,382,152,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,036,871,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND  
MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$659,897,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the



future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$565,371,000;  
Virginia Class Submarine, \$3,217,601,000;  
Virginia Class Submarine (AP),  
\$1,652,557,000;  
CVN Refuelings, \$1,613,392,000;  
CVN Refuelings (AP), \$70,010,000;  
DDG-1000 Program, \$669,222,000;  
DDG-51 Destroyer, \$4,036,628,000;  
DDG-51 Destroyer (AP), \$466,283,000;  
Littoral Combat Ship, \$1,784,959,000;  
LPD-17 (AP), \$263,255,000;  
Joint High Speed Vessel, \$189,196,000;  
Moored Training Ship, \$307,300,000;  
LCAC Service Life Extension Program,  
\$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$290,035,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,584,212,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,955,078,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,411,411,000, to remain available for obligation until September 30, 2015.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices,

spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,774,019,000, to remain available for obligation until September 30, 2015.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,962,376,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$594,694,000, to remain available for obligation until September 30, 2015.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,082,508,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and pri-

vate plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,878,985,000, to remain available for obligation until September 30, 2015.

#### DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$223,531,000, to remain available until expended.

#### TITLE IV

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,676,627,000, to remain available for obligation until September 30, 2014.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,963,398,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,432,738,000, to remain available for obligation until September 30, 2014.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

##### (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,631,946,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That

this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION,  
DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

TITLE V  
REVOLVING AND MANAGEMENT FUNDS  
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI  
OTHER DEPARTMENT OF DEFENSE  
PROGRAMS  
DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,715,304,000; of which \$30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to \$15,934,952,000 may be available for contracts entered into under the TRICARE program; of which \$521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,308,377,000, to remain available for obligation until Sep-

tember 30, 2014, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided to develop a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

CHEMICAL AGENTS AND MUNITIONS  
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG  
ACTIVITIES, DEFENSE  
(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,159,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided here-

in, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$350,321,000, of which \$347,621,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,700,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII  
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT  
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT  
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$534,421,000.

TITLE VIII  
GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with

the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

#### (TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procure-

ment of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

#### (TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization,

unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) \$932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation con-

sisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*; That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on

Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such

conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading

"Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations

of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 8040. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of

title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

#### (RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer, \$98,400,000;

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer Advance Procurement, \$2,500,000;

"Shipbuilding and Conversion, Navy, 2007/2018": CVN Refueling Overhaul, \$14,100,000;

"Procurement of Ammunition, Army, 2011/2013", \$14,862,000;

"Other Procurement, Army, 2011/2013", \$108,098,000;

"Aircraft Procurement, Navy, 2011/2013", \$43,860,000;

"Shipbuilding and Conversion, Navy, 2011/2015": DDG-51 Destroyer, \$215,300,000;

"Weapons Procurement, Navy, 2011/2013", \$22,000,000;

"Aircraft Procurement, Air Force, 2011/2013", \$93,400,000;

"Other Procurement, Air Force, 2011/2013", \$9,500,000;

"Operation and Maintenance, Defense-Wide, 2012/XXXX", \$21,000,000;

"Aircraft Procurement, Army, 2012/2014", \$47,400,000;

"Other Procurement, Army, 2012/2014", \$179,608,000;

"Aircraft Procurement, Navy, 2012/2014", \$19,040,000;

"Shipbuilding and Conversion, Navy, 2012/2016": Littoral Combat Ship, \$28,800,000;

"Shipbuilding and Conversion, Navy, 2012/2016": DDG-51 Destroyer, \$83,000,000;

"Weapons Procurement, Navy, 2012/2014", \$36,467,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014", \$16,300,000;

"Procurement, Marine Corps, 2012/2014", \$132,555,000;

"Aircraft Procurement, Air Force, 2012/2014", \$394,299,000;

"Missile Procurement, Air Force, 2012/2014", \$52,898,000;

"Other Procurement, Air Force, 2012/2014", \$55,800,000;

"Procurement, Defense-Wide, 2012/2014", \$16,000,000;

"Research, Development, Test and Evaluation, Army, 2012/2013", \$41,000,000;

"Research, Development, Test and Evaluation, Navy, 2012/2013", \$246,800,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", \$149,460,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to



the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance

Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8060. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8061. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8063. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8064. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services

for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8065. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8066. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8068. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8070. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8072. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on



March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy, 2007/2013”: LHA Replacement Program \$156,685,000;

(2) Under the heading “Shipbuilding and Conversion, Navy, 2008/2013”: LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading “Shipbuilding and Conversion, Navy, 2009/2013”: CVN Refueling Overhauls Program \$135,000,000.

SEC. 8074. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8075. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8076. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8077. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8078. In addition to the amounts appropriated or otherwise made available else-

where in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8079. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8080. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8081. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8082. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8083. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading “Shipbuilding and Conversion, Navy” that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in the current fiscal year or any prior fiscal year.

SEC. 8084. (a) None of the funds appropriated by this Act may be used to transfer

research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8085. Up to \$15,000,000 of the funds appropriated under the heading “Operation and Maintenance, Navy” may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8086. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8087. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading “Shipbuilding and Conversion, Navy” shall be considered to be for the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8088. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8089. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8091. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that—

- (1) creates a new start effort;
  - (2) terminates a program with appropriated funding of \$10,000,000 or more;
  - (3) transfers funding into or out of the National Intelligence Program; or
  - (4) transfers funding between appropriations,
- unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8092. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8093. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations

of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8094. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8097. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8098. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

- (1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

- (2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be ex-

pendent for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8099. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8100. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8101. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8102. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of

title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8103. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8104. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide", the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam: (1) \$13,000,000 for addressing the need for construction of a regional public health laboratory; and (2) \$106,400,000 for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for either of the foregoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

SEC. 8106. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicapped-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to em-

ployees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8107. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8108. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8110. In addition to amounts provided elsewhere in the Act, there is appropriated \$270,000,000 for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8111. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station,

Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8112. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization; or

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any

individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantánamo” means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8113. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8114. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8115. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8116. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8117. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Author-

ization Act for Fiscal year 2006 (Public Law 109-163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1).

SEC. 8118. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8119. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: *Provided*, That this section shall not apply to actions affecting C-5, C-17, or E-8 aircraft, or the units associated with such aircraft: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 8120. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8121. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8122. None of the funds made available by this Act shall be used to retire C-23 Sherpa aircraft.

SEC. 8123. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by \$72,718,000.

SEC. 8124. None of the funds made available by this Act may be used to enter into a contract for UH-60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8125. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8126. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8127. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8128. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed

in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8129. None of the funds made available by this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboronexport: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8130. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

#### TITLE IX

#### OVERSEAS CONTINGENCY OPERATIONS MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$774,225,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,425,156,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$24,722,000: *Pro-*

*vided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$28,452,018,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,839,934,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$4,116,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$9,249,736,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$7,714,079,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,650,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation

Enduring Freedom, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$157,887,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$60,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY  
NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$392,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL  
GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$34,500,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS  
TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$582,884,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND  
(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", \$325,000,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy,

which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$5,124,167,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization

may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$550,700,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED  
COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$338,493,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,740,157,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$215,698,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.



## WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$22,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$283,059,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$822,054,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$305,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$2,680,270,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$188,099,000, to remain

available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,500,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$29,660,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## REVOLVING AND MANAGEMENT FUNDS

## DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$243,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

## (INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised Explosive Device Defeat Fund”, \$1,622,614,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of

each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, “Afghanistan Infrastructure Fund”, or the “Afghanistan Security Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commander’s Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander’s Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with

either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the “Afghanistan Infrastructure Fund” (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost

of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading “Operation and Maintenance, Army” may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading “Operation and Maintenance, Air Force” up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

#### (RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for



Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Retroactive Stop Loss Special Pay Program, 2009/XXXX”, \$127,200,000;

“Afghanistan Security Forces Fund, 2012/2013”, \$1,000,000,000;

“Other Procurement, Army, 2012/2014”, \$207,600,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$32,176,000;

“Procurement, Marine Corps, 2012/2014”, \$2,776,000;

“Mine Resistant Ambush Protected Vehicle Fund, 2012/2013”, \$400,000,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$50,000,000;

“Joint Improvised Explosive Device Defeat Fund, 2012/2014”, \$40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

This division may be cited as the “Department of Defense Appropriations Act, 2013”.

#### **DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury

not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, namely:

#### **TITLE I**

#### **DEPARTMENTAL MANAGEMENT AND OPERATIONS**

##### **DEPARTMENTAL OPERATIONS**

##### **OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT**

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$130,000,000: *Provided*, That not to exceed \$45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

##### **OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT**

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), \$218,511,000, of which not to exceed \$2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, \$5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and \$9,680,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112-331, submit to the Committees on Appropriations of the Senate and the House of Representatives with the President’s budget proposal for fiscal year 2014, submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading “Office of the Under Secretary for Management” under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

##### **OFFICE OF THE CHIEF FINANCIAL OFFICER**

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), \$51,500,000, of which \$5,000,000 shall remain available until September 30, 2014, for financial systems modernization efforts.

##### **OFFICE OF THE CHIEF INFORMATION OFFICER**

For necessary expenses of the Office of the Chief Information Officer, as authorized by

section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, \$243,732,000; of which \$118,000,000 shall be available for salaries and expenses; and of which \$125,732,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: *Provided*, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President’s budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each of fiscal years 2013 through 2016, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or underway;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

##### **ANALYSIS AND OPERATIONS**

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$322,280,000; of which not to exceed \$3,825 shall be for official reception and representation expenses; and of which \$94,359,000 shall remain available until September 30, 2014.

##### **OFFICE OF INSPECTOR GENERAL**

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$121,164,000, of which not to exceed \$300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

#### **TITLE II**

#### **SECURITY, ENFORCEMENT, AND INVESTIGATIONS**

##### **U.S. CUSTOMS AND BORDER PROTECTION**

##### **SALARIES AND EXPENSES**

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease

of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; \$8,293,351,000; of which \$3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed \$34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2013, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

#### AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, \$719,866,000; of which \$325,526,000 shall remain available until September 30, 2015; and of which not less than \$138,794,000 shall be for the development of the Automated Commercial Environment.

#### BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, \$324,099,000, to remain available until September 30, 2015.

#### AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses and operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; \$799,006,000; of which \$283,570,000 shall be available for salaries and expenses; and of which \$515,436,000 shall remain available until September 30, 2015: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been

identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2013 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112-74.

#### CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, \$233,563,000, to remain available until September 30, 2017: *Provided*, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2014.

#### U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

##### SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; \$5,394,402,000; of which not to exceed \$10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$11,475 shall be for official reception and representation expenses; of which not to exceed \$2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than \$305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than \$5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, \$15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed \$6,000,000 shall

remain available until expended: *Provided further*, That of the total amount available, not less than \$1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which \$138,249,000 shall be for completion of Secure Communities deployment: *Provided further*, That the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso and the funds obligated during that quarter to make such progress: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2013: *Provided further*, That of the total amount provided, not less than \$2,753,610,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the total amount provided, \$10,300,000 shall remain available until September 30, 2014, for the Visa Security Program: *Provided further*, That not less than \$10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

#### AUTOMATION MODERNIZATION (INCLUDING TRANSFER OF FUNDS)

For expenses of immigration and customs enforcement automated systems, \$33,500,000, to remain available until September 30, 2015: *Provided*, That of the total amount provided, up to \$1,000,000 may be transferred to the Department of Justice Executive Office of Immigration Review to improve case management and electronic communication with U.S. Immigration and Customs Enforcement: *Provided further*, That no transfer described in the previous proviso shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

#### CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration

and enforcement of the laws relating to customs and immigration, \$5,000,000, to remain available until September 30, 2016.

#### TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$5,052,620,000, to remain available until September 30, 2014, of which not to exceed \$7,650 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed \$3,975,517,000 shall be for screening operations, of which \$408,930,000 shall be available for explosives detection systems; \$115,204,000 shall be for checkpoint support; and not to exceed \$1,077,103,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for explosives detection systems, \$99,930,000 shall be available for the purchase and installation of these systems: *Provided further*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2013 so as to result in a final fiscal year appropriation from the general fund estimated at not more than \$2,982,620,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2014: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2013, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

*Provided further*, That the Administrator of the Transportation Security Administration shall, within 270 days of the date of enactment of this Act, establish procedures allowing members of cabin flight crews of air carriers to participate in the Known Crewmember pilot program, unless the Administrator determines that meeting the requirement within this timeline is not practicable and informs the Committees on Appropriations of the Senate and House of Representatives of the basis for that determination and the new timeline for implementing the requirement: *Provided further*, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

#### SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, \$124,418,000, to remain available until September 30, 2014.

#### TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, \$192,424,000, to remain available until September 30, 2014.

#### TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$954,277,000, to remain available until September 30, 2014: *Provided*, That of the funds appropriated under this heading, \$20,000,000 may not be obligated for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2013: *Provided further*, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

#### FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, \$907,757,000: *Provided*, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

#### COAST GUARD

##### OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and service-life replacements, not to exceed a total of \$31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding \$1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; \$7,074,782,000; of which \$594,000,000 shall be for defense-related activities, of which \$254,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which \$24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed \$15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That of the funds provided under this heading, \$75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a revised future-years capital investment plan for fiscal years 2014 through 2018, as specified under the heading Coast Guard "Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

##### ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, \$13,151,000, to remain available until September 30, 2017.

##### RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; \$132,528,000.

##### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment; as authorized by law; \$1,545,393,000; of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$10,000,000 shall remain available until September 30, 2017, for military family housing, of which not more than \$6,828,691 shall

be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which \$1,082,800,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which \$190,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which \$64,000,000 shall be available until September 30, 2017, for other acquisition programs; of which \$84,411,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which \$113,682,000 shall be available for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing

capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

*Provided further*, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110-28 shall apply with respect to the amounts made available under this heading.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$19,690,000, to remain available until September 30, 2017, of which \$500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

#### RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,423,000,000, to remain available until expended.

#### UNITED STATES SECRET SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the Dis-

trict of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$1,555,913,000; of which not to exceed \$19,125 shall be for official reception and representation expenses; of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which \$2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which \$6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2014; and of which \$4,000,000 shall be for a grant for activities related to training in electronic crimes investigations and forensics: *Provided*, That up to \$18,000,000 for protective travel shall remain available until September 30, 2014: *Provided further*, That \$4,500,000 for National Special Security Events shall remain available until September 30, 2014: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That for purposes of section 503(b) of this Act, \$15,000,000 or 10 percent, whichever is less, may be transferred between "Protection of

persons and facilities” and “Domestic field operations”.

#### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, \$56,750,000; of which \$4,430,000, to remain available until September 30, 2017, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which \$52,320,000, to remain available until September 30, 2015, shall be for information integration and technology transformation execution: *Provided*, That the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

#### TITLE III

#### PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

#### NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

#### MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, \$50,220,000: *Provided*, That not to exceed \$3,825 shall be for official reception and representation expenses.

#### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$1,157,529,000, of which \$200,000,000, shall remain available until September 30, 2014: *Provided*, That of the total amount provided for the “Infrastructure security compliance” program, project, and activity, \$20,000,000 shall not be available for obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program that includes the number of facilities covered by the program, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2013.

#### FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives not later than May 1, 2013, that the operations of the Federal Protective Service will be fully funded in fiscal year 2013 through revenues and collection of security fees, and shall adjust the fees to ensure fee collections are suf-

ficient to ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as “in-service field staff”): *Provided further*, That the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

#### OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), \$232,422,000: *Provided*, That of the total amount made available under this heading, \$113,956,000 shall remain available until September 30, 2015: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

(1) the proposed appropriation for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services:

*Provided further*, That amounts obligated under Public Law 112-175 for National Protection and Programs Directorate, “United States Visitor and Immigrant Status Indicator Technology” shall be charged to the appropriate successor account of the following: National Protection and Programs Directorate, “Office of Biometric Identity Management”; U.S. Customs and Border Protection, “Salaries and Expenses”; or U.S. Immigration and Customs Enforcement, “Salaries and Expenses”.

#### OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, \$132,499,000; of which \$26,702,000 is for salaries and expenses; and of which \$85,390,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, \$20,407,000 shall remain available until September 30, 2014, for bio-surveillance, chemical defense, medical and health planning and coordination, and work-force health protection: *Provided further*, That not to exceed \$2,250 shall be for official reception and representation expenses.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, \$973,118,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917): *Provided*, That not to exceed \$2,250 shall be for official reception and representation expenses: *Provided further*, That for fiscal year 2013 and thereafter, for purposes of planning, coordination, execution, and decision making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of the Homeland Security Act of 2002 (Public Law 107-296): *Provided further*, That of the total amount made available under this heading, \$35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, \$22,000,000 shall remain available until September 30, 2014, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available under this heading, \$5,000,000 shall remain available until September 30, 2014, for expenses related to modernization of automated systems: *Provided further*, That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

#### STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, \$1,466,082,000, which shall be allocated as follows:

(1) Not less than \$346,600,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than \$46,600,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) Not less than \$500,376,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than \$10,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) Not less than \$97,500,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1135 and 1163), of which not less than \$10,000,000 shall be for Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) Not less than \$97,500,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) Notwithstanding section 503 of this Act, \$188,932,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(E) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1182).

(H) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) The Citizen Corps Program.

(J) The Driver's License Security Grants Program in accordance with section 204 of

the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(K) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) The Buffer Zone Protection Program Grants.

(N) Regional Catastrophic Preparedness Grants.

(6) \$235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which \$157,991,000 shall be for training of State, local, and tribal emergency response providers:

*Provided*, That for grants under paragraphs (1) through (5), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That in fiscal year 2013 and thereafter: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

#### FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), \$675,000,000, to remain available until September 30, 2014, of which \$337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and \$337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood

Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000.

#### RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2013, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2013, and remain available until September 30, 2015.

#### UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

#### DISASTER RELIEF FUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,007,926,000, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;



(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99-177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event; and

(D) the date on which funds appropriated will be exhausted:

*Provided further*, That of the amount provided under this heading, \$6,400,000,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$95,329,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

#### NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters

Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$171,000,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$149,000,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2014: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2013, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) \$132,000,000 for operating expenses;

(2) \$1,056,602,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) \$120,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): *Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

#### NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), \$25,000,000, to remain available until expended.

#### EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

#### TITLE IV

#### RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

#### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, \$111,924,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided*

*further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

#### FEDERAL LAW ENFORCEMENT TRAINING CENTER

#### SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$228,467,000; of which up to \$44,758,000 shall remain available until September 30, 2014, for materials and support costs of Federal law enforcement basic training; of which \$300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed \$9,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107-206 (42 U.S.C. 3771 note), as amended by Public Law 112-74, is further amended by striking "December 31, 2014" and inserting "December 31, 2015": *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

#### ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$28,385,000, to remain available until September 30, 2017: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY  
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$132,000,000: *Provided*, That not to exceed \$7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND  
OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, \$703,471,000; of which \$538,539,000 shall remain available until September 30, 2015; and of which \$164,932,000 shall remain available until September 30, 2017, solely for operation and construction of laboratory facilities.

DOMESTIC NUCLEAR DETECTION OFFICE  
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, \$39,650,000: *Provided*, That not to exceed \$2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

- (1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;
- (2) identify and describe the specific investments being made by each Departmental component in fiscal year 2013 and planned for fiscal year 2014 to support the domestic architecture and the security of sea, land, and air pathways into the United States;
- (3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and
- (4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2013 and 2014.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, \$226,830,000, to remain available until September 30, 2014.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, \$51,455,000, to remain available until September 30, 2015.

TITLE V  
GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for

obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates a new program, project, or activity;
- (2) eliminates a program, project, office, or activity;
- (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;
- (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or
- (5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that:

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity;
- (3) reduces by 10 percent the numbers of personnel approved by the Congress; or
- (4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under sub-

section (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103-356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2013: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2013 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2013 from appropriations for salaries and expenses for fiscal year 2013 in this Act shall remain available through September 30, 2014, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;



(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under “State and Local Programs”.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland

Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration “Aviation Security”, “Administration”, and “Transportation Security Support” for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 517. Any funds appropriated to Coast Guard “Acquisition, Construction, and Improvements” for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110-123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109-295 (120 Stat. 1384) is amended by striking “2012” and inserting “2013”.

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 520. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the “Office of the Secretary and Executive Management”, the “Office of the Under Secretary for Management”, or the “Office of the Chief Financial Officer”, may be obligated for a grant or contract funded under such headings by any means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, including the AbilityOne Program, that is authorized under chapter 85 of title 41, United States Code;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 3101 (b) of title 41, United States Code; or

(4) by another Federal agency using funds provided through an interagency agreement.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the Secretary shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract to which the waiver applies and an explanation of why the waiver authority was used: *Provided*, That the Secretary may not delegate the authority to grant such a waiver.

(d) In addition to the requirements established by subsections (a), (b), and (c) of this section, the Inspector General of the Department of Homeland Security shall review departmental contracts awarded through means other than a full and open competition to assess departmental compliance with applicable laws and regulations: *Provided*, That the Inspector General shall review selected contracts awarded in the previous 3 fiscal years through means other than a full and open competition: *Provided further*, That in selecting which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: *Provided further*, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 4, 2015, and every 3 years thereafter.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and

how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 523. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 524. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 525. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2012,” and inserting “Until September 30, 2013,”;

(2) in subsection (c)(1), by striking “September 30, 2012,” and inserting “September 30, 2013.”

SEC. 526. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 527. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 528. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be ex-

pendent for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 529. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 530. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 531. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A-76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 532. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102-393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 533. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 534. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

SEC. 535. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the

Administrator determines would compromise national security.

(c) In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 536. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 537. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note), as amended by section 550 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83), is further amended by striking “on October 4, 2012” and inserting “on October 4, 2013”.

SEC. 538. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 539. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301.10-124 of title 41, Code of Federal Regulations.

SEC. 540. None of the funds made available in this or any other Act for fiscal year 2013 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 541. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 542. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800-30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800-53, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations”; and

(3) any supplemental standards established by the Administrator of the Transportation

Security Administration (referred to in this section as the "Administrator").

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the "Sponsoring Entity".

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 543. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 544. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 545. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 546. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, \$7,500,000 shall be allocated by United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for "United States Citizenship and Immigration Services" for the purpose of providing immigrant integration grants, \$2,500,000.

(c) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 547. For an additional amount for necessary expenses for reimbursement of the ac-

tual costs to State and local governments for providing emergency management, public safety, and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, \$5,000,000, to remain available until September 30, 2014.

SEC. 548. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 549. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 550. (a) For an additional amount for data center migration, \$55,000,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 551. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 552. For an additional amount for the "Office of the Under Secretary for Management", \$29,000,000, to remain available until

expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of this Act detailing the allocation of these funds.

SEC. 553. In making grants under the heading "Firefighter Assistance Grants", the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 554. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 555. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2013, 2014, 2015, and 2016, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, "Salaries and Expenses" under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology" under such title, and section 568 of such Act.

SEC. 556. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 557. (a) Notwithstanding Office of Management and Budget Circular A-11, funds made available in fiscal year 2013, or any fiscal year thereafter, under Department of Homeland Security, Coast Guard, "Acquisition, Construction, and Improvements" for—

(1) long lead time materials, components, and designs of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for production, outfitting, post-delivery activities, and spare or repair parts; and

(2) production of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for outfitting, post-delivery activities, and spare or repair parts.

(b) The Secretary of Homeland Security shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with subsection (a) of this section and consistent with the Department of Defense Financial Management Regulation (Volume 2A, Chapter 1 C. Procedures for Full Funding) to include the costs associated with outfitting and post-delivery activities; spare and repair parts; and long lead time materials. The requirement set forth in this section shall not preclude the immediate availability or allotment of funds for fiscal year 2013, pursuant to subsection (a).

(c) In this section—

(1) the term “long lead time items” means components, parts, material, or effort which must be procured in advance of the production award in order to maintain the production schedule;

(2) the term “outfitting” means procurement or installation of onboard repair parts, other secondary items, equipment, and recreation items; precommissioning crew support; general use consumables furnished to the shipbuilder; the fitting out activity to fill a vessel's initial allowances; and contractor-furnished spares; and

(3) the term “post-delivery activities” means design, planning, Government-furnished material, and related labor for non-production and non-long lead time items contract activities and other work, including certifications, full operational capability activities and other equipment installation; spares, logistics, technical analysis, and support; correction of Government-responsible defects and deficiencies identified during builders trials, acceptance trials, and testing during the post-delivery period; costs of all work required to correct defects or deficiencies identified during the post-delivery period; and costs of all work required to correct trial card deficiencies on a vessel of a particular class, as well as on subsequent vessels of that class (whether or not delivered) until the corrective action for that cutter class is completed.

SEC. 558. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, “Infrastructure Protection and Information Security”, \$202,000,000 for the “Federal Network Security” program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That not later than April 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improve-

ments to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107-347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 559. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 560. (a) Notwithstanding sections 58c(e) and 1451 of title 19, United States Code, upon the request of any persons, the Commissioner of U.S. Customs and Border Protection may enter into reimbursable fee agreements for a period of up to 5 years with such persons for the provision of U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services. Such requests may include additional U.S. Customs and Border Protection services at existing U.S. Customs and Border Protection-serviced facilities (including but not limited to payment for overtime), the provision of U.S. Customs and Border Protection services at new facilities, and expanded U.S. Customs and Border Protection services at land border facilities.

(1) By December 31, 2013, the Commissioner may enter into not more than 5 agreements under this section.

(2) The Commissioner shall not enter into such an agreement if it would unduly and permanently impact services funded in this or any other appropriations Acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees.

(b) Funds collected pursuant to any agreement entered into under this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(c) The amount of the fee to be charged pursuant to an agreement authorized under subsection (a) of this section shall be paid by each person requesting U.S. Customs and Border Protection services and shall include, but shall not be limited to, the salaries and expenses of individuals employed by U.S.

Customs and Border Protection to provide such U.S. Customs and Border Protection services and other costs incurred by U.S. Customs and Border Protection relating to those services, such as temporary placement or permanent relocation of those individuals.

(d) U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Commissioner that a fee imposed under subsection (a) is due, fails to pay the fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current U.S. Treasury borrowing rates. Additionally, any person who, after notice and demand for payment of any fee charged under subsection (a) of this section, fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of the fee. Any amount collected pursuant to any agreement entered into under this subsection shall be deposited into the account specified under subsection (b) of this section and shall be available as described therein.

(e) Each facility at which such U.S. Customs and Border Protection services are performed shall provide, maintain, and equip, without cost to the Government, facilities in accordance with U.S. Customs and Border Protection specifications.

(f) The authority found in this section may not be used to enter into agreements to expand or begin to provide U.S. Customs and Border Protection services outside of the United States.

(g) The authority found in this section may not be used at existing U.S. Customs and Border Protection-serviced air facilities to enter into agreements for costs other than payment of overtime.

(h) The Commissioner shall notify the appropriate Committees of Congress 15 days prior to entering into any agreement under the authority of this section and shall provide a copy of the agreement to the appropriate Committees of Congress.

(i) For purposes of this section the terms:

(1) U.S. Customs and Border Protection “services” means any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs and immigration inspection-related matters.

(2) “Person” means any natural person or any corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(3) “Appropriate Committees of Congress” means the Committees on Appropriations; Finance; Judiciary; and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations; Judiciary; Ways and Means; and Homeland Security of the House of Representatives.

SEC. 561. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 562. Twenty percent of each of the appropriations provided in this Act for the “Office of the Secretary and Executive Management”, the “Office of the Under Secretary for Management”, and the “Office of the Chief Financial Officer” shall be withheld

from obligation until the reports and plans required in this Act to be submitted on or before May 1, 2013, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 563. Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on October 1, 2013, and ending on September 30, 2014, section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv) Each petition to compete for consideration for a visa under section 1153(c) of this title shall be accompanied by a fee equal to \$30. All amounts collected under this clause shall be deposited into the Treasury as miscellaneous receipts.”.

*Provided*, That the Department of State, in consultation with the Department of Homeland Security, shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO-07-1174.

SEC. 564. The Administrator of the Federal Emergency Management Agency shall cancel the liquidated balances of all remaining uncanceled or partially canceled loans disbursed under the Community Disaster Loan Act of 2005 (Public Law 109-88) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234), as amended by section 4502 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28) to the extent that revenues of the local government during the period following the major disaster are insufficient to meet the budget of the local government, including additional disaster-related expenses of a municipal character. In calculating a community's revenues while determining cancellation, the Administrator shall exclude revenues for special districts and any other revenues that are required by law to be disbursed to other units of local government or used for specific purposes more limited than the scope allowed by the General Fund. In calculating a community's expenses, the Administrator shall include disaster-related capital expenses for which the community has not been reimbursed by Federal or insurance proceeds, debt service expenses, and accrued but unpaid uncompensated absences (vacation and sick pay). In calculating the operating deficit of the local government, the Administrator shall also consider all interfund transfers. When considering the period following the disaster, the Administrator may consider a period of 3, 5, or 7 full fiscal years after the disaster, beginning on the date of the declaration, in determining eligibility for cancellation. The criteria for cancellation do not apply to those loans already cancelled in full. Applicants shall submit supplemental documentation in support of their applications for cancellation on or before April 30, 2014, and the Administrator shall issue determinations and resolve any appeals on or before April 30, 2015. Loans not cancelled in full shall be repaid not later than September 30, 2035. The Administrator may use funds provided under Public Law 109-88 to reimburse those communities that have repaid all or a portion of loans, including interest, provided as Special Community Disaster Loans under Public Law 109-88 or Public Law 109-234, as amended by section 4502 of Public Law 110-28. Further, the Administrator may use funds provided under Public Law 109-88 for necessary expenses to carry out this provision.

SEC. 565. The Inspector General shall review the applications for public assistance provided through the Disaster Relief Fund with a project cost that exceeds \$10,000,000 and the resulting decisions issued by the Federal Emergency Management Agency for category A debris removal for DR-1786 upon receipt of a request from an applicant made no earlier than 90 days after filing an appeal with the Federal Emergency Management Agency without regard to whether the Administrator of the Federal Emergency Management Agency has issued a final agency determination on the application for assistance: *Provided*, That not later than 180 days after the date of such request, the Inspector General shall determine whether the Federal Emergency Management Agency correctly applied its rules and regulations to determine eligibility of the applicant's claim: *Provided further*, That if the Inspector General finds that the Federal Emergency Management Agency determinations related to eligibility and cost involved a misapplication of its rules and regulations, the applicant may submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111-5 not later than 15 days after the date of issuance of the Inspector General's finding in the previous proviso: *Provided further*, That if the Inspector General finds that the Federal Emergency Management Agency provided unauthorized funding, that the Federal Emergency Management Agency shall take corrective action.

SEC. 566. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 567. None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

SEC. 568. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 569. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

#### (RESCISSIONS)

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

- (1) \$1,800,000 from Public Law 112-74 under the heading “Analysis and Operations”;
- (2) \$73,232,000 from funds made available in Public Law 112-10 and Public Law 112-74

under the heading U.S. Customs and Border Protection, “Border Security Fencing, Infrastructure, and Technology”;

(3) \$3,108,311 from unobligated prior year balances from U.S. Immigration and Customs Enforcement, “Construction”;

(4) \$25,000,000 from Public Law 110-329 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(5) \$43,000,000 from Public Law 111-83 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(6) \$63,500,000 from Public Law 112-10 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(7) \$23,000,000 from Public Law 112-74 under the heading Coast Guard “Acquisition, Construction, and Improvements”; and

(8) \$21,667,000 from Public Law 112-74 under the heading Transportation Security Administration, “Surface Transportation Security”.

#### (RESCISSION)

SEC. 571. Of the funds provided in Public Law 110-161, Public Law 110-329, and Public Law 111-83, under the heading “National Predisaster Mitigation Fund” for congressionally directed spending items, \$12,000,000 are rescinded from projects for which no applications were submitted or from projects which were completed for an amount less than that appropriated.

#### (RESCISSIONS)

SEC. 572. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

- (1) \$199,657 from “Operations”;
- (2) \$445,328 from U.S. Customs and Border Protection “Salaries and Expenses”;
- (3) \$63,045 from U.S. Customs and Border Protection “Violent Crime Reduction Programs”;
- (4) \$86,597 from U.S. Immigration and Customs Enforcement “Violent Crime Reduction Programs”;
- (5) \$1,739 from Coast Guard “Acquisition, Construction, and Improvements”;
- (6) \$1,329,239 from Federal Emergency Management Agency “Office of Domestic Preparedness”;
- (7) \$3,262,677 from Federal Emergency Management Agency “National Predisaster Mitigation Fund”; and
- (8) \$2,291,844 from Transportation Security Administration “Administration”.

#### (RESCISSIONS)

SEC. 573. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2012 (Public Law 112-74; 125 Stat. 984) are rescinded:

- (1) \$314,674 from “Office of the Secretary and Executive Management”;
- (2) \$185,813 from “Office of the Under Secretary for Management”;
- (3) \$114,391 from “Office of the Chief Financial Officer”;
- (4) \$59,507 from “Office of the Chief Information Officer”;
- (5) \$568,188 from “Analysis and Operations”;
- (6) \$45,525 from “Office of Inspector General”;
- (7) \$568,480 from U.S. Customs and Border Protection “Salaries and Expenses”;
- (8) \$3,581,483 from U.S. Immigration and Customs Enforcement “Salaries and Expenses”;
- (9) \$1,075,942 from Transportation Security Administration “Federal Air Marshals”;

(10) \$18,142,454 from Coast Guard “Operating Expenses”;

(11) \$991,520 from Coast Guard “Reserve Training”;

(12) \$1,033,599 from Coast Guard “Acquisition, Construction, and Improvements”;

(13) \$2,371,377 from United States Secret Service “Salaries and Expenses”;

(14) \$82,084 from National Protection and Programs Directorate “Management and Administration”;

(15) \$1,683,470 from National Protection and Programs Directorate “Infrastructure Protection and Information Security”;

(16) \$184,583 from National Protection and Programs Directorate “United States Visitor and Immigrant Status Indicator Technology”;

(17) \$259,874 from Federal Emergency Management Agency “Salaries and Expenses”;

(18) \$206,722 from Federal Emergency Management Agency “State and Local Programs”;

(19) \$450,017 from Office of Health Affairs;

(20) \$205,799 from United States Citizenship and Immigration Services;

(21) \$512,660 from Federal Law Enforcement Training Center “Salaries and Expenses”;

(22) \$244,553 from Science and Technology “Management and Administration”;

(23) \$128,565 from Domestic Nuclear Detection Office “Management and Administration”.

This division may be cited as the “Department of Homeland Security Appropriations Act, 2013”.

#### **DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

##### **TITLE I**

##### **DEPARTMENT OF DEFENSE**

##### **MILITARY CONSTRUCTION, ARMY**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,684,323,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed \$80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, NAVY AND MARINE CORPS**

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,549,164,000, to remain available until September 30, 2017: *Provided*, That of

this amount, not to exceed \$102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, AIR FORCE**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$322,543,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed \$18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)**

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,582,423,000, to remain available until September 30, 2017: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$315,562,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, \$26,969,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

##### **MILITARY CONSTRUCTION, ARMY NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$613,799,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities

for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$42,386,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$305,846,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$49,532,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$10,979,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### **NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and



Military Construction Authorization Acts, \$254,163,000, to remain available until expended.

#### FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$4,641,000, to remain available until September 30, 2017.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$530,051,000.

#### FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$102,182,000, to remain available until September 30, 2017.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$378,230,000.

#### FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,824,000, to remain available until September 30, 2017.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$497,829,000.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$52,238,000.

#### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

#### CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$151,000,000, to remain available until September 30, 2017, which shall be

only for the Assembled Chemical Weapons Alternatives program.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$409,396,000, to remain available until expended.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$126,697,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another,

without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal

year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually

for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobli-

gated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 126. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 128. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts, \$20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from



amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Department of Defense Base Closure Account 2005", from prior appropriations Acts, \$132,513,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer \$10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$60,599,855,000, to remain available until expended: *Provided*, That not to exceed \$9,204,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance

Program, \$12,023,458,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$104,600,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2013, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$157,814,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$346,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,089,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$155,000,000, which shall be in addition to funds previously appropriated under this

heading that become available on October 1, 2012; and in addition, \$43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$582,674,000, plus reimbursements, shall remain available until September 30, 2014.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration

or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$258,284,000, of which not to exceed \$25,828,000 shall remain available until September 30, 2014: *Provided*, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: *Provided further*, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: *Provided further*, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: *Provided further*, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: *Provided further*, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: *Provided further*, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as provided in section 2413 of title 38, United States Code: *Provided further*, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

## DEPARTMENTAL ADMINISTRATION

## GENERAL ADMINISTRATION

## (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$424,737,000, of which not to exceed \$20,837,000 shall remain available until September 30, 2014: *Provided*, That the Board of Veterans Appeals shall be funded at not less than \$86,006,000: *Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): *Provided further*, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

## GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,164,074,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed \$113,000,000 shall remain available until September 30, 2014.

## INFORMATION TECHNOLOGY SYSTEMS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,327,444,000, plus reimbursements: *Provided*, That \$1,021,000,000 shall be for pay and associated costs, of which not to exceed \$30,630,000 shall remain available until September 30, 2014: *Provided further*, That \$1,812,045,000 shall be for operations and maintenance, of which not to exceed \$126,000,000 shall remain available until September 30, 2014: *Provided further*, That \$494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Sec-

retary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall remain available until September 30, 2014.

## CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the

amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$532,470,000, of which \$502,470,000 shall remain available until September 30, 2017, and of which \$30,000,000 shall remain available until expended: *Provided*, That \$5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: *Provided further*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or

alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emer-

gency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the "General administration" and "Information technology

systems'' accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the

Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National Cemetery Administration" accounts for fiscal year 2013, may be transferred to or from the "Information technology systems" account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122

Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, major projects"

may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than \$25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

SEC. 232. Funds made available under the heading "Medical services" in title II of division H of Public Law 112-74 may be used to carry out section 1787 of title 38, United States Code.

### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$62,929,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,481,000: *Provided*, That \$2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting proce-

dures set forth, under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$65,800,000, of which not to exceed \$27,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

##### CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, \$103,000,000, to remain available until September 30, 2017, of which, \$84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and \$19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

##### ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,590,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

##### ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

### TITLE IV

#### OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$150,768,000, to remain available until September 30, 2013: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### ADMINISTRATIVE PROVISION (INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112-10 and division H in title IV of Public Law 112-74, \$150,768,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### TITLE V

#### GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal,

State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 511. (a) IN GENERAL.—None of the funds appropriated or otherwise made available in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 517. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency that are stationed within the United States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the “Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013”.

#### **DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

#### **TITLE I**

#### **GENERAL PROVISIONS**

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112-74).

(2) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112-74).

(3) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74).

(4) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112-74).

(5) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112-74).

(6) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74).

(7) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55), except for the appropriations designated by the Congress as being for disaster relief under the heading “Department of Transportation, Federal Highway Administration, Emergency Relief” and in the last proviso of section 239 of such Act.

(8) The Disaster Relief Appropriations Act, 2012 (Public Law 112-77), except for appropriations under the heading “Corps of Engineers—Civil”.

(b) For purposes of this division, the term “level” means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112-74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112-74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112-175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) “Department of Labor, Office of Workers’ Compensation Programs, Special Benefits for Disabled Coal Miners”, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$40,000,000, to remain available until expended.

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$106,335,631,000, to remain available until expended.

(3) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs”, for payments to States or other non-



Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,100,000,000, to remain available until expended.

(4) “Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency”, for payments to States or other non-Federal entities under title IV–E of the Social Security Act, \$2,200,000,000.

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$19,300,000,000, to remain available until expended.

SEC. 1110. Each amount made available in this division by reference to an appropriation that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111–322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after “ending on” and before “shall be made” and inserting “December 31, 2013,”; and

(2) in subsection (c), by striking the matter after “ending on” and before “no senior executive” and inserting “December 31, 2013.”.

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note) is repealed.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013—

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows:

- (1) The Department of Agriculture.
- (2) The Department of Commerce.
- (3) The Department of Education.
- (4) The Department of Energy.
- (5) The Department of Health and Human Services.
- (6) The Department of Homeland Security.
- (7) The Department of Housing and Urban Development.
- (8) The Department of the Interior.
- (9) The Department of Justice.
- (10) The Department of Labor.
- (11) The Department of State and United States Agency for International Development.
- (12) The Department of Transportation.
- (13) The Department of the Treasury.
- (14) The National Aeronautics and Space Administration.
- (15) The National Science Foundation.
- (16) The Judiciary.
- (17) With respect to amounts made available under the heading “Executive Office of the President and Funds Appropriated to the President”, agencies funded under such heading.
- (18) The Federal Communications Commission.
- (19) The General Services Administration.
- (20) The Office of Personnel Management.
- (21) The National Archives and Records Administration.
- (22) The Securities and Exchange Commission.
- (23) The Small Business Administration.
- (24) The Environmental Protection Agency.
- (25) The Indian Health Service.
- (26) The Smithsonian Institution.
- (27) The Social Security Administration.
- (28) The Corporation for National and Community Service.
- (29) The Corporation for Public Broadcasting.
- (30) The Food and Drug Administration.
- (31) The Commodity Futures Trading Commission.

SEC. 1114. Not later than May 15, 2013, and each month thereafter through November 1, 2013, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

- (1) set forth obligations by account; and
- (2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2013”.

#### TITLE II

##### ENERGY AND WATER DEVELOPMENT

SEC. 1201. The amounts available for “Corps of Engineers—Civil, Department of the Army, Corps of Engineers—Civil, Construction” are hereby reduced by \$20,000,000.

SEC. 1202. Notwithstanding section 1101, the level for “Department of the Interior, Central Utah Project, Central Utah Project Completion Account” shall be \$19,700,000, of which, \$1,200,000 shall be deposited into the “Utah Reclamation Mitigation and Conservation Account” for use by the Utah Reclamation Mitigation and Conservation Commission. In addition \$1,300,000 is provided for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior.

SEC. 1203. Notwithstanding section 1101, the level for each of the following accounts

shall be as follows: “Department of Energy, Energy Efficiency and Renewable Energy”, \$1,814,091,000; “Department of Energy, Nuclear Energy”, \$759,000,000; “Department of Energy, Science”, \$4,876,000,000; “Department of Energy, Advanced Research Projects Agency—Energy”, \$265,000,000, to remain available until expended.

SEC. 1204. Notwithstanding section 1101, of the unobligated balances from prior year appropriations available under “Department of Energy, Northeast Home Heating Oil Reserve” \$6,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1205. (a) Notwithstanding section 1101, the level for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities” shall be \$7,577,341,000.

(b) Section 301(c) of division B of Public Law 112–274 shall not apply to amounts made available by this section.

SEC. 1206. In addition to amounts otherwise made available by this division, \$110,000,000 is appropriated for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation” for domestic uranium enrichment research, development, and demonstration.

SEC. 1207. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for “October 1, 2012”.

#### TITLE III

##### FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1301. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19–381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74; 125 Stat. 940) is amended by striking “November 1, 2012” and inserting “November 1, 2013”.

SEC. 1302. Notwithstanding section 1101, the level for “District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia” shall be \$24,700,000, of which not less than \$9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1303. Notwithstanding section 1101, the fifth proviso under the heading “Federal Communications Commission, Salaries and Expenses” in division C of Public Law 112–74 shall be applied by substituting “\$98,739,000” for “\$85,000,000”.

SEC. 1304. Notwithstanding any other provision of this division, amounts made available by section 1101 for “Department of the Treasury, Departmental Offices, Salaries and Expenses” and “Department of the Treasury, Office of Inspector General, Salaries and Expenses” may be used for activities in connection with section 1602(e) of the Resources and

Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112-141).

SEC. 1305. Notwithstanding section 1101, the level for "Office of Government Ethics, Salaries and Expenses" shall be \$18,664,000, of which \$5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112-105).

SEC. 1306. Notwithstanding section 1101, the level for "Small Business Administration, Business Loans Program Account" for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be \$333,600,000.

SEC. 1307. Of the unobligated balances available for "Department of the Treasury, Treasury Forfeiture Fund", \$950,000,000 are rescinded.

SEC. 1308. Notwithstanding section 1101, the Community Development Financial Institutions Fund is authorized during Fiscal Year 2013 to guarantee bonds and notes pursuant section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.): *Provided*, That no funds appropriated by this Act for "Department of the Treasury—Community Development Financial Institutions Fund Program Account" shall be available for the cost, if any, of guaranteed loans (as defined in section 502 of the Congressional Budget Act of 1974) pursuant to section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to subsidize total loan principal not to exceed \$500,000,000.

SEC. 1309. Sections 9503(a), 9504(a) and (b), and 9505(a) of title 5, United States Code, are amended by striking "Before July 23, 2013" each place it occurs and inserting "Before September 30, 2013".

SEC. 1310. Notwithstanding section 1101, the level for "Executive Office of The President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation" shall be \$0.

SEC. 1311. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" shall be \$1,040,000,000.

SEC. 1312. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), as amended, is amended—

(1) in the third sentence (relating to the district of Kansas), by striking "21 years or more" and inserting "22 years and 6 months or more"; and

(2) in the seventh sentence (relating to the district of Hawaii), by striking "18 years or more" and inserting "19 years and 6 months or more".

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act of 2006 (Public Law 109-115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern district of Missouri) by inserting "and 6 months" after "20 years".

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273; 28 U.S.C. 133 note) is amended—

(1) by inserting after "authorized by this subsection" the following: " , except in the case of the central district of California and the western district of North Carolina";

(2) by striking "10 years" and inserting "11 years"; and

(3) by adding at the end the following: "The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.".

SEC. 1313. Notwithstanding section 1101 of this division or division A, the level for the "Commodity Futures Trading Commission" shall be the level specified under Public Law 112-55 and the authorities and conditions, including comparable periods of availability, provided under such Public Law shall apply to such appropriation.

SEC. 1314. Notwithstanding section 1101, the level for "Federal Deposit Insurance Corporation, Office of the Inspector General" shall be \$34,568,000.

#### TITLE IV

#### INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1401. Notwithstanding section 1101, the levels for the following appropriations of the Department of the Interior shall be:

(a) \$950,757,000 for "Bureau of Land Management, Management of Lands and Resources": *Provided*, That the amounts included under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "\$950,757,000" for "\$961,900,000" the second place it appears;

(b) \$0 for "Bureau of Land Management, Construction";

(c) \$1,213,915,000 for "United States Fish and Wildlife Service, Resource Management";

(d) \$19,136,000 for "United States Fish and Wildlife Service, Construction";

(e) \$2,214,202,000 for "National Park Service, Operation of the National Park Service";

(f) \$131,173,000 for "National Park Service, Construction";

(g) \$105,910,000 for "Bureau of Indian Affairs, Construction";

(h) \$84,946,000 for "Insular Affairs, Assistance to Territories": *Provided*, That the matter under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting "\$75,684,000" for "\$78,517,000"; and by substituting "\$9,262,000" for "\$9,480,000";

(i) \$146,000,000 for "Office of the Special Trustee for American Indians, Federal Trust Programs"; and

(j) \$726,473,000 for "Department-wide Programs, Wildland Fire Management": *Provided*, That of the amounts made available by section 140(b) of Public Law 112-175 (126 Stat. 1321), \$7,500,000 are rescinded.

SEC. 1402. The contract authority provided for fiscal year 2013 by 16 U.S.C. 4601-10a is rescinded.

SEC. 1403. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking "on" the first place it appears and inserting "before, on,"; and

(2) in paragraph (2)—

(A) by striking "located" the second place it appears;

(B) by inserting at the end of the following: "Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c))."; and

(C) by striking "(a)" in the first sentence and inserting "(a)(1)".

SEC. 1404. (a) Division II of Public Law 104-333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking "2012" and inserting "2013".

(b) Effective on October 12, 2012, section 7 of Public Law 99-647, as amended by section 702(d) of Public Law 109-338 and section 1767 of Public Law 112-10, is further amended by striking "the date" and all that follows and inserting "September 30, 2013".

(c) Section 12 of Public Law 100-692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking "2012" and inserting "2013"; and

(2) in subsection (d), by striking "the date that is 5 years after the date of enactment of this sub section" and inserting "September 30, 2013".

(d) Section 108 of Public Law 106-278 (16 U.S.C. 461 note) is amended by striking "2012" and inserting "2013".

SEC. 1405. Notwithstanding section 1101, the levels for the following appropriations of the Environmental Protection Agency shall be:

(a) \$785,291,000 for "Science and Technology";

(b) \$2,651,440,000 for "Environmental Programs and Management";

(c) \$1,176,431,000 for "Hazardous Substance Superfund": *Provided*, That the matter under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting "\$1,176,431,000" for "\$1,215,753,000" the second place it appears; and by substituting "September 30, 2012" for "September 30, 2011"; and

(d) \$3,579,094,000 for "State and Tribal Assistance Grants": *Provided*, That the amounts included under such heading in division E of Public Law 112-74 shall be applied to fund appropriated by this division as follows: by substituting "\$1,451,791,000" for "\$1,468,806,000"; by substituting "\$908,713,000" for "\$919,363,000"; and by substituting "\$19,952,000" for "\$30,000,000".

SEC. 1406. (a) Of the unobligated balances available to the Environmental Protection Agency under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) "Hazardous Substance Superfund", \$15,000,000.

(2) "State and Tribal Assistance Grants", \$35,000,000, as follows:

(A) \$10,000,000 from unobligated Brownfields balances.

(B) \$5,000,000 from unobligated categorical grant balances.

(C) \$10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) \$10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1407. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide,



Fungicide, and Rodenticide Act (7 U.S.C. 136w-8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1408. Notwithstanding section 1101, the levels for the following appropriations of the Department of Agriculture shall be:

(a) \$1,536,596,000 for “Forest Service, National Forest System”;

(b) \$369,800,000 for “Forest Service, Capital Improvement and Maintenance”; and

(c) \$1,971,390,000 for “Forest Service, Wildland Fire Management”.

SEC. 1409. Notwithstanding section 1101, the levels for the following appropriations of the Department of Health and Human Services shall be:

(a) \$3,914,599,000 for “Indian Health Service, Indian Health Services”; and

(b) \$441,605,000 for “Indian Health Service, Indian Health Facilities”.

SEC. 1410. Notwithstanding section 1101, the level for “Smithsonian Institution, Salaries and Expenses” shall be \$640,512,000.

SEC. 1411. Notwithstanding section 1101, the level for “Advisory Council on Historic Preservation, Salaries and Expenses” shall be \$7,023,000: *Provided*, That of the funds appropriated herein, \$1,300,000, to remain available until expended, may be used for expenses related to the relocation from the Old Post Office Building.

SEC. 1412. Notwithstanding section 1101, the level for “Presidio Trust, Presidio Trust Fund” shall be \$0.

SEC. 1413. Notwithstanding section 1101, the level for “Dwight D. Eisenhower Memorial Commission, Salaries and Expenses” shall be \$1,050,000 and the level for “Dwight D. Eisenhower Memorial Commission, Capital Construction” shall be \$0: *Provided*, That section 8162(m) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106-79), as added by section 8120 (a) of Public Law 107-117 (115 Stat. 2273), is amended by adding at the end the following:

“(3) EXPIRATION.—Any reference in section 8903(e) of title 40, U.S.C. to the expiration at the end of, or extension beyond, a 7-year period shall be considered to be a reference to an expiration on, or extension beyond, September 30, 2013.”.

SEC. 1414. Notwithstanding section 1101, section 408 of division E of Public Law 112-74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting “112-10, and 112-74” for “112-10” and by substituting “2012” for “2011”.

SEC. 1415. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106-113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

#### TITLE V

#### LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1501. Of the funds available to the Department of Labor, Employment and Training Administration in this or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to \$30,000,000 may be transferred to “Department of Labor, Employment and Training Administration, Office of Job Corps” for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: *Provided*, That not less

than \$10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: *Provided further*, That not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of the Job Corps during Program Years 2012 and 2013 and the savings gained by implementing each initiative.

SEC. 1502. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account of the Unemployment Trust Fund for administrative expenses of “Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations” shall be \$3,940,865,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which \$3,115,142,000 shall be for grants to the States for the administration of State unemployment insurance laws under paragraph (1). For the purposes of this section, the first proviso under this heading in Public Law 112-74 shall be applied by substituting “2013” and “4,585,000” for “2012” and “4,832,000”, respectively.

SEC. 1503. Notwithstanding section 1101, language under the heading “Department of Labor, Mine Safety and Health Administration, Salaries and Expenses” in Public Law 112-74 shall be applied to funds appropriated by this Act by substituting “is authorized to collect and retain up to \$2,499,000” for “may retain up to \$1,499,000”.

SEC. 1504. Notwithstanding section 1101, the level for “Department of Labor, Veterans Employment and Training” shall be \$264,436,000, of which \$226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: *Provided further*, That of the level provided under such heading, not less than \$14,000,000 shall be for the Transition Assistance Program, and \$3,414,000 shall be for the National Veterans’ Employment and Training Services Institute.

SEC. 1505. All funds provided for the Health Centers program, as defined by section 330 of the Public Health Service Act, by this Act or any other Act providing appropriations for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services by September 30, 2013, of which \$48,000,000 shall be awarded for base grant adjustments.

SEC. 1506. The Director of the Centers for Disease Control and Prevention (hereafter referred to in this division as “CDC”) may detail CDC staff without reimbursement for up to 30 days to support an activation of the CDC Emergency Operations Center, so long as the Director provides notification within 15 days of the use of this authority and a full report to the Committees on Appropriations of the House of Representatives and the Sen-

ate within 30 days after the use of this authority, which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided*, That the annual reimbursement cannot exceed \$3,000,000 across CDC.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1507. To facilitate the implementation of the permanent Working Capital Fund (“WCF”) authorized in Public Law 112-74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: *Provided*, That on or after October 1, 2013, the CDC shall transfer other amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: *Provided further*, That assets purchased with funds appropriated for or reimbursed to business services in this or any other Act may be transferred to the WCF and customers billed for depreciation of those assets: *Provided further*, That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activity funding: *Provided further*, That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfer made under the authority provided in this section.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1508. Notwithstanding section 1101, the level for “Department of Health and Human Services, National Institutes of Health, Office of the Director” shall be \$1,528,181,000: *Provided*, That the fourth proviso under such heading shall be applied to funds appropriated by this Act by substituting the following: “: *Provided further*, That \$165,000,000 shall be for the National Children’s Study (NCS), except that not later than July 15, 2013 the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act: *Provided further*, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council (IOM/NRC) panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations: *Provided further*, That no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public.”.

SEC. 1509. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance” shall be \$1,016,000,000.

SEC. 1510. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” shall be \$2,328,313,000: *Provided*, That in addition to the amounts required to be reserved by the States under section 658G of the Child Care and Development Block Grant

Act, \$297,078,000 shall be reserved by the States for activities authorized under section 658G of such Act, of which \$108,950,000 shall be for activities that improve the quality of infant and toddler care.

SEC. 1511. In addition to amounts otherwise made available by section 1101, \$33,500,000 is appropriated for "Department of Health and Human Services, Administration for Children and Families, Children and Families Services" for making payments under the Head Start Act: *Provided*, That notwithstanding section 640 of such Act, up to \$25,000,000 of such funds shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act.

SEC. 1512. Notwithstanding section 1101, the level for "Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund" shall be increased by \$17,000,000 for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, to remain available until expended.

SEC. 1513. Of the amount provided by section 1101 for "Department of Education, Safe Schools and Citizenship Education" for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, \$3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

SEC. 1514. Notwithstanding section 1101, the provisos under the heading "Department of Education—Special Education" shall be applicable as if the following four provisos were inserted after the first proviso: "*Provided further*, That the Secretary shall distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), in accordance with section 611(d)(3)(A)(i)(II) and (III) without regard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second preceding proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years:".

SEC. 1515. Of the amount provided by section 1101 for "Department of Education, Higher Education" for subpart 2 of part A of title VII of the Higher Education Act of 1965, up to \$4,451,000 shall be available to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of such Act.

SEC. 1516. Notwithstanding section 1101, the level for "Railroad Retirement Board, Limitation on Administration" shall be \$111,149,000.

SEC. 1517. Notwithstanding section 1101, the level for "Social Security Administration, Supplemental Security Income Program" for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act shall be \$17,000,000.

SEC. 1518. Of the funds made available by section 1101 for "Social Security Administration, Limitation on Administrative Expenses", \$23,000,000 shall be for section 1149 of the Social Security Act and \$7,000,000 shall be for section 1150 of the Social Security Act.

SEC. 1519. Of the funds made available by section 1101 for "Social Security Administration, Limitation on Administrative Expenses" for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

SEC. 1520. Of the funds made available for the Community-Based Care Transitions Program under section 3026 of Public Law 111-148, \$200,000,000 are hereby rescinded.

SEC. 1521. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112-74 shall be repeated in this Act with respect to funds available for fiscal year 2013.

SEC. 1522. Section 148 of Public Law 112-175 is amended to read as follows: "Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b) of such Act) shall continue through September 30, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose."

#### TITLE VI

##### LEGISLATIVE BRANCH

SEC. 1601. Notwithstanding any other provision of this Act, for a payment to Irene Hirano Inouye, widow of Daniel K. Inouye, late a Senator from Hawaii, \$193,400.

SEC. 1602. Notwithstanding section 1101, the level for "Joint Congressional Committee On Inaugural Ceremonies of 2013" shall be \$0.

SEC. 1603. Notwithstanding section 1101, the level for "Capitol Police, General Expenses" shall be \$62,004,000.

SEC. 1604. Notwithstanding section 1101, the level of funding for "Architect of the Capitol, General Administration" shall be \$97,340,000.

SEC. 1605. (a) Notwithstanding section 1104, of the amounts made available by section 1101 for accounts under the heading "Architect of the Capitol", the Architect of the Capitol may transfer an aggregate amount of not more than \$61,247,000 to "Architect of the Capitol, Capitol Building", solely for ex-

penses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

SEC. 1606. (a) Notwithstanding section 1101, available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2013 and each year thereafter.

SEC. 1607. Notwithstanding section 1101, the level for "Library of Congress, Copyright Office, Salaries and Expenses" shall be \$737,000 under the first proviso, and shall be \$34,250,000 under the fourth proviso.

SEC. 1608. Notwithstanding section 1101, the level for "Government Printing Office, Congressional Printing and Binding" shall be \$83,632,000; "Government Printing Office, Government Printing Office Revolving Fund" shall be \$4,000,000.

SEC. 1609. Notwithstanding section 1101, the level for "Government Printing Office, Office of Superintendent of Documents, Salaries and Expenses" shall be \$31,500,000 and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2011 and 2012.

SEC. 1610. Notwithstanding section 1101, the level for "Government Accountability Office, Salaries and Expenses" shall be \$506,282,000, the amount applicable under the first proviso under that heading shall be \$26,404,000.

SEC. 1611. (a) IN GENERAL.—Available balances of expired Government Accountability Office appropriations shall be available to the Government Accountability Office to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5 United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each fiscal year thereafter.

SEC. 1612. Notwithstanding section 1101, the level for "Open World Leadership Center Trust Fund" shall be \$8,000,000.

#### TITLE VII

##### DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 1701. (a) Notwithstanding section 1101, the amounts included under the heading "Embassy Security, Construction, and Maintenance" under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting "\$938,125,000" for "\$762,000,000" in the first paragraph; and by substituting "\$688,499,000" for "\$775,000,000" in the second paragraph.

(b) Notwithstanding section 1101, the levels for the following accounts under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: "Contributions for International Peacekeeping Activities", \$2,006,499,000; "International Boundary and Water Commission, United States and Mexico, Salaries and Expenses", \$43,499,000; "International Boundary and Water Commission, United States and Mexico, Construction", \$27,675,000; "American Sections, International Commissions", \$11,923,000; "International Fisheries

Commissions", \$34,617,000; "Commission for the Preservation of America's Heritage Abroad, Salaries and Expenses", \$606,000; "United States Commission on International Religious Freedom, Salaries and Expenses", \$2,932,000; "Commission on Security and Cooperation in Europe, Salaries and Expenses", \$2,443,000; "Congressional-Executive Commission on the People's Republic of China, Salaries and Expenses", \$1,906,000; and "United States-China Economic and Security Review Commission, Salaries and Expenses", \$3,312,000.

SEC. 1702. (a) Notwithstanding section 1101, the amounts included under the heading "Global Health Programs" under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting in the first sentence in the first paragraph "\$2,755,950,000" for "\$2,625,000,000"; by substituting in the first sentence in the second paragraph "\$5,720,499,000" for "\$5,542,860,000"; and by substituting in the second proviso in the second paragraph "\$1,650,000,000" for "\$1,050,000,000".

(b) Notwithstanding section 1101, the amounts included under the heading "Economic Support Fund" under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting after the tenth proviso and before the period the following: "Provided further, That not less than \$325,400,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated under the heading 'Development Assistance' in this Act".

SEC. 1703. (a) Notwithstanding section 1101, the sixth proviso under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs" in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting the following: "Provided further, That funds made available for demining, conventional weapons destruction, and related activities, in addition to funds otherwise made available for such purposes, may be used for administrative expenses related to the operation and management of demining, conventional weapons destruction, and related programs".

(b) Notwithstanding section 1101, the first sentence under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs" in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting "to remain available until September 30, 2014," after "\$590,113,000".

(c) Notwithstanding section 1101, the third proviso under the heading "International Security Assistance, Department of State, Peacekeeping Operations" in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "\$161,000,000" for "\$91,818,000" and "2014" for "2013".

(d) Notwithstanding section 1101, the amounts included in the first paragraph under the heading "Foreign Military Financing Program" under title IV in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting in the second proviso "\$3,100,000,000" for "\$3,075,000,000" and by substituting in the fourth proviso "\$815,300,000" for "\$808,725,000".

SEC. 1704. (a) Notwithstanding section 1101, the levels for the following accounts under title V in division I of Public Law 112-74 shall be as follows: "Global Environment Facility", \$129,400,000; "Contribution to the International Bank for Reconstruction and

Development", \$186,957,000; "Contribution to the Enterprise for the Americas Multilateral Investment Fund", \$15,000,000; and in the first paragraph under "Contribution to the International Development Association", \$1,358,500,000; and "Contribution to the Inter-American Development Bank", \$111,153,000.

(b) Notwithstanding section 1101, the level for the following accounts shall be \$0: "Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions"; "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia"; and "International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund".

(c) Notwithstanding section 1101, the level for the second paragraphs for the following accounts under title V in division I of Public Law 112-74 shall be \$0: "Contribution to the International Development Association"; "Contribution to the Inter-American Development Bank"; and "Contribution to the African Development Fund".

(d) Section 70 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.), is amended in subsection (b) by adding at the end the following:

"(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation, \$4,639,501,466 for payment by the Secretary of the Treasury.

"(4) Of the amount authorized to be appropriated under paragraph (3), \$278,370,088 shall be for paid in shares of the Bank, and \$4,361,131,378 shall be for callable shares of the Bank."

SEC. 1705. Of the unexpended balances available under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$400,000,000 are rescinded.

SEC. 1706. (a) Notwithstanding section 1101, section 7006 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "Afghanistan, Pakistan, and other hostile or high-risk areas" for "Afghanistan, and Pakistan".

(b) Notwithstanding section 1101, the amount included in section 7034(f) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "\$100,000,000" for "\$50,000,000".

(c) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting before the period in paragraph (2) "or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions".

(d) Notwithstanding section 1101, section 7063 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "September 30, 2014" for "September 30, 2013".

(e) Notwithstanding section 1101, sections 7070(a) and 7072(a) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting "headings" for "heading" and substituting "Global Health Programs", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" for "Assistance for Europe, Eurasia and Central Asia".

(f) Notwithstanding section 1101, section 7070 in division I of Public Law 112-74 shall

be applied to funds appropriated by this division by adding the following:

"(d) Funds appropriated by this division under the heading 'Economic Support Fund' may be made available, notwithstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 3 of the FREEDOM Support Act (Public Law 102-511) and may be used to carry out the provisions of those Acts: *Provided*, That such assistance and related programs from funds appropriated by this Act under the headings 'Global Health Programs', 'Economic Support Fund', and 'International Narcotics Control and Law Enforcement' shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 102 of the FREEDOM Support Act (Public Law 102-511), and shall be made available in amounts consistent with the amounts made available under the heading 'Assistance for Europe, Eurasia and Central Asia' in fiscal year 2012, in consultation with the Committees on Appropriations."

(g) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "and 2012" and inserting "2012, and 2013"; and

(B) in subsection (e), by striking "2012" each place it appears and inserting "2013"; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2012" and inserting "2013".

(h) Notwithstanding section 1101, section 7041(h) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by including the following before the period: "Provided, That prior to obligating funds made available by this Act for assistance for Syria, the Secretary of State shall consult with the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations".

(i) Notwithstanding section 1101, the fifth proviso under the heading "Economic Support Fund" in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting: "Provided further, That funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan and" for "Provided further, That up to \$30,000,000 of the funds appropriated for fiscal year 2011 under this heading in Public Law 112-10, division B, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for".

SEC. 1707. (a) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: "Diplomatic and Consular Programs", \$3,210,650,000, of which \$918,435,000 is for Worldwide Security Protection (to remain available until expended); and "Embassy Security, Construction, and Maintenance", \$1,272,200,000, of which \$1,261,400,000 is for the costs of worldwide security upgrades, acquisition, and construction, as authorized: *Provided*, That funds

made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated under title VIII in division I of Public Law 112-74 under the heading "Diplomatic and Consular Programs" and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, \$1,109,700,000 are rescinded.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations providing an assessment of security requirements at United States diplomatic facilities worldwide, including those facilities considered expeditionary in nature; a comprehensive plan for addressing such requirements; and a detailed description of Embassy security improvements to be supported from funds made available by this section: *Provided*, That such report shall be submitted in unclassified form, but may include a classified annex.

(d) Notwithstanding section 1101, the amounts included under the heading "Office of Inspector General" under title VIII in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting "\$59,151,000" for "\$67,182,000", and by substituting "\$6,000,000" for "\$19,545,000" for the Special Inspector General for Iraq Reconstruction; and by substituting "\$49,901,000" for "\$44,387,000" for the Special Inspector General for Afghanistan Reconstruction.

(e) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: "International Disaster Assistance", \$774,661,000; "Migration and Refugee Assistance", \$1,152,850,000; and "Economic Support Fund", \$3,119,896,000.

SEC. 1708. Notwithstanding section 1101, title VIII of division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting the following at the end of section 8004:

"SEC. 8005. Funds appropriated by this title under the headings 'Diplomatic and Consular Programs', 'Embassy Security, Construction, and Maintenance', and 'Educational and Cultural Exchange Programs' may be transferred to, and merged with, funds appropriated by this title under such headings: *Provided*, That such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the transfer authority in this section is in addition to any transfer authority otherwise available under any other provision of law.

"SEC. 8006. Funds appropriated by this title shall be made available for assistance for Jordan, in addition to amounts otherwise made available by this Act."

#### TITLE VIII

#### TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding sections 1101 and 1104, the level for limitations on obligation and liquidation of contract authority shall be available in the following accounts equal to the level of the contract authority

subject to such limitation appropriated out of the Highway Trust Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101, 32603, and 51001 of Public Law 112-141 for fiscal year 2013:

(1) "Department of Transportation—Federal Highway Administration—Limitation on Administrative Expenses";

(2) "Department of Transportation—Federal Highway Administration—Federal-Aid Highways—(Limitation on Obligations)—(Highway Trust Fund)—(Liquidation of Contract Authorization)—(Highway Trust Fund)";

(3) "Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Operations and Programs—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)";

(4) "Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)"; *Provided*, Section 131 of Division C of Public Law 112-55 is hereby deleted; and

(5) "Department of Transportation—National Highway Traffic Safety Administration—Operations and Research—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)".

(b) Section 120 of division C of Public Law 112-55 shall not apply to amounts made available by this division.

(c) During the period covered by this division, section 1102 of Public Law 112-141 shall be applied—

(1) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(2) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 1802. Notwithstanding sections 1101 and 1104, the language under the heading "Department of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)" shall be applied to funds made available by this Act as if the language read as follows: "For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, \$554,500,000, to remain available until expended, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of \$554,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, of which \$235,000,000 shall be for 'Highway Safety Programs' under 23 U.S.C. 402, \$29,000,000 shall be for 'High Visibility Enforcement Program' under section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), \$265,000,000 shall be for 'National Priority Safety Programs' under 23 U.S.C. 405, and \$25,500,000 shall be for 'Administrative Expenses' under section 31101(a)(6) of Public Law 112-141: *Provided further*, That not to exceed \$500,000 of the funds made available for 23 U.S.C. 405 for 'Impaired Driving Countermeasures' (as described in subsection (d) of such section) shall be available for technical assistance to the States."

SEC. 1803. (a) Amounts provided by section 1101 for "Department of Transportation—Federal Transit Administration—Formula and Bus Grants—(Liquidation of Contract Authority)—(Limitation on Obligations)—(Highway Trust Fund)" are available for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as amended by Public Law 112-141), and 20005(b) of Public Law 112-141: *Provided*, That, notwithstanding sections 1101 and 1104, the proviso under such heading shall be applied to funds provided by this Act as if the proviso read as follows: "*Provided*, That funds available for the implementation or execution of programs authorized by 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141; and 20005(b) of Public Law 112-141 shall not exceed obligations of \$8,478,000,000."

(b) Notwithstanding sections 1101 and 1104, for necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, as amended by Public Law 112-141, \$102,713,000, to remain available until expended, of which \$4,000,000 shall be available to carry out 49 U.S.C. 5329.

(c) Notwithstanding sections 1101 and 1104, amounts provided for "Department of Transportation—Federal Transit Administration—Research and University Research Centers" shall be available for necessary expenses to carry out 49 U.S.C. 5312-5314 and 5322, as amended by Public Law 112-141: *Provided*, That, of the amount provided under this heading, not less than \$35,000,000 shall be available to carry out the provisions of 49 U.S.C. 5312.

(d) Notwithstanding section 1101, the language under the heading "Department of Transportation—Federal Transit Administration—Capital Investment Grants" in division C of Public Law 112-55 shall be applied to funds appropriated by this Act as if the language: ", of which \$35,481,000" and all that follows through the end of the first proviso were deleted.

(e) Section 601(e)(1)(B) of division B of Public Law 110-432 shall be applied by substituting the date specified in section 1106 of this division for "4 years after such date".

SEC. 1804. Section 112 of division C of Public Law 112-55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking "49 U.S.C. 41742(b) shall not apply, and".

SEC. 1805. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants" shall be \$2,033,000,000: *Provided*, That the level for project-based rental assistance with rehabilitation projects with 10-year grant terms shall be \$0, and any unobligated amounts appropriated under such heading for such purpose in fiscal year 2012 or in any prior Act shall be applied in fiscal year 2013 by making any such amounts available for any purpose under such heading: *Provided further*, That the first proviso shall be applied by striking "\$250,000,000" and inserting "\$200,000,000".

SEC. 1806. Notwithstanding sections 1101 and 1104, the level for "Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program Account" shall be \$12,200,000: *Provided*, the second proviso under such heading in division C of Public Law 112-

55 shall be applied to funds appropriated by this division by substituting “\$976,000,000” for “\$360,000,000”; *Provided further*, section 184(d) of the Housing and Community Development Act of 1992 is amended to read as follows:

“(d) **GUARANTEE FEE.**—The Secretary shall establish and collect, at the time of issuance of the guarantee, a fee for the guarantee of loans under this section, in an amount not exceeding 3 percent of the principal obligation of the loan. The Secretary may also establish and collect annual premium payments in an amount not exceeding 1 percent of the remaining guaranteed balance (excluding the portion of the remaining balance attributable to the fee collected at the time of issuance of the guarantee). The Secretary shall establish the amount of the fees and premiums by publishing a notice in the Federal Register. The Secretary shall deposit any fees and premiums collected under this subsection in the Indian Housing Loan Guarantee Fund established under subsection (i).”

**SEC. 1807.** Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance” shall be \$14,939,369,000, to remain available until expended, which shall be available on October 1, 2012 (in addition to the \$4,000,000,000 previously appropriated under such heading that became available on October 1, 2012), and, notwithstanding section 1111, an additional \$4,000,000,000, to remain available until expended, shall be available on October 1, 2013: *Provided*, That of the amounts available for such heading, \$1,375,000,000 shall be for activities specified in paragraph (3) under such heading in title II of division C of Public Law 112-55: *Provided further*, That in applying paragraph 1 under such heading in such Public Law to 2013, under the penultimate proviso strike “(4) for incremental” and all that follows up to the colon and insert “(4) for PHAs, that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate participating families from the program due to insufficient funds”.

**SEC. 1808.** The heading “DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING, HOUSING CERTIFICATE FUND (RESCISSION)” in division C of Public Law 112-55 shall be applied by striking “(RESCISSION)” in the heading and by replacing all of the language under such heading with the language under such heading in division A of Public Law 111-117 and by striking “2010” in such replacement language and inserting “2013”.

**SEC. 1809.** Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund” shall be \$4,262,010,000: *Provided*, That such heading shall be applied in fiscal year 2013 by striking “, of which” and all that follows up to the period.

**SEC. 1810.** Section 216 in division C of Public Law 112-55 shall be applied in fiscal year 2013 by striking “September 30, 2012” and inserting “September 30, 2013”.

#### **DIVISION G—OTHER MATTERS**

**SEC. 3001.** (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through E of this Act; and

(b) For purposes of subsection (a), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of

the Balanced Budget and Emergency Deficit Control Act of 1985, in—

(A) divisions A and E, 2.513 percent; and

(B) division B, 1.877 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.092 percent.

(c) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; and

(e) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

**SEC. 3002.** Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act.

**SEC. 3003.** (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2013 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office

funded by this or any other appropriations Act during fiscal year 2013 for which the cost to the United States Government was more than \$20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act to an Executive branch agency may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012.

**SEC. 3004.** (a) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in subsection (c) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

(b) Subject to subsection (a), there is hereby rescinded the applicable percentage (as specified in subsection (c)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through F of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through C of this Act.

(c) For purposes of subsection (b), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent.

(d) Any rescission made by subsection (b) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(e) This section shall not apply to—

(1) amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division C of this Act for "Social Security Administration, Limitation on Administrative Expenses" for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

(f) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 19, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine the options and challenges related to possible reauthorization and reform of two payment programs for local governments—the recently expired Secure Rural Schools and Community Self-Determination Act and the Payment in Lieu of Taxes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to john.assini@energy.senate.gov.

For further information, please contact Michele Miranda (202) 224-7556 or John Assini (202) 224-9313.

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, "JPMorgan Chase Whale Trades: A Case History of Derivatives Risks and Abuses." The Subcommittee hearing will examine matters relating to credit derivative trades made by the JPMorgan Chase Chief Investment Office. The Subcommittee expects to issue a Subcommittee staff report in conjunction with the hearing summarizing its investigative findings and recommendations. Witnesses will include representatives from JPMorgan Chase and the Office of the Comptroller of the Currency. A witness list will be available Wednesday, March 13, 2013.

The Subcommittee hearing has been scheduled for Friday, March 15, 2013, at

9:30 a.m., in Room G-50 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

## STAN MUSIAL MEMORIAL BRIDGE

Mr. SCHUMER. Madam President, I ask unanimous consent the EPW Committee be discharged from further consideration of S. 166 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 166) to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the "Stan Musial Memorial Bridge."

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I further ask that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 166) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 166

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. STAN MUSIAL MEMORIAL BRIDGE.

(a) DESIGNATION.—The new Interstate Route 70 bridge over the Mississippi River that connects St. Louis, Missouri to southwestern Illinois shall be known and designated as the "Stan Musial Memorial Bridge".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the "Stan Musial Memorial Bridge".

## PERMITTING USE OF THE CAPITOL ROTUNDA

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 14 which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 14) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered

made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 14) was agreed to.

## PERMITTING USE OF THE CAPITOL ROTUNDA

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 20, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 20) permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 20) was agreed to.

## RECOGNIZING THE THIRD ANNIVERSARY OF THE HAITI EARTHQUAKE

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 15, S. Res. 12.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 12) recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, as follows:

*Whereas hundreds of thousands of people as a result of the earthquake will have some form of a long term disability, in addition to approximately 800,000 persons with disabilities living in Haiti;*

*its Office of the Secretary of State for the Integration of Persons with Disabilities, and civil society, and with the support of the private sector;*

Mr. SCHUMER. Madam President, I ask unanimous consent that the committee-reported amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported



amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was agreed to.

The resolution (S. Res. 12), as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 12

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti, followed by 59 aftershocks measuring 4.5 or greater;

Whereas more than 220,000 people died as a result of the earthquake, more than 300,000 people were injured, and more than 3,000,000 people were directly affected by the disaster;

Whereas the total cost in terms of human lives, infrastructure damage, and economic losses makes the earthquake one of the worst urban disasters in modern history;

Whereas President Barack Obama vowed the “unwavering support” of the United States Government and pledged a “swift, coordinated, and aggressive effort to save lives and support the recovery in Haiti”;

Whereas the initial emergency response of the men and women of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas the Haitian diaspora, other individuals, businesses, and philanthropic organizations throughout the United States and the international community overwhelmingly responded to the crisis by sending emergency relief supplies and significant financial contributions;

Whereas the Senate passed 3 successive resolutions expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to assist the people of Haiti with their long-term needs;

Whereas, 3 years later, significant challenges still remain in Haiti as it works to recover and rebuild;

Whereas, according to the International Organization for Migration, approximately 360,000 people remain in spontaneous and organized camps in Haiti and hundreds of thousands of poor people in Haiti continue to live in non-permanent housing, conditions that make them vulnerable to future natural disasters;

Whereas hundreds of thousands of people as a result of the earthquake will have some form of a long term disability, in addition to approximately 800,000 persons with disabilities living in Haiti;

Whereas, according to an independent panel investigation by the United Nations, on October 19, 2010, an imported strain of cholera was detected in the Lower Artibonite region of Haiti;

Whereas, according to the Haitian Ministry of Public Health and Population, as of December 31, 2012, more than 7,900 people in Haiti have died from cholera and more than 635,000 have been infected with the disease since the earthquake on January 12, 2010;

Whereas the United Nations Secretary-General announced a plan to eliminate chol-

era from the island of Hispaniola through enhanced treatment and prevention efforts and through the development of clean water and sanitation infrastructure that is accessible to all people in Haiti;

Whereas gender-based violence against women and girls in Haiti continues to be a chronic problem, and judicial barriers that have prevented victims from finding redress remain a significant issue of concern;

Whereas, in 2012 alone, Haiti faced a long drought period and 2 major tropical storms that destroyed 70 percent of agricultural crops in Haiti, impacting the lives of millions of people in Haiti facing food insecurity and further crippling the economy of Haiti;

Whereas the sustained assistance to Haiti from the United States and the international community bolsters the efforts of the Government of Haiti to confront these challenges; and

Whereas, since the earthquake on January 12, 2010, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

*Resolved*, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010, and the subsequent cholera epidemic;

(2) honors the sacrifice made by the men and women of the Government of Haiti, civil society, the United States Government, the United Nations, and the international community in their response to those affected by the calamity;

(3) reaffirms its solidarity with the Government and people of Haiti as they work to rebuild their country and livelihoods;

(4) supports the long-term reconstruction efforts of the United States Government to improve housing, energy, job creation, food security, health care, education, governance, and rule of law in Haiti in full cooperation with the Government of Haiti, its Office of the Secretary of State for the Integration of Persons with Disabilities, and civil society, and with the support of the private sector;

(5) urges the President and the international community to continue—

(A) to focus assistance on increasing the capacity of the public sector of Haiti to sustainably provide services to the people of Haiti;

(B) to develop, improve, and increase communication and participation to more substantially involve civil society in Haiti and the Haitian diaspora at all stages of the post-earthquake response;

(C) to provide programs that protect and involve vulnerable populations, including internally displaced persons, children, women and girls, and persons with disabilities; and

(D) to work to enhance the ability of the Government of Haiti, at all stages of the democratic process, to improve economic development, attract private sector investment, pursue judicial reform, enhance the rule of law, reduce incidences of gender-based violence, improve water and sanitation systems, develop a civil registry, and reform land tenure policies;

(6) welcomes evidence of progress in building a better future for Haiti, including—

(A) significant improvements in agricultural yields via the Feed the Future initiative;

(B) the opening of the Caracol Industrial Park in northern Haiti, which is projected to create approximately 20,000 jobs by 2016;

(C) programs to support economic opportunities for women and survivors of sexual violence through microcredit, short term jobs programs and leadership training, health

services, and reintegration and repatriation assistance to Haitian migrants;

(D) the reduction of the cholera mortality rate to lower than one percent, and the provision of sophisticated HIV and AIDS prevention and treatment services; and

(E) the recruitment, training, and provisioning of new officers for the Haitian National Police; and

(7) urges the President—

(A) to continue reconstruction and development efforts, closely coordinated with the Government of Haiti, the Haitian diaspora, and international actors who share in the goal of a better future for Haiti;

(B) to ensure close monitoring of the implementation of aid programs funded by the United States Government; and

(C) to work with the Government of Haiti and private landowners to prevent the forced eviction of internally displaced people and communities and to provide sustainable and safe housing solutions for the most vulnerable people in Haiti.

#### SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 74, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 74) supporting the goals of International Women's Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101-509, the appointment of Sheryl B. Vogt of Georgia, to the Advisory Committee on the Records of Congress.

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senators as members of the Senate National Security Working Group for the 113th Congress: HARRY REID of Nevada (serving in his capacity as Majority Leader); DIANNE FEINSTEIN of California (Majority Co-Chairman and designated as Majority Administrative Co-

Chairman); CARL LEVIN of Michigan (Majority Co-Chairman); BARBARA A. MIKULSKI of Maryland (Majority Co-Chairman); FRANK R. LAUTENBERG of New Jersey (Majority Co-Chairman); RICHARD J. DURBIN of Illinois; BILL NELSON of Florida; BENJAMIN L. CARDIN of Maryland; ROBERT P. CASEY, JR. of Pennsylvania; HEIDI HEITKAMP of North Dakota.

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ORDERS FOR TUESDAY,  
MARCH 12, 2013

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, March 12, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that fol-

lowing any leader remarks, the Senate be in a period of morning business until 12:30 p.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; further, that the Senate recess from 12:30 p.m. until 2:30 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

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PROGRAM

Mr. SCHUMER. We expect the chair and ranking member of the Appropriations Committee to make their opening statements on the continuing appropriations bill tomorrow at 11 a.m. We expect to begin consideration of the bill tomorrow after the recess for the caucus meetings.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:48 p.m., adjourned until Tuesday, March 12, 2013, at 10 a.m.

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CONFIRMATIONS

Executive nominations confirmed by the Senate March 11, 2013:

THE JUDICIARY

RICHARD GARY TARANTO, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.



## EXTENSIONS OF REMARKS

CELEBRATING THE LIFE OF  
GREATER HARLEM CHAMBER OF  
COMMERCE'S BELOVED ENTER-  
TAINMENT, ARTS PRODUCER  
AND PUBLIC SERVANT—DILLARD  
BOONE II

## HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Mr. RANGEL. Mr. Speaker, I rise with great sadness as I pay tribute to one of the most dynamic and influential members of the State of New York, Dillard T. Boone II, who has passed away recently. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable leader.

Mr. Boone was an accomplished senior executive with extensive experience in organizational management and business administration. He was an experienced project manager in both the public and private sectors. A resident of Mount Vernon, New York for 14 years and serving in City Government for 3 of those years, Mr. Boone serves his community through arts and culture and business. He is the principal producer of many of the city's cultural activities. He has worked with local businesses in producing special events, such as the two-day Katrina Relief Concert held in Mount Vernon.

He served as the Chairman of the A'Vatar Foundation of Westchester, a non-profit, multi-cultural arts organization, created to fill the gap of cultural difference. The organization has collaborated with the City of Mount Vernon's Department of Recreation over the past 11 years, in producing the Summer Breeze Concert Series, which has presented a series of concerts directed at the cultural diversity of the city. Jazz, & Gospel, Traditional & Italian Classics, Brazilian Fest, Klezmer Music, Dominican Fest, Caribbean, and world music have been the core direction that the organization has successfully maintained.

Previously a Harlem resident for 30 years and a member of St. Charles for more than 25 years, Mr. Boone began his professional career working for the City of New York. He first served as a supervisor for social services, then promoted to Deputy Director, the Office of Labor Relations for Human Resources Administration. Upon graduating from Cornell University with a Masters degree in Industrial Labor Relations, Mr. Boone was then appointed to Assistant Commissioner with the Agency for Child Development. There he supervised the technical department of engineers, architects, and building inspectors, as the project manager for major construction and renovation of 140 head start and day care facilities citywide.

After leaving city government he was appointed to District Manager, Community Board

#10, Manhattan (Central Harlem) where he was the Administrator of the Community Board that represented over 150,000 Central Harlem residents. Mr. Boone became manager of residential and commercial property as on-site manager at Concourse Village, (Bronx, NY), 2,000 units and 4 commercial spaces, then Rochdale Village, (Queens, NY), 6,000 units and 74 commercial spaces,

Mr. Boone then embarked upon his current professional career of arts and entertainment. He will be remembered as President of the International Entertainment Enterprises (IEE), a special events and production management company which specializes in the business of the arts and entertainment industry. He was the first manager of the renowned Boys Choir of Harlem. In addition, he was Concert Manager, for Dionne Warwick, the O'Jays, Nancy Wilson, Roberta Flack, Max Roach, Kool and the Gang, and many more acclaimed artists.

To list his numerous affiliations would exhaust the limits of this record, but I would be remiss not to acknowledge his significant and very productive years as a senior advisor to The Greater Harlem Chamber of Commerce. Chamber president, Lloyd Williams expressed, on behalf of the Chamber and HARLEM WEEK, Inc., profound sorrow to no longer have the mind, thoughts, direction, recommendations and the spirit of Dillard as a part of the annual planning and programs. Mr. Williams pledges to continue his extended family relationship with Dillard's children, two of whom are his "godchildren."

His was indeed a life of remarkable consequence and memorable production and he will truly be missed by so many who relied on his managerial skills and that magnificent voice and smiling face, and none more remorseful than his wife and five children.

Mr. Speaker, as we celebrate the 150th anniversary of the Emancipation Proclamation, the 50th anniversary of the March On Washington, the Inaugural Ceremony of President Barack Obama, let us celebrate the life of our beloved Dillard Boone who dedicated his life to the black experience and African American culture.

## NAGORNO-KARABAKH

## HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Ms. CHU. Mr. Speaker, this year marks the 25th anniversary of a critical turning point in the political freedom of the Armenian people of Azerbaijan. Let us take this occasion to remember their struggle for self-determination and freedom.

In 1988, the Nagorno-Karabakh region of Azerbaijan petitioned to become part of Armenia. For the next 2 years, the Armenian popu-

lation was the target of racially motivated pogroms. Hundreds of Armenians were murdered and more wounded during three violent attacks in Sumgait, Kirovabad, and Baku.

In 1991, Nagorno-Karabakh officially declared independence, becoming a democratic state committed to freedom and respect for human rights. Despite dual blockades and threats from neighboring Azerbaijan, Nagorno Karabakh has held a series of democratic elections and continues to work hard to strengthen its economy. I stand with the people of Nagorno-Karabakh in this noble pursuit.

IN HONOR AND REMEMBRANCE OF  
PASTOR MCKINLEY JACKSON,  
SENIOR

## HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Mr. VEASEY. Mr. Speaker, I rise today in honor and remembrance of Pastor McKinley Jackson Senior, a man dedicated to his family, church and friends. Pastor McKinley was a kind man who committed his life to serving others.

Pastor Jackson was a long-time resident of Fort Worth, Texas. Rev. Jackson was the Pastor of Samaria Missionary Baptist Church in Fort Worth, Texas for the last 33 years. Prior to that, he was Pastor of Bethlehem Baptist Church in Terrell, Texas and also led two other churches. He was a former Fort Worth City Councilman for District #5; lifetime NAACP member, and served in leadership within many local, state and national civic and religious organizations.

Mr. Speaker and colleagues please join me in honor and remembrance of Pastor McKinley Jackson, Senior whose kind spirit and dedicated service touched many lives. I offer my condolences and deepest sympathy to his wife, Eddie Ruth Jackson; sons, Ronnie Jackson, Michael Jackson, Jesse Jackson and Reverend William McKinley Jackson; daughters, Sharon Jackson and Alicia Jackson; adopted daughter, Angie Johnson; uncles; aunts; and a host of cousins, nephews, nieces, grandchildren, great grandchildren and the Samaria Church Family. May his soul rest in peace.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN MEMORIAM OF REVEREND  
WILLIAM M. JAMES

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Mr. RANGEL. Mr. Speaker, today I rise with great sorrow to announce the death of a Harlem legend, Reverend William M. James. Reverend James was considered by many the benevolent "Patron Saint" and Spiritual Crusader of Harlem. He passed away late last month at the age of 97. Over his time in the ministry, he dedicated more than 60 years of his life to improving the lives of the people of Harlem.

As a man of God, Reverend James spread the message of God, love, and peace throughout Harlem. For those who had the privilege of meeting him or knowing him personally, he touched the lives of every single person in his presence. Reverend James' passion was spreading the word of God, and teaching the people in Harlem to embrace and love the Lord and Jesus. His exuberance for his job was infectious and affected everyone around him.

Harlem has come a long way over the years, and we have seen a huge amount of revitalization in my District. I know that a lot of this can be contributed to the work of Reverend James. He was a strong advocate of educational advancement. The Reverend saw education as a way to create an equal playing field for everyone, giving the underprivileged the opportunity to achieve success and the American Dream.

Reverend James was a well-connected man, but never used his connections for personal gain. Instead, through his close relationship to lawmakers, such as myself, Senator Hillary Clinton, and Mayor Dave Dinkins, Reverend James was able to fight for the people of Harlem with others whose only goal in life is to improve the lives of all New Yorkers.

Education wasn't the only thing that Reverend James fought for during his life. He was also a huge supporter of the Arts. Reverend James dedicated a great deal of time to preserving the world famous Harlem landmark, the Apollo Theater. He considered it an important link for future generations to Harlem's important musical past. Reverend James also was the Chairperson of the Harlem Urban Development Corporation that works to develop economic and industrial opportunities in order to create positive growth and change in Harlem.

Mr. Speaker, I ask that you and my distinguished colleagues join me and the New York Congressional Delegation in paying tribute to Harlem's beloved Reverend. Reverend William James guided the people of Harlem with compassion and tenderness. His spirituality and faith in God guided him throughout his life's quest to enhance the lives of the underprivileged. He will be forever missed all the people of Harlem and by everyone who's life he touched.

HONORING TEMPLE BETH EL

**HON. JANICE HAHN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Ms. HAHN. Mr. Speaker. I rise to honor the congregation of Temple Beth El and its leadership for 90 years of spiritual and interfaith service to the San Pedro, Palos Verdes, and greater South Bay community. I am proud to recognize Temple Beth El for the extraordinary work it has done in my community, and for the work it will continue to do in the years ahead.

As one of the oldest synagogues in Los Angeles, Temple Beth El has long been a vibrant part of the San Pedro, Palos Verdes, and greater South Bay community. Through its array of educational, cultural, and musical programming, Temple Beth El has built a second home for Jewish Los Angelenos, where spiritual fulfillment, interfaith inclusion, and social action thrive. The community's spiritual vivacity lies in its congregation and its leadership.

As a community leader, Rabbi Charles Briskin serves his Jewish and interfaith communities alike. He nurtures the South Bay Jewish community by actively engaging in congregants' lives and facilitating dialogue on how to marry Jewish ethos with the trials of everyday life. Outside the Temple's walls, he contributes to interfaith understanding through his work at the Peninsula Interfaith Fellowship, his service on the Board of Directors for Harbor Interfaith Services, and his contributions to the Palos Verdes Peninsula News Clergy Viewpoints column.

Serving Temple Beth El for nearly 20 years, Cantor Ilan Davidson brightens any Temple gathering with his rich musical heritage. From leading congregational worship to preparing B'nai Mitzvah students for their big day, Cantor Davidson brings the music of the Jewish people to life.

Debi Rowe dedicates her life to furthering Jewish understanding through education. In her career, Debi has authored books on religious education, served on the national board of the National Association of Temple Educators, and trained countless teachers. Debi was rightfully recognized for her work when she received the Lanier Distinguished Educator Award for Religious School Educators.

I commend Temple Beth El for their leadership in fostering the spiritual and cultural vitality of my district. What began in 1922 as a religious gathering amongst 25 Jewish families in San Pedro has blossomed into a multi-facility, region-wide cultural and spiritual community. I am tremendously grateful for the profound impact Temple Beth El, its congregation, and its leadership have had in shaping my community over the last 90 years.

THE NATIONAL ASSOCIATION FOR  
THE ADVANCEMENT OF COLORED  
PEOPLE PRESENTS "THE  
GREAT DEBATE" IN THE VIL-  
LAGE OF HARLEM USA

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 11, 2013*

Mr. RANGEL. Mr. Speaker, I rise to recognize and congratulate the National Association for the Advancement of Colored People (NAACP) for presenting the National Great Debate Series.

On Saturday, March 2, the NAACP New York State Conference, under the leadership of Dr. Hazel N. Dukes in partnership with Starbucks, NAACP Region II Youth and College Division, the NAACP Connecticut State Conference, Bill Lynch Associates and Positive Workforce, Inc. hosted in New York City's Village of Harlem's First Corinthian Baptist Church "The Great Debate"—Howard University vs Columbia University.

For the first time, this highly acclaimed event took place outside of an academic building in hopes of stimulating the consciousness and interest of young people who might not otherwise be exposed to debates as a platform for the advancement of civil rights issues and education. Over 1600 youth and community leaders from Massachusetts, Pennsylvania, Delaware, New Jersey, Connecticut, and New York converged at Harlem's historic First Corinthian Baptist Church to witness, support and participate in "The Great Debate". Inspired by Denzel Washington's 2007 movie, "The Great Debaters" in 2008, Connecticut State Conference President Scot X. Esdaile, created the "NAACP Great Debate series". The debate series, which is one of a kind in the country, brings together highly acclaimed debate teams from Historically Black Colleges and Universities (HBCU's) to compete against their Ivy League counterparts.

The teams debate some of the most pressing social, cultural, and political issues of today. The first debate was held at Woolsey Hall on the Yale University campus where students from Howard University and Yale University demonstrated their oral prowess. Since this first debate, interest in the series has grown exponentially. In 2011, Howard University squared off against Yale University on the topics of charter schools and District of Columbia (D.C.) statehood. In 2012, the Youth & College Division hosted the Great Debate between Wiley University and Harvard University during the 103rd Annual NAACP National Convention in Houston, Texas in a debate over the controversial "Stand Your Ground" law. This year, moderated by Drexel University's Dr. Charles A. Williams, III, Howard University and Columbia University debated over New York City's Police Department controversial Stop and Frisk Policy, and also debated whether hand guns should be banned in urban cities nationwide.

As Dean of the New York Congressional Delegation, let me congratulate my sister, Hazel N. Dukes, President of the NAACP New York State Conference, Scot X. Esdaile, President of the Connecticut State Conference and

Marvin Bing, Director of Region II for bringing the NAACP Debate Series to New York City and my Congressional District. I also want to give special praise and thanks to Senior Pastor, Reverend Michael A. Walrond, Jr. and First Lady and Executive Pastor, Dr. Lakeesha Walrond of the First Corinthian Baptist Church for hosting this historic debate at Harlem's landmarked faith based institution.

Mr. Speaker, as we celebrate the 150th anniversary of the Emancipation Proclamation, the 50th anniversary of the March On Washington, the 100th Birthday of Rosa Parks, let us also celebrate the 104 years of the National Association for the Advancement of Colored People that has dedicated its life's advocacy and game changing work, under the leadership of Chairman Roslyn M. Brock and President and Chief Executive Officer Benjamin Todd Jealous to enhancing Civic Engagement, Criminal Justice, Economic Development, Education and Health for all Americans across this Nation.

IN HONOR AND REMEMBRANCE OF  
GLYNIS BROWN

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 11, 2013

Mr. VEASEY. Mr. Speaker, I rise today in honor and remembrance of Glynis Brown, a kind woman who was devoted to her family, church and friends. She had a warm and kind spirit, a passion for the helping others and serving her Church.

Sister Brown was a long time resident of Fort Worth. She matriculated through the Fort Worth Independent School District and graduated from Eastern Hills High School. She worked as a secretary for Fort Worth ISD and married her friend in Christ, Mr. Douglas E. Brown. In 1993, she became the First Lady of Great Commission Baptist Church where she became known as the life and heartbeat of Pastor Brown.

Sister Brown was very active in her Church; she began the Sisters In Effect Ministry for youth ages 13 through 18 and performed premarital counseling. She touched many lives and warmed the hearts of the worshippers.

Mr. Speaker and colleagues, please join me in honor and remembrance of Glynis Brown, whose warm and kind heart touched many lives. I offer my condolences and deepest sympathy to her husband, my pastor the Reverend Dr. Douglas E. Brown; to her daughters, Phairen Yaites and Kaitlyn Brown; to her extended family members; and to her Great Commission Baptist Church family and many friends. May her soul rest in peace.

CELEBRATING THE LIFE OF HAR-  
LEM'S MATRIARCH MS. FANNIE  
E. PENNINGTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 11, 2013

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the Life of Harlem's Matriarch Ms.

Fannie E. Pennington, who passed away on Wednesday, February 13 at the age of 99 years old.

On Friday, February 22, the Village Harlem joined together at Abyssinian Baptist Church to celebrate the amazing and historic life of Fannie E. Pennington who was a faithful and dedicated servant to the Lord and to our Nation. Great women like our wonderful Fannie Pennington are precious gifts we temporarily have in this world, but their assistance, contributions and accomplishments are far remembered and everlasting.

Our beloved Fannie lived a full and spiritual life—a life well spent and dedicated to the uplifting of African Americans and women. Daughter of Matthew Mark and Hattie Harris, and a descendant of the Balanta Fula Tribes of Guinea, Fannie and her late sister Amelia were baptized and christened into the family of the historic Abyssinian Baptist Church by the Reverend Adam Clayton Powell, Sr.

At Abyssinian, Fannie Pennington became one of the most devoted members, serving on the Progressive Ladies Usher Board, the Welcome and Hospitality Committee, which was once known as the Adam Clayton Powell Overseas Club. Ms. Fannie Pennington greeted and hosted historic world figures and American Icons such as Haile Selassie, Mary McCloud Bethune, Dr. Martin Luther King, Jr. and Malcolm X.

Many of our friends will remember Fannie as a vivacious and beautiful personality, who tended bar in several of Harlem's elite dining institutions and establishments. She was also an official representative of the Barmaid Charity Organization, which raised money to send inner city kids to summer camp. I will remember Fannie for her loyalty and support to Adam Clayton Powell, Jr., her years of service to the New York City Board of Elections and the Frederick E. Samuel Community Democratic Club, where she was dedicated to registering young people to vote.

Mr. Speaker, as we celebrate the 150th Anniversary of the Emancipation Proclamation, the 50th Anniversary of the March on Washington and the 100th Birthday of Rosa Parks, let us also celebrate the 99 years of our beloved Fannie E. Pennington.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 12, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 13

- 10 a.m.  
Committee on Armed Services  
Subcommittee on Personnel  
To hold hearings to examine sexual assaults in the military. SH-216
- Committee on Foreign Relations  
To hold closed hearings to examine strategic counterterrorism, focusing on meeting current and emerging challenges. SVC-217
- Committee on Veterans' Affairs  
To hold hearings to examine Veterans' Affairs (VA) claims process, focusing on a review of Veterans' Affairs transformation efforts. SR-418
- 10:30 a.m.  
Committee on the Judiciary  
To hold hearings to examine fulfilling the promise of open government five years after the "OPEN Government Act". SD-226
- 2 p.m.  
Committee on the Budget  
Business meeting to consider the concurrent resolution on the budget for fiscal year 2014. SD-608
- Special Committee on Aging  
To hold hearings to examine Jamaican phone fraud targeting seniors. SD-562
- 2:30 p.m.  
Committee on Homeland Security and Governmental Affairs  
To hold hearings to examine the costs and impacts of crisis budgeting. SD-342

MARCH 14

- 9 a.m.  
Committee on the Budget  
Business meeting to continue consideration of the concurrent resolution on the budget for fiscal year 2014. SD-608
- 9:30 a.m.  
Joint Economic Committee  
To hold hearings to examine solving the Federal debt crisis. SD-G50

- 10 a.m.  
Committee on Energy and Natural Resources  
Business meeting to consider S. 23, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, S. 25, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, S. 26, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, S. 112, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, S. 130, to require the Secretary of the Interior to convey certain Federal land to the Powell

Recreation District in the State of Wyoming S. 157, to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, S. 222, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs, S. 230, to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 244, to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project, S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, S. 276, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, S. 304, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 311, to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, S. 347, to establish the First State National Historical Park in the State of Delaware, S. 352, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, S. 354, to modify the boundary of the Oregon Caves National Monument, S. 383, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 393, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, and S. 459, to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine keeping up with a changing economy, focusing on indexing the minimum wage.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine border security, focusing on measuring progress and addressing challenges.

SD-342

Committee on the Judiciary

Business meeting to consider S. 150, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, S. 374, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background

check system and require a background check for every firearm sale, S. 146, to enhance the safety of America's schools, and the nominations of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit, and Kenneth John Gonzales, to be United States District Judge for the District of New Mexico.

SD-226

10:30 a.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine helping small businesses weather economic challenges and natural disasters, focusing on a review of legislative proposals on access to capital and disaster recovery.

SR-428A

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

## MARCH 15

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine JPMorgan Chase whale trades.

SD-G50

## MARCH 18

2 p.m.

Committee on the Judiciary

To hold hearings to examine how comprehensive immigration reform should address the needs of women and families.

SD-226

## MARCH 19

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. European Command, U.S. Northern Command, and U.S. Southern Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the options and challenges related to possible reauthorization and reform of two payment programs for local governments, focusing on the recently expired "Secure Rural Schools and Community Self-Determination Act" and the "Payment in Lieu of Taxes".

SD-366

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.

SD-226

10:30 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine developments and opportunities in United States fisheries management.

SR-253

2:30 p.m.

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD-226

## MARCH 20

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Science and Space

To hold hearings to examine assessing the risks, impacts, and solutions for space threats.

SR-253

## APRIL 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

## APRIL 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

## APRIL 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

## APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

## MAY 8

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

## SENATE—Tuesday, March 12, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Eternal God, we place our hopes in You for our future is in Your hands. Strong deliverer, be our shelter in these challenging times. Lord, give our lawmakers the understanding, humility, and clarity they need to keep America strong. May they be good stewards of the generous gifts you have showered upon our land, laboring valiantly to assure that justice and righteousness will prevail. Help them to commit their plans to You, believing that You know what is best for our Nation and world. We pray in Your gracious Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 12, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in

morning business until 12:30 today. The majority will control the first 30 minutes, the Republicans the second 30 minutes. Chairman MIKULSKI and Ranking Member SHELBY are expected to make opening statements about 11 o'clock this morning.

Just as an aside, this is a new day in the Senate. We are so grateful for the hard work of Senators MIKULSKI and SHELBY. The amendment is offered as their substitute amendment. I am very proud of the work they did. We are going to have to work through a number of amendments, but when it is all over, we are going to send over a bill I hope the House will accept. If not, we will have a quick conference—I hope that is not necessary—and continue the work on our other appropriations bills and finish the problems we have had in being behind.

The CR will fund the government until October 1. We hope by then we can complete work on our appropriations bills, so in 2014 we don't have to go through all this again—CRs and omnibuses and all that kind of stuff.

We are going to recess from 12:30 to 2:30 p.m. today for weekly caucus meetings. We have extended that for an extra 15 minutes because the President is going to be here today.

We expect to begin consideration of H.R. 933, which is the appropriations bill I just talked about, following the caucus meetings we are going to have.

### THE RYAN BUDGET

Mr. REID. Earlier this year, with November election losses fresh in their minds, top Republicans promised a kinder, gentler Republican Party, a Republican Party that cared about “every American . . . achieving their dreams.” Republicans banded about words such as “fairness” and “opportunity.” They made overtures toward women and Hispanics. They promised cooperation and an end to brinkmanship. House Majority Leader CANTOR even spoke of “an agenda based on a shared vision of creating the conditions for health, happiness, prosperity for more Americans and their families.”

Rebranding, we thought, was under way. Then a few weeks passed and the Republican emphasis on fairness and equity made a direct U-turn back to where they started. Today the House Budget Committee Chairman PAUL RYAN will unveil an extreme budget that is anything but balanced. This budget reflects the same skewed priorities the Republican Party has championed for years, the same skewed priorities Americans rejected in Novem-

ber. The Ryan budget will call for more tax breaks for the wealthy, an end of Medicare as we know it, and Draconian cuts to education and other programs to help America's economy grow and prosper.

We have heard it many times and I will repeat it. Yogi Berra famously said, “It's déjà vu all over again,” and it really is. We have seen this before, déjà vu all over again. The Ryan budget will shower more tax breaks on millionaires and continue to tilt the playing field to the advantage of big corporate interests and raise taxes for the middle class.

I know Congressman RYAN is held out to be this guru who understands things so well. What he understands is gimmickry and that is what he has done so well. He has pulled the wool over the eyes of those people in the House and they continue following him, but his budget is anything but balanced, anything but fair. Members of the House should look at what they are being led into—or out of.

This plan, just like last year, refused to close a single tax loophole in order to reduce the deficit. Yet it guts investments in education, health care, public safety, scientific research, and job-creating clean energy technology. The Ryan budget would end the Medicare guarantee and force seniors into a voucher program. It would ax preventive health care such as cancer screenings and charge seniors more for prescriptions and further reduce the funding for food inspectors, police, and first responders generally. As if protecting the wealthy special interests is not bad enough, the Republican budget also devastates the economy, costing jobs and slowing economic growth.

Not only is this a wrong approach, it is the same old approach. To make matters worse, the Paul Ryan Budget No. 3—he has done it two other times—used the same fuzzy math and gimmickry as his previous two budgets, relies on accounting that is creative at best and fraudulent at worst to inflate its claims of deficit reduction. We believe it is critical to stabilize the deficit, but it will take more than accounting gimmicks to achieve real deficit reduction.

At a time when corporations are making record profits, the stock market is soaring, and wealthy Americans' income continues to rise, the deficit reduction should not have to be at the expense of middle-class families, senior citizens, and the poor. Americans have demanded a fair approach to deficit reduction for all Americans—Democrats, Independents, and Republicans. They

want a fair approach to deficit reduction that makes sensible cuts and asks profitable corporations and the wealthiest among us to share the burden—balanced.

We have been listening. That is why this week Budget Committee Chair PATTY MURRAY will introduce a budget that reflects those balanced priorities. Her plan, the Democratic plan, will cut wasteful spending and reduce the deficit, close tax loopholes that benefit the rich, and invest where the economy needs to grow, to go really hard, to continue to build, to grow. It will create a strong middle class.

Congressman RYAN and his Republican colleagues in Congress have taken a different approach, an approach that makes it plain they missed the message in the November elections. Their budget once again will put moneyed special interests ahead of middle-class families, and no amount of rebranding will hide that.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### BUDGET PREVIEW

Mr. MCCONNELL. Mr. President, as we know, President Obama missed this year's legal deadline to submit a budget to Congress, just like he has nearly every year of his presidency. But this year it is even worse—we now know he does not even plan to submit a budget until after the House and the Senate have acted to pass one.

That has never happened in the more than 90 years that have gone by since the modern budgeting process was established in the 1920s. Somehow, Presidents managed to submit budgets on time in the middle of World War II, during the Great Depression—but not today? There is simply no excuse.

Rather than helping lead Congress toward a reasonable outcome, it appears the President is happy to drop a bomb on the congressional budget process instead by releasing his budget plan after the House and Senate have acted—presumably so he can campaign against Republicans if the process fails as he hopes. Let's hope he does not trot out that tired political playbook again.

The President should send over his budget now—not next week or next month, but today—so both sides can consider it at a time when it might be helpful, rather than destructive, to the process.

And speaking of serious delays, for 4 years my constituents in Kentucky and Americans across the country have been asking Senate Democrats a simple question: "Where's the budget?" Most families put one together. They want to know what Democrats who run the Senate have planned.

But for 4 years, Senate Democrats have ignored these concerns. Year after year, they have neglected one of their most important legislative responsibilities.

Evidently that is about to change. Senate Democrats are now pledging to finally—finally—produce a budget. I will be interested to see what they put forward.

I hope Senate Democrats take this exercise seriously and propose real spending reforms that can put our country on a stronger, more sustainable fiscal path, reforms that can control spending and lead to robust private-sector growth and job creation. We will see.

What about Republicans? Well, Republicans lead the House, and they have proposed budgets every year, right on schedule—budgets that would finally put our country on a path to growth and job creation, and that would put our creaky entitlement programs on a sound fiscal footing so they are around when people need them.

Today, House Republicans will unveil this year's budget blueprint. If the past is any indication, the reforms it contains would jump-start our economy, help more Americans join the middle class, and begin to tackle the debt that threatens all of our futures because Republicans understand we need to grow the economy, not the government. What's more, it would get us back to a balanced budget within just a few short years.

Call me a skeptic, but there is little chance the budget my Senate Democrat friends put forward will balance—either today, 10 years from today, or ever. And I doubt it will contain much in the way of spending reform either. We will probably just get more of what we have come to expect from them the past few years: lots of budget gimmickry, tons of wasteful spending, and even more tax hikes. That type of budget won't grow the economy or shrink the debt.

But here is the thing. The budgeting process is a great way for both parties to outline their priorities for the country, and that is something Senate Democrats have refused to do until now.

So, if they want to put forward a budget that allows Medicare to go bankrupt, that hikes up taxes on the families and small businesses that can least afford them, and that proposes a future of massive deficits without end—if that is really how they want to define themselves for the American people—then let the battle of ideas begin.

But we need to see their budget first, so it is time to end the years of delays and put those ideas on the table. And it is well past time for the President to do the same—not after Congress acts, but before.

Republicans have managed to play by the rules every year and produce seri-

ous budgets for our country. I hope Democrats are finally ready to get to work to do the same.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and Republicans controlling the second 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I understand that the Democrats have the first half of morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

#### CONTRASTING BUDGETS

Mr. DURBIN. Mr. President, this is a historic week because we will see congressional presentations of the congressional budgets, and I believe we will see stark contrasts.

Congressman RYAN of Wisconsin—nearby my home State of Illinois—is going to prepare and present to the Republicans in the House of Representatives a budget that he says will bring our overall Federal budget into balance over 10 years. It is a daunting task, and I commend him for his effort. I also have to say that we have been there before. We have heard this budget before. We know what it contains. There are several elements in the Ryan budget—as some have announced in advance—that repeat the mistakes of his earlier budgets, and some of them are grievous.

We understand we need entitlement reform to make sure important programs such as Social Security, Medicare, and Medicaid continue for years to come. We understand there will be some hard choices associated with efforts to make these programs more solvent.

The Ryan approach continues to have something called premium support. What it boils down to is this: In the outyears, Congressman RYAN and the House Republicans want to offer seniors across America less money to pay for their Medicare insurance. They want to privatize the Medicare insurance system.

Our side of the aisle—both in the House and the Senate—is dedicated to

some basic principles. One of the first is to make sure men and women across America who are from working families have a fighting chance, to make sure the Tax Code is responsive to their needs, to make sure the programs they count on will be there when they need them.

Every hour of every day most American workers in States such as Massachusetts and Illinois pay into our Social Security and Medicare system with the belief that when the time comes for retirement, Social Security and Medicare will be there. Unfortunately, what Congressman RYAN is proposing is to really break that promise and to say to seniors across America: You can pay into it for a lifetime, but when the time comes and you really need Medicare and health insurance during your retirement, you probably won't be able to afford it. You won't be able to come up with the premiums.

What good is a Medicare system that a worker has paid into for a lifetime if it cannot provide the basic protections they will need during retirement? They can balance the books—at the cost of coverage and the cost of the Medicare promise that has been made for generations.

Therein lies the real crux of the difference between Democrats and Republicans when we look at these entitlement programs. We know that reform is necessary, but reform should be based on best medical practices, on reducing the obvious waste in the Medicaid Program, and not on penalizing seniors who are on a fixed income who cannot afford increasingly high Medicare premiums. That is the PAUL RYAN approach—privatizing Medicare. It is not a good approach for America. That is the real difference.

Of course, there is this dedication on the part of Congressman RYAN to reduce the tax rates for the wealthiest people in America. Those rates, after the fiscal cliff negotiation, go as high as 39 percent on the highest income. PAUL RYAN's budget wants to bring them down to 25 percent, which is a dramatic decline in the income tax rate for the wealthiest Americans. How will he achieve this? He says he will achieve it by changing the Tax Code to bring the rate down to 25 percent. I sat through the negotiations in the Bowles-Simpson Commission and other places, and the math does not work. If they are going to try to bring down the income tax rate for the wealthiest to 25 percent, sadly, they will eliminate the most basic income tax deductions for working and middle-income families across America. That is the reality; otherwise, they cannot reach that number.

We have to look at this. If the PAUL RYAN budget means the wealthiest Americans get a tax cut while working families see a tax increase and if the PAUL RYAN budget means Medicare will

be fiscally solvent but unaffordable for most working Americans, this is a budget we need to reject out of hand.

We will see that budget in its entirety today, and by tomorrow the Democratic alternative here in the Senate, which has been worked on and prepared by Senator PATTY MURRAY of Washington and her colleagues in the Senate Budget Committee, will be presented as well, and it will be a stark contrast. What Senator MURRAY and the Senate Budget Committee will produce is a balanced approach that says: Yes, there will be deficit reduction, but it will be the right way. We need to make sure we have revenues coming from those who can afford to pay in the highest income categories. Yes, we need spending cuts, and they will continue. We need entitlement reform that is thoughtful and sensitive. We need reform that really makes sure these programs are here for generations to come.

I think America will applaud the efforts on the Senate side. I think they will have many questions to ask on the House side, and then the debate begins. Those of us on the Appropriations Committee wait for this to be completed because the budget resolution is basically our blueprint for what we can achieve during the remainder of the year and for the next budget year that starts October 1.

There are a couple of things that are part of the budget process that I will address very quickly.

#### SEQUESTRATION

I am very concerned about the impact of sequestration on health care. Reporters in Illinois asked me over the weekend: What is the big deal? Sequestration came and life didn't end. It seems as though we are going on in a normal way.

Unfortunately, they overlooked some obvious impacts. For example, community health centers are the frontline for primary health care across America. I visit them and always leave with a sense of hope and a positive feeling. The community health centers in Chicago and across Illinois are quality medical institutions. They serve people with limited insurance or no insurance, and they serve them in the most professional way. I have said with confidence that if I happen to get sick someday or someone in my family did, I would feel confident walking into these community health centers—they are that good.

Some 22 million people in more than 9,000 locations across America rely on them. As the point of care for uninsured and low-income people, community health centers provide preventive services that help avoid expensive procedures and emergency room visits.

At a time when 30 million new Americans are about to get health insurance so they can afford to get care, these across-the-board cuts are taking \$115

million out of community health centers this year alone. Nationally, almost 900,000 patients will lose access. Community health center funding in Illinois will be cut by \$6.2 million. Erie Family Health Center in Chicago is one of the best. They will do their best to protect clinical care, but the wrap-around services that make Erie so effective, not to mention cost-effective, will be reduced.

Now is not the time to cut community health center funding. Instead, we should expand the centers so hard-working and low-income families get the care they need.

Regardless of where someone lives or where they go to see the doctor, the \$1.6 billion cut to the National Institutes of Health threatens all of us. And that is what these cuts are going to do to medical research—cutting \$1.6 billion from the National Institutes of Health. I have always said that I will take this issue to any corner of America, any group—liberal or conservative, young or old—and make my case that investment in health care research is one of the most important investments our government makes. When we short-change medical research, we short-change our future.

Great medical care is only as good as the science behind it. Drugs and devices work only as well as our understanding of the medical conditions they are treating. Our country is rich with promising research. We lead the world and should be proud of it. We have the bright minds, the curious scientists, and the innovative labs. Today countless people are engaged in work that will lead to better treatments for arthritis, Alzheimer's, AIDS, diabetes, cancer, and the list goes on.

Biomedical research supported by the NIH has established America as the leader in the world, and we are right on the verge of making life-changing discoveries through this research. But sequestration—which is now in place—will have a ripple effect that could curb medical discoveries and weaken the economies across the country.

Dr. Francis Collins, Director of the NIH, says there is no question that sequestration will slow the development of an influenza vaccine and cancer research.

Eli Zerhouni, head of NIH under President George W. Bush, said:

We are going to maim our innovation capabilities if we do these abrupt deep cuts at NIH. It will impact science for generations to come.

Right now, when so much good research is moving us forward, we should be doubling down on medical education, innovation, and infrastructure. Cutting back on NIH and biomedical research is so shortsighted. Medical research saves lives, keeps America's place as a leader in science and medicine, and it generates economic growth. Frankly, these cuts shake the



confidence of people in this field. Trying to decide whether they should dedicate their lives to medical research with the uncertainty of sequestration and budget cuts is unfair.

For over a century, NIH-supported scientists have led the way for important breakthroughs to improve health and save lives through the discovery of things such as the MRI, extending the life expectancy for people with cystic fibrosis, revolutionizing our thinking about cancer, improving our understanding of stroke and heart disease, and creating new vaccines that save lives.

President Obama has called on congressional leaders to come together to create an alternative to the sequestration. A balanced mix of smarter spending cuts and revenue from closing loopholes that benefit higher income individuals will mean we can keep our commitment to medical research.

This week we are going to start the debate on the continuing resolution. One of the early amendments that is likely to be offered will be by Senator HARKIN, who chairs the Labor, Health and Human Services Subcommittee in Appropriations. I have spoken to Senator HARKIN. He is determined to do everything he can to give the Senate the opportunity to continue to cut the deficit but to do it in a way that will not make dramatic negative cuts in medical research.

I hope we can get a bipartisan consensus. Diseases and the threats of ill health strike all of us regardless of party affiliation. We should come together on a bipartisan basis to support increasing medical research and maintaining America's lead in the world.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### REMEMBERING BORAH VAN DORMOLEN

Mr. CORNYN. Mr. President, I want to start my remarks today by remembering a great Texan who passed away just yesterday. Sandy, my wife, and I are deeply saddened by the loss of Borah Van Dormolen, a remarkable patriot, a respected leader, and a loving wife.

Borah rose through the ranks of the U.S. Army, achieving the rank of lieutenant colonel. After more than two decades serving her Nation in the uniform of the U.S. Army, she poured her energy and sense of duty into helping our State. Frequently offering frank

advice in only the way Borah could, she was a leader by example and a great friend.

Borah's legacy will live in many ways, including in the young Texans she helped me select for nominations to our Nation's military academies through her service on my Military Academy Selection Committee.

Sandy joins me in sending our thoughts and prayers to Borah's husband, LTC Rich Castle, their families, and all those whom Borah touched throughout her journey in life.

#### THE BUDGET

Mr. CORNYN. Mr. President, I would like to mark this 1,413th day that the Senate has not had a budget. We will be talking a lot about the budget this week, as we should, in a debate that has been long overdue.

Since the Budget and Accounting Act was passed in 1921, no President has missed the legal deadline for submitting a budget to Congress. Unfortunately, for the fourth time in 5 years, President Obama will miss that deadline.

Given that our gross national debt is already larger than our entire economy, and given that we are facing more than \$100 trillion in unfunded liabilities, one would think the President would make this a priority and he would feel a greater sense of urgency about America's fiscal dilemma.

In fact, not only will President Obama be late with his budget this year, he will not even be submitting it to the House and the Senate until after we have released our own budgets. So the President will not have any input whatsoever by submitting his budget—which he should have done on February 4—he will not have any input whatsoever on the deliberations of the House and Senate as we take up our proposed budgets.

As I say, since the Budget and Accounting Act was passed in 1921, no U.S. President has ever done that. The White House has always gone first. In fact, the President is the leader of our Nation not only as Commander in Chief but also as the one the Constitution looks to in the law to bear the responsibility to make at least an initial budget proposal. The White House has always gone first, providing a blueprint that helped guide negotiations on Capitol Hill, but not under this President.

The budget process is an opportunity for the President to outline his priorities. It is an opportunity for the President to tell the American people what we can afford and how we are going to pay for it. Above all, it is an opportunity for the President to show real leadership on issues of national importance.

As ADM Mike Mullen, the former Chairman of the Joint Chiefs of Staff, said: The greatest national security

threat to the United States is our budget. What he meant by that is, unless the Federal Government gets its fiscal house in order, we are not going to be able to afford even the safety net for the most vulnerable of our people, nor are we going to be able to afford the national security that helps keep America strong and America and its allies safe.

Unfortunately, the President has failed to demonstrate the required leadership in this area. He has also ignored the recommendations of his own bipartisan fiscal commission. He submitted two consecutive budget proposals that failed to receive a single vote in this Chamber. His administration has racked up \$6 trillion in new debt since he became President, and he created a massive new entitlement funded by a trillion-dollar tax increase—something known as ObamaCare. Now he is refusing to send us a budget until after the Senate and the House vote on their own budget proposals.

If the President really wants to play a constructive role in the budget process, he will send us his proposal right away. Further delays will only complicate and hinder our negotiations.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. AYOTTE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. SCHATZ) Without objection, it is so ordered.

#### TERRORISTS TRIALS

Ms. AYOTTE. Mr. President, I rise today to speak about an issue I am very concerned about, which involves a man who was recently captured overseas. His name is Sulaiman Abu Ghaith, and he is Osama bin Laden's son-in-law. Here is a photo of him sitting next to Osama bin Laden. In fact, he appeared with Osama bin Laden right after the 9/11 attacks on our country.

He is Osama bin Laden's son-in-law, captured overseas and brought to the United States of America. The Attorney General has made the announcement Osama bin Laden's son-in-law will be tried in New York City in a civilian trial rather than being brought to Guantanamo Bay for further interrogation and held in military custody.

I am very concerned about this issue as this is a man who, based upon the relationship he had with Osama bin Laden in 2001 and 2002, served as a spokesman for al-Qaida. He urged others to swear allegiance to Osama bin Laden. On September 12, 2001, he appeared with Osama bin Laden and



Ayman al-Zawahiri. He is shown in this photo.

He warned the United States and its allies, "A great army is gathering against you." He also called on all Muslims to battle the Jews, Christians, and Americans. He also promised more 9/11-style attacks. Right after our country was attacked on September 11, he appeared with Osama bin Laden warning of more September 11 attacks. He said, "The storms shall not stop, especially the airplane storms."

In 2002, he reportedly arranged to be smuggled to Iran where he was held under some form of house arrest. Obviously, we need to understand why the Iranians were allowing such a prominent member of al-Qaida to be kept in their country. We have deep concerns about Iran, which is the largest state sponsor of terrorism in the world. It is threatening our country and right now marching toward nuclear weapons capability. It has threatened to annihilate Israel and threaten our country, while he was under loose house arrest following his direct allegiance with Osama bin Laden.

In addition, American authorities have tied him to an October 8, 2002, attack on the U.S. Marines while training on an island off the coast of Kuwait. This was a situation where one of our marines was killed and another was seriously injured.

The attack was conducted by al-Qaida fighters with direct ties to Mr. Abu Ghaith, who is Mr. Osama bin Laden's son-in-law. Kuwait actually stripped Mr. Abu Ghaith of his citizenship because of his role in recruiting Kuwaitis to become members of al-Qaida.

Last week he pled guilty to charges in Federal court in New York City. I am concerned when we take a top member of al-Qaida after his capture overseas, such as Osama bin Laden's son-in-law, bring him to our courts in New York City, and then all the full rights of our civilian court system apply to this individual. This includes the right, when one is in custody and interrogated, to hear Miranda rights.

My former role was as attorney general for the State of New Hampshire. I have great respect for our civilian system; however, our civilian system was not designed to deal with situations where we are at war. Mr. Abu Ghaith falls clearly within the definition of what this body has authorized as the use of military force against an enemy belligerent. When we bring him to New York City, we must Mirandize him and inform him he has the right to remain silent. We lose valuable opportunities to gather intelligence, to protect our country, and to discover if he was with Osama bin Laden.

We have photos of him one day after the September 11 attack. What does he know about al-Qaida? Who else was involved? What does he know about their

network? During the time he spent in Iran, was he still communicating with members of al-Qaida? Obviously, he was because we allege he helped commit an attack in 2002 in Kuwait which killed at least one marine.

Who was he communicating with? What future attacks are they planning? What associations has he made with members of al-Qaida? When we tell someone such as this he has the right to remain silent and give him a lawyer, we lose opportunities to protect our country.

When we are at war, as we are with al-Qaida, we need to focus to discover as much information as possible about al-Qaida: who they are targeting and who are the members of al-Qaida. Obviously, all of us supported the President's decision to take out Osama bin Laden. Who are the other members of his network? What information are we losing when we bring him to a civilian court system instead of bringing him where he belongs as an enemy belligerent in Guantanamo Bay?

It seems to me inconsistent that the administration would take the position—and I support them on this—they would kill top members of al-Qaida overseas. Yet they are so averse—when they capture someone—to bringing them to Guantanamo Bay. It is their preference to take them into a civilian court system in the United States of America, where they must read Miranda rights to that individual rather than take them where they belong, to Guantanamo Bay.

I have visited Guantanamo, which is a secure detention facility where people are treated humanely, kept very securely, but not on U.S. soil. We may keep them in Guantanamo Bay under the law of war and interrogate the individual as long as we need to.

Let me remind everyone the intelligence we gathered, which allowed us to find and take out Osama bin Laden, took a matter of not just months but years to gather. To take someone such as Sulaiman Abu Ghaith and immediately, after he is captured, very quickly bring him to New York City, we lose the opportunity to go back to him over time to understand the full amount of information he may have about al-Qaida. This is why we have a distinction under our law between the law of war and our civilian system.

He is not a bank robber. He is not an average criminal who should be treated the same way as any other criminal in America. He is someone who has sworn to kill Americans and has asked others to take the oath for al-Qaida, which is at war with our country. I am very worried about the fact the administration seems to be bent on bringing these foreign terrorists to the United States to give them all of the rights of our civilian court system rather than focusing on ensuring we have all the intelligence we need to protect our country.

I would like to also speak about another individual and the inconsistency we have here. This is Anwar al-Awlaki. Anwar al-Awlaki was an American citizen. He was radicalized, possessed both American and Yemeni citizenship, and became a leader for al-Qaida in the Arabian Peninsula. He advocated for violent jihad against the United States and has been linked to a dozen terrorist investigations in the United States. These include links to the September 11 attacks against our country and links to the November 5, 2009, Fort Hood shooting.

The administration made the decision in September 2011 to take out Mr. al-Awlaki overseas in Yemen. I certainly support their decision in that regard.

I want to point out how inconsistent it is that we are willing to use the drone program to take out someone like al-Awlaki, and yet we will not use all the tools in our toolbox to ensure Osama bin Laden's son-in-law is held at Guantanamo and fully interrogated to give us the time we need to gather the full information he has. It is very inconsistent, and I think the administration should be detaining enemy belligerents in Guantanamo and ensuring they are interrogated.

I wish to mention one final person, Khalid Shaikh Mohammed. Let's not forget the administration's first decision with the mastermind of 9/11, Khalid Shaikh Mohammed, was to bring him to New York City for a civilian trial in New York close to Ground Zero, as they are now making the decision with Osama bin Laden's son-in-law.

The public outrage was great over bringing Khalid Shaikh Mohammed to New York City due to the amount of security it would take to secure someone like him. There was the concern he should be treated as an enemy of our country and tried by a military commission in Guantanamo. He was transferred there eventually by the administration, but only after great pressure from both sides of the aisle in Congress to say it would be appropriate that the mastermind of 9/11 belongs in Guantanamo before a military commission.

I think we find ourselves in the same situation now with Osama bin Laden's son-in-law. There can be no doubt he is a top member of al-Qaida; that he had close relationships with Osama bin Laden; that he is charged with conspiring to kill Americans. These are very serious charges, and there can be no doubt that he falls within our operation and the use of military force; that he is an enemy of our country and that we should be treating him in a similar fashion as to how we treated Khalid Shaikh Mohammed.

Most of all, we need to prioritize intelligence gathering to prevent future attacks against our country rather than focusing on bringing them immediately into our civilian court system.

A man such as Osama bin Laden's son-in-law should never hear the words "You have the right to remain silent." We can't afford to have him be silent. We need to know everything he knows to protect our country, its citizens, and to prevent future attacks on America and our allies.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, parliamentary inquiry: Has all time expired from the respective parties utilizing their morning business allocation?

The PRESIDING OFFICER. It has.

#### CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Mr. President, I am rising to speak on the continuing resolution to fund government funded for the rest of the year.

I chair the full committee of the Appropriations Committee. My very able and esteemed colleague, Senator SHELBY, is the vice chairman. We come to the floor to talk about our legislation, which is an amendment to the House CR to fund the Federal Government for the rest of the fiscal year. It continues the bipartisan tradition of the Appropriations Committee working closely with both sides of the aisle, and I wish to thank Senator SHELBY for his excellent cooperation and his wise counsel in doing this and actually cosponsoring this.

Our leadership, Senators REID and MCCONNELL, has been critical to allowing us to come to the floor and have our bill be debated openly, to have appropriate amendments, and then to have it voted on by the full Senate. In today's toxic environment in Washington, I must say our conversations have been characterized by civility, collegiality, and absolute candor—what we can do; what we can't do, not what we would like to do but what we must do to keep the government's doors open.

I also want to comment on the excellent tone and conversation we have had with the House, specifically our House counterparts, HAL ROGERS, the chairman of the House Appropriations Committee, and Congresswoman NITA LOWEY. We have talked with each other and worked together, and if we continue to do that without other intervening dynamics, we can get this bill done.

Before I go into our bill to offer its content, I want everybody to understand there are three things at play in Washington this week. We use arcane language, so nobody knows what is going on. There is the sequester, there is the continuing resolution, and there is the Budget Committee. Everybody is going to get confused because everybody is getting it commingled. All of it is getting press and the American peo-

ple don't understand there are three separate solutions to three separate problems.

Let me go to the Budget Committee, which will be on the floor next week, and Senator MURRAY is vociferously and persistently working on that bill. That is for fiscal year 2014. That is the framework on how we are going to approach our overall budget: What are we going to spend, what revenues we are going to have to raise, if any, and also a review of mandatory spending. That is going on over there. That is for fiscal year 2014.

The Mikulski-Shelby continuing resolution is the appropriations bill—not a personality bill—that will fund the government through 2013. The American people might say: Didn't you do that in October? Isn't our fiscal New Year's Eve October 1? Well, not really. What happened is we were going into the heat and passion and prickliness of an election year, so the wise heads thought it best to extend it where cooler heads would prevail in March. So here we are. We are the cooler heads, and we are ready to prevail. What we have here now is that legislation.

Everybody needs to understand this: On March 27, that continuing resolution expires. If we do not pass our bill and then have an agreement between the House and the Senate that is signed by the President, we could face a government shutdown. There is no will on either side of this institution that wants to do that. We are absolutely committed to no shutdown, no showdown, no lockdown, no slamdown. We want to do the job, and that is why we have been working very carefully to do that.

What we will offer today is funding through the fiscal year, which will take us to October 1, and that meets the mandatory cap assigned to us by the Budget Committee of \$1.4 trillion. That is a lot of money, but it is a big government with big responsibilities. It includes everything from defense—defending us over there—to the border control—defending us here—to meeting compelling human need and making investments in science and technology while ensuring we do what we need to do.

Our legislation is quite simple and straightforward. It includes five appropriations bills. Two are already in it from the House—defense, military construction, and veterans. It will also include agriculture, homeland security, and a subcommittee that Senator SHELBY and I are chair and vice chair of that funds the entire Justice Department. That means FBI, Federal law enforcement, and science and commerce. So we have Ag, CJS, homeland security and defense. Defense and military construction are identical to the House. Agriculture, CJS and homeland security are consistent with bipartisan and bicameral agreements negotiated last fall.

Remember, we are reaching across the aisle, we are reaching across the dome. That is how we are trying to do it. However, there are seven remaining bills in the continuing resolution, and they are energy and water—money for things such as the Corps of Engineers—interior and environment, financial services, transportation, Labor-HHS, state and foreign ops, and the legislative branch. That means they are provided current funding levels and policies with some very limited changes to fix present problems. These are called anomalies.

The Senate version, as I said, totals \$1.43 trillion, which is equal to the House CR. So the top line is the same; the difference is how we achieve national goals. It is equal to the House continuing resolution, and it is the same as required by the Budget Control Act. We are absolutely in compliance with the Budget Control Act.

Sequester mandates another \$86 billion in cuts. That comes over what we do, and that solution is to be negotiated by the President and the leadership with the concurrence of both bodies. That is part of the charm offensive that is going on now. OK. Sequester needs a balanced solution, and we will be listening and awaiting their ideas, but right now we are looking at our bill that includes bipartisan amendments, minimizing the problems of operating and returning to a regular order for fiscal year 2014.

The amendment we offer is much better than an extension of the current continuing resolution. Why don't we take a date and just change 2012 to 2013? We don't do that because our bill makes reforms. We actually get more value for the dollar. If we just extended it, we would sometimes be spending money on unneeded programs, one of which would be—in our bill, CJS—\$500 million for a space shuttle that doesn't exist. We want to change that and put it where it belongs, into the proper defending of our Nation and investing in science and technology. So a date change in a continuing resolution is not workable.

The Senate amendment improves the House CR by adding those three domestic bills and, as I said, includes a number of changes. I could go through each and every one of those changes, such as in agriculture, but what I wish to do is explain the process now. I do want to explain the content of my bill; however, I am going to take 1 minute now and yield to Senator SHELBY for his opening statement and then I will come back and explain the details of our actual funding.

I must say again, I have appreciated not only the civility and the collegiality but the candor. We had to look at not what we would like to do and not even what we should do but what we must do to keep government operating, to achieve the national

goals America wants: our national security, both those who wear the uniform of the U.S. military as well as others who defend the Nation, such as border control, Federal law enforcement, law enforcement at the local level, food safety and drug safety inspectors, to make sure we meet compelling human need in the fields of education, biomedical research. This is what we are trying to do—weather satellites that predict future natural disasters.

Again, we don't have a bill that is what we would like to do, what we have is a bill that is what we must do. If we all work together—and we ask those who have amendments to be working with our leadership—we believe we can move this bill by the middle of this week; that by the week's end, the certainty of government funding will have been established and we will have shown we can govern.

I yield the floor so my vice chairman can say what he wishes to say to add to the debate.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, first of all this morning I would like to thank Chairwoman MIKULSKI for her willingness to work together in good faith and to introduce the bill that keeps the government running for the rest of the fiscal year. The chair and I have had what I would characterize as a long and productive working relationship. I think this bill is a very clear signal that we intend to continue that relationship for the good of the legislative process and the American people.

I believe Congress must learn to deal with the spending constraints that have become a necessary reality for all of us. Much more work remains to be done to secure our fiscal future, including fixing entitlement programs and reforming our Tax Code. However, today we have taken the first step to show the American people Congress can come together on important issues. My hope is we will continue to do so.

I am pleased to say Chairwoman MIKULSKI and I have accomplished three shared goals in this proposed legislation. First, this bill will prevent a government shutdown. Nobody in America wants that. Moving from one continuing resolution to the next only delays our problems and creates added uncertainty. I hope we can return to the regular order of producing budgets and appropriations bills to avoid the threat of a shutdown in the future.

Second, this bill will provide more flexibility for the remainder of the year so that government agencies can deal with the reality of the sequester which remains fully in place here.

Third, I believe this bill is a product both parties in both Houses can support. It prioritizes spending and aims to steer clear of divisive issues.

In addition, discretionary spending is subject to the caps put in place by the

Budget Control Act, and this bill complies with those levels. As noted, spending cuts made by the sequester will come on top of these constraints.

I support moving forward with this bill, and encourage my colleagues to join together to do the same. Many Americans have lost faith that Republicans and Democrats can work together on anything. I believe this bill demonstrates it is possible, and I hope it will pave the way for a more productive relationship in the future. And while we are sure to disagree on many issues, I remain positive we can restore regular order in the Congress and deal with pressing fiscal matters in a timely bipartisan manner.

I think I speak for both of us when I say we are committed—yes, we are committed—to putting the budget and appropriations process back on track. We look forward to working with our colleagues who share that goal and are willing to join us in this effort. This is a new beginning.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, you can see our tone. We need everybody's cooperation, if they have amendments, to bring them to us and also to the leadership which is helping us negotiate which ones will come up, and I think we can get this bill done this week.

But I wish to say why getting it done is worthwhile. I want to speak about agriculture, and I wish to speak about some of the content we have, and do it in alphabetical order because it is easier for folks to follow.

In agriculture, our amendment makes sure we fund the Food Safety Modernization Act which is not included in the House bill. This is the first major reform of food safety laws in 70 years and is much needed. CDC says 48 million Americans suffer from food-borne illness each year.

This morning before I came to the floor, I attended a hearing on the Select Committee on Intelligence that I am a member of. General James Clapper, the Director of National Intelligence, along with key people from the military, civilian agencies such as FBI Director Mueller, gave us a 30-page report on threats to the United States. One of the things they talked about was the safety of our food supply. We need to make sure we have inspectors on the ground for what might occur through bacteria or what might also be induced. So food safety is a big issue.

This amendment is also better at improving clean water to rural communities, and provides 165 rural communities with clean water and waste disposal, creating construction jobs today, and improving community health. I am very well versed in that because, along with Senator CARDIN, we represent 2,000 miles of the Chesapeake Bay. We have older commu-

nities. We have issues related to wastewater treatment that are not only polluting the Bay but are very difficult to repair because of the very nature of our population—wonderful, patriotic people who don't have a lot of cash to pay a lot of taxes for wastewater. But in helping them, we improve public health and we save the Chesapeake Bay with all its seafood industry. That is just me. But we could go everywhere.

Commerce, Justice, Science, that is a subcommittee I chair. Boy, do I like it. Why do I like it? Because it goes to everything we are talking about: about justice, about jobs today and jobs tomorrow. When we look at our Department of Commerce, which should be the point place for American business really promoting private sector initiatives and, most of all, promoting exports—not sending jobs overseas but sending products and services—that is where the trade negotiation goes. This is part of our economic vitality. This is where we have bipartisan agreement. Let's engage in free and open and fair trade. That negotiation staff and so on is funded through our subcommittee.

We also want to protect our borders. That is going to be in homeland security. In our justice funding, we fund Federal law enforcement and provide funds to local communities on a competitive basis to put cops on the beat and to give them the appropriate things they need to protect themselves.

Let's look at the Byrne grants, the main Federal tool that helps State and local law enforcement. We provide more money. That means more money for body armor, more money for them to learn the latest tips and so on, and stopping the gang threat. It also provides COPS on the Beat grants. Both of those are modest increases over the House funding. When I say modest, do you know what I am talking about? For all that local law enforcement does, we are going to provide \$15 million. That is not a lot of money by Washington's terms, but to the local police departments it will be a help.

Commerce-Justice also supports innovation. It is in this subcommittee that we fund the National Science Foundation \$220 million more than the House. That means we will be able to provide more help to 7,000 scientists and teachers making new discoveries for new products that will lead to new companies and new jobs. This is what we do.

We are better than the House also in homeland security. This amendment does more to protect the Nation from cyber warfare. Cyber warfare is one of the greatest threats facing America. Again, in this 30-page report we have on threats, the first five pages were devoted to all of the cyber problems. What kind of cyber problems? Cyber attacks, cyber espionage, and the growing nexus between organized crime and nation states, preventing hacking,

stealing our state secrets, our trade secrets and also the human trafficking of children and women, weapons of mass destruction. Where you sell women and children as a commodity across the borders of the world through organized crime and corrupt government officials, you will also sell other kinds of things, including weapons of mass destruction. So this is where we need to fund homeland security, the Department of Defense, the FBI, our contribution to Interpol. All of that is in the bill, and we do better—not a lot better because we are frugal; again, not what we would like to do, but what we must do.

Also under homeland security, we make sure we look at that which puts people in harm's way. In my own State, and others, there is the issue of fires. Most fire departments in big cities are run by professionals, but in most rural communities they are run by the great volunteer fire departments. We have a fire grant program that I helped start that trains and equips local firefighters. What we do here is provide more money—\$33 million above the House—to help provide those grants, and we also provide additional funds to help State and local fire departments.

In the area of compelling human need, I want to talk about the Subcommittee on Education, Labor, and Human Services. This is the subcommittee that funds compelling human need. And what do we do here? We look after childcare development block grants, we support care for 9,000 more children, and we also make sure we adequately fund Head Start by providing modest sums there.

In addition, we also provide more money to the National Institutes of Health, \$71 billion. But put that into the context that they are going to take a \$1.5 billion hit in sequester.

I know the Presiding Officer represents a great State, Hawaii. Who wouldn't love Hawaii? But I wish the Presiding Officer would look at Maryland. Not only do we have the wonderful Chesapeake Bay, a Super Bowl championship, but we have other "super bowl" winners. They are called the National Institutes of Health, the National Security Agency, the National Weather Agency.

Just the other day when I was over at NIH, they told me—and told America through their communications—that NIH's work, working with clinicians and the private-led science sector, has reduced cancer rates in the United States of America by 15 percent in breast cancer, prostate cancer, lung cancer. And it is all those wonderful researchers at the Bethesda campus and in academic centers of excellence all over America. But instead of pinning medals on those people and encouraging young people to come into science, we could end up giving them a pink slip. What are we doing?

I not only want to lower cancer rates, but I want to improve and raise the discovery rate. This is what we do in this CR. We are working with them on a bipartisan basis. This is helping American people and giving us products that are approved by FDA that we can sell and ship around the world, particularly to countries that could never do it.

So I am all about jobs—jobs today and jobs tomorrow. That is why what we do in transportation, housing, and urban development is also a big step forward. In addition to looking out for the homeless, we provide an additional amount of money for highway and road safety programs, where people actually working with funds going to Governors at the local level—not some shovel-ready gimmick—can identify projects in the pipeline we could generate in construction. We can improve public safety by smart highways. And, literally, we can help get America rolling again; we have a fragile economy.

I could go on about this bill, but this is a general outline, and I will talk more about it. I feel very passionate about it because we have squeezed every nickel, we have looked at it very fastidiously to make sure that we are right within our mandated spending cap to assess our national priorities: national security, compelling human needs, how we can help create jobs, look out for the middle class, and make those investments that improve the lives of the American people and generate jobs tomorrow.

I think we have a very good bill. I ask everyone's cooperation to get it passed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### THE SEQUESTER

Mr. KAINE. Mr. President, I rise in support of the work Chairwoman MIKULSKI and Ranking Member SHELBY and the Appropriations Committee have done and the place they will bring us to on the floor of the Senate this week as we take an important step forward to fix the fiscal year 2013 budget. I will be meeting tomorrow—as many legislators do during the course of the year—with my Governor. All of the Virginia delegation will be sitting down with Governor McDonnell, who will be visiting, and he and the State will view this as very good news as we can talk about this work product.

I made my first speech on the floor about 2 weeks ago, and it was a speech that was kind of a plea. It was a plea to avoid the economic self-inflicted wound of sequester. As we all know, we were not able to do that at the time. There were two bills, and neither of them was able to get sufficient votes to move forward. The negative consequences from that sequester have

been felt in the Commonwealth, as I traveled around, whether it is warn notices to ship repairers in the Hampton Roads area, planned furloughs of DOD civilian employees, or a delay in a carrier deployment that could potentially leave us more vulnerable in the Middle East.

The good news is that we can fix it and improve it. The Appropriations Committee's work discussed today is a way to begin to do that. We have a chance to get it right and to reduce the negative effects of sequester by dealing effectively with the expiring CR for fiscal year 2013 and then producing a progrowth 2014 budget. This is the work before this body in the next few weeks, and we need to do our very best work.

On the continuing resolution, it has been made clear in the comments before, we do not have a fiscal year 2013 budget or appropriations bills at the current time, so since October, we have been operating out of 2012 appropriations bills, pushed forward for a few months at a time. This leads us to a situation where we are not forward-focused, but we are operating out of an old playbook. We need to align our spending around this year's priorities and not be locked into funding the priorities of the past.

The Department of Defense—just to focus on this for a minute because defense is critical to the Commonwealth, as it is to all States—is very constrained by the continuing resolution that is currently in place. There is a \$11 billion operations and maintenance shortfall that is difficult for DOD to manage in a way that will keep us safe. There is a lack of flexibility to adjust to new needs. There are no new starts on important projects, including on the shipbuilding and naval side, which is so important to the Commonwealth. That has already led to a delay in the construction of one of the new Ford class aircraft carriers, the USS *John F. Kennedy*, with a consequent potential loss in jobs. Other agencies throughout the Federal Government have been similarly affected.

The good news is that there is a solution. Chairwoman MIKULSKI and Senator SHELBY, the ranking member, have worked together to lay that out today. This week we will work together on a true appropriations bill for the remainder of fiscal year 2013 for critical government functions: Department of Defense, military construction, the VA, but also homeland security, agriculture, commerce, justice, science. There are other governmental functions that will continue to operate under the fiscal year 2013 CR, but in many areas we will not be working off a backward-looking document. For the remainder of the year at least, because of the work of this committee, we can look at a forward-looking document.

Again, I congratulate Chairwoman MIKULSKI and Ranking Member SHELBY

and the Appropriations Committee for working so hard together with House colleagues to put us in this posture. A true appropriations approach to the remainder of fiscal year 2013 fixes many of the DOD problems I outlined earlier. For example, it will allow us to go forward on the shipbuilding contract to construct a second Ford class carrier, the USS *John F. Kennedy*. That will be wonderful news for our defense and wonderful news for the shipyard that is the largest private employer in Virginia. It will allow us to move forward on significant ship refurbishment and repair contracts. The repair and refueling of the USS *Roosevelt* and the USS *Lincoln* were delayed as a result of the uncertainty about the budget, but the work this committee is doing will enable us to move forward.

We will be able to not completely eliminate the operations and maintenance deficits but at least make moves among those accounts to mitigate the effects of the O&M deficit, and that will be across service branches.

Just last Friday, as I left the Senate and drove back to my home in Richmond, I stopped and did an economic development tour with a contractor in the Fredericksburg area working on robotics projects for all of the service branches. They talked about the fact that the CR was really putting a crimp in their planned expansions, their ability to hire students who are graduating from engineering programs around Virginia and around the Nation this fall. The CR fix going forward will give this company and so many others some certainty that will enable them to do the work we need to do and also help expand employment.

Other agencies have a similar upside from the fix of this fiscal year 2013 CR, as Chairwoman MIKULSKI was just outlining—improvements in domestic nutrition; improvements in international food aid, which is not only good for the most vulnerable people in the world but also good for the American farmer; improvements in State and local law enforcement support, immigration enforcement, workforce training, early childhood education. There are many aspects of this fix going forward that are far preferable to the CR and certainly preferable to flirting around the possibility of any kind of a shutdown after March 27. That is why I strongly support the approach the Appropriations Committee, under its leadership, has worked on. It is good for the United States and good for Virginia, and it represents a move to forward-looking budgeting rather than plays out of last year's playbook.

Make no mistake, the sequester is still in place, and the sequester is still having significant effects. The fiscal year 2013 appropriations bill we are discussing will mitigate the effects, but there will still be an operations and maintenance shortfall within DOD.

Every service is still facing potential cuts in training and other readiness functions that should cause us concern.

Last Monday, a week ago yesterday, I went to the Pentagon and visited with Secretary Hagel, Deputy Secretary Carter, General Odierno, spent time with General Welsh last week, and not just with the brass but then went down into the cafeteria and heard the real deal from folks who were having lunch, and these were Active Duty assigned to the Pentagon, DOD civilian, Guard men and women who were back just coincidentally to do training-related meetings that day, and veterans who were back having lunch with their friends. As I went table to table and talked about sequester, I heard about continuing effects and concerns regarding the furlough of defense civilians and potential cuts to contractors. So those are still out there, but the good news is that this bill will address and improve, and then we have a second chance to do so as well as we begin in short order to deal with a proposed fiscal year 2013 budget.

There is a strong budget process already underway that will bear fruit in the committee within the next couple of days. The Budget Committee, under the leadership of Chairman MURRAY, has worked very hard, and it started the process that will lead to committee discussion and voting and then amendment and debate later this week. The basic goal of what we are trying to do is pretty simple, under the chairman's direction: Let's grow the economy and create jobs while reducing our deficit and debt in an economically credible way.

If we do this right, together with the appropriations approach discussed today, we can help reduce and then shape the negative effect that sequester has had on the Commonwealth and the country by replacing a blunt, non-strategic, across-the-board set of cuts with more strategic and targeted approaches.

We have a long way to go, obviously, whether it is on finding the path forward just on this bill—and it looks as if there is very strong bipartisan support, and that is positive—but certainly on moving forward with the budget and the possibility of finding some compromise with the House. There are going to be vast differences in the approaches, and we cannot sugarcoat that. But I think it is maybe important at least to stop and acknowledge some positive steps.

At year end, before I joined the body, the two Houses did come together and they found a compromise on the Bush tax cuts, which was positive. There were things not to like about it, but the fact of compromise was a positive. The House agreed earlier in calendar year 2013 that they would not use the debt ceiling as leverage over the American economy or leverage over these

discussions. That, in an earlier instance, led to America's credit being downgraded, so stepping away from that is positive. In the Senate, we are returning to normal budgetary order under normal timing, and that is a positive step. Both sides have agreed to avoid brinkmanship surrounding government shutdown on March 27 and have worked assiduously to avoid it. This compromise to the fiscal year 2013 CR and the willingness to move forward in a true appropriations approach for the rest of the year in these key government functions is so positive. And the prospects, which I think are very good, of both Houses actually producing budgets on time for the first time in a number of years is also positive.

So while there are real and significant differences, and we will lay those on the table and debate them with vigor over the next few days and weeks, the American public will see this process unfold. They expect us to debate, listen, and find reasonable compromises. We have seen some, just in the last few days—I guess I will conclude and say this: We have seen some recent positive economic news—the jobs report Friday, some of the news about housing, the stock market. There are some positive economic trends that are starting to develop. Congress can accelerate these trends. Congress can accelerate the improvement of the American economy if we keep taking these reasonable steps forward to find a responsible budgetary path. This work on the CR bill to find an appropriations path for the remainder of the year is one of those positive steps, and I applaud the committee leadership for doing so.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Maryland.

Ms. MIKULSKI. Madam President, I thank the Senator from Virginia for his comments. He and Senator WARNER are on the other side of the Potomac, and sometimes we are friends, sometimes we are rivals. But it is such a dynamic State. The junior Senator from Virginia knows his State has some of the greatest Federal assets there—the Pentagon, the Central Intelligence Agency. It is a home of vibrant technology. That is why we sometimes come as rivals.

But I want to ask a question of the Senator from Virginia, if the Senator will yield?

Mr. KAINE. I yield.

Ms. MIKULSKI. When we are moving the continuing resolution and he talks about being in the cafeteria and going table to table, which is something I do myself, and I know he enjoys it,—is it his point that we protect the men and women in uniform but the civilian employees, many of whom are veterans, would be at risk?

Mr. KAINE. Absolutely. I am just coming from an armed services hearing, I say to Senator MIKULSKI, where we were talking about that very same thing. The armed services mission, of course, requires that we protect the men and women in uniform. But so many of the DOD civilians are absolutely critical in doing their appropriate jobs. Sixty percent of the staff, for example, our strategic men, STRATCOM, are civilian employees. They are doing some of the most important work that we need done in the country right now around cyber security. The nurses who care for the wounded warriors I visited at Fort Belvoir Hospital, for example, are DOD civilians. So the furloughs that affect, more broadly, the civilian employees should be reason for significant concern.

Again, we are taking a positive step toward addressing some of these issues by embracing the appropriations approach that the Senator has worked on, and we will have an additional ability to take a positive step with respect to the fiscal year 2014 budget.

Ms. MIKULSKI. So just to prove our policy goal here, we cannot have government funding expire. The consequences of a government shutdown would be horrendous. What would it be on the Virginia economy?

Mr. KAINE. I say to the Senator, it is impossible—

Ms. MIKULSKI. Speaking from the old days as a Governor.

Mr. KAINE. It is like the old commercial about the price of various things but some things are priceless. There is no way to estimate it. Just off the top of my head, there have been analyses of the degree to which the Federal budget impacts the economy in each State, and the most recent, done by Bloomberg about 16 months ago, had Virginia as the State most affected by the Federal budget. So the prospect of more brinkmanship around shutdown, which has happened in the past, even if it does not occur, creates great anxiety. But if it were to occur, whether it is the nurses caring for our wounded warriors, whether it is the researchers helping us to figure out how to stay ahead of the cyber attacks that are frankly happening to our Nation every day, or whether it is the shipyard repairers at Newport News Shipyard who manufacture the largest in manufactured items in the world, nuclear aircraft carriers, which should be a story of American pride, who would find their jobs at risk—a shutdown and even the negative consequences of playing out of last year's CR, which is backward-looking rather than forward-looking, are significant. And that is why turning and facing forward is the approach we should take.

Ms. MIKULSKI. I thank the Senator for his insightful and cogent comments. He is a great fighter from Vir-

ginia. I look forward to working with the Senator from Virginia—just as I have worked with Senator SHELBY—where there is no brinkmanship, no ultimatums. We just want to get the job done. We need to do our job so other people get to do their job so America keeps rolling.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Madam President, I would like to speak for 15 minutes on the topic of revenue sharing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. Madam President, I did not come to the floor today to speak on the appropriations and CR, but I want to thank the chairwoman and ranking member for working in a bipartisan way. They are working on finding a solution and an ability to ensure that at the end of the day we can keep this government operating and moving forward, and I thank them for that.

#### REVENUE SHARING

Mr. BEGICH. Madam President, I rise to take exception with some of my colleagues—and I hate to say this—on my side of the aisle. This subject is very frustrating. I am talking about a letter I reviewed from March 8. It is a letter from the Senate Energy Committee. The letter talks about revenue sharing and offshore oil and gas development and how that Federal revenue should be shared.

When I read this letter, it sounds as if there is some evil monster lurking in the deep, which is far from the truth. It is very frustrating—and I hate to say this—to see some of my fellow Democrats trying to make energy policy without talking to folks who are in the energy-producing States.

Let me make this very clear. I am here to talk about revenue sharing. The letter is laid out as if it is about revenue sharing. After reading the letter, I found out that it is really about opposing offshore oil and gas development of any kind. I come from a State that is heavily invested in this endeavor, and to say revenue sharing is inherently inequitable is somewhat comical. What is inequitable is to drain resources from our energy-producing States without compensating them for the impacts of this needed development.

I introduced legislation 6 weeks ago to make sure Alaskans get their fair share of the resources developed along our coastlines. Our communities are greatly impacted by development. My goal is to share Federal energy resources generated off Alaska's coast with the State and local governments as well as Alaska's Native people. It is just common sense.

My bill not only encourages increased and responsible development of

Alaska's energy resource, but it also makes sure our communities benefit directly from oil and gas being produced in our State. The idea is to help State, local, and tribal governments pay for the public sector infrastructure required to develop these resources.

My bill also requires oil produced in the Federal waters of the Chukchi and Beaufort Seas—for those who may not always know where Alaska is, it is not near the coast of California, which every map seems to show. It is up north near Canada and has an enormous amount of resources in the Arctic area, and it is called the Chukchi and Beaufort Seas.

My bill also requires oil produced in the Federal waters of the Chukchi and Beaufort Seas to be brought ashore by pipeline. This is safer than tanker transport and secures a future throughput for the Trans-Alaska Pipeline that feeds this country.

The bill provides Alaska with 37.5 percent of Federal bonus bids and royalty shares from any energy development—fossil or renewable. Let me make this clear: Again, when I first read this letter, they seemed to be outraged by revenue sharing. As I look at it closer, it is really about how they don't like offshore development. As I read it, it says they don't like oil and gas.

Before I got here, this Congress passed revenue sharing for the Gulf States, but they excluded Alaska. Even though Alaska is the farthest away from the lower 48, and it is one of this country's fuel sources, there is no revenue stream at all—period. We have a huge impact with the development of our housing, transportation, water, and sewer. We need to have the capacity so these communities can support this large development.

My bill provides just what the Gulf States get—37.5 percent of the Federal revenues. We are not adding new taxes. We are taking what is collected—or in the future what would be collected. The 37.5 percent of Federal revenues would be delivered in the following way: 25 percent will go to the local governments; 25 percent will go to the Alaska Native village and regional corporations. In some ways they are similar to the Indian Country in the lower 48 States but different in how they operate. In any event, it will provide services to Alaska Native communities. Ten percent will go directly to tribal governments, and the remaining 40 percent will go to the State of Alaska to deal with the impacts of this.

This bill also requires 15 percent of the Federal share of royalties be directed to the Land and Water Conservation Fund. Why is that important? It is important because that not only touches coastal States, it touches every State. Almost \$900 million annually would be directed for the purpose of land and water conservation throughout this country.

Finally, a percentage of the 37.5 percent of the Federal share would be dedicated directly to deficit reduction.

Again, as I read the letter, they make it sound very evil. They make it sound like it is some monster lurking in the waters. This doesn't sound so evil. This is about fairness to our State and any coastal State that develops oil and gas off their shores.

Again, as I read the letter, it is clear that friends and colleagues on my side of the aisle don't get what it means when we have this type of development and what type of infrastructure we have to provide to balance that infrastructure and ensure the people of that State get the resources and the development they need—especially when we extract from our State. People come and extract from our State and use it elsewhere. Our State should be left with some stream of revenue.

They make a point in the letter, which this bill does address, as far as having 37.5 percent of these resources go to the States. The answer to that is simply, yes. Yes, it does. Relying on the Federal Government to determine what is best for these States doesn't always work out so well. We are now finally doing a CR with some modifications, and I am glad we are.

After 4 years of seeing how this place operates, I will put my bet on State, local, and tribal governments to deliver the services we need. If it means that we take money from the Federal Government and give it to these local communities to do the job, I am all for it.

As a former mayor, I know what we can do when we are given the resources and how we will spend it efficiently and do what is right for the communities we represent.

I appreciate the moment to talk on this issue. It is frustrating to see these letters. The Presiding Officer is from an energy State and knows what it is like when people propose their ideas for their States—and never talk to us about it—or propose what we should be working on. We should have communication.

It is frustrating to have people from my own side of the aisle say we are not sharing our resources with the rest of the country when we do share. It is also frustrating that some of those on my side of the aisle oppose something which makes so much sense. We need to give more control to the local people who are extracting resources from the coastline.

I thank the Presiding Officer for allowing me to speak.

At this time I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Madam President, shortly we will go to our respective party caucuses. I understand that we are going to be joined by the President of the United States so he may share with us his insights and recommendations to deal with our economy so we can get it going.

I know one of the issues that often comes up is the so-called entitlement reform. This is not the subject we are dealing with on the Appropriations Committee, but I would like to talk briefly about how we do impact the funding of Social Security, Medicare, and Medicaid.

I would like to take a minute to talk about Medicaid. I want to talk about what Medicaid funds. Remember, Medicaid, by and large, is not in our Appropriations Committee. Medicaid is not in our Appropriations Committee, but the people who work for Medicaid are. And that is a different topic.

I want everybody to understand Medicaid because it is a subject of great debate—and often a prickly debate. Eighty percent of the beneficiaries on Medicaid are children. Usually they are children of the working poor. It helps them to get the health care they need for the early detection of hearing problems. It may also be for a child with diabetes the family is concerned about.

Although 80 percent of the beneficiaries are children, 80 percent of the money goes to seniors or people in nursing homes or assisted-living homes due to some form of neurological or cognitive impediment.

Now, I don't want to sound like an MD, I don't even have a Ph.D, but from talking to my constituents, I do know 80 percent of those in long-term care facilities are often there due to something related to dementia, such as Alzheimer's or a neurological impediment such as Parkinson's.

Let's talk about NIH—and, remember, NIH does funding at the Bethesda campus in Maryland, and it also gives grants to brilliant researchers who are usually working in academic centers of excellence. Those centers could be Johns Hopkins or the University of Maryland or the University of Alabama or Kentucky. Those grants are competitive and peer-reviewed.

Let me get to the point I am trying to make. By funding NIH and the National Institutes of Aging, we are on a breakthrough trajectory for finding the cognitive stretch-out for Alzheimer's.

I have been on this for more than 20 years because my dear father, who ensured my education and looked out for me all the way through raising me as a

young lady, died of the consequences of Alzheimer's. Alzheimer's is an equal opportunity catastrophe for the high and mighty and for the ordinary. Our own endearing President Ronald Reagan died of the consequences of Alzheimer's, as did my father, ordinary people, men and women who helped build America.

So we need to make public investments in research to find the cure for Alzheimer's and, if not a cure, cognitive stretchout. What do I mean by cognitive stretchout? It means if we have early detection, new tools, new MRI technology, new ways of identifying it early on, what could we do to prevent memory loss? If we could do it in 3 to 5 years, we would reduce the cost of Medicaid spending. If we find a cure for Alzheimer's alone—and I am not even talking about Lou Gehrig's disease or Parkinson's—we could reduce the Medicaid budget by 50 percent—5-0.

Nancy Reagan has spoken about it. Sandra Day O'Connor has spoken about it. BARB MIKULSKI is speaking about it. Most of all, America speaks, through the Alzheimer's Association and other groups. They march for the cure. They march for the stretchout. In that one area alone, we could have a dramatic impact on the lives of American families and on the future of Federal spending in Medicaid. It would meet a compelling human need. When a person has Alzheimer's, the whole family has Alzheimer's. I remember my dear mother, as my father became more and more lost in his memory, had to work a 36-hour day, as the family did as well, looking out for him. We were more than willing to do it.

I was born in the 1930s. I was a school girl in the 1940s and 1950s. There wasn't much talk about educating girls. But not from my father. I have two wonderful sisters. My father wanted his girls to have an education. He felt that by giving us an education, he could give us something nobody would ever take away from us so we would be ready for whatever life sent us.

The PRESIDING OFFICER. The majority time has expired.

Ms. MIKULSKI. I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. I have no objection but—

Ms. MIKULSKI. Oh, I am sorry. I didn't realize—

Mr. GRAHAM. No objection, I just need about 7 or 8 minutes.

Ms. MIKULSKI. Let me just finish this, if I might. I need just 2 minutes. I didn't realize the Senator from South Carolina was on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I just want to make this point. My mother and father saw to my education. My father's business



burned down when I was a senior in high school. My mother moved Heaven and Earth for me to go to college. When my father was stricken with the consequences of Alzheimer's, I was determined to move Heaven and Earth to help him. There was little help available.

It is not just about my father. It is about mothers and fathers everywhere. Let's spend the money where the people want us to spend it. Let's meet a compelling human need now and do the research we need to do to help those families and help the Federal budget in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

#### ENEMY COMBATANTS

Mr. GRAHAM. Madam President, I wish to bring the body's attention to a recent decision by the Obama administration to place the son-in-law of Osama bin Laden, Mr. Abu Ghaith—I think I am pronouncing the name correctly—into Federal district court in New York charged with conspiracy to kill American citizens. He has been presented to our criminal justice system. He is, in my view, the classic example of an enemy combatant.

I will be, along with Senator AYOTTE, writing the Attorney General asking for a rundown of how long he was interrogated before he was read his Miranda rights. I believe this is a classic example of a person of great intelligence value who should have been held as an enemy combatant at Guantanamo Bay for intelligence-gathering purposes as long as it took to get good intelligence. He, in my view, is a treasure trove of information about not only al-Qaida but maybe things going on in Iran. There is an allegation of his being held in Iran for a very long time as their houseguest, for lack of a better word.

I fear greatly we are beginning to go back to the criminal justice model that preceded 9/11. The first time the World Trade Center was attacked, we had the Blind Sheikh case and the prosecutors did a wonderful job of prosecuting the Blind Sheikh and his conspirators in Federal court. But everybody at that time treated al-Qaida and terrorism as a criminal threat.

After 9/11, we changed our model. The attacks of 9/11 were viewed as an act of war and we authorized military force to go after al-Qaida and affiliates by allowing us to use the law of war model regarding al-Qaida operatives. From 9/11 forward, we can now hold them as enemy combatants.

Under the law of war—I have been a military lawyer for 30 years—there is no Miranda right component. If a person is captured as an enemy prisoner, he or she is not read their rights or provided a lawyer. When a commander hears we have a highly valued member

of the enemy in our custody, the first thing the commander wants to know is what intelligence have we gathered. The last thing on the commander's mind is where we are going to prosecute them.

So when we are fighting a war, the purpose of interrogating an enemy prisoner is to find out information about enemy activity so we can win the war and protect our troops. In criminal law, the purpose is to convict somebody for a crime. Under criminal law—domestic criminal law—we cannot hold someone for interrogation purposes. We can't ask them about what they have been up to, what they know, and I don't suggest we should. They are entitled to a lawyer and Miranda rights and that is the way it should be.

But we are fighting a war, at least in my view we are fighting a war. I wish to remind the Nation—I doubt if we need a whole lot of reminding but every now and then apparently we do—this is the Twin Towers on fire, beginning to crumble from an attack on 9/11. This is the Pentagon, the damage done to the Pentagon, and 300 people lost their lives there, and this is the Shanksville, PA, site of Flight 93.

To those who suggest we are not in a war, I could not disagree more. I would say the single biggest loss of life in the war on terror was the first day; the very first day the war began, September 11, 2001. Do my colleagues remember where they were? Do they remember their reaction? The first three battles in this war cost us the most lives of any day in the war. We have lost a lot of soldiers, and our hearts go out to them, but there has never been a day when Americans bled more than 9/11 itself.

There are three battlefields in this war: New York, over 2,000 people killed; the Pentagon, around 300 killed; Shanksville, PA, the entire membership of that airplane was killed. To the people of flight 93: You fought back. You weren't fighting against a bunch of criminals. You fought back against a bunch of terrorists who were trying to take the last airplane and crash it into this building or some other building in Washington. To those who died on that flight, you are the first line of defense. You, above all others, were the first ones to fight back. I will not let your fight go unnoticed. You were not fighting a bunch of criminals. You were fighting people who are at war with us.

I wish we had understood in 1998 we were at war and not used a criminal model. If we had kept the Blind Sheikh in military custody, interrogated him for a very long time, lawfully and humanely—because I believe that as a military lawyer—maybe we could have gotten information that would have prevented 9/11.

Here is why I am so upset. The person in custody in New York is the son-in-law of Osama bin Laden. Again, I re-

mind my colleagues, this is the bloodiest day in the war on terror. These are three battlefields that cost us 2,900 lives. Over 2,900 American citizens died on the first day of the war.

Now, years later, we are still capturing people. The person we captured—and I congratulate all those who were involved in bringing this man into our custody. This person over here to the left sitting by Osama bin Laden is his son-in-law. He left Kuwait in 2000 and went to Afghanistan. He pledged allegiance to bin Laden. He was the spokesperson for al-Qaida. He was one of the key guys trying to get other people to pledge allegiance to al-Qaida and bin Laden.

So in 2000 he went to Afghanistan and he joined with bin Laden and became his son-in-law. He founded a charity that was used to support terrorist organizations.

On 9/11, after the attacks, he was one of the first people to speak and to glorify the attacks about how they attacked our homeland. I will get that quote later; I don't have it with me. He said: My brothers, we finally hit the homeland. We finally hit them in the heart of where they live.

On October 10 in a video he said: Americans should know the storm of planes will not stop. There are thousands of the Islamic nation's youth who are eager to die, just as the Americans are eager to live.

All I can say is if this man was interrogated by our intelligence officials and the FBI for hours, not days, before he was read his Miranda rights—under the law of war, we have the opportunity available to us to hold them indefinitely as a prisoner, an enemy combatant, a member of the enemy force, and to lawfully interrogate him without a lawyer, without reading him his Miranda rights because we are trying to gather intelligence and make sure we can prevent future attacks and to find out what this vicious enemy is up to. We did not take that opportunity.

This administration is refusing to use Guantanamo Bay, one of the best military jails in the history of the world—very transparent, well run, and it is the place he should be today, not in New York City awaiting trial in Federal court.

It is not about Federal court not being available in the war on terror. Article III courts have done a good job in many cases of prosecuting terrorists but so have military commission tribunals at Guantanamo Bay, where KSM, the architect of 9/11, is being prosecuted under the Military Commissions Act.

My complaint is that this man was, within hours, read his Miranda rights and given a lawyer and cut off the ability of our government to find out what he knew about the war on terror, current operations, and future operations. He should have been at Guantanamo



Bay, interrogated by our military for as long as it took to find out what he knew. If the administration is telling me we got all we needed from this man in 1 day, they are offending my intelligence. I have been a military lawyer for 30 years. I understand what is going on at Guantanamo Bay, the information we have received over years. In some cases, it took months, if not years, to get the total picture of what a detainee knew. So if the administration is telling me and the American public the time they had with this man before they read him his Miranda rights was enough, then they are offending my intelligence.

They are making a huge mistake. The decision not to treat him as an enemy combatant and putting him at Guantanamo Bay for interrogation purposes under the law of the war is one of the most serious mistakes we have made since 9/11. We are beginning to criminalize the war.

This was not an intelligence decision or a military decision; it was a political decision, because they will never convince me or almost anybody else in America that interrogating him for hours was enough. The reason he was interrogated for hours and not days is that they did not want to take him to Guantanamo Bay. The reason he was read his Miranda rights is they are pushing everybody back into the criminal justice system.

All I can say is that Guantanamo Bay has been reformed. It should be the place we take people such as he, as an enemy combatant, to be interrogated under the law of war, and we are using the criminal justice model in a way that will come back to haunt our Nation. We are beginning to criminalize the war. I want my colleagues to know we are going down a very dangerous path, and I will do everything in my power to get this administration and future administrations back in the game when it comes to fighting a war because I believe very much, I say to my colleagues, that we are in a state of war with an enemy who does not wear a uniform, who has no capital to conquer, no Air Force to shoot down, and no Navy to sink. The only thing between them and us is our brave men and women in the military and good information. This man was interrogated for hours when he should have been interrogated for months.

We are beginning to do what got us into this mess to begin with, looking at al-Qaida as a group of common criminal thugs rather than the warriors they are. These people right here mean to kill us all. They are at war with us. I intend to be at war with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### POULTRY INDUSTRY

Mr. COONS. Madam President, seeing the press of business here, I will be brief. I wanted to take the opportunity to rise and simply speak to the importance of the poultry industry, something that spreads across the Delmarva Peninsula and is central to the State of Maryland, State of Delaware, and many other States in our country.

With the sequester having kicked in, many of us who are from States that have livestock or poultry processing are aware of the impending and significant negative impact on our home States and our economies, on people's employment, and on their opportunity to continue to support their families. So I wanted to briefly speak in support of what I know are Senator MIKULSKI's tireless efforts to ensure that the 6,200 meat and poultry processing plants in this country do not get needlessly shut down.

In the last quarter of the last calendar year alone, 2.2 billion chickens and turkeys were inspected by the meat inspectors of the Food Safety and Inspection Service. This poultry industry, which is nationwide, provides vital employment to the people of Delaware, Maryland, and many other States.

Secretary Vilsack of the U.S. Department of Agriculture estimates that furloughs, if implemented, of these safety inspectors could cost \$10 billion a year in losses and \$400 million a year in lost wages just for those directly employed.

The private sector grows and the private sector has opportunity when Federal inspectors are a part of the total ecosystem of poultry in this country. We raise great turkeys, we raise great chickens in this country. We have the world's leading poultry industry, but the Food Safety and Inspection Service is a vital part of it.

I commend Senator MIKULSKI for her tireless effort to make sure we find some responsible way through the sequester to ensure it does not needlessly harm and put out of work the tens of thousands of Delawareans and Marylanders who rely on this vital industry for their opportunities going forward.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 21, H.R. 933.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 21, H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. REID. Madam President, we expect to adopt the motion to proceed to this bill this afternoon and start on the amendment process. I have spoken to the Chair and the ranking member of this committee, and we are anxious to move forward and start doing some legislating.

As I said this morning when I opened the Senate, this is exemplary, the work done with the two managers of this bill, and we need to make sure we move forward on it. It would be good if we would have amendments that would be in some way germane and relevant to what we are doing, but we are going to take all amendments and try to work through them as quickly as we can. I hope people would agree to very short time agreements. I would hope we do not need to table the amendments. I hope we can move forward and set up votes on every one of them.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate shall stand in recess until 2:30 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, as we begin our work this afternoon, I wished to come to the floor to make a few comments about the Homeland Security appropriations bill which is now going to be included in the amendment offered by Senator MIKULSKI and Senator SHELBY as part of an appropriations bill coming over from the House. This is such an important step forward, not just for the government but for the private sector jobs which depend on reliable, transparent, and appropriate government spending, for the whole

country. We have been in gridlock and stopped on our funding bills for months now. We have not been talking about what makes Americans happy and prosperous—smart investments in their future and their interests.

We have been fighting about appropriations bills. That fight, hopefully, is coming to an end because of the extraordinary leadership of the Senator from Maryland, Senator MIKULSKI, the senior Senator from Maryland, and the newly minted—not new to the committee, a true veteran of the Appropriations Committee—chairwoman of our committee. She is in an able partnership with Senator SHELBY of Alabama, a longstanding appropriator who understands practical politics and compromise is necessary to move anything of importance through this body. I can't thank them and their staffs enough for salvaging several of these important bills.

They weren't able to come to an agreement on everything. I and others are still troubled we will not see much progress in the areas of education and health, as much as we would like, but that is for another day. We are going to move forward on the sections we may move forward together. One of those areas is funding for homeland security, which is a pretty big bill by Federal Government standards. It is not the largest, it is not the smallest, it is \$42 billion. That is not chump change. It is a significant amount of money the taxpayers provide to us to make decisions about their security. It funds everything from Border Patrol and protection to Customs and Immigration.

It funds the Coast Guard, which is a very important part of our operations. We feel that directly as a coastal State in Louisiana and are very familiar with the needs of coastal communities. The Coast Guard is always there.

It funds a number of other entities. I do not want to fail to mention cyber security, which is one of the newest, most frightening threats to our country. This threat didn't even exist 20 years ago. You may see the ever-evolving capacity of people who would do us harm: not just governments that don't like the United States, not just groups that don't like the United States, but individuals who have some bone, some beef, some anger, and may actually act out in unbelievable ways through the Internet by attacking sensitive material and data.

This is not just an attack to the government functions of our country, but we have seen any number of attacks on our private infrastructure. This is so critical to our existence, whether it is our water systems, our financial systems, our utility systems, our electricity systems. I could go on and on.

This is a very important responsibility for the Federal Government to step up and figure out, working with the Department of Defense, Depart-

ment of Commerce, and the Department of Homeland Security, which I chair. This is no insignificant matter.

On the contrary, it is not only important for us to have the right money but invest it in the right places. We are trying very hard to do that. This is why it would have been very dangerous, in my view, to have this bill stuck. We would be funding last year's priorities, not being able to account for all the new intelligence which has come in over the last 12 months. This is an evolving, ever-growing, ever-changing threat. We would have been spending taxpayer money funding last year's threats, not tomorrow's threats.

This is why BARBARA MIKULSKI, the chair of our committee, fought so hard to say we must move some of these appropriations bills forward to ensure appropriate funding and not wasting the taxpayer money. She was right. She was able to negotiate with Senator SHELBY a yes—not a no, not a maybe but a yes—for the homeland security bill, and I could not be a happier chairman.

I also want to thank Senator COATS, who is my able ranking member from Indiana. He worked hand-in-glove with me to put this bill together. Our staffs worked very closely together. We had a few minor disagreements and views. We were able to work them out and work through it, obviously. This bill is here with his signature and mine on it. We were able to negotiate in very good faith with our House counterparts, and I want to thank them.

Chairman MIKULSKI says the four corners have signed off on our appropriations bill, both in the House and the Senate, the Republicans and the Democrats. It took some give and take, but that is what we need to do.

I want to highlight a few areas in the bill people have been very interested in. First, the bill includes total discretionary spending of \$39.6 billion. As I said, \$42 billion was what it was a few years ago. Like every committee, we have taken a cut, we have taken a reduction. Contrary to what you might hear, we are tightening our belts and we are cutting into some muscle. We are cutting into some bone. It is not easy, but it is necessary.

However, there is a point where you can't keep cutting or you won't be able to provide the security in the phrase homeland security. It will just be homeland. There won't be a big security piece around us because we have chopped it up. When people who want to harm this country discover this, they will find the weakness.

I am not trying to scare up additional funding, but I am speaking the truth. Do you want to secure a border? You may talk about it or you may actually build one. If you want a strong Customs agency, which moves people through quickly but ensures no bad things come into our country, you need

to fund it. This does not happen on a wish and a prayer.

We have a flat budget. We have reorganized to accommodate what Senator COATS and I believe are the priorities for the Members here representing the people. The Coast Guard, cyber security, border security, travel facilitation I will return to in a moment.

For the Coast Guard, the bill includes \$9 billion in discretionary spending, which is \$400 million above the President's request. We have cut out some other things, but those of us on the committee believe the Coast Guard is important. The Coast Guard is on the front line for drug interdiction, which I don't have to explain to people. It is not classified information that now we have drug kingpins owning submarines which bring drugs into the United States. People read about this. It is true. It is not science fiction. We need to make certain the Coast Guard has access to stop drugs from coming into our country in smart, aggressive ways, working in partnership with other governments.

I don't have to remind everyone about the oilspill, the terrible accident. That trial is still going on in New Orleans as I speak, with hundreds of lawyers still debating the worst oilspill in the history of the country. Who showed up? The Coast Guard. They have to have all sorts of equipment to be able to respond for drug interdiction, which is different than an oilspill cleanup; and, of course, people are rescued literally every day by the brave men and women of the Coast Guard who risk their lives to keep our commerce and our recreational boating moving throughout this Nation.

We have \$557 million for production of the sixth national security cutter. Let me say something about this that people don't understand. I see my good friend DICK SHELBY, and he most certainly understands this as a Senator from Alabama, but I want people who are not on our Appropriations Committee to understand something. When most people in America buy a big item, such as a house or even when they send their kids to college, they finance that. They take that big hit, such as a \$40,000 loan to send their child to college for 1 year or \$120,000 or \$160,000 for 4 years, if they are going to a very fancy, expensive school. Happily, for some of us, at LSU we get a great bargain and a great education for \$10,000. But for some families even \$10,000 for 4 years is a lot of money. They do not pay cash for that. They finance that. The Senator from Alabama knows this.

Under the rules in Washington, we cannot finance most things. People don't understand this. We have to pay cash. So because we need that national security cutter, I had to find \$557 million in our budget to pay for it this year, even though it takes a long time to build it.

I think this should be changed. Senator Snowe, who was the chair of this Committee on Defense, Navy, for many years, thought it needed to be changed, but it has not changed as yet. I want people to know the pressures we are under in this bill, because sometimes when we have to fund these big items in one year, basically, we have to pay cash.

Now, yes, ultimately this money is being borrowed through the general fund—and I don't want to get into a technical argument—but as far as we are concerned, we are paying cash for it in our budget—\$557 million this year for the national security cutter.

We are also funding \$77 million for long lead time, \$335 million for six new fast response cutters, \$90 million for a new C-130 J aircraft, and I have invested, at my priority, \$10 million for military housing for the Coast Guard.

The Army, the Navy, the Air Force have been upgrading their housing. The poor Coast Guard, because they are smaller and they are more isolated, is not in areas where we can take advantage of that public-private partnership that is working so well. I think our Coast Guard families need some support, and I was able to find some funding there for them.

I don't need to take much more time. I don't know if the Senator from Alabama is here to speak, but I will take 5 more minutes, and if he needs me to cease, I will.

But I want to also point out that we put some investments in the bill to address the cyber threat, which the President has described, and I agree with him, as one of the most serious economic and national security challenges we face as a nation. This bill includes \$757 million, which is \$313 million above last year, and I was happy to do that. I think this is a priority. We have moved other items around in the budget because this is a real threat, it is evolving every day, and we have to have the research and technology to address it and work with the private sector to see what we can do to keep their network safe and our government strong.

The bill includes \$7 billion for the Disaster Relief Fund. This was also a battle we fought. The money is in there for Sandy, for Isaac, for Irene, for Ike, for Gustav, for Rita and Katrina and there are a few other storms that are, even after 6 or 7 years, still open. So this is money there for them to finish their recovery.

In science and technology, the bill includes \$835 million, a 25-percent increase. I want to say one other thing, and I think Senator SHELBY will agree with me, that people don't understand how important it is that the Federal Government invests in research and development. Yes, private companies do invest in research and development, but some of the investment we do is

truly so farfetched that no one in their right mind would invest in it because there is no immediate return. Yet we have seen, time and time again, when the Federal Government steps up and makes those long-term investments in research, what happens—something is discovered. The Internet was a good example of research through the Department of Defense, and I could give other examples. But soon enough, the private sector realizes, oh my gosh, this research is breakthrough—such as that which came from our research in health on our DNA and all the new and exciting technologies in health.

I can tell you our State is benefiting a great deal from the research done 20 years ago on fracking. That wasn't done by Exxon or Mobil, it was done by the Federal labs out West because of research money in one of our bills. I am not sure which bill it was, but potentially in energy, and that is what is leading to the revolution in natural gas. As to this baloney that the Federal Government doesn't have to invest in research and technology, we do it in partnership with the private sector, and it is the best system in the world. We would be shortchanging ourselves and our future economic growth if we didn't continue it.

Finally, just one more word about another priority. I have put some additional funding by moving some things around for Customs and Immigration and for TSA. I am not the only Senator who represents a State that depends, in large part, on the hospitality tourism and trade. I could list many States in our country that do as well, but let me tell you about Louisiana. We believe in hospitality. We believe it is a good business. We enjoy having people come to our State. They come, and we all have a great deal of fun and excitement with our festivals and our fairs. But at the end of the day, we make money and we create jobs and it is an important industry. I am alarmed at the fallout of international travel to the United States since 9/11. It has only increased by about 1 percent.

To put that into perspective—and I believe this number is correct, but I will check it for the record—as the Senator from Alabama knows, international travel in the world has increased by something like 400 percent. So people are going to China, they are going to Korea. There is a growing middle class, and what middle-class people do, besides buy homes and send their kids to school, is travel. It is a middle-class thing. We now have more middle-class people in the world than ever, but they are not coming to the United States because we are not investing in the kinds of infrastructure in our airports and ports that provide a safe but pleasant environment. So I am working very closely with the International Travel Association—and I want to thank them publicly for the

work they are doing—because I am one Senator who believes in this. I think the President has also said that international travel means jobs for Americans right here at home. It is something they cannot transport.

For border security, the bill maintains the legislatively mandated staffing floor of 21,370 border patrol agents and provides \$76 million above the request for Border Patrol staffing within customs and border protection.

Similarly, the bill provides \$240 million above the request for maintaining current staffing levels of frontline CBP officers at our land, air, and sea ports of entry. The fiscal year 2013 budget request for CBP submitted to Congress over 1 year ago resulted in an overall funding shortfall of more than \$320 million. This bill fills the vast majority of that shortfall through internal savings and reductions in other, lower priority areas. CBP will continue to face challenges in meeting its staffing requirements and I am committed to helping this important agency fulfill its critical missions.

The bill includes \$1.46 billion for first responders grants, an increase of \$200 million above fiscal year 2012. These grants ensure our frontline responders are trained and equipped for catastrophic disasters. Recent examples of grant investments that supported disaster response are: communications assets, search and rescue units, generators, and medical equipment used during the 2011 tornadoes in Arkansas, Alabama, and Missouri; joint operations centers, rescue boats, and hazardous materials equipment used during Hurricane Sandy in New York, New Jersey, and Connecticut; and cutting-edge mobile vehicle radios and an upgraded 911 call center used during Hurricane Sandy in Maryland.

While the response to more frequent severe disasters has improved, the funding in this bill will help address remaining gaps in preparedness. For instance, the recent National Preparedness Report found that State and local governments are less than halfway to achieving needed recovery capabilities and defending against the growing cybersecurity threat.

Finally, in an effort to maximize resources for frontline missions, the bill approves the request to eliminate \$800 million in administrative costs and rescinds \$307 million in unobligated balances associated with low-priority programs. The bill also requires 30 expenditure plans to ensure oversight of taxpayer dollars.

I would like to conclude by emphasizing my concern with the impact sequester will have on the Department of Homeland Security. Despite the smart investments that are made in this bill, the problem of sequester remains.

The Secretary of Homeland Security has testified before the Appropriations

Committee that these automatic budget reductions will be disruptive and destructive to our Nation's security and economy.

At our busiest airports, peak wait times could grow to over 4 hours or more during the summer travel season. Such delays would affect air travel significantly, potentially causing thousands of passengers to miss flights with economic consequences at the local, national, and international levels. New flights that bring in hundreds of millions of dollars to the U.S. economy would be delayed or potentially denied due to reduced staffing.

Sequestration will also impact our Nation's land borders. For example, daily peak wait times at the El Paso Bridge of the Americas could increase from 1 hour to over 3 hours.

The Coast Guard will have to reduce operations by up to 25 percent impacting drug and migrant interdiction efforts.

The sequester will impact our ability to detect and analyze emerging cyber threats and protect civilian federal computer networks, and

FEMA will delay implementing critical reforms to improve disaster response and recovery.

The Border Patrol workforce could be reduced by 5,000.

I urge Senators to work together on a bipartisan basis to repeal this ill-conceived sequester and approve legislation that includes balanced deficit reduction.

I again want to thank the chairwoman of the Appropriations Committee, Senator MIKULSKI; the vice chair, Senator SHELBY; and the ranking member on the Homeland Security Subcommittee, Senator COATS for their hard work in including the Homeland Security Appropriations Bill for fiscal year 2013 in this essential legislation to fund the Federal Government.

I am very happy to speak about this bill, but I do see the leaders are on the floor—the chairman and the ranking member—and I want to personally thank them both for bringing our appropriations bills to the floor. I have spoken about homeland security, but there are other bills that need to be talked about this afternoon. I am happy we could work out this agreement with my Republican counterparts, and, again, I thank the chairman and the ranking member for their extraordinary leadership.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I just want to follow up on some of the comments the Senator from Louisiana has made—very positive comments about research and the role of the Federal Government in all aspects of research. She is a very hard-working member of the Appropriations Committee and she has been involved in a lot of this.

Whether it is research on health issues—the National Institutes of Health on cancer or you name it—information technology, energy, which the Senator from Louisiana referenced—there are so many good things that come out of this, and I believe, overall, the Senate and the House, on both sides of the aisle, realized this. But with all the breakthroughs in information technology we have had, we have only to go back to the research and development the Federal Government did that basically brought us our Internet to realize that didn't just happen. It was built over many years, with many ideas and research. Look at it today. We have all benefited from this overall.

There are threats to this information technology, in everything we use today dealing with energy; for example, our power grid, because a lot of that, as we all know, is computer driven and operated, our banking system's information technology, our military, our traffic control systems we rely on every day, and I am sure our trains and other vehicles we run. There are threats to this today. A lot of us know it as cyber security threats, and they are real.

So as we do research in this area, as we continue our research, we cannot forget that. That is a job we all have to work together on, and I believe, on the Appropriations Committee, this is a good start today for challenges in our future to the security of our information systems—our grid, our banking system, our Federal Reserve, and I can go on and on because it affects everything in our everyday life, and we shouldn't forget it.

I think we are off to a good start today. Senator MIKULSKI, the chair of the committee, and I believe this is the first time in a few years we have come to the floor trying to work together on appropriations, and we are determined to make this regular order work. I believe the majority of the Senators on my side of the aisle—the Republicans—and those on the Democratic side of the aisle will, in a few days, bring this to a head and we will do something good for the American people and bring forth some certainty and some good legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, other Senators on the Appropriations Committee—and all are welcome to come and comment, but those on the Appropriations Committee actually assigned to do the work will be coming through-

out the afternoon to actually describe the content of the bill. I would like to talk about the content.

We on Appropriations have 12 subcommittees. Of those 12 subcommittees, each has a chair and a ranking member from the other party. The reason I am telling you this is to describe what it takes to do a bill.

So through all of last week, after we got the guidance of our caucus, the guidance of the authorizing committee, the guidance from the leadership, we began to put a bill together. It is not easy. My own staff and Senator SHELBY's staff worked through that first snowstorm we had, took computers home and worked all day and through the evening. I was back and forth. We wanted to make sure there was no fog in our bill. And then out of that the subcommittees gave recommendations.

The reason I say that is that took us to Thursday. We didn't complete, from our end, the framework and substance of the bill until Saturday. That means me, the Democratic majority—the majority party has the responsibility of putting the bill together, but this is not a one-woman show here. So after we did, we gave it to our counterparts, who have been in consultation on broad principles, negotiations between the subcommittees, consultation with the authorizing committees on policy, where we are heading.

Then when we got it to Senator SHELBY and his staff, they had to exercise their due diligence. We wanted them to do the due diligence. We wanted them to look through every aspect of that bill to make sure with our word of honor, which we have had together for more than 25 years, that there were no hidden agreements, that there were no surprises parachuted in that if we woke up, neither would be happy about.

I must compliment Senator SHELBY and his staff. They worked through the weekend doing every line item to make sure, when they gave Senator MCCONNELL and the Republican caucus their best assessment, they had a chance to look at every single line item, and they sure did it, and they worked hard.

So there are those who would say: We would have liked to have had the bill sooner. We would have liked to have been able to get the bill sooner. But we are talking about the funding for the entire United States of America. That is a lot of lines and that is a lot of items that had to be gone through methodically, diligently, and meticulously, and we moved as expeditiously as we could.

So we then had our bill, and I really wanted to share it with the House. I think we have been working with the House in a very constructive way, communicating, but it took until very late yesterday afternoon for us to complete our process as members of the Appropriations Committee.

I would have really loved getting this bill to the floor and filing this bill sooner, but in order to do it right, and not only the right content but the right way, to make sure the appropriate committees were able to exercise their due diligence, their vigilance, their scrutiny, we now present a bill to the entire Senate.

So I hope we can move forward on our legislation. We want Members to take a look at it. We hope we can work on amendments this afternoon. I hope we have permission to go to our bill. We have two great amendments lined up—different philosophies, but that is what it is.

I talked to Senator AYOTTE on the floor a couple of weeks ago during sequester. Bring up the amendments. We have an amendment by Senator HARKIN on the Labor-HHS content, and we have an amendment to be offered on President Obama's health care bill. There is a Senator who would like to have the full Senate decide whether we should defund it. This is an important national debate. Let it come on out. The only way we can get to that is by letting us go to the bill.

We have an arcane procedure in the Senate called a motion to proceed. In order to be able to vote, we have to get permission to proceed. I want to get to amendments. I want to have a real debate on real issues. Where are we on Labor-HHS? What is the Senate's full view on the funding of ObamaCare? Let's get out there, and instead of fussing over procedure, let's get to real content. Let's talk about the real issues around funding and what we should be doing to pass the continuing resolution to keep America's funding going but where the majority rules and we have our bill.

So let's get to the situation where we can move through the bill, where we can offer amendments. Regardless of how you feel about amendments, we all feel Senators have the right to offer amendments. Let's get to it. Let's get the job done. Let's show we can function as the greatest parliamentary body in the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am somewhat amazed and stunned. You would think that someone who is given an answer to the question—yes—should pretty much be satisfied.

We have been trying to keep the government from shutting down. I appreciate the work done by the Speaker. I didn't agree with his bill, but I appreciate what he did, and he did it in a timely fashion.

The chairwoman of the Appropriations Committee, Senator MIKULSKI, has been negotiating with her Republican counterpart, RICHARD SHELBY, for days now. They worked all weekend, late into Sunday night, and they

worked out a bipartisan agreement. They offered the amendment here. Now we hear from a couple of Senators: Let's not take up the bill. They need more time.

I thought people wanted to have an open amendment process on this bill. Offer amendments. Now it appears that the day is gone. I guess we won't be able to offer amendments today. I have said all along that we would turn to it as soon as possible. Our Republican colleagues said they want to see the first amendment that was to be offered. They saw that. They were originally given to certain people in the leadership office on Saturday about noon, and there has been every effort to work together on this matter. They wanted to see the first amendment that will be offered. I have indicated that was done; they saw it. There were negotiations to get to where that is. But now Senators want to prevent us from going to the bill. Remember, if I file cloture today, the earliest we can have the vote is Thursday.

We are going to finish this CR, and we are going to finish the budget before there will be an Easter recess. That is a fact. So everyone should understand that delaying on this—because they want to read the bill more deeply, I guess—doesn't really make a lot of sense.

We are going to do the budget resolution. I have made that clear, and I emphasize that now. And the Republicans have been talking about—even though it is basically without foundation—that we haven't had a budget resolution. We haven't needed one. We had one that was not a resolution, it was a law that set the standards for what we would do with our budget. It set ceilings on how much we would spend. As a result of that, we were able to get the funding for our subcommittees and appropriations. But they want a budget resolution, which isn't as good as law, and we are going to do everything we can to get that done.

So if Republicans object to allowing the Senate to be in consideration of a bill negotiated with Republicans, then the only people who will be disadvantaged are other Republicans who want to be able to offer amendments.

So I regret that again we have come to this. Just when you think it can't get worse, it gets worse. There are things we have to do. The CR is one of those. If it means cutting into the April recess—we have 2 weeks to do a lot of things people have planned for some time—then that is what we will need to do. But I am stunned.

I learned about this when we had the President at our caucus. I really am flabbergasted that here we are on the eve of doing something together, regular order, but regular order around here is stopping every bill from going on the floor. That is what the regular order is here. I thought we had some

kind of an agreement at the beginning of this Congress that this wasn't going to go on anymore. We had that 2 years ago. We changed the rules here a little bit.

There is going to be tremendous angst within my caucus and I think the country to continue trying to legislate with the burdens that we bear, that just one or two people do everything they can to throw a monkey wrench into everything we do. As a country, we are being looked at as being inoperable. It is too bad. It is not good for this institution, and it is really not good for the country.

Mr. SHELBY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, if people are watching us on C-SPAN—and they do, in our own country and around the world—they will say: Well, it is Tuesday afternoon, 3:30. What is happening in the Senate? We see two Senators—able, seasoned, experienced. Where is the debate? Where are the amendments? Where is the clash of ideas in an open and public forum on what is best?

We are not doing that because we have arcane rules that Senators can put what they call a hold on a bill so we cannot proceed. In the old days that was a good idea; you placed a hold. This goes back to stagecoach days. You are an Indiana man, you understand that, I say to the Chair respectfully. But it was so you could get back. You would put a hold on a bill if you believed I offered legislation that could hurt Indiana, and in your stagecoach you could dash back here.

We don't have stagecoaches anymore. In fact, we are all right here. I would like to be able to move this bill. There are those Senators who want more time. They could actually be looking at the bill if they would let us go this afternoon, because we have two amendments that would take us to 5 or 6—well, gosh now—until this evening. But we would get two amendments done on two pretty big topics, one of which should be, are we or are we not going to fund the President's health care initiative?

We need to move this bill. What is it that Senator SHELBY and I are trying to do? We are trying to pass a continuing resolution to fully fund the Federal Government with the scrutiny and oversight of the Congress by October 1. Right now we have the CR, as it is called, the funding. The continued funding expires March 27. Some people might say that is 15 days from now.

Not really because we have to pass our bill, we have to go to the House, and then we have to have a bill signed by the President. We would like to do that before the Easter-Passover recess, for which we break next week. We would really like to do it.

I know one of my colleagues is on the Senate floor. I recognize the right for Senators to review and scrutinize a bill. I have done it myself. I respect that.

In the days when we were skeptical and even suspicious of one another, you wanted to look at it to make sure there were no cheap gimmicks, no little fast hand motions, no earmarks parachuted in. But I can say this: After the Democrats finished the bill, we gave it to Senator SHELBY and his staff. This bill has been very much scrutinized so that any of those tricks of the old days are not here.

I really need everybody's attention. There is a lot of conversation going on.

What I want to say is this: If anyone spots something they think is a cute gimmick, I would sure like to know about it. I recognize the Senators' rights, but I ask them if we could at least proceed to the bill where, while we debate these two big amendments, we would do it.

Would I have liked to have made it available 72 hours ago? The answer is, yes. But given the magnitude of what we did and the due diligence necessary by the Republicans, it was physically and intellectually impossible, not with the scrutiny and oversight not done until yesterday. When we get back to regular order it will be better. But I feel like I have multiple decks I have been dealt: a real deck, a pinochle deck, a poker deck, and so on.

I am making a plea that we go to our bill, recognizing the Senators should scrutinize the bills and recognizing Senators' rights to offer amendments. That is simply my plea. Some of my colleagues are on the Senate floor, and I will be happy to engage in a conversation with them, two of whom I have enormous respect for.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, first, I want to tell the chairwoman of the Appropriations Committee that I actually very much appreciate her work. I actually trust her to do the right thing. But we got this bill last night at 9 o'clock. It is a 500-page bill. It has multiple levels of authorizations in it that we found so far—authorization on an appropriations bill. It has what I would consider—and we haven't been completely through it—some things that are totally counterintuitive to where we find ourselves today in terms of spending money.

Before I could grant a unanimous consent—and I will; as soon as we get through with the bill I plan on granting unanimous consent. But I want to

know, we just heard the majority leader say he can't understand why somebody wants to read this bill. We are talking about in excess of \$1 trillion. That is one of the problems, one of the reasons we are \$17 trillion in debt. It is because people don't read the bills.

I also want to say to my friend from Alabama, I have the greatest praise for him. He knows some of the heartburn we have on this, but we knew that was coming from the House. But to not allow us the time to assess what you have produced by being able to read and study the bill is going against the best traditions of the Senate. It is also going against common sense.

How do we know whether we want to offer amendments unless we have been able to read the bill? Are we just to blindly say: Whatever you want to do we are going to approve it because we have a deadline at the end of this month?

I am willing to do whatever is necessary to make sure we get a continuing resolution, but I am not willing to do that blindly. I am going to study this bill. We have three Members' staff working on this full time. They have been working since last night. They are investigating and looking at this bill. I will not go into the details of the things we have seen so far, but we ought to at least have the opportunity before we rush into granting unanimous consent to go forward.

I plan to allow unanimous consent, but I will not do so until I know what the agreement is going to be in terms of amendments. Even if we read the bill and have some good ideas, we don't know whether we are going to be able to offer any. This is an appropriations bill. We ought to be able to offer amendments with our ideas on ways to save this country money, increase its efficiency, increase its effectiveness, and still meet the deadline that the chairwoman outlined.

I hope the Senator understands why we are not in a mood to grant it until we actually know what we are talking about. To ask anything less of us would be asking us to deny the very oath we took when we came here.

With that, I yield the floor and thank my colleague JOHN MCCAIN for being here.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, along with the Senator from Oklahoma, I intend to object. I think the Senator made the case. I will remind my colleagues that 1 week ago Senator COBURN and I sent a letter to Senator REID and Senator MCCONNELL with copies to Senator MIKULSKI and Senator SHELBY.

We stated in one sentence:

We write to inform you of our intention to object to entering into a time agreement before consideration of a continuing resolution until we have had at least 72 hours to review its contents.

That is what we wrote. That is what we asked for.

I will remind my colleagues again, it is a 587-page bill of over \$1 trillion that we got at 9 p.m. last night. Is there anyone who has had time to read this entire bill that is 587 pages long? We are talking about \$1 trillion, and we are holding up the Senate? We have had since 9 p.m. last night until 3:30 p.m. this afternoon to examine a 587-page bill of over \$1 trillion.

What we have already found—and we have not finished, but we hope to be finished with examining this legislation within a few hours—is the most egregious pork-barrel spending during a time of sequestration. I find it mind-boggling. We spent 3 weeks in December on the floor of this Senate doing the fiscal year 2013 Defense authorization bill. There are provisions in this CR that were directly prohibited in the Defense authorization bill.

I respect the knowledge of the Senator from Alabama and the Senator from Maryland on defense issues, but we spent 3 weeks and hundreds of hours in hearings including amendments and markup. For example, we said there would be no money for Guam until we have a coherent strategy laid out by the administration as to how we were going to implement the base realignment. The fiscal year 2013 National Defense Authorization Act prohibited expending that money.

What have they crammed into this 587-page bill? There is \$120 million for a public regional health laboratory and civilian wastewater improvements in Guam. Why? I ask my friend from Alabama: Why does this directly contradict the authorization bill which was just passed that said no money would be given to Guam for these purposes until such time as we had developed the strategy for the base realignment in Guam? Is it because the Senator from Alabama and the Senator from Maryland know something more than the Defense authorization bill authorizers did? We had debate, discussion, and authorization of this, and we specifically prohibited it.

So here we are. We have not been able to deploy an aircraft carrier because of sequestration. We have had to cut down on flying hours. We have had to reduce maintenance. We have had to make all kinds of tough decisions as to the men and women who are serving, not to mention the equipment, operations, and maintenance.

What have we already found out in this bill? I want to assure my colleagues I am not making this up. There is an additional \$5 million for the National Guard Youth Challenge program. I think the National Guard Youth Challenge Program is a pretty worthwhile project, but is it worthwhile when we are having to keep a carrier from deployment? There is \$5 million for the National Guard

STARBASE Youth Program; another \$154 million for the Army, Navy, and Air Force "alternative energy research initiatives." This type of research has developed such shining examples as the Department of Navy's purchase of 450,000 gallons of alternative fuel for \$12 million, which is over \$26 per gallon.

There is \$18 million for unspecified "industrial preparedness," \$16 million for Parkinson's disease research. That part is out of Defense, my friends. That is not out of Health and Human Services; it is out of Defense. There is \$16 million for neurofibromatosis research, \$16 million for HIV-AIDS research, which is a worthy cause, but it is taken out of Defense. There is \$9 million for unspecified radar research, \$567 million for unrequested medical research, \$20 million for university research initiatives, and \$7 million for the Civil Air Patrol program increase.

The list goes on and on, and we have not finished. How in the world do we have a provision "for an incentive program that directs the Department of Defense to overpay on contracts by an additional 5 percent if the contractor is a Native Hawaiian-owned company," how in the world is this justified during this time of sequestration?

I note the presence of our leader on the floor, and I want to assure the leader, with all due respect, that this is a 587-page bill of over \$1 trillion. We got it at 9 p.m. last night. I hope that in a few hours we will be able to finish examining this bill. What we have found so far is so egregious it is hard to imagine that anybody—in light of the sequestration and the damage it does to the lives of the men and women who are serving the military—could have added these kinds of provisions and, frankly, is beyond anything I think I have ever seen in the years I have served in the Senate.

I yield to the distinguished majority leader, but before I do, I object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Object to what?

Mr. President, through the Chair to my friend from Arizona, this is a 587-page bill that has been available to the public because the vast majority of this bill is identical to what the House already passed—identical. He, along with his staff and the Senator from Oklahoma, have had days and days to look this over.

I want to make sure everyone understands I can only do so much. I try not to be too sensitive, but the Senator from Oklahoma seems to have a problem—I assume he was referring to me or perhaps he was referring to Senators DURBIN, SCHUMER, and MURRAY. Here is what he said on one of the Sunday shows:

"The Senate's not nearly as dysfunctional as it is made out to be . . ." said Coburn. "Our problem in the Senate is the leadership in the Senate."

I don't know if he is referring to Senator MCCONNELL, I don't know whom he is referring to, but one day he should look in the mirror.

I want to try and get along here. The vast majority of the stuff that is in this bill came from the House of Representatives. It has been available for days. I cannot remember what day we received this. I think it was last Wednesday or thereabouts, so it has been many days.

I know Senator MCCAIN very well. He and I came to the House and the Senate together. I understand how he feels about these issues. I don't blame him for being upset about some of the things in this bill, but it is not our fault. We are trying to get a bill to fund the government, and what we need to do is get on the bill.

I am criticized for not allowing amendments to be offered. We cannot have amendments offered until we get on the bill. I think it would be much better if we could get on the bill. If people want to offer amendments, it is kind of jump ball here. We have 100 Senators, and a few of them want to offer amendments. We cannot dictate what amendments will be offered before we even get on the bill.

I hope my friend from Arizona will take some time with the staff and look the bill over—it has been around since last Wednesday or thereabouts—so we can get on the bill. The time is being wasted. We have to finish this and the budget before we leave for Easter vacation.

We can do the bill this week, next week or the week after that. We have to get this done. I am not trying to fight with anybody, but as I said, I do have some sensitivities about my friend from Oklahoma continually berating the leadership in the Senate. I have come to the rationalization that maybe he is talking about his own leadership. I don't know.

Mr. MCCAIN. I ask through the Chair if my friend would yield for a question.

Mr. REID. Of course.

Mr. MCCAIN. First of all, I appreciate very much the majority leader's responsibility to make sure we take up and pass legislation. There are many times when I have to say that the majority leader has been frustrated by some events and individuals which arouses my sympathy for the responsibility he has and his inability to carry out his duties.

I point out to my friend from Nevada that we just got this bill last night, so to rely on the fact that a House bill should be our guide when we know there were many provisions added—at least some provisions that were added that we already found in the Senate version of the bill—I would hope he would understand we need a little more time to try to get through the entire bill, which I hope will be sooner rather than later. Once that is done, then we

can—as the majority leader said—be open for amendments.

I hope the majority leader understands our point of view, that this is bill over \$1 trillion with 587 pages. For us to take sort of an act of faith that this is the bill that came from the House is obviously not the case.

Mr. REID. If my friend would yield—

Mr. MCCAIN. I appreciate the majority leader's responsibilities, and I appreciate his frustration. I hope he will understand ours and we will try to move this as quickly as possible.

The PRESIDING OFFICER. The majority leader.

Mr. REID. For many years and decades Senator MCCAIN has been a watchdog of what goes on with spending in this country. I expect that from him, so I don't say that in a negative fashion. I don't have a problem with Senator MCCAIN looking over this legislation so he feels comfortable with moving on to it, and then if he has amendments to offer, we can move on amendments. I have no complaint about JOHN MCCAIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me thank the Senators from Maryland and Alabama for their leadership on this bill. I might say to my friend, the Senator from Arizona, that I have a new assignment in the Appropriations Committee following the departure and passing of our great friend Senator Danny Inouye. I am trying my best to make sure we are doing our best on national defense, which I know is near and dear to the Senator from Arizona.

There was an extraordinary effort made in the House to accommodate the Department of Defense in the continuing resolution as well as accommodating military construction and veterans. I think it is a good bill. It comes over to us with provisions that will be helpful with some of the problems and challenges they will face.

What these Senators have tried to do is to add several other areas of agreement in the appropriations process. If I am not mistaken, most everything they have added has been subject to debate within the subcommittee and full committee. So there is no attempt here to conceal anything, and we knew full well that the watchful eye of the Senator from Arizona and his friends would be applied to this bill.

I think what we were trying to achieve today is to start the amendment process—not to close it down but start the amendment process. That would give Members who want to come forward with an amendment the time to offer those amendments and others the time to review this legislation closely. I think that was our goal, only to have this shut down now, where no amendments can be taken up or considered. Without foreclosing the Senator



from Arizona or the Senator from Oklahoma, wouldn't it be a healthier situation for us to be actively considering amendments of Members who know what they wish to offer at this point?

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from Illinois.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

Mr. MCCAIN. The point of the Senator from Illinois is very well made, but unless we know the entirety of the bill, we don't know what our priorities are as far as amendments are concerned. I am sure the Senator knows that even though amendments are going to be allowed, there is going to be a limited number of amendments. We know how things work around this place come Thursday afternoon.

All we are asking is to give us a little more time. It was 9 o'clock last night when we received the final version of the bill.

I would say to my friend from Illinois, unless we know what is in the bill in its entirety, it is hard for us to know what the priority amendments we intend on proposing are. I think we are nearly through the examination of the bill. I do not wish to impede the progress of the Senate on this legislation. I know how important it is.

I also hope my friend will understand that we asked a week ago to have 72 hours, which is the normal Senate procedure, to examine the bill before we consider it. I understand the exigencies of the moment—all the back and forth between both sides of the Capitol—but I don't believe, for a \$1 trillion bill, 587 pages, it is too much to ask for about 12 hours, or 14 hours, 15 hours—we have our staff working full time, and I wish to assure the Senator we will have it done soon.

Mr. DURBIN. Mr. President, if I might engage further in this dialogue, I see the Chair is seeking recognition. But there are Senators on both sides who have amendments ready to go. They have ideas they wish to present to the Senate for consideration. Without foreclosing the Senator from Arizona and his colleagues of the possibilities to offer amendments tomorrow or whenever they are prepared to, I don't know why we want to shut down this deliberation today. We can consider some of these amendments and still not in any way prejudice the rights of Senators to review the bill and offer amendments of their choice.

Mr. MCCAIN. Look, my dear friend, every Senator has their responsibilities in this body. I have a responsibility particularly where defense is concerned. We spent 3 weeks on this legislation, including hundreds of amendments, hours and hours of debate, markup in the committee of hours and hours, hundreds of hours of hearings by

the leaders of our military and the administration. I haven't finished examining the defense part of this bill.

Now, why am I so worried about the provisions of this bill? Because there are provisions in this bill that directly contradict the Defense authorization we spent weeks on. We prohibited money for Guam, OK? We prohibited it. Now there is \$120 million in the bill for it. So that makes me curious as to what else is in this bill.

So I think for me to go back and tell my constituents in Arizona, who are heavily dependent on our national defense and our bases, to say, Yes, I went ahead without even reading the whole bill, without even my staff going through the entire bill; we were in such a hurry with our over \$1 trillion legislation that they didn't want me to hold up the Senate so people could propose amendments—that is not my duty to the citizens of Arizona.

So I say with respect to my friend, I respect the rights of all other Senators. I hope the rights of the Senator from Oklahoma and my rights would be respected and that includes reading a piece of legislation that is 587 pages long.

Mr. DURBIN. If I might respond to the Senator, the Department of Defense Appropriations Act for 2013 provides \$604.9 billion, including \$87.2 billion for overseas contingency operations. That is a reduction from the 2012 level of \$633.2 billion.

There are no changes in the defense section of this bill. There are no changes in the bill that was passed by the House of Representatives last week. The bill fully complies with the spending caps in the Budget Control Act. It contains no Member-requested earmarks, in compliance with the earmark moratorium. There are cuts in the defense budget to define programs with excess funding, scheduled delays, and the like.

The bill includes 671 cuts as it came out of the House to programs in the budget request of funds that are not needed for the remaining 6½ months of the year.

I might say to my friend from Arizona, this is what the House passed. We have not added anything to it that I think would be of Senate authorship that changes it in substance.

So I understand. It is the Senator's right. I respect his right and I will fight for his right as a Senator. But I would hope that at least for those Senators prepared to offer amendments, without in any way prejudicing the right of the Senator from Arizona to do so, we could proceed with the amendment process.

Mr. MCCAIN. Well, again, I thank my friend from Illinois and I thank him for his point of view. I understand it. I understand the frustration of our two leaders on the Appropriations Committee and their desire to get this

done. I understand the time clock is running out. We are talking about a very short period of time. But I have to repeat to the Senator from Illinois one more time: I am not going to go back to my State and say, By the way, I started the amendment process and debating on a bill that I hadn't read. I don't do that, and I hope the Senator from Illinois respects it. I hope in a very short period of time we can agree to proceed and have vigorous debate and amendments.

I also have to say this is remarkable. Here we are, I say to my friend from Illinois, in a period of sequestration, and there is a provision in here for \$15 million for an incentive program that directs the Department of Defense to overpay contracts by an additional 5 percent if the contractor is a Native Hawaiian-owned company. That boggles the mind. It is unbelievable. While we are keeping ships tied up at the pier because we can't deploy them, we are now going to tell Native Hawaiian companies they are going to be overpaid by an additional 5 percent if they are based in Hawaii. What is that all about? That is why the Senator from Oklahoma and I have to read the bill. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Would the Senator from Arizona yield for a question?

Mr. MCCAIN. Yes, ma'am.

Ms. MIKULSKI. We acknowledge the validity of the concerns of the Senator from Arizona. We also acknowledge that we would have liked very much for people to have seen this 72 hours in advance. There was no intent to stiff-arm. Please understand that. We weren't trying to be cute and come in late and all that. It was just the sheer physicality of moving the bill, not getting it from the House until Thursday. So there was no intent to not honor the request of the Senator from Arizona, in which he was very plain, and he has been consistent in every bill. The Senator's request was not unusual and it was no surprise. So that is essentially where we are.

Mr. MCCAIN. I would say to the Senator, the distinguished chairperson, I respect that and I would never impugn her motives. I said I thought I understood the time constraints the Senator from Maryland is under, given the House and the Senate and all that. I certainly did not intend to believe that there was anything—

Ms. MIKULSKI. I just wanted to assure the Senator from Arizona of that and I have respect for the Senator and his regard for the purse.

Does the Senator from Arizona have a sense of when he will be finished reviewing the bill?

Mr. MCCAIN. I think in a very short time. I have to coordinate with the Senator from Oklahoma, but I think within a couple of hours.



Ms. MIKULSKI. We would appreciate it in any way the Senator feels he can exercise his traditional due diligence. We are not going to engage in arguments, but we would like to go ahead if we could get something going even later on this evening.

Mr. MCCAIN. Could I say to the distinguished chairwoman, I will go back to my office right now, get together with Senator COBURN, and see if we can't come up with a definite time, and I assure the Senator from Maryland it will be a short period of time.

Ms. MIKULSKI. And if perhaps there are amendments the Senator from Arizona could share with Senator SHELBY. I expect there to be amendments from Senators MCCAIN and COBURN. It wouldn't have been a real bill if they did not offer amendments. It somehow or another wouldn't have counted in the process. So we look forward to it. If we can move it in an expeditious way, and courteously understanding the Senator's right to offer amendments, I think we can get going.

Mr. MCCAIN. Mr. President, I will try to carry out my mission as assigned by the distinguished chairperson. I thank her for her leadership and her excellent work. I thank both leaders.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will not engage the Senator from Arizona with questions. I don't want to delay his reading time.

I appreciate the work the distinguished chair of the Appropriations Committee has done, and the distinguished ranking member, the senior Senator from Alabama. I worked with both of them for decades on the Appropriations Committee. I know they are diligent. They are hard working. In fact, I recall a discussion with the distinguished senior Senator from Maryland when she agreed to take this assignment. I told her I couldn't think of anybody better on our side of the aisle to be the chair of this committee because I know how hard she works and how well she works with the ranking member.

I spoke also with the distinguished Senator from Alabama at the time—again, somebody who knows how to get things done on appropriations. He and I have negotiated things over the years. We have always kept our word to each other, just as the Senator from Maryland has. Now it is time to debate the bill on the floor and it pains me that having got this far, two senators are preventing anyone else from offering amendments.

It is unfortunate we are discussing a continuing resolution because if left to the three Senators who are currently on the floor—the Senator from Alabama, the Senator from Maryland, and myself—we know we would be fully capable of completing action on individual appropriations bills. In fact,

they were painstakingly negotiated by the Senate and the House as part of an omnibus legislative package last December. But then, for reasons we don't have to go into here, a year's work of seven appropriations subcommittees was dumped in the wastebasket, not because of the two leaders but because of others.

Unfortunately, that means we have been funding the government on autopilot. None of us who have spent time on the Appropriations Committee wants this because we know it wastes money and sequestration will make a bad situation even worse.

Having said that, I think what Chairwoman MIKULSKI and Ranking Member SHELBY have done in negotiating this continuing resolution is far better than putting the government on autopilot as we did last December.

I wish to talk about title 7 of this resolution, which concerns the Department of State and Foreign Operations. The House continuing resolution included several changes in the fiscal year 2012 appropriations act. The Senate incorporated those changes with minor modifications. Senator LINDSEY GRAHAM and I included other changes we believe are critical to our national security. Top officials at the State Department and the Pentagon agree with us.

We did our best to avoid spending money on things that may have made sense in fiscal year 2012 but are a waste today. I will give an example. The House continuing resolution includes another \$250 million for the Iraq police training program, the same amount as in fiscal year 2012. Yet the State Department plans to spend zero in fiscal year 2013. That is just an example of why we should go, if we could, by the regular order, because nobody wants this money.

There have been a lot of changes in the world since December 2011 when the 2012 bill was signed by the President. There is the catastrophe in Syria, with millions of people fleeing their homes, which threatens to engulf the entire region. Benghazi and Mali are other examples. Conditions are changing in Egypt, Afghanistan, and in our own hemisphere. We face growing challenges in East Asia and the Pacific.

Now, we should not say, as these challenges come up—sometimes overnight—that well, two or three years ago we passed a bill, so there is no need to do one this year. The world does not stand still.

I think the chairwoman is doing a superb job, and Ranking Member SHELBY is showing, as usual, his many years of experience and hard work. I thank Senator LINDSEY GRAHAM and his staff, who have provided very constructive input.

In the past, appropriations bills were always a bipartisan effort. We worked together. I think of Senator Byrd and

Senator Stevens on this floor working things out; my predecessor as President pro tempore, Senator Inouye, and Senator COCHRAN working things out.

Title VII of this resolution is a grand total of 11½ pages. Out of over 500 pages, it is 11½ pages. It should not take long to read. We do not expect amendments, but if we get them, I hope we can act on them quickly.

Mr. President, if nobody is seeking the floor, I ask unanimous consent that I be allowed to continue for 5 minutes as though in morning business.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

#### ARREST AND PROSECUTION OF SULAIMAN ABU GHAITH

Mr. LEAHY. Mr. President, last week the Obama administration announced that Osama bin Laden's son-in-law, Sulaiman Abu Ghaith, had been brought to the United States to be prosecuted. Several of us who have oversight in particular committees were notified a week before this became public. We were briefed on what was happening as he was being flown here to this country to be prosecuted.

I commend the work of our Nation's dedicated law enforcement and intelligence officials who are helping bring him to justice. I was briefed on exactly what they did and how they did it, and there was a superb combination of work by the Justice Department and intelligence communities, at the CIA, FBI, and other agencies. And I applaud the Obama administration for their unanimous decision within the National Security Council to prosecute him in a Federal court.

We have reason to be proud of our courts. Our Federal courts are an example of impartiality, competence, and integrity seen the world over. We, as Americans, are not afraid to take somebody who has acted against us and prosecute them in our courts. We should not act as though we are afraid and simply say that we can't have them in our Federal court, and that we should just lock them up in Guantanamo.

As a practical matter, our Federal prosecutors have established a tremendous record of convictions of terrorism defendants. They have convicted over 450 terrorism-related defendants since September 11, 2001.

The military commissions at Guantanamo Bay—where some said they wanted to send Abu Ghaith—are largely untested. There have only been 8 convictions there—not the 450 we have seen in Federal courts but 8—and on average the sentences handed down in military commissions are shorter than those given in the Federal court. In fact, two of these military commission convictions were overturned just last year. Indeed, based on the recent decisions of the U.S. Court of Appeals for the D.C. Circuit, it is unclear whether a conspiracy case against this defendant

could even be legally sustained in a military commission at Guantanamo Bay.

Why do we act as though we are afraid to bring this terrorist before our Federal courts where we bring mass murderers and everybody else, and instead argue that we should send him off somewhere where he may never be convicted? In fact, regardless of the outcome of a military commission proceeding against Abu Ghaith, it is possible that he could have been stuck there without the possibility of a Federal prosecution, given the shortsighted limitations on detainee transfers imposed by Congress. When you look at how well the Federal courts have done, I am surprised to hear people criticize the decision to bring him before an Article III Federal court.

I would say that using our justice system is not mutually exclusive from gathering intelligence. In fact, from public accounts—and I refer to what has been in the press—it appears the FBI gathered information and intelligence from him for about a week before he was formally even arraigned in court last week. In fact, according to one of the prosecutors, law enforcement officials were able to obtain detailed, extensive audio recordings and roughly 22 pages of post-arrest statements from Abu Ghaith. And the fact is, also, as we have seen in some of these other cases, once you present the defendant in court, oftentimes they continue to cooperate and talk.

It is clear to me that President Obama's national security team did the right thing. But we also show the rest of the world that we are not afraid, that as Americans we are not cowering and afraid to use our courts, and that we are not afraid to use the law and procedures that have made us free and strong.

We have had several hearings in the Judiciary Committee on how best to handle terrorism suspects. I am convinced that the Attorney General and the administration must have all options available. For example, the case of the Fort Hood shooter went to a military trial, as it should have. That case involved a military officer committing a crime on a military base against other military personnel, even though influenced by somebody from al-Qaida overseas. But in the Abu Ghaith case we have somebody that we can and should prosecute on conspiracy charges in Federal court. As a former prosecutor, I have looked at that, and I have absolute faith in the abilities of our Federal courts and our prosecutors and law enforcement officials to bring terrorists to justice. They have a tremendous record.

Let's not be afraid of these people. Let's not say: Oh, we have to hide them down there in Cuba at Guantanamo Bay. No, we are Americans. We are America. We are not afraid of terror-

ists. Bring them before our courts, and let them face American justice. Let them face our prosecutors and our courts. Let's do it in a way that we can show the rest of the world how justice truly works. When we tell them, why aren't you running your courts in an open way, or when we criticize other countries, as we often do, let us not give them an opportunity to come back and say, well, you don't do it that way yourselves. No—we can and must say that we do. We have captured the son-in-law of Osama bin Laden, who conspired with him to commit a horrible crime against our Nation. It took us years to find him, but we got him. We brought him back here. And now we are taking him to court, and we are going to let a jury decide his guilt or innocence. That is the way it should be done. That is the American way. And that shows that we do not have to hide. We Americans are willing to stand up and face those who would attack us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before the distinguished Senator from Vermont leaves the floor, I really wish to compliment him not only in the way he has moved legislation but really the values, the American values, behind it. I think he has worked steadfastly on a bipartisan basis with Senator LINDSEY GRAHAM on our foreign operations. This is what has been called soft power, but there is nothing soft about it. It is part of our smart power strategy.

And what has it meant? It has meant healing the sick, feeding the hungry, making sure children whose legs have been blown off with land mines have an opportunity for rehabilitation or for the children of Haiti who lost their limbs because of the horrific nature of the earthquake—taking lessons learned from other places in the world, that they have a chance to do it.

Baltimore is the home of the Catholic relief organization. These are people who serve the world without religious creed. They serve whomever is in need. The way they extol the virtues of what they have been able to do has been amazing. What they say to me is that because of the work Senator LEAHY has done, they are able to leverage philanthropic dollars. Rather than being in lieu of government, they can leverage it because we are coming in to help the children, to help the children learn to walk, and they then come in with community development so that they learn a trade, so that we are literally rebuilding the lives of children in Haiti but also giving them a future where they are going to earn a livelihood. It is pretty terrific.

We have President Clinton, who does his global initiative like in Haiti, but we all have to be in it together, whether it is Bill Gates—the women of the Senate on a bipartisan basis last week

met with Melinda Gates in terms of the great Gates Foundation, and they talked about their health care initiatives.

We said: Well, what does all this mean in terms of us?

They said: If you do the job only government can do, we can then do what we need to do.

This is unique. I do not know of other countries in the world that quite work with this synergy, letting our private philanthropic community do splendid, inspirational work. But they need a government.

The other thing we are able to do in this bill is provide something very near and dear, which is embassy security. We know we wanted to do more. We know that over the last couple of years the House has denied \$400 million in embassy security. So we are heartsick at the way our Ambassador died. And while there is all that back-and-forth over talking points, which we are not getting into, the fact is that we need to protect our American men and women working in embassies because they are at a duty station, and now that duty station has become a battle station. We need to make sure we provide embassy security in the best way possible. We can debate policy, management, and so on, but at the end of the day we need to put money in the Federal checkbook to do that.

We lost an Ambassador in Benghazi. I lost an Ambassador, and America lost many others a few years ago at Khobar Towers. One was our Consul General. His name was Bartley. He was the highest ranking African American in the Foreign Service. His son was interning with him. They blew up the Embassy. He and his son died. We need to look out for these people. There was also a young lady who was there from the community, from CDC, working to make sure we were doing the right health initiatives, teaching, educating the leadership there. She died. Again, they were at their duty station, which has now become a battle station.

So I compliment the Senator for the children, his work on land mines, and his work on feeding the hungry. And do you know what. We make wise use because of the strong oversight. I know the Senator from Vermont listens to the inspector general, scrutinizes those GAO reports. We get a dollar's worth of assistance, and at the end of the day America is stronger because of what we do in this bill.

I wish to salute the Senator for his sense of bipartisanship, his leadership and stewardship not only in this bill but over the years. The Senator should be saluted, and I want to make sure this bill moves forward so we can get on to next year and even do a better, smarter job.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the senior Senator from Maryland for

her kind comments. We do a lot. It is interesting. In the foreign aid part, it is less than 1 percent of our budget. But what we do is show the face of America—the best of the face of America throughout the world. The distinguished Senator has been, throughout her career, both in the other body and here, a strong supporter of those programs and made life better for an awful lot of people who never know who Senator MIKULSKI is or Senator LEAHY or anybody else. All they know is that life is better because of the things we have done.

I was in Haiti just a couple of weeks ago. I have been there several times since the earthquake. I have seen how our programs have helped, including the Leahy War Victims Fund, which helps land mine victims around the world. The Senator from Alabama knows, as he was there with me a year ago.

I saw youngsters with prosthetics learning to walk again. I saw people from other parts of the world who were inspired by what the United States was doing.

I remember a physician from Brussels who had gone to Haiti. When I asked him why he spent so much time volunteering there, we were speaking French with each other, but I remember the emotion in his voice as he grabbed my arm and said, “pour les enfants,” for the children. Those children are not rich. They are not powerful. They will never vote for us. But we are human beings, and we have a responsibility.

The Senator from Maryland has spoken about security at our embassies. We tell people to go to some of the most dangerous parts of the world and show the best face of America. We have a responsibility to protect them. We have tried to get that money passed only to have had it held up in the other body. Let's continue our work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, the bill Chairwoman MIKULSKI and Senator SHELBY have compiled is an excellent example of how hard work, cooperation, and good-faith negotiating can produce results in a body which is too often paralyzed by gridlock. The combined omnibus and CR, while not all I would wish for, is a balanced approach to keeping the government functioning through the remainder of the fiscal year while avoiding the specter of a government shutdown.

The Military Construction and Veterans Affairs appropriations bill is one of five bills in this package, and it reflects the agreement reached between the Senate and the House last fall. The Senate bill is identical to the House-passed MILCON-VA bill, and it sends a strong message of support to our Nation's vets and military families, in-

cluding previously appropriated advances for vets' medical care. The fiscal year 2013 bill provides a total of \$144.8 billion for military construction, family housing, the VA, and four related agencies, including Arlington National Cemetery. Of that amount, \$71.9 billion is discretionary funding. This includes \$10.6 billion for military construction, \$61 billion for the VA, and \$347 million for related agencies.

This bill deserves the full support of the Senate. The alternative is a continuing resolution which is out of step with current requirements or a crippling government shutdown. A CR would be disastrous for military construction. The CR prohibits new starts, which would block execution of 97 percent of the fiscal year 2013 military construction program. As a result, more than 250 MILCON projects in 42 States, the District of Columbia, and overseas which are funded in the bill before us would be put on indefinite hold in the CR.

For the VA, a CR would not provide advance funding for fiscal year 2014 for vets' health care. Advance funding is an important tool to protect funding for vets' health care from the very predicament we find ourselves in today.

Another small but important program in this bill which would be scuttled by a CR is funding for needed cemetery expansion at Arlington National Cemetery. All of these problems are solved in this omnibus package.

Our Nation's vets, our military troops and their families, have made and are continuing to make great sacrifices in defense of this Nation. The bill before us recognizes and honors that commitment by funding a wide array of programs essential to the health and well-being of both vets and military families.

I urge the Senate to support this bill.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I would like to compliment the Senator from South Dakota, who does an excellent job as assistant chairman on the Subcommittee on Military Construction, VA. He has worked steadfastly to bring up this bill. We are in agreement with the House. I wish to share a sense of urgency why this needs to happen.

In this bill, thanks to the leadership provided here, it increases funding to improve and accelerate claims processing to increase staff, business processes, and infotech enhancements. This kind of sounds bloodless and technocratic, but I stand before you today to

tell you we have a claims processing crisis for our veterans, particularly in the area of applying for disability benefits.

I hate to tell you, Baltimore has one of the worst records. There are many reasons for this situation. It wasn't my fault. We let the infrastructure deteriorate, there are staffing issues, and there are an incredible number of our men and women coming back from the longest war we have fought with incredible injuries, with some bearing the permanent impact of the war, and they are eligible. Many have multiple problems. This is not your World War II benefit claim.

So we have a backlog. We need to deal with that backlog; otherwise, shame on us. Those men and women fought hard. They gave it everything they had. Thanks to the skill and dedication of military medicine, we saved more lives in combat than in any other war.

I don't want to sound like an epidemiologist; I am a Senator. The fact is we have reduced what doctors call morbidity and mortality. That is the good news back to the hospital from the battlefields, from training medics, all the way to Germany, all the way now to Walter Reed National Military Medical Center in Bethesda.

What is the issue when they come back home? Because we have saved their lives, they have injuries. It means they have some level of disability. They may not be totally disabled, but they are eligible. If they have a permanent injury, they should have a permanent benefit from their government. While they were on the frontline, they should not need to stand in line to have their claims processed.

We have some claims which take as many as 3 or 4 years to complete. We need to pick it up. We need to up our game.

These are improvements. We have spoken to General Shinseki. I know the gentleman. The chairman of the committee has talked to him and was quite vigorous and insistent in his advocacy. I had General Shinseki come to Baltimore. I was ballistic about the claims situation in Baltimore. What did we need? We needed increased staff.

Did you know we do most of our disability claims by paper? We might as well be doing it by papyrus.

When you look at it—I am rarely brief, but I am short—the average disability claim, which I know you have gone to look at, sir, is sometimes 6, 8, and 12 inches tall. That is just the VA. In order to be certified you need to have the military give you information, you need to have Social Security give you information, and you need to have doctor information. In the meantime, somebody who lost a leg, somebody who has lost an arm, somebody who has lost so much time fighting a war, we ask too much from too few for

so long who are there waiting for their benefit.

We need to go digital. If we are going to run government like a business, let's give them the standard business tools. That means more technology.

I really want to thank the Senator from South Dakota and his Republican vice chair for much of what they have done in this bill. What is nearest and dearest for me are two things: increased funding to deal with the claims process to receive what they deserve and also advance funding for VA medical to enable the veterans to receive the health care they were promised, they need, and they deserve. If you ever want to talk about an earned benefit, it is the men and women who need VA medical care and the men and women who need their claims processed to receive what they deserve and what they are entitled to.

This in and of itself is a reason to ensure we don't have a government shutdown and blow this program out of the window. I want to thank the Senator for his advocacy and also for taking good intentions and putting them in the Federal checkbook.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. RUBIO. Madam President, I rise today to speak about an amendment to the pending matter, an amendment I intend to file when it becomes procedurally appropriate to do so.

The amendment I intend to file is about foreign aid to the nation of Egypt. But let me start by talking about foreign aid in general because there is a lot of debate about that and a lot of concern around the country about foreign aid. In fact, a lot of places I go people ask me: With things so tough here in the United States, why do we give money to other countries? Why are we giving money to other countries?

That is a very good question to ask. First, I would say, and I would caution people, that foreign aid is not 20 percent of our budget. It is not 30 percent of our budget. It is actually, on some days, less than 1 to 3 percent of our total budget.

Secondly, I would say that foreign aid has a very useful role. Just to set the table, I think people need to understand that our foreign aid has accomplished a tremendous amount of good around the world. For example, the USAID programs to fight HIV/AIDS in Africa has helped save millions of people. Millions of people are alive today

because of the generosity of the American taxpayer.

It has helped to alleviate poverty. I think you should look at some of the great examples of foreign aid like the Marshall Plan or the work we undertook to rebuild Japan and the alliances we have today as a result.

One of the great stories of foreign aid is South Korea, a nation that was long a beneficiary of foreign aid—and not just from the United States but from the world—and today it is a donor in many of these forums.

So that is the good news about foreign aid—and foreign aid is important because it increases our influence. It is part of how we can influence what is increasingly a global economy. I think it is important to understand when people talk about the American economy, we don't just live in a national economy anymore. We live in a world where, increasingly, things that happen to you on a daily basis—the price of things that you are buying—some of these things are set halfway around the world not just halfway down the street or halfway across the city. So foreign aid is important because it deals with America's influence around the world and, in particular, our ability to influence things toward our national interests.

Foreign aid is not charity. Although it may be charitable, and although it may be motivated by us and our efforts to advance our principles and the things we think are right, foreign aid is not charity. Foreign aid is designed to further our national interests. That means every single dime we give in foreign aid should be conditioned toward our national interests, should be about furthering our national interests. And I think that is true all over the world, everywhere we give it, whether it is military aid or economic aid.

I think today we have one example of a place where we should start to examine how we give our foreign aid and examine it in a way that allows us to maximize our national interests. That country I want to talk about today is Egypt, and there is a lot of concerning things happening in Egypt.

We have all been witness to the amazing Arab spring and all the changes that it brought about to the region, potentially democracy, et cetera. And Egypt, obviously, has been a prime example of that, a country where all this has been occurring. It has brought to power a government that largely is governed today by the Muslim Brotherhood.

Here is the good news. The good news is these changes have occurred, and, theoretically, there is a more open society. The bad news is some of the people who have been brought to power bring with them an ideology that at times is troubling and, in fact, in practice has been deeply troubling.

For example, we have seen efforts in Egypt to undermine democratic insti-

tutions. We have seen efforts in Egypt to undermine the judiciary. We have seen open examples in Egypt of the freedom of religion being undermined. We have seen women and women's rights regress. We have seen irresponsible economic behavior in Egypt. And we can talk about the causes of all this, but this is the reality of what is going on in Egypt.

In addition to that, we should be deeply concerned about Egypt's ability or willingness to live up to their security arrangements with their neighbors, particularly our strong allies in Israel. They have a commitment they made years ago to securing the Sinai, to preventing weapons and terrorists and others from crossing through the Sinai and into the Gaza Strip and into Israel. This is a commitment and an obligation they have, and we should be concerned about their unwillingness or inability, or both, to live up to these commitments.

So what I am asking for in this amendment is for us to reexamine the way we give foreign aid to Egypt, not to get rid of it because there is a real danger that we can start to lose some of these foreign aid programs. The American people are fed up with story after story of countries that are benefiting from our generosity, and then they open the newspaper and they read inflammatory comments that are made about us. They open the newspaper or turn on cable television, and they see reports from these countries where democracy is being undermined, where the rights of women are being trampled, where religious minorities are being persecuted, and they have a right to ask: Why are we giving so much money to these countries?

We actually have a record in Egypt of working very closely with their military organizations, and we hope that can continue. But we also want to ensure that Egypt continues to move toward a direction of true democracy.

Democracy is not just having elections. Having elections is one part of democracy. You have to govern like a democrat. You have to govern in an open process where you allow people to speak out, opposition parties to organize, have a court system that doesn't skew things in your favor and against the opposition. You don't just have to have elections to have a democracy; you need a lot more than that.

We saw last week where former Senator Kerry, now Secretary of State, awarded a sum—by the way, we have given over \$70 billion of aid to Egypt since the 1940s. That is not an insignificant sum. But we look now at the \$250 million in aid they received last week, and I believe that was unfortunate.

We have significant interests in ensuring that Egypt remains at peace with Israel, that the Morsi government does not undermine the democratic process, and that human and political

rights of all Egyptians—including that of religious minorities and women—are respected, and our foreign aid should reflect that.

So what this amendment which I intend to propose does is a few things. Let me begin by saying this is not about canceling foreign aid to Egypt *per se*. This is about restructuring it in a way that lines up with the national interests of the taxpayers of the United States of America. I will have more to say about this amendment when the appropriate time to file it comes up, but let me just briefly describe it, and I hope to gain support from my colleagues and the public at large.

First, it would block the disbursement of additional economic support funds and new—not the existing but new—foreign military financing contracts until Egypt begins to enact economic reforms and the administration certifies that Egypt has done a few of the following:

It has adopted and implemented legal reforms which protect the political, the economic, and religious freedoms; it is not acting to restrict the political, economic, and religious freedoms and human rights of the citizens and residents of Egypt; it is continuing to demonstrate a commitment to free and fair elections and is not taking any steps to interfere with or undermine the credibility of such elections.

Another condition is that it has lifted restrictions in law and practice on the work and the funding of Egyptian and international NGOs—nongovernmental organizations—comprising those in human rights and democracy fields. Those include the International Republican Institute, the National Democratic Institute, and Freedom House; that it is fully implementing the Egypt-Israel Peace Treaty; that it is taking all the necessary actions to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip—tunnels that are used to smuggle weapons and terrorists into the Gaza Strip—and is taking all other necessary actions to combat terrorism in an increasingly ungovernable space of the Sinai.

The second thing it does is it begins to recalibrate the U.S.-Egyptian security relationship toward Egypt's actual security needs.

Now, let me say this: It does not appear—and I don't know of anyone who would disagree with this—that Egypt has any imminent threat of being invaded by any one of their neighbors. It is not going to happen. Egypt's real security needs are its ability, No. 1, to live up to its obligations to stamp out terrorism within its borders and, in particular, to secure the Sinai, to close those tunnels that lead to Gaza. But the second security need it has is internal—in particular, street crime.

One of the ways Egypt is going to be able to rebuild its economy is through

tourism, and I am not a tourism expert, but I think muggings, murder, and kidnappings are not good for tourism. People don't usually visit countries where these things are happening. This is the actual aid that Egypt needs in terms of its security.

It doesn't need tanks, it doesn't need jet fighters. It is not going to be invaded by a foreign country. That is not its real threat. I understand their desire to have those things—and, by the way, there are existing contracts to give them those things. But their real security needs are largely internal, and we want to recalibrate our military aid in the future to Egypt to meet their actual needs.

To that end, the amendment would require an analysis of Egypt's security requirements, produced by the Department of Defense in consultation with the Egyptian Government, and to be shared with the relevant congressional committees both in the House and the Senate. We also want the administration to certify that the Department of Defense has allocated a portion of Egypt's foreign military financing—no less than \$100 million—toward counterterrorism tools, including the equipment and training related to border security, and to address the instability in the Sinai.

We also want a report on all FMF contracts the Department of Defense has carried out over the last 10 years, as well as the Department's plans for contracting over the next decade. I think it is wise to look at what we have done in the past, to fully understand the contributions the American taxpayer has made to Egypt's security in the past. But we also need to see the contracts that are pending move forward. All of these need to be aligned so we can ensure the aid we are giving them isn't just what they want, but it, in fact, is what they need, within the confines of what is in our national security and in our national interests because, once again, this is our money.

We should begin to shift U.S. assistance away from military programs and increasingly toward civilian assistance. So what this amendment would do is require the administration to begin a dialogue with the Egyptian Government and with the Egyptian civil society about the need to rebalance our system away from its current, almost obsessive focus on military aid by reallocating economic funds not provided to Egypt during periods when certification is not in effect toward democracy and governance programs, including direct support for secular, democratic, nongovernmental organizations, as well as programming and support for rule of law and human rights, good governance, political competition, consensus building, and civil society.

We should look at transferring the interest earned in Egypt's account.

They have an account where this money sits when we give them this aid. Those accounts have a lot of money and generate a lot of interest. We should be able to take that interest that is generated from these funds and make it available and allocate these funds for democracy and for governance efforts.

Last but not least, we should require the President to submit a report to the Congress describing the specific results of an Egyptian policy review that includes a dialogue with the Government of Egypt and also civil society on how to rebalance the U.S. military and economic assistance.

Now, as most of these bills will have in them, this is going to have a national security waiver. In essence, if the Secretary of State comes to us and says: It is in our national security not to implement or fully implement this amendment at this time, as they do with almost all aid programs, they would have the right to do that. But they are going to have to do it every 180 days, at least twice a year, so we can be sure we are keeping up with the transition that is going on in Egypt.

Let me briefly address a few of the arguments that are going to come against this potentially. One is that we have this incredibly strong relationship with the Egyptian military, and we don't want to undermine that. This is not intended to do that. We value that relationship. We hope it will continue to grow stronger. But the reality of it is, No. 1, these are hard-earned taxpayer dollars. At a time when the United States of America really doesn't have a lot of money to throw away—in fact, it has no money to throw away—we have to ensure the aid we give is aid that is effective, that is actually doing what it needs to be doing, not simply going to a wish list of some general or military official somewhere. This is not about cutting off the Egyptian military; this is about recalibrating our relationship with them to ensure that what we are making available to them is not just what they want, but it is what they need. That is the first thing I would say in that argument.

The second argument I would have—and we hope this day will never come—but as Egypt continues to transition, we don't know what the Egyptian military is going to look like 2 years from now, 5 years from now, 10 years from now. In fact, many of the top people we have been dealing with in the past aren't in those positions anymore. They have been replaced by the new government. And I would tell you, history is a lesson.

If the Morsi government and the Muslim Brotherhood take Egypt in a direction that is not in our national interests, that is not in the best interests of the region or our allies in the world, they are not going to be able to do that

unless they replace the military leadership with people who agree with them on these things. So while we hope that never happens, we hope to do everything we can to prevent that from happening, we hope the Egyptian military will continue to be governed and run by professional men and women. But we can't guarantee that, and we don't know what the Egyptian military will look like 5 years from now or 3 years from now.

That is why it is so important this waiver provision require the Secretary of State to do so twice a year, so we can keep up on the recent events. Who would have predicted 3 years ago that the events that happened in Egypt would have happened in our time? Yet they did. So we can't predict what Egypt is going to look like 3 years from now. We hope it will be better, but we don't know.

The other argument I have heard is, well, this is going to offend their sovereignty. They don't like us to tell them what to do with the aid we give them. The Egyptians are not going to take kindly to the idea of the United States dictating to them.

I, quite frankly, don't understand that argument because this is our money. They don't have to take our foreign aid. They don't have to accept it. But our foreign aid has never been—or should never have been—a blank check. This idea that somehow the money we are going to make available to people should be unconditional, quite frankly, doesn't make sense to me. This is our money. If they don't want the aid, they don't have to take it. But if they are going to accept our aid, we should have some say in it.

If it is the U.S. dollars of the U.S. taxpayer that are going toward this program, shouldn't the American people, through their elected representatives and their government, have some say—if not a predominant amount of say—over how these dollars are spent and on what these dollars are spent? And shouldn't we ensure those countries are headed in a positive direction, not in a direction that acts against our national interests?

I believe in foreign aid. I think foreign aid is important for the United States. But it needs to be done the right way. I think it needs to be done the right way across the board, in all of our aid programs. But this is one that is pressing, that is right in front of us.

I recently took a trip to the Middle East. I went to Jordan. I went to Israel. In many places where I went, I heard over and over again a lot of concern about the direction Egypt is headed. They are going through a balancing act right now, is what it appears. On the one hand, you have a deeply seated ideology that I think many people would find offensive. We have heard some of the past comments of the President of Egypt. We have heard some of the past

comments of some of the leadership in the Muslim Brotherhood. It is downright offensive, and that is their ideology. We have seen some of that seep through in their public policymaking.

We also understand there is a pragmatic argument going on. They know they cannot survive in government and in power if they don't have an economy. They know—at least, I hope they know—they have to take steps to reform their economy. They have to take steps to increase their security so tourism will return. They know they need to do these things, and right now they are calibrating those two things: the pragmatism of needing to secure their country and needing to provide for economic growth versus their ideology.

In the ideological base of the Muslim Brotherhood that is calling for a rapid expansion of Islamist-type rule, you can see those pressures building within Egyptian society in and of itself. I think U.S. aid has an opportunity to tilt that conversation toward pragmatism. If we are smart about how we use our foreign aid, we can actually help tilt that conversation away from the ideology and toward pragmatism, toward security that is not designed to crack down on internal dissent, that is not designed to one day wage war against their neighbors in Israel or anywhere else, but in fact is designed to provide security against common street crimes, security against terrorism, to seal those tunnels in Gaza, to live up to their international obligations.

I think if we condition this the right way, we can help encourage them to take on the kind of economic reforms that Egypt needs to have the kind of economy they need. After all, that was the heart of the Arab spring, the heart of the Arab spring where hundreds of thousands of unemployed people—starting in Egypt particularly—were desperate for a better future and didn't think they could find it. Then they looked at a government that they saw as repressive and corrupt, and they wanted to replace it. But not with this.

The reason I feel so strongly about this is that as the Egyptian leaders are undertaking this cost-benefit analysis—should they lean more toward ideology or should they lean more toward pragmatism—through our foreign aid we actually have an opportunity to push them, to nudge them, to encourage them toward pragmatism.

I hope I can achieve bipartisan support for this amendment. I hope people will find it to be thoughtful and insightful. In the days to come, I look forward to addressing more questions that my colleagues may have on it. We are going to put some releases out about this, and I hope my colleagues will become interested in helping us achieve its passage.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, you have heard me speak to the Democratic caucus and to the press that moving the continuing resolution, or I should call it the continued funding resolution—remember, continuing the funding for fiscal year 2013 to our fiscal New Year's Eve, October 1, is our goal. We don't want a government shutdown, we don't want a government slamdown, lockdown. So we have been working very diligently on a bipartisan basis to fashion the bill that would get 60 votes so we would be filibuster-proof.

In the old days, majority ruled. Now it is supermajority. That is not a fight I am going to do here on this bill. My job is to keep the government funded, to work in an open, transparent, bipartisan and hopefully bicameral way.

I said this was like the last helicopter leaving a disaster area. I was trying to get the cargo on it to make sure we protected national security. We honored compelling human need, particularly for women and children in the area of education and health care, and we also looked at how we could generate jobs—not in government but government-generated jobs in the private sector, such as transportation, and make important investments in science and technology that come up with the new ideas for the new products that will create jobs in our country and hopefully even for export around the world. That is what I have been trying to do.

I also had to give up a lot. I had to give up the funding for ObamaCare. This was not my choice. I know there will be an amendment offered to even defund it further. I happen to believe in what we did with President Obama's health care framework. I liked ending discrimination against women. I liked ending the discrimination against people who have children with preexisting conditions. I liked funding the amendment that provided access for women for mammograms, and for children for early detection and screening. But we could not do it.

One of the other things we could not do was we could not add a very modest pay raise for Federal employees. This bill will continue the existing pay rates. It is necessary to avoid a government shutdown for the entire government. Shutting down the government would make a tough situation worse for Federal employees. It would jeopardize our economic recovery. Shutting down the government would threaten the viability of small and medium-size businesses. It would even threaten the

safety of our families, our economy, maybe even our country.

This is not a happy day for me and it is not a happy day for the millions of people who work diligently for the Federal Government. I have the great honor to represent 130,000 Federal employees—I wish you could tour Maryland with me, the way I have been up to your home State—each one doing important work for the Nation. And who are they, these employees? They are people who work at the National Institutes of Health, finding cures or ways to contain diseases—the next vaccine to help the flu endemic or protect us against a pandemic.

They are the civilian employees at the National Security Agency. We employ the largest number of mathematicians in the world. What do they do? They invent the kind of technology that breaks the codes and protects us—now in this whole new cyber domain. They are the people who run the weather satellites. The European model might have done a better job last week than they did, but do you know why? Because we have not had the resources to fund them the way the Europeans have.

I have employees at FDA right this very minute at their jobs, looking at medical devices to see if they are safe. Right at this very minute they are working with the private sector, which is bringing them new pharmaceuticals, new biotech and biologics that they could look at to see if they are safe and effective so they could go into clinical practice to help save lives here and be certified by the FDA, which would give us the ability to sell them around the world. We say to them: We know what you are doing, but tough luck; we can't give you a pay raise because we say we have out-of-control spending. I don't think we have out-of-control spending. Do we have to be more frugal? Do we have to be smarter? Do we have to get more value for the dollar? Absolutely. We are onto that. But don't attack Federal employees for the mismanagement of the Federal Government. That is right here. That is what we do. Don't blame them and don't make them pay the price. It is like making the middle class pay the price for more domestic cuts while we protect subsidies to corporate jets.

These 130,000 Federal employees help run the Hubbell Space Telescope, more discoveries—the most important telescope since Galileo invented the first one. I can't tell you how bad I feel that we are not at least giving them a .05-percent pay raise. And they are facing sequester, which could mean for many of them a 20-percent pay cut, if they are furloughed.

I visited NIH to see what was the impact of sequester. There was Carol Greider from Hopkins. She won the Nobel Prize 2 years ago. We are proud of her. NIH, within a week of my ar-

rival there to meet with them, as I have done so often—they cut cancer rates 15 percent. Instead of pinning medals on them, we say: You don't get a pay raise. We have more important things to do with the money. You are the problem.

I don't think they are a problem at all. I think they are part of the solution—coming up with ways to help compelling human needs and creating jobs in our country in life sciences and giving us something to sell overseas. I think it is wrong to keep asking them for more when oil and gas companies make record profits and we don't ask them to give up tax breaks. It is wrong when we can't close one tax loophole that sends jobs overseas. When Senator MURRAY brings up her bill, I will talk more about these lavish tax earmarks. This is not the time and place. But it is time to say we have to protect our civil service.

Senator RUBIO just spoke about Egypt and he said they have to be able to govern. It is not enough to just bring down a dictator. That is an excellent point. We have to govern, too. And the hallmark of a democracy is a civil service that has integrity, that is promoted on the basis of meritocracy, that is independent of politics, doing missions that serve the Nation in research, technology, administering programs that help get transportation funding to Governors to build roads, bridges, and fund our pent-up demand for physical infrastructure, and then in human infrastructure—education, health care. That is what a democracy does and you need a civil service that is independent, has integrity and is promoted and hired and so on on the basis of meritocracy. What is the hallmark of a despotic, autocratic government, be they Communist or just plain despots? They are corrupt. You get ahead by taking a bribe, by doing a party favor, by looking the other way, on so many other things where you cannot even open a business or get a permit or so on unless there is a series of tipping fees. You can't get through an airport unless you bribe your way through it. That is what a corrupt, despotic, autocratic government does.

But when you visit democracies, the first thing you see is they have a civil service. What is the civil service? Integrity, competency, incorruptible. But we say: Yeah, yeah, you know, we know you have a Ph.D. or we know you are the blue-collar worker who manages the facilities at NIH to keep the lights on so the researchers can do their work. It is those people who help us have a great country, and a country we can be proud of.

I hope we resolve this sequester thing, with layoffs and furloughs and potential cuts of 20 percent. I wish we could have at least said one thing to the Federal employees, that we are at least going to give you a .05—a half of

1 percent—pay raise. I didn't like it because I thought it was so skimpy and spartan.

But I will say this. The helicopter could not take off if it was on it. I think this is a terrible mistake. I hope in next year's regular order we can make this up. But I want to say to my Federal employees this was a draconian choice. Do we try to give you a pay raise that would be important to you? Every penny and every dollar counts.

You led the Consumer Protection Agency. You certainly have the reputation, Madam President, of being a real fighter for the consumer, and you were the first in America to do a study that showed people were going bankrupt not because they bought too many Volvos, ate out too much, or lived a life of brie and wine and so on. It was because of medical catastrophes that faced them. You were the first to tell us about that, so you know about family incomes and what makes them and what breaks them. But I say this to you: Thank you for your work.

And I want to say to the Federal employees, thank you for your work. I wanted to do it with a modest pay raise, but right now my duty in the situation I find myself in reluctantly is that the way I serve you is to make sure there is no government shutdown. Because you know what. In my heart and in my mind—and as I see how different places function—there is no such thing as a nonessential Federal employee. Everybody at the workplace and who serves the Nation is doing their job with honesty, integrity, meritocracy, and is incorruptible. Let's make sure we honor them. We have to get this bill done. Let's get on the Murray budget and right our economy. Whatever problems we have, don't blame the Federal employees for the decisions made by the Congress to get us in the deficit and debt we are in. They didn't do it, we did it. We should take the pay cut, not them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I have been listening to the remarks of my colleague from Maryland, and as we say down South, she is spot on. Before she became chairperson of the Appropriations Committee, she was a member of that committee for many years. We worked together when I was chairman of the subcommittee and she was the ranking member and when she was the chairperson and I was the ranking member. We both came from the House. We were on the same committee in the House. We worked together. We struggled with each other from time to time, but in the end, we knew we had to come up with a product, and that is what we are trying to do here today.

I was hoping we could bring this bill to the floor. As the Senator from Maryland has been saying, there are a lot of



Members who want to offer amendments. We could offer some amendments and debate them tonight and perhaps even vote on them tonight. We know we have this deadline. At the end of March the CR expires, along with the funding of the Government of the United States. I don't think any party—Democrat or Republican—is interested in any way of going to the brink again. It serves no purpose. It creates uncertainty in the marketplace; it creates uncertainty with the role we play in the Senate and the House.

As the Senator from Maryland has said, we have worked together. We have a continuing resolution which came from the House, with the Department of Defense and the MILCON-VA—military construction and VA—in it to fund until September 30, which is the fiscal year. It is about 6 months from now. We have added to the legislation which we hope to bring before the Senate the Commerce, Justice, Science Subcommittee, of which she is the subcommittee chair and I am the ranking member. We have worked together on that. Agriculture, which affects everybody in this country one way or the other, and homeland security, which is the essence of the security of this country at home, have been added by the Senate.

We scrubbed these bills all weekend. Both sides scrubbed them. I have given up things I would personally like, and she has given up things, probably including some things from the Democratic leadership. We have done the same over here. We are doing this to show the American people that America comes first. We need to show we can work together. We need to pass these bills. The sooner they get up here, the sooner amendments can be offered by Republicans and Democrats, the sooner we get the process working and we get into the debates. That is what this legislative body is all about.

The CR we are bringing up—or the hybrid CR—is funded at the fiscal year 2012 levels, and it is consistent with the Budget Control Act. It would leave the sequester in effect. It gives some leeway—some but not unbridled—to enable the situation with sequester to maybe work a little better. I think it is good policy and bad procedure.

We are going to have to cut because we cannot sustain deficits of \$1 trillion. We cannot continue to go down the road we are on. We have to change the trajectory of this country. We cannot sustain ourselves if we have a \$20 trillion or \$25 trillion debt. Whether you are a Democrat, Republican, Libertarian, Independent, or whatever you are, you should want a strong monetary policy and a strong economic policy.

We have a few more years left, and this is a good start here in the Senate. If we can get this bill up and pass it,

then the House will do something. We will fund the government until September 30, which is what we are supposed to do. If we do that, then we can start on the 2014 budget. From there we can perhaps go to regular order. That is what we wish to do in the appropriations process so we are not going from crisis to crisis.

What we have done in the House and the Senate—and the White House is involved in this too—in recent years is we have been lurching from crisis to crisis, and then we come up to the deadline and people say: Oh, we have to have certainty. So we kick the can down the road a few more yards. That is not the way to do business. This country is too important. The business community needs certainty, people in government need certainty, and I think this is a good first start. I hope we can get this process moving.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, as I rise to talk about the budget that was released in the House of Representatives, I want to first commend our chair Senator MIKULSKI and ranking member Senator SHELBY for working together. I could not agree more with what Senator SHELBY said about getting back to regular order and getting back together. This is an example of what we need to do. I want to commend both Senators.

We obviously have very different points of view. People can come together and listen to each other and be willing to compromise, which is not a bad thing. I don't know any part of life where we don't compromise. I have been trying to figure that one out. When you have children, wouldn't it be nice not to have to compromise? Somehow we always have to. I want to commend both of our leaders on the Appropriations Committee.

I am very hopeful we can return to regular order and hash out our very different perspectives and very different views of the country. I think we have seen that today with Chairman RYAN with the Republican budget. We will see a different view tomorrow with Chairman MURRAY coming through with a budget as we work through the budget in committee this week and then on the floor. This way reasonable people can sit down and listen to each other and find a path forward.

Most importantly, I think if we listen to the American people we represent—their values and their priorities—we can move forward. I do feel strongly that what has been released today in the House is the wrong set of values; it is the wrong approach. Actually, I am surprised we are seeing the same kind of budget we have seen for the last couple of years come out of the House—particularly one where the public spoke so strongly against the foun-

dations of what is in that budget. It has been called a balanced budget. It is anything but balanced.

Overall, it is my understanding that there is an identification of some \$5 trillion that will be cut in spending, but nobody says where. Then they say: Oh, the budget is balanced. Well, as our leaders on appropriations know, we actually have to get in and say where it is going to be cut so we can balance the budget, which this does not do. It does not balance the budget, and it is certainly unbalanced when it comes to the values represented in the budget.

I have to start with the one issue that is so concerning to me, and that is the whole question of Medicare. Once again we are seeing in the Republican budget of the House the effort to eliminate Medicare. It basically eliminates Medicare as an insurance plan. It basically says: You go out and find private insurance. They changed the names to different things. They tried to make it sound better, but it all comes down to the fact that people will be given a voucher. Good luck trying to find private insurance.

It was the private insurance sector and the lack of affordable insurance for seniors which created Medicare in 1965. As we get older, we lose more health care because we are more expensive to cover. Before Medicare, it was very difficult to find affordable insurance. In fact, it was impossible for many people. As Americans we came together and said: If you are 65 or older or if you are disabled in this country, you have the right to have insurance and health care available and affordable to you. We created a health insurance system called Medicare. By the way, Medicare costs dramatically less to administer than any private sector plan. We are talking 3 percent or 4 percent to administer Medicare as opposed to 15 percent, 20 percent, 25 percent going to administrative costs and profits and so on. So it is very efficient.

There are issues we need to address, and we have been doing that. In fact, we have put in place cost savings over the next 10 years by eliminating overpayment to insurance companies that do what is called Medicare Advantage. It is interesting that while Chairman RYAN and the House Republicans say they are going to do away with Medicare, they put the \$700 billion we saved by stopping overpayments to insurance companies—as well as doing other things for prevention and cost savings—in their budget. After criticizing it, they want the savings, but they turn around and want to eliminate Medicare. It is a very interesting combination of things here that is a hocus-pocus kind of approach with smoke-and-mirrors as far as how they are coming up with their budget.

The bottom line is very clear: It guts Medicare. It guts Medicare, but not in order to fund or strengthen Medicare



services or health care services in some way. The astounding thing is they continue to put forward a budget that guts Medicare in order to continue tax giveaways for the very wealthy and well-connected people in this country. It makes no sense. It makes no sense, and our budget will be very different than this one.

Medicare has been a great American success story. Medicare and Social Security have lifted a generation of Americans out of poverty. It has given them the ability to live longer and healthier lives. It has allowed my mom, who is on her way to 87, to play with her now great-grandchildren. By the way, my three grandchildren are the most beautiful children in the world. My mom is able to play with them and be healthy and active because of something called Medicare which was put in place to give her the opportunity to pay into a system so she could have health care and be able to live a longer life. That is a great American success story.

We know we are living longer. The greatness of Medicare is that people are healthier and living longer, and so we know we have to do some refiguring here and have some savings. We are already doing that. Over the next 10 years we are putting in place \$700 billion in savings by focusing more on prevention. We are focused more on wellness visits and helping people on the front end before they get very sick, as well as cutting overpayments.

We are now hearing that Medicare is going to have a \$500 billion savings as well, and that insurance rates and growth have actually slowed. We are seeing the actuaries reconfigure the savings. CBO, the budget office, reconfigured the cost of Medicare and Medicaid to create more savings because of things we have begun to do. Thanks to health care reform we are able to focus more on prevention and people being able to see a doctor. We are able to do all those things that save money without cutting health care for people.

We are very committed to making sure we have savings in Medicare and that we strengthen Medicare for the future. Whatever decisions we need to make, we need to do that for Social Security and other areas as well. The difference we have is, we think it should exist. We think it should exist as a health insurance plan. I cannot imagine any way in which our Senate majority would ever vote for what is in the budget that was released by the Republican caucus today. So we are looking at very different priorities.

In the area of Medicaid, we are also looking at very different priorities. The majority of Medicaid, in terms of the number of people, are children; the majority of money under Medicaid is actually spent on seniors—on nursing homes, people who are in extended care facilities, and so on. Again, when we

think about the budget being released in the House of Representatives by Chairman RYAN and the Republicans, they go right to Medicare, eliminate Medicare as an insurance plan, and then they block grant and cut Medicaid, which goes to the poorest seniors in nursing homes, so they get a double whammy in the budget that has been released by Chairman RYAN and the House of Representatives.

We also know they are slashing investments for middle-class families as well as the vulnerable, as well as public safety, police, and fire. I just left my mayors from Michigan coming in and talking about what has happened to them on the frontlines. We have trickle-down cuts, and they end up with it all in their laps, having to figure out how to provide local services. When we talk about the fact that there would be dramatic disinvestments or cuts in public safety, police, fire, and so on, they are appalled and desperately worried about how they are going to make sure they can respond to the people who live in their communities.

In education, cuts, of course, to Head Start, financial help for people to be able to go to college, all of which are good things.

Roads and bridges.

Another piece that is very concerning to me is our nutrition programs which have been put in place for families who have challenges. People have lost their jobs and they need some help with putting food on the table for their families. We are seeing that program, the SNAP program—Supplemental Nutrition Assistance Program—gutted with \$160 billion—\$160 billion in cuts that would leave millions of children, millions of families without help. Interestingly, the spending on the nutrition programs, on SNAP, is actually going down. Why? Because it is there when people need it, when they have a crisis, and then the spending is not used when families go back to work. So we are seeing over \$11 billion in decreases in spending because the economy is improving and people are going back to work. That is the way we want to bring spending down.

Interestingly, within my purview as chair of the Agriculture Committee, I am also deeply concerned about the cuts in the Republican budget in the House to crop insurance. Within our farm bill, we have two disaster assistance programs. One is for families, which is nutrition assistance. It goes up and down with the economy. The other is crop insurance for farmers and ranchers, which goes up and down with the economy.

We have had huge droughts and late freezes on our orchards and others where folks have been decimated, but because of crop insurance this year, rather than doing ad hoc disaster assistance all over the country, we have crop insurance. People buy crop insur-

ance are covered if they need it, and we have been able to see farmers sustain themselves because crop insurance has worked. So crop insurance costs again go up and down based on whether there are disasters. Supplemental nutrition goes up or down whether or not there is a family disaster. Both of those are hit in this budget and make absolutely no sense.

I can assure my colleagues that in the farm bill we will present again to colleagues as we did last year—and we are so grateful for the bipartisan support we had—we will strongly support efforts around crop insurance as well as nutrition.

Finally, let me just say that very different values are presented in the budget presented by Chairman RYAN and the Republicans in the House by going after the middle class, actually raising middle-class taxes in order to fund more tax breaks for the wealthy and the special interests in the country; gutting Medicare and using that money for additional tax cuts for the very wealthy; gutting our investments in science, innovation, and education to grow the economy in order to pay for more tax cuts for the wealthy.

This story seems to go on and on and on. It always comes back to the same place: The wealthy, the well connected, the special interests do very well. Middle-class families get hit, seniors get hit, the vulnerable get hit, children are hit and are asked to pay the tab for trying to bring down a deficit that, frankly, they didn't create. So that is the story in the House.

Our chairwoman of the Budget Committee, Senator MURRAY, will present a very different story tomorrow, one that is focused on growth in the economy, supporting the middle class, protecting Medicare and Medicaid and Social Security for the future, and making investments that grow the economy.

One of the things I know after working on the issue of jobs for a long time is that we will never get out of debt with 12 million people out of work in this country, so we better be focused on jobs and supporting the private sector to create jobs—large businesses, manufacturers, small businesses, partnering on innovation, education, and so on. That has to be part of our long-term strategy to get out of debt as well as making smart cuts and other kinds of smart investments.

Again, I come to the floor to commend colleagues who are on the floor showing the right way to do things—to work together, to listen to each other, to work across the aisle on a bipartisan basis to get things done. We have a very different picture going on in the budget committees. We have a long way to go when we start with eliminating Medicare as we know it, but the House Republicans are saying, no, we want to strengthen Medicare for the future and keep it intact for seniors. All

the other issues we are in a very different place. But I think it is very important that we make a commitment to listen to each other and do our best to find a path forward. We need to find a path. People are counting on us to get things done. They are counting on us to both grow the economy and create jobs and have a strong middle class and they are counting on us to reduce the deficit, all of which we can do if we are willing to work together and listen to each other and find a path forward.

I thank my colleagues for giving me the time. I wish to congratulate them again on the work they are doing. I ask that we work together as we go forward in completing the task on growing the economy and reducing the deficit.

Thank you very much.

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, when I go back to Indiana and meet with Hoosiers, they often ask why Washington seems to experience a crisis every few weeks. It is a debt limit battle. It is a threat of a government shutdown. It is the fiscal cliff on New Year's Eve. It is the sequester. And the list goes on and on, including the funding battle we are in now. Of course, the next round of the debt limit debate is scheduled for May, and on and on it goes. Hoosiers and I think most Americans—and I think most Members of this body—are getting awfully tired of this soap opera drama that occurs every few weeks here.

I think we need to move to the point where we can address the major issues. One of the steps in doing that is to fund this government for the next 6 months. I do not know of anyone here who wants a government shutdown. We do have some urgent things we need to do. We do need to address our funding imbalance that is significantly creating a major problem for us, but in order to get there, we have to do some interim things here to keep the country functioning. We need to commit to go forward and do the big things. In the meantime a 6-month funding resolution has been brought forward here. There are things in this that none of us are going to like. Everybody is going to have problems with parts of this. Everybody is going to think it should have been fashioned just a little bit differently.

The leaders of the Appropriations Committee have put a great effort into constructing a resolution that I think will adequately fund this government going forward, but they do so with the

understanding that the commitment to address our spending issues and the commitment to do everything we can to put together a large plan in order to deal with outgoing issues is absolutely necessary. Hopefully, that will be accomplished in the next few months. To start that, you have to have a budget.

I am pleased now that we are going to be taking up a budget debate in terms of the next fiscal year's funding, and we will be taking that up next week. So these two measures together, with the sequester that is already in place and actions that have already been taken, hopefully will be putting us on a path to fiscal health and solvency.

Every family, every business, even local and state governments have to operate on a budget or they cannot maintain and establish the kind of fiscal discipline necessary to get to the point where they are not spending more money than they are taking in. We have seen a cataclysmic plunge into debt that has enormous impact on the future of this country, and we have to address that.

Vice President BIDEN once said: Show me your budget, and I will tell you what you value. Well, for 4 years we have been waiting to see a Senate budget, so we do not know what is valued. Finally, we are getting to the point where we will address that.

I think the responsibility to provide a budget on which to operate is not only lawful, as it is currently enshrined in our statutes, but it is a moral obligation we must fulfill as a body. Without casting blame on one side or the other, it is time that we go through the budget process and establish the direction in which this government will go in terms of spending for the next fiscal year.

Given our soaring national debt and out-of-control spending, eventually we are going to have to make very tough choices that we have been avoiding for years. The more we prolong these challenges we face and the longer we wait to act, the harder it is going to be. We have the responsibility to wisely spend the taxpayers' dollars and not to ask more of them than is absolutely necessary to perform our essential functions.

I am urging my colleagues to go forward in doing what is necessary to keep this government operating but do so with the commitment that we will address these tough questions, that we will address the necessary procedures and make the tough, necessary decisions to put our country on a fiscal path to health. Without that, we are jeopardizing our future, and we are condemning millions of Americans to unemployment or underemployment. We are growing at half the historic rate and have been for the last 4 years. If this stands the way it is, we will continue to see a country in decline, and,

more importantly, we will continue to see people hurting. We will continue to see people without meaningful work. We will continue to see an inability to provide the kinds of opportunities, innovation, and creativity that have made this country so successful in the past.

So with that, Madam President, there does not appear to be anyone ready to speak. I am happy to stop now, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Madam President, in the midst of this momentous debate, truly one which will determine the future of the country, I rise on a matter of equal importance, in my view.

Today we welcomed to the Capitol 26 bicyclists, riders who left Saturday morning on this journey. This journey led them to travel the roads from Newtown, CT, to dramatize the importance of actions against gun violence in the United States.

I have said about Newtown that we saw on December 14 of last year enormous evil and depravity in the deaths of 20 beautiful, innocent children and 6 dedicated, courageous educators who literally perished trying to save the lives of those children. We saw evil that day in Connecticut, but we also saw enormous goodness and heroism in the educators who sought to save those children and the first responders who charged into the school. They did so not knowing what would befall them, what they would see, and thereby stopped the massacre.

The community came together in support of the families and all who were affected so deeply by that tragedy. This community has demonstrated enormous strength and courage over these months. It is an example of the quintessential values which make us proud to be an American.

The riders who came to the Capitol, who rode from Newtown on a rough and difficult journey, also showed something profoundly significant and important about Newtown as a community, as well as about themselves. They included as an honorary rider a parent of one of the victims, Chris McDonnell, who was at the departure, and his wife, Lynn, who was also there at the beginning, although she didn't ride.

They carried with them, those 26 riders, the memory of Grace McDonnell. As one of them said—Monte Frank, who organized and led the effort—Grace was on their wheels. They carried with them the memory of Grace,

but they also carried the hopes and hearts of America. Everywhere they went on that journey, people stopped them, thanked them and honored them, as I seek to do today here on the floor of the Senate.

I ask unanimous consent to have printed in the RECORD two letters, both written to the chairman of the Judiciary Committee and the ranking member, along with Senators MURPHY and myself, letters written by Lynn and Chris McDonnell and a separate letter written by the families of some of those victims.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 11, 2013.

Hon. PATRICK LEAHY,  
*Chairman, Senate Judiciary Committee, Russell Senate Building, Washington, DC.*

Hon. RICHARD BLUMENTHAL,  
*Senate Judiciary Committee, Hart Senate Office Building, Washington, DC.*

Hon. CHUCK GRASSLEY,  
*Ranking Republican, Senate Judiciary Committee, Hart Senate Office Building, Washington, DC.*

Hon. CHRIS MURPHY,  
*Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.*

DEAR CHAIRMAN LEAHY AND SENATORS GRASSLEY, BLUMENTHAL, AND MURPHY: We are 32 family members of victims who were killed in the massacre at Sandy Hook Elementary School on December 14, 2012—innocent children and their educators responsibly going about their day.

No one can describe our pain and the brutal day-to-day emotions we suffer. No one can bring our loved ones back and no one from our community of Newtown, Connecticut will ever go back to “normal.”

In the midst of our anguish we have learned about the dangerous loopholes in our nation's gun laws and we are compelled to speak out to save others from suffering what we have endured. We are writing today to express our deep conviction and support for the President's plan to reduce gun violence in America.

Specifically we are asking members of Congress to:

1. Require a criminal background check for every gun sold in America that includes a review of all disqualifying records and meaningful record keeping for all sales—in the same manner that Federally licensed dealers are currently required;

2. Ban military-style assault weapons and high-capacity ammunition magazines; and

3. Make gun trafficking a federal crime, with real penalties for straw purchasers;

The epidemic of injury and death from gun violence is a plague on America, especially since the toll it takes on our families is preventable. Our nation's families deserve to be safe and free in their schools, movie theaters, workplaces and their homes. We ask Congress, in honor and memory of our loved ones, to support the measures that the President has put forward to help stem the epidemic of gun violence.

Our precious children and family members who were so brutally murdered on December 14th deserve nothing less.

Sincerely,

Jackie Barden, Mother of Daniel Barden; Mark Barden, Father of Daniel Barden; Neil Heslin, Father of Jesse Lewis; Veronique Pozner, Mother of Noah Pozner; Len Pozner,

Father of Noah Pozner; Gilles Rousseau, Father of Lauren Rousseau; Teresa Rousseau, Mother of Lauren Rousseau; Andrew Rousseau, Brother of Lauren Rousseau; Matthew Rousseau, Brother of Lauren Rousseau; Suzanne Connors, Sister of Mary Sherlach; Jane Dougherty, Sister of Mary Sherlach; Joseph Greene, Brother of Mary Sherlach; Carlos Soto, Father of Victoria Soto; Donna Soto, Mother of Victoria Soto; Carlee Soto, Sister of Victoria Soto; Carlos M. Soto, Brother of Victoria Soto.

Jillian Soto, Sister of Victoria Soto; Donald Fagan, Grandfather of Victoria Soto; Debra Cronk, Aunt and Godmother of Victoria Soto; Robert Cronk, Uncle of Victoria Soto; Dean Fagan, Uncle and Godfather of Victoria Soto; Denise Fagan, Aunt of Victoria Soto; Don Fagan, Uncle of Victoria Soto; Linda Fagan, Aunt of Victoria Soto; Alex Fagan, cousin of Victoria Soto; Brianne Cronk, cousin of Victoria Soto; Christopher Fagan, cousin of Victoria Soto; Donald Fagan, cousin of Victoria Soto; Douglas Fagan, cousin of Victoria Soto; Heather Cronk, cousin of Victoria Soto; Wesley Cronk, cousin of Victoria Soto; Zachary Fagan, cousin of Victoria Soto.

MARCH 11, 2013.

Hon. PATRICK LEAHY,  
*Chairman, Senate Judiciary Committee, Russell Senate Building, Washington, DC.*

Hon. RICHARD BLUMENTHAL,  
*Senate Judiciary Committee, Hart Senate Office Building, Washington, DC.*

Hon. CHUCK GRASSLEY,  
*Ranking Republican, Senate Judiciary Committee, Hart Senate Office Building, Washington, DC.*

Hon. CHRIS MURPHY,  
*Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.*

DEAR SENATORS LEAHY, GRASSLEY, BLUMENTHAL AND MURPHY, On December 14th our family was forever torn apart by gun violence. On that day we lost the love and light of our family, our daughter Grace. Grace and nineteen of her 1st grade classmates and six teachers were senselessly murdered at the Sandy Hook Elementary School. One can not describe the pain and anguish that our family has experienced, a pain that goes beyond just our immediate family, but permeates our entire community.

In the wake of our darkest day, we have become acutely aware that the state of our gun laws in America is at best ineffective. While no one thing led to the devastation that occurred in Sandy Hook on December 14th, it will be a compressive approach that leads us to preventing such loss of life in the future.

We are writing today to express our conviction and support for the President's plan to reduce gun violence in America. Specifically we are appealing to members of Congress to:

Require a comprehensive criminal background check for every gun sold in America that includes a review of all disqualifying records and meaningful record keeping for all sales—in the same manner that Federally licensed gun dealers are required;

Ban all military-style assault weapons and high capacity ammunition magazines;

Establish gun trafficking as a federal crime, with substantial penalties for straw purchasers.

We hope that all of our nation's elected representatives will step forward with the moral courage and commitment needed to tackle the grave issue of gun violence that confronts us. We ask that action is chosen

over inaction when it comes to protecting the most vulnerable among us, our children.

We appeal to you as parents to honor the memories of those lives lost at Sandy Hook and support the measures that the President has put forward to reduce the epidemic of gun violence.

That much is owed to our children.

Sincerely,

CHRIS & LYNN McDONNELL.

Mr. BLUMENTHAL. These letters summarize the reason for their journey in very specific terms, stating:

In the midst of our anguish we have learned about the dangerous loopholes in the Nation's gun laws, and we are compelled to speak out to save others from suffering what we have endured. We are writing today to express our deep conviction and support for the President's plan to reduce gun violence in America.

Specifically, we are asking Members of Congress to:

1. Require a criminal background check for every gun sold in America that includes a review of all disqualifying records and meaningful recordkeeping for all sales—in the same manner that federally licensed dealers are currently required;

2. Ban military-style assault weapons and high-capacity ammunition magazines; and

3. Make gun trafficking a Federal crime, with real penalties for straw purchasers.

The epidemic of injury and death from gun violence is a plague on America, especially since the toll it takes on our families is preventable.

The letters go on.

As I told them when they arrived, an event which was electric, literally in the shadow of the Capitol, their journey sent a message. Very simply, all of us who believe we must stop a scourge and epidemic of gun violence, all of us must keep on pedaling. We must do as they did. Even though our road, like theirs, may be rough and uphill at times, we need to keep on pedaling and working. Never give up. We need to keep faith with those victims and their families, the 26 victims of that massacre at Sandy Hook. When they rode to Congress, their message to us is we need to keep faith with those victims and assure Newtown never happens again. If it happened in Newtown, it can happen anywhere in America. It is not just a mass shooting which is involved, it is the 2,500 people who have been victims of gun violence since December 14, all around Connecticut, all around the Nation, not only in communities such as Newtown, the quintessential New England town, but on the streets of Bridgeport, New Haven, Hartford, in neighborhoods, in big cities, rural areas, and suburban towns.

Team 26 is really Team Connecticut and Team America. It brings those values, courage, and strength Newtown had shown to Congress. Congress needs to heed and hear the country, just as people on their route honored Team 26. The American people believe we must do something about gun violence in America. They believe overwhelmingly, the polls show 80, 90 percent on all of these issues. They want action from this Congress.

As the President of the United States said to all of us in his State of the Union, the American people want a vote. The victims' families from Tucson, Virginia Tech, and Aurora deserve a vote. This is why Team 26 made this journey, and why they embody the conscience of America. The letters they have written to Senators here call for action on measures which are common sense and common ground. We can reach a bipartisan compromise if we recognize the carnage, death, and destruction that is the result of gun violence in America.

These measures are law enforcement tools. Background checks enable enforcement of existing laws, the prohibition against criminals, drug addicts, domestic abusers, and the seriously mentally ill from purchasing guns, not just from federally licensed dealers. Background checks are necessary to enforce that law, just as is the prohibition on purchase of ammunition by those same categories of people. Likewise, the Federal ban on illegal trafficking and straw purchases is necessary to enforce existing prohibition. We have work to do.

I want to conclude by thanking those who are all family, who have stood strong and spoken out. Every time they do, it is with grief and pain. Anyone who spent time with them—and I have been privileged to spend hours and hours, days, over these past months with those families, as well as first responders, who still bear the scars, emotional scars, which are deeply felt.

I have great admiration for their courage and strength. I hope this body will take heart from it and will take their leadership as a message we must act, we must vote, we must do something about gun violence in America.

I am proud to welcome Team 26.

I ask unanimous consent the full list of all riders and their support group be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Rider #1. Monte Frank, who is here today with his wife Leah, and his daughters Becky and Sarah; Bill Muzzio Rider; Chris Peck, Newtown, Connecticut Rider; John Funk, South Kent, Connecticut Rider; Stephen Badger, Roxbury, Connecticut Rider; Andrea Myers, Danbury, Connecticut Rider; Mike Andrews, Danbury, Connecticut Rider; Tom Officer, Litchfield, Connecticut Rider; Jeremy Brazeal, Manchester, Connecticut Rider; Officer Jeff Silver, Newtown, Connecticut Rider; Matt Baldwin, Redding, Connecticut Rider; Jonathan Lowenstein, North Kingstown, Rhode Island Rider; Lieutenant Gary Lyke, Brookfield, Connecticut Rider; Michael Magur, Newburgh, New York Rider; Andy Officer, Goshen, Connecticut Rider; Fred Thomas, Cape Elizabeth, Maine Rider; Carl Reglar, Mt. Vernon, New York Rider; Wayne Prescott, Litchfield, Connecticut Rider; Kevin Fitzmaurice, Middlebury, Connecticut Rider; Megan Cea, West Harrison, New York Rider; Brian Suto, Oxford, Con-

necticut Rider; Matt Emeott, Woodbury, Connecticut Rider; John Ford, West Harrison, New York Rider; Aidan Charles, Middletown, Connecticut Rider; Heather Peck, Newtown, Connecticut Honorary Team; and Rider: Chris McDonnell, Sandy Hook, Connecticut.

And their Support Crew: Sean Cavanaugh, Danbury, Connecticut Support Crew; Becky Frank, Sandy Hook, Connecticut Support Crew; Adam Silbert, New York, NY Support Crew; Peter Olson, Bethel, Connecticut Support Crew; Greg Meghani, Bethlehem, Connecticut Support Crew; and Mike Conlan, Ridgefield, Connecticut.

Mr. BLUMENTHAL. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I wish to comment on the remarks by our colleague from Connecticut, Senator BLUMENTHAL.

I say to the Senator, we in Maryland want to once again express our condolences to the people of Newtown. We have lost people in gun violence, nothing like you have, but we have it there. Most recently when a high school opened, a young man who needed mental help came in and one of our young men was shot. Fortunately, he survived. He is an intellectually challenged young man, full of spunk. He has been made an honorary Raven, honorary Oriole. Lady Gaga, who is his favorite, even sent him CDs.

We need to deal with this issue. We need to deal with guns and—I agree with the NRA—we need to deal with mental health. We need to put mental health in the Federal checkbook to train the professionals, do the research and know we are doing the right thing.

One of the fathers from the Newtown tragedy has cycled through Maryland to raise the issue through all of the awful rain in the only way he can to speak up for his daughter.

I want to congratulate the Senator and his colleague from Connecticut, Senator MURPHY, for continuing to be steadfast. I wish to say we support you not only with words but deeds. It is wonderful to express our condolences, to send toys to the children, to do all of that. We need to put money in the Federal checkbook. We must first of all confirm our BATF Administrator. The very person in charge of guns should be confirmed. We need to then look at our own legislation about illegal guns, all of what the Senator is talking about.

On the mental health side, the Senator was a member of the HELP Committee. I know now Senator MURPHY of Connecticut is on the HELP Committee, the Presiding Officer also. We need to look, even now as we look at the CR, how we may do the right research.

I wish to close with one melancholy thing, which is a consequence of the sequester. Senator HARKIN with the HELP Committee held a hearing on mental health. The Director of the Institute on Mental Health was on that committee, and I believe the Presiding

Officer was there. I asked him what would be the consequences of sequester on the National Institute of Mental Health, since everyone wants mental health, and that is the research.

This is what he replied: We are not going to fund certain research projects.

Let me tell you one that holds such promise it is going to be a sad day for us not to do it. Here is the test—and, please, I am not a scientist and certainly not a neurological scientist. But there are certain kinds of mental health problems that come on onset, particularly on young males, who are postpuberty, often after high school or as they go into college. As in Aurora, the young man who shot the people was already a graduate student. These things come on.

The Director of the NIH mental health said they wanted to do research for early detection, biochemical as well as environmental. This is not to earmark, paint them in a corner, or push them in a corner and stigmatize them, but they could receive that help early.

We need to know more. Whether that study is a good idea—I am sure it is, it is peer reviewed—I wish to say to the Senator, the reason we need to get this bill done, the budget done, and go on to regular order is to actually put money in the Federal checkbook to do what the American people want. We can do great gun control legislation on the this floor, but I want to support that mental health component.

I call upon the NRA and all of its members to support us to move the Federal budget, look at the mental health aspects. I believe we would have bipartisan support. I believe we would have grassroots support. At the end of the day not only would we prevent gun violence, but along the way, the President's brain initiative. We could learn a lot more and we could help our people. This is what I mean when I say we need to fund compelling human need and do the research. But I salute the Senator for his advocacy. And my condolences to the people of Newtown, but not with words, let's get to the deeds and let's get the deeds done.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I wish to briefly thank my great colleague and friend for those remarks stated so eloquently. I could not agree more. Mental health has to be part of a comprehensive strategy, as does school safety. No single measure for gun violence control can do it alone.

That is why I began by referring to the momentous debate we are having today about the future of initiatives such as mental health. And I join in challenging the NRA—for all its opposition, staunch and steadfast, against any measure trying to stem or stop gun violence in America—to join in seeking common ground on mental health initiatives and other measures that are

common sense. I urge gun owners—responsible people who enjoy recreation and hunting—as well as others who are intent on stopping violence in America to support these mental health services for diagnosis and treatment. That is why I have joined in those measures as well for the Judiciary Committee and the HELP Committee.

But I really wish to thank the Senator from Maryland for her incomparable and invaluable leadership on this issue.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I think today has been an interesting day here in the Senate. We have been trying—the Senator from Maryland and I—to get the bill we have been talking about to the floor so people will have an opportunity to offer their amendments, to debate their amendments, and we in the Senate will be able to vote them up or down. That is what this process is about.

Although I know it is getting late in the evening, I am hoping we can lock in some time agreement with the leadership. I am sure Senator REID and Senator MCCONNELL are working on that, as well as Senator MCCAIN and Senator COBURN. But if we could get started on this tomorrow and have a healthy debate, there are some issues that ought to be brought up.

I wish to take a few minutes to review a few of the outlines of what we hope to accomplish this week—what is in this bill and what is not.

What this bill would do is allow agencies the additional ability to address priorities in light of sequester cuts. We all know they were Draconian—good policy, as I said, but bad process. The proposed legislation the Senator from Maryland and I are bringing to the floor, hopefully, is in full compliance with the spending caps required by the Budget Control Act, and it brings, with the sequester, the total to under \$1 trillion. So we are doing some serious cutting, but we ought to do it wisely by what we do.

Both sides have given in to get to where we are. There is no new funding for ObamaCare, no new funding for Dodd-Frank, no State-specific earmarks.

The bill enables the Department of Defense—and we all care about security—to better implement sequester, and it increases the DOD transfer authority for reprogramming, thus mitigating a portion of the national security impact of the sequester and other across-the-board cuts.

The bill also ensures that veterans programs receive adequate funding—\$2.5 billion above the fiscal year 2012 levels—for VA discretionary spending. So that is a good increase.

The bill requires greater accountability of government employees at-

tending conferences, including associated expenses, so that we don't read these horror stories of people going to conventions and living high off the hog while people are struggling to make ends meet.

The bill also prohibits the transfer of Guantanamo prisoners to the United States, among other things.

The legislation would provide additional funding for worldwide diplomatic and facility security in the post-Benghazi environment. When we send somebody overseas, we want to make sure, whether it is an Ambassador, an employee, or somebody going temporarily, that they are as safe as we can keep them. We know we live in a dangerous world, and some parts of the world are more dangerous than others.

This bill provides over a \$3.1 billion increase over fiscal year 2012 in assistance to Israel. Israel is the only democracy—I believe a real one—in that area and is a great friend of ours.

The legislation keeps in place the pay freeze for Federal employees for the remainder of this year, the fiscal year ending September 2013.

The bill prohibits distribution of any funds to ACORN, its subsidiaries, or successors.

It rescinds \$50 million from the EPA to restrict its ability to implement certain environmental regulations.

It rescinds \$10 million from the ObamaCare, as we call it, Independent Payment Advisory Board, which is the rationing board, some people call it.

The bill continues a provision to clarify the prohibition of Federal funds being used to lobby State and local legislative and executive authorities.

These are just some of the provisions in here, but I think tomorrow we will talk about more. Overall, I think we have put together a worthy and credible package, and I hope the Senate will soon get a chance to start debating it seriously.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I would like to compliment the Senator from Alabama, my vice chairman. He outlined how we tried to look at this bill and scrub it for nonsense or no sense, OK?

I know we are waiting for the Senator from Oklahoma, Mr. COBURN, to lift his hold. I know he is looking closely at the bill. A few years ago, when I was moving the Commerce-Justice bill, he found that one of the agencies was hosting a conference and they were paying \$4 a meatball, so we called it the lavish meatball amendment. Often, the Senator from Oklahoma has great ideas. You know, Madam President, that people from Oklahoma have great ideas, and so we would like him, as quickly as he can, to lift the hold so we can move our bill and he can offer amendments. And I hope he is scrub-

bing it. I am sure somewhere he will find a rogue meatball. I don't want to minimize what he is doing. He really does scrub for foolishness and folly, and if he has a foolishness-and-folly amendment, I probably will support it. I can't tolerate it either. My constituents really work hard for their money, and they want the money they pay in taxes to work hard for them.

So, Madam President, I see the distinguished majority leader here on the floor. I am hoping that we are going to have a solution to some of that deadlock here.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, it used to be, before the last Congress, the Senate had two speeds: one for deliberation and one for getting things done. Senators saved the deliberation speed for truly great issues of the day, and when we needed to get the country's business done, we came together to work things out. It used to be that all appropriations legislation was business the Senate came together to work on and to finish. Sometimes it was 1 day, sometimes it took 4 or 5 days, but we got it done.

These days—for the last 3 years—the Senate has one speed: slow—real slow. And we haven't had appropriations bills for a number of years because we haven't been able to do them because of the speed—slow. Even when we are talking about preventing a government shutdown, even when there is broad agreement across party lines that we want to prevent a government shutdown, even then we are stuck in slow.

Madam President, when we got the bill from the House, I didn't like it especially, but, as I said earlier—and I still feel this way—the Speaker at least got it to us at a decent hour, not at the last minute. These two good Senators, SHELBY and MIKULSKI, worked very hard for days to get this done. Now, frankly, I didn't like some of the things Senator MIKULSKI agreed to, but I was with her, and we agreed to do the things together because we wanted to get a bill done. We swallowed a lot of pride. She gave up things in her bill she has worked on for decades and gave in to others so that they would feel better about this bill.

So then we come here today and are blindsided. This bill has been in the public for days. It passed the House last week, and 85 to 90 percent of the bill that is the so-called amendment was in the House bill.

We are going to finish this bill or not finish it before the recess. If we can't get 60 votes, then it will fail and the government will shut down but not for anything we have done—not for anything we have done. We have a few Senators who are doing everything they can—and have been doing it for years—

to throw a monkey wrench into everything we do here. We should have been legislating today.

I came to the floor last week and said we are going to have a CR, we are going to have amendments. I said that when we opened the Senate yesterday. I have tried my best to move to this bill.

The Senate cannot continue like this. I took everyone at good faith at the beginning of this Congress when we made a few changes. I thought those changes would be helpful. To this point, they have done zero because we have had no cooperation from the Republicans.

The Senate has changed, Madam President. I am sorry the Presiding Officer, who has a wonderful background, has not seen the Senate and how it really should work. A small group of Senators has kept the Senate in slow, slow gear. They have prevented us from even starting debate on this important bill. We can't even start the debate on it. People want to offer amendments. We had Senator HARKIN waiting to offer an amendment, and we had Senator CRUZ here waiting to offer amendments. They can't. We are through for the night, so we have wasted basically 2 days when we could have been considering amendments to this bill, and that is a shame.

We have a limited number of Senate days. In our lives, we have a limited number of days. The time of the Senate is too precious to spend it this way, so I am filing cloture on this bill. We will have a vote on proceeding to it on Thursday. How about that? Isn't that great? We are going to vote to proceed to it. So we will be on the bill Thursday, and we can start offering amendments on Thursday.

#### CLOTURE MOTION

I have a cloture motion at the desk, Madam President.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 21, H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Benjamin L. Cardin, Sherrod Brown, Richard J. Durbin, Tom Harkin, Patrick J. Leahy, Angus S. King, Jr., Tim Johnson, Elizabeth Warren, Debbie Stabenow, Patty Murray, Mary L. Landrieu, Jack Reed, Jeanne Shaheen, Richard Blumenthal

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of

morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS

Mr. REID. Madam President, I hope the record is very clear that I do not criticize Senator SHELBY. He has done his best. He was a tremendous advocate for what he thought should be in this bill. But we are going to have Senators stand up and talk about what is wrong with this place when, after all the work that goes into a bipartisan bill, we are stymied from going to that bill and offering amendments.

Ms. MIKULSKI. Madam President, a question for the majority leader.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. This is tough, but the leader has to govern the Senate and move the bill. But a question for the people who watch us and don't know what all these parliamentary maneuvers mean. If there is an agreement to move forward with amendments, is it possible that tomorrow we could vitiate it?

Mr. REID. With the tremendous work Senator COBURN has to put into this so he can finish it in the next 12 hours, maybe we can move to the bill tomorrow. But I know he has a lot of work to do on the bill, so we will have to see how he feels about it tomorrow.

Ms. MIKULSKI. Madam President, I really want to thank my vice chairman, Senator SHELBY, for being on the floor all day today in anticipation that we would have already voted on two amendments. I think he and I both regret the present situation.

I would hope the Senator who has grave concerns and waited to read the bill could really finish it overnight. We worked every night, I must say, not only my staff, but in talking to the Senator, and we were available to each other by phone. I was talking to Congressman ROGERS, our House counterpart, and we were working. I know that Saturday night we didn't close out until 9 o'clock at night; Sunday, not until 11 o'clock at night. That is why we wanted to get this over, so they could look at it.

So I say to those holding up the bill, I would like you to work through the evening the way we worked through the evening. If you want to see if there are other issues—and we acknowledge the Senator's right to do that, but, really, we do not want to face a shutdown, and there is this other issue of the Budget Committee that we would like to get on the floor. What a great message to the American people that with good will and sensibility and give-and-take—and there was a lot of give-and-take—we can govern.

My hope is that by the time we get to the end of next week—actually, the end

of this week—we will have passed the continuing funding resolution and we will have passed a budget, with ample debate.

The Senator and I, House Members, Senate Members—we welcome amendments. We welcome debate. But what is frustrating to me is that we have had a very interesting day, but we had two amendments pending, two different viewpoints on health care and human services. We could have debated and been able to dispose of them in a way that would have brought honor to the institution and moved our legislation forward.

So let's show we can govern. Let's really show we can govern. And I hope we can get to our bill tomorrow and not necessarily go through the whole usual filibuster rules.

Again, I thank the vice chairman, Senator SHELBY. I thank Senator MCCONNELL for the way he helped and conferred on many issues.

I yield the floor.

Mr. REID. Madam President, I want everyone to hear what I am saying now. If somebody comes to me and says: You can get on the bill if you give me these amendments, I won't agree. We will have cloture on it on Thursday.

We are through the dealmaking stage. We have been dealmaking on this bill—an important piece of legislation—for more than a week, and if a Senator comes to me and says: You can go to the bill tomorrow, but I want to make sure I have all these amendments, the answer is no.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, had we been able to move to this bill, we could have probably debated already and voted on a number of amendments because this is very essential legislation. There is a lot in this bill, a lot of good in this proposed legislation.

I hope that reason will prevail and that people, even if they have some amendments, will come to the floor, as I said earlier, and offer them. Let's debate them, and let's get to regular order, up or down. That is what it is about. But I think the essentials of this bill are solid and good. We have gone into this, and we will go into it more and more. We want the process to work, but the process is not going to work if we don't get the bill up so we can go to the regular order.

So I hope tonight that things will work out and we will get going. This is important legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I came to the floor to speak on an entirely different issue, but before I do that, I would like to commend Appropriations Chair MIKULSKI—and I do like saying that, Appropriations Chair MIKULSKI—and Ranking Member SHELBY



for all of the work they and their staffs and the other Senators on the Appropriations Committee have done to try to put together a continuing resolution that is going to keep this government open.

I share the frustration and the concern we have heard expressed on the floor tonight about the hold-up when we thought there was agreement to get this done.

So I appreciate all the work that has been done, and hopefully we can get past this and get this bill done.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. The Senator from New Hampshire is a member of the Appropriations Committee; is that correct?

Mrs. SHAHEEN. That is correct.

Ms. MIKULSKI. Is this her first year on the committee?

Mrs. SHAHEEN. It is.

Ms. MIKULSKI. Does the Senator from New Hampshire know what regular order is? This is not a quiz.

Mrs. SHAHEEN. I was hoping to learn that this session because unfortunately we have not had a lot of regular order in terms of moving appropriations bills and the budget through the Senate. As I talk to my constituents, they really want to see us do that. They want to see us work together to move the agenda forward for this country, just as the chairwoman and Senator SHELBY have done in the last week.

Ms. MIKULSKI. The Senator is exactly right. What we are trying to do is to run a rescue operation to keep the continuing funding going on—really, the President will submit his budget next week, and the Budget Committee will be off and running. We will actually hold hearings on every subcommittee, and it will be an open and transparent process. Members will be able to participate, and we will return to that bill by bill. When you are dealing with a bill that has all 12 subcommittees in it and it is \$1 trillion, they think, wow. But we are going to do that regular order.

I thank the Senator. I am so happy she is on the committee. I look forward to showing her what regular order is.

I know the Senator is going to stand up, as she has done on so many occasions, to champion the cause of women; is that correct?

Mrs. SHAHEEN. That is correct. And I appreciate the leadership the Senator has shown.

Ms. MIKULSKI. Well, in the dignified way of the Senate and the way we talk, go for it.

#### INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN. Madam President, the world came together once again last week to celebrate International Women's Day. Today I want to belat-

edly commemorate that special day here on the floor of the Senate and welcome the passage of this year's International Women's Day resolution, which I am proud to say that I cosponsored on a bipartisan basis with my colleague Senator COLLINS, and we had 14 other cosponsors on that resolution.

International Women's Day is observed all over the world. It honors the economic, political, and social achievements of women past, present, and future. It also highlights just how far women around the world still have to go and the many barriers and closed doors they continue to face in the fight for equal rights and opportunities.

I want to recognize and celebrate this year's nine recipients of the 2013 State Department International Women of Courage Awards. This prestigious annual award recognizes women who have shown exceptional leadership in advocating for women's rights and empowerment around the globe, often at great risk to their own well-being.

One of those recipients I want to talk about is Razan Zeitunah. She is a human rights lawyer in Syria, and she has made it her mission to track the ongoing atrocities that have been committed by the Assad regime. Mrs. Zeitunah was forced into hiding after the government accused her of being a foreign agent when she began reporting on these atrocities. Despite living in fear for her life, with her husband in prison, Mrs. Zeitunah continues to risk so much to make sure the world knows all about Assad's brutal crackdown on the people of Syria.

She is one of nine remarkable women who are being honored by the State Department this year, each with an equally inspirational story to tell.

I ask unanimous consent to have printed in the RECORD the names of all nine honorees.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Malalai Bahaduri  
Tsering Wooser  
Julieta Castellanos  
Nirbhaya "Fearless"  
Dr. Josephine Obiajulu Odumakin  
Elena Milashina  
Fartuun Adan  
Razan Zeitunah  
Ta Phong Tan

Mrs. SHAHEEN. While I am very pleased that the Senate was able to take up and pass the International Women's Day resolution last night, I am also extremely disappointed that this bipartisan resolution was objected to at the eleventh hour over a clause that addressed the impact of our changing climate on women in developing nations, and I just want to read that clause.

Whereas, according to the International Union for Conservation of Nature, women in developing countries are disproportionately affected by changes in climate because of their need to secure water, food, and fuel for their livelihood.

That was the extent of the clause that was objected to. Unfortunately, this clause from the resolution was blocked by a Member of the Senate on the other side of the aisle. It was a clause that was included in the 2011 resolution that unanimously passed in the Senate.

Just this past weekend, Navy Admiral Locklear, the commander of the U.S. Pacific Command, was asked during a 2-day trip to New England what was the biggest long-term security threat facing the Pacific region. His answer was very clear: climate change—this from an admiral who is dealing with a bellicose North Korea and escalating conflict between Japan and China in the East China Sea. His answer to what is the biggest threat to America is climate change. Yet we have one of our colleagues on the other side of the aisle who objected to a clause that points out what is very clear in data around the world, and that is the impact changes in our climate are having on women who are so often the food gatherers for their families.

This issue of climate change is not going away anytime soon. We can deny that it exists, but it exists. The data is clear, and I believe we need to come together to address this serious concern to help other countries find ways of mitigating the harmful effects of climate change.

Just as climate change deserves attention, we also need to continue our effort to promote equal rights and equal opportunities for women everywhere. We know that all of society benefits when women are more fully integrated into their communities and countries, and we need to remain focused on this effort. That is why International Women's Day is so important, and that is why passing a resolution to talk about that in this body is so important.

I am sorry we couldn't agree on everything, but I do think it is important for us to recognize International Women's Day and also to point out areas of disagreement that clearly are going to remain at the forefront in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### CONTINUING APPROPRIATIONS

Mr. COBURN. Madam President, I was sitting in my office listening to Senator REID, meeting with my staff on the bill we have on the floor, and I wanted to explain to the American people what this bill is.

This bill was published last night at 9:00. We got it at about 9:45. It spends well over \$1 trillion. And I agree with the majority leader, it is important that we pass this bill, but knowing what is in it before you can decide where you would like to try to amend

it is asking something of Senators that they can't give.

So I understand the majority leader's frustration, but I would also make a couple points.

In this bill is \$8 billion taken out of the victims' compensation fund. That is not tax money. That is money which criminals have paid into a fund to give restitution to children and women around this country for the harm that has occurred from the crime that has been committed upon them, and we are stealing \$8 billion from that fund. In this bill, we are taking it away—not tax dollars but fines and penalties—and we are going to spend it somewhere else. You talk about being for women and children? This bill is exactly the opposite of that. Money that is due them we are not going to let them have. We are going to go spend it somewhere else.

So knowing those things are in the bill is one of the reasons we ought to read the bill before we can know whether we are going to offer amendments on it.

I would also make one final point. The vast majority of this bill passed the Appropriations Committee in the Senate last spring and early summer. There is not one of the things that are in this bill that the Appropriations Committee hadn't already done, and we had a deliberate choice to not put these bills on the floor last time. So if we are in a snit over the problems we are having, it is because the bills didn't come in regular order to the floor of the Senate so there could have been a conference.

By the way, the House passed 12 of the 13. Our committees worked 12 of the 13 out. So they came out in regular process. They were not allowed to come to the floor.

We have just about finished studying the bill. We have no problems moving on the bill and giving consent to move on the bill once we have looked at the bill. But for the majority leader to say that Members of the Senate can't have amendments after having their staff work since 9:45 last night to look at the bill and attempt to make amendments to the bill, that doesn't fit on a trillion-dollar bill. And when the American people find out what is in this bill that should not be in it, and the options that we can offer of what should be in it, I think they are going to agree that maybe we ought to make some changes.

I understand the frustration of the majority leader, but I also understand our rights. This is not about filibustering anything. This is about being an informed Senator who knows what you are doing and knows how to make a decision about how to amend the bill. We can call it something other than that, but it is not. It is about doing our job. The fact is, we got this last night.

What I would say to everybody who was fine with us going on it without

having read it, I would say there is a problem with their position in the Senate in terms of their oath to do what they were sent here to do, which is to read what you are voting on, know what you are voting, and prepare amendments to what you are voting on.

We have this outburst at 16 hours after we got an almost 600-page bill? That doesn't fit with any common sense. We have instructed our side we are willing to go ahead and allow this to move forward but in a process that recognizes that this bill is not perfect, just as both the chairman of the Appropriations Committee and the ranking member said. We do not have any problems with it moving forward. We do have problems spending money we don't have on things we don't need, and we ought to be able to offer amendments that would highlight that whether the body agrees with it or not—that would highlight it so the American people can see it. We may not be allowed, based on what the majority leader said, to offer any amendments. He is the majority leader. But if that is the case, we are probably going to be here all through the weekend because that is a right each Senator has and they ought to be able to offer them—especially on a \$1 trillion appropriations bill.

I hope Senator REID has a good night's sleep. I will try to call him in the morning and work out an accommodation that will allow this bill to move so we do not have to be here on the weekend. I don't want to be here this weekend, but I will if it is the right thing to get the point out and let American people know.

Right now we are having no tours of the White House. I can show you hundreds and hundreds of thousands of dollars that are under the control of the executive that they could save that are a whole lot less important than tours of the White House. The same goes for us in the operation of our House, in terms of the Senate and the House.

I am sorry I irritated Senator REID. I am sorry he is upset with me, but I am going to do my job. I have been here, I am in my ninth year, and I have always kept my obligation to the people of this country to make sure I am thinking about the long term, I am thinking about priority on how we spend money and the best way, the right way, and offering amendments, whether they pass or not, offering those ideas. That is because that is not only my privilege but it is my obligation.

With that I yield the floor.

#### REMEMBERING YVONNE RICE

Mr. DURBIN. Madam President, I rise with sadness today to pay my respects and pay tribute to a dedicated public servant and a close friend whom I have known for decades.

For 12 years, when Illinoisans walked into Senator Alan Dixon's office—and then later into Senator Paul Simon's office—there was a pretty good chance that they would be greeted by the friendly, warm smile of Yvonne Rice.

She would work with them to solve whatever problems they may have had or to make sure they got the help they needed.

Thanks to her efforts, more often than not those Illinoisans walked away happy—and with one less thing to worry about.

But her service to her community wasn't limited by the walls of a Senate office. She worked in the Illinois State government for many years before joining the Dixon team and then working with Senator Simon.

She also broke new ground when she became the first African-American nominated by a major party for county-wide office in Sangamon County—the capital county of my home State.

Yvonne truly was a remarkable, wonderful, and spirited woman.

She will be dearly missed by her children, stepchildren, grandkids, great-grandkids and all of those—including my wife Loretta and myself—who were fortunate enough to know her.

#### RECOGNIZING DR. HANNAH GAY

Mr. COCHRAN. Madam President, today I rise to recognize the work of Dr. Hannah Gay, a pediatric infectious disease specialist at the University of Mississippi Medical Center's Blair E. Batson Hospital for Children in Jackson, MS. On March 3, the news broke that one of Dr. Gay's patients, a baby born with the human immunodeficiency virus, or HIV, had been "functionally cured" of the infection. Now 2½ years old, this child is only the second person in history to be cured of the virus. The infant was born to her HIV-infected mother at a rural Mississippi hospital and then transported to the University of Mississippi Medical Center, where she came under the care of Dr. Gay. Only 30 hours after the baby was born, Dr. Gay began an immediate and aggressive approach to treatment that seems to have made all the difference in this child's life.

News of Dr. Gay's work and this baby's apparent cure has been celebrated around the world. This development opens a significant door to advance research and treatment for HIV and AIDS, the acquired immune deficiency syndrome. Millions of children around the globe have been infected at or during birth, and it is my hope that the spread of HIV among newborns will begin to slow and eventually stop with what has taken place in Mississippi what one doctor at Johns Hopkins University Medical School called a "game-changer."

I share the pride of all Mississippians in Dr. Gay, a native of Jackson, for her



achievement and her dedication to our State. She not only teaches and practices at the University of Mississippi Medical Center, but received her training there. As a mostly rural State, Mississippi faces many health care challenges, and our homegrown health care providers give us the best chance of finding solutions so that Mississippians can live healthy lives. Dr. Gay's work at the University of Mississippi Medical Center is addressing critical needs in our State with the potential to impact other countries and regions that struggle with the scourge of HIV.

Congratulations, again, to Dr. Gay and her colleagues. Thanks to them, one child has the opportunity to lead a normal, healthy life, and we may be one step closer to ending the global HIV/AIDS epidemic. I wish all the best to researchers at the National Institutes of Health and other institutions as they explore the potential for Dr. Gay's method of treatment. I ask unanimous consent to have printed in the RECORD the Clarion Ledger article from March 7, 2013, titled: "Congratulations in order for Dr. Hannah Gay, UMC."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRATULATIONS IN ORDER FOR DR. HANNAH GAY, UMC

[From ClarionLedger.com, Mar. 7, 2013]

Yes, great things do happen in Mississippi. That's something we've known all along. But the rest of the world seems to see us sometimes as a caricature of the lists we make—high in obesity, low in education and income.

But recent news that a baby born with HIV was likely cured at the University of Mississippi Medical Center by pediatrician Dr. Hannah Gay is something so powerful that the rest of the world could not help but notice.

Globally, it is arguably one of the most important stories to come along in years for the health community—real hope that HIV, the virus that causes AIDS, can be cured. That's why when the case was presented at the 20th Conference on Retroviruses and Opportunistic Infections in Atlanta last Sunday, the story made headlines in newspapers throughout the world.

The story is: A baby was born to an HIV-positive mother at a rural hospital who was then transported to Jackson's UMC. At 30 hours old, the baby tested HIV positive and Dr. Gay, a pediatric HIV specialist at the hospital, put the baby on an intensive drug therapy that continued until the child was 18 months of age. Tests along the way showed a progressively lower viral presence in the infant's blood until it reached undetectable levels at 29 days of age. The child, a little girl, is now 2½ years old. She is healthy, with a normal immune system—meaning she is considered HIV free.

The child is only the second person in history according to health experts to have been cured of the HIV virus. It is also de-

scribed as the first "functional cure" of an HIV-infected infant, which could lead to eliminating HIV in children throughout the world altogether.

And, it happened right here in Mississippi. It's not that we are surprised. UMC and its staff, comprising more than 9,000 full and part-time employees, have long been known for excellence. It is Mississippi's only academic health science center, which strives to educate tomorrow's health care professionals and eliminate differences in health status of Mississippians based on race, geography, income or social status.

The stories of success over the years are too many to list here. But it's important at this critical moment, as UMC and Dr. Gay stand at the center of the world health stage for work that could ultimately change the fortunes for so many around the world, that we celebrate this accomplishment.

We congratulate UMC, Dr. Gay and the thousands of others who work for and with Mississippi's outstanding health facility. If there was any doubt before, the world certainly knows now—we do great things in Mississippi.

#### BUDGETARY REVISIONS

Mrs. MURRAY. Madam President, committee allocations and budgetary aggregates were previously filed pursuant to section 106 of the Budget Control Act of 2011. On December 18, 2012, those levels were revised pursuant to the Budget Control Act. Today, I am further adjusting those levels, specifically the allocation to the Committee on Appropriations for fiscal year 2013 and the budgetary aggregates for fiscal year 2013.

Section 101 of the Budget Control Act allows for various adjustments to the statutory limits on discretionary spending, while section 106(d) allows the Chairman of the Budget Committee to make revisions to allocations, aggregates, and levels consistent with those adjustments. This adjustment accounts for changes resulting from the following bills:

One, the American Taxpayer Relief Act (ATRA, P.L. 112-240).

Two, the Disaster Relief Appropriations Act of 2013 (P.L. 112-77).

Three, the Senate substitute amendment to the Continuing Resolution (H.R. 933).

ATRA reduced the overall discretionary spending level by \$4 billion and redefined the firewalls. The supporting tables reflect totals that correspond to the revised security/nonsecurity definition included in ATRA. As such, I am reducing the security budget authority allocation by \$2 billion, the nonsecurity budget authority by \$2 billion, and the total outlays by \$2.315.

The Disaster Relief Appropriations Act and the Senate amendment to the Continuing Resolution are eligible for

adjustments under the Budget Control Act.

The Disaster Relief Appropriations Act includes \$5.379 billion in budget authority that is designated as disaster relief and \$41.669 billion that is designated as an emergency. That funding is estimated to result in \$3.257 billion in outlays in 2013. The adjustment filed on December 18, 2012 included revisions related to the Disaster Relief Appropriations Act. Removing the adjustment for the Senate bill and including the enacted bill nets to a reduction of \$8.909 billion in budget authority designated as an emergency, a reduction of \$6.309 billion in outlays designated as an emergency, and an increase of \$592 million in outlays designated as disaster relief. Furthermore, the Disaster Relief Act includes \$3.459 in budget authority and \$344 million in outlays as nonemergency and non-disaster funding, which is not eligible for an adjustment.

The Senate amendment to the Continuing Resolution includes \$98.683 billion in budget authority designated as Overseas Contingency Operations (OCO), \$11.779 billion in budget authority for disaster relief, \$483 million in budget authority for program integrity, and \$41.669 billion for emergencies. This is estimated to result in \$55.766 billion in outlays in 2013.

Consequently, I am revising the budgetary aggregates for 2013 by a total of -\$9.883 billion in budget authority and -\$8.603 billion in outlays. I am also revising the budget authority and outlay allocations to the appropriations committee by -\$3.504 billion in security budget authority, -\$6.381 billion in nonsecurity budget authority, and -\$8.605 billion in total outlays, pursuant to the new security/nonsecurity definition included in ATRA.

I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### BUDGETARY AGGREGATES

(Pursuant to section 106(b)(2)(C) of the Budget Control Act of 2011 and section 311 of the Congressional Budget Act of 1974)

\$s in millions	2012	2013
Current Spending Aggregates:		
Budget Authority .....	3,075,731	2,986,115
Outlays .....	3,123,589	3,006,559
Adjustments:*		
Budget Authority .....	0	-9,883
Outlays .....	0	-8,603
Revised Spending Aggregates:		
Budget Authority .....	3,075,731	2,976,232
Outlays .....	3,123,589	2,997,956

\* Excludes \$2 million in off-budget Social Security funds.

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS  
(Pursuant to section 106 of the Budget Control Act of 2011 and section 302 of the Congressional Budget Act of 1974)

In millions of dollars	Previous Allocation/Limit Under Old Definition	Previous Allocation/Limit Under New Definition	Adjustment	Revised Allocation/Limit Under New Definition
Fiscal Year 2012:				
Security Discretionary Budget Authority .....	816,943	0	0	816,943
Nonsecurity Discretionary Budget Authority .....	363,536	0	0	363,536
General Purpose Discretionary Outlays .....	1,320,414	0	0	1,320,414
Fiscal Year 2013:				
Security Discretionary Budget Authority .....	639,663	805,008	-3,504	801,504
Nonsecurity Discretionary Budget Authority .....	565,836	400,491	-6,381	394,110
General Purpose Discretionary Outlays .....	1,284,553	1,284,553	-8,605	1,275,948

\* The American Taxpayer Relief Act redefined the discretionary firewalls for fiscal year 2013. Security now includes the Departments of Defense, Homeland Security, and Veterans Affairs, all of budget function 150 (international), the National Nuclear Security Administration, and the Intelligence Community Management Account. Nonsecurity includes all other funding.

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2013 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS  
(Pursuant to Section 106 of the Budget Control Act of 2011)

\$s in billions	Program Integrity	Disaster Relief	Emergency	Overseas Contingency Operations	Other	Total
American Taxpayer Relief Act Cap Adjustment (P.L. 112-240)*:						
Budget Authority .....	0.000	0.000	0.000	0.000	-4.000	-4.000
Outlays .....	0.000	0.000	0.000	0.000	-2.315	-2.315
Disaster Relief Appropriations Act, 2013 (P.L. 112-77)**:						
Budget Authority .....	0.000	0.000	-8.909	0.000	0.000	-8.909
Outlays .....	0.000	0.595	-6.312	0.000	0.000	-5.717
Senate Amendment to the Continuing Resolution (H.R. 933):						
Budget Authority .....	-0.567	0.752	0.000	2.839	0.000	3.024
Outlays .....	-0.477	-0.083	0.000	-0.013	0.000	-0.573
Total						
Budget Authority .....	-0.567	0.752	-8.909	2.839	-4.000	-9.885
Outlays .....	-0.477	0.512	-6.312	-0.013	-2.315	-8.605
Memorandum 1: Breakdown of Above Adjustments by Newly Revised Categories (Pursuant to ATRA):						
Security Budget Authority .....	0.000	0.919	-5.262	2.839	-2.000	-3.504
Nonsecurity Budget Authority .....	-0.567	-0.167	-3.647	0.000	-2.000	-6.381
General Purpose Outlays .....	-0.477	0.512	-6.312	-0.013	-2.315	-8.605
Memorandum 2: Cumulative Adjustments for FY 2013 (Includes Previously Filed Adjustments):						
Budget Authority .....	0.483	11.779	41.669	98.683	-4.000	148.614
Outlays .....	0.430	1.453	2.124	51.759	-2.315	53.451
Memorandum 3: Cumulative Adjustments for FY 2013 by Newly Revised Categories (Includes Previously Filed Adjustments):						
Security Budget Authority .....	0.000	11.612	7.042	98.683	-2.000	115.337
Nonsecurity Budget Authority .....	0.483	0.167	34.627	0.000	-2.000	33.277
General Purpose Outlays .....	0.430	1.453	2.124	51.759	-2.315	53.451

\* The American Taxpayer Relief Act (ATRA), signed January 2, 2013, revised the discretionary firewalls from defense (budget function 050)/Nondefense (all other budget functions) to Security/Nonsecurity and reduced the overall discretionary funding level by \$4 billion. The Security category for 2013 includes the Departments of Defense, Homeland Security, and Veterans, all of budget function 150 (international), National Nuclear Security Administration and the Intelligence Community Management Account.

\*\* These totals reflect the difference between the Senate-passed Supplemental (which was included in the previous adjustment) and the enacted supplemental. The Disaster Relief Appropriations Act includes \$3.459 billion in non-emergency and non disaster spending for Corps of Engineers projects.

USS “THRESHER” 50TH  
ANNIVERSARY

Ms. COLLINS. Madam President, on April 10, 1963, the submarine USS *Thresher* sank off the New England coast. The loss of 129 officers, sailors, and civilian technicians was a tragedy for the Navy, our Nation, and especially for the families of that gallant crew.

The USS *Thresher* was built in Kittery, ME, at the Portsmouth Naval Shipyard. Each year, the people of Kittery and neighboring communities in Maine and New Hampshire gather on the anniversary of the loss of the *Thresher* to pay their solemn respects to those who made the ultimate sacrifice in defense of our Nation.

This year is the 50th anniversary of that tragedy. On April 10, 2013, the USS *Thresher* Memorial will be dedicated. Located at Kittery Memorial Circle, this tribute features a flagpole rising from a black granite base. The height of the flagpole—129 feet—is a powerful reminder of those who perished.

The memorial is made possible by contributions from throughout the region—from schoolchildren and civic organizations to such U.S. Navy veterans as President George H.W. Bush. The depth of support for this inspiring

project demonstrates the gratitude the American people have for all who serve.

The USS *Thresher* was the first of a new class of submarines for the Navy that was designed to be the world’s most modern, quiet, deep-diving fast-attack submarines. It was during deep-diving trials some 200 miles east of Cape Cod when a crucial system failed.

The loss of life on the USS *Thresher* was the worst submarine disaster in American history. Among the 129 lost were a veteran submariner whose service began during World War II and extended into the Cold War, 2 brothers, and a young husband who had just learned he was to become a father. Each of the 129 men left behind a grieving family and a hometown in sorrow.

They did not die in vain. The *Thresher* disaster directly led to the SUBSAFE program that ensures every submarine in America’s fleet undergoes rigorous testing to safeguard our submariners. Every safe voyage and every crisis survived since that terrible time is the legacy of the USS *Thresher*.

The courage and sacrifice of those aboard the USS *Thresher* exemplify the devotion of all submariners, past and present, and their commitment to the mission. The “silent service” is a crit-

ical component of America’s defenses, and those who step forward to serve willingly take on one of the most challenging assignments in our armed forces. The USS *Thresher* Memorial in Kittery, ME, ensures that we will never forget those who are on eternal patrol.

REMEMBERING LEO SANCHEZ

Mr. BARRASSO. Madam President, on Sunday, March 10, 2013, Wyoming lost a beloved veteran and citizen, Leo Sanchez. I would like to tell my colleagues about this patriot.

There is a Marine Corps saying, “Marines never die; they regroup at the pearly gates and wait for Saint Peter to issue them orders.” Those who knew Leo are certain he is running through a list with Saint Peter regarding his ideas to improve heaven.

Leo served our great Nation first in the Army National Guard and then in the Marine Corps. He fought in Korea. Following his service, he came home to Wyoming and had a successful career as an educator. His desire to serve his community did not end in the classroom; Leo became an involved member of every veteran organization. His priority was helping fellow veterans from

every branch and period, at every opportunity.

It is impossible to measure the loss of a man like Leo Sanchez. His absence will be felt by Wyoming for generations. Leo was one of my State's great treasures. He always gave more than he himself required. I could always count on seeing Leo in uniform beaming with pride and celebrating fellow veterans and our Nation's patriotic events.

Leo was not only a veteran but a beloved teacher. Leo's legacy is in the children of Wyoming, those whom he taught and inspired. Leo recognized a secret that very few embrace: regardless of the conditions of the day, America will always remain great as long as her children understand patriotism and choose to live their lives to those patriotic standards. Leo wholeheartedly believed that there is always hope as long as the next generation values the cost and necessary sacrifice that accompany freedom.

Regardless of an individual's race, creed, or handicap, Leo found a way for every man, woman and child to participate in what it means to be an American. He appreciated that what makes the United States great isn't the flag on a flagpole but rather the hands that hold the flagpole. Leo instilled in everyone the importance of service, sacrifice, duty and love of country through his every action.

Semper Fidelis, Leo Sanchez, you will be missed.

#### RECOGNIZING RxIMPACT DAY

Mr. TESTER. Madam President, as the cochair of the Senate Community Pharmacy Caucus, I rise to recognize the fifth annual NACDS RxIMPACT Day on Capitol Hill. This is a special day where we recognize pharmacy's contribution to the American healthcare system. This year's event, organized by the National Association of Chain Drug Stores, takes place on March 13–14. Hundreds from the pharmacy community—including practicing pharmacists, pharmacy school faculty and students, State pharmacy leaders and pharmacy company executives—will visit Capitol Hill. They will share their views with Congress about the importance of supporting legislation that protects access to community and neighborhood pharmacies and that utilizes pharmacists to improve the quality and reduce the costs of providing health care.

Advocates from 37 States have travelled to Washington to talk about their contributions in over 50,000 community pharmacies nationwide. These important health care providers are here to urge Congress to recognize the value of pharmacists and protect access to these medication experts as a part of our health care delivery system. And just as these providers travelled to

meet with us, over 100 Members of Congress have toured a local pharmacy over the past 5 years.

Patients have always relied on their local pharmacist to meet their health care needs. The local pharmacist is a trusted, highly accessible health care provider deeply committed to providing accurate prescriptions, catching possible drug interactions and helping patients take medications as prescribed.

As demand for health care services continues to grow, pharmacists have expanded their role in health care delivery, partnering with physicians, nurses and other health care providers to meet their patients' needs. Innovative services provided by pharmacists do even more to improve patient health care. Pharmacists are highly valued by those that rely on them most—those in rural and underserved areas, as well as older Americans, and those struggling to manage chronic diseases. Pharmacy services improve patients' quality of life and health care affordability. By helping patients take their medications effectively and providing preventive services, pharmacists help avoid more costly forms of care later. Pharmacists also help patients identify strategies to save money, such as understanding their pharmacy benefits, using generic drugs and obtaining 90-day supplies of prescription drugs from local pharmacies. The importance of medication adherence and the effectiveness of local pharmacists in delivering patient care is resonating with policymakers.

Pharmacists are the Nation's most accessible healthcare providers. In many communities, especially in rural areas, the local pharmacist is a patient's most direct link to health care. Eighty-six percent of rural Americans reside within a 10-mile radius of a sole community pharmacy. Usually these pharmacists are substantially closer than their physicians. Pharmacists are one of the most trusted professionals. Pharmacy has a long history of receiving, filling, billing and dispensing prescriptions in tandem with patient counseling. Utilizing their specialized education, pharmacists also play a major role in medication therapy management, disease-state management, immunizations, health care screenings, and other health care services designed to improve patient health and reduce overall health care costs.

As the face of neighborhood health care, pharmacies across the Nation offer these and other cost saving programs and services to patients. For more than a century, pharmacies and pharmacists have made a difference in the lives of Montanans and all Americans through these important patient care services, and it is critical we work to support their unique contributions.

As we refine health care reform and seek new strategies to improve health

and reduce costs, pharmacists will play a critical role. They help patients adhere to their medications and that improves health outcomes and reduces the risks of adverse events and unnecessary costly hospital readmissions and emergency room visits. Pharmacists as providers with a comprehensive understanding of a patient's medical needs, are uniquely qualified to work with patients to help manage all of their medications and play an essential role in helping them take their medications as prescribed. Unfortunately, only one half of Americans living with chronic diseases adhere to their drug regimens. This patient non-adherence costs the Nation's economy an estimated \$290 billion each year, not to mention the avoidable loss of quality of life for patients and their loved ones. Congress recognized the important role of local pharmacists when it included a Medication Therapy Management, MTM, benefit in Medicare Part D. As we have seen the increasing value of this benefit in improving patient health outcomes, I support community pharmacy's efforts to strengthen the MTM benefit so it is available for seniors and others struggling with chronic conditions and other illnesses.

Today, I celebrate the value of pharmacy and support efforts to protect access to neighborhood pharmacies and utilize pharmacies to improve the quality and reduce the costs of health care. In recognition of the fifth annual NACDS RxIMPACT Day on Capitol Hill, I would like to congratulate pharmacy leaders, pharmacists, students, and executives and the pharmacy community represented by the National Association of Chain Drug Stores for their contributions to the good health of the American people.

#### ADDITIONAL STATEMENTS

##### THIBODAUX, LOUISIANA

• Mr. VITTER. Madam President, today I recognize the City of Thibodaux. This month, Thibodaux, LA, celebrates its 175th anniversary. First named Thibodauxville to honor Henry Schuyler Thibodaux, the city was both a trading post between New Orleans and Bayou Teche in the late 1700s and also a popular settling place for Acadians, Africans, Italians, and Spaniards coming to Louisiana during that time. However, it wasn't until 1838 that Thibodaux became the official name. In fact, city resident and Louisiana Governor E.D. White, Sr., commissioned the name change.

Thibodaux is also where the Battle of Georgia Landing was fought during the Civil War, and the Battle of Lafourche Crossing happened a few miles east. Affectionately known as the Queen City of Bayou Lafourche, Thibodaux's history can be seen in places such as the

Laurel Valley Village, home of the oldest working sugar cane plantation in the United States, and the home of Governor E.D. White. Both are listed on the National Register of Historic Places.

Along with Governor White, Governor Francis T. Nicholls also was a native of Thibodaux, and Nicholls State University is named in his honor. Governor White's son, E.D. White, Jr., served as U.S. Senator from 1891 to 1894. Later, he was an associate justice and chief justice of the United States Supreme Court from 1894 until his passing in 1921. A statue of Chief Justice White stands in our U.S. Capitol commemorating his service to Louisiana and the Nation. These are just a few of the historically significant residents of Thibodaux.

The City of Thibodaux, its people, and Cajun heritage are at the heart of the culture and traditions that have made Louisiana great. Louisiana and the City of Thibodaux's history are represented through our culture, our traditions, and especially our food. They all symbolize who we are and the devotion we have to preserving our heritage.

Thibodaux's motto is "Where Yesterday Welcomes Tomorrow," and it is my honor to celebrate the City of Thibodaux's 175th anniversary while looking forward to its bright future.●

#### REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN THAT WAS DECLARED IN EXECUTIVE ORDER 12957 ON MARCH 15, 1995—PM 5

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2013.

The crisis between the United States and Iran resulting from the actions and policies of the Government of Iran has not been resolved. The actions and policies of the Government of Iran are

contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and to maintain in force comprehensive sanctions against Iran to deal with this threat.

BARACK OBAMA.

THE WHITE HOUSE, March 12, 2013.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-774. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Amendments to the HHS Notice of Benefit and Payment Parameters for 2014" (RIN0938-AR74) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC-775. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Extension of the Payment Adjustment for Low-volume Hospitals and the Medicare-dependent Hospital (MDH) Program Under the Hospital Inpatient Prospective Payment Systems (IPPS) for Acute Care Hospitals for Fiscal Year 2013" (RIN0938-AR12) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Finance.

EC-776. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2014" (RIN0938-AR51) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC-777. A communication from the Administrator, U.S. Agency for International Development, transmitting, pursuant to law, the fiscal year 2012 Agency Financial Report; to the Committee on Foreign Relations.

EC-778. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a certification regarding the Essential Health Benefits (EHB) requirements of the Affordable Care Act; to the Committee on Health, Education, Labor, and Pensions.

EC-779. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review" (RIN0938-AR40) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-780. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review" (RIN0938-AR40) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-781. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Standards Related to Essential Health Benefits, Actuarial Value, and Accreditation" (RIN0938-AR03) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-782. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-783. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Additional Safeguards for Children in Clinical Investigations of Food and Drug Administration-Regulated Products" ((RIN0910-AG71) (Docket No. FDA-2011-N-0009)) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-784. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Filings Required of Multiple Employer Welfare Arrangements and Certain Other Related Entities" (RIN1210-AB51) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-785. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Ex Parte Cease and Desist and Summary Seizure Orders—Multiple Employer Welfare Arrangements" (RIN1210-AB48) received in the Office of the President of the Senate on March 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-786. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, a report entitled "Learning from Iraq"; to the Committee on Homeland Security and Governmental Affairs.

EC-787. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of Data Mining Activities by the Department of State; to the Committee on the Judiciary.

EC-788. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to compliance by the

United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions; to the Committee on the Judiciary.

EC-789. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Standards of Identity for Distilled Spirits" (RIN1513-AB33) received in the Office of the President of the Senate on March 7, 2013; to the Committee on the Judiciary.

EC-790. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department of Justice's Office of Justice Programs Annual Report to Congress for fiscal year 2011; to the Committee on the Judiciary.

EC-791. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 17 to the Salmon Fishery Management Plan" (RIN0648-BC28) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-792. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC493) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-793. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC465) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-794. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC466) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-795. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase" (RIN0648-XC474) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 146. A bill to enhance the safety of America's schools.

S. 374. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Mr. BARASSO, Mr. ROBERTS, and Mr. ISAKSON):

S. 523. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 524. A bill to amend the National Trails System Act to provide for the study of the Pike National Historic Trail; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 525. A bill proposing an amendment to the Constitution of the United States to restore the rights of the American people that were taken away by the Supreme Court's decision in the Citizens United case and related decisions, to protect the integrity of our elections, and to limit the corrosive influence of money in our democratic process; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 526. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. WARREN, and Mr. COWAN):

S. 527. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents; to the Committee on the Judiciary.

By Mrs. HAGAN (for herself and Mr. HARKIN):

S. 528. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself, Mrs. HAGAN, Mr. NELSON, and Mr. RUBIO):

S. 529. A bill to amend title 38, United States Code, to modify the commencement date of the period of service at Camp Lejeune, North Carolina, for eligibility for hospital care and medical services in connection with exposure to contaminated water, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself, Mr. McCONNELL, Mr. VITTER, and Mr. JOHANNES):

S. 530. A bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself and Mr. WICKER):

S. 531. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity guidelines for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. TESTER):

S. 532. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on Rules and Administration.

By Mrs. HAGAN:

S. 533. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself, Mr. JOHANNES, Mr. BENNET, Mr. CRAPO, Mr. MURPHY, Mr. CHAMBLISS, Mr. WARNER, Ms. HEITKAMP, Mr. WICKER, Mr. CARPER, Mr. MORAN, Mr. MENENDEZ, Mr. NELSON, and Mr. HELLER):

S. 534. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. RISCH, Mr. ENZI, Mr. JOHNSON of Wisconsin, Mrs. FISCHER, Mr. VITTER, Mr. PAUL, and Mr. SCOTT):

S. 535. A bill to require a study and report by the Small Business Administration regarding the costs to small business concerns of Federal regulations; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO:

S. 536. A bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 537. A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. MCCASKILL:

S. 538. A bill to amend title 10, United States Code, to modify the authorities and responsibilities of convening authorities in taking actions on the findings and sentences of courts-martial; to the Committee on Armed Services.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Ms. KLOBUCHAR, and Mrs. HAGAN):

S. 539. A bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 540. A bill to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center"; to the Committee on Commerce, Science, and Transportation.

By Ms. LANDRIEU (for herself and Mr. GRAHAM):

S. 541. A bill to prevent human health threats posed by the consumption of equines raised in the United States; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KIRK (for himself and Mr. DURBIN):

S. Res. 75. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 54

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 146

At the request of Mrs. BOXER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 177

At the request of Mr. CRUZ, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 185

At the request of Ms. AYOTTE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 185, a bill to eliminate the automatic inflation increases for discretionary programs built into the baseline projections and require budget estimates to be compared with the prior year's level.

S. 193

At the request of Mr. COONS, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 193, a bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes.

S. 210

At the request of Mr. HELLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 226

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 290

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 290, a bill to reduce housing-related health hazards, and for other purposes.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Delaware (Mr. COONS), the Senator from North Carolina (Mrs. HAGAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from California (Mrs. BOXER), the Senator from Mississippi (Mr. WICKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 323

At the request of Mr. DURBIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 338

At the request of Mr. BAUCUS, the names of the Senator from Maine (Mr. KING) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land

and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 382

At the request of Mr. SCHUMER, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Idaho (Mr. RISC) were added as cosponsors of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 407

At the request of Mr. CASEY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 407, a bill to provide funding for construction and major rehabilitation for projects located on inland and intra-coastal waterways of the United States, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 461

At the request of Ms. HIRONO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 461, a bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas and for other purposes.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 464

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 470

At the request of Mr. McCONNELL, his name was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

At the request of Mr. TESTER, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 470, *supra*.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Utah (Mr. LEE), the Senator from California (Mrs. FEINSTEIN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 526. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, I rise today to introduce the Rural Heritage Conservation Extension Act of 2013.

As we continue to find ways to tackle the important issues of this nation's long-term future, we begin this new congress with an opportunity to take responsibility. This includes the ways we look to safeguard our land. Today, I am introducing the Rural Heritage Conservation Extension Act as part of our collective mission to ensure a prosperous nation for future generations.

We all know our land has a deeper worth than the goods we have cultivated or extracted from beneath the earth. It is our heritage. And when a piece of our heritage is lost, we do not simply lose its future value in dollars. We also lose the wildlife habitat and the open areas that may be enjoyed by people from around the world, on top of the very personal value it has held for generations of landowners. It is our job in government, as stewards of the land, to safeguard this precious gift for our grandchildren and to provide support to the farmers, ranchers and other hard-working landowners who rely on it to make a living.

For this reason we have decided to provide targeted income tax relief to small farmers and ranchers who donate their land under a qualified conservation easement. The provision increases the deduction amount eligible farmers

and ranchers may receive for charitable contributions of qualified conservation easements by raising the adjusted gross income limitation from 50 percent to 100 percent and extending the carryover period from 5 years to 15 years. For all other landowners, the AGI limitation was raised from 30 percent to 50 percent. This provision was included in the fiscal cliff package and will expire at the end of this year. The bill before you, the Rural Heritage Conservation Extension Act of 2013, will make this valuable incentive permanent.

Conservation easements have been established as an effective land preservation method across the country. In Montana, we currently have over 2.1 million acres covered by conservation easements. To some, that may seem like a large amount, but this is Montana, and those easements are only 2.2 percent of the total state land area. But we leverage far more value out of these easements because they are often located within or next to large tracts of public lands. In Montana, we fully recognize the importance of using these easements to protect our lands. Now is the time to help my country and my State to do all they can.

This legislative body, the individual States, and the Nation together should stand up for future generations and declare that the time for land preservation is now. I believe that we should do all we can to help landowners afford to choose conservation and preservation, and this bill is a step in the right direction. Let us get rid of the uncertainty that comes with temporary provisions and build on the success of what we have already begun to do. Let us pass the Rural Heritage Conservation Extension Act.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. WARREN, and Mr. COWAN):

S. 527. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents; to the Committee on the Judiciary.

Mr. REED. Mr. President, today I introduce the Liberian Refugee Immigration Fairness Act along with Senators WHITEHOUSE, CARDIN, KLOBUCHAR, FRANKEN, WARREN, and COWAN.

In December 1989, Liberia became engulfed in a devastating 7-year civil war, which killed over 150,000 people, displaced more than half the population, and destroyed the country's infrastructure. Thousands of Liberians who were forced from their homes sought refuge in the United States and in 1991, were granted Temporary Protected Status, TPS. Since that time, the status of many of these refugees, as well as many of those who fled to the United States during Liberia's second civil war, 1999–2003, has been extended

through renewals of both TPS and Deferred Enforced Departure, DED.

America is now home to these law-abiding and tax-paying Liberians. They came here to escape violence and are strengthening our communities. Many now have children of their own who are U.S. citizens, some of whom serve in the U.S. military. They are here legally, and they continue to work hard and play by the rules.

We are currently less than 20 days away from the expiration of DED on March 31, 2013. In the short term, I have been joined by several colleagues in urging the Administration to extend DED so Liberians who have lived here legally do not face deportation.

The Liberian Refugee Immigration Fairness Act, which I have introduced every Congress since 1999, offers a more long-term solution. It seeks to provide a path to citizenship for qualifying Liberian refugees. After decades of perennial uncertainty about whether they will be able to stay in their communities or whether their families will be split up, this bill would give eligible Liberians the opportunity to apply for legal permanent residency, and begin the process of finally becoming citizens.

Currently, a bipartisan group of my Senate colleagues is working towards a comprehensive immigration reform bill. I look forward to working with them and others to include the Liberian Refugee Immigration Fairness Act in immigration reform. I thank Senators WHITEHOUSE, CARDIN, KLOBUCHAR, FRANKEN, WARREN, and COWAN for cosponsoring this bill and urge our colleagues to join us in taking the next steps to finally provide a path to citizenship for qualifying Liberians.

By Ms. LANDRIEU:

S. 537. A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, as Chair of the Senate Committee on Small Business and Entrepreneurship, I remain focused on the needs of small businesses. Much of what we do on the committee involves overseeing the Small Business Administration's contracting, counseling, and capital programs, and we are always looking for ways to improve them. As our country slowly recovers the economic downturn, one of the most pressing issues facing small business owners is access to capital.

In the past two fiscal years alone, the Small Business Administration, SBA, supported over \$30 billion in loans to approximately 60,000 small businesses each year through its 7(a) and 504/CDC lending programs. As of September 2012, there were over 2,400 SBA lenders



nationwide. While the SBA currently releases some information publicly about SBA lending activity, it is extremely difficult to find and comprehend if you are not an SBA lending professional. If a small business, mayor, or governor wants to determine SBA lending activity in their area, they lack the ability to do so easily.

I come to the floor today to introduce a bill that would increase accountability at the SBA in its lending reporting activity. The Communicating Lender Activity Reports from the Small Business Administration, CLEAR SBA, Act would require the SBA to establish an online database to provide consumers with more transparent, user-friendly data about their local SBA lenders.

More specifically, the CLEAR SBA Act would require the SBA to post a user friendly Lender Activity Index on the SBA website. Users will be able to access the following data for any given bank: name of bank or Certified Development Company, CDC, number of SBA loans each lender made, total dollar amount of SBA loans of each bank or CDC, zip code of lender activity, not where every single loan was made, but a list of every zip code where the bank has made an SBA loan, industries lent to, hospitality, manufacturing, service, software, etc., stage of business cycle, new, or existing business, and business specific information, i.e. Women Owned Businesses, Minority Owned Businesses, or Veteran Owned Businesses. Data will be available for the year to date and users will be able to compare to 3 previous fiscal years. Both quarterly and annual data will be included.

I would like to emphasize that this proposal has already received bipartisan support. In the 112th Congress, the SBA Lender Activity Index was included as a provision in Title II of the SUCCESS Act. On July 12, 2012, the Senate voted on the SUCCESS Act. On July 12, 2012, the Senate voted on the SUCCESS Act as part of Senate Amendment 2521 to S. 2237, the Small Business Jobs and Tax Relief Act of 2012. Although the amendment came up short of the 60 votes needed to end debate, the SUCCESS Act received a strong 57 bipartisan votes, including five of my Republican colleagues. I urge my colleagues on both sides of the aisle to come together in support of this common sense proposal to increase transparency and accountability at the SBA.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 537

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Communicating Lender Activity Reports from the

Small Business Administration Act" or the "CLEAR SBA Act".

#### SEC. 2. SBA LENDER ACTIVITY INDEX.

Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

"(g) SBA LENDER ACTIVITY INDEX.—

"(1) DEFINITION.—In this subsection, the term 'covered loan' means a loan made or debenture issued under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) by a private individual or entity.

"(2) REQUIREMENT.—Not later than 6 months after the date of enactment of this subsection, the Administrator shall make publicly available on the website of the Administration a user-friendly database of information relating to lenders making covered loans (to be known as the 'Lender Activity Index').

"(3) DATA INCLUDED.—

"(A) IN GENERAL.—The database made available under paragraph (2) shall include, for each lender making a covered loan—

"(i) the name of the lender;

"(ii) the number of covered loans made by the lender;

"(iii) the total dollar amount of covered loans made by the lender;

"(iv) a list of each ZIP Code in which a recipient of a covered loan made by the lender is located;

"(v) a list of the industries of the recipients to which the lender made a covered loan;

"(vi) whether the covered loan is for an existing business or a new business;

"(vii) the number and total dollar amount of covered loans made by the lender to—

"(I) small business concerns owned and controlled by women;

"(II) socially and economically disadvantaged small business concerns (as defined in section 8(a)(4)(A)); and

"(III) small business concerns owned and controlled by veterans; and

"(viii) whether the covered loan was made under section 7(a) or under the program to provide financing to small business concerns through guarantees of loans under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.).

"(B) INCORPORATION OF DATA.—The Administrator shall—

"(i) include in the database made available under paragraph (2) information relating to covered loans made during fiscal years 2009, 2010, 2011, 2012, and 2013; and

"(ii) incorporate information relating to covered loans on an ongoing basis.

"(C) PERIOD OF DATA AVAILABILITY.—The Administrator shall retain information relating to a covered loan in the database made available under paragraph (2) until not earlier than the end of the third fiscal year beginning after the fiscal year during which the covered loan was made."

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 75—CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF ITS BAHAI MINORITY AND ITS CONTINUED VIOLATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Mr. KIRK (for himself and Mr. DURBIN) submitted the following resolu-

tion; which was referred to the Committee on Foreign Relations:

S. RES. 75

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number at least 300,000, are viewed as 'heretics' by Iranian authorities and may face repression on the grounds of apostasy.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Baha'is may not establish places of worship, schools, or any independent religious associations in Iran.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha'i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from employment in the private sector.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "The government prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "According to [Iranian] law, Baha'i blood is considered 'mobah', meaning it can be spilled with impunity.";

Whereas the Department of State 2011 International Religious Freedom Report stated that "members of religious minorities, with the exception of Baha'is, can serve in lower ranks of government employment", and "Baha'is are barred from all leadership positions in the government and military";

Whereas the Department of State 2011 International Religious Freedom Report stated, "Baha'is suffered frequent government harassment and persecution, and their property rights generally were disregarded. The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials belonging to Baha'is.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "Baha'is also are required to register with the police.";



Whereas the Department of State 2011 International Religious Freedom Report stated that “[p]ublic and private universities continued to deny admittance to and expelled Baha’i students” and “[d]uring the year, at least 30 Baha’is were barred or expelled from universities on political or religious grounds”;

Whereas the Department of State 2011 International Religious Freedom Report stated, “Baha’is are regularly denied compensation for injury or criminal victimization.”;

Whereas, on March 6, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/19/66), which stated that “the Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha’i community, in violation of international conventions” and expressed concern regarding “an intensive defamation campaign meant to incite discrimination and hate against Baha’is”;

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that “the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha’i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion”;

Whereas, on August 22, 2012, the United Nations Secretary-General issued a report (A/67/327), which stated, “The international community continues to express concerns about the very serious discrimination against ethnic and religious minorities in law and in practice, in particular the Baha’i community. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed alarm about the systemic and systematic persecution of members of the Baha’i community, including severe socioeconomic pressure and arrests and detention. He also deplored the Government’s tolerance of an intensive defamation campaign aimed at inciting discrimination and hate against Baha’is.”;

Whereas, on September 13, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/67/369), which stated, “Reports and interviews submitted to the Special Rapporteur also continue to portray a disturbing trend with regard to religious freedom in the country. Members of both recognized and unrecognized religions have reported various levels of intimidation, arrest, detention and interrogation that focus on their religious beliefs.”, and stated, “At the time of drafting the report, 105 members of the Baha’i community were reported to be in detention.”;

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, “[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha’i faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha’is associated with Baha’i educational institutions to lengthy prison terms, the continued denial of access to employment in the public

sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha’i faith.”;

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran “[t]o eliminate discrimination against, and exclusion of . . . members of the Baha’i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha’i youth denied access to Iranian universities,” and “to accord all Baha’is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed”;

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated, “110 Baha’is are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin and Mrs. Taraneh Torabi, who are reportedly nursing infants in prison.”;

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha’i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha’i leaders to 20-year prison terms on charges of “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth”;

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her successors as defense counsel were provided extremely limited access;

Whereas these seven Baha’i leaders were targeted solely on the basis of their religion;

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha’i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of “membership of the deviant sect of Baha’ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country”;

Whereas six of these educators remain imprisoned, with Mr. Mortezaie serving a 5-year prison term and Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr. Sobhani, and Mr. Zibaie serving 4-year prison terms;

Whereas, since October 2011, four other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian serving a 5-year prison term;

Whereas the efforts of the Government of Iran to collect information on individual Baha’is have recently intensified as evidenced by a letter, dated November 5, 2011, from the

Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to “subtly and in a confidential manner” collect information on Baha’i students;

Whereas the Baha’i community continues to undergo intense economic and social pressure, including an ongoing campaign in the town of Semnan, where the Government of Iran has harassed and detained Baha’is, closed 17 Baha’i owned businesses in the last three years, and imprisoned several members of the community, including three mothers along with their infants;

Whereas ordinary Iranian citizens who belong to the Baha’i Faith are disproportionately targeted, interrogated, and detained under the pretext of national security;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009”: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha’i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the ten imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran’s continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha’i community of Iran.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 27. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 28. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 29. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 30. Mr. CRUZ (for himself, Mr. LEE, Mr. INHOFE, Mr. PAUL, Mr. RUBIO, Mr. CORNYN, Mr. JOHNSON of Wisconsin, Mr. RISCH, Mr. VITTER, Mr. COBURN, Mr. SCOTT, Mr. HELLER,

Mr. TOOMEY, and Mr. JOHANNES) submitted an amendment intended to be proposed to amendment SA 26 submitted by Ms. MIKULSKI (for herself and Mr. SHELBY) and intended to be proposed to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 31. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 27.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 571, between lines 20 and 21, insert the following:

SEC. \_\_\_\_\_. (a)(1)(A) None of the amounts appropriated or otherwise made available by this Act or any prior Act making appropriations for the Department of State, foreign operations, and related programs for bilateral economic assistance under the heading "ECONOMIC SUPPORT FUND" may be made available to the Government of Egypt unless a certification under subsection (c)(2) is in effect.

(B) Except as provided under paragraph (3), none of the amounts appropriated or otherwise made available by this Act or any prior Act making appropriations for the Department of State, foreign operations, and related programs for assistance for Egypt under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) may be obligated or expended for contracts with the Government of Egypt entered into on or after the date of the enactment of this Act unless a certification under subsection (c)(1) is in effect.

(2) Not later than 90 days after the date on which the Secretary of State transmits to the appropriate congressional committees an initial certification under paragraph (1) or (2) of subsection (c), and every 6 months thereafter, the Secretary shall transmit to the appropriate congressional committees—

(A) a recertification that the requirements contained in such paragraph are continuing to be met; or

(B) a statement that the Secretary is unable to make such a recertification and that the certification is no longer in effect.

(3) The Secretary of State may waive the requirements of subparagraph (B) of paragraph (1) for one or more 180-periods if, for each such 180-day period, the Secretary determines and certifies to the appropriate congressional committees that it is in the national security interests of the United States to do so and submits to the appropriate congressional committees a report with detailed reasoning for the determination and certification.

(b) During a period in which a certification described in subsection (c)(2) is not in effect, amounts that may not be made available for Economic Support Fund assistance to the Government of Egypt pursuant to the limitation under subsection (a) shall be reallocated for democracy and governance programs for Egypt, including direct support for secular, democratic nongovernmental organizations,

as well as programming and support for rule of law and human rights, good governance, political competition and consensus-building, and civil society.

(c)(1) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that the following conditions have been met:

(A) The Government of Egypt has adopted and implemented legal reforms to protect the political, economic, and religious freedoms and human rights of all citizens and residents of Egypt.

(B) The Government of Egypt is not acting to restrict the political, economic, or religious freedoms and human rights of the citizens and residents of Egypt.

(C) The Government of Egypt is continuing to demonstrate a commitment to free and fair elections and is not taking any steps to interfere with or undermine the credibility of such elections.

(D) Egypt is implementing the Egypt-Israel Peace Treaty.

(E) The Government of Egypt is taking all necessary action to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(F) The Government of Egypt is taking all necessary action to combat terrorism in the Sinai, and the Department of Defense has allocated a portion of Egypt's Foreign Military Financing (FMF) assistance, not less than \$100,000,000, toward counterterrorism tools, including equipment and training related to border security, to address this problem.

(G) The Department of Defense has consulted with the Government of Egypt and produced an analysis of Egypt's current security needs, and the analysis has been shared with the relevant congressional committees.

(H) The Government of Egypt has lifted restrictions in law and practice on the work and funding of Egyptian and international nongovernmental organizations, comprising those in the human rights and democracy field, including the International Republican Institute, the National Democratic Institute, and Freedom House.

(2) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that—

(A) the conditions set forth in paragraph (1) have been met; and

(B) the Government of Egypt has signed and submitted to the International Monetary Fund a Letter of Intent and Memorandum of Economic and Financial Policies designed to achieve such actions as reducing and streamlining energy subsidies, improving the government financial management, and increasing taxation revenues through a broadened tax base and reducing tax exemptions and has begun to implement such measures.

(d) Any interest earned from amounts in an interest bearing account for Egypt related to funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763) shall be—

(1) transferred to and consolidated with amounts available for assistance for the Middle East Partnership Initiative under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund); and

(2) allocated for democracy and governance programs for Egypt, including direct support for secular, democratic nongovernmental organizations.

(e) Not later than 180 days after the date of the enactment of this Act, the President

shall submit to the appropriate congressional committees a report describing the results of a policy review on Egypt conducted after a dialogue with the Government of Egypt and civil society on how to rebalance United States military and economic assistance to Egypt.

(f) Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report listing all of the Foreign Military Financing contracts for the Government of Egypt carried out over the previous 10 years and describing plans for such contracts over the next 10 years.

(g) In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SA 28.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the amounts appropriated or otherwise made available by this Act or any other Act may be made available to the Government of Egypt until the President certifies that the President of Egypt has publicly declared, in English and Arabic, his intent to abide by the Camp David Accords.

**SA 29.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division C, insert the following:

SEC. 17 \_\_\_\_\_. No funds made available under this Act shall be used to implement or enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

**SA 30.** Mr. CRUZ (for himself, Mr. LEE, Mr. INHOFE, Mr. PAUL, Mr. RUBIO, Mr. CORNYN, Mr. JOHNSON of Wisconsin, Mr. RISCH, Mr. VITTER, Mr. COBURN, Mr. SCOTT, Mr. HELLER, Mr. TOOMEY, and Mr. JOHANNES) submitted an amendment intended to be proposed to amendment SA 26 submitted by Ms. MIKULSKI (for herself and Mr. SHELBY) and intended to be proposed to the bill H.R. 933, making appropriations for the Department of Defense, the Department

of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ PROHIBITION ON FUNDING.**

None of the funds made available in this Act may be used—

(1) to carry out any provision of the Patient Protection and Affordable Care Act (Public Law 111-148) or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), or the amendments made by such Act, title, or subtitle; or

(2) for rulemaking under such Act, title, or subtitle.

**SA 31.** Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle VIII of division C, insert the following:

SEC. 8131. (a) INCREASED AMOUNT FOR OTHER PROCUREMENT, AIR FORCE, FOR STRATEGIC COMMAND AND CONTROL.—The amount appropriated by title III of this division under the heading “OTHER PROCUREMENT, AIR FORCE” is hereby increased by \$25,000,000, with the amount of the increase to be available for Strategic Command and Control.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “DEFENSE ACT PRODUCTION PURCHASES” is hereby decreased by \$25,000,000.

**NOTICE OF HEARING**

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, March 14, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Keeping Up With a Changing Economy: Indexing the Minimum Wage.”

For further information regarding this meeting, please contact Anna Porto of the committee staff on (202) 224-5363.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON ARMED SERVICES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on March 12, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 12, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 12, 2013, at 2:45 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Oversight of the Federal Communications Commission.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Job Corps Budget Shortfall: Safeguarding Workforce Training for America’s Disconnected Youth” on March 12, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 12, 2013, at 10:15 a.m., in SD-226 of the Dirksen Senate Office Building, to continue its executive business meeting from March 7, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 12, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**APPOINTMENTS**

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senators as members of the Senate National Security Working Group for the 113th Congress: MITCH MCCONNELL of Kentucky (serving in his capacity as Republican Leader); MARCO RUBIO of Florida (Republican Co-Chairman and designated as Administrative Co-Chairman); THAD COCHRAN of Mississippi (Republican Co-Chairman); LINDSEY GRAHAM of South Carolina (Republican Co-Chairman); BOB CORKER of Tennessee; JEFF SESSIONS of Alabama; JOHN MCCAIN of Arizona; JAMES RISCH of Idaho; ROY BLUNT of Missouri; and JAMES INHOFE of Oklahoma.

**ORDERS FOR WEDNESDAY, MARCH 13, 2013**

Mrs. SHAHEEN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 13, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks the Senate resume consideration of the motion to proceed to Calendar No. 21, H.R. 933.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mrs. SHAHEEN. This evening cloture was filed on the motion to proceed to the continuing appropriations bill. If no agreement is reached, the cloture vote will be Thursday morning.

**ADJOURNMENT UNTIL 9:30 A.M. TOMORROW**

Mrs. SHAHEEN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Wednesday, March 13, 2013, at 9:30 a.m.

## HOUSE OF REPRESENTATIVES—Tuesday, March 12, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mrs. WALORSKI).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 12, 2013.

I hereby appoint the Honorable JACKIE WALORSKI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

### LET'S GET SERIOUS ABOUT CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Madam Speaker, today, I rise as a member of the Safe Climate Caucus to talk about an important new report on climate change. Of late, the discussion over global warming has focused on temperatures in the last 118 years, when standardized record-keeping began. Primarily, the best and most comprehensive research on temperatures has gone back only as far as 2,000 years.

Climate change deniers are complaining these studies have been short-sighted, that they haven't taken into account that warming going on today could have happened naturally thousands of years ago. Climate change impacts today are a result of natural fluctuations, they say.

There is some scientific basis to that claim. Variations in how the Earth is tilted in its orbit around the Sun make for a pattern of planetary warming and cooling phases over thousands of years. During some phases the Earth heats up; in others it cools down.

Last week, scientists from Oregon State University, including two constituents of mine, Shaun Marcott and Alan Mix, joined with our colleagues from Harvard University and published a study in the journal *Science*, peer reviewed, that provides new context on today's climate and rising temperatures.

Instead of looking at temperatures from the last 118 years or even 2,000 years, Marcott, Mix, and their colleagues examined temperatures going back a little further, 11,300 years—the entire Holocene period. The findings are sobering and a wake-up call, and should be a wake-up call to the Members of this institution.

We already knew the Earth is warmer than it was over much of the last 2,000 years. That has been confirmed by a mountain of scientific evidence. But thanks to the work of Marcott, Mix, and their colleagues, we know it is warmer on Earth presently than over much of the past 11,300 years. In fact, we have experienced almost the same range of temperature change over the last 100 years, coinciding with the invention and widespread use of engines and turbines powered by fossil fuels, as over the previous 11,000 years of Earth history. I want to repeat that for emphasis. Rising temperatures over the last century have been greater than the temperature increases over the previous hundred centuries combined.

It shows that human activity reversed a cooling pattern of 5,000 years of 1.3 degrees Fahrenheit in 100 years. It is extraordinary. And their projections for the future are also very sobering.

Climate deniers are running out of excuses. They said, 118 years not enough, 2,000 years not enough. Well, how about 11,300 years of certified research? They say it is biased by region. This was done in 73 sites around the entire planet.

We have heard about solar insolation. Well, according to this claim, we should be now at the bottom of a long-term cooling trend. Whoops, that is not happening. That shows that this solar insolation theory doesn't hold up either.

In short, this confirms what those of us who believe in science already know: manmade climate change is real, it is progressing quickly, and we must take action. But that is not happening in the House of Representatives. During the last Congress, House Republicans voted 53 times to block action on climate change. Time and time again,

they voted to know nothing and do nothing. They argued that science isn't settled, but they vote to cut funding for climate science.

Here are a few of my favorite quotes from my colleagues on the other side of the aisle:

Human-induced global climate change is one of the great hoaxes perpetuated out of the scientific community.

Another colleague: Media conspiracy to promote climate change.

Yet another one: Shady scientists.

And then my favorite:

Better known, however, is global warming movement's commitment to severely restrict the use of private automobiles. The rich will still have their limos, and, of course, their private jets. Carbon offsets will cede to that. The rest of us will not be able to travel by plane and will be stuck sitting at home or sitting next to a gang member on public transportation.

Yes, that was actually said on the floor of the House of Representatives.

Madam Speaker, it's time to stop the nonsense and the blather and get serious about climate change. The evidence is in. The only question is whether the United States House of Representatives will listen and act.

### PEEPING TOMCRATS SNOOPING THROUGH THE WINDOWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, Linda Roberts from Kingwood, Texas, is one of my constituents. She received the American Community Survey and filled out only the information required by the Census Bureau and mailed it back to the Census Bureau.

Let me make this clear. The census every ten years counts the population with the census forms. But the Census Bureau also sends out a longer, larger, more intensive document called the American Community Survey to many Americans throughout the 10 years of the census.

Linda Roberts received this long form, the American Community Survey, and she did not fill out the survey. Later, she began to receive weekly calls from the Census Bureau telling her to complete the entire survey. When she refused to complete the survey, the calls increased from every week to multiple times each day. Now, this is a single mother working, trying to support her family, and she's being harassed by the Federal Government.

Finally, a Census Bureau employee showed up at her house, ringing her

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

doorbell, and peeking through her windows to see if she was inside, trying to get her to come to the door to fill out this long survey by the Census Bureau.

The harassment didn't stop. On many occasions, Linda would come home from work and there would be a car from the Federal Government parked out there in front of her house trying to catch her as she went into her home to get her to fill out the American Community Survey. These are people from the Federal Government.

Mrs. Roberts explained that she not only felt uncomfortable providing the detailed information to the Federal Government, but she was afraid. No kidding.

Now, where, Madam Speaker, in the Constitution does it give the Federal Government the authority to do this? The Constitution does not authorize Peeping TomCrats to come from the Federal Government to snoop around our homes and get information from citizens.

Here's what she said:

Please do something about getting the Census Bureau to stop the harassment phone calls concerning the American Community Survey.

I've also received calls from other people. George from Baytown, Texas, says he refused to fill out the American Community Survey so he started getting phone calls from all over the country from different area codes. He just regarded them as identity theft phishing scams, and so he didn't answer any of those calls.

Madam Speaker, George and Linda are just two of the many people who have contacted my office about the intrusive American Community Survey from the Federal Government demanding people fill this out. Once again, this is not the census questionnaire; this is the Census Bureau giving another questionnaire to the American public and expecting them, by law, to fill this out.

The questions are about 48 questions long. Here are some of the questions:

Do you have a flush toilet in your house?

What time do you go to work in the morning?

What time do you come home in the afternoon?

How much money do you make?

How much money does your spouse make?

Do you have a second mortgage on another home?

Where is that home?

Here is a good one:

Because of a physical mental, or emotional condition, does someone in the household have serious difficulty concentrating, remembering, or making decisions?

Now, isn't that lovely. The survey wants us to comment on the mental health of people that live in the house. I'm glad my wife didn't get this survey and fill it out talking about me.

Madam Speaker, the government has no business asking these personal questions. It infringes on the right of privacy of the American public. People are upset about this because they are forced to provide this information to Uncle Sam or pay a sanction of a \$5,000 fine. Government intimidation at its worst.

□ 1210

Yes, there may be some benefits. The government says we use this information so we can help businesses plan whether to put a store on this corner or that corner. That's fine, but the Constitution doesn't authorize this, in my opinion. So if the businesses want that information, let them pay for it. Go to a polling system.

So I think what we should do, Madam Speaker, is make this form voluntary. If people want to fill it out and give the Federal Government all this information, great, but they shouldn't be required to.

I've introduced legislation and RAND PAUL in the Senate has introduced legislation to make the American Community Survey voluntary. People shouldn't be required to fill it out.

What's next? Is the government going to start asking us how many guns we've got in our home? what kind of cars we drive, whether they're green cars or whether we're driving pickup trucks? Where's it going to stop? The American Community Survey should be voluntary. Americans should not be required to fill it out, and we need to change the law to make it voluntary for the American public because freedom still means something in America. Keep the snoopers from Uncle Sam out of our lives.

And that's just the way it is.

#### CONGRATULATING CINTAS STATESVILLE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, congratulations are due to the entire Cintas Corporation branch in Statesville, North Carolina, and to each of the Cintas team members who worked together to earn OSHA's Carolina Star distinction for their workplace.

This past week, I was honored to join the employees and management of Cintas Statesville and take part in the celebration of their shared achievement. The environment at Cintas was so impressive and collegial, I wanted to bring their story of success to Washington.

The Carolina Star Program considers more than just exemplary safety and health standards when it designates award winners. Companies are expected to show how they've built a culture where employees and management

share the duties of keeping a safe workplace.

Every Cintas employee in Statesville takes ownership of this task, spotting and diffusing hazards together and teaching others to put safety first. Statesville's Cintas has an atmosphere of open dialogue and shared responsibility among all employees that sets it apart. Where collaboration, cooperation, and inclusion were weighed by the Carolina Star Program, Statesville's Cintas branch excelled.

Those are qualities that make for more than a safe workplace. They make for a good workplace and, in Cintas Statesville's case, a workplace that not only thrives but enables other businesses to thrive by providing key support services.

Again, congratulations to Cintas Statesville and their entire team on this achievement.

#### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Madam Speaker, I come to the floor quite often to remind the Congress that we're still at war. In fact, yesterday we had seven Americans killed in Afghanistan. This year alone, we've had three situations where the Afghans that we were training turned their weapons on the Americans who were trying to help them and killed them.

Our policy in Afghanistan is a total disaster. It is a failed policy, and we're not going to change one thing in Afghanistan. In fact, Madam Speaker, this past week, the new Secretary of Defense, Chuck Hagel, who's a friend of mine—I have great respect for him—was in Afghanistan, and Mr. Karzai accused Mr. Hagel and the American people of negotiating with the Taliban. The Taliban are our enemy and the enemy of Karzai. This just continues to show that this gentleman that leads Afghanistan is, quite frankly, corrupt, confused, and unpredictable.

But what amazes me is this Congress continues to spend \$6 billion to \$8 billion a month in Afghanistan, when we have this person who is leading that country who, from one day to the next, either likes the American people or he dislikes the American people. In fact, in December of this year, Karzai was quoted in The Washington Post as saying he now has three main enemies: the Taliban, the United States, and the international community; and if he had to choose sides today, he would choose the Taliban. And now he's accusing America of cutting deals with the Taliban.

Again, we had seven Americans killed yesterday. It's time for this Congress to wake up and stop spending money in Afghanistan. History has

shown we will never change Afghanistan no matter what we do. Go back to Alexander the Great, Madam Speaker, and look at what he did there. Go to the English. Go to the Russians. Nobody is going to change that country. They don't want to be us to begin with.

So why are we going to cut programs in America for children and senior citizens to make sure that Karzai will get his money? In fact, the inspector general for the reconstruction of Afghanistan, John Sopko, he testified recently that we are averaging spending \$235 million a day—\$235 million a day—in Afghanistan, and half the projects that we are spending money on are blown up within a few weeks after they are completed by the Taliban.

I do not understand my own party, to say the least. I don't understand the Congress. Why do we want to keep spending money we don't have and deny the American people a fix for this economy and this country?

Madam Speaker, I'm pleased to say that I have introduced, along with my Democratic friend, ROSA DELAURO, H.R. 125, the Congressional Oversight of Afghanistan Agreement of 2013. All we're trying to do is to get a debate on the floor to say: Why would we agree to stay in Afghanistan after 2014 to 2024? This agreement signed by this administration has obligated America to be there 10 more years after 2014. How many more Americans will have to die? How much money will the American taxpayer have to spend in Afghanistan?

Ms. DELAURO and I would like to have a debate on the floor of the House if, for no other reason, if we can't even change the agreement that the President has signed, let the American people know that we want to debate staying there 10 more years and see young men and women die for a corrupt leader, a confused leader, and spend the money that we don't have for the American people. It makes absolutely no sense.

In closing, Madam Speaker, this is just another example of war. These marines are carrying a flag-draped coffin. How many more families have to cry and lose a loved one in a failed policy, a policy where we will never change Afghanistan no matter what we do?

In closing, Madam Speaker, I ask God to please bless our men and women in uniform, to please bless the families of our men and women in uniform. I ask God in His loving arms to hold the families who've given a child dying for freedom in Afghanistan and Iraq, and I ask God to please continue to bless America.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear Lord, we give You thanks for giving us another day.

As the House reassembles, there are new efforts at communication between the branches of our government to address the issues of our time.

May all Members of the people's House be led by Your Spirit in the negotiations taking place. May they possess an abundance of wisdom and good judgment, as well as a discerning ear, so that possible inroads to productive legislation might emerge.

Bless as well those from the executive branch as conversations resume in a more direct manner. Help all engaged in these efforts emerge as honorable statesmen and authors of a new chapter of great American history, where our system of government proves once again to be a model for all nations to respect.

May all that is done this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Ohio (Mrs. BEATTY) come forward and lead the House in the Pledge of Allegiance.

Mrs. BEATTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

#### LET'S PASS THE SKILLS ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today, millions of Americans are looking for work. At the same time, there are 3.6 million jobs sitting vacant, in part because there aren't enough qualified applicants to fill them.

What can we do to erase the skills gap? Washington has tried, to the tune of \$18 billion, to run more than 50 different workforce education programs that are supposed to be teaching job seekers the skills and expertise required to compete for jobs.

Despite the hefty price tag, only a fraction of job seekers are completing these programs and many more are getting slowed in a maze of duplication and one-size-fits-all mandates. In 2012, President Obama said:

I want to cut through the maze of confusing job training programs, so that people have one program, one place to go for all the information and help that they need.

The SKILLS Act is the only plan on the table that treats job seekers as individuals and brings us closer to the President's stated target.

Let's pass the SKILLS Act.

#### OHIO PSYCHOLOGICAL ASSOCIATION AND MENTAL HEALTH

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise to salute the nationally recognized Ohio Psychological Association, founded in 1949, for their outstanding contributions to psychology and mental health development in Ohio. It is the seventh largest psychological State association in the country and it is located within my Third Congressional District.

They have taken psychology and mental health development to a new level of member service and effectiveness. They advocate for the continued advancement of the professional and supportive legislative initiatives that include and improve Medicare for their patients.

I would like to recognize Executive Director Michael Ranney, Dr. James Mulick, and Dr. Bobbie Celeste for their hard work that has ensured that the profession of psychology has remained vital, relevant, and at the forefront in Ohio.

#### CHAIRMAN RYAN BALANCES BUDGET

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it is budget week in Washington. Today, House Republicans, under the leadership of Chairman PAUL RYAN, unveiled the new budget.

Our Nation has racked up nearly \$17 trillion in debt due to out-of-control government spending. In order to prevent our children and grandchildren

from paying higher taxes with no results, House Republicans have found a way to balance our budget over the next 10 years by cutting wasteful spending, reforming our Tax Code to create jobs, preserving entitlement programs, and expanding opportunities for all Americans.

House Republicans understand the severity of the issue and are willing to work with the Senate and the President to balance our budget. I am very pleased that due to the passage of the No Budget, No Pay Act, the Senate will return to regular order and pass a budget for the first time in 4 years. I look forward to working with the Senate and the President to cut spending and make substantial job-creating reforms that will encourage small businesses to create jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### CLIMATE CHANGE

(Mr. MORAN asked and was given permission to address the House for 1 minute.)

Mr. MORAN. Mr. Speaker, I would like to draw the House's attention to the compelling issue of climate change that the House majority continues to refuse to address. There are a number of us who plan on speaking every day on the House floor on the need for Congress to take action on climate change. We are making this commitment because this Chamber is filled with such a large collection of climate deniers.

It is here in Congress, though, where a long-term strategy to address this issue will have to be crafted if we are to avoid the worst-case scenario and the catastrophic consequences of climate change.

Today, there should be complete consensus on the science of climate change: that the higher concentrations of greenhouse gases over the past 50 years are due to human activity; that the rapid increase in global temperature could not have been caused by natural factors alone; and that the severe temperatures and extreme weather events we have experienced in recent years, including the devastation brought by Hurricane Sandy, all fit into the predictive pattern of global climate change.

Failure to take action dooms future generations to more powerful and destructive weather events, alters our coastlines, and subjects our nation to more droughts and food scarcity.

Mr. Speaker, an overwhelming majority of the public accepts these scientific findings and understands a status quo energy policy heavily dependent on the burning of fossil fuels must change.

It is not only unsustainable but injurious to our nation's future.

In the coming weeks we will be highlighting the consequences of continued inaction and ways we can move forward with solutions.

□ 1410

#### BALANCING THE BUDGET

(Mr. HUDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUDSON. Mr. Speaker, I ran for Congress to improve the lives of North Carolinians by advancing initiatives that reinvigorate our economy and put people back to work. To achieve this goal, we must curb Washington's spending addiction and balance our budget.

For the sake of our country and the sake of our children and grandchildren, we must stop the reckless spending of our taxpayer dollars. It has weakened our liberty; it has diminished our prosperity; and it has mortgaged our future. I cannot, in good conscience, stand by and watch our Nation self-destruct because our leaders don't have the discipline to say enough is enough.

Just yesterday, the White House said that the President is not looking to balance the budget. This comes on the heels of 4 long years of Senate inaction to even merely present a budget.

Mr. Speaker, leadership on this issue is clearly long overdue. Fortunately, that leadership Americans thirst for can be found in the Chamber today as Chairman PAUL RYAN presents a budget that balances in 10 years. I applaud his work and look forward to working against Washington's unbridled spending and for a path to economic prosperity.

#### THE HOUSE GOP BUDGET RESOLUTION

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Today, hard-working Hoosier families sit around their kitchen tables and make tough decisions to keep a balanced budget. The Federal Government should do the same thing.

In the State of Indiana, we were able to balance our budget and get our fiscal house in order. We created jobs and we kept taxes low using a common-sense, step-by-step approach.

It's time for this Congress to pass a responsible budget that reins in spending and promotes economic growth and job creation. House Republicans have introduced a budget that balances in 10 years while protecting the most vulnerable among us. Proposals by the Senate Democrats never balance and will jeopardize our seniors and our poor by spending our country into bankruptcy.

We cannot afford to wait. I urge my colleagues to support the House Republican budget resolution.

#### RATE SHOCK AND THE PRESIDENT'S TAKEOVER OF HEALTH CARE

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, well, here we are. The Affordable Care Act is going to be 3 years old in just a few days, and we're continuing to uncover things within the law that nobody knew about. Remember all the stuff that was sold to the public because it was going to be "free"? But we all know nothing is free, so how do you pay for it?

Well, it turns out there's going to be tax on insurance companies and taxes on employers which, guess what? That's going to be passed on to the employees and the beneficiaries. The deadline is quickly approaching and plans are submitting their bids, but they're faced with no choice but to raise costs.

In response to the rate increases, the Federal Government is attempting to limit higher premiums by something they call rate review. But anytime you treat only the symptom of a disease and not the underlying cause, you're going to end up with something you didn't expect.

Continued regulatory pressure—continued pressure on employers and continued pressure on insurance plans—is going to result in actually further increasing rates. The government is attempting to control the market. But we all know this market is one the government cannot control, and the end result is that we'll all suffer.

Let's face it. Instead of "if you like what you have, you can keep it," what they really meant to say was "you're going to pay a lot more to get a lot less."

#### THE FEDERAL BUDGET

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Madam Speaker, this week, the Senate is expected to unveil its first budget plan in nearly 4 years. It relies on the failed policy of raising taxes and increasing Federal spending and will not put into place a requirement for the government to balance its budget. How can this be taken seriously?

When our national debt is over \$16 trillion, how does spending more and increasing taxes make any sense? Why not simply stop spending money—money the government doesn't have to spend in the first place—on frivolous programs, for example, the \$2.2 billion spent last year on a program that hands out free cell phones or the \$17.6 million paid to PR firms to promote ObamaCare or the \$1.7 billion spent in



2010 on “operating costs” for the Federal buildings, Federal buildings that are no longer even in use? Madam Speaker, the list goes on.

We must make spending cuts and commonsense reforms. We need a budget that is reflective of growing our economy, not one that continues to grow our government.

#### WASHINGTON DYSFUNCTION

(Mr. MULLIN asked and was given permission to address the House for 1 minute.)

Mr. MULLIN. Oklahomans are ready for Washington dysfunction to stop and for this country to get back on stable fiscal footing. We must make commonsense cuts to Federal spending that do not threaten public safety, national defense, or our economy.

There is plenty of waste that can be trimmed from the Federal budget. For instance, the free cell phone program that has angered a number of people across Oklahoma, including myself, will cost the Federal Government \$2.2 billion this year alone, or the improper payments of \$115 billion made by the Federal Government to people who were not entitled to receive those payments or who had not provided the proper documentation to qualify for the payments. This one item alone would more than replace sequestration.

Clearly, Federal spending is out of control, and it is not difficult to find ways to cut. But that will require strong leaders who are willing to look past the next election, put party aside and put country first.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 12, 2013 at 10:00 a.m.:

That the Senate passed S. 166

That the Senate agreed to without amendment H. Con. Res. 14

That the Senate agreed to without amendment H. Con. Res. 20

Appointments:

Senate National Security Working Group.

Advisory Committee on the Records of Congress.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-15)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2013.

The crisis between the United States and Iran resulting from the actions and policies of the Government of Iran has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and to maintain in force comprehensive sanctions against Iran to deal with this threat.

BARACK OBAMA.

THE WHITE HOUSE, March 12, 2013.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1701

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STUTZMAN) at 5 o'clock and 1 minute p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas

and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### ELIMINATE PRIVACY NOTICE CONFUSION ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 749) to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 749

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Eliminate Privacy Notice Confusion Act”.

#### SEC. 2. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

“(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

“(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

“(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section, shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 749.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in strong support of H.R. 749, the Eliminate Privacy Notice Confusion Act.

Businesses in America are drowning in a sea of red tape, and the never-ending regulatory onslaught threatens financial institutions' ability to lend to consumers. One banker that testified



before the Financial Services Committee last year said that, as a senior executive, he currently spends as much as 80 percent of his time working on compliance-related issues, compared to approximately 20 percent as little as 3 years ago. As he said in that hearing:

Every dollar spent on compliance is a dollar less that we have to lend and invest in the communities we serve. Every hour I spend on compliance is an hour I could be spending with customers and potential customers, acquiring new deposits and making new loans.

In the Financial Services Committee, we have heard from countless bankers and credit unions that the costs associated with complying with rules and regulations are ballooning rapidly and diminishing financial institutions' ability to lend, forcing them to raise the fees they charge their customers for basic services. The costs stemming from red tape vary, from managerial expenses for monitoring employees' compliance, to printing and postage expenses to provide written disclosures to customers.

This bipartisan bill will help reduce compliance burdens and confusion among consumers. Federal law currently requires financial institutions to issue disclosure notices to consumers that detail the institution's privacy policies if it shares customers' nonpublic personal information, as well as the customer's right to opt out of sharing this information. These disclosures must be issued when a customer relationship is first established and annually in paper form, even if no policy changes have occurred. My bill would require institutions to provide these notices only if they have changed a policy or practice related to the privacy of the consumer.

This may seem like a simple change, but its impact on financial institutions is significant. Requiring these institutions to send annual notices even when no changes have been made is redundant, unnecessary, and costly.

Mr. Speaker, this bill would permit financial institutions to redirect these resources towards lending, staffing, and lowering the cost of financial services. For consumers, these mailings typically serve to clog up mailboxes and confuse even the best of us. In fact, a recent voter survey conducted by Voter/Consumer Research indicated that fewer than one-quarter of consumers read the privacy notifications they receive, and over three-quarters of consumers would be more likely to read them if they were only sent when a financial institution changed its policies.

This bill will make the mailings more significant to the consumer because they would only come after a change in policy. Let me reiterate: This legislation will only remove the annual privacy notice requirement if an institution has not, in any way,

changed its privacy policies or procedures. This legislation does not exempt any institution from an initial privacy notice, nor does it allow a loophole for an institution to avoid using an updated notice.

This language is not controversial; it does not jeopardize consumer privacy; and it does not exempt any institution from having to produce an initial or amended privacy notice. This legislation does eliminate millions of costly and confusing mailings.

H.R. 749 enjoys broad support within the financial services industry, from credit unions and community services to money center banks; and here in Congress, this bill is one of the few that both Republicans and Democrats can agree on. In fact, previous versions of this bill passed on voice vote in both the 111th and 112th Congresses, with the most recent vote occurring just before this past Christmas.

I want to thank the gentleman from California (Mr. SHERMAN) for his work on this bill. He has been tireless; he has been relentless; he has been a huge supporter, and it is a big issue to him and his constituents as well. I also want to thank Chairman HENSARLING and Ranking Member WATERS for helping to ensure swift passage of this legislation.

I urge my colleagues to again voice their support in favor of this bill. H.R. 749 may be short and simple, but it will have a meaningful impact on financial institutions by increasing their resources so they can do what they do best—lend.

Mr. Speaker, I reserve the balance of my time.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Missouri for his tireless work on this.

We passed this bill in this exact form in the 111th Congress, the 112th Congress, and I think the third time will be the charm. We passed it by voice vote once; we passed it again; and this time we're sending it to the Senate with 22 months left to go, so they have little excuse for not somehow dealing with the bill. And by that, I mean passing the bill.

The bill is now narrowly tailored and is very straightforward. It simply revises disclosure requirements originally passed under the Gramm-Leach-Bliley Act to eliminate a costly and duplicative requirement that all financial institutions mail their customers a copy of their privacy notice each year, even if there has been no change in the policy. Under the bill, the only documents that won't have to be mailed are identical to what has been mailed to the same person at some previous time.

There may have been a time in our country, even a decade ago, where the natural thing was, Let's rummage around and try to find that privacy policy. Now everybody I know is going

to go to the Web and look at it on the day they want to look at it rather than wait for the annual time in which it is mailed to them.

Under the bill, the customer would receive a printed copy of the privacy policy when they become a customer of the financial institution and every time that policy changes. In addition, the privacy policy would be available on the institution's Web site for any customer to look at 24/7, 365.

Mr. Speaker, this is a very minor component of disclosure policy, but every year banks, credit unions, and other financial institutions have to spend millions of dollars to print and send to the same people what they have printed and sent to those people a year before. At best, this is an enormous waste of time, money, and paper. At worst, it causes customers to think there is something new when they are just getting what they got a year ago. It distracts consumers from reading those notices where there has been a change of policy and focuses their attention on something that is duplicative.

□ 1710

This bill makes a simple fix to this problem by requiring the financial institution to provide the privacy notice to their customers when they open the account and each time a change occurs that affects the policy or practice related to the privacy of the customer.

Institutions are still required to post these notices on their Web sites and to provide a toll-free number that customers can call to request a copy of that policy at any time. The bill simply says you don't have to mail out the same policy document year after year after year.

As a result, customers will know that when they get a privacy notice, it's something new and deserves their attention, or at least contains some new information. And banks and credit unions and other financial institutions that have been spending millions of dollars to mail out redundant policies can redirect those savings back to the customers.

Mr. Speaker, I again want to thank Mr. LUETKEMEYER, the Representative from Missouri, for his tireless leadership on this issue. This is a common-sense fix that both parties can agree on, and I hope that we can pass this bill by voice vote and go on to something else.

I see no Democratic speakers; and on that basis, I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to again reiterate my thanks to the gentleman from California (Mr. SHERMAN) for his hard work on this issue. I know we had a little bump in the road last fall when we were working on this, and it was through his efforts that we were able to solve the problem.

He's been tireless on this, and again today he's brought a lot of energy and information to this issue, and we certainly appreciate his support.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today to debate H.R. 749, the "Eliminate Privacy Notice Confusion Act," which seeks to eliminate wasteful and unnecessarily duplicative privacy notification requirements for financial institutions.

More specifically, H.R. 749 would amend the Gramm-Leach-Bliley Act to exempt from its annual privacy policy notice requirement any financial institution that:

(1) Provides nonpublic personal information only in accordance with specified requirements, and

(2) Has not changed its policies and practices with regard to disclosing nonpublic personal information from those disclosed in the most recent disclosure sent to consumers."

Under current law, financial institutions are required to give notices to customers that delineate their information-sharing practices. The Gramm-Leach-Bliley (GLB) Act of 1999 attempted to balance the information privacy interests of consumers with the need for financial institutions to share information for ordinary business purposes.

To that end, GLB required financial institutions to inform their customers, in the form of a privacy notice, about the types of information they collect as well as the types of businesses that may be provided that information.

In order to give the customer the choice of determining whether he or she is comfortable with the sharing of their information, the privacy notice is required to be issued upon the opening of a new account as well as once a year.

Financial institutions collect basic information from customers, such as your name, phone number, address, income, and details about your assets. Moreover, in determining whether someone qualifies for a particular product, such as a loan, a financial institution may collect additional details from other sources, such as credit reports from credit bureaus. Furthermore, some financial institutions track your use of products like credit cards and record information such as how much you borrow, how much you buy, where you shop, and whether you pay your balance in a timely fashion.

Some financial institutions share this collected information with other entities, including unaffiliated companies like retailers and telemarketers. This is why it is particularly important that customers know the privacy policies of their financial institutions; customers must make a determination as to whether they are comfortable with how their bank intends to share their information.

However, requiring financial institutions to submit annual privacy notices to customers where they remain unchanged can be considered wasteful. Moreover, because the notices must be issued with regularity, it may have the effect of lowering awareness on the part of consumers when a change to a privacy policy is in fact made.

H.R. 749 intends to eliminate this waste and potential for diminished customer awareness by removing the annual notification require-

ment for financial institutions, so long as the policy remains unchanged from the last notification and the financial institution otherwise complies with the requirements for notification.

For that reason, Members ought to consider H.R. 749 in contemplation of the intent of the notification requirements in Gramm-Leach-Bliley.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 749.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1035) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1035

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on

Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 1035.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1035, legislation introduced by my Financial Services Committee colleague, Congresswoman GWEN MOORE, and chairman emeritus, SPENCER BACHUS.

H.R. 1035 would require the Federal Emergency Management Agency, the agency which administers the National Flood Insurance Program, or NFIP, to conduct a study on the advantages and disadvantages of providing voluntary community-based flood insurance through the NFIP and report its recommendations for implementation to Congress within 18 months.

Additionally, H.R. 1035 requires the Government Accountability Office to analyze FEMA's report and submit its comments or recommendations to Congress within 6 months.

Community-based flood insurance is an insurance technique where a risk assessment is made for all the buildings in the community, and then premiums to cover that risk are paid collectively by that community, rather than the current practice of assessing each building individually and having each individual owner pay a premium.

This innovative tool may represent a new and better way for some communities at risk of flooding to take the necessary steps to protect their citizens. In fact, FEMA has stated in congressional testimony that voluntary community-based flood insurance could help NFIP better account for the full cost of flood risk, as well as provide incentives to encourage communities to implement greater flood mitigation measures.

Thus, we think that it is appropriate to commission this study of the community-based flood insurance concept so that FEMA can understand how it could be put to its greatest benefit.

Congresswoman MOORE's community-based flood insurance study provision was originally included as part of H.R. 1309, the Flood Insurance Reform Act of 2011, the bipartisan, long-term NFIP reauthorization that passed the House with over 400 votes in 2011. It was also included as part of the long-term NFIP reauthorization efforts that passed the House three other times in different bills in 2012.

An identical bill passed as a stand-alone on September 10, 2012, by a vote of 346-11, so I think you can see that we've had this issue before us many times. It's always been supported. I urge the support for H.R. 1035.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I would love to express my appreciation to my original cosponsors of this bill, chair emeritus, House Financial Service Committee Representative SPENCER BACHUS, for his support, and my other cosponsor and friend on the committee, Representative HINOJOSA.

I believe that a community-based flood insurance option may eventually provide a cost-saving option for communities within the larger framework of the overall National Flood Insurance Program. The potential for savings and community empowerment certainly merits a study.

Now, as Mr. LUETKEMEYER has indicated, this bipartisan bill has passed in various forms, the latest being in the 112th Congress, as H.R. 6186 last September, 364-11, so this is nothing new; and I would submit that we should support it here today.

This approach has merit because its potential lower rates are due to the streamlined underwriting, increased participation, the critical mass of citizens that are involved, and incentives for the community to mitigate future flood risk. There's also an option of

providing lower-income households the use of vouchers to purchase flood insurance as part of the group.

An analogy for the concept applied is group or employee health insurance coverage versus individual coverage. We all understand that group coverage is less expensive than individual coverage due to many advantages of economies of scale.

Now, in this case, a community, rather than an individual, would be the policyholder. This brings me to another very important potential benefit of this approach, the increased incentives for communities to take preemptive action to mitigate future financial threats from floods in the community. Whereas an individual flood insurance holder has no incentive, nor means to build stronger levees or dikes, a community policyholder would have the means and incentives to take those kinds of precautions.

In theory, the homeowner would pay insurance, like a utility bill, on a monthly or quarterly basis, which also makes it easy to administer. This bill only asks FEMA to examine the costs and benefits of using this approach on an ongoing basis as an option for communities.

We need to continue to seek creative, market-based solutions to problems; and this study is the first good step toward new tools to strengthen the National Flood Insurance Program.

Seeing no other Democratic Members wishing to speak, I urge my colleagues to support H.R. 1035; I yield back the balance of my time.

□ 1720

Mr. LUETKEMEYER. I want to again congratulate and thank the gentlelady from Wisconsin for her hard work on this issue. I know that it's something near and dear to her heart, and I think it's absolutely something that is a good way to approach this issue from the standpoint of let's get a study done to see if this is a viable option. If it is, it can be a really beneficial tool to a lot of our communities that are in some difficult positions because of the flood situations they may be in.

With that, Mr. Speaker, I yield back the balance of my time.

Mrs. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1035, a bill "To require a study of voluntary community-based flood insurance option and how such options could be incorporated into the national flood insurance program, and for other purposes."

More specifically, this bill directs FEMA to study options, methods, and strategies for making voluntary community-based flood insurance policies available through the National Flood Insurance Program. Moreover, this study would include a strategy to implement options that would encourage communities to undertake flood mitigation activities.

Flooding is the most common and costly natural disaster in the United States. 90 percent of all presidential-declared U.S. natural

disasters involve flooding. Flooding occurs in all 50 states and chronically impacts many communities, including my constituents in the 18th district of Texas.

In Houston, there are a number of areas which are frequently flooded from excessive rainwater in bayous. These areas include the Buffalo Bayou, the Greens Bayou, and the Halls Bayou. These areas, and others across this nation, could greatly benefit greatly from this study.

In 1968, the U.S. Congress established the National Flood Insurance Program, NFIP, to address the nation's flood hazard exposure and challenges inherent in financing and managing flood risks in the private sector.

The program has played a central role in U.S. flood risk management policy; that is, the prevention and recovery from flooding disasters. Under the NFIP, the federal government (1) identifies areas of flood risk; (2) encourages communities to implement measures to mitigate against the risk of flood loss; and (3) provides financial assistance, through contracts of insurance, to help individuals and small businesses recover rapidly from flood disasters.

Until 1986, the NFIP was financially self-supporting from policy premium revenue and fees that covered all expenses and claim payments.

However, because of its below-market insurance rates and catastrophic hurricane-related floods in recent years, the NFIP has accrued a substantial debt that as of September 30, 2011, stands at \$17.75 billion. Under current law, the funds borrowed from the U.S. Treasury must be repaid with interest.

Because the NFIP cannot charge risk-based premiums for all of its policies, hold loss reserve funds to offset unusually catastrophic losses, or purchase reinsurance, the program faces a constant risk of financial insolvency.

The NFIP currently covers approximately 5.6 million households and businesses across the country for a total of \$1.25 trillion in exposure.

The National Flood Insurance Program, NFIP, was established in response to increasing Federal Government spending for disaster relief.

Standard homeowners insurance does not cover flooding and therefore offers no protection from floods associated with hurricanes, tropical storms, heavy rains and other conditions. The NFIP mandates that federally regulated or insured lenders require flood insurance on properties that are located in areas that have a high risk of flooding.

Unlike private insurance programs, the NFIP is not actuarially sound; it is not designed to ensure that its premiums will cover the average claims and expenses expected over the long run. By law, some NFIP policyholders receive insurance at rates that are subsidized. Such subsidies are mainly granted to property owners whose properties were built before their communities joined the program and are intended to encourage communities to participate in the program and thus mitigate potential losses.

H.R. 1035 would study the means by which communities can enhance their own ability to recover from flooding. Giving communities the opportunity to effectively become the policyholder of a flood insurance program, rather

than individual property owners, renters, or businesses, would potentially yield several benefits.

The study produced by H.R. 1035 would explore the policy of community-based flood insurance to find ways to incentivize communities to mitigate future flood losses, as well as to provide them with a greater role in determining flood risk assessment, mapping, and insurance pricing.

Furthermore, the study would allow communities to implement mandatory flood insurance purchase requirements tailored to a community's individual needs.

Moreover, the study would reveal the extent to which community-based flood insurance may produce economies of scale for a community, streamlined underwriting, as well as reduced administrative costs for the insurer.

Community-based flood insurance programs have the potential for the development of synergies between local communities and the National Flood Insurance Program.

For these reasons, I urge my colleagues to support the H.R. 1035, which directs FEMA to study how to improve our national system of disaster insurance with respect to community-based flood insurance. This bill is a timely response to recent flooding disasters wrought by Hurricane Sandy, as well as sensible way to address future floods that occur in communities across our country.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1035.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STUTZMAN) at 6 o'clock and 31 minutes p.m.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 890, PRESERVING THE WELFARE WORK REQUIREMENT AND TANF EXTENSION ACT OF 2013

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privi-

leged report (Rept. No. 113-15) on the resolution (H. Res. 107) providing for consideration of the bill (H.R. 890) to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## COMMUNICATION FROM CHAIR OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Permanent Select Committee on Intelligence:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that the Permanent Select Committee on Intelligence has been served with a criminal trial subpoena for documents, issued by the United States District Court for the District of Arizona.

After consultation with the Office of General Counsel, the Committee has determined under Rule VIII that the documents sought are not "material and relevant," and that the subpoena is not "consistent with the privileges and rights of the House." Accordingly, the Committee intends to move to quash the subpoena.

Sincerely,

MIKE ROGERS,  
Chairman.

## STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1035) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 397, nays 17, not voting 17, as follows:

[Roll No. 63]

YEAS—397

Aderholt  
Amodei  
Andrews  
Bachmann  
Bachus

Barber  
Bartlett  
Barr  
Barrow (GA)  
Barton

Bass  
Beatty  
Becerra  
Benishke  
Bera (CA)

Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonamici  
Bonner  
Boustany  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Butterfield  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu  
Clarke  
Clay  
Clever  
Clyburn  
Coble  
Coffman  
Cohen  
Cole  
Collins (NY)  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Daines  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Doyle  
Duckworth  
Duffy  
Edwards  
Ellison  
Ellmers  
Engel  
Enyart  
Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores

Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Granger  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guthrie  
Gutierrez  
Hahn  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Holding  
Holt  
Honda  
Horsford  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Levin  
Lewis  
Lipinski

LoBiondo  
Loebach  
Lofgren  
Long  
Lowenthal  
Lowe  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lummis  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meeks  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moore  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pallone  
Pascarelli  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Reichert  
Renacci  
Rice (SC)  
Richmond  
Rigell

Roby	Serrano	Van Hollen
Roe (TN)	Sessions	Vargas
Rogers (AL)	Sewell (AL)	Veasey
Rogers (KY)	Shea-Porter	Vela
Rogers (MI)	Sherman	Visclosky
Rokita	Shimkus	Wagner
Rooney	Shuster	Walden
Ros-Lehtinen	Simpson	Walorski
Roskam	Sinema	Walz
Ross	Slaughter	Wasserman
Rothfus	Smith (NE)	Schultz
Roybal-Allard	Smith (NJ)	Waters
Royce	Smith (TX)	Watt
Ruiz	Smith (WA)	Waxman
Runyan	Southerland	Webster (FL)
Ruppersberger	Speier	Welch
Ryan (OH)	Stewart	Wenstrup
Ryan (WI)	Stivers	Westmoreland
Salmon	Stutzman	Whitfield
Sánchez, Linda	Swalwell (CA)	Williams
T.	Takano	Terry
Sanchez, Loretta	Tompson (CA)	Wilson (FL)
Sarbanes	Thompson (PA)	Wilson (SC)
Scalise	Thornberry	Wittman
Schakowsky	Tiberi	Wolf
Schiff	Tierney	Womack
Schneider	Tipton	Woodall
Schrader	Titus	Yarmuth
Schwartz	Tonko	Yoder
Schweikert	Tsongas	Yoho
Scott (VA)	Turner	Young (AK)
Scott, Austin	Upton	Young (FL)
Scott, David	Valadao	Young (IN)
Sensenbrenner		

## NAYS—17

Amash	Duncan (SC)	Radel
Bentivolio	Duncan (TN)	Ribble
Broun (GA)	Gowdy	Stockman
Collins (GA)	Graves (GA)	Walberg
Cotton	Massie	Weber (TX)
DeSantis	Poe (TX)	

## NOT VOTING—17

Alexander	Lankford	Rush
Braley (IA)	Lee (CA)	Schock
Cicilline	Lynch	Sires
Costa	Meng	Thompson (MS)
Gohmert	Miller, George	Velázquez
Labrador	Rohrabacher	

## □ 1856

Mr. GOWDY changed his vote from "yea" to "nay."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM THE HONORABLE TED POE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TED POE, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not "material and relevant" and that it is not "consistent with the privileges and

rights of the House." Accordingly, I intend to move to quash the subpoena.

God and Texas,

TED POE,  
Member of Congress.

□ 1900

#### CONDEMNING ATTACK ON IRANIAN DISSIDENTS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

MS. ROS-LEHTINEN. Mr. Speaker, I rise in support of Judge POE's House Resolution 89, condemning the terrorist attack on February 9, 2013, at Camp Liberty in Iraq and requesting the prompt and safe return of the residents to Camp Ashraf.

This attack has demonstrated that the living conditions of the residents are being threatened and their safety is in jeopardy.

The United States needs to help facilitate the return of the residents for their own protection to Camp Ashraf, located also in Iraq, where they have safer facilities and a better infrastructure that may sustain future attacks—yes, future attacks. According to press reports, Mr. Speaker, the Iranian Quds Force intends to attack Camp Liberty again with rockets and mortars.

Mr. Speaker, time is of the essence. I urge the U.S. House of Representatives to debate the Poe bill on the floor immediately due to the urgent humanitarian situation that the residents are facing.

#### CONGRATULATING SERGEANT GEORGE FOR HIS PURPLE HEART

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I would like to take this opportunity to recognize the sacrifice and selfless service of Marine Sergeant Zachary George, who was born and raised in San Ramon, California. He and I even went to the same elementary school.

Sergeant George was wounded in Afghanistan on February 4 while honorably serving on his third tour of duty abroad. Last Tuesday, March 5, President Obama awarded Sergeant George the Purple Heart for his heroic efforts.

Last week, I had the honor of meeting Sergeant George at Walter Reed National Medical Center. His perseverance and positive outlook inspired me and should serve as an example to us all.

I thank Sergeant George for his brave actions, and I congratulate him on the prestigious achievement of a Purple Heart. His courage in combat and his honor to our country, our community, and the 15th District should forever be remembered.

Sergeant George exemplifies the Marine Corps' values of honor, courage, and commitment every day. His selfless service reminds us that, as a Nation, we must pledge that when our troops return home we leave no servicemember behind.

Along with Sergeant George's fellow marines and servicemembers, I sincerely thank Sergeant George's family for their sacrifice and service to our country. I wish Sergeant George a speedy recovery in North Carolina, where he resides with his wife and infant daughter.

#### THE UNAFFORDABLE AFFORDABLE CARE ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Federal Reserve, on Wednesday, March 6, released an edition of its so-called "beige book" that said that the President's Affordable Care Act is being cited as a reason for layoffs and a slowdown in the economy and a slowdown in hiring. The beige book examines economic conditions of the Federal Reserve districts across the country through interviews with key business contacts, economists, and market experts in each district.

The Federal Reserve noted:

Employers in several districts cited the unknown effects of the Affordable Care Act as reasons for planned layoffs and reluctance to hire more staff.

Supporters of the Affordable Care Act refer to the nonpartisan Congressional Budget Office, which noted the law will have only mildly negative employment effects. Such defenses are far cries from the claims used by supporters of the bill to force passage in 2009 and merely remind Americans of the countless broken promises that now define the so-called "Affordable Care Act."

The writing is on the wall, Mr. Speaker. The reality is the Affordable Care Act is costing American jobs. As more of its regulations go into effect, the more employers are going to alter their hiring decisions to account for its unaffordable costs.

#### THE PATH TO PROSPERITY IS A TRIP TO NOWHERE

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise to address the so-called "Path to Prosperity" that was released today by the distinguished gentleman from Wisconsin (Mr. RYAN).

As a freshman Member of Congress, I was hoping to look at the Republican budget with a fresh set of eyes and

focus on areas where both parties, Democrats and Republicans, can agree. Too often Congress focuses on what divides us and not what unites us. But looking at the gentleman from Wisconsin's proposal, all he's given us are vague bullet points that fail to say much.

Mr. RYAN says he'd like to eliminate loopholes. Great. Democrats would love to do that, too. But how can we do so when Mr. RYAN won't even specify which deductions or credits he'd eliminate?

I'd like to close the carried interest loophole and end tax breaks for private jets and luxury yachts, but what set of loopholes does Mr. RYAN want to close? It's a mystery. What tax breaks would Mr. RYAN like to cut? The home mortgage interest deduction? The child tax credit?

Let me stop you right there, Mr. RYAN, because cutting those programs will hurt the middle class residents of my district, and I will not support such cuts.

This is not a path to prosperity. For the middle class, it's a trip to nowhere.

Mr. RYAN says he is a serious policymaker, but looking at this proposal, I'm not sure what he's serious about.

#### TERRY HIGH SCHOOL 4A STATE CHAMPIONS

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, around midnight last Saturday, I was standing with a group of spirited Texans in the parking lot of B.F. Terry High School. We were waiting for the triumphant return of the Terry men's basketball team. Three hours earlier, the Rangers were cutting down the nets as the Texas 4A State champions.

The Rangers showed the heart of a true champion by defeating the two-time defending champions, Dallas Kimball, 55-47. Down eight at halftime, the Terry defense took over. In the second half, they held Dallas Kimball without a point for the last 3 minutes and 45 seconds.

Congratulations to Coach Michael Jackson, MVP Derrick Griffin, and the whole team for bringing the hardware home to Rosenberg.

#### LET'S DO THINGS THE RIGHT WAY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, it's my intent to bring the House's attention to several important issues.

First of all, I would like to join in a mutual effort with Mr. POE to address the devastation of the people in Camp Ashraf and Camp Liberty. Those are Iranian refugees who have been at-

tacked and who have been mistreated, and we must fight for them and ensure their safety.

I also want to comment on the introduction of a new budget by the House and to say that we have to come together and not be conflicting with programs or initiatives that will not happen; and to have a budget based upon the elimination of the Affordable Care Act, it simply will not happen. We must come together.

Finally, America is ready for comprehensive immigration reform. In a meeting I held yesterday in Houston with over 90 to 100 persons, if you heard the story of a father who was told to leave his children behind and to leave the country, you would know this is not about immigration. It's about families. It's about humanitarianism. It's about bringing America and Americans together.

We have a few things to do in this country and a few things to do in this Congress. Let's get on with it and do it in the right way.

□ 1910

#### THE DISTINGUISHED WARFARE MEDAL

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Recently, the Pentagon proposed a new medal, the Distinguished Warfare Medal, to recognize those members of the armed services who operate the drones, which serve on vital missions over war areas. That's a good thing. However, they've also recommended that it take precedence over and be rated above the Bronze Star and the Purple Heart.

It is of great concern to a number of us in the House that this has taken place because we believe that those who fight and have the wounds of battle should have their medals take precedence over them.

I ask all Members to be in support of H.R. 833 and to sign on as cosponsors so that we can correct this problem and work together to make sure that the Bronze Star and Purple Heart are kept in their rightful order of medals, because these things do matter to our military.

#### GOODBYE, LEO

(Mr. RYAN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN of Ohio. I rise this evening just to honor and pay tribute to a dear, dear friend of mine and of the community in my congressional district, Leo Keating. He was the grandfather of my legislative director, Ryan Keating, and

of his brother, who is a dear friend of mine, Brendan Keating.

Leo was one of these great World War II veterans who knew how to live life. He was a pilot. He was a lawyer. He loved baseball—and he was funny. He was a tremendous guy who helped me at a very, very young age get into politics. Today, as we went through his funeral mass, his son Dan, who practiced law with him, talked about these three Bronze Stars that he earned in the war. Typical of that generation, nobody really knew about it because he didn't talk about it.

So I wanted to rise and honor that and honor him because I think, as we deal with a lot of the craziness that's going on here in Washington, D.C., it was a nice example today to see this man who was a hero to his country getting the military burial and what-not and to think he never even talked about it and how beautiful that was. He was just a great guy who knew how to live life. We will miss Leo Keating, and I know his family and his friends will miss him dearly, but he gave us one last gift going out: his family wanted him to have dialysis, and he said no.

Come on, Dad. Try it just one time. See if you like it. See if it helps.

No. I'm ready.

And he was ready. And he gave us one last example on how to live with grace and dignity.

So, goodbye, Leo.

#### MAKE IT IN AMERICA: THE ECONOMY

The SPEAKER pro tempore (Mr. PITTEMBERG). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you very much.

I am JOHN GARAMENDI from California, and I am joined by several of my colleagues here tonight. We want to go through a couple of things that are of the utmost importance to Americans. I had three townhalls on Saturday in California—it was about a 450-mile drive to get to all three of them—but at each and every one of them the concerns were very, very similar.

The first overriding concern was the economy. In California, there is this desire to get the economy going. There is a pent-up energy in the people—in the businesses, in the small businesses, in the farmers. It's not just because it's spring and the almonds are blossoming—or maybe it's the "a-munds" depending on what part of my district you're from. It's that there is this desire to get moving forward.

They keep asking me, What's going on in Congress? Why can't you guys get it together out there?

And we explained what's happening here.



We have been through five crises over the last 18 months—manufactured crises, things that didn't have to happen. Each and every time, the entire system of America's economy and politics comes to a stop, and we lurch up to that fateful cliff, and then we move on but not with the kind of robust energy that this economy is capable of. We need to get this continuing resolution and all of these fiscal cliffs out of the way to get the economy moving, and there are some very, very good examples of why the economy is poised to take off.

One of them is found here. If you take a look at this chart, these are the job creations or losses beginning way back in 2009, 2008. All of those red lines are the collapse of the economy. When the blue came in, that's when President Obama came in 4 years ago, and things were tough. We were in a free fall here in our economy; but with the stimulus bill, we began to climb out. After about 18 months, we began to see positive job growth—we were no longer seeing those job losses—and we've seen that all the way through. This last month was a terrific month. There were 247,000 new jobs created, and that was in February.

So what happens in March?

In March, we come up against another cliff; and now we have sequestration, leaving us 750,000 unemployed Americans. It's not a gain in the economy. The unemployment rate went down to 7.7 percent in the previous month, and now we have sequestration. We passed a bill out of here last week that was supposed to solve it. It really didn't. In fact, it maintained sequestration. It took care of a few things, but we've got to get past this. We need to grow this economy, and we need to make the investments. There are really only five critical investments that need to be made year after year after year, and we need to do these things repeatedly—every month, every year, in every budget:

Education—sequestration cuts education at all levels;

Research—sequestration cuts research. In my district, at the University of California at Davis, \$45 million of research projects will come to a screeching halt. Ph.D.s and others will be laid off;

Infrastructure—sequestration cuts infrastructure. Manufacturing matters. You've got to make things;

Those are the four. The fifth is you have to be willing to change, but you've got to change in a positive way.

What we're going to talk about with my colleagues here is this issue of how to move the economy forward. As we look at the past and at the success—modest, not enough, but on the right track—we need to keep in mind that it is the role of the government, dating back to George Washington and Alexander Hamilton when Washington

asked Hamilton to develop an industrial plan for the United States and Hamilton did. He laid out in that plan the critical role of government in moving the American economy forward, and that was in the very first year of these United States. We should carry that tradition forward. So as we go into this, let's keep in mind that we've made progress and that we have much more to do.

Joining me tonight is a gentleman who has created many, many jobs, and now he has a new one. He is a Member of Congress from the great State of Maryland, and it's Mr. DELANEY.

Thank you very much for joining us. You have an exciting district. You have a considerable amount of high-tech in your district.

Mr. DELANEY. I do.

Mr. GARAMENDI. So share with us your thoughts about how we can grow the economy, and maybe share some of your own experiences, because you've employed many, many people during your tenure in business.

Mr. DELANEY. That's right. I appreciate my friend from California for providing me with this opportunity to talk about what I think is important for our economy, to get our economy going to create jobs.

We spend a lot of time, both in this Congress and in Washington generally, talking about the economic challenges that this country faces and about the employment challenges this country faces, and those conversations often evolve into conversations about our tax policy and about the size of our government—two very important things for us to be spending time on as we talk about the fiscal trajectory of the country.

□ 1920

They are two things that actually have very little to do with what is important for creating jobs in this country, because what has really caused the employment challenges that we face today, what has really caused the economic challenges that this country faces are two things: globalization and technology. They are two trends that are gripping our society and really started about 20 or 25 years ago, and these trends are accelerating.

Many people have been benefited by these trends. Americans with great education have been blessed by these trends. Americans with access to capital have benefited because of these trends. And hundreds of millions of citizens around the world have benefited from these trends because they move from formerly not being in a modern economy to being in a modern economy.

The problem is that the average American has been negatively affected by these trends. It happened too quickly. We weren't quite prepared for it. We didn't invest in our future the way we

need to to prepare a broader number of Americans for a world that is fundamentally changed because of these trends.

To me, this is the central issue we face as a country if we want to reverse the employment trends. By the employment trends, I don't just mean the headline unemployment number, which is tragic. I mean what happens if you look behind those numbers, if you look at the standard of living of the average American, which has consistently gone down now for two decades.

In order to reverse these trends, in order to take these trends—globalization and technology—and bend them to benefit a broader number of Americans, we fundamentally have to do things here in our country that involve investment.

We have to improve our educational system and invest in education. There has never been a stronger correlation in the history of this country between having a good education and one's ability to get a job.

We need a national energy policy that can lead us to the advanced energy economy which will be cleaner and more efficient and more economical. If you look back over the history of modern economies, the two most important numbers for an economy to be successful is the cost of money and the cost of energy. We have an opportunity if we lead in advanced energy to keep the cost of energy down.

We need to reform our immigration system. Half of the Fortune 500 companies in this country were founded by immigrants or children of immigrants. Immigrants fundamentally create jobs in this country.

And we need to invest in our infrastructure. We need to build a modern infrastructure for the future: transportation, communication, energy, educational facilities, all of the things that we need to do to be competitive. This will create jobs in the short term, and it will lay the groundwork for a more competitive America across the long term.

These are the things that we need to do to make our country more competitive so that we can create and attract and sustain jobs that have a high standard of living. That's the sacred trust we've been given as Members of Congress. And to do these things and to make the investments that are important in energy and education and infrastructure and in our immigration system, we need to be in a position fiscally to make investments, and that's a role of government that I strongly believe in.

To do that, we do have to change our fiscal trajectory, but we have to be honest about the drivers of our fiscal condition. We have to acknowledge that we do need comprehensive entitlement reform in this country so that our important entitlement programs

don't crowd out all the other priorities we have in the Nation. And we also have to acknowledge that we need to reform our tax system, implement proposals like the Buffett rule that level the playing field and create more revenues. Our revenue as a percentage of our economy has never been lower.

If we do these two things, we create an opportunity for us to invest in our future. We create an opportunity to do the things that we need to do to make this country more competitive.

As someone who was the son of a union electrician, whose parents never went to college, who had the blessing of a good education and started two businesses from scratch that both became New York Stock Exchange companies and created thousands of jobs, I have an appreciation of what's important in terms of entrepreneurship in this country. These are the things that we need to do if we want to make a difference, and these are the things that I care about as we try to work against these important trends.

Mr. GARAMENDI. Thank you very much, Mr. DELANEY. Well, you hit it right on the head: education, the technology issues that we have before us, the issue of globalization and how we deal with it here, and our energy policy. We are really blessed in the United States with energy that has suddenly come back to blossom, and that's natural gas. What an enormous asset for this country, and we need to really push that further along. And the immigration issue, all of these things are before us right now.

If we move forward aggressively with the kinds of things that you talked about, and we're spending time here on the floor, we can really move this country. And with the energy that businesses have and the experience that you know from your own experience in business, there is a pent-up demand. There's a lot of cash in the businesses of the Nation. We need the policies laid out there.

Perhaps you can take up the energy piece and elaborate a little more on how you see the use of natural gas as a bridge as you get to those clean energy issues that you talked about.

Mr. DELANEY. I think you made a very good point about the amount of cash in our private sector. There is more cash in U.S. corporations than there's ever been, and there's more cash in our banks than there's ever been.

I believe the private sector creates the jobs, but there is a clear and distinct role for government to level the playing field and make the investments that are needed for the private sector to thrive. The energy industry is a terrific example of that. If we had a national energy policy that pointed us in a common direction where we could say this is where we want our energy production and utilization to be in the

future, it would benefit Americans so much in the short term because of the quality of their life in terms of making us more competitive.

If you look back over the history of this country, it takes us about 50 years to change energy sources. It took about 50 years to go from wood to coal; it took about 50 years to go from coal to oil and natural gas; and it will take about 50 years to truly have this advanced, clean, efficient energy economy that we know we should have as a country. We should have policies in place that encourage that. And natural gas can be a fabulous bridge to that future.

There has to be accountability. We need to ensure that it is done in an environmentally sensitive way. I believe there is a role for the Federal Government to do that, and we should be embracing it because it can clearly bridge us in a cleaner way and in a cost-effective and competitive way to the future we all imagine for clean and advanced energy.

It will take time to get there. It is a massive investment to transform our energy infrastructure, and we can do that, which, by the way, will create a lot of jobs while we do it, but we can get there. And natural gas can be a terrific bridge.

Mr. GARAMENDI. I really agree with all you said. And as we make that bridge to that clean energy future—you talked about those 50-year increments as we change from one source of energy to another. In that process, we, American taxpayers, seriously subsidized each and every one of those transitions. We now have to shift, it seems to me, shift some of those subsidies from the old energy sources, specifically oil, and shift that into long-term subsidies, encouragement to those clean energy issues. If we do that, I think we'll see that kind of growth that you're talking about.

Mr. DELANEY. I absolutely agree with you.

Mr. GARAMENDI. Mr. DELANEY, I know you have to leave, but thank you so very much for joining us.

Mr. DELANEY. Thank you for giving me this opportunity.

Mr. GARAMENDI. Also joining us tonight is Representative HIGGINS from the great State of New York.

We have talked here on the floor from time to time, Mr. HIGGINS, and you have a very serious issue about our infrastructure—or lack of good quality infrastructure in the United States. You have some plans for that. I don't know if that's what you want to talk about tonight, but I'm going to take you there either sooner or later. So please share with us your thoughts on growing jobs here in America.

Mr. HIGGINS. I thank the gentleman from California.

I think the infrastructure piece, as has been mentioned here previously, is

a vehicle for growth. It is refreshing to see that this discussion tonight between three Members is about how to grow the economy. There is not an example in human history of an economy growing out of a recession from austerity measures. It didn't happen in Japan in the 1990s. It's not happening in Europe today, and it didn't happen in this country in 1937. So what we have to do is invest in education, as the gentleman has said, scientific research, and infrastructure.

This weekend, former Republican candidate for President Rudy Giuliani talked about the importance of investments that have a return, that grow jobs and reduce debt and deficit. He talked about transportation infrastructure and rebuilding the roads and bridges of this country.

The Republican budget that was released today, the Ryan budget, proposes to cut infrastructure spending over the next 10 years by \$5.7 trillion. I would submit to you that we are moving in the wrong direction. We need to make investments in this economy.

Mr. GARAMENDI. Mr. HIGGINS, if I may interrupt you for just a second, I can't believe the number you just gave us. You said the Ryan Republican budget that will come out this week does what to infrastructure?

Mr. HIGGINS. It cuts infrastructure spending by \$5.7 trillion over 10 years.

□ 1930

It doesn't do anything to the defense spending. So while we, the advocates of increased infrastructure spending, want to nation-build here at home, in America, the Ryan budget wants to continue to nation-build in Afghanistan and Iraq and other places.

World War II ended in 1945. We still have 52,000 U.S. soldiers in Germany. We still have 49,000 U.S. soldiers in Japan. We still have 10,000 U.S. soldiers in Italy. We need to bring them home and nation-build here.

And that's the Paul Ryan budget, not the Tim Ryan budget.

Mr. GARAMENDI. Mr. HIGGINS, you've really hit upon something that caught my attention. Also, we should be aware that this year, that is October 2012 until October 2013, we will spend \$100 billion in Afghanistan.

To what effect? To have our soldiers killed by Afghan policemen? To create an ongoing conflict in that area with the people that are living there?

To what effect? \$100 billion.

You talk about bringing home the soldiers, we should bring the soldiers home from Afghanistan. There will be some small unit left there to deal with al Qaeda and other terrorist organizations, but it's simply not working.

Think what \$100 billion could do to solve the sequestration issue, which is only \$85 billion.

Mr. HIGGINS. Can I just make another point before you turn it over to



the distinguished gentleman from Ohio (Mr. RYAN)?

A lot of people here, in the majority, do a lot of complaining about spending. The irony is, they did all the spending.

At the end of 2000 we had a budgetary surplus of \$258 billion. They took that surplus and financed two wars that took \$1.2 trillion out of the American economy. They financed a drug prescription program, unpaid for, that will cost us \$1 trillion over 10 years.

And they financed two tax cuts that didn't produce the kind of growth they were said to produce. In fact, after those tax cuts were enacted, disproportionately for the wealthy, we had the worst period of economic growth in the past 75 years.

The Clinton administration produced 22 million private sector jobs. We had 4 percent annual economic growth, sustained over an 8-year period. That produces budgetary surpluses and reduces the debt.

So that's the lesson that we should embrace, not the measures that the Republicans are proposing, because historically it hasn't produced the kind of growth that they promised that it would produce.

Mr. RYAN of Ohio. If the gentleman would yield too, I'd just comment on the infrastructure piece.

So here we are today, needs abound in the country, both rail, combined sewer, highways, bridges—I mean, each of our counties, you pull out how many bridges in our counties aren't up to specs; I think it's like 50 or 60 just in one of my bigger counties.

These projects are only going to get more expensive. The energy costs going in are going to get more expensive, the labor costs are going to get more expensive. Everything associated, the materials, everything associated with what needs to get done is going to become more expensive. So I think the good business move, on behalf of the taxpayer, would be to get this done now, get people back to work.

And I recognize that we're still running deficits. But the interest rate at which we're borrowing the money is minimal, 1, 2 percent.

So we're going to wait. Here's what's going to happen. We're going to wait. Accidents are going to happen, bridges are going to collapse, things are going to just need to get done, and then these local governments, State governments, we're going to have to go out and borrow the money at 4 or 5 percent, as opposed to 1 or 2.

So I think as we're thinking about this, it's not that we're sitting here saying, oh geez, we don't have anything better to do, let's just spend a bunch of government money. No, these are strategic investments. Like in Virginia, they're going to increase productivity so people aren't sitting in their cars. They're more productive, have a higher quality of life, more time with

their families, all these things that we say are very important.

So, to your point, we're going backwards, because at some point this stuff's got to get done.

Mr. HIGGINS. According to Transportation for America, there are 69,000 structurally deficient bridges in this Nation. In my State of New York there are over 2,000 bridges that are structurally deficient. In western New York there are 99 bridges that are structurally deficient. Every second of every day, seven cars drive on a bridge that is structurally deficient.

And as the gentleman from Ohio had pointed out, public infrastructure is the public's responsibility. It's as old as Lincoln. He called them land improvements and railroads at the time.

So it's not a question of whether or not the public is going to improve the infrastructure. The question is when does it make the most sense. And we believe that money is as cheap as it's ever going to be, labor is as cheap as it's ever going to be, and equipment is as cheap as it's ever going to be.

Mr. GARAMENDI. Mr. HIGGINS, you've raised, and Mr. RYAN, you've also raised the very same issue about the infrastructure. We can do this. We can really do it.

I couldn't believe that PAUL RYAN's going to introduce a budget in the next couple of days that's going to take \$5.7 trillion out of the infrastructure.

I often hear our Republican colleagues talk about the Founding Fathers, and we ought to hearken back to the founding fathers. And indeed we should.

His first month in office, George Washington asked Alexander Hamilton, his Treasury Secretary, to develop an industrial plan for the United States. In that plan that Hamilton produced 3 months later was an infrastructure component. It said the United States Government should support the creation of ports, canals, and roads.

So right back to the very first days of this government, we have seen the role of the Federal Government in the infrastructure sector, and that is an investment.

And one thing I'll add before I turn it back to you gentlemen is that all of that's our tax money, all tax money from all 360 million Americans, coming in in one way or another, sometimes through the Federal excise tax on gasoline or income tax or other taxes. If we used that money to buy American-made steel—I think that's near your district, isn't it, Mr. RYAN?

Mr. RYAN of Ohio. I think the gentleman from Buffalo knows a little bit about that too.

Mr. GARAMENDI. So we're talking about American-made steel for those bridges, or concrete or other kinds of equipment. And so if we do that, we'd create jobs in the United States.

The manufacturing sector lost 9 million jobs between 1990 and last year.

This last year we've seen an additional about 600,000 new jobs coming back into manufacturing, but if we pass Buy American or Make It in America legislation, so that our tax money supports American-made products from American-made workers made in America, we can see a boom in manufacturing. It's certainly going to be important in my district, and I'm sure it is in yours.

Gentlemen, you're right on target here. These are the investments that George Washington and Alexander Hamilton said we ought to make.

Mr. RYAN, I know you have a few other things you'd like to toss into this.

Mr. RYAN of Ohio. Well, one of the things that you were talking about—and I just started to learn more and more about this new additive manufacturing. And there's a center in Youngstown, Ohio now that's a regional center for additive manufacturing.

So the old school manufacturing is you would cut things out, and they called it subtractive manufacturing. The new stuff is a printer that you have that would be like the printer you have in your office, except you pump material into it, and instead of ink on a piece of paper, it's a material that would make a component part. And the cost is down now to about \$700 or \$800 for these things. So this is the next generation of manufacturing.

And I bring it up because the President put together a proposal, Department of Energy, Department of Commerce, Department of Defense, to partner with the private sector to create one of these innovation institutes. And he wants to do 15 more for a billion dollars.

If you would see the activity going on in Youngstown, Ohio now, the companies that are partnering with us, with the private sector, with Carnegie Mellon, it goes all the way to Pittsburgh, Carnegie Mellon, Case Western Reserve, Youngstown State, University of Akron, Lehigh, Penn State, West Virginia—we've got to get Buffalo in this somehow.

But the point is, public/private partnership to expedite the development of new technologies. And the President and his team get this. And Democrats, we get this.

We've got to get away from this narrative that anything the government spends money on is bad; it's a waste of your tax dollars. Whether it's infrastructure, whether it's public/private partnerships like this additive manufacturing institute or the other institutes that we need to create, that's the seed corn for the next generation of alternative energy, windmills, solar panels, whatever the case may be.

□ 1940

We don't know what it is. That's why the recipe has always been to invest in this basic research, put these public-

private partnerships together, and magic will happen. Because you have the basic scientific intellect and intelligence there, partnering with the private sector, who has a profit motive, and magic happens. And now we've gotten a scenario where government has no role here. No role at all. And it's not either/or. So I'd like to ask my friends who think it's either/or, what other relationship with another human being do you have that that's that black and white?

This stuff is complicated. It's complex. It takes nuance. And that's what's happening in Youngstown, and I think it's a good example of what can happen around the country in older areas where we don't have the local tax base that we used to have, to have the Federal Government come in. And you should see the ripple effect already happening—and it's a beautiful thing—but it takes that kind of comprehensive plan.

Mr. GARAMENDI. Mr. HIGGINS.

Mr. HIGGINS. I was just going to mention where TIM was talking about infrastructure, the New America Foundation has a study out called, "The Way Forward." And they propose spending \$1.2 trillion on infrastructure, primarily because of the reasons that we stated here. Money is as cheap as it's ever going to be. Labor is cheap and equipment is cheap. But they further explain that it will create 25 million jobs over the next 5 years—\$5 million the first year, reducing the unemployment rate from its current rate to 6.4 percent; \$5 million in the second year, reducing the unemployment rate further to 5.4 percent. These are proven growth vehicles. And that's exactly what the economy does. And it will also put people back to work.

All the construction trades, to their considerable credit, have a program called Helmets to Hardhats, where they take veterans returning from Iraq and Afghanistan and they expedite their apprenticeship training and put them to work making \$60,000, \$70,000 a year. Do you really want to say thank you for your service on behalf of a grateful Nation? Put them to work rebuilding this Nation.

We will spend—the Federal Government—in transportation infrastructure this year \$53 billion. It's a disgrace. We're a Nation of 300 million people. You just spent as a Nation, the United States, \$89 billion rebuilding the roads and bridges of Afghanistan. You spent \$69 billion rebuilding the roads and bridges of Iraq. Those are nations of 30 million and 26 million respectively. But for a Nation of 300 million people you're going to spend \$53 billion.

Mr. RYAN of Ohio. And you look at what our top competitors are spending as a percentage of their GDP. I think we're at 1 percent of our GDP that we spend on infrastructure. It maybe went up to 2 during this recovery package.

But if you look at India and China, it's 7 or 8 percent of their GDP. Now, granted, they're still developing in so many different ways. But for us to be at 1 and they're at 6, 7 or 8, how are we going to be able to keep up when our infrastructure is so much older?

It's time to rebuild America. And I don't know anybody in my district, Democrat or Republican, who's really not for that. I've had Republican friends of mine have the light bulb go off and they say, Wait a minute. We're going to have to do this at some point. And we've got a high unemployment rate and we've got low interest rates. This doesn't make any sense to put it off.

Mr. GARAMENDI. If not now, when?

Mr. RYAN of Ohio. When?

Mr. GARAMENDI. When are we going to do it? We can do these things. We can do the wind turbines for the clean energy, as Mr. DELANEY was talking about, solar panels, and, of course, the transportation systems, which we're discussing here.

Mr. RYAN of Ohio. As you said, you've got to ship that stuff. That stuff needs to be shipped. It needs manufactured and then it needs to be shipped somewhere on a road and over bridges and ports and airports and logistics facilities and everything else. You've got to make that investment, and that'll grease the wheels of the commerce.

Mr. GARAMENDI. George Washington and Alexander Hamilton at the very start of this Nation said, Build the infrastructure. Grow the economy.

Mr. HIGGINS. We need them back here.

Mr. GARAMENDI. We can use that again. The President has put it out there, too. In his State of the Union speech he spoke very clearly to the advanced manufacturing centers that you talked about, Mr. RYAN. He talked about infrastructure. He's made proposals that have just been pushed aside by our Republican colleagues here, but there are proposals that would grow this economy and give us the foundation upon which we can then have additional growth.

I see that the Representative from the District of Columbia is here. Ms. NORTON, thank you very much for joining us. Gentlemen, thank you very much for this evening. ELEANOR HOLMES NORTON, thank you very much for joining us this evening.

Ms. NORTON. I want to thank my good colleague from California for keeping before the Congress the notion of making jobs in America. You were just talking about infrastructure. Infrastructure is all made in America, if we make sure that we don't build bridges, for example, from materials from China. But when it comes to the roads, when it comes to the cement, we don't get those from abroad. We make those here. And that's why infrastructure has always been the foremost way

to stimulate an economy. It's interesting that it stimulates not only the construction trades, but it's best because it stimulates other parts of the economy below it. It's the way to get everything going.

I couldn't agree with you more in pointing out—and you and I are on the Transportation and Infrastructure Committee—the importance of infrastructure. That used to be the great bipartisan issue of the Congress of the United States. And I think there is some chance it will be again. We note that the bill that we just passed in the last Congress, the Surface Transportation bill, will have to be renewed next year; and I certainly hope that becomes an opportunity to do a Surface Transportation bill for more than 2 years. That's where we have to get to work right now.

But I wanted to come to the floor today, in particular because the Ryan budget has come forward. And I note the very good news of the 246,000 jobs that the private sector, on its own, with no help from the public sector and no help from the Congress, has produced, cheering all of us up.

Mr. Speaker, I want to note that we are about to countermand all that the private sector is doing alone. The reason is that the Federal and the State sectors are doing just the opposite. They are reducing spending, the States and the cities are causing layoffs, and the result is that for every job that the private sector makes, we are moving in exactly the opposite direction because all oars are not in the water. Thank goodness we have a private sector that is beginning to say, we won't wait for the other oars—the Federal and the State oars. We're going in now. The rest of you should join us.

The very least we should do, however, is to cease making it worse for the private sector to keep doing what it's doing. The sequester, of course, will do that. The markets have not reacted yet, but there is no way in which people in the private sector, particularly small business, is going to continue to add jobs if they see that the Federal and State governments are doing just the opposite. The reason the State governments are doing that is because when we make cuts, they pass through directly to them. So they're trying to protect themselves because they must produce annual balanced budgets. Since they must have a balanced budget, they are making cuts every single day, or at least reducing spending.

The Ryan budget comes forward and in a real sense it looks a lot like it's always looked. But look what it does: it makes half of its so-called savings from health care—Medicare, Medicaid, and, of all things, the Affordable Health Care Act. I guess we ought to say a budget is what, indeed, it always has been: it's a hope-for document. I hope

that we don't get the Ryan budget. But I cannot believe that Mr. RYAN believes that at this late date, with an election having already taken place, with the benefits of the Affordable Health Care Act, flowing every day, that we're about to repeal that. Half of his savings are from Medicare, Medicaid, the Affordable Health Care Act, and he caps food stamps.

□ 1950

I want to say to my good friend from California, I think we ought to stop slapping the private sector in the face every time it makes jobs, making sure that we do cuts that take away the effects of those jobs. That's what we're doing.

I note that you have one of the posters that show how we hurt people. We ought to also understand we are hurting people and we are hurting the economy at the same time, and that's why CBO said 750,000 jobs are at risk because of the sequester alone, leave aside what the Ryan budget would do.

Mr. GARAMENDI. Well, thank you very much, Representative NORTON, and for your years of service here.

You were just moving to the Ryan budget, which I suspect he'll introduce maybe in the next day or two. This is the same old, same old, but this time it's worse than the old. He's talking about an austerity budget, a very stringent austerity budget on steroids that will clearly decimate the economy as those cuts are made.

You just said if the Federal Government makes a reduction, it comes right down to cities and States laying people off. We've had this growth just last month, 247,000 jobs, and here we go.

Let's understand what is being discussed by Mr. RYAN. Who are these people on Medicaid? He proposes to cut Medicaid by a third and block-grant it to the States, which means just give the States some money. But who are those people on Medicaid? Now, we call it Medi-Cal in California, but you can see that two-thirds of the Medicaid money goes to seniors and disabled. So, Mr. RYAN, what are you doing? Who exactly are you pointing out for the reductions? You're going after seniors and the disabled.

Ms. NORTON. I think that point you just made about Medicaid needs to be said again. People think of Medicaid as somehow poor people, we'll let them fend for themselves. It turns out that almost all of the funds—two-thirds—go to seniors and disabled people. We're targeting the wrong people.

Mr. GARAMENDI. They think it's welfare. Well, these are seniors and disabled people that can't work, or people that are retired.

So, what does it mean? It slashes that budget for seniors that provides them with nursing homes. Principally, these folks are in nursing homes. So you're going to take a third of the

money out of nursing homes. Now, just what are those seniors going to do? What are they going to do? You're taking a third of the money out by 2022.

You mentioned Medicare. Oh, yeah, Medicare. Mr. RYAN, proposes to end Medicare as we know it. He's going to give seniors a voucher. They can stay on Medicare, but they have a voucher to buy Medicare. The guarantee of affordable health care, quality health care for seniors terminates with the Ryan Republican budget.

Who are those people on Medicare? Well, let's see. About 3 percent earn over \$100,000 a year; 1 percent, somewhere around \$90,000 to \$100,000; but down here, here's where the Medicare beneficiaries are. They're earning somewhere, \$10,000 to \$20,000, or \$30,000—right here, 28, 20, 16. You're getting up to 50 percent right there of people below \$40,000. These are not wealthy people.

Medicare is there to provide people with the ability to have quality health care in their retirement years. But Mr. RYAN would end that and give them a voucher, and shift the cost to the individuals who would then have to go out and buy private health insurance.

I was the insurance commissioner in California for 8 years and I understand what the private insurance companies are all about. The private health insurance companies are all about their bottom-line profit. It's not people, it's profit. If that's what Mr. RYAN wants to do, we're going to fight vigorously and successfully to say no, no; the promise of Medicare is here to stay.

Ms. NORTON. Isn't that, by the way, exactly why we got Medicare—that seniors were left to the private market, and finally the Congress understood that the private market cannot accommodate people with \$22,000 annual income.

Mr. GARAMENDI. Exactly right. When I was young, before Medicare, we lived in a rural community, there was a county hospital. My dad took me to the county hospital to visit a rancher. We were ranchers. On the other side of the hill was another rancher that was elderly and was at the county hospital. I will remember forever in my life going to that ward with maybe 15, 20 elderly people side by side in beds, the stench. The care was almost nonexistent. Poverty was everywhere. It was worse than horrible.

But in 1964 this Nation did something very, very important. Together with Social Security, they brought seniors out of poverty because it was the medical expenses that forced them into poverty. So Medicare brought seniors out of poverty. It went from, I don't know, I think it was almost 80 percent of seniors were in poverty to a situation today where maybe 8 to 10 percent are in poverty. Social Security, Medicare; absolutely critical. But any attempt to change that goes right to the heart of our values as Americans.

We will take care of our seniors. That's not to say changes are not possible. Of course changes ought to be public. For example, we ought to be negotiating with the drug companies over the price of prescription drugs. But, oh no. When the prescription drug benefit was passed, added into it and signed by George W. Bush was a paragraph that said the Federal Government is a price taker; it cannot negotiate the price of drugs. So we spend billions and billions where it's not necessary.

Ms. NORTON. And of course there are some agencies that do negotiate the price of drugs.

Mr. GARAMENDI. Exactly.

Ms. NORTON. I do want to point out, when you talk about the transfer of the expense, the cost of Medicare to seniors themselves—the costs we know they can't possibly bear—notice that hopes went up when Mitt Romney said, during the campaign, that we should reduce the loopholes. Well, note what Mr. RYAN does: he reduces the loopholes in order to give rich folks a further tax reduction.

So, where does the money go? The top rate now is 39.6 percent. Well, he wants to bring that top rate down to 25 percent. So he wants to close the loopholes all right—I'm not sure which ones he has in mind—but that savings would go back into the same 1 percent sector that already has gotten all the benefit from tax cuts until what we finally did in January, when others got some relief as well.

Mr. GARAMENDI. I'm going to pick up another chart. The issue you raised is one that we really ought to chart. Let me go get another chart. Just keep going there.

Ms. NORTON. I'm very glad my good friend from California does have a way to illustrate all of these points.

Not only does RYAN reduce the top rate from 39.6—that's how much the very richest would pay—to 25 percent, but you may say, well, but he's got a 10 percent rate essentially for everybody else. Well, if everybody else paid 10 percent and the very richest paid 25 percent, there would be little revenue for the Federal Government. So what we're saying about Medicare and Medicaid is this would mean that there would not be the revenue to fund them. And that seems to be his point: get so little revenue coming into the Federal Government that in and of itself that will mean you do not have to worry about cuts. You'll get rid of these programs that we have been building for 50 years.

Mr. GARAMENDI. I ran over and got this chart. I wasn't going to talk about this this evening, but you brought the issue up about where the money has gone and the issue of tax breaks.

□ 2000

This chart begins in 1979, and it shows the basic growth in income. So

it starts down here in 1979, and the bottom 20 percent have really seen very, very little growth in their income. The next 20 percent, a little better, and this is the next quartile. These are the 1-percenters. We talked about the 99 percent. This is the 99 percent down here. These are the 1-percenters. These are the people that have seen extraordinary income growth. And it just happens to coincide right here, this income growth has coincided with the Bush tax cuts in the early 2000's. So we've seen this enormous percentage income, almost a 300 percent growth, 277 percent growth in their income, so that you're beginning to see the skewing of wealth in America.

This is the annual income. But if you take a look at wealth and you put another chart of wealth here, you'll see something the very same. So the rich get richer and the poor stay where they are, that old song.

Here we are. This is a result of multiple effects, but one of the principal ones is tax policy. And if Mr. RYAN's budget passes, as you have suggested, and the top tax rate goes from 39 to 25 percent, then that means that those who already have a lot will get a whole lot more. And I'm reminded of a quote by Mr. Roosevelt, President Roosevelt, and he said—this is a paraphrase. I wish I had it with me to be exact. He said: We're not measured by how much those who have get more, but rather by what we do for those who have little.

This is our great challenge. This is where the great buying power for America should be, in the bottom 99 percent, really in the bottom 50 or 60 percent.

I thank you for raising that point about the tax policy in the Ryan budget, but it will make this line just continue to go like that; and the rest, because of the elimination of the deductions, are going to see a stalling of their income.

Ms. NORTON. So he does get balance within 10 years, and look at how he gets it. You still do not have anything like a contribution, a real contribution from those who have benefited the most from the tax cuts. You're saying it continues to come from the lowest part of the income stream, income groups in the United States. I don't know when people will let the Congress know they're not going to take it anymore, but it seems to me the time has come.

Frankly, I was encouraged by the fact—I hope this works out—that the President reached out to at least some Senators to see whether or not there's somebody somewhere, and since Democrats controlled the House, perhaps we could get to a greater balance by bringing more people into the equation.

The Republicans are fond of saying that you can't spend yourself into prosperity. Well, you can't cut yourself into prosperity, either. That's why the

notion of balance makes the most sense. That's why the President was elected because that apparently made the most sense to the American people.

Mr. GARAMENDI. Exactly. The President has proposed a balanced approach to sequestration, as well as to the long-term deficit plan, a combination of additional revenues, many of them from closing loopholes, and also some very wise cuts. There are things that can be done in Medicare. I talked earlier about the prescription drug benefit. But there's also the way in which Medicare is organized. The fee-for-service system encourages additional and often unnecessary procedures. There's a lot of fraud in the system. We need to deal with that. And the Affordable Care Act, interestingly enough, went right after every one of those, yet they want to repeal the Affordable Care Act.

What are they thinking? We know the Affordable Care Act works. We know that the inflation rate in Medicare, since the Affordable Care Act went into effect, has dropped precipitously. It's still growing, but it's growing slower than the general health care inflation rate in the Nation.

Ms. NORTON. That's the first time we've seen that in decades.

Mr. GARAMENDI. In decades. But we're seeing the changes.

The Affordable Care Act, a major part of that is an annual well person visit to the doctor, so critically important. Why? What's your blood pressure? How's your sugar? What's happening in your life? Can we prevent you from getting diabetes? Can we give you some really—some cheap pills to keep your blood pressure down, or are we going to have the blood pressure go up so you get a stroke and pay big-time for years and years with disabilities and medical care?

So the Affordable Care Act has the right incentives in it to bend the cost curve. And it is. It is actually working.

Ms. NORTON. It's working. And because it's working, we know good and well the last thing the American people would approve is snatching it back, particularly since, by 2014, it's going to reach everybody.

I agree with you. There are ways to cut. And unlike my friends on the other side, this side has never said no cuts. Their view is only spending cuts, but we have never had that view, only this or that. We really are open to the kinds of negotiation, tough negotiation it's going to take to come out with something.

Now, I'll say for the Ryan budget, he says he was questioned, "Well, do you really think any of this is going to happen?" and he said words to the effect, "Well, you have to put down what you really want," I don't have any problem with that if they come to the table this time so that there can be a real negotiation and we can get to the kind of budget that I think really is doable.

Mr. GARAMENDI. I notice that our time is nearly over. If you'd like a few closing comments, I'm going to end in just a few moments, too.

Ms. NORTON. First, I want to thank my friend for keeping jobs before us. That's the bottom line. That's really what we've been talking about even as we talk about the Ryan budget.

I simply wanted to come forward because, when I heard you on the floor, it seemed to me almost everything you were saying fed into the news today from the Ryan budget. I ask people to try to follow the explanation of what that budget does when you hear that he can close the budget in 10 years rather than 25 years, understand that that is impossible if you want to grow this economy.

I thank you, once again, my good friend from California, for making all the important points this evening.

Mr. GARAMENDI. From Washington, D.C., your leadership in this community has been known for some time. I thank you very much for joining us tonight.

I want to do two things before I end. First of all, Medicare is back on the table. The Ryan budget takes up Medicare once again and provides a voucher which will basically destroy it.

I used this last time around. I'm going to change this. It says, Medicare 1965—that was President Johnson—until 2013; created by LBJ, destroyed by the GOP. I don't think so. Seniors don't want it. Americans don't want it. In the last campaign for the Presidency, this was one of the major issues, and yet Mr. RYAN is coming back with it. Bad idea, bad timing.

I want to end with this. This is a great country. There is no other place in the world like the United States. It is one terrific country. There's enormous energy in this country, the energy where people want to get a job, they want to go to work, businesses want to grow, and they want to hire people. All of that is waiting for Congress to get its act together, to get the sequestration out of the way, which is an austerity budget that has 750,000 jobs to be lost in it, get that out of the way. Look at the balanced proposal, as the President has suggested. End some tax loopholes. Make some cuts. Make wise, thoughtful cuts. And it's possible. It can be done, and it should be done.

Along the way, we can grow the economy. We can, once again, "Make it in America." Because when we make things in America, when we use our tax money to buy American-made equipment, supplies, and products, we're creating jobs here. We're putting people back to work.

George Washington said we ought to do it. Alexander Hamilton as Treasury Secretary said we ought to do it. And we, the Democrats, say we ought to do this. We ought to have a buy American.

Mr. RAHALL, the ranking member of the Transportation and Infrastructure

Committee, has made it clear that, as a major part of the new transportation bill, there's going to be a major "Make it in America" component so that we're buying American-made goods once again. He's supported by every one of the ranking members of every subcommittee, and I add myself to that list.

For the last 3 years, I've carried specific bills that say our tax money, transportation tax money, would be used to buy American trucks, buses, bridges, and steel made here in America. If you're going to put up a solar panel on your house or a wind turbine and you expect a subsidy—and you should have one—then it should be an American-made solar panel or wind turbine.

We can make it in America when Americans, once again, make it. So, that's our message. Our message is to be wise about the cuts. Yes, we're going to make cuts. Balance it with appropriate revenue increases, which should be basically the elimination of many of the unnecessary subsidies that go out even to American corporations still receiving subsidies for offshoring jobs. No more. The President was right. Give a break to American companies that bring jobs back to the United States.

All of this is possible. This is what we are here for, 435 of us in the House of Representatives, to set policy. Mr. DELANEY talked about education, technology, energy policy, and we were joined this evening by our other friends, Mr. HIGGINS from New York, Mr. RYAN from Ohio, and Ms. NORTON from Washington, D.C. It's been a good evening.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CICILLINE (at the request of Ms. PELOSI) for today.

#### PUBLICATION OF COMMITTEE RULES

##### RULES OF THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE FOR THE 113TH CONGRESS

##### HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, March 12, 2013.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: In accordance with Clause 2 of Rule XI of the House of Representatives, I am submitting the Rules of the Permanent Select Committee on Intelligence for printing in the Congressional Record. On February 13, 2013, the Committee adopted these Rules by non-record vote with a quorum present.

Sincerely,

MIKE ROGERS,  
Chairman.

#### 1. MEETING DAY

Regular Meeting Day for the Full Committee. The regular meeting day of the Committee for the transaction of Committee business shall be the first Thursday of each month, unless otherwise directed by the Chair.

#### 2. NOTICE FOR MEETINGS

(a) Generally. In the case of any meeting of the Committee, the Chief Clerk of the Committee shall provide reasonable notice to every member of the Committee. Such notice shall provide the time, place, and subject matter of the meeting, and shall be made consistent with the provisions of clause 2(g)(3) of House Rule XI.

(b) Hearings. Except as provided in subsection (d), a Committee hearing may not commence earlier than one week after such notice.

(c) Business Meetings. Except as provided in subsection (d), a Committee business meeting may not commence earlier than the third day on which Members have notice thereof.

(d) Exception. A hearing or business meeting may begin sooner than otherwise specified in either of the following circumstances (in which case the Chair shall provide the notice at the earliest possible time):

(1) the Chair, with the concurrence of the Ranking Minority Member, determines there is good cause; or

(2) the Committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business.

(e) Definition. For purposes of this rule, "notice" means:

(1) Written notification; or

(2) Notification delivered by facsimile transmission, regular mail, or electronic mail.

#### 3. PREPARATIONS FOR COMMITTEE MEETINGS

(a) Generally. Designated Committee Staff, as directed by the Chair, shall brief members of the Committee at a time sufficiently prior to any Committee meeting in order to:

(1) Assist Committee members in preparation for such meeting; and

(2) Determine which matters members wish considered during any meeting.

(b) Briefing Materials.

(1) Such a briefing shall, at the request of a member, include a list of all pertinent papers, and such other materials, that have been obtained by the Committee that bear on matters to be considered at the meeting; and

(2) The Staff Director shall also recommend to the Chair any testimony, papers, or other materials to be presented to the Committee at the meeting of the Committee.

#### 4. OPEN MEETINGS

(a) Generally. Pursuant to House Rule XI, but subject to the limitations of subsections (b) and (c), Committee meetings held for the transaction of business and Committee hearings shall be open to the public.

(b) Meetings. Any meeting or portion thereof, for the transaction of business, including the markup of legislation, or any hearing or portion thereof, shall be closed to the public, if the Committee determines by record vote in open session, with a majority of the Committee present, that disclosure of the matters to be discussed may:

(1) Endanger national security;

(2) Compromise sensitive law enforcement information;

(3) Tend to defame, degrade, or incriminate any person; or

(4) Otherwise violate any law or Rule of the House.

(c) Hearings. The Committee may vote to close a Committee hearing pursuant to clause 11(d)(2) of House Rule X, regardless of whether a majority is present, so long as at least two members of the Committee are present, one of whom is a member of the Minority and votes upon the motion.

(d) Briefings. Committee briefings shall be closed to the public.

#### 5. QUORUM

(a) Hearings. For purposes of taking testimony, or receiving evidence, a quorum shall consist of two Committee members, at least one of whom is a member of the Majority.

(b) Other Committee Proceedings. For purposes of the transaction of all other Committee business, other than the consideration of a motion to close a hearing as described in rule 4(c), a quorum shall consist of a majority of members.

#### 6. PROCEDURES FOR AMENDMENTS AND VOTES

(a) Amendments. When a bill or resolution is being considered by the Committee, members shall provide the Chief Clerk in a timely manner with a sufficient number of written copies of any amendment offered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the Committee.

(b) Reporting Record Votes. Whenever the Committee reports any measure or matter by record vote, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of, and the votes cast in opposition to, such measure or matter.

(c) Postponement of Further Proceedings. In accordance with clause 2(h) of House Rule XI, the Chair is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or adopting an amendment. The Chair may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(d) Availability of Record Votes on Committee Website. In addition to any other requirement of the Rules of the House, the Chair shall make the record votes on any measure or matter on which a record vote is taken, other than a motion to close a Committee hearing, briefing, or meeting, available on the Committee's website not later than 2 business days after such vote is taken. Such record shall include an unclassified description of the amendment, motion, order, or other proposition, the name of each member voting in favor of, and each member voting in opposition to, such amendment, motion, order, or proposition, and the names of those members of the Committee present but not voting.

#### 7. SUBCOMMITTEES

(a) Generally.

(1) Creation of subcommittees shall be by majority vote of the Committee.

(2) Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct.

(3) Subcommittees shall be governed by these rules.

(4) For purposes of these rules, any reference herein to the "Committee" shall be interpreted to include subcommittees, unless otherwise specifically provided.

(b) Establishment of Subcommittees. The Committee establishes the following subcommittees:

(1) Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence;

(2) Subcommittee on Technical and Tactical Intelligence; and,

(3) Subcommittee on Oversight and Investigations.

(c) Subcommittee Membership.

(1) Generally. Each member of the Committee may be assigned to at least one of the subcommittees.

(2) *Ex Officio* Membership. In the event that the Chair and Ranking Minority Member of the full Committee do not choose to sit as regular voting members of one or more of the subcommittees, each is authorized to sit as an *ex officio* member of the subcommittees and participate in the work of the subcommittees. When sitting *ex officio*, however, they:

(A) Shall not have a vote in the subcommittee; and

(B) Shall not be counted for purposes of determining a quorum.

(d) Regular Meeting Day for Subcommittees. There is no regular meeting day for subcommittees.

#### 8. PROCEDURES FOR TAKING TESTIMONY OR RECEIVING EVIDENCE

(a) Notice. Adequate notice shall be given to all witnesses appearing before the Committee.

(b) Oath or Affirmation. The Chair may require testimony of witnesses to be given under oath or affirmation.

(c) Administration of Oath or Affirmation. Upon the determination that a witness shall testify under oath or affirmation, any member of the Committee designated by the Chair may administer the oath or affirmation.

(d) Questioning of Witnesses.

(1) Generally. Questioning of witnesses before the Committee shall be conducted by members of the Committee.

(2) Exceptions.

(A) The Chair, in consultation with the Ranking Minority Member, may determine that Committee Staff will be authorized to question witnesses at a hearing in accordance with clause (2)(j) of House Rule XI.

(B) The Chair and Ranking Minority Member are each authorized to designate Committee Staff to conduct such questioning.

(e) Counsel for the Witness.

(1) Generally. Witnesses before the Committee may be accompanied by counsel, subject to the requirements of paragraph (2).

(2) Counsel Clearances Required. In the event that a meeting of the Committee has been closed because the subject to be discussed deals with classified information, counsel accompanying a witness before the Committee must possess the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours prior to the meeting at which the counsel intends to be present.

(3) Failure to Obtain Counsel. Any witness who is unable to obtain counsel should notify the Committee. If such notification occurs at least 24 hours prior to the witness' appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain counsel, however, will not excuse the witness from appearing and testifying.

(4) Conduct of Counsel for Witnesses. Counsel for witnesses appearing before the Committee shall conduct themselves ethically and professionally at all times in their dealings with the Committee.

(A) A majority of members of the Committee may, should circumstances warrant, find that counsel for a witness before the Committee failed to conduct himself or herself in an ethical or professional manner.

(B) Upon such finding, counsel may be subject to appropriate disciplinary action.

(5) Temporary Removal of Counsel. The Chair may remove counsel during any proceeding before the Committee for failure to act in an ethical and professional manner.

(6) Committee Reversal. A majority of the members of the Committee may vote to overturn the decision of the Chair to remove counsel for a witness.

(7) Role of Counsel for Witness.

(A) Counsel for a witness:

(i) Shall not be allowed to examine witnesses before the Committee, either directly or through cross-examination; but

(ii) May submit questions in writing to the Committee that counsel wishes propounded to a witness; or

(iii) May suggest, in writing to the Committee, the presentation of other evidence or the calling of other witnesses.

(B) The Committee may make such use of any such questions, or suggestions, as the Committee deems appropriate.

(f) Statements by Witnesses.

(1) Generally. A witness may make a statement, which shall be brief and relevant, at the beginning and at the conclusion of the witness' testimony.

(2) Length. Each such statement shall not exceed five minutes in length, unless otherwise determined by the Chair.

(3) Submission to the Committee. Any witness desiring to submit a written statement for the record of the proceeding shall submit a copy of the statement to the Chief Clerk of the Committee.

(A) Such statements shall ordinarily be submitted no less than 48 hours in advance of the witness' appearance before the Committee and shall be submitted in written and electronic format.

(B) In the event that the hearing was called with less than 24 hours notice, written statements should be submitted as soon as practicable prior to the hearing.

(g) Objections and Ruling.

(1) Generally. Any objection raised by a witness, or counsel for the witness, shall be ruled upon by the Chair, and such ruling shall be the ruling of the Committee.

(2) Committee Action. A ruling by the Chair may be overturned upon a majority vote of the Committee.

(h) Transcripts.

(1) Transcript Required. A transcript shall be made of the testimony of each witness appearing before the Committee during any hearing of the Committee.

(2) Opportunity to Inspect. Any witness testifying before the Committee shall be given a reasonable opportunity to inspect the transcript of the hearing, and may be accompanied by counsel to determine whether such testimony was correctly transcribed. Such counsel:

(A) May review the transcript only if he or she has the appropriate security clearances necessary to review any classified aspect of the transcript; and

(B) Should, to the extent possible, be the same counsel that was present for such classified testimony.

(3) Corrections.

(A) Pursuant to Rule XI of the House Rules, any corrections the witness desires to make in a transcript shall be limited to technical, grammatical, and typographical corrections.

(B) Corrections may not be made to change the substance of the testimony.

(C) Such corrections shall be submitted in writing to the Committee within 7 days after the transcript is made available to the witnesses.

(D) Any questions arising with respect to such corrections shall be decided by the Chair.

(4) Copy for the Witness. At the request of the witness, any portion of the witness' testimony given in executive session shall be made available to that witness if that testimony is: subsequently quoted or intended to be made part of a public record. Such testimony shall be made available to the witness at the witness' expense.

(i) Requests to Testify.

(1) Generally. The Committee will consider requests to testify on any matter or measure pending before the Committee.

(2) Recommendations for Additional Evidence. Any person who believes that testimony, other evidence, or commentary, presented at a public hearing may tend to affect adversely that person's reputation may submit to the Committee, in writing:

(A) A request to appear personally before the Committee;

(B) A sworn statement of facts relevant to the testimony, evidence, or commentary; or

(C) Proposed questions for the cross-examination of other witnesses.

(3) Committee Discretion. The Committee may take those actions it deems appropriate with respect to such requests.

(j) Contempt Procedures. Citations for contempt of Congress shall be forwarded to the House only if:

(1) Reasonable notice is provided to all members of the Committee of a meeting to be held to consider any such contempt recommendations;

(2) The Committee has met and considered the contempt allegations;

(3) The subject of the allegations was afforded an opportunity to state either in writing or in person, why he or she should not be held in contempt; and

(4) The Committee agreed by majority vote to forward the citation recommendations to the House.

(k) Release of Name of Witness.

(1) Generally. At the request of a witness scheduled to be heard by the Committee, the name of that witness shall not be released publicly prior to, or after, the witness' appearance before the Committee.

(2) Exceptions. Notwithstanding paragraph (1), the Chair may authorize the release to the public of the name of any witness scheduled to appear before the Committee.

#### 9. INVESTIGATIONS

(a) Commencing Investigations. The Committee shall conduct investigations only if approved by the Chair, in consultation with the Ranking Minority Member.

(b) Conducting Investigations. An authorized investigation may be conducted by members of the Committee or Committee Staff designated by the Chair, in consultation with the Ranking Minority Member, to undertake any such investigation.

#### 10. SUBPOENAS

(a) Generally. All subpoenas shall be authorized by the Chair of the full Committee, upon consultation with the Ranking Minority Member, or by vote of the Committee.

(b) Subpoena Contents. Any subpoena authorized by the Chair of the full Committee, or the Committee, may compel:

(1) The attendance of witnesses and testimony before the Committee; or

(2) The production of memoranda, documents, records, or any other tangible item.

(c) Signing of Subpoena. A subpoena authorized by the Chair of the full Committee, or the Committee, may be signed by the Chair, or by any member of the Committee designated to do so by the Committee.

(d) Subpoena Service. A subpoena authorized by the Chair of the full Committee, or the Committee, may be served by any person designated to do so by the Chair.

(e) Other Requirements. Each subpoena shall have attached thereto a copy of these rules.

#### 11. COMMITTEE STAFF

(a) Definition. For the purpose of these rules, "Committee Staff" or "Staff of the Committee" means:

- (1) Employees of the Committee;
- (2) Consultants to the Committee;
- (3) Employees of other Government agencies detailed to the Committee; or
- (4) Any other person engaged by contract, or otherwise, to perform services for, or at the request of, the Committee.

(b) Appointment of Committee Staff and Security Requirements.

(1) Chair's Authority. Except as provided in paragraph (2), the Committee Staff shall be appointed, and may be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) Staff Assistance to Minority Membership. Except as provided in paragraphs (3) and (4), and except as otherwise provided by Committee Rules, the Committee Staff provided to the Minority Party members of the Committee shall be appointed, and may be removed, by the Ranking Minority Member of the Committee, and shall work under the general supervision and direction of such member.

(3) Security Clearance Required. All offers of employment for prospective Committee Staff positions shall be contingent upon:

(A) The results of a background investigation; and

(B) A determination by the Chair that requirements for the appropriate security clearances have been met.

(4) Security Requirements. Notwithstanding paragraph (2), the Chair shall supervise and direct the Committee Staff with respect to the security and nondisclosure of classified information. Committee Staff shall comply with requirements necessary to ensure the security and nondisclosure of classified information as determined by the Chair in consultation with the Ranking Minority Member.

#### 12. LIMIT ON DISCUSSION OF CLASSIFIED WORK OF THE COMMITTEE

(a) Prohibition.

(1) Generally. Except as otherwise provided by these rules and the Rules of the House of Representatives, members of the Committee and Committee Staff shall not at any time, either during that person's tenure as a member of the Committee or as Committee Staff, or anytime thereafter, discuss or disclose, or cause to be discussed or disclosed:

(A) The classified substance of the work of the Committee;

(B) Any information received by the Committee in executive session;

(C) Any classified information received by the Committee from any source; or

(D) The substance of any hearing that was closed to the public pursuant to these rules or the Rules of the House.

(2) Non-Disclosure in Proceedings.

(A) Members of the Committee and the Committee Staff shall not discuss either the

substance or procedure of the work of the Committee with any person not a member of the Committee or the Committee Staff in connection with any proceeding, judicial or otherwise, either during the person's tenure as a member of the Committee, or of the Committee Staff, or at any time thereafter, except as directed by the Committee in accordance with the Rules of the House and these rules.

(B) In the event of the termination of the Committee, members and Committee Staff shall be governed in these matters in a manner determined by the House concerning discussions of the classified work of the Committee.

(3) Exceptions.

(A) Notwithstanding the provisions of subsection (a)(1), members of the Committee and the Committee Staff may discuss and disclose those matters described in subsection (a)(1) with:

(i) Members and staff of the Senate Select Committee on Intelligence designated by the chair of that committee;

(ii) The chairmen and ranking minority members of the House and Senate Committees on Appropriations and staff of those committees designated by the chairmen of those committees; and,

(iii) The chair and ranking minority member of the Subcommittee on Defense of the House Committee on Appropriations and staff of that subcommittee as designated by the chair of that subcommittee, or Members of that subcommittee designated by the Chair pursuant to clause (g)(1) of Committee Rule 12.

(B) Notwithstanding the provisions of subsection (a)(1), members of the Committee and the Committee Staff may discuss and disclose only that budget-related information necessary to facilitate the enactment of the annual defense authorization bill with the chairmen and ranking minority members of the House and Senate Committees on Armed Services and the staff of those committees as designated by the chairmen of those committees.

(C) Notwithstanding the provisions of subsection (a)(1), members of the Committee and the Committee Staff may discuss with and disclose to the chair and ranking minority member of a subcommittee of the House Appropriations Committee with jurisdiction over an agency or program within the National Intelligence Program (NIP), and staff of that subcommittee as designated by the chair of that subcommittee, only that budget-related information necessary to facilitate the enactment of an appropriations bill within which is included an appropriation for an agency or program within the NIP.

(D) The Chair may, in consultation with the Ranking Minority Member, upon the written request to the Chair from the Inspector General of an element of the Intelligence Community, grant access to Committee transcripts or documents that are relevant to an investigation of an allegation of possible false testimony or other inappropriate conduct before the Committee, or that are otherwise relevant to the Inspector General's investigation.

(E) Upon the written request of the head of an Intelligence Community element, the Chair may, in consultation with the Ranking Minority Member, make available Committee briefing or hearing transcripts to that element for review by that element if a representative of that element testified, presented information to the Committee, or was present at the briefing or hearing the transcript of which is requested for review.

(F) Members and Committee Staff may discuss and disclose such matters as otherwise directed by the Committee.

(4) Records of Closed Proceedings. Any records or notes taken by any person memorializing material otherwise prohibited from disclosure by members of the Committee and Committee staff under these rules, including information received in executive session and the substance of any hearing or briefing that was closed to the public, shall remain Committee material subject to these rules and may not be publicly discussed, disclosed, or caused to be publicly discussed or disclosed, unless authorized by the Committee consistent with these rules.

(b) Non-Disclosure Agreement.

(1) Generally. All Committee Staff must, before joining the Committee Staff, agree in writing, as a condition of employment, not to divulge or cause to be divulged any classified information which comes into such person's possession while a member of the Committee Staff, to any person not a member of the Committee or the Committee Staff, except as authorized by the Committee in accordance with the Rules of the House and these Rules.

(2) Other Requirements. In the event of the termination of the Committee, members and Committee Staff must follow any determination by the House of Representatives with respect to the protection of classified information received while a member of the Committee or as Committee Staff.

(3) Requests for Testimony of Staff.

(A) All Committee Staff must, as a condition of employment, agree in writing to notify the Committee immediately of any request for testimony received while a member of the Committee Staff, or at any time thereafter, concerning any classified information received by such person while a member of the Committee Staff.

(B) Committee Staff shall not disclose, in response to any such request for testimony, any such classified information, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(C) In the event of the termination of the Committee, Committee Staff will be subject to any determination made by the House of Representatives with respect to any requests for testimony involving classified information received while a member of the Committee Staff.

#### 13. CLASSIFIED MATERIAL

(a) Receipt of Classified Information.

(1) Generally. In the case of any information that has been classified under established security procedures and submitted to the Committee by any source, the Committee shall receive such classified information as executive session material.

(2) Staff Receipt of Classified Materials. For purposes of receiving classified information, the Committee Staff is authorized to accept information on behalf of the Committee.

(b) Non-Disclosure of Classified Information. Any classified information received by the Committee, from any source, shall not be disclosed to any person not a member of the Committee or the Committee Staff, or otherwise released, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(c) Exception for Non-Exclusive Materials.

(1) Non-Exclusive Materials. Any materials provided to the Committee by the executive branch, if provided in whole or in part for the purpose of review by members who are not members of the Committee, shall be received or held by the Committee on a non-exclusive basis. Classified information provided



to the Committee shall be considered to have been provided on an exclusive basis unless the executive branch provides a specific, written statement to the contrary.

(2) Access for Non-Committee Members. In the case of materials received on a non-exclusive basis, the Chair, in consultation with the Ranking Minority Member, may grant non-Committee members access to such materials in accordance with the requirements of Rule 14(f)(4), notwithstanding paragraphs (1), (2), and (3) of Rule 14.

#### 14. PROCEDURES RELATED TO HANDLING OF CLASSIFIED INFORMATION

##### (a) Security Measures.

(1) Strict Security. The Committee's offices shall operate under strict security procedures administered by the Director of Security and Registry of the Committee under the direct supervision of the Staff Director.

(2) U.S. Capitol Police Presence Required. At least one U.S. Capitol Police officer shall be on duty at all times outside the entrance to Committee offices to control entry of all persons to such offices.

(3) Identification Required. Before entering the Committee's offices all persons shall identify themselves to the U.S. Capitol Police officer described in paragraph (2) and to a member of the Committee or Committee Staff.

(4) Maintenance of Classified Materials. Classified documents shall be segregated and maintained in approved security storage locations.

(5) Examination of Classified Materials. Classified documents in the Committee's possession shall be examined in an appropriately secure manner.

(6) Prohibition on Removal of Classified Materials. Removal of any classified document from the Committee's offices is strictly prohibited, except as provided by these rules.

(7) Exception. Notwithstanding the prohibition set forth in paragraph (6), a classified document, or copy thereof, may be removed from the Committee's offices in furtherance of official Committee business. Appropriate security procedures shall govern the handling of any classified documents removed from the Committee's offices.

(b) Access to Classified Information by Members. All members of the Committee shall at all times have access to all classified papers and other material received by the Committee from any source.

##### (c) Need-to-know.

(1) Generally. Committee Staff shall have access to any classified information provided to the Committee on a strict "need-to-know" basis, as determined by the Committee, and under the Committee's direction by the Staff Director.

(2) Appropriate Clearances Required. Committee Staff must have the appropriate clearances prior to any access to compartmented information.

##### (d) Oath.

(1) Requirement. Before any member of the Committee, or the Committee Staff, shall have access to classified information, the following oath shall be executed:

"I do solemnly swear (or affirm) that I will not disclose or cause to be disclosed any classified information received in the course of my service on the House Permanent Select Committee on Intelligence, except when authorized to do so by the Committee or the House of Representatives."

(2) Copy. A copy of such executed oath shall be retained in the files of the Committee.

##### (e) Registry.

(1) Generally. The Committee shall maintain a registry that:

(A) Provides a brief description of the content of all classified documents provided to the Committee by the executive branch that remain in the possession of the Committee; and

(B) Lists by number all such documents.

(2) Designation by the Staff Director. The Staff Director shall designate a member of the Committee Staff to be responsible for the organization and daily maintenance of such registry.

(3) Availability. Such registry shall be available to all members of the Committee and Committee Staff.

(f) Requests by Members of Other Committees. Pursuant to the Rules of the House, members who are not members of the Committee may be granted access to such classified transcripts, records, data, charts, or files of the Committee, and be admitted on a non-participatory basis to classified hearings of the Committee involving discussions of classified material in the following manner:

(1) Written Notification Required. Members who desire to examine classified materials in the possession of the Committee, or to attend Committee hearings or briefings on a non-participatory basis, must notify the Chief Clerk of the Committee in writing. Such notification shall state with specificity the justification for the request and the need for access.

(2) Committee Consideration. The Committee shall consider each such request by non-Committee members at the earliest practicable opportunity. The Committee shall determine, by record vote, what action it deems appropriate in light of all of the circumstances of each request. In its determination, the Committee shall consider:

(A) The sensitivity to the national defense or the confidential conduct of the foreign relations of the United States of the information sought;

(B) The likelihood of its being directly or indirectly disclosed;

(C) The jurisdictional interest of the member making the request; and

(D) Such other concerns, constitutional or otherwise, as may affect the public interest of the United States.

(3) Committee Action. After consideration of the member's request, the Committee may take any action it deems appropriate under the circumstances, including but not limited to:

(A) Approving the request, in whole or part;

(B) Denying the request;

(C) Providing the requested information or material in a different form than that sought by the member; or

(D) Making the requested information or material available to all members of the House.

(4) Requirements for Access by Non-Committee Members. Prior to a non-Committee member being given access to classified information pursuant to this subsection, the requesting member shall:

(A) Provide the Committee a copy of the oath executed by such member pursuant to House Rule XXIII, clause 13; and

(B) Agree in writing not to divulge any classified information provided to the member, pursuant to this subsection, to any person not a member of the Committee or the Committee Staff, except as otherwise authorized by the Committee in accordance with the Rules of the House and these rules.

(5) Consultation Authorized. When considering a member's request, the Committee

may consult the Director of National Intelligence and such other officials it considers necessary.

##### (6) Finality of Committee Decision.

(A) Should the member making such a request disagree with the Committee's determination with respect to that request, or any part thereof, that member must notify the Committee in writing of such disagreement.

(B) The Committee shall subsequently consider the matter and decide, by record vote, what further action or recommendation, if any, the Committee will take.

(g) Admission of Designated Members of the Subcommittee on Defense of the Committee on Appropriations. Notwithstanding the provisions of subsection (f), the Chair may admit no more than three designated Members of the Subcommittee on Defense of the Committee on Appropriations to classified hearings and briefings of the Committee involving discussions of classified material. Such Members may also be granted access to classified transcripts, records, data, charts or files of the Committee incident to such attendance.

(1) Designation. The Chair may designate three Members of the Subcommittee to be eligible for admission in consultation with the Ranking Minority Member, of whom not more than two may be from the same political party. Such designation shall be effective for the entire Congress.

(2) Admission. The Chair may determine whether to admit designated Members at each hearing or briefing of the Committee involving discussions of classified material. If the Chair admits any of the designated Members to a particular hearing or briefing, all three of the designated Members shall be admitted to that hearing or briefing. Designated Members shall not be counted for quorum purposes and shall not have a vote in any meeting.

(3) Requirements for Access. Prior to being given access to classified information pursuant to this subsection, a designated Member shall:

(A) Provide the Committee a copy of the oath executed by such Member pursuant to House Rule XXIII, clause 13; and

(B) Agree in writing not to divulge any classified information provided to the Member pursuant to this subsection to any person not a Member of the Committee or a designated Member or authorized Staff of the Subcommittee on Defense of the Committee on Appropriations, except as otherwise authorized by the Committee in accordance with the Rules of the House and these rules.

(h) Advising the House or Other Committees. Pursuant to Section 501 of the National Security Act of 1947 (50 U.S.C. 413), and to the Rules of the House, the Committee shall call to the attention of the House, or to any other appropriate committee of the House, those matters requiring the attention of the House, or such other committee, on the basis of the following provisions:

(1) By Request of Committee Member. At the request of any member of the Committee to call to the attention of the House, or any other committee, executive session material in the Committee's possession, the Committee shall meet at the earliest practicable opportunity to consider that request.

(2) Committee Consideration of Request. The Committee shall consider the following factors, among any others it deems appropriate:

(A) The effect of the matter in question on the national defense or the foreign relations of the United States;



(B) Whether the matter in question involves sensitive intelligence sources and methods;

(C) Whether the matter in question otherwise raises questions affecting the national interest; and

(D) Whether the matter in question affects matters within the jurisdiction of another Committee of the House.

(3) Views of Other Committees. In examining such factors, the Committee may seek the opinion of members of the Committee appointed from standing committees of the House with jurisdiction over the matter in question, or submissions from such other committees.

(4) Other Advice. The Committee may, during its deliberations on such requests, seek the advice of any executive branch official.

(i) Reasonable Opportunity to Examine Materials. Before the Committee makes any decision regarding any request for access to any classified information in its possession, or a proposal to bring any matter to the attention of the House or another committee, members of the Committee shall have a reasonable opportunity to examine all pertinent testimony, documents, or other materials in the Committee's possession that may inform their decision on the question.

(j) Notification to the House. The Committee may bring a matter to the attention of the House when, after consideration of the factors set forth in this rule, it considers the matter in question so grave that it requires the attention of all members of the House, and time is of the essence, or for any reason the Committee finds compelling.

(k) Method of Disclosure to the House.

(1) Should the Committee decide by record vote that a matter requires the attention of the House as described in subsection (i), it shall make arrangements to notify the House promptly.

(2) In such cases, the Committee shall consider whether:

(A) To request an immediate secret session of the House (with time equally divided between the Majority and the Minority); or

(B) To publicly disclose the matter in question pursuant to clause 11(g) of House Rule X.

(1) Requirement to Protect Sources and Methods. In bringing a matter to the attention of the House, or another committee, the Committee, with due regard for the protection of intelligence sources and methods, shall take all necessary steps to safeguard materials or information relating to the matter in question.

(m) Availability of Information to Other Committees. The Committee, having determined that a matter shall be brought to the attention of another committee, shall ensure that such matter, including all classified information related to that matter, is promptly made available to the chair and ranking minority member of such other committee.

(n) Provision of Materials. The Director of Security and Registry for the Committee shall provide a copy of these rules, and the applicable portions of the Rules of the House of Representatives governing the handling of classified information, along with those materials determined by the Committee to be made available to such other committee of the House or non-Committee member.

(o) Ensuring Clearances and Secure Storage. The Director of Security and Registry shall ensure that such other committee or non-Committee member receiving such classified materials may properly store classified materials in a manner consistent with all governing rules, regulations, policies, procedures, and statutes.

(p) Log. The Director of Security and Registry for the Committee shall maintain a written record identifying the particular classified document or material provided to such other committee or non-Committee member, the reasons agreed upon by the Committee for approving such transmission, and the name of the committee or non-Committee member receiving such document or material.

(q) Miscellaneous Requirements.

(1) Staff Director's Additional Authority. The Staff Director is further empowered to provide for such additional measures, which he or she deems necessary, to protect such classified information authorized by the Committee to be provided to such other committee or non-Committee member.

(2) Notice to Originating Agency. In the event that the Committee authorizes the disclosure of classified information provided to the Committee by an agency of the executive branch to a non-Committee member or to another committee, the Chair may notify the providing agency of the Committee's action prior to the transmission of such classified information.

#### 15. LEGISLATIVE CALENDAR

(a) Generally. The Chief Clerk, under the direction of the Staff Director, shall maintain a printed calendar that lists:

(1) The legislative measures introduced and referred to the Committee;

(2) The status of such measures; and

(3) Such other matters that the Committee may require.

(b) Revisions to the Calendar. The calendar shall be revised from time to time to show pertinent changes.

(c) Availability. A copy of each such revision shall be furnished to each member, upon request.

(d) Consultation with Appropriate Government Entities. Unless otherwise directed by the Committee, legislative measures referred to the Committee may be referred by the Chief Clerk to the appropriate department or agency of the Government for reports thereon.

#### 16. COMMITTEE WEBSITE

The Chair shall maintain an official Committee web site for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House.

#### 17. MOTIONS TO GO TO CONFERENCE

In accordance with clause 2(a) of House Rule XI, the Chair is authorized and directed to offer a privileged motion to go to conference under clause 1 of House Rule XXII whenever the Chair considers it appropriate.

#### 18. COMMITTEE TRAVEL

(a) Authority. The Chair may authorize members and Committee Staff to travel on Committee business.

(b) Requests.

(1) Member Requests. Members requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request directly to the Chair.

(2) Committee Staff Requests. Committee Staff requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request through their supervisors to the Staff Director and the Chair.

(c) Notification to Members.

(1) Generally. Members shall be notified of all foreign travel of Committee Staff not accompanying a member.

(2) Content. All members are to be advised, prior to the commencement of such travel, of its length, nature, and purpose.

(d) Trip Reports.

(1) Generally. A full report of all issues discussed during any travel shall be submitted to the Chief Clerk of the Committee within a reasonable period of time following the completion of such trip.

(2) Availability of Reports. Such report shall be:

(A) Available for review by any member or appropriately cleared Committee Staff; and

(B) Considered executive session material for purposes of these rules.

(e) Limitations on Travel.

(1) Generally. The Chair is not authorized to permit travel on Committee business of Committee Staff who have not satisfied the requirements of subsection (d) of this rule.

(2) Exception. The Chair may authorize Committee Staff to travel on Committee business, notwithstanding the requirements of subsections (d) and (e) of this rule.

(A) At the specific request of a member of the Committee; or

(B) In the event there are circumstances beyond the control of the Committee Staff hindering compliance with such requirements.

(f) Definitions. For purposes of this rule the term "reasonable period of time" means:

(1) No later than 60 days after returning from a foreign trip; and

(2) No later than 30 days after returning from a domestic trip.

#### 19. DISCIPLINARY ACTIONS

(a) Generally. The Committee shall immediately consider whether disciplinary action shall be taken in the case of any member of the Committee Staff alleged to have failed to conform to any rule of the House of Representatives or to these rules.

(b) Exception. In the event the House of Representatives is:

(1) In a recess period in excess of 3 days; or

(2) Has adjourned sine die; the Chair of the full Committee, in consultation with the Ranking Minority Member, may take such immediate disciplinary actions deemed necessary.

(c) Available Actions. Such disciplinary action may include immediate dismissal from the Committee Staff.

(d) Notice to Members. All members shall be notified as soon as practicable, either by facsimile transmission or regular mail, of any disciplinary action taken by the Chair pursuant to subsection (b).

(e) Reconsideration of Chair's Actions. A majority of the members of the full Committee may vote to overturn the decision of the Chair to take disciplinary action pursuant to subsection (b).

#### 20. BROADCASTING COMMITTEE MEETINGS

Whenever any hearing or meeting conducted by the Committee is open to the public, a majority of the Committee may permit that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, subject to the provisions and in accordance with the spirit of the purposes enumerated in the Rules of the House.

#### 21. COMMITTEE RECORDS TRANSFERRED TO THE NATIONAL ARCHIVES

(a) Generally. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with the Rules of the House of Representatives.

(b) Notice of Withholding. The Chair shall notify the Ranking Minority Member of any

decision, pursuant to the Rules of the House of Representatives, to withhold a record otherwise available, and the matter shall be presented to the full Committee for a determination of the question of public availability on the written request of any member of the Committee.

#### 22. CHANGES IN RULES

(a) Generally. These rules may be modified, amended, or repealed by vote of the full Committee.

(b) Notice of Proposed Changes. A notice, in writing, of the proposed change shall be given to each member at least 48 hours prior to any meeting at which action on the proposed rule change is to be taken.

### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 166. An act to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the "Stan Musial Memorial Bridge"; to the Committee on Transportation and Infrastructure.

### ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 13, 2013, at 10 a.m. for morning-hour debate.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

652. A letter from the Acting Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of General Carter F. Ham, United States Army, and his advancement on the retired list in the grade of general on the retired list; to the Committee on Armed Services.

653. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to The Milestone Aviation Group Limited of Dublin, Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

654. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

655. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2011 annual performance report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA), as amended, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

656. A letter from the Director, Defense Security Cooperation Agency, transmitting

Transmittal No. 13-05, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

657. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Editorial Correction to the Export Administration Regulations [Docket No.: 120320203-2295-03] (RIN: 0694-AF63) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

658. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

659. A letter from the Secretary, Smithsonian Institution, transmitting a copy of the Institution's audited financial statement for fiscal year 2012; to the Committee on Oversight and Government Reform.

660. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GA 8 Airvan (Pty) Ltd Airplanes [Docket No.: FAA-2012-1007; Directorate Identifier 2012-CE-031-AD; Amendment 39-17274; AD 2012-24-04] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

661. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0075; Directorate Identifier 2012-SW-104-AD; Amendment 39-17336; AD 2013-03-02] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

662. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-1223; Directorate Identifier 2012-NM-154-AD; Amendment 39-17348; AD 2013-03-13] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

663. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Gliders [Docket No.: FAA-2012-1250; Directorate Identifier 2012-CE-043-AD; Amendment 39-17344; AD 2013-03-09] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

664. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0725; Directorate Identifier 2011-NM-207-AD; Amendment 39-17343; AD 2013-03-08] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

665. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30883; Amdt. No. 3518] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to

the Committee on Transportation and Infrastructure.

666. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lincoln, ME [Docket No.: FAA-2012-0764; Airspace Docket No. 12-ANE-12] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

667. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30882; Amdt. No. 3517] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

668. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1002; Directorate Identifier 2012-NM-052-AD; Amendment 39-17346; AD 2013-03-11] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

669. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ontonagon, MI [Docket No.: FAA-2011-1404; Airspace Docket No.: 11-AGL-30] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

670. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the First Quarterly Report of FY 2013 under The Veterans' Benefits Improvement Act of 2008; jointly to the Committees on the Judiciary and Veterans' Affairs.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 803. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, with an amendment (Rept. 113-14, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 107. Resolution providing for consideration of the bill (H.R. 890) to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes. (Rept. 113-15). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure discharged from further consideration. H.R. 803 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GARRETT (for himself, Mr. HURT, Mr. GRIMM, Mr. NEUGEBAUER, Mrs. BACHMANN, Mr. HUIZENGA of Michigan, Mr. MCHENRY, Mr. FINCHER, Mr. ROSS, Mr. CAMPBELL, Mrs. WAGNER, Mr. MULVANEY, Mr. HULTGREN, Mr. PITTEGER, Mr. GARY G. MILLER of California, and Mr. CONAWAY):

H.R. 1062. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Financial Services.

By Mr. LAMBORN:

H.R. 1063. A bill to require the Secretary of the Interior to conduct an assessment of the capability of the Nation to meet our current and future demands for the minerals critical to United States manufacturing and agricultural competitiveness and economic and national security in a time of expanding resource nationalism, and for other purposes; to the Committee on Natural Resources.

By Mr. NEUGEBAUER (for himself, Mr. HUIZENGA of Michigan, Mr. LUETKEMEYER, Mr. COTTON, Mr. STIVERS, Mr. GARRETT, Mr. LUCAS, Mr. ROSS, Mr. RENACCI, Mr. LATTA, Mr. MARCHANT, Mrs. CAPITO, Mrs. WAGNER, Mr. BACHUS, Mr. PITTEGER, Mr. GRIFFIN of Arkansas, Mr. MCHENRY, Mrs. BACHMANN, Mr. POSEY, Mr. STUTZMAN, Mr. BARR, Mr. CRAMER, Mr. DUFFY, Mr. HULTGREN, Mr. MULVANEY, Mr. BRALEY of Iowa, Mr. PETERS of Michigan, Mr. LOEBSACK, Mr. SHERMAN, Mr. LARSON of Connecticut, Ms. MOORE, Mrs. MCCARTHY of New York, Mr. PERLMUTTER, Mr. CAPUANO, Mrs. CAROLYN B. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Mr. SCHRADER, Mr. MATHESSON, Mr. LANCE, Mr. KINZINGER of Illinois, Mr. AL GREEN of Texas, and Mr. GARY G. MILLER of California):

H.R. 1064. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. CHAFFETZ, Mr. WESTMORELAND, Mr. GOHMERT, Mr. HUIZENGA of Michigan, Mr. NUNNELEE, Mr. FRANKS of Arizona, Mr. HARRIS, Mr. LAMALFA, Mr. BISHOP of Utah, Mr. LABRADOR, Mr. DUNCAN of South Carolina, Mr. BROUN of Georgia, and Mr. MILLER of Florida):

H.R. 1065. A bill to amend the Internal Revenue Code of 1986 to reduce the Federal tax on fuels by the amount of any increase in the rate of tax on such fuel by the States; to the Committee on Ways and Means.

By Mr. RAHALL:

H.R. 1066. A bill to amend the Indian Arts and Crafts Act to clarify the definition of Indian and Indian organization for the purposes of that Act; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself and Mr. CONYERS):

H.R. 1067. A bill to make revisions in title 36, United States Code, as necessary to keep

the title current and make technical corrections and improvements; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself and Mr. CONYERS):

H.R. 1068. A bill to enact title 54, United States Code, "National Park Service and Related Programs", as positive law; to the Committee on the Judiciary.

By Mr. BOUSTANY:

H.R. 1069. A bill to amend title IV of the Social Security Act to require States to implement a drug screening and testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT (for himself, Mr. COURTNEY, Mr. FITZPATRICK, and Mr. PAYNE):

H.R. 1070. A bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANNA (for himself, Mr. DOYLE, and Mr. GIBSON):

H.R. 1071. A bill to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins; to the Committee on Financial Services.

By Mr. DUNCAN of Tennessee (for himself, Mrs. BLACKBURN, Mrs. BLACK, Mr. HANNA, Mr. GRAVES of Missouri, Mr. WESTMORELAND, Mr. HUIZENGA of Michigan, Mr. BROUN of Georgia, Mr. BENISHEK, Mr. DUNCAN of South Carolina, Mr. COFFMAN, Mr. CRAMER, Mr. GRAVES of Georgia, and Mr. SESSIONS):

H.R. 1072. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. GOODLATTE, Mr. CONYERS, and Mr. SCOTT of Virginia):

H.R. 1073. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSON (for himself, Mr. MORAN, Mr. SESSIONS, Mr. ROE of Tennessee, Mr. MAFFEI, and Ms. TSONGAS):

H.R. 1074. A bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself, Mr. RAHALL, and Mrs. CAPITO):

H.R. 1075. A bill to amend title 10, United States Code, to direct the Secretary of Defense to provide support for Boy Scout Jamborees; to the Committee on Armed Services.

By Mr. HALL (for himself and Mr. THORNBERRY):

H.R. 1076. A bill to amend the Patient Protection and Affordable Care Act to provide

for savings to the Federal Government by permitting pass-through funding for State authorized public entity health benefits pools; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUIZENGA of Michigan (for himself, Mr. ROYCE, Mr. DAVID SCOTT of Georgia, Mr. MEEKS, Mr. CLAY, Mr. STIVERS, Mr. PETERS of Michigan, and Mr. BACHUS):

H.R. 1077. A bill to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction; to the Committee on Financial Services.

By Mr. POE of Texas (for himself, Mr. LAMBORN, Mr. DUNCAN of South Carolina, Mr. JONES, Mr. HUELSKAMP, Mr. CHAFFETZ, Mr. SAM JOHNSON of Texas, Mr. SCALISE, Mr. WALBERG, Mr. AUSTIN SCOTT of Georgia, Mr. GOWDY, Mr. FORTENBERRY, Mr. CULBERSON, Mr. HALL, Mrs. ELLMERS, Mr. LATTA, and Mr. LUETKEMEYER):

H.R. 1078. A bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. SPEIER (for herself, Mr. MEEHAN, Mr. BRALEY of Iowa, Ms. PINGREE of Maine, Ms. KUSTER, Ms. EDWARDS, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 1079. A bill to amend the Uniform Code of Military Justice to eliminate the authority of the convening authority to modify the findings and sentence of a court-martial as a matter of command prerogative involving the sole discretion of the convening authority; to the Committee on Armed Services.

By Ms. BORDALLO:

H.R. 1080. A bill to amend the Sikes Act to promote the use of cooperative agreements under such Act for land management related to Department of Defense readiness activities and to amend title 10, United States Code, to facilitate interagency cooperation in conservation programs to avoid or reduce adverse impacts on military readiness activities; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself, Mr. DUNCAN of Tennessee, Mr. MCKINLEY, Mr. ROONEY, Mr. LATTA, and Mr. BACHUS):

H.R. 1081. A bill to require that all foreign terrorists with links to terrorist networks who attack the United States or its Government be considered enemy combatants to be tried by military tribunals instead of civilian courts; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself, Mr. MULVANEY, Mr. WESTMORELAND, Mr. MEADOWS, and Mr. BENISHEK):

H.R. 1082. A bill to provide that compensation of the President shall be held in escrow

upon failure to submit his budget in a timely manner; to the Committee on Oversight and Government Reform.

By Mr. BURGESS (for himself and Mr. GIBSON):

H.R. 1083. A bill to amend the FAA Modernization and Reform Act of 2012 to establish prohibitions to prevent the use of an unmanned aircraft system as a weapon while operating in the national airspace system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Indiana:

H.R. 1084. A bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his contributions to the Nation; to the Committee on Financial Services.

By Mrs. CHRISTENSEN:

H.R. 1085. A bill to amend the Harmonized Tariff Schedule of the United States to extend to 2025 the production certificate program that allows refunds of duties on certain articles produced in United States insular possessions; to the Committee on Ways and Means.

By Mr. CICILLINE (for himself, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, and Ms. SHEA-PORTER):

H.R. 1086. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. CICILLINE, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. MCGOVERN, and Mr. GUTIERREZ):

H.R. 1087. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents; to the Committee on the Judiciary.

By Ms. HERRERA BEUTLER:

H.R. 1088. A bill to require the Secretary of Transportation to develop a rule that does not allow Federal funds under the disadvantaged business enterprise program to be used for any enterprise that is no longer eligible under such program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. BASS, Mrs. BEATTY, Mr. BERA of California, Ms. BORDALLO, Ms. BROWNLEY of California, Mr. BUTTERFIELD, Ms. CHU, Mr. CICILLINE, Mr. CLEAVER, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. LANGEVIN, Ms. LEE of California, Mr. LOWENTHAL, Mr. MCDERMOTT, Mrs. NEGRETE MCLEOD, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SCHAKOWSKY, Mr. SIRES, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, and Mr. VEASEY):

H.R. 1089. A bill to stimulate collaboration with respect to, and provide for coordination and coherence of, the Nation's science, technology, engineering, and mathematics education initiatives, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. BORDALLO, Mr. CICILLINE, Mr. CON-

YERS, Mr. ELLISON, Mrs. NAPOLITANO, Mr. PAYNE, Mr. RANGEL, and Mr. TAKANO):

H.R. 1090. A bill to establish an Elementary Educator Science, Technology, Engineering, and Mathematics (STEM) Content Coach program; to the Committee on Education and the Workforce.

By Mr. JORDAN (for himself, Mr. HUNTER, Mr. KING of Iowa, Mr. BARR, Mr. COLE, Mr. PALAZZO, Mr. JONES, Mr. PEARCE, Mr. HALL, Mr. BROUN of Georgia, Mr. DUNCAN of South Carolina, Mr. MILLER of Florida, Mr. FINCHER, Mr. CONAWAY, Mr. BARTON, Mr. NEUGEBAUER, Mr. MICA, Mr. BURGESS, Mr. CARTER, Mrs. ELLMERS, Mr. JOHNSON of Ohio, Mr. BRADY of Texas, Mr. WALBERG, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GUTHRIE, Mr. GARRETT, Mrs. HARTZLER, Mr. LAMBORN, Mr. FARENTHOLD, Mr. BOUTSTANY, Mr. DENHAM, Mr. CHABOT, Mr. HUELSKAMP, Mr. ROGERS of Alabama, Mr. BARLETTA, Mr. SOUTHERLAND, Mr. NUNNELEE, Mr. WESTMORELAND, Mrs. BLACK, Mr. KELLY, Mr. HUIZENGA of Michigan, Mr. POMPEO, Mr. KINGSTON, Mr. SCHWEIKERT, Mr. CRAWFORD, Mr. WEBER of Texas, and Mr. LATTA):

H.R. 1091. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person; to the Committee on the Judiciary.

By Ms. KUSTER (for herself and Ms. SHEA-PORTER):

H.R. 1092. A bill to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center"; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Mr. GRIMM, Mr. TONKO, Mr. GRIJALVA, Mr. LYNCH, and Mr. NADLER):

H.R. 1093. A bill to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to prohibit airplane passengers from bringing aboard a passenger aircraft any item that was prohibited as of March 1, 2013; to the Committee on Homeland Security.

By Mr. MEEHAN (for himself, Ms. SCHAKOWSKY, Mr. GRIMM, Mr. RAHALL, Mr. WHITFIELD, Mr. MORAN, Mr. YOUNG of Florida, Mr. CONYERS, Mr. GERLACH, Mr. GRIJALVA, Mr. LANCE, Mr. GEORGE MILLER of California, Mr. LOBIONDO, Mr. PETERS of Michigan, Mr. FITZPATRICK, Ms. ESHOO, Mr. CAMPBELL, Mr. KING of New York, Mr. GIBSON, Mr. JONES, and Mr. WILSON of South Carolina):

H.R. 1094. A bill to prohibit the sale or transport of equines and equine parts in interstate or foreign commerce for human consumption; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself and Mr. ROGERS of Alabama):

H.R. 1095. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to nonprofit organizations that provide places of rest and recuperation

at airports for members of the Armed Forces and their families, and for other purposes; to the Committee on Homeland Security.

By Ms. MOORE:

H.R. 1096. A bill to provide funds to State courts for the provision of legal representation to parents and legal guardians with respect to child welfare cases; to the Committee on Ways and Means.

By Mr. MULLIN (for himself, Mr. FARENTHOLD, Mr. LUCAS, Mr. LANKFORD, Mr. YOUNG of Alaska, Mr. CRAMER, Mr. RIBBLE, Mr. PEARCE, Mr. STIVERS, Mr. OLSON, Mr. COLE, Mr. SOUTHERLAND, Mr. BRIDENSTINE, Mrs. LUMMIS, Mr. LATTA, Mr. FRANKS of Arizona, Mr. SCALISE, Mr. CONAWAY, Mr. POMPEO, Mr. GOHMERT, Mr. BARLETTA, and Mr. HUELSKAMP):

H.R. 1097. A bill to direct the Secretary of Transportation to ensure that on-duty time does not include waiting time at a natural gas or oil well site for certain commercial motor vehicle operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PASCRELL (for himself and Mr. ROONEY):

H.R. 1098. A bill to amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research; to the Committee on Energy and Commerce.

By Mr. PITTS:

H.R. 1099. A bill to repeal the Prevention and Public Health Fund; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Mr. RUSH, Mr. POLIS, Mr. CICILLINE, Mr. GRIJALVA, Mr. GARAMENDI, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, Mr. ELLISON, Mr. TONKO, Ms. LEE of California, and Mr. HOLT):

H.R. 1100. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college campuses; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES:

H.R. 1101. A bill to strengthen America's financial infrastructure, by requiring pre-funding for catastrophe losses using private insurance premium dollars to better prepare and protect homeowners from natural catastrophes and to protect taxpayers from massive bailouts, and to provide dedicated funding from insurance premiums to improve catastrophe preparedness, loss prevention and mitigation, and to improve the availability and affordability of private market homeowners insurance coverage for catastrophic events, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CONYERS, Mr. ELLISON, Mr. CLAY, Ms. MOORE, Ms. SLAUGHTER, Mr. YARMUTH, Mr. MICHAUD, and Ms. SCHAKOWSKY):

H.R. 1102. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on

behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1103. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH (for himself, Ms. CHU, Mr. HASTINGS of Florida, Mr. CICILLINE, Mr. DEFazio, Mr. ELLISON, Mr. GEORGE MILLER of California, Mr. MORAN, Ms. NORTON, Mr. PERLMUTTER, Ms. PINGREE of Maine, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. SCHRADER, Mr. WAXMAN, Mr. WELCH, Ms. DELAURO, Mr. SARBANES, Mr. BLUMENAUER, Mr. KEATING, Ms. SLAUGHTER, Mr. ENGEL, Ms. FRANKEL of Florida, Mr. LARSON of Connecticut, Mr. CONYERS, Mr. LEWIS, Mr. GUTIERREZ, Mr. PASCRELL, Mr. GRAYSON, Mr. LOWENTHAL, Mr. RYAN of Ohio, Mr. CARTWRIGHT, and Ms. JACKSON LEE):

H.J. Res. 34. A joint resolution proposing an amendment to the Constitution of the United States to restore the rights of the American people that were taken away by the Supreme Court's decision in the Citizens United case and related decisions, to protect the integrity of our elections, and to limit the corrosive influence of money in our democratic process; to the Committee on the Judiciary.

By Mr. BRIDENSTINE:

H. Res. 106. A resolution calling for the protection of religious minority rights and freedoms in the Arab world; to the Committee on Foreign Affairs.

By Mr. DEUTCH (for himself, Mr. CHABOT, Mr. NADLER, Mr. CONYERS, and Mr. WATT):

H. Res. 108. A resolution recognizing the 50th anniversary of the landmark case *Gideon v. Wainwright*, in which the Supreme Court held that counsel must be provided to indigent defendants in all felony cases; to the Committee on the Judiciary.

By Mr. GRIMM (for himself and Ms. SCHAKOWSKY):

H. Res. 109. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Affairs.

By Mr. LANCE (for himself, Mr. QUIGLEY, Mr. COOPER, Mr. GRIJALVA, Mr. POLIS, and Mr. SCHIFF):

H. Res. 110. A resolution directing the Clerk of the House of Representatives to provide members of the public with Internet access to certain Congressional Research Service publications, and for other purposes; to the Committee on House Administration.

By Mr. STEWART (for himself, Mr. WESTMORELAND, Mr. CULBERSON, Mr. JONES, Mr. FLORES, Mr. HUELSKAMP, Mr. KINGSTON, Ms. JENKINS, Mr. NUNNELEE, Mr. MULVANEY, Mr. OLSON, Mr. BRIDENSTINE, and Mr. SALMON):

H. Res. 111. A resolution expressing the sense of the House of Representatives that the President should refrain from any further taxpayer-funded vacations until the White House can be re-opened for public

tours; to the Committee on Oversight and Government Reform.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GARRETT:

H.R. 1062.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. LAMBORN:

H.R. 1063.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. NEUGEBAUER:

H.R. 1064.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GARRETT:

H.R. 1065.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment to the Constitution—"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

By Mr. RAHALL:

H.R. 1066.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. GOODLATTE:

H.R. 1067.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 18 of the Constitution. Article I, Section 8, Clause 18 of the Constitution confers on Congress the authority to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or in any department or officer thereof. This legislation makes revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements. Making revisions to the United States Code is a necessary role of Congress with respect to executing the powers vested by the Constitution in the government of the United States.

By Mr. GOODLATTE:

H.R. 1068.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 18 of the Constitution. Article I, Section 8, Clause 18 of the Constitution confers on Congress the authority to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or in any department or officer thereof. This legislation restates certain existing laws as part of a positive law title of the United States Code. Enacting titles of the United States Code is a necessary role of Congress with respect to executing the powers vested by the Constitution in the government of the United States.

By Mr. BOUSTANY:

H.R. 1069.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. DENT:

H.R. 1070.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. HANNA:

H.R. 1071.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 states: "The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. DUNCAN of Tennessee:

H.R. 1072.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—this bill regulates Commerce among the several states.

Amendment V—the bill assures that citizens' liberty and property (their businesses and livelihood) are not deprived, that the government does not take property (market share, potential for profit and livelihood) without just compensation.

Amendment X—Nothing in the Constitution authorizes the Federal government to do anything other than those things enumerated (coin money, enter into treaties, conduct a Census—which are inherently governmental). Thus, under Amendment X, the right to carry out commercial activities is reserved to the people. Note that the Constitution authorizes the Post Office. The bill exempts the Postal Service.

By Mr. SENSENBRENNER:

H.R. 1073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, of the Constitution

Article I, Section 8, Clause 3, of the Constitution

Article II, Section 2, Clause 2, of the Constitution

By Mr. OLSON:

H.R. 1074.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18.

The Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCKINLEY:

H.R. 1075.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the Constitution: The Congress shall have power to raise and support armies, provide and maintain a Navy and make rules for the government and regulation of the land and naval forces.

By Mr. HALL:

H.R. 1076.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to:

1. regulate commerce . . . among the several states . . . as enumerated in Article I, Section 8, Clause 3 of the United States Constitution, and

2. provide for the general welfare of the United States as enumerated in Article I, Section 8, Clause 1 of the Constitution.

By Mr. HUIZENGA of Michigan:

H.R. 1077.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3.

By Mr. POE of Texas:

H.R. 1078.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

Amendment IV—The right of the people to be secure in their persons, houses, and papers, and effects, against unreasonable searches and seizures.

By Ms. SPEIER:

H.R. 1079.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. BORDALLO:

H.R. 1080.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of section 8 of Article I of the United States Constitution

By Mr. BUCHANAN:

H.R. 1081.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this resolution rests is the power of Congress as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. BUCSHON:

H.R. 1082.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. BURGESS:

H.R. 1083.

Congress has the power to enact this legislation pursuant to the following:

The attached language falls within Congress' delegated authority to legislate interstate commerce, found in Article I, Section 8, clause 3 of the U.S. Constitution. Further, Congress' authority to authorize the FAA to regulate airspace within the U.S. has been found to be within its authority under the

General Welfare clause of the U.S. Constitution, Article I, Section 8, clause 1.

By Mr. CARSON of Indiana:

H.R. 1084.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I of the Constitution.

By Mrs. CHRISTENSEN:

H.R. 1085.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States and Article 1, section 7 which provides that all Bills for raising Revenue shall originate in the House of Representatives."

By Mr. CICILLINE:

H.R. 1086.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ELLISON:

H.R. 1087.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3, 4, and 18

By Ms. HERRERA BEUTLER:

H.R. 1088.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. HONDA:

H.R. 1089.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 1090.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. JORDAN:

H.R. 1091.

Congress has the power to enact this legislation pursuant to the following:

This legislation makes clear that human life begins at the moment of conception and, therefore, the unborn are entitled to the same rights and protections afforded to all American citizens under the U.S. Constitution. In affirming human life begins at conception, the unborn are granted the right to due process under Section 1 of the 14th Amendment which explicitly states, "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The Life at Conception Act allows for constitutional protection for the unborn that they not "be deprived of life, liberty, or property, without due process of law" afforded under the 5th Amendment.

By Ms. KUSTER:

H.R. 1092.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, clause 2 (related to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States) of the United States Constitution.

By Mr. MARKEY:

H.R. 1093.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. MEEHAN:

H.R. 1094.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution which reads: The Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MILLER of Florida:

H.R. 1095.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. MOORE:

H.R. 1096.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. MULLIN:

H.R. 1097.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PASCRELL:

H.R. 1098.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PITTS:

H.R. 1099.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SCHAKOWSKY:

H.R. 1100.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIRES:

H.R. 1101.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. WELCH:

H.R. 1102.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, the power to make laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States.

By Mr. YOUNG of Alaska:

H.R. 1103.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DEUTCH:

H.J. Res. 34.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Ms. HAHN.  
H.R. 45: Mr. GOODLATTE, Mrs. HARTZLER, Mr. ROE of Tennessee, Mr. BRIDENSTINE, and Mr. MASSIE.  
H.R. 61: Mr. KINGSTON.  
H.R. 62: Ms. BORDALLO.  
H.R. 93: Mr. LYNCH.  
H.R. 104: Mr. MILLER of Florida.  
H.R. 129: Ms. EDWARDS and Mr. TONKO.  
H.R. 139: Ms. BASS, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. BUSTOS, Mrs. CAPPS, Mr. CAPUANO, Ms. CASTOR of Florida, Ms. CHU, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. DOGGETT, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIMES, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Mr. KEATING, Mr. KIND, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Ms. LOFGREEN, Mr. LOWENTHAL, Mr. LYNCH, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. PASCRELL, Mr. PASTOR of Arizona, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Mr. TIERNEY, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, and Mr. YARMUTH.  
H.R. 140: Mr. DUNCAN of South Carolina.  
H.R. 147: Mr. STIVERS, Mr. LUCAS, and Mr. MATHESON.  
H.R. 148: Mr. RUIZ.  
H.R. 149: Mr. BRIDENSTINE.  
H.R. 164: Mr. MEADOWS, Mr. DESANTIS, Mr. CASSIDY, Mr. LIPINSKI, Mr. CARSON of Indiana, Mr. CLAY, and Mr. DUNCAN of South Carolina.  
H.R. 176: Mrs. BACHMANN and Mr. WEBER of Texas.  
H.R. 177: Mr. GARDNER.  
H.R. 182: Ms. DUCKWORTH.  
H.R. 184: Mr. RUNYAN.  
H.R. 198: Mr. MORAN and Ms. PINGREE of Maine.  
H.R. 200: Mr. PAYNE and Ms. WILSON of Florida.  
H.R. 207: Mr. CRAMER and Mr. SHIMKUS.  
H.R. 217: Mr. BRIDENSTINE.  
H.R. 239: Mr. DAINES and Mr. ROKITA.  
H.R. 258: Mr. O'ROURKE.  
H.R. 276: Mr. GRIMM, Mrs. BLACK, and Mr. MCCLINTOCK.  
H.R. 282: Mr. MESSER, Mr. WEBER of Texas, Mr. MILLER of Florida, Mr. POSEY, Mr. CHABOT, Mr. KING of Iowa, and Mr. PEARCE.  
H.R. 283: Mr. MESSER.  
H.R. 288: Mr. POCAN.  
H.R. 292: Mr. GRIJALVA.  
H.R. 324: Ms. WASSERMAN SCHULTZ, Mr. BOUSTANY, Mr. BUCSHON, Mr. COLE, Mr. CRENSHAW, Mr. RODNEY DAVIS of Illinois, Mr. DIAZ-BALART, Mr. DUFFY, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. FLEMING, Mr. GRAVES of Missouri, Mr. AL GREEN of Texas, Mr. GUTHRIE, Mr. HUNTER, Ms. JENKINS, Mr. LAMALFA, Mr. NEUGEBAUER, Mr. NUNES, Mr. POE of Texas, Mr. POMPEO, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ROONEY, Mr. ROSS, Mr. DAVID SCOTT of Georgia, Mr. SHIMKUS, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. SOUTHERLAND, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WESTMORELAND, and Mr. WITTMAN.  
H.R. 351: Mr. SEAN PATRICK MALONEY of New York.  
H.R. 357: Ms. WILSON of Florida, Mr. LOBIONDO, Mr. LAMBORN, Mr. PETERSON, Ms. FRANKEL of Florida, and Mr. WALZ.  
H.R. 368: Mr. CLAY, Mr. ROE of Tennessee, Mr. HUDSON, Mr. SCHRADER, Ms. DELBENE, and Mr. KINZINGER of Illinois.  
H.R. 411: Mr. RAHALL.  
H.R. 416: Mr. DUNCAN of South Carolina.  
H.R. 418: Mr. DIAZ-BALART.  
H.R. 419: Mr. GARRETT.  
H.R. 433: Mr. HECK of Nevada and Ms. TITUS.  
H.R. 435: Ms. DUCKWORTH, Mr. VARGAS, and Ms. SCHAKOWSKY.  
H.R. 447: Mr. MEADOWS and Mr. RAHALL.  
H.R. 452: Mr. RANGEL, Mr. ELLISON, Mr. LIPINSKI, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. PASCRELL, and Ms. ESHOO.  
H.R. 460: Mr. LANGEVIN, Ms. SHEA-PORTER, Mr. CLAY, Mr. TIERNEY, Mr. MARKEY, and Ms. ROYBAL-ALLARD.  
H.R. 481: Ms. BORDALLO.  
H.R. 485: Mr. SIREs, Mr. PAYNE, and Ms. FUDGE.  
H.R. 490: Mr. MICHAUD.  
H.R. 497: Mr. KINZINGER of Illinois, Mr. JOYCE, and Mr. FOSTER.  
H.R. 503: Mr. POE of Texas.  
H.R. 505: Ms. WILSON of Florida.  
H.R. 506: Ms. SLAUGHTER.  
H.R. 507: Mr. PASTOR of Arizona, Mrs. KIRKPATRICK, and Mr. BARBER.  
H.R. 519: Mr. MARKEY, Mr. KENNEDY, Ms. KUSTER, Ms. PINGREE of Maine, Mr. CASTRO of Texas, Ms. LEE of California, Ms. FUDGE, Mr. HOLT, Ms. WASSERMAN SCHULTZ, and Mr. CAPUANO.  
H.R. 523: Mr. WOMACK.  
H.R. 525: Ms. DEGETTE and Mr. HUFFMAN.  
H.R. 528: Mr. POSEY.  
H.R. 530: Ms. BROWNLEY of California, Mr. O'ROURKE, and Mr. MURPHY of Florida.  
H.R. 532: Mr. MORAN, Mr. HONDA, Mr. MCGOVERN, Mr. WATT, and Ms. ESHOO.  
H.R. 541: Mr. CLAY.  
H.R. 543: Mrs. LOWEY and Mrs. MCCARTHY of New York.  
H.R. 544: Mr. BARTON.  
H.R. 565: Mr. MICHAUD.  
H.R. 569: Mr. LANCE, Mr. WITTMAN, Mr. AMODEI, and Mr. POCAN.

H.R. 570: Mr. LANCE, Mr. AMODEI, Mr. POCAN, and Mr. ROSS.  
H.R. 588: Mr. BARBER, Mr. CRAMER, Mr. KINGSTON, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. MILLER of Florida, Mr. WITTMAN, Mr. AMODEI, Mr. THOMPSON of Pennsylvania, Mr. CALVERT, Mr. PIERLUISI, Mr. WALZ, Mr. MATHESON, and Ms. KAPTUR.  
H.R. 594: Mr. MICHAUD, Mr. PERLMUTTER, Ms. DEGETTE, Mr. GARDNER, Mr. LIPINSKI, Mr. COFFMAN, and Mr. GUTHRIE.  
H.R. 599: Ms. CLARKE.  
H.R. 627: Mr. AMODEI, Mrs. CAPPS, Mr. MCNERNEY, Mr. VAN HOLLEN, Mr. JOHNSON of Georgia, Mr. TAKANO, Ms. SLAUGHTER, Mr. WITTMAN, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Ms. LEE of California, Mr. NADLER, Mr. ISRAEL, and Ms. NORTON.  
H.R. 629: Mr. LOWENTHAL.  
H.R. 630: Ms. LEE of California, Ms. DELBENE, Mr. LOWENTHAL, Mr. ISRAEL, Ms. MATSUI, Mr. GRIMM, Mr. KEATING, Mr. CLAY, and Mr. HUFFMAN.  
H.R. 636: Mr. KENNEDY, Mr. SABLON, and Ms. SINEMA.  
H.R. 647: Mr. DIAZ-BALART, Mr. HANNA, Ms. PINGREE of Maine, Mr. POSEY, Mr. BRADY of Pennsylvania, Mr. CLAY, Mr. LOEBSACK, Mr. MARKEY, and Mrs. ROBY.  
H.R. 649: Ms. SHEA-PORTER, Mr. HASTINGS of Florida, Mr. CARDENAS, and Mr. GENE GREEN of Texas.  
H.R. 661: Mr. LEVIN.  
H.R. 662: Mr. BRIDENSTINE.  
H.R. 664: Ms. WATERS.  
H.R. 666: Mr. KEATING, Mr. MORAN, Mr. LARSEN of Washington, Mr. HONDA, Mrs. CHRISTENSEN, and Mr. MICHAUD.  
H.R. 671: Ms. DELBENE and Mr. O'ROURKE.  
H.R. 673: Mrs. BLACK, Mr. MEADOWS, and Mr. TURNER.  
H.R. 677: Mr. CONAWAY.  
H.R. 688: Mr. SWALWELL of California and Ms. ESHOO.  
H.R. 690: Mr. WITTMAN and Mr. RAHALL.  
H.R. 693: Mr. WOLF.  
H.R. 698: Mr. HARRIS and Mr. CUMMINGS.  
H.R. 702: Mr. MICHAUD, Mr. LOEBSACK, and Mr. HIMES.  
H.R. 714: Mr. FARENTHOLD.  
H.R. 721: Ms. KAPTUR, Mr. PASCRELL, Mr. MCGOVERN, Mr. NADLER, Mr. GRAVES of Missouri, Mr. MEEHAN, Mr. BARLETTA, Ms. GRANGER, Mr. WESTMORELAND, Mr. RYAN of Ohio, Mr. MICHAUD, Mr. HALL, and Mr. GRIJALVA.  
H.R. 725: Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. DEFAZIO, and Mr. POCAN.  
H.R. 726: Mr. PASTOR of Arizona and Mr. RUIZ.  
H.R. 732: Mr. DENHAM and Mr. GOWDY.  
H.R. 740: Mr. FALEOMAVAEGA.  
H.R. 742: Mr. CONAWAY.  
H.R. 749: Mrs. BLACK, Mr. PITTENGER, Ms. SHEA-PORTER, Mr. SCHRADER, Mr. HUFFMAN, Mr. POCAN, Mr. SEAN PATRICK MALONEY of New York, Mr. FORTENBERRY, Mr. FLEMING, Ms. WILSON of Florida, Mr. MILLER of Florida, Mr. DUFFY, Mr. CHABOT, and Mr. HULTGREN.  
H.R. 755: Mr. BARR, Mr. WATT, Mr. PETERS of Michigan, Mr. MARINO, Mr. POLIS, and Mr. HUIZENGA of Michigan.  
H.R. 756: Ms. ESTY.  
H.R. 761: Mr. HARRIS, Mr. CRAMER, Mr. GRIMM, and Mrs. BACHMANN.  
H.R. 762: Mr. GIBSON.  
H.R. 766: Ms. WILSON of Florida and Mr. MORAN.  
H.R. 772: Ms. BORDALLO, Mr. KEATING, Mr. SMITH of New Jersey, and Mrs. CHRISTENSEN.  
H.R. 785: Mr. RANGEL.  
H.R. 794: Mr. RUSH and Mr. LOWENTHAL.  
H.R. 798: Mr. CARSON of Indiana, Mr. VARGAS, and Ms. MCCOLLUM.



H.R. 803: Mr. FLORES and Mr. KELLY.  
H.R. 805: Mr. KLINE, Mr. ENGEL, Mr. ROE of Tennessee, Ms. JENKINS, and Mr. GRAVES of Missouri.

H.R. 809: Mr. HECK of Nevada.

H.R. 810: Mr. BUCHSHON.

H.R. 811: Ms. CLARKE.

H.R. 813: Ms. BROWNLEY of California, Mr. GENE GREEN of Texas, and Mr. LAMBORN.

H.R. 814: Ms. LEE of California.

H.R. 823: Mr. WITTMAN.

H.R. 833: Mr. COURTNEY, Mr. THOMPSON of Pennsylvania, Mr. CARTER, Mr. LOBIONDO, Mr. POSEY, Mr. WALDEN, Mr. LONG, Mr. LANGEVIN, Mrs. ELLMERS, Mr. BUCHANAN, Ms. SHEA-PORTER, Mr. BISHOP of Utah, Mr. GIBBS, Mr. ISSA, Mr. RODNEY DAVIS of Illinois, Mr. WOLF, Mr. GRIFFIN of Arkansas, Mr. DOYLE, Mr. BISHOP of New York, Mr. FRELINGHUYSEN, Mr. KLINE, Mr. WILSON of South Carolina, Mr. WOMACK, and Mr. YOUNG of Indiana.

H.R. 841: Mr. WALDEN.

H.R. 842: Ms. BROWNLEY of California.

H.R. 846: Mr. CONNOLLY, Mr. BERA of California, Mr. KEATING, and Ms. TSONGAS.

H.R. 847: Mr. PAYNE, Mr. TIERNEY, Mr. MCNERNEY, Mr. BRADY of Pennsylvania, Mrs. CAPITO, Ms. HAHN, Mr. TONKO, Ms. BONAMICI, Mr. MARINO, Mr. CLAY, Ms. SLAUGHTER, Mr. HIGGINS, and Mr. NADLER.

H.R. 850: Mr. OWENS, Mr. GOODLATTE, Mr. BRALEY of Iowa, Ms. HANABUSA, Mr. PASCRELL, Mr. TAKANO, Mr. MATHESON, Mr. BARBER, and Mrs. LOWEY.

H.R. 853: Mr. LOWENTHAL.

H.R. 861: Mr. VARGAS.

H.R. 867: Mr. CICILLINE.

H.R. 874: Mr. FRELINGHUYSEN, Mr. FARR, and Mrs. MCCARTHY of New York.

H.R. 875: Mr. PETRI and Mr. DUNCAN of South Carolina.

H.R. 900: Mr. HASTINGS of Florida, Ms. NORTON, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Ms. PINGREE of Maine, Mr. CUMMINGS, Mr. POCAN, Mr. VARGAS, Ms. BROWN of Florida, and Mr. DANNY K. DAVIS of Illinois.

H.R. 904: Mr. DAVID SCOTT of Georgia, Ms. MCCOLLUM, Mr. MICHAUD, Mrs. CAROLYN B. MALONEY of New York, Mr. WELCH, and Mr. WILSON of South Carolina.

H.R. 914: Mr. JONES and Mr. BENTIVOLIO.

H.R. 915: Ms. MCCOLLUM, Mr. NOLAN, Mr. SWALWELL of California, Mr. MICHAUD, Ms. BORDALLO, Ms. MOORE, Mr. CARSON of Indiana, Mr. ELLISON, Mr. NADLER, and Mr. KEATING.

H.R. 918: Mr. MARKEY, Mr. RANGEL, Mr. MCGOVERN, Mrs. CAROLYN B. MALONEY of New York, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. LEWIS, Mr. PETRI, Ms. ROYBAL-ALLARD, Mr. MCNERNEY, and Mr. ELLISON.

H.R. 919: Mr. CICILLINE and Mr. MICHAUD.

H.R. 920: Mr. CICILLINE and Mr. DOGGETT.

H.R. 921: Mr. ENYART and Mr. CLAY.

H.R. 931: Mr. BLUMENAUER and Mr. WALDEN.

H.R. 938: Mr. BISHOP of Utah, Mr. COFFMAN, Mr. SCHNEIDER, Mr. ISRAEL, Mr. GARAMENDI, Mr. SMITH of Washington, Mr. LANGEVIN, Mr. COLLINS of New York, Mr. VARGAS, Mr. SMITH of New Jersey, Mr. MEEHAN, Ms. HANABUSA, Mr. CHAFFETZ, Mr. FLEISCHMANN, Mrs. ELLMERS, Mr. MARINO, Mr. POSEY, Ms. SINEMA, Mrs. HARTZLER, Mr. OLSON, Mr. OWENS, Mr. BRALEY of Iowa, Mr. MCCAUL, Mr. MURPHY of Florida, Mr. MICHAUD, Mr. TAKANO, Mrs. LOWEY, Mr. PASCRELL, Mr. HANNA, Mr. CULBERSON, Mr. LIPINSKI, Mr. ROKITA, Mr. PITTINGER, Mr. MCKINLEY, Mr. COURTNEY, and Ms. TITUS.

H.R. 940: Mr. MULLIN, Mr. FORBES, Mr. FRANKS of Arizona, Mr. WEBER of Texas, Mr. PRICE of Georgia, Mr. CARTER, Mr. BRADY of Texas, Mr. ROYCE, Mr. BURGESS, Mr. BUCHANAN, Mr. MARINO, Mr. SMITH of Nebraska, Mr. CRAWFORD, Mr. GOWDY, Mr. RAHALL, Mr. BRIDENSTINE, and Mr. SCALISE.

H.R. 946: Mr. MCCAUL, Mr. WITTMAN, and Mr. CARTER.

H.R. 955: Ms. SCHAKOWSKY, Mr. MARKEY, Ms. CLARKE, and Ms. JACKSON LEE.

H.R. 958: Ms. MOORE, Mr. GUTIERREZ, Mrs. BEATTY, Mr. MORAN, and Ms. WILSON of Florida.

H.R. 960: Mr. CROWLEY, Mr. ENGEL, Ms. CLARKE, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Mr. NADLER, and Mr. JEFFRIES.

H.R. 961: Mr. HIGGINS.

H.R. 963: Mr. CLAY, Mr. CONNOLLY, and Mr. MICHAUD.

H.R. 966: Mr. LOWENTHAL and Mr. RANGEL.  
H.R. 967: Mr. SWALWELL of California and Mr. CRAMER.

H.R. 974: Ms. WILSON of Florida, Mr. PETERS of Michigan, and Mr. LOWENTHAL.

H.R. 976: Mr. MULLIN, Mr. GRAVES of Georgia, Mr. WILSON of South Carolina, and Mr. ROKITA.

H.R. 978: Mr. HOLT.

H.R. 985: Ms. FUDGE.

H.R. 997: Mr. JOYCE.

H.R. 1000: Ms. BROWN of Florida.

H.R. 1002: Ms. LINDA T. SANCHEZ of California, Ms. CLARKE, and Mr. McDERMOTT.

H.R. 1005: Mr. MEADOWS, Mr. YOHO, Mr. MCCLINTOCK, Mr. HASTINGS of Washington, Mr. HUDSON, and Mr. HALL.

H.R. 1014: Mr. RAHALL and Mr. ENYART.

H.R. 1015: Mr. POSEY, Ms. MCCOLLUM, and Ms. DEGETTE.

H.R. 1017: Mr. JONES.

H.R. 1018: Mr. CONNOLLY, Ms. MOORE, Mr. YOUNG of Alaska, and Ms. NORTON.

H.R. 1019: Mr. HUFFMAN.

H.R. 1020: Mr. YARMUTH and Mr. BUCHANAN.

H.R. 1024: Mr. LOEBSSACK, Mr. KIND, Mr. TERRY, and Mr. BRALEY of Iowa.

H.R. 1026: Mr. CRAMER and Mr. HUELSKAMP.  
H.R. 1029: Ms. SCHAKOWSKY, Mr. GRIJALVA, and Mrs. CHRISTENSEN.

H.R. 1030: Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. CONYERS, and Mr. MICHAUD.

H.R. 1035: Mr. HINOJOSA.

H.R. 1037: Mr. CLAY.

H.R. 1039: Mr. LANCE, Ms. JENKINS, Mr. BUCHANAN, Mr. COFFMAN, Mr. ROSS, Mr. BENISHEK, Mr. MCKINLEY, Mr. MULVANEY, and Mr. TIPTON.

H.R. 1040: Mr. JONES.

H.J. Res. 11: Mr. ROKITA.

H.J. Res. 28: Mr. WALBERG.

H. Con. Res. 21: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Ms. MOORE, and Mr. LEWIS.

H. Res. 10: Mr. DOGGETT, Ms. JACKSON LEE, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 30: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. VELÁZQUEZ, Mr. ENGEL, Mr. BERA of California, Ms. WILSON of Florida, Mr. GRAYSON, Mr. LOWENTHAL, and Mr. KEATING.

H. Res. 71: Mr. STIVERS, Mr. MCNERNEY, Mr. BUTTERFIELD, Mr. DANNY K. DAVIS of Illinois, Mr. MAFFEI, Mr. PASCRELL, Mr. TIERNEY, Mr. ELLISON, Mr. RYAN of Ohio, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. COURTNEY, and Mr. GERLACH.

H. Res. 72: Mr. WITTMAN and Mr. STIVERS.

H. Res. 76: Mr. MARCHANT, Mr. MCCAUL, Ms. JENKINS, Mr. POLIS, and Mr. SESSIONS.

H. Res. 87: Mr. GARRETT, Mr. GRIMM, and Mr. LANCE.

H. Res. 89: Mr. JOHNSON of Georgia, Mr. LEWIS, Mrs. CHRISTENSEN, Mr. AUSTIN SCOTT of Georgia, Mr. WEBER of Texas, Mr. RUIZ, and Mr. WILSON of South Carolina.

H. Res. 91: Mr. MCCAUL.

H. Res. 94: Mr. MARKEY, Mr. CLAY, Mr. MAFFEI, and Mr. ANDREWS.

H. Res. 95: Mr. MCGOVERN, Mr. ISRAEL, Mr. ELLISON, Mr. GRIJALVA, Mr. CONNOLLY, Mr. CICILLINE, Mr. LEVIN, and Mr. YOUNG of Florida.

H. Res. 98: Mr. MCKINLEY, Mr. BRIDENSTINE, and Mr. LATTA.

H. Res. 101: Mr. ISRAEL.

## PETITIONS, ETC.

Under clause 3 of rule XII,

6. The SPEAKER presented a petition of the City of Aventura, Florida, relative to Resolution No. 2013-08 supporting a Legislative Proposal designed to reduce gun violence; which was referred to the Committee on the Judiciary.



## EXTENSIONS OF REMARKS

ALEXANDRA NUNEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alexandra Nunez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alexandra Nunez is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alexandra Nunez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alexandra Nunez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO COURTNEY STRUTT  
TODD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Courtney Strutt Todd for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Courtney Strutt Todd is a shareholder attorney at Davis Brown Law Firm where she utilizes her talents to assist private colleges, hospitals and other nonprofit organizations obtain public financing for building projects. In the last three years alone, Courtney worked as bond, underwriter's and issuer's counsel on nearly \$1.4 billion in general government bonds. Mrs. Strutt Todd also volunteers her legal talents pro bono and was recognized in 2008 by the Polk County Bar Association Vol-

unteer Lawyers Project for providing more than 200 hours of volunteered legal services. Outside of work, Courtney is heavily involved with the American Cancer Society, assists Urbandale High School as a volleyball coach, is a member of the Iowa Advisory Council for the Epilepsy Foundation of North/Central Illinois, Iowa and Nebraska, and is currently serving as treasurer of the Greater Des Moines Leadership Institute board. Courtney has been married to her husband Matthew for six years, and they have two children, Bryson and Brinley. In every facet of her life, Courtney is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Courtney in the United States Congress and it is with great pride that I recognize and applaud Mrs. Strutt Todd for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Courtney on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

RECOGNIZING MARY-DIANA POULI

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize Mary-Diana Pouli as she is honored by the Amherst Museum's Women's Interclub Council. Few have been so generous with their time and talents as Mary-Diana. Her extraordinary legacy of service began during her adolescence, and has continued to this day.

A resident of Amherst since the 5th grade, Mary-Diana began volunteering with Amherst Youth Engaged in Service (YES), an organization founded to encourage community involvement and civic participation among children in Amherst from age twelve to twenty. It was through Amherst YES that Mary-Diana first became involved with the Amherst Youth Board, now the Amherst Recreation and Youth Department. She is one of the few people to surpass 1,000 hours of time spent volunteering with the organization, working with the department for over thirty years. Presently, she serves as the Recreation and Youth Director for the Town of Amherst.

Mary-Diana's dedication to the young people of Amherst extends to her long involvement with the Amherst Youth Foundation. She currently serves as assistant treasurer and as a member of the board of directors, yet is known to cheerfully help wash dishes, move office equipment, and assist office staff. No task is too large or too small for Mary-Diana.

Mary-Diana's good works have touched nearly every volunteer organization in the

Town of Amherst. She is the former vice president and current treasurer of the Zonta Club of Amherst, a group dedicated to advancing the status of women and young people. Each December, the Zonta Club helps clothe 300 children through the Town of Amherst's Warm Clothing Project, of which Mary-Diana is a key part.

Mary-Diana's strong faith inspires her many good works. A lifelong Presbyterian, Mary-Diana is ordained as both a deacon and an elder in the Amherst Presbyterian Church, and has chaired their Mission Committee. Using her special connection to young people, Mary-Diana volunteers with their Youth Group to foster new faith. She has had the great honor of representing her denomination on a national level as a small group leader at various conferences, including serving as conference dean at the Presbyterian Youth Triennium, an event held every three years at Purdue University.

Mr. Speaker, it is with great appreciation that I rise to congratulate Mary-Diana Pouli as she is honored by the Amherst Museum's Women's Interclub Council. I am deeply grateful for her exceptional service, generous heart, and efforts that have bettered the lives of so many in Western New York.

A TRIBUTE TO BOLTON HALL'S  
100TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to pay special recognition to Bolton Hall in Tujunga, California as it celebrates its one-hundredth anniversary.

Shortly after the turn of the century, the Glorietta Heights area of Rancho Tujunga came to the attention of Marshall Hartranft, a land developer who engaged William E. Smythe to publicize the upper slopes of the area. Mr. Smythe was the founder of the "Little Lands" movement, a utopian movement that believed that families settling on an acre or two of land could support themselves and prosper. Settlement of the lots by Smythe's "Little Landers" began in 1913 and in April of that year, Marshall Hartranft donated land and financed construction of Bolton Hall for the new colony. The edifice was designed by "Nature Builder" George Harris, who used rocks gathered from local hillsides and the Tujunga Wash to create a building that harmonized beautifully with its setting between the Verdugo Hills and the San Gabriel mountains. The structure was first called The Clubhouse, but was later named in honor of Smythe's friend, author Bolton Hall. Dedicated in August 1913, the hall quickly became the center of all

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

community activities, including church services, dances, town meetings, socials, and the San Fernando Valley's second library.

Though the "Little Lands" movement declined by 1920, Bolton Hall continued to serve the community, becoming Tujunga's City Hall and town jail after the town was incorporated in 1925. Following the annexation of the city to Los Angeles in 1932, Bolton Hall housed Los Angeles' Department of Building and Safety as well as its Health Department and local police. The city eventually built a new municipal building, and the old stone structure was boarded up in 1957. For the next twenty years, members of the newly formed Little Landers Historical Society and others fought to save the historic building from demolition and worked toward restoration. Starr Von Fluss, past president of the Little Landers Historical Society served as campaign chairwoman to raise funds for the restoration. With the acquisition of additional funds by Roberta Stewart and L.A. City Councilman Robert Ronka, the campaign to save and restore the building was a success, with restoration work beginning in February of 1980 and its official re-opening celebration held on June 27, 1981.

Today artifacts, photographs, documents and memorabilia of Sunland, Tujunga and the foothill areas are displayed, ranging historically from the village of the Tongva Indians, through the Mission and Mexican Land Grant periods, to the development of Sunland Tujunga and the rescue of Bolton Hall. The building also serves as the office for the Little Landers Historical Society. Along with John Steven McGroarty's home, now the McGroarty Cultural Art Center, Bolton Hall is one of ten historical monuments in the Sunland Tujunga area and is also included in the National Register of Historic Places.

I ask all Members of Congress to join me today in recognizing Bolton Hall's historical importance and celebrating its one-hundredth anniversary.

AARON ARVELLO

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aaron Arvello for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Arvello is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Arvello is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aaron Arvello for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE MINOA FIRE DEPARTMENT'S 100TH ANNIVERSARY

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. MAFFEI. Mr. Speaker, I rise to extend my congratulations to the Minoa Fire Department on the occasion of its Centennial Celebration. I am honored to join the community in celebrating the Department on this historic occasion.

The Minoa Fire Department operates out of 2 stations. Station 1, located at 238 North Main S in the village, and station 2, located at 7036 Manlius Center Rd in Fremont. The Department currently operates two engines, two rescue pumpers, one brush truck, and one squad with a staff of 45 volunteers.

The Minoa Fire Department provides many emergency and non-emergency services including but not limited to, fire prevention, fire suppression, hazardous incident and material management, vehicle and other extrication and rescue, swift water rescue, ice water rescue, residential lock-outs, emergency vehicle lock-outs, commercial fire inspections and basic life support emergency medical services. Some members of the Minoa Fire Dept. are specially trained and belong to special operations teams in Onondaga County including, Dive/Rescue, High Angle/Rope Rescue, Wilderness Search and Rescue and Hazardous Materials Response Teams.

So much has changed over the past 100 years. In 1913, Woodrow Wilson was inaugurated as the 28th President of the United States, the 17th amendment calling for the direct election of Senators was adopted, and the first automobile road across the United States, the Lincoln Highway, was dedicated. In 1953, Mack Model 85 was the first green fire truck to come to Minoa, setting the precedence for a full fleet of green fire apparatus. In fact, Mack Model 85 was fully restored in 2009 and is currently used by the Department in ceremonies and parades. Minoa Fire Department's uniquely green fleet continues to this day and continues to be a source of pride for local residents.

Despite the dramatic changes that have taken place over the past 100 years, a few things remain the same. The Minoa Fire Department continues to this day to take great pride in being an all-volunteer department. The Fire Department continues to be a central part of life for residents. Furthermore, for 100 years Minoa's finest have dedicated themselves to protecting their fellow citizens and making the community a safer place to live.

We are grateful for the extraordinary service that the volunteers of Minoa Fire Department have provided to residents of our community over the past century. Once again, congratulations to the members and supporters of the Minoa Fire Department and good luck in the next 100 years!

TRIBUTE TO HOWARD TEMPERO

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Howard Tempero for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Howard Tempero has been with Spindustry Digital for five years and currently serves as the Experience Design Strategist, in which he works with clients on website design and digital promotional material, among other online messages. After professional stints in Chicago and New York, Howard chose to bring his skill and expertise back to his home state. Since returning to the Des Moines area, Mr. Tempero has generated millions of dollars for Spindustry Digital and remains heavily involved in his community through the Rotary Club of Des Moines AM. Last year, Howard was recognized as a finalist for the NOVA Award from the American Marketing Association for his outstanding professional efforts. Outside of the office, Howard enjoys spending time with his wife, Megan, and their two daughters, Islalucia and Aristella, and two sons, Rezin and Corbet. In all facets of his life, Howard is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Howard in the United States Congress and it is with great pride that I recognize and applaud Mr. Tempero for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Howard on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN HONOR OF MR. WILLIAM H. REDD

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mr. William H. Redd, a retired member of the United States Marine Corps who is receiving a lifetime achievement award for his service in the Montford Point Marines.

Mr. Redd was drafted into the Marine Corps during World War II where he was sent to

Camp Montford Point, a segregated training camp in Jacksonville, North Carolina. Upon completion, Private Redd was stationed in Iwo Jima and Sasebo, Japan where he worked in Pacific Theater of Operations with the 66th Supply Platoon. He provided support, guard duty, and engaged in combat. Shortly after the bombing at Pearl Harbor, Corporal Redd was stationed in Hilo, Hawaii.

After four years of enlistment, Corporal Redd was honorably discharged and returned to his wife and children in Camden, New Jersey.

Mr. Redd was one of the nearly 20,000 Montford Point Marines who helped pave the way for African Americans in the United States Armed Forces. On June 27, 2012, Mr. Redd and his fellow Montford Point Marines received the Congressional Medal of Honor for their service.

Mr. Redd will be receiving his Life Time Achievement Award from Each One Teach Consultants at the 10th annual Black History in the Barbershop Program in Camden, NJ. The program is dedicated to preserving the historical contributions that African Americans have made to society.

IN RECOGNITION OF JOSEPH  
CALIENDO

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PALLONE. Mr. Speaker, I rise today to recognize Joseph "Joe" Caliendo for his work on behalf of Monmouth County, New Jersey and to congratulate him on his retirement as Chairman of the Middletown Democratic Party.

Joe began his career in politics in the 1960s, first serving as a committeeman and then as Chairman. He has served as Chairman of the Middletown Democratic Party for 25 years. Throughout those 25 years, they had 10 wins and while they lost some elections, many were very close. Joe also currently serves as Sergeant-at-Arms for the Monmouth County Democratic Organization.

Not only is Joe active in the Democratic Party, he has also been a prominent labor leader for many years. He currently serves as a delegate on the Central Labor Council, President of the Retirees of IBEW Local 400 and Vice President of the State RAC. Joe continues to work to ensure the rights and benefits of the labor community.

Mr. Speaker, once again, please join me in congratulating Joe Caliendo on his retirement and thanking him for his years of service to the people of Monmouth County. His leadership is truly deserving of this body's recognition.

ALYSSA MILLER

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alyssa Miller

for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alyssa Miller is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alyssa Miller is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alyssa Miller for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CELEBRATING THE 100TH ANNI-  
VERSARY OF THE GROVER  
CLEVELAND MEMORIAL BIRTH-  
PLACE ASSOCIATION

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Grover Cleveland Memorial Birthplace Association, located in Caldwell, New Jersey, as they celebrate their Centennial this year.

The Grover Cleveland Birthplace Memorial Association was incorporated in 1913 as a non-profit organization "to honor and perpetuate the memory of Grover Cleveland". Stephen Grover Cleveland rose from humble beginnings as the fifth of nine children to a Presbyterian minister in Caldwell, New Jersey. After serving several years as an apprentice clerk in a local law firm, Grover Cleveland passed the bar and opened his own firm in 1859. He soon became a rather prominent lawyer and Democratic politician, and in 1881, was elected mayor of Buffalo, New York. Grover Cleveland's career continued to ascend, and during his gubernatorial term in New York from 1883 to 1884, interest in preserving his birth site kindled. He then served a presidential term beginning 1885, and again beginning 1892, becoming the only president to serve two non-consecutive terms. The political prestige fueled the interest in the preservation of his Caldwell birthplace.

The site was originally erected as a manse by the First Presbyterian Church at Caldwell on the north side of Newark Turnpike. It housed Reverend Richard Falley Cleveland, his wife, Ann Neal Cleveland, and their ever-expanding family, when their fifth child was born on March 18, 1837. He was named for the church's first minister, Stephen Grover. During the ensuing years, the house and barn were enlarged and "modernized" to accommodate the family. In 1902, the Church began negotiations for the sale of the property at \$18,000, to only be used as a CFO COI memorial to Grover Cleveland, and in 1907, a committee of friends installed a bronze tablet in the room where he was born. The then 70-year-old Grover Cleveland wrote that he was

profoundly moved by this event. Finally, in 1913, the Grover Cleveland Birthplace Memorial Association was incorporated with four officers and thirty-nine trustees, all prominent citizens throughout the country. The Association purchased the house and lot, as well as the lot along Arlington Avenue. However, they faced financial difficulties during the depression, and the State of New Jersey assumed ownership. Governor Moore appointed twenty trustees to oversee the property. Fortunately, in 1936 the house was restored to its 1870 appearance under a government Works Progress Administration program, and was placed under the Bureau of Historical Monuments (subsequently under the Department of Environmental Protection and Energy, Division of Parks and Forestry). The house is listed on both the National and New Jersey Register of Historic Places.

The Grover Cleveland Birthplace Memorial Association was reactivated in 1986 for the Sesquicentennial of Grover Cleveland's Birth (1987), and still functions today as a voluntary auxiliary working in full cooperation with the state. It is an officially recognized Friends Organization. In 1990, the Mayor of Caldwell appointed a liaison with the birthplace, a GCBMA trustee, establishing direct contact with the Borough. The Association continues to promote greater interest and use of this national historic site, which hosts several period exhibits and activities from the lifetime of Grover Cleveland. Throughout their long history, they have worked to bring awareness to the site and the great history surrounding Grover Cleveland.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Grover Cleveland Memorial Birthplace Association as they celebrate their Centennial.

AARON LONG

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aaron Long for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Long is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Long is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aaron Long for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

## TRIBUTE TO TONY TIMM

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Tony Timm for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, *Business Record*.

Since 2000, *Business Record* has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Tony Timm serves as the executive director for the largest shelter facility in the State, Central Iowa Shelter & Services. In addition to his day-to-day role of managing the organization, Tony recently accomplished a \$15 million campaign to open a new facility that will help expand the cause of addressing homelessness in central Iowa. The new facility, which opened in September, consists of more than two hundred beds; includes emergency, transitional, and permanent housing options; and features an on-site health clinic, food pantry, clothing closet, classroom, and a resource center for homeless veterans and other veterans in need of assistance. Outside of CISS, Mr. Timm has been the president of the Des Moines Downtown Chamber of Commerce, appointed to the Iowa Council of Homelessness by Governor Branstad, a board member of the Greater Des Moines Partnership and the Downtown Community Alliance, and was the recipient of the 2012 Social Czar designation from the Des Moines Social Club. Raised in Tipton, Iowa, Tony now resides in the Des Moines area with his wife Channon and their two children, Charlie and Sophia. In all facets of his life, Tony is an example of hard work and service that our State can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Tony in the United States Congress and it is with great pride that I recognize and applaud Mr. Timm for utilizing his talents to better both his community and the great State of Iowa. I invite my colleagues in the House to join me in congratulating Tony on receiving this esteemed designation, thanking those at *Business Record* for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

COMMEMORATING THE 100TH ANNIVERSARY OF HARRIET TUBMAN'S DEATH

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. MAFFEI. Mr. Speaker, I rise to join Auburn and the entire Central New York commu-

nity in commemorating the 100th Anniversary of Harriet Tubman's death. Few Americans have fought so courageously for freedom and equality as Harriet Tubman. To pay tribute to her life and legacy, I introduced the Harriet Tubman National Historical Parks Act. This bill establishes two National Historic Parks in her honor: The Harriet Tubman National Historical Park in Auburn, NY and the Harriet Tubman Underground Railroad National Historical Park on the Eastern Shore of Maryland.

The proposed national park encompasses several of Auburn's important historical sites including Harriet Tubman's Home, the Home for the Aged, the AME Zion Church, and the cemetery where she is buried. The legacy she left in Auburn is one of America's lasting treasures and we should honor her as the first African-American woman to have a national park established in her honor.

Establishing this park is not just about our history and the past, it is also about the present and our future, particularly our economic future. This new park would be a significant piece of an emerging tourist region with both historical and natural attractions.

We must work together to preserve Harriet Tubman's legacy and promote Auburn's future. Her story is a lasting lesson that still resonates today. Tubman was not someone who accepted the circumstances of her time—she fought tirelessly for freedom and progress and that legacy is one worth fighting for. There is still work to be done to make this idea a reality and like Tubman, we cannot stop now. I am committed to working with my colleagues in the House, my counterparts in the Senate, and advocates in this community and around the country to pass this legislation which is long overdue.

HONORING GARY CASERI ON HIS RETIREMENT

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Stanislaus County Agricultural Commissioner and Sealer of Weights Gary Caseri on his retirement. He retired on March 2, 2013, after 37 years of valuable service to the agricultural and business community and five years as the Agricultural Commissioner and Sealer of Weights for Stanislaus County.

Mr. Caseri has been a committed member of the California Agricultural Commissioner and Sealers Association (CACASA) for over 12 years. He has enforced laws and regulations from a prospective of service and outreach to the agricultural and business communities.

Mr. Caseri provided equity in the marketplace through fair enforcement of weights and measures laws and regulations. He was instrumental in establishing the first grower-led spray safe workshop—an event designed to help pesticide applicators apply material in a safe manner.

Mr. Caseri served on the Agricultural Advisory Board providing valuable guidance on im-

portant issues that included the Agricultural and the draft Ground Water Export Ordinance. Through his leadership on the CACASA Seed, Apiary and Nursery Committee, he facilitated the standardization of colony-strength inspection procedures used during the important almond pollination season.

Mr. Caseri served on the Shell Egg Advisory Committee and was successful in establishing a model pilot retail egg inspection program, which will be used throughout the State of California.

Mr. Speaker, please join me in honoring Stanislaus County Agricultural Commissioner and Sealer of Weights Gary Caseri on his retirement and in wishing him the best of luck in his future endeavors.

RECOGNIZING THE PEOPLE OF NAGORNO KARABAKH AND THE TWENTY-FIFTH ANNIVERSARY OF THE SUMGAI POGROMS

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. COSTA. Mr. Speaker, today I rise to recognize the twenty-fifth anniversary of the pogroms against people of Armenian descent in Sumgait, Azerbaijan. This ungodly massacre in 1988 resulted in the murder of scores of Armenians. Tragically, women and girls were viciously raped and hundreds of Armenians were wounded. The chaos led to thousands of Armenian refugees who were left without homes or livelihoods. It was from the ashes of these terrible fires that arose the Nagorno Karabakh democracy movement that has, after many terrible years of Azerbaijani war, blockades, and aggression, resulted in hard-won freedom and democracy for the proud citizens of this ancient Christian land.

As we recognize this tragedy, it is also proper that we celebrate the courage of the people of Nagorno Karabakh as the first to rise up against the Soviet Union and to demand their right to freedom and self-governance. We celebrate the self-determination of the people of Nagorno Karabakh, their declaration of independence more than two decades ago, and their role in ending the Soviet threat to America. We should never forget the brave efforts of this small nation in sparking the democracy movement that ended decades of dictatorial rule in the USSR and eventually led to the fall of the Soviet Union.

Sadly, over the past quarter century, the Azerbaijani government has attacked the people of Karabakh with a clenched fist. Azerbaijan has consistently obstructed the peace process, walking away from its own agreements, and instead sought to incite hatred within its own population with anti-Armenian rhetoric and regular cross border attacks and threats of renewed war. Perhaps the most telling example was the President of Azerbaijan's decision to pardon, praise, and even promote Ramil Safarov, an Azerbaijani soldier who was sentenced to life in prison for the brutal murder of unarmed Armenian Army officer Guren Margaryan in Budapest in 2004.

Today, I ask my colleagues to stand with the proud people of Nagorno Karabakh because our two peoples share so many of the

same foundational ideals including a commitment to the values of freedom, human rights, self-determination, and democracy.

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CROWN CANDY KITCHEN

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**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. CLAY. Mr. Speaker, I rise today to honor the 100th anniversary of the Crown Candy Kitchen restaurant in the great city of St. Louis. Since its founding in 1913, the Crown Candy Kitchen has become deeply intertwined into the community and continues to serve as an example of continued success in the Old North St. Louis neighborhood.

The story of the Crown Candy Kitchen is predominately an American story. The Crown Candy Kitchen was opened in 1913 by Harry Karandzieff and his best friend Pete Jugaloff. They were immigrants who brought their culinary skills from Greece, along with a dream of providing a friendly environment for diners to enjoy their unique dishes. During the early 50's Harry's son George took the business over and built the business into what it is today. Now George's three sons Andy, Tommy, and Mike run the business with a little help from the 4th generation.

Unique features of the Crown Candy Kitchen include homemade chocolate candy which restaurant goers have enjoyed since the creation of the restaurant. Its decor is also unique. The restaurant has an old-fashioned decor with Coca-Cola memorabilia from the 1930s. Another impressive item within the restaurant includes the oldest operating soda fountain in the metro St. Louis area, and one of the oldest in the country.

A passerby may think the Crown Candy Kitchen's menu is simple. After a sampling of the menu they would quickly realize this "simple" menu is anything but. Its menu features sandwiches and is best known for its desserts, most especially for its malted milkshakes and homemade candy. Recently, the restaurant was featured on the Travel Channel's television series, Man v. Food. The show's host, Adam Richman, took on the Crown Candy Challenge, which is an attempt to drink five 24-ounce malts or shakes within 30 minutes. He was however, unsuccessful. In 2012, the restaurant was featured on another Adam Richman-hosted show, Best Sandwich in America, for its "Heart-Stopping BLT" sandwich. These accolades are a testament to the history and quality provided in the Crown Candy Kitchen.

Mr. Speaker, this remarkable accomplishment by the Crown Candy Kitchen is something that we can all take great pride in. It is a tribute to the people of St. Louis and the local community. It is a great honor to pay tribute to such an enduring and successful institution.

TRIBUTE TO FELIX GALLAGHER

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Felix Gallagher for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Felix Gallagher is the principal owner of his own company, PharmServ Solutions, which works to staff pharmacists in temporary and full-time positions in urban and rural communities. He arrived in the Des Moines area by way of a scholarship to play football at Drake University, where he captured three-time All-Conference and All-America honors and developed a strong desire to give back to his community for the help received along the way. In addition to owning his small business, Felix donates his time to mentoring high school youth from ethnically diverse backgrounds and passes on his skills and talents as a coach in a youth football league. He is also a past board member for the Alianza Business Association and is a current member of the League of United Latin American Citizens of Iowa. In every facet of his life, Felix is an example of service and Iowa work ethic that our State can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Felix in the United States Congress and it is with great pride that I recognize and applaud Mr. Gallagher for utilizing his talents to better both his community and the great State of Iowa. I invite my colleagues in the House to join me in congratulating Felix on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

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ADRIANA GONZALEZ

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Adriana Gonzalez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Adriana Gonzalez is a 10th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Adriana Gonzalez is exemplary of the type of achieve-

ment that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Adriana Gonzalez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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AWARD THE CONGRESSIONAL  
GOLD MEDAL TO HUMANITARIAN  
AND SPORTING LEGEND MUHAMMAD ALI

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**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. CARSON of Indiana. Mr. Speaker, I am proud to reintroduce legislation to award the Congressional Gold Medal to Muhammad Ali in recognition of his contributions to our nation. I believe it is long past time to recognize and honor an American civil rights activist and sporting legend with Congress' highest honor. Over the course of his illustrious career, Muhammad Ali has produced some of our nation's most lasting sports memories. From winning a Gold Medal at the 1960 Summer Olympics to lighting the Olympic torch at the 1996 Summer Olympics, his influence as an athlete and a humanitarian has spanned over fifty years.

Despite having been diagnosed with Parkinson's disease in the 1980s, Ali has devoted his life to charitable organizations. Ali and his wife, Lonnie, are founding directors of the Muhammad Ali Parkinson Center and Movement Disorders Clinic in Phoenix, AZ and have helped raise over \$50 million for Parkinson's research. In addition to helping families cope with illness, Ali has led efforts to provide meals for the hungry and has helped countless organizations such as the Make-A-Wish Foundation and the Special Olympics.

Muhammad Ali's humanitarian efforts go beyond his charitable activities in the United States. In 1990 Muhammad Ali travelled to the Middle East to seek the release of American and British hostages that were being held as human shields in the first Gulf War. After his intervention, 15 hostages were freed. Thanks to his devotion to diplomatic causes and racial harmony, Ali is the recipient of many accolades, including being chosen as a "U.N. Messenger of Peace" in 1998 and receiving the Presidential Medal of Freedom in 2005.

Through his unyielding dedication to his sport and to struggling populations around the world, Muhammad Ali serves as an example of service and self-sacrifice for generations of Americans. The Congressional Gold Medal is a fitting commemoration of his life and work, for which he is deservedly known as "the Greatest."

Mr. Speaker, I hope my colleagues will join me in recognizing one of our nation's most lasting and influential figures by signing on to this important legislation.

## HONORING KARL SHARP

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of a constituent and friend, Karl Sharp of Centerville, Indiana.

Karl was actively involved in Wayne County political life, serving as an election official in Hagerstown and later in numerous posts in the City of Richmond, including as a member of the Richmond City Council from 1999 to 2007. A life-long Republican, Karl also served as Chairman of the Wayne County Republicans from 1989 to 1993 and as a delegate to the 1992 Republican National Convention.

Outside of politics, Karl was a man of faith and forty-year active member of the Central United Methodist Church of Richmond. In addition, Karl was a leader in the Wayne County Chamber of Commerce, the Yokefellows at Earlham College, and the local United Way Board.

Karl and his family's dedication to the people of Indiana will be forever appreciated. I will forever appreciate his friendship and ask the citizens of the 6th Congressional District to join me in keeping Karl's wife, Marjorie, children, Terry, Gail, and Karen, and the entire extended Sharp family in your thoughts and prayers.

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**GLENDALE SWIM TEAM, MISSOURI  
STATE HIGH SCHOOL SWIMMING  
CHAMPIONS**
**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LONG. Mr. Speaker, I rise today to congratulate the Glendale Girls Swim Team for winning the Missouri State High School Swimming Championship.

The team included sisters Nikki and Kaylee Sisson, Madeline Nelson, Lauren Beatty, Emma Chadwell, Tori Harmon, Hannah Leif, and Macie Beirsto. It was through their hard work and dedication that they took overall first place with a score of 190, beating the runner-up by nearly 40 points.

I would also like to commend Nikki Sisson on winning the 50-yard freestyle, as well as the 200 and 400-yard freestyle relay teams for also taking first place.

Head Coach Steve Boyce and Assistant Coach Robert Muench should also be proud of their accomplishments in guiding this group of talented athletes. I commend them all on a job well done. The Springfield community is justifiably proud of the extraordinary accomplishments of these young ladies. This is the first swim team from Southwest Missouri to win the championship.

I urge my colleagues to join me in congratulating the Glendale High School State Champion Girls Swim Team.

## ALINA TRUJILLO

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alina Trujillo for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alina Trujillo is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alina Trujillo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alina Trujillo for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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**TRIBUTE TO ANGELA DETHLEFS-  
TRETTIN**
**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Angela Dethlefs-Trettin for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Angela Dethlefs-Trettin has been an active member of the philanthropic community in Iowa and across the country for nearly her entire life. Originally from Waterloo, she first served on the foundation board Teen Trust as a high school student. She went on to work at the Community Foundation of Northeast Iowa and helped to establish community foundations in many of the rural communities in that part of the state, working with local citizens to capture charitable dollars that will positively impact important community projects for generations to come. Her passion led her to the Iowa Council of Foundations, where she worked with grantmakers across our great state, and ultimately to her new role as Director of Community Investment and Initiatives at the Community Foundation of Greater Des Moines. Angela continues to volunteer her

time for various philanthropic initiatives throughout her community and was recently named to the National Standards Board for U.S. Community Foundations. Outside of her personal and professional philanthropy efforts, Angela's focus is on her husband, Matt, and her son, Henry. In every facet of her life, Angela is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Angela in the United States Congress and it is with great pride that I recognize and applaud Mrs. Dethlefs-Trettin for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Angela on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

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**HONORING THE LIFE AND SERVICE  
OF MEL PARIS**
**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mrs. BUSTOS. Mr. Speaker, I rise today to commemorate the life of Mel Paris, an American veteran from Illinois, who recently passed away on March 3rd, 2013. Mel was best known as a dedicated community leader, as well as an ardent public servant, and his loss is felt throughout the community.

Mel was truly a friend and advocate of working men and women across our state, along with those less fortunate. He held several positions throughout his career with the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), including President of his local union. Mel also served as a Winnebago County Board member, where he tirelessly worked for the betterment of his community.

Even after his retirement, he continued a life of service to others. Mel was elected as President of the UAW Rockford Area Building association where he continued to serve the members of the UAW, until his untimely passing. Mel touched everyone he met, and was someone whom you could always turn to with your personal or professional problems.

Mr. Speaker, I am forever grateful for Mel's contributions as a serviceman and leader in his community, and am deeply saddened by his passing. I offer my sincerest thoughts and prayers to his wife Charlotte, the rest of the Paris family, and the entire Rockford community.

HONORING BRIGADIER GENERAL EARL C. ACUFF USA (RET.) THE FORMER COMMANDANT OF THE VIRGINIA TECH CORPS OF CADETS

**HON. ROBERT J. WITTMAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. WITTMAN. Mr. Speaker, I rise today to honor Brigadier General Earl C. Acuff, USA (Ret.), the Commandant of the Virginia Tech Corps of Cadets from 1973 to 1980, who passed away on February 13, 2013. A native of Iowa, Earl Acuff learned to box as a young boy and became a Golden Gloves champion while in high school; he earned a full football scholarship to the University of Idaho, where he met his wife, Mary-Low, and enlisted in ROTC. After the attack on Pearl Harbor, Earl Acuff was shipped to the Aleutian Islands in Alaska, where he served as the executive officer to the 1st Intelligence Combat Platoon. He provided strong leadership as the unique unit scouted Japanese forces in the Aleutian Islands without resupply or personal contact with the outside world; after the war, the unit mapped the entire western coastline of Alaska.

Earl Acuff briefly left the military, working as a bush pilot, a big game guide, and a high school teacher in Anchorage before he was asked to rejoin the United States Army to teach Arctic survival skills. General Acuff went on to serve as commander of the 1st Battalion, 17th Infantry, 7th Infantry Division, and led the fight to defend Hills 255 and 266 during the Korean War. His extraordinary valor resulted in his being awarded a Purple Heart, second Combat Infantryman Badge, a Silver Star with Oak Leaf Cluster, and a Bronze Star with four Oak Leaf Clusters and V for Valor. He was a Master Parachutist who provided important insight as the United States Army reevaluated its Ranger training program; in 1965 he became the oldest man to successfully graduate as a United States Army Ranger at the age of 47.

Earl Acuff then earned a master's degree from George Washington University and worked for the United States Department of State before rejoining the battlefield as commander of the 3rd Brigade, 1st Infantry Division Republic of Vietnam, where he earned his third Combat Infantryman Badge. In 1969 Earl Acuff became the Deputy Post Commander at the U.S. Army Infantry School.

One year later, he joined the faculty at Virginia Tech as a military science instructor. In 1974 Earl Acuff was promoted to Brigadier General and became the commandant of the Virginia Tech Corps of Cadets, where he continued the proud tradition of training young men and women to become the nation's military leaders.

Earl Acuff also began a competitive career in racquetball, earning 20 gold medals at major national and international tournaments and induction into several halls of fame.

Brigadier General Acuff was predeceased by his wife, Mary-Low, and son, William, and will be fondly remembered and greatly missed by his children, Thomas, Dan, Ardis, Rodney,

Janice, Teresa, and Dawn, and their families; and numerous other family members, friends, and admirers.

Mr. Speaker, I ask my colleagues to join me in remembering Brigadier General Acuff and his dedicated service to the nation.

**CELEBRATING THE BICENTENNIAL OF THE TOWNSHIP OF BLOOMFIELD**

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Bloomfield, located in Essex County, New Jersey, which is celebrating its Bicentennial Anniversary.

Bloomfield has a rich history that dates back to pre-revolutionary days. The land that would become Bloomfield was bought by English settlers from the Yantecaw Indians, a tribe of the Lenni Lenape, in the 1600s. In 1812, the town which was part of Newark, broke off and was incorporated as the Township of Bloomfield, taking its name from the historic Presbyterian parish in town named for Joseph Bloomfield. At that time it covered a vast 20.52 square miles, though many of the outlying towns soon would become their own municipalities. That same year, a Justice of the Peace and four constables were elected, as well as a Township Committee formed. By 1816, Bloomfield had opened a post office. In the following years the township government became further formalized.

As Bloomfield developed, so did its system of education; a characteristic that it takes great pride in today. The first school was set up in 1758, and more followed. In addition to this, by 1810, a notable private school named Bloomfield Academy was established. Later, in 1868, the building was taken over by the German Theological School of Newark, the forerunner of Bloomfield College. A special school law was passed for the Township of Bloomfield in 1849, establishing the public school system. Though rejected by social circles for its "proletarian atmosphere" at first, the school system grew in popularity and educational facilities. Today it comprises 11 schools, including Bloomfield High School, with over 6,000 students.

A very important facet of Bloomfield's history is the congregation of Old First Church. Formed in 1796, it was named to honor the Revolutionary War general Joseph Bloomfield. This building is still standing, now called the Bloomfield Presbyterian Church on the Green, and was placed on the National Register of Historic Places in 1978. Another aspect of Bloomfield's history is the first newspaper, the Bloomfield Gazette, published in 1872. Later, in 1883, this became the Independent Press, which is still published in Bloomfield to this day.

By the 19th Century, many changes had taken place. The Newark and Pompton Turnpike (now Bloomfield Ave), allowed Bloomfield to become a commercial center, housing many industrious mills and factories. Additionally, with the opening of the Morris Canal in

1831, commerce increased and provided recreation for the inhabitants. By the end of the century, many other amenities had reached Bloomfield; a railroad, streetcars, banks, telephone service, mail service, and lastly, electricity and sewage lines.

The industrious town of Bloomfield played a part in American history, most notably during the Civil War, as well as World War I and II, providing many vital materials and aid. Set up in 1830, the Oakes Mills provided the town with yarn and cloth, but after being rebuilt due to a fire, the mill then specialized in flannels. During a period of financial crisis, the people of Bloomfield kept the Mill alive, and in turn, the Oakes Mills again flourished, producing tweeds and wools. During the Civil War, Oakes Mills provided a great deal of the indigo blue cloth for the Union uniforms. Later, they provided most of the material used in making fire and police uniforms. In addition to the contributions of the Oakes Mills, during the World Wars, the Township of Bloomfield held many drives to collect essential materials needed by the troops, such as metals, bandage linens, and other commodities. Despite its closure in 1945, the Oakes Mills remain an important facet of Bloomfield's history.

Today, Bloomfield boasts a rich history, alongside its diverse population and culture. Its close-knit community atmosphere is a defining feature of the town, as has been maintained since the early years. Bloomfield is home to a middle and working class population, and also boasts many organizations, such as those in the cultural arts, and civic and neighborhood associations, with which many residents are involved. The Township of Bloomfield is proud to celebrate its history and looks forward to its future.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Township of Bloomfield and its residents as they celebrate their Bicentennial Anniversary.

**ALYSIA MORA-PINA**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alysia Mora-Pina for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alysia Mora-Pina is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alysia Mora-Pina is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alysia Mora-Pina for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.



## TRIBUTE TO LORI GELHAAR

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Lori Gelhaar for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Lori Gelhaar serves as Kaplan University's Director of Career Services and Corporate Relations, where she manages all aspects of the Career Services department after redeveloping the entire department from scratch. Under her tenure, Kaplan University has seen career placement for graduates spike to an average of 94% as she coordinates and markets all employer relations events. Her work at Kaplan University has earned herself, her college, and her department numerous awards at the state and national levels. Outside of work, Lori is the chair of the Employers' Council of Iowa, on the board of directors for the Urbandale Chamber of Commerce, and founded Keeping Educated Youth in Des Moines. Lori has been married to her husband Gerry since 2003, and together they have three children: Tyler, Devin, and Madison. In every facet of her life, Lori is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Lori in the United States Congress and it is with great pride that I recognize and applaud Mrs. Gelhaar for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Lori on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING JAMES H.  
DRUMWRIGHT, JR.

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor a very special World War II veteran, Mr. James H. Drumwright, Jr. of Richardson, Texas. Recently, Mr. Drumwright, along with three other North Texas veterans, received France's highest distinction, the Legion of Honor, for their extraordinary service on the French battlefield. During the cere-

mony, Frederic Bontems, consul general of France in Houston, pinned the Knight in the French Order of Legion of Honor on these four men for their notable actions to combat tyranny across the globe.

Mr. Drumwright, born and raised in Norfolk, Virginia, made the courageous decision to serve his country at the early age of 17. In 1939, he volunteered into the National Guard, and in February 1941 he joined the 29th Signal Company of the Army's 29th Infantry Division. With his companions and approximately 160,000 other Allied forces, he stormed the beaches of Normandy, France on D-day. At Omaha Beach, Drumwright courageously fought to liberate St. Lo, a key city to opening the Falaise Gap, which allowed the Allied forces to expel the Nazi Germans from northern France. Early in the invasion, Drumwright was injured and evacuated to England for treatment, but only a short five months later, he was back in the thick of battle with the 29th company.

At the end of World War II, he returned to Norfolk, Virginia where he received his graduate degree in Architecture in 1949. Throughout his studies, he remained in the Army Reserve until 1953 when he was called back into active duty during the Korean War. After retiring from the military, Mr. Drumwright began the next phase of his life working at DuPont, one of the largest chemical companies in the world. At Dupont, he met his wife, Amy Wright, and they now have two children, James and Kelley. Throughout recent years, Mr. Drumwright has remained active in various organizations recognizing veterans, such as Veterans of Foreign Wars and Boy Scout Troops of America, and has enjoyed traveling with his wife all across the globe.

Mr. Drumwright served our country with distinction, and I thank him for his sacrifice. Our country is blessed to have men like Mr. Drumwright who put their lives on the line to protect our freedoms and democracy across the world. His courage is a testament to the American spirit: a spirit of bravery, selflessness, and commitment to freedom.

Mr. Speaker, I ask my colleagues to join me in recognizing an American patriot, Mr. James H. Drumwright, Jr. We honor your achievements and sincerely thank you for your service. God Bless you and God Bless America.

RECOGNIZING PRESTON "PRES"  
HENNE

**HON. JACK KINGSTON**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. KINGSTON. Mr. Speaker, I rise today to recognize the life and accomplishments of Preston "Pres" Henne, who will culminate a truly outstanding 44-year career in the aerospace industry when he retires from Gulfstream Aerospace on March 31, 2013 as senior vice president for Programs, Engineering and Test.

During Pres' 19 years with Gulfstream, he was responsible for leading the teams which designed, developed, tested and certified the Gulfstream V and G550 aircraft, which earned

the Robert J. Collier trophies from the National Aeronautics Association in 1997 and 2003, respectively. The trophy is awarded annually for the greatest achievement in aeronautics and astronautics in North America.

Under Pres' direction, Gulfstream developed and certified six new aircraft—the G650, G550, GV, G450, G280 and G150. In conjunction with these new products, Pres was also responsible for launching a number of industry-leading product enhancements, including the Gulfstream Enhanced Vision System and Synthetic Vision-Primary Flight Display.

Most recently, Pres oversaw the development of the company's much-anticipated G650, one of the world's most sophisticated business-jet aircraft. The G650, which entered service in 2012, was designed with technological advances such as a digital fly-by-wire system, triplex flight management systems, auto emergency descent and enhanced and synthetic vision systems. Pres also supervised the design and development of the G280, an aircraft that has been noted for its best-in-class performance, cabin comfort and technology.

Pres was also instrumental in the establishment of a strong engineering organization and a Research and Development Center campus with four office buildings and a state of the art laboratory building. All of which reflected Pres' extraordinary vision for the future of Gulfstream's product development.

Pres earned a bachelor's degree in aeronautical and astronautical engineering with highest undergraduate honors from the University of Illinois in 1969 and a master's degree in engineering from California State University at Long Beach in 1974.

Pres is a Fellow of the American Institute for Aeronautics and Astronautics (AIAA), a Fellow of the Royal Aeronautical Society and a member of the National Academy of Engineering. His awards include the AIAA 1996 Engineer of the Year Award, the AIAA 2001 Hap Arnold Award for Excellence in Aeronautical Program Management, the 2005 University of Illinois Alumni Award for Distinguished Service, a 2012 Living Legend of Aviation Award from the Kiddie Hawk Air Academy, the AIAA 2012 Reed Aeronautics Award and a 2012 Aviation Week Laureate Award.

## SUPPORT OF TIFA WITH TAIWAN

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. SESSIONS. Mr. Speaker, I rise today to endorse the resumption of Trade Investment Framework Agreement (TIFA) negotiations between the United States and the Republic of China (Taiwan). After five years of inaction, I was pleased to see these important talks get underway once again.

I believe that much progress was made during the previous rounds of TIFA talks and that improvements were made in intellectual property protection in particular. Furthermore, I am aware that many other challenges, including the need for even stronger intellectual property protection safeguards and market access for many American products, need to be resolved.



I have had the pleasure of meeting with many officials of the Taiwanese government, and I am pleased to hear of their willingness to come forward and resume talks to improve our mutual trading relationship. Many of these trading differences can be best resolved through the resumption of active bilateral negotiations.

Taiwan currently serves as our 10th largest goods trading partner, and has been a long-standing political ally and partner to the United States. Bilateral goods and services trade totaled \$85 billion in 2011. Increased economic relations between the United States and Taiwan will provide significant economic advantages to both countries.

I am proud to express my strong support for strengthening the bilateral relationship between the United States and Taiwan. Taiwan is an important ally and trading partner, and we must continue to further our relationship.

ALLY BUCKNER

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ally Buckner for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Ally Buckner is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ally Buckner is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ally Buckner for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO NIKKI SYVERSON

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Nikki Syverson for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, *Business Record*.

Since 2000, *Business Record* has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their cho-

sen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Nikki Syverson is the Event Director at the Des Moines Wine Festival Foundation where she has helped grow the event from three days to eight days and add monthly wine tastings. The extended festival format was such a success in the previous year that event organizers are doubling down on their efforts this year. Nikki volunteers her exemplary event planning skills by planning ChildServe's Bubble Ball Gala and the Des Moines Community Playhouse's Hollywood Halloween fundraising event. Mrs. Syverson is a Drake University alumnus where she met her husband, Jay, with whom she is expecting her second child. In every facet of her life, Nikki is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Nikki in the United States Congress and it is with great pride that I recognize and applaud Mrs. Syverson for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Nikki on receiving this esteemed designation, thanking those at *Business Record* for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

### THE 38TH ANNUAL LABOR AND COMMUNITY AWARDS RECEPTION

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate several of Northwest Indiana's most devoted and proficient workers. The Northwest Indiana Federation of Labor, American Federation of Labor-Congress of Industrial Organizations, recognized several individuals for their dedication during the 38th Annual Labor and Community Awards Reception, which was held at Duneland Falls Banquet and Meeting Center in Chesterton, Indiana on Thursday, March 7, 2013. These individuals, in addition to the other Northwest Indiana Federation of Labor members who have served Northwest Indiana so diligently for such a long period of time, are the epitome of the ideal American worker: loyal, dedicated, and hardworking.

At this year's event, several individuals and organizations received special recognition. Thomas Conway Sr., United Steelworkers International Vice President, Administration, received the Service to Labor Award for assisting organized labor to improve the quality of life of workers throughout Northwest Indiana.

The Union Label Award was presented posthumously to William Cantrell and Steven Skvara, retired members of United Steelworkers and Steelworkers Organization of Active Retirees (SOAR), for their unselfish devotion to the Labor Movement through its promotion in all areas of endeavor: social, civic, education, and political.

Michael Flores, of Teamsters Local 142, and Eric Jania, of Carpenters Local 272, re-

ceived the George Meany Award for their significant contributions to the youth of their communities through their involvement with the Boy Scouts of America.

Brenda Bowler, of United Steelworkers Local 6787, was honored with the Community Services Award for her exemplary service to her community and to the enhancement of the quality of life for the people of Northwest Indiana.

Ray Jackson, Treasurer, United Steelworkers Local 6787, is this year's recipient of the President's Award. Mr. Jackson was honored for enhancing the well-being of workers throughout Northwest Indiana through countless contributions to further the philosophy of the Labor Movement.

The Industrial Sector Award was presented to Michael Young, Vice President, United Steelworkers Local 6103, for his leadership and support of working families throughout Northwest Indiana.

Thomas Williamson, Business Agent, Ironworkers Local 395, was the recipient of the Building Trades Award, which was bestowed upon him for his many years of service to the Labor Movement and his outstanding dedication to his fellow union members.

David Sikes, Director of Allocations/AFL-CIO Community Services Liaison for the Lake Area United Way, was honored with the Lifetime Achievement Award for his many years of Labor activism and his commitment to his community. For the exceptional service he has provided to the people of Northwest Indiana, he is worthy of our admiration and respect.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These individuals are all outstanding examples of these qualities. They have demonstrated their loyalty to both the union and the community through their hard work and self-sacrifice.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, honorable, and exemplary citizens, as well as all of the hardworking union men and women throughout America. They have shown commitment and courage toward their pursuits, and I am proud to represent them in Washington, D.C.

### COMMEMORATING THE CENTENNIAL OF ELLA HAVER

### HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LANCE. Mr. Speaker, I rise today to commemorate the centennial of Miss Ella Haver, a lifelong resident of Franklin Township in Hunterdon County.

Ella Haver, whose 100th birthday was on February 21, has been rightfully recognized many times for her contributions to the local community as educator and civic leader.

Miss Haver's public service includes a long tenure as a schoolteacher and as a community volunteer. Ella Haver began her teaching career in 1935 in a one-room schoolhouse in Hamden, Clinton Township. She then taught in North Branch, Green Brook and North Plainfield. She was a science teacher at Cranford

High School from 1945 to 1965, and finished her career with five years at Warren Hills Regional High School.

Ella Haver has also served for many decades as a Sunday school teacher at Clinton United Methodist Church and as a volunteer income-tax preparer.

She also volunteered as Franklin Township's senior citizen coordinator and today remains the active president of the Jennie M. Haver Scholarship Fund. The fund, named in memory of Ella's aunt, has given more than \$1.4 million in scholarships to nearly 500 Hunterdon students since 1956.

To commemorate the 100th birthday of Miss Ella Haver, her family's historical artifacts spanning more than 200 years were recently on display at the North County Branch Library in a rare exhibit of the Haver family's rich and distinguished history in Hunterdon County.

A 100th Birthday Gala is planned for Friday evening, March 15, at the Hunterdon Hills Playhouse. I am proud to be among those joining Miss Ella Haver in celebration of her many years of public service and accomplishments. I ask all of my colleagues to join me in wishing Ella Haver a happy birthday.

CONGRATULATING POLICE CHIEF  
ROLANDO BANASCO, RECIPIENT  
OF THE 2013 GRADUATE RECOGNITION  
OF EXCELLENCE,  
ACHIEVEMENT AND TALENT  
AWARD

### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize Police Chief Rolando Banasco of Mascotte, Florida for being one of six recipients to receive the 2013 Graduate Recognition for Excellence, Achievement and Talent (GREAT) Award. This annual award is presented to successful and hard-working college graduates who have each overcome many obstacles while achieving their educational goals.

Chief Banasco has been a dedicated servant to our community throughout his 20 year law enforcement career. After receiving his Master of Arts in Criminal Justice from Keiser University, he was able to advance his career and was promoted to Chief of Police for the City of Mascotte, Florida, in December of 2011. He is the first Hispanic-Latino to serve as Police Chief in Lake County Florida. Due to the flexible nature of education provided by Keiser University, he intends to continue his education by pursuing a Doctorate in Business Administration.

On behalf of the citizens of Central Florida, I congratulate and applaud Police Chief Banasco for his diligence, commitment and leadership to his community and for his educational achievements. He is highly deserving of the 2013 GREAT Award. I wish him much success as he continues his studies, and may his investment in hard work and perseverance inspire others to follow in his footsteps.

AARON CISNEROS

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aaron Cisneros for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Cisneros is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Cisneros is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aaron Cisneros for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

TRIBUTE TO HANNAH INMAN

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Hannah Inman for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Hannah Inman serves as the Director of Communications for the Iowa Natural Heritage Foundation and is also the co-owner of two businesses—Maverly Lands, an agribusiness, and KDC Built, a home-building operation she owns with her husband of ten years, Mike. KDC Built was launched amid the fiscal crisis and has not only survived, but thrived as the business donates the proceeds from one house to charity. When Hannah is not juggling the responsibilities of her two businesses or the communications efforts for the largest conservation bond issue in Iowa, she also serves as a member of the Broadlawns Advocate Circle marketing committee, an executive committee member of the Greater Des Moines Leadership Institute class of 2011, and is a mother to her and Mike's two young children, six-year-old Maverick and Everly, who will turn two later this year. In every facet of her life,

Hannah is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Hannah in the United States Congress and it is with great pride that I recognize and applaud Mrs. Inman for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Hannah on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

CELEBRATING THE 34TH ANNIVERSARY  
OF THE TAIWAN RELATIONS  
ACT

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. CONYERS. Mr. Speaker, I rise today to recognize and celebrate the 34th anniversary of the enactment of the Taiwan Relations Act (TRA). Having served in this body during the passage of this historic legislation, I am happy to note the success that the Act has achieved.

When Congress debated the Act, it sought to protect the freedom and integrity of the people of Taiwan at a time when the island's future was uncertain. The TRA's success in helping to provide the climate for Taiwan's remarkable economic growth and its model democracy has proven beyond all doubt the merit of this particular agreement.

Today, Taiwan's people have one of the best health care systems in the world, which I believe we would be well-served to emulate. Its people enjoy a true democracy with all the benefits of a free people. Its economy is the envy of many nations around the world.

The Taiwan Relations Act continues to play an important role in maintaining peace in an important region of the world and I am certain that it will continue to do so for many years to come.

RECOGNIZING THE EXTRAORDINARY  
ACHIEVEMENT OF  
LAUREN ROJAS

### HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. MCNERNEY. Mr. Speaker, I rise today to recognize Lauren Rojas, a seventh-grade student from Antioch, California, whose exceptional science experiment earned first place at the Association of Christian Schools International science fair for the Northern California region and gained the attention of the world.

Lauren launched a weather balloon 18 miles above Earth to gather atmospheric data from the troposphere. Her experiment on the air we breathe represents the benefits of science, technology, engineering and math (STEM) education in our nation. She is a bright, dedicated young woman who is passionate about learning.

Unfortunately, less than 25 percent of all STEM jobs are held by women. We must prioritize investments in STEM education to facilitate more opportunities for women to close this gap. Lauren Rojas and her science experiment are an example of what can be accomplished if we commit to this goal.

I urge my colleagues to join me in recognizing Lauren Rojas, her scientific achievement, and the upcoming generation of women scientists, engineers, and mathematicians.

DALE RUSSELL, MISSOURI SPORTS  
HALL OF FAME

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LONG. Mr. Speaker, I rise today to congratulate Dale Russell on his induction into the Missouri Sports Hall of Fame.

Dale has seen success throughout his career, both on and off the basketball court. As a senior at Branson High School, he led the Pirate basketball team to a perfect 41–0 record, capped off by the 1955 Class B State Championship. He was named the tournament's Most Valuable Player.

As a senior at Southwest Missouri State University, Dale and his teammates finished second in the National Division II Basketball Championship.

Dale went on to coach basketball for 24 years in Southwest Missouri, including his last 13 at Branson High. In addition to impacting our district's young people on the court, he taught science, health, and physical education classes.

The City of Branson, Branson High School, and the 7th District should be very proud of Dale's accomplishments. He truly represents us all in a positive manner.

I urge my colleagues to join me in congratulating Dale, a phenomenal athlete, teacher, and coach on his impressive accomplishments.

ADRIAN MALFABON

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Adrian Malfabon for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Adrian Malfabon is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Adrian Malfabon is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Adrian Malfabon for winning the Arvada Wheat

Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

### TRIBUTE TO AIMEE STAUDT

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Aimee Staudt for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Aimee Staudt is the Director of Development for Knapp Properties, Inc. where she oversees all of the company's real estate development and construction activities. Mrs. Staudt's portfolio includes more than 5,000 acres of development ground that involves more than \$11 million in infrastructure, \$20 million in new construction, and \$16 million in tenant improvements. Aimee is also heavily involved in her community, where she has been on the Ankeny Plan and Zoning Commission, a previous president and vice president of the Home Builder's Association of Greater Des Moines' developers' council, a current board member and youth mentor of the ACE Mentor Program, and a court-appointed special advocate for children in need of assistance. Aimee resides in Ankeny with her husband Ryan and their three children. In every facet of her life, Aimee is an example of service and Iowa work ethic that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Aimee in the United States Congress and it with great pride that I recognize and applaud Mrs. Staudt for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Aimee on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

A BILL TO AMEND THE SIKES ACT TO PROMOTE THE USE OF COOPERATIVE AGREEMENTS UNDER SUCH ACT FOR LAND MANAGEMENT RELATED TO DEPARTMENT OF DEFENSE READINESS ACTIVITIES AND TO AMEND TITLE 10, UNITED STATES CODE, TO FACILITATE INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Ms. BORDALLO. Mr. Speaker, I have introduced a bill to amend the Sikes Act to promote the use of cooperative agreements for land management related to the Department of Defense (DoD) readiness activities and to facilitate interagency cooperation in conservation programs to avoid or reduce adverse impacts on military readiness activities. The bill provides common sense reforms to the Sikes Act and DoD Readiness Environmental Protection Initiative (REPI). These reforms afford both programs with greater flexibility to leverage cooperative agreements and other federal funds to meet program requirements.

In particular, section 1 of the bill would provide additional enhancements to the authorities provided to DoD under the Sikes Act and parallels a similar amendment made in the FY 2012 National Defense Authorization Act to the REPI program. Specifically, the provision would authorize DoD, pursuant to a cooperative agreement under the Sikes Act, to provide funds for the long term maintenance and improvement of natural resources on non-DoD lands without first having to protect such lands through acquisition of easements. This will greatly enhance the ability of DoD to take action to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities. For example, this provision would help DoD meet its obligations under the Endangered Species Act and other applicable statutory and regulatory requirements through actions on non-DoD lands pursuant to a cooperative agreement with a state or local agency or a private landowner. This authority would help avoid or reduce the need to restrict training and testing activities on DoD lands.

Section 2 of the bill would help DoD better protect military installations and ranges from encroachment under REPI and the Sikes Act by enhancing cooperation with the Departments of Agriculture and the Interior. Sustainability and the long-term viability of many DoD installations and ranges continue to be threatened by incompatible development and loss of habitat in areas in the vicinity of, or ecologically related to, those installations and ranges. Current law allows funds from non-DoD federal programs to be used by REPI partners as contributions under a REPI agreement. Greater partnership and cooperation is enhanced under this provision by allowing

funds provided by the DoD to protect bases from encroachment to qualify as match or cost share in the conservation programs of the Departments of Agriculture and Interior. For example, prior to the 2008 Farm Bill enactment, DoD, through the REPI program, was able to protect installations in Oklahoma, Kansas, and South Carolina from encroachment while at the same time assisting state and local governments and willing landowners in meeting the matching funds requirements of the Farm and Ranchland Protection Program (FRPP, now the Farmland Protection Program (FRP)). However, technical changes to this program in the 2008 Farm Bill had the unintended result of terminating the authority for DoD funds to be used as matching or cost-share requirements for that program. The provision reverses that unintended consequence and addresses the broader issue of allowing the DoD funds to be used as a match to other federal programs to help address encroachment issues at military installations. This provision is important to improving the readiness of our forces and ensuring their installations and ranges can be sustained.

Again, the bill is a common sense approach to better enabling DoD to meet its conservation goals and requirements while protecting its ability to meet readiness requirements. In a time of fiscal austerity, it is important for Congress to provide the Administration with the tools and authorities to be flexible and adaptable to challenges with innovative thinking and minimal investment. I urge my colleagues to support this measure.

#### WILDLIFE SERVICES INVESTIGATION REQUEST AND AGENCY RESPONSE

**HON. PETER A. DeFAZIO**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 12, 2013*

Mr. DeFAZIO. Mr. Speaker, on November 30, 2012 I sent a letter to the U.S. Secretary of Agriculture Thomas Vilsack, requesting an investigation into Wildlife Services and the conduct of its employees. Mr. Vilsack re-

sponded to my letter on February 1, 2013 and my office received this letter on February 13, 2013. I intend to monitor this situation closely and look forward to seeing the results of the internal investigation that is currently taking place of WS employees and their compliance with state and federal anti-cruelty and animal protection laws.

NOVEMBER 30, 2012.

THOMAS VILSACK,  
*Secretary of Agriculture, U.S. Department of Agriculture, Washington, DC.*

DEAR SECRETARY VILSACK: We are writing to request a thorough audit of Wildlife Services, especially its lethal predator control program, by the USDA Office of Inspector General (OIG) regarding the culture within Wildlife Services.

As you know, recent news reports indicate that Jamie P. Olson, a Wildlife Services employee working in Wyoming, may have apparently committed acts of animal cruelty that appear to violate Wildlife Services' Directives and Wyoming state law. If it is found that Mr. Olson committed these acts, it would bring disrepute to the Wildlife Services' program and the federal government at a time when Wildlife Services, and in particular its lethal control of predators to protect livestock, labors under heavy criticism for unnecessarily killing wild animals and lacking transparency and accountability. We urge you to be thorough in your investigation because these alleged acts clearly violate standards of human decency.

However, we are gravely concerned that photographs, published on Mr. Olson's Facebook in an album labeled "work" and since removed, do not represent an isolated occurrence, but may reflect a deep-rooted problem within the Wildlife Services program that allows for, and encourages, inhumane lethal methods of predator control. According to a recent Sacramento Bee article, Gary Strader, a former Wildlife Services trapper in Nevada, "was not surprised to learn about the controversial photos. 'That is very common,' Strader wrote in an email." (Toni Knudson, U.S. wildlife worker's online photos of animal abuse stir outrage. Sacramento Bee, Friday, November 2, 2012).

We look forward to seeing the results of your investigation, and thank you for your attention in this important matter.

Sincerely,

JOHN CAMPBELL,  
*Member of Congress.*  
PETER DeFAZIO,  
*Member of Congress.*

U.S. DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
*Washington, DC, Feb. 1, 2013.*

Hon. PETER DeFAZIO,  
*U.S. House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CONGRESSMAN DeFAZIO: Thank you for your letter of November 30, 2012, regarding allegations of animal cruelty by an employee with the Department of Agriculture's (USDA) Wildlife Services (WS) program. I apologize for the delayed response.

I, and other USDA officials, take this matter very seriously. USDA does not condone any form of animal cruelty and holds all employees responsible for adhering to Departmental and Agency standards and directives. WS personnel are expected to use approved and humane methods to euthanize captured or restrained animals whenever practicable, and in accordance with American Veterinary Medical Association guidelines. WS employees are also required to comply at all times with applicable State and Federal laws.

At this time, the Administrative Investigations and Compliance Branch (AICB) of USDA's Animal and Plant Health Inspection Service is engaged in an ongoing investigation of this matter. In response to a previous request to initiate an investigation into these allegations, USDA's Office of the Inspector General (OIG) has deferred to AICB's active investigation. However, OIG officials have requested that AICB report its findings to them once the investigation has been finalized. In the meantime, WS officials are also taking this opportunity to reaffirm to program staff their ethical obligation to uphold professional standards and their responsibilities to the American public.

I appreciate the opportunity to address your concerns. I assure you that USDA remains steadfast in its commitment to responsible oversight and stewardship with regard to the WS program. I am sending a similar letter to Congressman Campbell.

Sincerely,

THOMAS J. VILSACK,  
*Secretary.*

## HOUSE OF REPRESENTATIVES—Wednesday, March 13, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BENTIVOLIO).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 13, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### SEQUESTER SHOULD APPLY TO PAY OF MEMBERS OF CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DESANTIS) for 5 minutes.

Mr. DESANTIS. Mr. Speaker, much has been said about sequestration, but few have mentioned what bothers me the most about it. The pay of Members of Congress is exempted from the sequester. When Members of Congress exempt themselves from the operation of the law, it is not only unfair, it actually violates a core principle of republican government.

There is no less an authority than James Madison who will back me up on this. In *The Federalist* No. 57, he wrote:

I will add, as a fifth circumstance in the situation of the House of Representatives, restraining them from oppressive measures, that they can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of society. This has always been deemed one of the strongest bonds by which human policy can connect the rulers and the people together. It creates between them that communion of interests and sympathy of sentiments, of which few governments have furnished examples; but without which every government degenerates into tyranny. If it be asked, what is to restrain the House of

Representatives from making legal discriminations in favor of themselves and a particular class of the society? I answer: the genius of the whole system; the nature of just and constitutional laws; and above all, the vigilant and manly spirit which actuates the people of America—a spirit which nourishes freedom, and in return is nourished by it.

In the spirit of James Madison, I will be filing legislation to make the sequester apply to the pay of Members of Congress at the first moment that is constitutionally permissible. Members of this body must live under the same rules as everybody else. Our Founding Fathers expected it; the American people demand it.

### OUR COUNTRY NEEDS A BALANCED PATH FORWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, the House Republican budget unveiled yesterday by Chairman PAUL RYAN is a repeat of the same Tea Party principles that have already been rejected by the American people.

House Republicans are once again determined to place the burden of deficit reduction on the backs of middle class families, while the wealthiest Americans get yet another tax break. After wasting valuable time last Congress voting more than 30 times to repeal health care reform rather than focus on jobs and the economy, the Republican budget again calls for its repeal.

In addition, their budget ends Medicare as we know it, and surprise, surprise, turns it into a voucher program that reduces benefits and leaves seniors paying higher out-of-pocket costs.

While this budget blueprint is still lacking specific details, it is clear that in order to meet the spending targets it outlines, House Republicans would slash investments in key areas that are essential to economic growth and job creation. Education, job training, science, and research will all be on the chopping block in order to reduce the deficit, with little regard for the jobs that would be lost and the impact it would have on our Nation's competitiveness. The Republican budget factors in the sequestration's arbitrary cuts over the next decade, something else that is being rejected by the American people.

For New Mexico, this can mean more cuts to education targeted at low-income and special needs children; painful cuts to tribal communities that

jeopardize our responsibilities to Indian country with our trust responsibilities; and cuts that impact funding for Los Alamos National Lab and the small businesses that contract with it, including cuts to important funding for environmental cleanup at LANL.

Regardless of the Republican rhetoric, the math just doesn't add up without steep cuts that will take their toll on New Mexico, threatening services that support the most vulnerable and investments that lay the foundation for a brighter future.

Our country needs a balanced path forward that focuses on growing the economy and providing opportunities for the middle class families. Sadly, the Republican budget fails to meet this goal.

### IT'S TIME TO APPROVE THE KEYSTONE XL PIPELINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montana (Mr. DAINES) for 5 minutes.

Mr. DAINES. Mr. Speaker, 1,636; that's how many days it has been since the application to build the Keystone XL pipeline was filed. It took Canada just 7 months to approve the pipeline. President Obama has taken 4½ years.

Study after study has shown that not only is the pipeline safe, but it will provide a means of transporting oil that is safer than using trains or trucks. It is also environmentally safe. In fact, when compared to other means of transportation, it is perhaps the most environmentally friendly way to transport oil across our country. It will create thousands of jobs—at least 800 in my home State of Montana—and he still won't make a decision.

Earlier this month, the U.S. State Department issued its Supplemental Environmental Impact Statement for the Keystone XL Presidential permit application, which confirmed what we already knew. The Keystone XL pipeline will have no significant impacts on the environment. In fact, this is the fourth environmental review of the Keystone pipeline—with a final report still to come—even though report after report has stated that the pipeline will not have significant environmental effects.

This report also comes after Nebraska Governor Dave Heineman approved a new route through his State for the Keystone XL pipeline project. Just this past January, I joined 150 other House Members in calling on President Obama to quickly approve

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the permits for Keystone in light of this new route. That was two months ago, and we have yet to hear anything back from the President.

As a member of the House Energy Action Team, I understand how important this project is to our Nation and to my home State of Montana. Let me be clear—this project means jobs for Montanans. This project could directly create more than 800 good-paying jobs in Montana and thousands more across the Nation.

It means coming one step closer to North American energy independence. The Keystone XL would be able to move up to 830,000 barrels of oil per day. That is about half the amount that the U.S. presently imports from the Middle East. And of the oil moved each day, 100,000 barrels will come from the Bakken formation, which spreads across Montana and North Dakota.

This isn't about politics. Republicans and Democrats alike support the pipeline. This is about our Nation's security. This is about lowering energy costs for American families. This is about American jobs.

Enough is enough. We can't afford to wait any longer. It has been 1,636 days. It's time for President Obama to approve the Keystone XL pipeline.

□ 1010

#### HOW ENERGY USE IMPACTS CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCNERNEY) for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, I rise today to raise awareness of how energy use impacts climate change and to show by example what is being done about it.

Our Nation continues to rely on high-polluting energy sources that threaten our climate and threaten our national security. We need to focus at all levels of government, Federal, State, and local, as well as in the private sector to promote clean energy and energy efficiency. State and Federal facilities, above all else, should be the gold standard for clean energy and energy efficiency.

For example, the Lincoln Unified School District, located in Stockton, California, recently committed to placing solar panels on rooftops throughout the school district. Lincoln was able to purchase these solar panels through low-interest Clean Renewable Energy Bonds to help finance this project that is estimated to save \$1 million per year on energy costs. Not only does this project increase use of clean energy sources, but all the savings will be put back into educational programs, so this is truly a win-win for our students.

In addition, the University of the Pacific, also located in Stockton, Cali-

fornia, has increased energy efficiency and sustainability. Pacific installed solar panels, energy-efficient lightbulbs in the quad and other locations, installed a robust recycling program, and installed a replacement chiller on its air-conditioning system which uses 52 percent less energy than the old chiller. It's impressive that these advancements were led by both students and faculty at the University of the Pacific.

These are just two examples of why I am introducing the Solar Energy Deployment Act. We need to encourage greater use of solar and other clean energies in our neighborhoods and on public and private lands. The Solar Energy Deployment Act awards grants on a competitive basis to State and local governments to design and install solar equipment on rooftops and above parking lots they own.

I commend the efforts made by the schools and public entities such as the Lincoln Unified School District, the University of the Pacific, and others across California and the United States that are making a concerted effort to utilize clean energy resources and to become more energy efficient.

#### END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, once again I rise to talk about hunger in America and, specifically, the effort to end hunger now.

Mr. Speaker, hunger is still far too prevalent in America. There are more than 50 million people in this country who don't know where their next meal will come from. Seventeen million of those hungry people are children—17 million, Mr. Speaker. That breaks my heart, especially when we have a way to end hunger in this country. It doesn't have to be this way.

The truth is that hunger is solvable. We have the means, the infrastructure, and the food to end hunger. We just don't have the political will to do so.

This point is delivered in a clear, concise, and emotional way in a documentary that is in theaters now called "A Place at the Table." This film at its core may be a simple story of hunger in America, but it's really an emotional tale about how people are struggling with hunger in this country, about piecing just enough together to make ends meet day by day, week by week, and month by month.

These stories are not new and, unfortunately, they aren't unique. We don't have to look far to see a working mother who struggles to provide nutritious food for her children. We don't have to look far to see a young girl who struggles in school simply because hunger prevents her from concentrating in the

classroom. We don't have to look far to see food pantries stretched beyond their means as they try to keep up with the demands of feeding the hungry in their communities. And we don't have to look far to see how often the hungry and undernourished are utilizing our health care systems for hunger and nutrition-related conditions.

What is new and unique today is the platform through which we hear these stories and experience what these individuals featured in the film are going through. The stories told by the directors, Kristi Jacobson and Lori Silverbush, weave together the heart-breaking history of how we went from almost ending hunger in America in the late 1970s, thanks in large part to the bipartisan cooperation led by Senator George McGovern and Senator Robert Dole, to now more than 50 million hungry in this country—40 years later, 50 million hungry in this country.

But this isn't just a story of woe, Mr. Speaker. For me, this is also a story of hope and optimism, a story of a difficult struggle, but a struggle fought with dignity. And it is a story that is part of a bigger purpose and goal, and that goal is to end hunger now.

At its heart, the point of this documentary is that we can end hunger now. And I'm pleased and impressed that a strong, coordinated social action plan accompanies this film.

This comprehensive plan can be found online at [www.takepart.com/table](http://www.takepart.com/table), and I encourage everyone to take a look at this Web site. Once there, people will be able to find important resources, including ways to access food assistance if they need help; an online gallery of artists, politicians, teachers, writers, and business and community leaders who once needed help through SNAP, the primary Federal antihunger safety program that we have in this country; and also, you see a list of partners who are helping combat hunger through this film. Most importantly, it outlines ways that people can help make hunger a national priority, and it includes specific actions that people can take in their communities.

Mr. Speaker, we've had a number of strong antihunger partners over the years, but this is the first time in recent memory that there is a dedicated effort to end hunger tied directly to a mainstream film that is nationally garnering critical acclaim.

The social action plan is based on a simple concept: that people will be moved by individual stories and the facts about hunger documented in this film. When they hear the information, they will want to take action. They will be moved to act in a meaningful way.

Through this Web site, people can take part in simple actions, like contacting their elected officials or volunteering to work with local organizations that are making a difference in their communities, organizations like FRAC, Feeding America, Share Our Strength, Bread for the World, DC Central Kitchen, AmpleHarvest.org, WhyHunger, and Wholesome Wave, just to name a few of the 30 organizations allied with this film.

There is also a book, Mr. Speaker, that accompanies the film that is also of the same name, "A Place at the Table," that explains the issue of hunger and goes over the many ways that each of us can end hunger now.

As I've said over and over again, Mr. Speaker, hunger is a political condition, one that requires action by concerned Americans. Over the past few weeks, we have seen how so many Americans care about this problem and want to be part of the solution to end hunger now.

And I would, once again, Mr. Speaker, urge the President of the United States to take a leadership role, to organize a White House Conference on Food and Nutrition to devise a plan to end hunger now.

Mr. Speaker, with partners like those behind "A Place at the Table," along with their social action plan, we can make a real difference. We can end hunger now.

And it is also my hope, Mr. Speaker, that this Congress will step up to the plate and join in the effort to end hunger now. It is our moral obligation. It is the right thing to do. Now is the time.

#### "RYANOMICS"—THE HOUSE REPUBLICAN BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, "Ryanomics," the House Republican budget, the so-called path to prosperity, is based upon a fanciful theory of trickle-down economics. This is a well-worn idea that belies the facts that we've seen proven time and time again.

That truth is that giving tax breaks and hollowing out the Tax Code with loopholes for the wealthy, while cutting spending for the social safety net and the poor, while cutting everything else that makes America great, that somehow this is going to create prosperity for all. Indeed, the Republicans have played from this same playbook before, and it has failed.

□ 1020

It has failed again, and it continues to fail. This was an economic theory first proposed by the American hero, Ronald Reagan. They called it Reaganomics. Trickle-down economics is what

they liked to say: it would trickle down to the poor. George Herbert Walker Bush called it "voodoo economics." I think he was right on with that because in practicing voodoo, they just ask you to believe. And that's what Ryanomics is proposing for us to do. The numbers just don't add up.

Today, we only have to look at Europe to see the terrible effects of severe austerity. The Republican prescription of cut, cut, cut has been tried, tried, tried repeatedly across Europe and has only exacerbated the problems over there. Now, under the guise of balancing the budget in 10 years, we've got Ryanomics II, or Turbo Ryanomics. They're going to take \$15 trillion and balance the budget in 10 years, doubling down on a theory that Americans rejected just last year. Four or 5 months ago, we rejected Ryanomics; but here we have Ryanomics II, or Turbo Ryanomics.

Mr. Speaker, I'm not here to solely criticize the path that Republicans have charted for this House with their budget priorities. In fact, I agree with them that Congress must make difficult choices about future spending. The problem is that all too often this body asks very little of the rich and the powerful, handing out tax breaks for millionaires and billionaires like candy, doing this at the expense of the middle class and the poor. You have seen the income disparity between the top 2 percent and the middle class. The gap continues to widen.

Shared sacrifice should truly be that. It should be something that all Americans share in. Why does Congress continue to give tax breaks to big corporations that outsource jobs but fail to invest in education and scientific research that would help the American economy by creating jobs and reducing unemployment? Why would they continue to give tax breaks to those who don't need them, rather than educating the next generation of workers so that this country can continue to compete and be at the top of the global economy?

Despite the fact that trickle-down economics has been roundly criticized and discredited, my colleagues across the aisle choose to double down on what hasn't worked, and they want to continue to relentlessly cut, cut, cut the programs and the services that Americans depend on every day and which help drive our economy. I believe we must reduce our debt—and we must do that in a responsible and sensible way that slows spending over time. We can no longer leave working Americans behind while we allow the wealthy to walk away with the largest share of national prosperity.

Mr. Speaker, I urge my colleagues to support the CPC, the CBC, and the Democratic budgets that keep our promises and invest in what works to grow the middle class.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 24 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon this assembly and upon all who call upon Your name. Send Your Spirit to fill their hearts with those divine gifts You have prepared for them.

May Your grace find expression in their compassion for the weak and the poor among us, and may Your mercy encourage goodwill in all they do and accomplish this day.

As the Members of the people's House face the demands of our time, grant them and us all Your peace and strength, that we might act justly, love tenderly, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. COFFMAN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. COFFMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. COFFMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. COFFMAN led the Pledge of Allegiance as follows:



I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### SELECTIVE SERVICE

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, in 1972, I volunteered to serve in the United States Army at a time when young men were still being drafted into our military. The last draftees were inducted into the United States Army in 1973, and 2 years later, given the success of the all-volunteer Army, the requirement for young men to register with Selective Service ended.

In a symbolic show of strength to the Soviet Union's invasion of Afghanistan, President Jimmy Carter asked Congress to reinstate the Selective Service System in 1980. Congress did so, and to this day all males are required by law to register with the Selective Service System within 30 days of their 18th birthday. However, despite the first gulf war, and the wars in Iraq and Afghanistan, conscription has never been considered as a viable option by our military.

Mr. Speaker, my bill, H.R. 978, will end the registration requirement and dismantle the outdated Selective Service bureaucracy—saving the taxpayers over \$24 million a year—and I urge its adoption.

#### GREAT LAKES RESTORATION INITIATIVE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the Buffalo River is identified by the Great Lakes Restoration Initiative as one of 43 areas of concern in the Great Lakes watershed. In 2011, a coalition of corporate and community partners teamed up with State and local governments to begin a multimillion-dollar cleanup of the Buffalo River. Unfortunately, sequestration and uncertainty about a new Federal budget threaten to delay this project.

Mr. Speaker, the Great Lakes are a unique national treasure with global significance. They are the largest source of surface freshwater on Earth, containing 20 percent of the world's supply. They contain 95 percent of America's freshwater, and they support 1.5 million jobs and \$62 billion in wages in the shipping, recreation, and fishing industries.

Preservation of our Great Lakes has both environmental and economic impacts and has always enjoyed bipartisan support. We cannot afford to allow sequestration to halt critical projects like the Buffalo River cleanup. I urge my colleagues to repeal the sequester and protect funding for the Great Lakes restoration.

#### REFUNDABLE CHILD TAX CREDIT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, each year, billions of U.S. taxpayer dollars are wasted due to abuse of the \$1,000 refundable child tax credit. Instead of hitting up taxpayers for even more taxes, Washington needs to go after these billions of dollars that are fraudulently wasted.

It's time to end this sham. That's why I have reintroduced commonsense legislation, H.R. 556, that stops this abuse by requiring tax filers to provide their Social Security number in order to receive this tax credit, just like we do for the Earned Income Tax Credit.

Congress' nonpartisan tax scorekeeper, the Joint Committee on Taxation, has found that my bill would save taxpayers an estimated \$24.4 billion over the next 10 years. With the dire need to get our fiscal house in order, this simple, commonsense fix can go a long way toward protecting precious taxpayer dollars by stamping out waste, fraud, and abuse. It's time to get this done.

#### RYAN BUDGET

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Mr. Speaker, as a former member of the House Budget Committee, I understand well the challenges of budgeting for our Nation's future. Unfortunately, the budget introduced by House Republicans this week fails at its most fundamental tasks: protecting the middle class and laying the groundwork for strong economic growth.

As it has for the last 2 years, the Ryan budget once again makes deep cuts to Medicare, as it also repeals a host of Federal measures making health insurance affordable for middle class families. It replaces the security of Medicare with a voucher that will lose its value over time—driving many middle class seniors into poverty—and makes deep cuts to education, transportation and infrastructure, and public health and safety, gutting society's basic functions without which businesses can't find educated workers, move their products to market, or operate safely.

Voters roundly rejected this approach only a few months ago. I call on

my colleagues to reject this budget and join me in supporting a balanced approach to deficit reduction.

□ 1210

#### COAL

(Mr. BARR asked and was given permission to address the House for 1 minute.)

Mr. BARR. Mr. Speaker, I was recently visiting with my constituents in Nicholas County, Kentucky, when I learned about the latest casualty in the Obama administration's war on coal. Joy Global, a manufacturer of underground mining equipment, operates a plant in neighboring Bourbon County. The news had just broken that Joy Global plans to cease all operations and manufacturing at that plant. The story of Joy Global is timely in light of President Obama's nomination of Gina McCarthy to lead the Environmental Protection Agency.

I wish those who are responsible for the war on coal could have been with me that Friday morning. It's easy to sit in Washington and issue regulations when you don't have to confront the human cost.

The Obama administration's war on coal cost more than 3,000 well-paying coal miner jobs in Kentucky last year. Thousands of families potentially went from healthy incomes to food stamps. But this administration doesn't appear to care.

The coal industry supports 19,000 full-time jobs in Kentucky while providing our State with the Nation's fourth lowest utility rates. Mr. Speaker, it's time the administration put people ahead of its radical agenda.

#### OPPOSING THE CLOSING OF THE IRVINGTON, TEXAS, POST OFFICE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to voice my frustration and disappointment with the Postal Service's decision to close the Irvington Station Post Office that serves ZIP Code 77022 in Houston, Texas, on April 30.

This post office is highly valued in our district and has served residents of the Northside area in Houston for 50 years. The Postal Service announced that the Irvington office would be demolished, despite the fact that the agency has failed to ensure that local residents will still have access to essential mail services.

The Irvington office's lease is expiring, and instead of finding a new location nearby or moving retail operations into the Northline Commons area as a compromise, the Postal Service has chosen to close the office. I contacted and met with postal officials without success.



Moving forward with the closure is irresponsible and undermines the integrity of the agency. The people living in and around the 77022 ZIP Code will not have the same access to postal services as everyone else.

I understand the Postal Service's budget constraints and support reforming the agency. However, maintaining a presence in the area makes smart business sense for the Postal Service and fulfills a need in this revitalized community. The post office is losing customers and friends in this effort.

#### THE REPUBLICAN BUDGET

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Yesterday, Mr. Speaker, the House Republicans and Congressman RYAN released their budget, which, unfortunately, once again seeks to balance the budget on the backs of seniors, the middle class, and the most vulnerable among us. The GOP budget presents the same failed policies that Americans rejected last fall.

This budget is full of false realities, fuzzy math, and the wrong priorities. Instead of closing the corporate jet loophole, the Republican budget ends Medicare as we know it, turning health care for seniors into a voucher program. Instead of ending billions in tax subsidies for Big Oil, the Republican budget slashes Medicaid for the most vulnerable among us, turning it into a block grant program. And instead of asking the wealthiest among us to pay their fair share, it wants to kick millions of people off health care plans by repealing the Affordable Care Act—well, actually, repealing the parts of the Affordable Care Act that provide care for people but somehow preserving the cost savings and the revenues that it delivers.

Instead of targeting the most vulnerable communities and placing the burden entirely on the middle class, Republicans should work with Democrats to put in place a balanced and bipartisan budget that puts Americans back to work.

#### SEQUESTRATION AND MILITARY PERSONNEL

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, I rise today to bring light to one of the many overlooked effects of sequestration. I just came from a Military Personnel hearing where the Services had an opportunity to speak frankly about how these cuts will affect them. Some of the worst impacts will come as a result of civilian furloughs.

Fifty-two percent of military behavioral health specialists are civilians,

and those civilians will be furloughed, as will 62 of the specialists who work for the Marine Corps' Wounded Warrior unit. These specialists provide a vital service to our injured servicemembers. So how can Congress continue to treat the work of these and other Federal employees in what is perceived as a very callous manner?

Mr. Speaker, we have asked our men and women in uniform to sacrifice so much. How can we possibly ask them to sacrifice even more? We must come together to solve sequestration before these devastating cuts become irreversible.

#### 125TH ANNIVERSARY FOR THE CITY OF ORANGE

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on April 6, the city of Orange, California, will celebrate its 125th anniversary. As the third oldest city in Orange County, the city of Orange is a big city but with a small town feel.

Orange is home to notable attractions like the Plaza at Orange, the Outlets at Orange, the UCI Medical Center, the Children's Hospital of Orange County, and my alma mater, Chapman University.

This milestone will be celebrated in Old Towne Orange, and it will commemorate the families, the residents, and the businesses that have made the city what it is today.

Congratulations to the city and residents of Orange on this incredible occasion. I am proud to represent the city of Orange and the 46th Congressional District of California. Happy 125th anniversary, city of Orange.

#### TANF AUTHORIZATION

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, Republicans say the darnedest things. I'd like to read a statement from a 2005 letter from the Republican Governors Association outlining its priorities for TANF reauthorization:

As Governors, we believe the following provisions . . . are integral to State programs and support their inclusion and protection as the bill moves forward through regular order.

The [2005] Senate bill provides States with the flexibility to manage their TANF programs. . . . Increased waiver authority . . . and the ability to coordinate State programs are all important aspects of moving recipients from welfare to work.

The letter was signed by Mitt Romney, Jeb Bush, Mike Huckabee, Mitch Daniels, Rick Perry, and many more.

Mr. Speaker, today, the House debates banning the very waivers that

Republican leaders from across the country have already expressed their support for. Mr. Speaker, I urge my Republican colleagues to listen to Republican Governors and allow States to find new and creative models to move people from welfare to work.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. FORTENBERRY) laid before the House the following communication from the Clerk of the House of Representatives:

MARCH 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 13, 2013 at 10:41 a.m.:

Appointments: Senate National Security Working Group.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### PROVIDING FOR CONSIDERATION OF H.R. 890, PRESERVING THE WELFARE WORK REQUIREMENT AND TANF EXTENSION ACT OF 2013

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 107 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 107

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 890) to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-3 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Worcester (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, Mr. Speaker, all time yielded is for the purpose of debate only.

## GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a closed rule for consideration of H.R. 890, the Preserving Work Requirements for Welfare Programs Act of 2013.

□ 1220

The rule provides for 1 hour of debate equally divided between the chairman and the ranking member of the Committee on Ways and Means. In addition, Mr. Speaker, the rule provides one motion to recommit with or without instructions.

It was not the intention of the Rules Committee, Mr. Speaker, to have a closed rule. However, the committee received only four amendments, one of which was withdrawn. The remaining three amendments were all subject to points of order for germaneness and other violations of the rules of the House. Unfortunately, we are left with little choice but to propose a closed rule.

Mr. Speaker, H.R. 890 would prohibit the Secretary of Health and Human Services from issuing waivers relating to compliance with the work requirements for welfare recipients, which were created under the historic 1996 welfare reform law. These work requirements have led to more work, more earning, less welfare dependence, and less poverty among low-income Americans.

Additionally, H.R. 890 incorporates the text of H.R. 987. H.R. 987 extends the Temporary Assistance for Needy Families programs, also known as TANF, which is due to expire on March 27, through the end of 2013.

Mr. Speaker, the Welfare and Medicaid Reform Act of 1996 made historic changes in the way our country treats its most impoverished citizens. Generally, the reforms offered States new flexibility in designing welfare programs. However, in exchange for that flexibility, strong new Federal work requirements were put in place. These requirements specified the minimum number of hours per week an individual must engage in either work or work-related activities and penalties for failure to comply.

What were the results of the 1996 reforms? Well, let me just go over a few. America saw the greatest reduction in poverty among children since the 1960s. The employment rate for single mothers in 2010 is higher than it was in 1996, even though the unemployment rate itself has almost doubled during that period of time. Poverty among single mothers has fallen by 30 percent. The

list of successes associated with the law, which I must stress was bipartisan and worked upon by both parties both in this Chamber and obviously by President Clinton, goes on and on.

In addition, Mr. Speaker, the Welfare Reform Act specifically prohibited waivers of the new TANF work requirements. Under both Republican and Democratic administrations, it's been assumed that these requirements could not be waived. However, the current administration, through a so-called "informational memorandum"—I'm frankly not quite sure what that is—has decided it does have the authority to waive these work requirements.

Mr. Speaker, the bipartisan compromise that was drafted in 1996 has done a good job in reducing poverty in this country and improving the lives and the prospects of those mired in very difficult circumstances. We should not allow the administration to undo, by an informational memorandum, what the Congress and Presidents in the past have been able to accomplish by statute.

Mr. Speaker, this is a good bill and a good rule. I urge the support of the rule and the underlying legislation, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Oklahoma (Mr. COLE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

First of all, Mr. Speaker, I would tell my colleagues that this is not a good rule. It is a closed rule, and there's no need for it.

This prevents Members of the House of both parties from coming to the floor with ideas or ways to amend this legislation. Because of the rule, they're prevented from doing so. I think that is an unfortunate fact. We should have deliberation on this House floor. Given the fact that we're not doing much of anything, we certainly have the time to deliberate, and I would hope that in the future that we would see more flexibility on the rules and less closed rules. So I urge my colleagues to vote against the rule because of that.

Mr. Speaker, once again the Republican majority in the House is proving that they never let facts get in the way of a good press release.

Today's bill takes a sensible, bipartisan piece of legislation and tacks on a partisan political ploy that was used in the last Congress to try to embarrass President Obama.

Instead of bringing a simple, clean extension of the Temporary Assistance for Needy Families program, the Republican majority is continuing a political attack from the last election. And like many of the other political attacks lobbed against President Obama in that campaign, this attack is simply untrue and destined for failure.

Over the last 2 years, members of the majority have charged that actions

taken by the Department of Health and Human Services to improve the efficiency and effectiveness of the TANF program are an attempt to "let people sit at home and collect welfare checks."

Such charges have been declared false by numerous fact check organizations, including Factcheck.org, PolitiFact, and The Fact Checker at The Washington Post.

Furthermore, Ron Haskins, the former Republican staff director of the Ways and Means Human Resources Subcommittee and one of the chief architects of the 1996 welfare reform law, said the reforms similar to the ones being made by HHS are justified. And he added:

I do not think it ends welfare reform or strongly undermines welfare reform. Each State has to say what they will do and how that reform will either increase employment or lead to better employment.

That's Ron Haskins, the former Republican staff director of the Ways and Means Human Resources Subcommittee.

Mr. Speaker, the merits of the changes implemented by HHS strengthen Federal efforts to move Americans from welfare to work. In allowing States the flexibility from rigid TANF requirements, the administration requires that any changes provide a more efficient or effective means to promote employment. In explaining the policy changes, HHS Secretary Sebelius stated:

Governors must commit that their proposals will move at least 20 percent more people from welfare to work compared to the State's past performance.

Under such requirements, it is impossible to assert that these changes will weaken the Federal efforts to move citizens from welfare to work. In fact, in looking at the actual rules even briefly, it is clear that these changes strengthen our Federal efforts by allowing for more effective and more efficient programs by giving them room to operate at the State level.

Mr. Speaker, it may be surprising to some watching today's proceedings that the majority disapproves of the administration's programmatic changes. The underlying principle of the changes is the belief that States should have flexibility to implement proven and effective methods for moving Americans from welfare to work.

Yet today, a Republican majority that often boasts of its commitment to States' rights now stands in fierce opposition to that very principle. They find themselves demanding that even when more effective methods for putting Americans to work are available, Federal standards dictated from Washington must rule the day.

And the real irony in their argument against the administration's action is that the request for flexibility came from a Governor, a Republican Governor. And it was not just a Republican

Governor from a blue State like New Jersey or a purple State like Virginia. No, Mr. Speaker, the Governor of Utah—one of the reddest States in the Nation—is the one that has requested this waiver.

I've seen some interesting legislative jujitsu on this House floor. One day they're adhering to the Hastert rule, and the next day the Boehner rule applies. This Republican majority legislates by lurching from one issue to another issue trying to find something that works.

So I can't say that I'm surprised that they're declaring themselves against increasing work requirements for TANF recipients as requested by a Republican Governor. The only thing I can chalk it up to is politics. You'd think that at some point the Republican majority would rather legislate instead of fighting a political battle that was decided 4 months ago, a political battle that they lost badly. Sadly, that day is not today.

If this majority were truly serious about work and employment, about actually reducing the number of people on TANF, then we would be voting on a bill to repeal the sequester and we would be voting on a bill to save the 750,000 jobs that will be lost this year because of these arbitrary, mindless, senseless, and thoughtless cuts.

The reauthorization of TANF in and of itself is not controversial. We can move that bill on suspension. What appears to be controversial to this Republican leadership is putting people back to work. What appears to be controversial to this Republican leadership is saving our economy from the devastating sequester cuts. What appears to be controversial to this Republican leadership is responsible governing.

In contrast, Mr. Speaker, House Democrats have a plan that House Republicans block time after time after time to avoid sequester.

Congressman VAN HOLLEN has a balanced sequester replacement, one that will get rid of the arbitrary cuts and replace them with a balanced mix of cuts and revenues, revenues that come from closing tax loopholes that even Republicans like Mitt Romney thought we should eliminate.

Congressman VAN HOLLEN has come to the Rules Committee four times this year alone in the hope that this Republican leadership, the ones who promised an open House and an open legislative process, would make his amendment in order. And four times now, the Republican leadership in this House has refused to make that amendment in order.

□ 1230

Why, Mr. Speaker? Why? Why not allow the Van Hollen sequester replacement bill to come to the floor for a vote? Didn't Speaker BOEHNER promise a more open House? Didn't he say that the House should work its will?

Mr. Speaker, this is not a way to run a democracy. This is not an open and fair process.

That's because this Republican leadership is not about openness. They're not about legislating responsibly. They're about desperate attempts to score cheap political points. That's what they're doing with the sequester. And that's what they're doing with this TANF reauthorization—something that should be totally noncontroversial, something that should be approved with an overwhelming bipartisan vote.

Mr. Speaker, we should defeat this closed rule, an unnecessarily closed rule, and defeat this bill. It is time we put partisan politics aside, at least until the next election season begins, and start working for the American people.

With that, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

It was once famously observed that the inhabitants of the United Kingdom and the United States were two people divided by the same language. Evidently, that applies to the people of Massachusetts and the people of Oklahoma.

I want to thank my good friend, who kindly sent me a note. I had mentioned if you're from Oklahoma, we would say he's from Worcester, but he said it's "Worcest-ah." So I want to get that right, and I want to thank my friend for correcting me. That's probably the only place my friend and I will agree, and I'll agree that it was appropriate to correct me.

Let me just make a couple of simple responses to what my friend had to say. I don't want to re-debate sequester. He and I had an opportunity to do that in the context of the continuing resolution last week. But the idea that that was somehow partisan, when over 50 of my friends' colleagues voted for it on final passage, strikes me as odd. It was, actually, quite bipartisan, and we began a process in that that is going to result in saving the American people \$1.2 trillion.

We think we made initial steps in improving the bill. It appears to us as if that same process is working now on the other side of the rotunda amongst our friends in the Senate, and so we're working our way towards a responsible piece of legislation, operating through regular order and trying to find common ground.

We're not happy with the sequester. We tried to fix it a couple of times, as my friend recalls. Neither the Senate nor the President ever took us up on that offer, so we worked hard. Now we found another route. Perhaps we can keep working and find some common ground in some other areas.

As to this bill itself, let's just go back to the specifics. All we're doing is

making sure that the work requirement stays in place. I'll make a rather bold prediction and say after the rule vote is over, probably a lot of Democrats will vote for that legislation.

They'll vote for it for two reasons:

First, it reauthorizes TANF, which is a good thing. We agree on that. It's a good piece of legislation. And certainly we should provide the neediest of our people certainty through the end of the fiscal year, as opposed to the end of March. So I think that's an effort by both sides to do the right thing.

But second, if there's a misunderstanding here and we misinterpreted the administration, fair enough. I don't think we did, but regardless, let's just make absolutely sure and pass this legislation. If we both agree on it, it shouldn't be a point of a great deal of contention.

And with that, Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank my friend, the gentleman from Oklahoma, for his improved pronunciation. I appreciate that. And I also appreciate the spirit of bipartisanship that he has displayed on a number of issues, most recently on the Violence Against Women Act.

I kind of wish that that same spirit was brought to this bill here today, this TANF bill, because it would pass overwhelmingly.

Just so that there's no confusion about what HHS is trying to do, I would like to insert into the RECORD a letter that Kathleen Sebelius, the Secretary of Health and Human Services, sent to the Honorable DAVE CAMP, the chairman of the Committee on Ways and Means, which explains how the administration views this flexibility that they might at some point utilize. But basically it is not to weaken the work requirement; it is to support States that have better ideas to improve the results to get more people to work.

The other thing, Mr. Speaker, I would say is that, again, it's ironic that my friends on the other side have kind of chosen to put a little bit of politics into this debate given the fact that a Republican Governor from a red State, Utah, suggests to the administration that he might have a better idea on how his State might get better results in putting more people to work, getting people off of public assistance and into the workforce.

I think that's a good thing. I think what all of us believe is whatever it takes to get more people into the workforce is a good thing.

I would also say to my friend—he mentioned that the Republicans have had proposals to deal with the sequester. Not in this session they haven't. Not a single time in this current Congress have my Republican friends brought an alternative to the floor to

avoid sequester—these arbitrary, mindless, senseless cuts that go across the board.

If you had a line item in the budget that said “fraud, waste, and abuse,” under the sequester that would be treated the same way as a line item for medical research or for education or for transportation and infrastructure. This is not a way to deal with our budgetary challenges.

The reason why I bring up sequester today is because I wish there were a greater sense of urgency in this House of Representatives to deal with it. We’re all talking about welfare-to-work right now. But by allowing the sequester to continue to go into place, CBO tells us that we’re going to risk 750,000 jobs; 750,000 of our fellow citizens will be out of work because of the inaction of this Congress.

I find that unacceptable. We ought to be preserving jobs, we ought to be expanding jobs, we ought to be doing everything we can to get people back to work because that’s the surest way to reduce our deficit. The more people working, the more revenues, the more we can pay down our deficit.

We should be talking about trying to get our budgetary House in order without diminishing the quality of life and the standard of living for people in this country.

THE SECRETARY OF HEALTH  
AND HUMAN SERVICES,  
Washington, DC, July 18, 2012.

Hon. DAVE CAMP,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN CAMP: Thank you for your interest in the guidance we have released to states concerning the Temporary Assistance for Needy Families (TANF) program.

The 1996 welfare reform legislation established work requirements which have been critical to moving people off welfare and into jobs. The proposal we have outlined strengthens the law’s purpose to move people off of welfare and into jobs by utilizing state-based innovation. Our goal is to accelerate job placement by moving more Americans from welfare to work, and no policy which undercuts that goal or waters down work requirements will be considered or approved by the Department.

For years, Republican and Democratic Governors have requested more flexibility in implementing welfare reform so they can meet their states’ specific needs. In 2005, 29 Republican Governors requested “[i]ncreased waiver authority, allowable work activities, availability of partial work credit” so they might more “effectively serve low-income” Americans. Certain elements of the proposal endorsed by the 2005 Republican Governors were very far-reaching and would not be approved under the Department’s proposed waivers. More recently, Utah and Nevada requested waiver opportunities. While it appears some of the policies enumerated in the letters would not be eligible for waivers under our policy, we look forward to receiving and being able to consider a formal application from these and other states. The Department is providing a very limited waiver opportunity for states that develop a plan to measurably increase the number of beneficiaries who find and hold down a job. Spec-

cifically, Governors must commit that their proposals will move at least 20% more people from welfare to work compared to the state’s past performance. States must also demonstrate clear progress toward that goal no later than one year after their programs take effect. If they fail, their waiver will be rescinded. And if a Governor proposes a plan that undercuts the work requirements established in welfare reform, that plan will be rejected.

We will follow our initial guidance to states with further information detailing metrics and accountability measures. The policy we have outlined is designed to accelerate job placement rates for those on welfare, not address other aspects of their lives. No plan that undercuts the goal of moving people from welfare to work will be considered or approved. For example, the Department will not approve a waiver that changes the definition of work requirements to include any of the activities outlined in a 2005 GAO report on TANF such as personal care activities, massage, and journaling. We will continue to hold states accountable for moving people from welfare to work.

#### STRENGTHENING WELFARE REFORM THROUGH STATE-BASED INNOVATION

For states, welfare can too often be a maze of red tape and nonsensical rules. For example, states can get more credit for assigning people to do job search than for placing them into paying, private-sector jobs. The rules not only place an administrative burden on states, but make searching for a job and securing employment more difficult for families. The proposal we have outlined gives states flexibility to cut red tape and get people back to work.

As noted earlier, when Congress considered legislation reauthorizing the TANF program in 2005, Governors from across the country also expressed their support for more flexibility for states in the TANF program. In a letter to Congress, the following Governors specifically endorsed Senate legislation, which would have allowed many states to receive waivers far broader than we are allowing now—including, for example, waivers of the time limits in the 1996 welfare reform law. Governors signing this letter included:

Bob Riley, Alabama; Frank H. Murkowski, Alaska; Mike Huckabee, Arkansas; Arnold Schwarzenegger, California; Bill Owens, Colorado; M. Jodi Rell, Connecticut; Jeb Bush, Florida; Sonny Perdue, Georgia; Linda Lingle, Hawaii; Dirk Kempthorne, Idaho; Mitch Daniels, Indiana; Ernie Fletcher, Kentucky; Robert L. Ehrlich, Jr., Maryland; Mitt Romney, Massachusetts.

Tim Pawlenty, Minnesota; Haley Barbour, Mississippi; Matt Blunt, Missouri; Dave Heineman, Nebraska; George E. Pataki, New York; Kenny C. Guinn, Nevada; John Hoeven, North Dakota; Bob Taft, Ohio; Donald L. Carcieri, Rhode Island; Mark Sanford, South Carolina; M. Michael Rounds, South Dakota; Rick Perry, Texas; Jon Huntsman, Jr., Utah; James Douglas, Vermont.

As also noted previously, we do not go as far as these Governors in supporting state flexibility. Within limits, however, we agree with their letter that states should have “the flexibility to manage their TANF programs and effectively serve low-income populations.” If a Governor commits to a plan to strengthen work requirements that moves more people from welfare to work, we welcome the opportunity to review that proposal. On the other hand, if a Governor is satisfied with the status quo, the state will not be required to submit a waiver request and can continue to operate under the current welfare system.

We do not have to choose between providing temporary assistance to families who fall on hard times and putting people back to work. We can do both by strengthening work requirements so more people move from welfare to work and giving states flexibility to tailor their welfare reforms to their specific needs. But while we continue to explore new ways to strengthen work requirements, we will not accept any changes that undercut employment-focused welfare reforms that were signed into law fifteen years ago.

As we have relayed to your staff, we would welcome the opportunity to brief them on the legal and programmatic issues related to this policy and to discuss the feedback we have received from states about the challenges that the current requirements present to creating jobs. Attached is a more detailed description of HHS’ waiver authority under current law. I will also provide this response to Senator Hatch.

Sincerely,

KATHLEEN SEBELIUS.

Enclosure.

#### ATTACHMENT—LEGAL BASIS FOR UTILIZING WAIVER AUTHORITY IN TANF

The exercise of waiver authority contemplated in the July 12 Information Memorandum is clearly authorized by section 1115(a)(1) of the Social Security Act. Section 1115(a)(1) allows the Secretary to “waive compliance with any of the requirements of section . . . 402 [of the Act] . . . to the extent and for the period [s]he finds necessary to enable [a] State . . . to carry out” an approved experimental, pilot, or demonstration project that will assist in promoting the objectives of the TANF program. 42 U.S.C. §1315(a)(1). As the Information Memorandum explains, section 402 sets forth state plan requirements for the TANF program, including the requirement that a plan “[e]nsure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407.” Id. §602(a)(1)(A)(iii). By authorizing the Secretary to “waive compliance with any of the requirements of section . . . 402,” therefore, section 1115 permits the Secretary to waive the requirements of section 407 when she determines that a waiver would promote the objectives of the TANF program and satisfy the other prerequisites for a waiver.

Your letter maintains that the Secretary’s section 1115 waiver authority does not extend to the requirements described in the Information Memorandum because those requirements are set forth in section 407 rather than section 402. But, as explained above, the plain text of section 402 incorporates the requirements of section 407 by reference. Moreover, the Department has long interpreted its authority to waive state plan requirements under section 1115 to extend to requirements set forth in other statutory provisions that are referenced in the provisions governing state plans. This interpretation has been consistently applied throughout the history of section 1115, including in the context of the Medicaid, child support, and former Aid to Families with Dependent Children (AFDC) programs. For example, in Wisconsin’s well-known “Work Not Welfare” demonstration implemented in 1995, the state received a waiver of rules related to the distribution of child support. While section 1115 references the child support state plan provisions in section 454, the child support rules waived in the Wisconsin waiver are in section 457, but included by reference in the state plan in section 454(11). (Additional examples can be provided upon request.) If Congress had intended to restrict

the Secretary's waiver authority when it replaced the AFDC program with the TANF program in 1996, it could have deleted section 1115's reference to section 402 or otherwise indicated its intent to depart from past practice. Congress did not do so and the Department is adhering to its longstanding interpretation that section 1115 waiver authority extends to requirements incorporated by reference into the state plan sections of programs, including Medicaid, child support, and TANF.

Your letter also claims that section 415(a)(2)(B) of the Act precludes the Secretary from waiving section 407's requirements. But section 415(a)(2)(B) has no application here because it is a transitional provision applicable only to waivers under the former AFDC program, which was replaced by the TANF program in 1996. Indeed, the plain language of section 415(a)(2)(B) makes clear that it is limited to waivers that related to "a State program funded under this part (as in effect on September 30, 1996)"—that is, under the former AFDC program. 42 U.S.C. §615(a)(2)(B) (emphasis added). That provision thus does nothing to restrict the Secretary's waiver authority with respect to the current TANF program.

Mr. MCGOVERN. So having said that, Mr. Speaker, I would like to yield 3 minutes at this time to the gentleman from Puerto Rico, my good friend, Mr. PIERLUISI.

Mr. PIERLUISI. Mr. Speaker, although I strongly support the TANF program, which provides payments to low-income families with children, I rise in opposition to the rule and to the underlying bill. Yesterday, I filed a budget-neutral amendment to H.R. 890. However, the Rules Committee reported a closed rule, thereby foreclosing debate, and a vote, on my amendment.

My amendment sought to eliminate disparities that the territories face under TANF. Under current law, the territories are not eligible for TANF supplemental grants, contingency funds, and mandatory child care funds.

Moreover, Federal law imposes an annual cap on the overall funding that each of the territories can receive under a variety of public assistance programs, including TANF. I have introduced legislation to repeal this funding cap, which has not been increased since 1996, and to make the territories eligible for TANF grants they do not presently receive. The amendment I filed yesterday was rooted in this legislation but modified to comply with PAYGO rules.

Those who seek evidence of how Puerto Rico is hurt by its territory status need look no further than the unequal treatment my constituents receive under TANF and other safety-net programs. These programs are designed to help our Nation's most vulnerable residents, none of whom—I must emphasize—earn enough to pay Federal income taxes.

This treatment would be unprincipled under any circumstances, but it is particularly unfair when one considers that, last November, voters in Puerto

Rico rejected the current status and expressed a desire for statehood, a status that would entitle them to equal treatment under all Federal laws. If Congress elects to undertake a comprehensive reauthorization of the TANF program, I hope my colleagues will work with me to eliminate the disparities that Puerto Rico faces under current law, especially in light of the fact that my constituents have rejected the political status that allows for such unequal treatment.

□ 1240

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to quickly respond to my friend's point on sequester again. A little bit like Lucy and the football, we've tried this twice, and the idea that we should now have to tee it up a third time before the President rouses himself—or the Senate—to action, strikes me as a little bit extreme. Again, we've tried to do it. We're now moving through another process. It seems to be working. Regular order seems to actually be working around here, and I'm hopeful we'll get to, before the end of the month, a resolution that will be considerably better than the CR, that will frankly have folded a lot of the work of the Appropriations Committee into what is effectively the fiscal year 2013 budget.

To my friend from Puerto Rico, it is my understanding—and I'm not a parliamentarian—that the amendment was not germane or was ruled out of order to the bill. Again, I'm not and don't pretend to be an expert on that, but I think he makes an excellent point, and it is certainly a matter worthy of consideration at some appropriate time.

Finally, Mr. Speaker, we don't have a great deal of disagreement here. Let's just make sure that the work requirement is there. There is considerable debate as to who asked for waivers, whether they were asked for, and whether it was reform. I've seen a lot of back-and-forth on this, and I don't pretend to know; but I think it's the clear intent of this Chamber, and always has been since the legislation was passed, that the work requirements remain intact. So just reiterating that point I think makes it crystal clear to everyone and perhaps eliminates the confusion.

Again, I think the reauthorization of the underlying legislation is something that both parties want to accomplish and want to provide certainty for people that are in very difficult circumstances that they're not going to be at risk financially if for some reason, which I don't anticipate, we actually don't get our work done by March 27 and avoid some sort of catastrophic government shutdown. Again, something that I know the President wants to do and something that my friends on

the other side of the aisle want to do and something I think our colleagues in the United States Senate want to do.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume just to address a couple of points of my colleague from Oklahoma, whom I have a great deal of respect for.

First of all, if we had an open rule, Mr. PIERLUISI could have had a chance to offer his amendment, and we could get a judgment from the Parliamentarian then. Secondly, also the Rules Committee could have waived the germaneness rule to allow Mr. PIERLUISI to have his amendment made in order. So the Rules Committee could have done that, and chose instead to report a closed rule here so that nobody can offer anything. It is completely closed, a closed process.

Secondly, with regard to sequestration again, I point out that the President of the United States did offer a grand bargain. My Republican friends said no to that. He put a lot of different things on the table trying to come up with a grand bargain to deal with our deficit but also not undercut our economy. It was a balance of cuts and revenue, but my Republican friends said no to that.

And I would repeat again, in this Congress, the House Republicans have done nothing, have proposed zero to be able to avoid the sequester. There have been no alternatives brought before the Rules Committee, nothing brought to the floor.

Mr. VAN HOLLEN has, on four different occasions, tried to avoid sequester with a very balanced approach, and it would save 750,000 jobs. If there's anything that's urgent in this Chamber, it should be to preserve and protect the 750,000 jobs that will be lost because of these sequester cuts.

I would finally say that the United States Senate, far from a perfect branch of government in my opinion, but nonetheless, the Senate Majority Leader had an alternative to sequester that got 51 votes. That's a majority. But, unfortunately, under the Senate rules and with Republican insistence that they needed 60 votes, it didn't make it. But 51 Senators voted for an alternative.

So there are alternatives out there; and the notion that we should kind of sit back, lay back, and maybe something will emerge miraculously to deal with this issue I don't think is the proper role of the House of Representatives. We ought to be deliberating and debating and finding ways to protect those 750,000 jobs.

We talk about welfare to work here. And again, the irony is we're trying to prevent the administration from being able to have the flexibility to be able to work with States who want to get

better results, to get more people off of welfare to work. But when you talk about getting people to work, we ought to also be talking about preserving the 750,000 jobs that will be lost because of our inaction on sequester.

Mr. Speaker, at this point I'd like to yield 5 minutes to the gentleman from Texas (Mr. DOGGETT), the ranking member of the Ways and Means Subcommittee on Human Resources.

Mr. DOGGETT. Mr. Speaker, as we continue very important efforts to strengthen the middle class in America, I think it's important to recognize that there are millions of Americans who would like to be part of it, who are struggling at the bottom rungs of the economic ladder hoping to work their way into the middle class. I think that's where our focus should be, because in recent decades, we've seen growing economic inequality in this country where a few have so much and many have so very little.

One of the goals of the Temporary Assistance to Needy Families, or TANF, initiative back in 1996 was to help those who wanted to climb the economic ladder. In hopes of accomplishing that, and valuing personally the importance of work, I voted for welfare reform. And if you evaluate it based on how many poor people it's denied assistance to, it's a great success. If, on the other hand, you evaluate it based on how many poor people it has helped to secure good, livable wages in long-term jobs, its success, at best, is very spotty.

Today's debate ought to be about how do we strengthen the effectiveness of TANF and related programs to assist more people in working their way into the middle class. But instead of focusing on lifting people up, like the previous temporary extension of TANF, this Republican effort is really about putting them down. It's about suggesting that the stereotype of the welfare Cadillac, of the aimless and the shiftless who don't want to work is real. Instead of a vision about an effective, long-term reauthorization of welfare to work, this bill represents the third time that Republicans have insisted on just a temporary, short-term extension of the same old programs.

The last time that we did this, Republicans included a firm prohibition and strong rhetoric about denying anyone using their electronic benefits at strip clubs or casinos. Who could object to that? But it's hardly central to how we advance these individuals who want to work.

This time it's the leftover Presidential campaign ploy arguing that the administration wanted to encourage more welfare loafing and idleness by weakening work requirements. Neither this bill nor its predecessors were truly about helping more people to secure jobs. They're about reinforcing the prejudice that many poor people are

takers, not makers; that they're just eager to take somebody else's tax money and loaf.

Well, I believe that today's attempt to restrict State authority to strengthen welfare-to-work initiatives also totally contradicts what is happening at this very moment with a blockheaded Republican budget that would block-grant almost unbridled authority to the States to weaken health care. Because of the way that the TANF program is currently structured, whether this rule and this bill are approved is largely irrelevant to 99 percent of the working-age poor people in America today who are not currently participating in any of the TANF work activities.

I think we should do better by these folks. They want to become part of the middle class, but they find themselves in no job or a dead-end job. Instead of focusing on denying assistance to as many people as possible, we ought to be engaging in constructive, bipartisan discussion about what are the best ways to make the program effective to lift people up. Instead of focusing on waivers and simply waving good-bye to the many people in America who are economically disadvantaged and want a better opportunity, who want some hope to get out of poverty, let's try to do more to assist those people in more productive, long-term programs.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

□ 1250

Mr. MCGOVERN. Mr. Speaker, can I inquire of the gentleman from Oklahoma whether he has any additional speakers.

Mr. COLE. I'm prepared to close whenever my friend is.

Mr. MCGOVERN. I thank the gentleman, and I yield myself such time as I may consume.

Mr. Speaker, I would urge my colleagues to vote "no" on this closed rule. Again, I regret very much that something that really should be truly bipartisan and totally bipartisan and totally noncontroversial has now become politicized so that there's division.

Again, I wish that we had followed the same path we did with the Violence Against Women Act, when a more controversial and divisive attempt on that bill was put aside for something that was more of a consensus and had broad bipartisan support. We could do the same thing here, and I wish we would.

There is no need for this bill to become politicized; and my guess is that when it comes back to the House, the controversial provisions that we are complaining about right now will probably be gone.

Mr. Speaker, we just had a long discussion about work requirements; but, ironically, the bill that we're going to deal with tomorrow cuts this program

called the SNAP Employment and Training Funding. This is a program that helps low-income individuals get training for proper employment, training for jobs that could help those individuals lift themselves out of poverty and off public assistance.

It is my understanding that my friends are going to bring a bill that guts that particular program. I find that puzzling because the whole point of that program is to give people the training they need so they are qualified for some of the jobs that are open out there, and yet we're going to eliminate that.

My friends have routinely gone after the SNAP, or food stamp program, again, helping low-income families get by during difficult times while they find employment. Sadly, there are a lot of people who are working who earn so little that they still qualify for SNAP. We ought to have a greater discussion on poverty and how to deal with some of these big issues like hunger and food insecurity, and I hope at some point we can have that discussion.

But, today, what I wish we were doing, in addition to passing a non-controversial TANF bill, I wish we were on the floor debating an alternative to the sequester—750,000 jobs are about to be lost, 750,000 jobs. If we are truly interested in work, we ought to protect those jobs.

Mr. VAN HOLLEN of Maryland had an alternative that four times he's brought to the Rules Committee. Four times the leadership here has said, no, you can't bring it to the floor, you can't debate it, you can't deliberate on it.

And my friends on the other side of the aisle in this Congress have offered zero. They're totally content to let the sequester go into play—750,000 jobs at stake.

I think that's what we should be doing here, Mr. Speaker.

As I yield back the balance of my time, I would urge my colleagues on the other side of the aisle to suspend politics for just a little while so we can get a few major things done. We can do the politics next year when it's campaign time, but now's the time to achieve results.

We can come together on a lot of these issues. I hope that that happens; but if this is any indication of how we're going to proceed, it makes me less hopeful.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I want to take a moment and respond to some of my friend's concerns and points. First, simply on sequester, with all due respect, I'm glad there's an interest now. There wasn't an interest last May when this House passed legislation. The Senate never picked it up; the President never offered a counter.



There wasn't an interest last December. There seems to only be an interest here in the final, waning days.

Now, we actually think we're proceeding in the continuing resolution, perhaps in the upcoming budget debates, and perhaps later on in ways where we can come back and work in a bipartisan fashion. But our efforts to do that were twice rebuffed, and now we're beaten up for not doing it a third time. I think two chances is about as many as you get. And, again, we'll try to find another way to work with our friends on this thing.

As for the job loss, I couldn't agree more with my friend. This is a tremendously bad thing for the economy. This is not the right way to do things. We would have preferred to have done it differently.

Now, you can always arrive at some interesting figures on job loss. According to the CBO, the Affordable Care Act will cost 800,000 jobs. I doubt my friends would work with us to repeal that and save those 800,000 jobs. They've got other objectives there.

Our objective in the entire sequester effort is simply to begin to lower the long-term debt for this country, a debt that is going to undermine the economy and destroy many, many, many tens of thousands of jobs in the coming years unless we deal with it. We're making that effort today in the Ryan budget, in the Budget Committee. That will be on the floor next week.

I know my friends will have an alternative for that. I welcome that. I'm glad they're doing that. They did not do that when they were in the majority.

The Senate finally, for the first time in 4 years, looks like it's going to put out a budget. It's not a budget that I would like, but they're going to put one out; and I think that's a very good thing.

So, again, I see some little gleams and glisterings of progress around here. And I do want to thank my friend because we have worked together in the last 70 or 80 days on some significant things. I worked with my friend on the fiscal cliff. I worked with my friend on Hurricane Sandy relief, worked with my friend on violence against women; and I very much appreciate his kind words about that.

So I actually see opportunities in front of us, as well as obvious differences and debates that we're surely going to have.

Mr. Speaker, in closing, I believe that the underlying bill provides additional certainty for those currently on the TANF program and ensures that their benefits will not lapse at the end of the month, something I know that my friends are concerned about, just as we are, and want to ensure that that doesn't happen.

In addition, it maintains the bipartisan work requirements that this ad-

ministration professes to support, but has clearly created some doubt about. So let's give them the opportunity, through this legislation, just to make sure that there's no misunderstanding, that both parties and the administration want to maintain the work requirements.

In closing, I would urge my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 57 minutes p.m.), the House stood in recess.

□ 1455

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 o'clock and 55 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on H. Res. 107; adopting H. Res. 107, if ordered; and agreeing to the Speaker's approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## PROVIDING FOR CONSIDERATION OF H.R. 890, PRESERVING THE WELFARE WORK REQUIREMENT AND TANF EXTENSION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 107) providing for consideration of the bill (H.R. 890) to pro-

hibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 233, nays 195, not voting 3, as follows:

[Roll No. 64]

## YEAS—233

Aderholt	Gingrey (GA)	Murphy (PA)
Alexander	Gohmert	Neugebauer
Amash	Goodlatte	Noem
Amodei	Gosar	Nugent
Bachmann	Gowdy	Nunes
Bachus	Granger	Nunnelee
Barber	Graves (GA)	Olson
Barletta	Graves (MO)	Palazzo
Barr	Griffin (AR)	Paulsen
Barton	Griffith (VA)	Pearce
Benishek	Grimm	Perry
Bentivolio	Guthrie	Petri
Bilirakis	Hall	Pittenger
Bishop (UT)	Hanna	Pitts
Black	Harper	Poe (TX)
Blackburn	Harris	Pompeo
Bonner	Hartzler	Posey
Boustany	Hastings (WA)	Price (GA)
Brady (TX)	Heck (NV)	Radel
Bridenstine	Hensarling	Reed
Brooks (AL)	Herrera Beutler	Reichert
Brooks (IN)	Holding	Renacci
Broun (GA)	Hudson	Ribble
Buchanan	Huelskamp	Rice (SC)
Bucshon	Huizenga (MI)	Rigell
Burgess	Hultgren	Roby
Calvert	Hunter	Roe (TN)
Camp	Hurt	Rogers (AL)
Campbell	Issa	Rogers (KY)
Cantor	Jenkins	Rogers (MI)
Capito	Johnson (OH)	Rohrabacher
Carter	Johnson, Sam	Rokita
Cassidy	Jones	Rooney
Chabot	Jordan	Ros-Lehtinen
Chaffetz	Joyce	Roskam
Coble	Kelly	Ross
Coffman	King (IA)	Rothfus
Cole	King (NY)	Royce
Collins (GA)	Kingston	Runyan
Collins (NY)	Kinzinger (IL)	Ryan (WI)
Conaway	Kline	Salmon
Cook	Labrador	Scalise
Cotton	LaMalfa	Schock
Cramer	Lamborn	Schweikert
Crawford	Lance	Scott, Austin
Crenshaw	Lankford	Sensenbrenner
Culberson	Latham	Sessions
Daines	Latta	Shimkus
Davis, Rodney	LoBiondo	Shuster
Denham	Long	Simpson
Dent	Lucas	Smith (NE)
DeSantis	Luetkemeyer	Smith (NJ)
DesJarlais	Lummis	Smith (TX)
Diaz-Balart	Marchant	Southerland
Duffy	Marino	Stewart
Duncan (SC)	Massie	Stivers
Duncan (TN)	Matheson	Stockman
Ellmers	McCarthy (CA)	Stutzman
Farenthold	McCaul	Terry
Fincher	McClintock	Thompson (PA)
Fitzpatrick	McHenry	Thornberry
Fleischmann	McKeon	Tiberi
Fleming	McKinley	Tipton
Flores	McMorris	Turner
Forbes	Rodgers	Upton
Fortenberry	Meadows	Valadao
Fox	Meehan	Wagner
Franks (AZ)	Messer	Walberg
Frelinghuysen	Mica	Walden
Gardner	Miller (FL)	Walorski
Garrett	Miller (MI)	Weber (TX)
Gerlach	Miller, Gary	Webster (FL)
Gibbs	Mullin	Wenstrup
Gibson	Mulvaney	Westmoreland

Whitfield  
Williams  
Wilson (SC)  
Wittman

Wolf  
Womack  
Woodall  
Yoder

Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NAYS—195

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brown (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al

## NOT VOTING—3

Costa  
Lynch  
Sherman

□ 1527

Mr. GEORGE MILLER of California, Mrs. KIRKPATRICK, Mr. RUSH, and Ms. WILSON of Florida changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. SHERMAN. Mr. Speaker, on rollcall No. 64 I was at a meeting with the Vice President and others at the White House and was caught in traffic on the way back to the Capitol. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 194, not voting 4, as follows:

[Roll No. 65]

## AYES—233

Aderholt  
Alexandere  
Amash  
Amodei  
Bachmann  
Bachus  
Barber  
Baretta  
Barr  
Barton  
Benishak  
Bentivolio  
Bilirakis  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Daves, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)

Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maffei  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)

Whitfield  
Williams  
Wilson (SC)  
Wittman

Wolf  
Womack  
Woodall  
Yoder

Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NOES—194

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brown (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al

## NOT VOTING—4

Bishop (UT)  
Costa  
Graves (MO)  
Lynch

□ 1535

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.



The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 295, nays 120, answered “present” 1, not voting 15, as follows:

[Roll No. 66]

YEAS—295

Aderholt	Farenthold	McCarthy (CA)
Alexander	Farr	McCarthy (NY)
Amodei	Fincher	McCaul
Bachmann	Fleischmann	McClintock
Bachus	Fleming	McCollum
Barber	Forbes	McHenry
Barletta	Fortenberry	McIntyre
Barr	Foster	McKeon
Barrow (GA)	Frankel (FL)	McKinley
Barton	Franks (AZ)	McMorris
Beatty	Frelinghuysen	Rodgers
Becerra	Gabbard	McNerney
Bilirakis	Galleo	Meadows
Bishop (GA)	Garamendi	Meehan
Bishop (UT)	Garrett	Meeks
Black	Gibbs	Meng
Blackburn	Goodlatte	Messer
Blumenauer	Gosar	Mica
Bonamici	Gowdy	Michaud
Bonner	Grayson	Miller (FL)
Boustany	Grimm	Miller (MI)
Brady (TX)	Guthrie	Miller, Gary
Braley (IA)	Gutierrez	Moran
Bridenstine	Hahn	Mullin
Brooks (AL)	Hall	Mulvaney
Brooks (IN)	Hanabusa	Murphy (PA)
Brown (FL)	Harper	Nadler
Brownley (CA)	Harris	Napolitano
Buchanan	Hartzler	Neugebauer
Buchson	Hastings (WA)	Noem
Bustos	Heck (WA)	Nunes
Calvert	Hensarling	Nunnelee
Camp	Higgins	O'Rourke
Campbell	Himes	Olson
Capito	Hinojosa	Palazzo
Capps	Holt	Pascarell
Cárdenas	Horsford	Payne
Carney	Huffman	Pearce
Carson (IN)	Huizenga (MI)	Pelosi
Carter	Hultgren	Perlmutter
Cartwright	Hurt	Perry
Cassidy	Israel	Peters (CA)
Castro (TX)	Issa	Petri
Chabot	Jeffries	Pingree (ME)
Chu	Johnson (GA)	Pitts
Cicilline	Johnson, Sam	Pocan
Clay	Jordan	Polis
Cleaver	Kaptur	Pompeo
Clyburn	Keating	Posey
Cole	Kelly	Price (NC)
Collins (GA)	Kennedy	Quigley
Collins (NY)	Kildee	Reichert
Connolly	King (IA)	Rice (SC)
Cook	King (NY)	Richmond
Cooper	Kingston	Roby
Cramer	Kline	Roe (TN)
Crawford	Kuster	Rogers (AL)
Crenshaw	Labrador	Rogers (KY)
Culberson	LaMalfa	Rogers (MI)
Daines	Lamborn	Rokita
Davis (CA)	Lankford	Ros-Lehtinen
Davis, Danny	Larsen (WA)	Roskam
DeGette	Latta	Ross
Delaney	Levin	Rothfus
DeLauro	Lipinski	Roybal-Allard
DelBene	Loeb	Ruiz
DeSantis	Lofgren	Runyan
DesJarlais	Long	Ruppersberger
Deutch	Lowenthal	Ryan (WI)
Diaz-Balart	Lowey	Salmon
Dingell	Lucas	Scalise
Doggett	Luetkemeyer	Schiff
Doyle	Lujan Grisham	Schneider
Duckworth	(NM)	Schock
Duncan (SC)	Luján, Ben Ray	Schrader
Duncan (TN)	(NM)	Schwartz
Edwards	Maffei	Schweikert
Ellison	Maloney,	Scott (VA)
Ellmers	Carolyn	Scott, Austin
Engel	Maloney, Sean	Scott, David
Enyart	Marino	Sensenbrenner
Eshoo	Massie	Sessions
Esty	Matsui	Sewell (AL)

Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier  
Stewart  
Stockman  
Stutzman  
Swaikwell (CA)  
Takano

Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Titus  
Tonko  
Tsongas  
Upton  
Van Hollen  
Vargas  
Visclosky  
Wagner  
Walden  
Walorski  
Walz  
Wasserman  
Schultz

Waters  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wolf  
Womack  
Yarmuth  
Yoho  
Young (IN)

NAYS—120

Amash  
Andrews  
Bass  
Benishak  
Bentivolio  
Bera (CA)  
Bishop (NY)  
Brady (PA)  
Broun (GA)  
Burgess  
Butterfield  
Capuano  
Castor (FL)  
Chaffetz  
Clarke  
Coble  
Coffman  
Cohen  
Conaway  
Conyers  
Cotton  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis, Rodney  
DeFazio  
Denham  
Dent  
Duffy  
Fattah  
Fitzpatrick  
Flores  
Fox  
Fudge  
Garcia  
Gardner  
Gerlach  
Gibson  
Gingrey (GA)  
Graves (GA)

Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Hanna  
Hastings (FL)  
Heck (NV)  
Herrera Beutler  
Holding  
Honda  
Hoyer  
Hudson  
Jackson Lee  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Jones  
Joyce  
Kilmer  
Kind  
Kinzinger (IL)  
Kirkpatrick  
Lance  
Langevin  
Larson (CT)  
Latham  
Lee (CA)  
Lewis  
LoBlundo  
Lummis  
Marchant  
Matheson  
McDermott  
McGovern  
Miller, George  
Moore  
Neal  
Negrete McLeod  
Nolan

Nugent  
Pallone  
Pastor (AZ)  
Paulsen  
Peters (MI)  
Peterson  
Pittenger  
Poe (TX)  
Price (GA)  
Radel  
Rahall  
Reed  
Renacci  
Ribble  
Rigell  
Rohrabacher  
Rooney  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Slaughter  
Stivers  
Thompson (CA)  
Thompson (MS)  
Tipton  
Turner  
Valadao  
Veasey  
Vela  
Velázquez  
Walberg  
Wittman  
Woodall  
Yoder  
Young (AK)

ANSWERED “PRESENT”—1

Owens

NOT VOTING—15

Cantor  
Costa  
Gohmert  
Granger  
Huelskamp  
Hunter  
Lynch  
Markey  
Murphy (FL)  
Rangel  
Royce  
Serrano  
Sires  
Terry  
Young (FL)

□ 1542

So the Journal was approved.

The result of the vote was announced as above recorded.

#### PRESERVING THE WELFARE WORK REQUIREMENT AND TANF EXTENSION ACT OF 2013

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 107, I call up the bill (H.R. 890) to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 107, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-3 shall be considered as adopted and the bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 890

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Preserving the Welfare Work Requirement and TANF Extension Act of 2013”.*

#### SEC. 2. PROHIBITION ON TANF WAIVERS RELATING TO COMPLIANCE WITH THE TANF WORK REQUIREMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may not do the following:

(1) Finalize, implement, enforce, or otherwise take any action to give effect to the Information Memorandum dated July 12, 2012 (Transmittal No. TANF-ACF-IM-2012-03), or to any administrative action relating to the same subject matter set forth in the Information Memorandum or that reflects the same or similar policies as those set forth in the Information Memorandum.

(2) Authorize, approve, renew, modify, or extend any experimental, pilot, or demonstration project under section 1115 of the Social Security Act (42 U.S.C. 1315) that waives compliance with a requirement of section 407 of such Act (42 U.S.C. 607) through a waiver of section 402 of such Act (42 U.S.C. 602) or that provides authority for an expenditure which would not otherwise be an allowable use of funds under a State program funded under part A of title IV of such Act (42 U.S.C. 601 et seq.) with respect to compliance with the work requirements in section 407 of such Act to be regarded as an allowable use of funds under that program for any period.

(b) RESCISSION OF WAIVERS.—Any waiver relating to the subject matter set forth in the Information Memorandum or described in subsection (a)(2) that is granted before the date of the enactment of this Act is hereby rescinded and shall be null and void.

#### SEC. 3. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM AND RELATED PROGRAMS THROUGH DECEMBER 31, 2013.

Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (other than under section 403(b) of such Act) shall continue through December 31, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority on a quarterly basis through the first quarter of fiscal year 2014 at the level provided for such activities for the corresponding quarter of fiscal year 2012.

#### SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 890.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 890, Preserving the Welfare Work Requirement and TANF Extension Act of 2013.

In July of last year, the Obama administration's Department of Health and Human Services issued an information memorandum saying they would accept and approve applications from States seeking to waive the requirement that 50 percent of their welfare caseload be engaged in or preparing for work.

This work requirement was a critical part of the 1996 welfare reforms that created the current Temporary Assistance for Needy Families, or TANF, cash welfare program. Those reforms also led to more work, more earnings, less welfare dependence, and less poverty among families headed by low-income single mothers.

Yet, without any thought of consulting Congress, as is required by law, the administration saw fit to unilaterally waive the work requirements and risk the progress that has been made in the last 16 years. And that's why we are considering this legislation here on the floor today.

Simply put, this bill would block waivers, so HHS can't allow States to bypass the work requirements and financial penalties Congress put in place in 1996 for failing to engage welfare recipients in work.

My colleagues on the other side of the aisle will argue that Republicans are making a big deal out of nothing and that we're responding to a problem that doesn't exist since no States have applied for waivers—yet. But the American people have made their views clear. A survey last year revealed 83 percent support a work requirement as a condition for receiving welfare.

Clearly, the best way out of poverty is a job, and it's critical that our laws both foster job creation as well as ensure welfare is always a pathway to work. That's what this legislation is about: ensuring that work and other productive activities remain a central part of the TANF cash welfare program, as the 1996 reforms intended.

Setting aside the success of the work requirement in moving low-income individuals from welfare to work and the overwhelming support the policy enjoys among the American people, cur-

rent law prohibits the administration from waiving the welfare work requirement. Waivers of certain State report requirements are permitted under the TANF program, but the work requirement may not be waived.

A summary of the 1996 reforms prepared by Ways and Means Committee staff immediately following the law's enactment could not be clearer on this point. It plainly states:

Waivers granted after the date of enactment may not override provisions of the TANF law that concern mandatory work requirements.

As a Member of Congress who helped write the welfare reform law and served as a conferee on the bill, the statement in this report actually captures the correct intent of Congress.

Historical precedent is not on the Obama administration's side, either. No prior administration, Republican or Democrat, has ever attempted to waive the work requirements in the 16 years between the law's enactment and the July 2012 information memorandum.

Following the July 2012 action, the Government Accountability Office looked into this and "did not find any evidence that HHS stated it has authority to issue waivers related to TANF work requirements." In short, no administration attempted to waive the work requirements because they knew it was illegal to do so.

Finally, if we need more evidence that, despite their promises to the contrary, the administration's policy would weaken the work requirement, we need look no further than the non-partisan Congressional Budget Office. This legislation saves \$61 million over 10 years because CBO recognizes the administration's waivers will allow some States that may otherwise pay penalties for failing to meet the work requirement to avoid such penalties through a waiver.

In addition to preventing the administration from waiving the work requirement, the legislation before us extends the TANF program's authorization at current funding levels through the remainder of this calendar year.

The TANF program provides helpful assistance to individuals most in need of a safety net as they look and prepare for work. I urge my colleagues on both sides of the aisle to join me in supporting this legislation, and I reserve the balance of my time.

COMMITTEE ON EDUCATION  
AND THE WORKFORCE,  
Washington, DC, March 8, 2013.

Hon. DAVE CAMP,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 890, the Preserving Work Requirements for Welfare Programs Act of 2013. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 890 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 890, the Committee on Education and the Workforce will forgo further consideration on this bill. However, I do so with the understanding that this procedural route will not be construed to prejudice the committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,  
Chairman.

COMMITTEE ON WAYS AND MEANS,  
Washington, DC, March 12, 2013.

Hon. JOHN KLINE,  
Chairman, Committee on Education and the  
Workforce, Washington, DC.

DEAR CHAIRMAN KLINE, Thank you for your letter regarding H.R. 890, the "Preserving Work Requirements for Welfare Programs Act of 2013," which is expected to be considered on the floor this week.

I appreciate your willingness to forgo action on H.R. 890. I agree that your decision should not prejudice the Committee on Education and the Workforce with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 890 on the House Floor.

Sincerely,

DAVE CAMP,  
Chairman.

Mr. LEVIN. I yield myself such time as I shall consume.

Bringing up this bill today is doubly unfortunate. Number one, this is a time when we should be coming together—or at least trying to. This is a time when we should not try some partisan efforts. Unfortunately, that's what this is all about. This bill is essentially a pure fabrication of what is true.

□ 1550

Last summer the administration came forth with a proposal: states would be allowed to apply for waivers and have some flexibility in terms of the application of the work requirements—not the end of them or changing them, but the implementation of them—provided any project would be required to increase employment by at least 20 percent. So this claim that what is being done here is an effort to put at risk the work requirements is fallacious.

What happened? After HHS spoke, the Romney campaign decided they might have a campaign issue. So they essentially put together a campaign ad with the fallacious claim that what the

Obama administration was trying to do was to weaken welfare reform. The instantaneous reaction of fact checkers was four Pinocchios, pants on fire, complete untruth.

And this is what Ron Haskins had to say, the Republican person on the staff most involved with the chairman and myself:

The idea that the administration is going to try to overturn welfare reform is ridiculous. States have to apply individually for waivers, and they have to explain in detail why the approach would lead to either more employment or better jobs for people who are trying to stay off welfare.

Indeed, earlier in 2005, 29 Republican Governors wrote asking if they could obtain a waiver in terms of the implementation of the work requirements, and on three occasions the Republicans brought legislation to the floor which would have brought about this kind of a waiver.

Here's what was said by President Clinton, who worked on welfare reform and signed it in 1996:

When some Republican Governors asked if they could have waivers to try new ways to put people on welfare back to work, the Obama administration listened.

And I insert at this point that there was a request from the Republican Governor of Utah.

I continue with the quote:

Because we all know it is hard for even people with good work histories to get jobs today. So moving folks from welfare to work is a real challenge, and the administration agreed to give waivers to those Governors and others only if they had a credible plan to increase employment by 20 percent, and they could keep the waivers only if they did increase employment. Now, did I make myself clear? The requirement was for more work, not less.

So this was tried last year. There was an effort by the Republicans. They came forth with a bill. The campaign was full blast. And what they wanted to do was to reaffirm or to support a political ad by their candidate for President. That's what that was all about.

We had a vote along partisan lines. And as we said, it went nowhere in the Senate. By the way, I don't think it helped their Presidential candidate as it was so blatantly false, so patently political.

The election is over. The people have spoken. The President has been re-elected. Why bring up this political horse? It's worse than lame; it's mistaken.

With that, I reserve the balance of my time.

Mr. CAMP. I would just say, Mr. Speaker, for 5 seconds that in the Statement of Administration Policy we got yesterday, they say that no States formally applied for State waivers.

I yield 3 minutes to the distinguished chairman of the Human Resources Subcommittee, the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. I thank the gentleman for yielding time.

Mr. Speaker, I rise in support of the bill before us today because Congress must ensure that work continues to be the centerpiece of the TANF welfare program, and I regret that we are here today debating the Obama administration's efforts to undermine work requirements.

I think that my Democrat colleagues would agree that our time would be better spent discussing bipartisan improvements to TANF and other programs designed to help low-income parents find and go to work. I look forward to having those discussions and conversations as the chairman of the Ways and Means Human Resources Subcommittee.

In fact, Mr. Speaker, bipartisan discussions were actually happening before the Obama administration announced they would waive work requirements for welfare recipients last summer. That announcement completely undermined bipartisan negotiations in our committee about ways to strengthen this program. Incredibly, administration officials knew about those negotiations and even had a draft of bipartisan legislation in hand before they announced their misguided waiver policy.

Usually, if an administration wants to change the law, they must submit a legislative proposal for Congress to consider, but that's not what the Obama administration did with its proposal to waive the TANF work requirements.

Even though the administration had said repeatedly in their annual budget they would work with Congress to reform welfare, they didn't propose any changes to the program. Instead, they simply claimed they could waive the current work requirements at the heart of welfare reform without even notifying Congress.

Mr. Speaker, I'm surprised that the administration would proceed with its waiver policy, especially knowing that real bipartisan progress was being made.

The truth is, Mr. Speaker, the President's waiver policy increases spending by \$61 million, according to CBO. There are currently 240 combinations of work, education, and training requirements falling under the 12 definitions included in this law. The administration does not have the authority to waive work requirements; that authority is not granted under the law. Therefore—this is very important—the misuse of authority is subject to congressional review and disapproval. That's why we are here today. This is Congress' responsibility, and we were working together with the White House, which is also our responsibility.

Today I'm standing here asking my colleagues across the aisle and on my side of the aisle to support this bill and

reject the administration's waiver proposal. That way we can get back to working together to close loopholes, strengthen work requirements and ensure that more welfare recipients go back to work and move up the economic ladder.

Mr. LEVIN. I now yield 2 minutes to another gentleman who has worked on welfare reform over the years, the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. Mr. Speaker, I thank Mr. LEVIN.

Well, we're at it again. There is no greater misuse of time than re-fighting the last election. The last election is just that: the last election. It's over.

Governor Romney's pollster said at the time, "We're not going to let our campaign be dictated by fact checkers," after it was pointed out that there were so many mistakes and miscalculations in their proposal.

They might not have cared about the facts, but today I do. I chaired the Democratic position with Lynn Woolsey and Vic Fazio at the behest of Dick Gephardt at the time. One of the goals of welfare reform was to move unemployed Americans from welfare to work, and it did work. The legislation has been very successful in meeting that goal.

□ 1600

Welfare reform put people back on the work rolls. Welfare rolls have dropped by half, and poverty amongst children has dropped as well. The administration's TANF waiver initiative continues on this success of promoting welfare to work. It is ludicrous for our Republican friends to try to get in the way of people working by their stopping this waiver initiative—an initiative, by the way, that the Republican Governors asked for. Bill Weld was a very successful Governor of Massachusetts on the issue of welfare reform. He wanted the waiver. He asked for the waiver, as did George Pataki of New York. They asked for the waivers, Republican Governors.

The President is not dropping welfare's work requirements. He is allowing the States to experiment. You would think our Republican friends would be entirely in favor of letting Governors experiment on getting people back to work fairly quickly. Secretary Sebelius has stated that the Department's goal is to accelerate job placement, requiring States to commit to a plan that will move at least 20 percent more people from welfare to work compared to the last marker of the State's performance. Let me repeat: a 20 percent increase in getting people on welfare to work from the last marker.

I must be missing something here. I sat through months and months and months of deliberation. We reached a compromise. Some of us were disappointed in parts of it, but the Clinton administration signed on. It

worked. Those are the facts, not opinions.

Mr. CAMP. At this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 890, to prevent the administration from gutting critical TANF work requirements which have been central to TANF's success over the past two decades.

President Clinton shared the belief that welfare reform should be about moving people from welfare to work, and the 1996 bipartisan welfare reform law he signed promoted work as central to these reforms. The TANF program's statutory work requirements have reduced poverty and welfare dependence for the program's recipients. Since the enactment of the 1996 welfare reform law with its work requirements, the number of individuals receiving welfare has dropped by 57 percent, and employment and earnings among single mothers has increased significantly.

In my home State of Arkansas, TANF success stories are based on the core work requirements. We've got the story of Suzette. When she started participating in Arkansas' Work Pays program, she was a single parent without child care or transportation. With TANF assistance and support from her caseworker, within 6 months, she was promoted to shift manager at McDonald's and then on to a career at Tyson Foods. Now Suzette is providing child care and transportation herself, and her self-sufficiency was made possible through this program's key work requirements. This success story is exactly why Arkansas has not requested a waiver from the work requirements. In fact, no State has requested a waiver.

The administration's unprecedented action of pushing the waiver idea is a fundamental unwinding of years of progress made toward work as the cornerstone of moving people from poverty to self-sufficiency. We must uphold TANF's statutory work requirements and protect Congress' constitutional authority to legislate. I encourage my colleagues to support H.R. 890.

Mr. LEVIN. I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), who is the ranking member on the Subcommittee on Human Resources with jurisdiction over TANF.

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, I believe in the value of work. That's one of the reasons that I voted for the 1996 welfare reform law, because I wanted to see more people move from welfare to work. Our laws need to encourage job opportunities, but in the effort that we have before us today, it seems to me that this legisla-

tion as proposed is less malevolent and more irrelevant to those poor people.

Because of the way the TANF program is currently structured, only about 1 percent of working-aged adults across America who are poor are participating in TANF work activities at any particular time. So, this afternoon, for 99 percent of the poor Americans who are not participating in TANF work activities, this bill is not all that significant. These are people who are struggling to get up the economic ladder at about the first rung. What happens and whether there are waivers or there are not waivers, I think they basically just feel that we've waved goodbye to their plight and are not responding to it in a constructive way.

It also is important to remember that we have a higher proportion of our population living near the bottom of the economic ladder today than when welfare reform was first enacted. In 2011, about 46 million American neighbors lived in poverty. About 350,000 of those lived in the San Antonio area. Amidst this poverty, amidst this growing inequality in resources in our country, we have the lowest level of poor children receiving direct cash assistance from TANF in almost 50 years. In my home State of Texas, one in every 20 poor children receives TANF assistance directly, and when children get assistance, they don't get very much.

As we look at the whole question of extending the TANF law, what we've had are only short-term extensions, not long-term reform. And each of these has provided some convenient political opportunities to reinforce the old welfare Cadillac stereotypes that just blame the poor for being poor. A previous extension we had out here focused on whether we would prohibit poor people from withdrawing any of their TANF benefits at a strip club or at a casino. It's not an unreasonable restriction, but it's hardly going to the core issue of how to get more Americans out of poverty and into the workplace, and I don't think today's bill helps in that regard either.

I believe that poverty should be viewed as a major national problem that needs a resolution by our working together and not viewed as a weapon to just score political points out of the last Presidential campaign.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. DOGGETT. I think the real poverty at stake today is the poverty of cooperation, that of seeking a bipartisan response to poverty, a poverty of balance that contributes to the many children and their parents who are out there and who are seeing so little progress.

If you evaluate the TANF program and how it has operated over the last decade and a half, based upon the num-

ber of poor people who have been denied assistance, it has been a tremendous success; but if you evaluate it based on how many poor people have moved out of welfare and into the workforce—into a job with a living wage that they're still in—I think the progress has been very spotty, at best.

The responsibility for those failures is shared broadly here in Washington and in the States, many of which just used the TANF resources to replace other things they were doing in the social service area. I believe that today's attempt to restrict State authority to strengthen welfare to work initiatives is totally contradictory with what's going on right now in the Budget Committee on block granting health assistance.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. DOGGETT. So, Mr. Speaker, rather than arguing over whether the States have all the flexibility they need, our goal ought to be: For the taxpayer and for poor Americans, how can we get more people into the workforce? And today's bill contributes little to that process.

Mr. CAMP. Mr. Speaker, I would just say that waiving the work requirement isn't going to get more people into work.

With that, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from New York (Mr. REED).

Mr. REED. Thank you, Mr. Chairman, for the opportunity to rise in support of this proposed legislation before us today.

I have been sitting here, listening to the arguments of my colleagues on the other side of the aisle, and I've heard conflicting messages. I've heard that this is an irrelevant piece of legislation, that it's not necessary because no one is requesting a waiver, that HHS and the administration have not engaged in a policy that allows waivers to occur; yet in the same breath, in the same argument, my colleagues on the other side of the aisle say, But many Republican Governors are asking for waivers from States in going forward.

The point is: this needs to be clarified. This needs to be firmly stated in our record and in the laws of the land that TANF requires a work requirement for our welfare program.

I am a firm believer in the work requirements as they empower our unemployed, our underemployed—the folks who need it the most—to have the skill sets and the resources to put them back to work for generations to come so as to take care of their children and the people who are below them in regards to their needs.

□ 1610

What I would say is any effort to send a conflicting message that somehow waivers are an acceptable policy should be fought on both sides of the aisle and rejected. That's why this legislation is necessary, and it is also necessary to get the reauthorization in place so that we can set the stage for a comprehensive, vigorous debate on welfare reform at the end of this 9-month reauthorization that this legislation does.

So I encourage my colleagues, this is not about a Presidential election; this is about firm, solid policy when it comes to our welfare rolls in America. This is about giving people the tools to get back to work, and that work under the welfare program makes sense and is good, sound policy. I urge my colleagues to join with us and support this reauthorization.

Mr. LEVIN. I now yield 2 minutes to the gentleman from California (Mr. THOMPSON), another member of our committee, and a most active one.

Mr. THOMPSON of California. Mr. Speaker, I thank Mr. LEVIN. I rise in opposition to this bill today.

The underlying premise of this bill has been roundly and routinely denounced by fact checkers. This bill is at best a solution looking for a problem. In 1997, I carried legislation in California to implement the Federal Government's welfare reform. It was the California welfare reform measure. We took our work seriously, and we took the work requirements in the Federal legislation seriously in California, and we worked across the aisle to adopt practical welfare reform. My bill was signed by the Republican Governor at the time, Governor Pete Wilson, and it's still being followed by the Democratic Governor of California today, Governor Jerry Brown.

Welfare reform in California has contributed to substantial increases in the employment of very low-income earners and markedly helped families in California move from welfare to work. Fifteen years later, the program caseload in California is roughly 60 percent of what it was in 1998, even in the face of this Great Recession that we're coming through.

Waivers can be an important tool to allow States the flexibility to run Federal programs in the most efficient and effective way, a tool used to move people from welfare to work, and it shouldn't fall the victim of politics. Every State is different—we hear that on this floor all the time. States should have the flexibility to do what they need to do in order to effectively and efficiently move people from welfare to work, and that's what this provision does.

And the idea that we're standing here today debating this, whether or not it should be expunged from the Federal tool chest, is purely politics, and it should not happen. I urge a "no" vote.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. YOUNG), a distinguished member of the Ways and Means Committee.

Mr. YOUNG of Indiana. Mr. Speaker, we spend a lot of time in this body talking about the need to be bipartisan. People rightly feel, I think, that things get too polarized around here. I think back to the mid-nineties when Republicans controlled the House. We had a Democrat President, and people back then thought things were a bit too polarized as well. Yet in the midst of that atmosphere, Bill Clinton and Newt Gingrich came up with landmark legislation to reform our welfare programs, and they did so in a bipartisan fashion.

One of the keys to the success of those reforms were the work requirement provisions that led to more jobs, bigger paychecks, and fewer people in poverty, children in particular. As President Clinton said at the time:

First and foremost, welfare reform should be about moving people from welfare to work.

As further proof that this is not a partisan issue, Republican or Democrat, I look to my own State of Indiana. Before the 1996 welfare reform law was passed, then-Governor Bayh, a Democrat, created similar work requirements for Hoosiers who received certain government benefits. Not only did Indiana's reforms ensure that those who needed assistance were able to receive it, but it also helped ensure that they were quickly back to taking care of themselves.

As Mr. Bayh later said:

The bottom line was trying to make someone self-sufficient. We were trying to achieve two values—one was the notion of community, and also responsibility.

Indiana's welfare-to-work initiative was a very successful program that remains a hallmark of his governorship.

With bipartisan consensus on this issue, and for all the talk in Washington about the need to be bipartisan, work across the aisle, it amazes me that HHS would unilaterally try and waive these work provisions. The welfare reform of the 1990s lifted millions out of poverty and put them on a path to self-sufficiency. It was a signature bill for bipartisanship in this town. Let's not undue these positive results by allowing HHS to gut key provisions of this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield the gentleman an additional 30 seconds.

Mr. YOUNG of Indiana. I urge all of my colleagues to vote in support of this bill.

Mr. LEVIN. I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), another distinguished member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, rarely have I been a fan of the

concept that one size fits all. Therefore, I find it necessary to not be in favor of this legislation. However, I am strongly in favor of TANF. TANF is a greatly needed program. It provides temporary assistance to needy families, and we need to try to make those programs as effective as we possibly can. TANF is designed to help people who may have become parents too soon. Their jobs may have gone out of business. They may have dropped out of school, don't have much in the way of formal education and training, and may even have a prison record.

In order to provide the most effective help, their State may need the flexibility to design and implement the best program they possibly can. They may even have clients who have three or four children and no husband or no wife. They may need babysitting help and cannot find it. They may need a waiver. I agree with the administration's position; and if a State determines that they can do a better job with the waiver, and Health and Human Services agrees, then they ought to be able to get one.

I've been told, and I believe, that if you give a man or woman a fish, they can eat for a day; but you teach them how to fish effectively, and they can eat for a lifetime. I disapprove of this restriction on this bill.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. SOUTHERLAND), a cosponsor of the underlying bill.

Mr. SOUTHERLAND. Mr. Speaker, I thank Mr. Chairman for yielding me time this afternoon.

I am proudly standing here as an original cosponsor of this bill, H.R. 890. I think today gives us an opportunity, Mr. Speaker, to speak with clarity and say once and for all, regardless of the interpretations and regardless of the arguments on this floor, that we require an individual, before they benefit and they take, that they must work. I think it is a very safe thing for us to do. It mirrors the culture of this country down through the years.

You know, I support these requirements because working is the best way to lift people out of poverty and give them the opportunity for earned success. I remember in my youth, my father, he clearly made us work. He made us understand the value of hard work. It wasn't a punishment; it wasn't cruel. He knew that through hard work that our character would be molded, and we would understand that through work and through the sweat of our brow that we would find the destiny for our own lives.

I think today what this body should do, and will do, is clarify that the work requirements of TANF is a good thing. These work requirements are bipartisan. We've all heard on the floor today the bipartisan effort between Republicans and Democrats alike during

1996. What we're saying is they were good then, and they are good today. Most importantly, I am pleased with what occurred back in the mid-nineties. When you're talking about almost 73 percent of those who were on welfare moved to work, that's a positive thing for the lives of the American people.

□ 1620

The administration's unprecedented actions are clearly circumventing this law and the will of the people, with over 83 percent of Americans today believing that these work requirements are a positive thing.

It's common sense, it's a self-evident truth: if you want a positive future, you must help create that, and part of that requirement is that you must work.

I urge my colleagues today to join me in supporting H.R. 890 because it returns us to the real work of helping people who need it most.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 15 minutes remaining. The gentleman from Michigan (Mr. LEVIN) has 15 minutes remaining.

Mr. LEVIN. I now with great pleasure yield 2 minutes to the gentlelady from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, let me thank the gentleman for yielding and for his tremendous leadership.

I rise in opposition to this TANF reauthorization bill that would deny States the opportunity to help put more unemployed people to work.

With 26 million working-age adults in America living below the poverty line, and millions struggling to stay afloat, I'm appalled that the House Republican priority is to bring to the floor a bill that further restricts the TANF program's ability to improve job outcomes and get people to work.

Funding for the TANF program has not kept pace with need. As a result, four out of five children living in poverty today are not being reached. Instead of targeting the President's reforms, which would actually increase flexibility for States, mind you, Congress should be focused on creating jobs and ladders of opportunity.

Now, I was on the conference committee that Congressman THOMPSON mentioned. I was in the California legislature, and I was on the conference committee that negotiated California's TANF program. And let me tell you, I voted against it. I voted against my own conference committee's report because, as a former welfare recipient myself, I didn't want to see more welfare recipients being penalized by a work requirement with no real effort and initiative and resources to help primarily women move from welfare to work.

This administration's reforms would correct for this, finally. It would create that flexibility that was needed then.

That's why yesterday myself, Congressmen RAÚL GRIJALVA, JUDY CHU, and EMANUEL CLEAVER, we submitted an amendment to restore the TANF Emergency Contingency Fund to further support our Nation's jobless workers and put people back to work.

It's not surprising that our amendment was ruled not in order by the Republican-controlled Rules Committee, but it does underscore the reality that Republicans are far more interested in scoring political points than they are in putting people back to work.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 30 seconds.

Ms. LEE of California. American families need a national strategy to end poverty, and this should be part of that. As chair of the Democratic whip's Task Force on Poverty and Opportunity, I'm working with all of our colleagues to advance that goal. Unfortunately, this reauthorization, though, takes us in the exact opposite direction.

We need to extend the TANF program, but this is not the way to do it. We need flexibility.

I urge my colleagues to vote "no" on this bill.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. RENACCI), a distinguished member of the Ways and Means Committee.

Mr. RENACCI. Mr. Speaker, I rise today in strong support of the Preserving the Work Requirements for Welfare Programs Act of 2013. This extension of the Temporary Assistance for Needy Families program not only provides families the resources they need to lift themselves out of poverty, but also maintains a valuable and bipartisan provision of the 1996 welfare reform law.

When first created, TANF was designated to get individuals back to work. Congress took further action in 2006 to strengthen work requirements after some States began counting activities like personal journaling, bed rest, and even weight loss as work activities.

Getting individuals back to work must remain TANF's purpose. However, HHS' unprecedented attempt to allow States to waive this work requirement has undermined this goal. These requirements were included in TANF for good reason.

If you're unemployed, maintaining your skill set is incredibly important to the company who wants to hire you. The longer you're out of work and the more your skills deteriorate, the less employable you are.

I can speak with some authority about this because I've owned and operated multiple businesses employing thousands of people. All things being equal, I would hire the individual who was most prepared to step into the position immediately.

So this is not about punishing those who are out of work. This is about giving those who are down on their luck the best chance to get back on their feet and start providing for their families again. If you speak to those that are out of work, that is what most will tell you they want: a chance to earn more money, help their family, and improve their situation in life.

I believe my colleagues on both sides of the aisle generally want to help those who are out of work. Instead of heated rhetoric, we should be focused on our common goal: providing much-needed assistance for the unemployed, while also helping them find the work they so desperately desire.

I ask my colleagues to come together and extend this important safety net, along with simple reforms that will ensure the program's effectiveness.

Mr. LEVIN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I thank the gentleman from Michigan (Mr. LEVIN).

I want to associate myself with all of the members from the distinguished Ways and Means Committee who have tried to explain to the majority authors of this bill that the waivers are narrowly offered and do not allow States to alter their work requirements.

These waivers would only be granted to those States who prove that they can quantitatively increase the number of their welfare beneficiaries who find and keep jobs. This waiver is in keeping with the Republican mantra of States' rights and allowing them to be flexible.

So we have heard a lot of hyperbole and exaggeration about what this does. And I think that really is in keeping with what we have heard about welfare reform since 1976, when Ronald Reagan trotted out the Welfare Queen, the woman who had 80 names, 30 addresses, and an annual income of \$150,000 when you count Medicaid and food stamps, and who drove around in a Cadillac.

So it's difficult to get people to listen when, as social and political scientists have said, these stereotypes have been driven for decades by gender and racial stereotypes. And I think that's what we're dealing with here today, Mr. LEVIN.

We are not going to hear the level of levity that we need because I think that the low-wage workforce benefits tremendously by women, and particularly women of color, working for nothing. So the prospect of them getting customized labor training, in lieu of wiping down a table in a diner, is a little bit more than they can stand.

You know, if, in fact, we're going to have true welfare reform where we're going to lift people out of poverty, then this bill is not the direction we should be taking.



Mr. CAMP. At this time I yield 2 minutes to the distinguished gentleman from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman for yielding.

Mr. Speaker, I rise today in support of H.R. 890 and preserving one of the most significant and successful Federal reform initiatives in the last 20 years.

Seventeen years ago, a Republican-led Congress worked with President Clinton to fix a broken welfare system. The bipartisan law that resulted established the Temporary Assistance for Needy Families block grant program. This law also required individuals to work, prepare for work, or look for work as a condition of receiving public assistance.

In the years following passage, the number of individuals receiving welfare dropped by a whopping 57 percent. The poverty level among single mothers fell by 30 percent, and I saw this in my practice as an OB-GYN physician. No question that it worked.

□ 1630

And this is while their income and earnings increased significantly. Poverty levels among young African Americans dropped to its lowest level in 2001. Last July, the Department of Health and Human Services issued an unprecedented guidance indicating that it would allow States to waive welfare work requirements. The law and the historical record are clear: the administration does not have this power.

But if there's any confusion, H.R. 890 will dispel it. This commonsense bill would prohibit the Secretary of HHS from moving ahead with this illegal waiver plan. More than 80 percent of Americans support the work requirements included in welfare reform, and this legislation ensures the hard work of the 104th Congress and President Clinton isn't undone by this administration.

Mr. Speaker, we should celebrate work in this country. We should help those who are down on their luck find a job—something all the House will do later this week when it considers the SKILLS Act. And for those Americans who need help, we should offer it—but not as a permanent entitlement.

I commend Chairmen CAMP, KLINE, and SCALISE, along with Mr. SOUTHERLAND, for their leadership on this issue, and I urge my colleagues to vote "yes" on this bill.

Mr. LEVIN. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

It is, and I think should be, the law in this country if you're able-bodied, you can't get welfare unless you work. That became the law in 1996.

Last year, two Republican Governors approached the administration and

said, Before we send people to work full time, what we'd like to do is get them some training. So instead of simply getting a job, a person gets a career so they make some more money and don't wind up back on the welfare rolls because they're in a string of entry-level jobs. And the administration said to those two Republican Governors, Well, we'll let you do that, but only if you can prove that the result of this experiment will be more people are working, not fewer. The only way you can get this waiver is if you can prove that there will be more people moving from welfare to work than under the present system. This makes perfect sense to me.

It's said around here all the time that Washington should not dictate the rules, that one size does not fit all, and that some of the best ideas come from our State capitals and local officials. If you believe those things, as I do, then you should vote against this bill. Because what this bill says is there will be no waivers, under any circumstances, for any Governor, whether it makes sense in their State or not. Keep this in mind.

Under the administration's policy, you can't get a waiver unless you can prove that more people move from welfare to work than under the present system. This is common sense. It's federalism. It lets the States do what they think is best under the right circumstances. And we should vote "no."

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Thank you, Mr. Chairman.

Mr. Speaker, welfare work requirements have helped Michiganders and millions of Americans reduce their dependency on government assistance and get back on their feet again, and that's a good thing. And that, for many people, is the American Dream.

In the 1990s, while serving in the Michigan Legislature, I had the privilege of cosponsoring legislation that did this very thing in promoting workfare and edufare that ultimately became, arguably, the pattern for the 1996 Federal reform. It changed lives. We had welfare recipients who were completely reliant on government now given hope. I'll never forget the single-parent mother who was on welfare for most of her adult life and said in a public service announcement that she asked to be involved with, after going on edufare and then workfare, I was angry when I was first approached with this requirement. Now I can only say it changed my life. It not only changed my life in developing self-sufficiency, but it changed my family's life. They know that they can indeed make it on their own.

Those were illustrations that we experienced; and I saw how it worked in Michigan and then later in our country

as a whole after the 1996 reforms. Unfortunately, last July, the Obama administration offered guidance that would undermine this requirement. Without consulting Congress, and despite bipartisan support for work requirements, the Department of Health and Human Services began moving forward this agenda. Congress should repeal the HHS's waiver plan and prevent the administration from waiving the work requirements. It's the right thing to do. It's time to move past this waiver debate so we can move forward with building a stronger, sounder TANF program that promotes self-sufficiency and positive action.

Please join me in supporting H.R. 890.

Mr. LEVIN. It is now my pleasure to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the floor leaders for their hard work, but I have another explanation for where we are today.

My colleague before me indicated that flexibility is important. It means that we, your Representatives, are listening to you. But I'm listening to more voices than just those who are here on this floor. I'm listening to the voices of those who want to get out of poverty, and I'm delighted to be part of a newly established caucus that focuses on eliminating poverty.

I was here for the first reform bill, and I do believe there's something important about work; but let us understand that when we talk about poverty, we're talking about children, we're talking about parents who are raising children and who may need to be home. We've always made the argument that mothers working at home is work.

I'm disappointed in this legislation primarily because it takes the flexibility away from Governors to determine how best to get people back to work. But why don't we bring a bill to the floor to raise the minimum wage from \$7 to \$9? Why do we not listen to people who say, I barely can make it, such as one of my constituents who said, Not only am I at minimum wage, but they require me to pay for my parking. Can I please get a lift?

Or maybe we're not aware of title 3 in the housing act that has people in public housing being able to work, which was an amendment that I offered to that particular title to allow those to work on projects that the housing authority has. My housing authority just told me that people are lining up to work. They have people working.

So this is not about making people work. It's about ignoring and picking on, again, President Obama's administration because they decide to listen to Republican and Democratic Governors to work on behalf of the American people. Let's get it right. Let's talk about getting people out of poverty. Let's raise the minimum wage. Let's talk about the flexibility so that people can

work. Because they want to work. I haven't heard anybody that doesn't want to work. But realize if you are getting TANF, you're getting it because of your children, because of some situation that puts you in a place that you hope to get out of.

I don't think it is the right thing to do to strangle the hands of the administration doing what the American people would like them to do. Let's vote against this legislation.

Mr. Speaker, I rise this afternoon to simply express my disappointment in H.R. 890, The Preserving Work Requirements for Welfare Programs Act of 2013, which it actually does not do.

I had an amendment prepared which would simply make the effective date for this bill of December 2035. This is not a whimsical attempt to delay implementation; but merely an expression of my frustration that Members on the other side have come to disagree with policies which their Caucus, past and present, helped to create and foster.

In 2012, the Department of Health and Human Services announced that it would consider requests from the states to operate demonstration projects within the Temporary Assistance for Needy Families (TANF) program to help recipients prepare for, find and maintain employment.

The effort was partially a response to requests from governors throughout the United States—including many Republican governors—asking for just such flexibility to operate TANF. The Secretary of HHS has stated that any governor wanting such a waiver must commit that their proposal will move at least 20 percent more people from welfare to work.

Rather than embrace the Administration's efforts to provide states flexibility, however, Republicans in Congress have waged a disingenuous campaign against the waiver proposal, drawing rebukes from fact-checkers.

On Feb. 28, House Republicans introduced H.R. 890 to prohibit the Administration from granting such flexibility to states. The bill was unanimously opposed by my Democratic colleagues during a Committee markup held on March 6, 2013.

This year's action comes after Republicans took nearly identical action last fall. After passing it out of the Ways and Means Committee against unanimous opposition from Committee Democrats, House Republicans passed a resolution disapproving of the Administration's flexibility plan on Sept. 20, 2012.

Let's look at some facts:

**Same Waiver Authority Used by President Clinton**—On July 12, 2012, HHS issued guidance that it was exercising the agency's authority under Section 1115 of the Social Security Act to entertain requests from States to conduct demonstration projects under the Temporary Assistance for Needy Families (TANF) program. A legal analysis from the Congressional Research Service (CRS) found that HHS' current waiver initiative is "consistent" with the prior practice under the Clinton Administration, which permitted dozens of welfare waivers prior to the enactment of the 1996 welfare law.

**Projects Must Focus on Increasing Work**—The HHS notice clearly and repeatedly states

that all demonstration projects must be "focused on improving employment outcomes." Such outcomes must be demonstrated by a rigorous evaluation, and states must meet targets for accelerating job placements for welfare recipients.

**Cutting Red Tape and Increasing Performance**—Governor Herbert of Utah, a Republican, informed HHS that his state would like to be evaluated on the basis of the state's success in placing welfare recipients into employment, rather than on their participation in certain activities, and that this approach "would require some flexibility at the state level and the granting of a waiver."

**Providing States with Flexibility, While Holding them Accountable**—HHS Secretary Sebelius has stated, "the Department is providing a very limited waiver opportunity for states that develop a plan to measurably increase the number of beneficiaries who find and hold down a job."

Specifically, Governors must commit that their proposals will move at least 20 percent more people from welfare to work compared to the state's past performance."

**No Effect on Funding Levels or Time Limits**—Nothing in the waiver authority applies to the current five-year federal time limit on TANF assistance. Additionally, demonstration projects will in no way affect the fixed block grant amounts now provided to states under the TANF program.

**Republicans Were For Welfare Waivers Before They Were Against Them**—In 2002, 2003, and 2005 Republicans passed legislation on the House floor that included a provision allowing the waiver of TANF work requirements. While these waiver proposals were broader and affected many more programs than the policy now proposed by HHS, the Congressional Research Service confirms that all of these bills "would have had the effect of allowing TANF work participation standards to be waived" Chairman CAMP, along with Speaker BOEHNER and Representative RYAN, voted for all three of these bills.

**Claims that Waivers Remove Work Requirements Are Clearly False**—President Clinton, who signed the 1996 welfare reform law, said "When some Republican governors asked if they could have waivers to try new ways to put people on welfare back to work, the Obama administration listened because we all know it's hard for even people with good work histories to get jobs today. So moving folks from welfare to work is a real challenge. And the administration agreed to give waivers to those governors and others only if they had a credible plan to increase employment by 20 percent, and they could keep the waivers only if they did increase employment. Now, did I make myself clear? The requirement was for more work, not less."

Ron Haskins, the lead Republican Congressional staffer in charge of drafting the 1996 welfare reform law, has said "there is merit to what the Administration is proposing," and "I don't see how you can get to the conclusion that the waiver provision undermines welfare reform." Politifact declared that Governor Romney's claim that the waiver proposal would eliminate work requirements for welfare recipients was "pants on fire" false. The fact checker said the contrary was true, stating:

"by granting waivers to states, the Obama administration is seeking to make welfare-to-work efforts more successful, not end them."

FactCheck.org says Romney's claims on the issue "distorts the facts" and is "simply not true." It reiterates that work requirements are not being dropped under the waiver proposal, and that "benefits still won't be paid beyond an allotted time."

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman for yielding, and I appreciate his hard work on this.

Mr. Speaker, Hoosiers understand that welfare checks are not a substitute for paychecks. Last year, President Obama's administration really undermined commonsense and time-tested reforms by trying to weaken work requirements that were created in the 1996 bipartisan welfare reform law. These work requirements helped lift Americans out of poverty and into the workforce. In just 5 years, welfare dependency was nearly cut in half, more single mothers found jobs, and child poverty fell drastically. Unfortunately, President Obama's decision to reverse course will drive up government spending without doing anything to lower unemployment.

Growing up on a farm in northern Indiana, I learned at a very young age that a good neighbor is someone who will roll up their sleeves to help someone pick themselves back up, that neighbors look out for neighbors, friends look out for friends, and family looks out for family. And that's exactly the commonsense approach that Chairman CAMP's bill takes.

This legislation extends assistance to fight poverty by restoring the work requirements that made welfare reform a success in the 1990s. I appreciate and applaud Chairman CAMP for introducing this legislation to help American families without creating a permanent subsidy. Americans want to work, but we need to make sure that they have the skills and they're capable and willing to perform the jobs that are provided to them in their communities.

□ 1640

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 7 minutes remaining. The gentleman from Michigan (Mr. LEVIN) has 6½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, at this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding, and for his leadership on this very important issue.

Mr. Speaker, today, the House will act to protect our Nation's welfare-to-



work programs, which have been enormously successful in moving millions of Americans out of poverty, off government dependency, and into jobs since 1996. Following the implementation of welfare-to-work requirements, the number of individuals receiving welfare dropped by 57 percent, poverty among single mothers fell by 30 percent, and child poverty decreased dramatically.

Welfare reform laws specifically forbid any administration from changing the work requirements without congressional approval. The current administration has ignored this and attempted to waive the work requirement, which would destroy critical aspects of welfare reform and years of progress.

With the passage of H.R. 890, the House will block the administration's controversial waiver plan, and in the days ahead I hope the administration will work with Congress, instead of around it, to strengthen the TANF program and help low-income families achieve financial independence.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

It's so ironical it's worse than that. The Republicans are in their budget saying, "let's block grant Medicaid and all nutrition programs and send back those programs entirely to the States in the name of flexibility." And now they come forth arguing that the proposal of this administration to provide flexibility to the States, if requested, and if it increases work participation 20 percent, they throw up their hands and say, "no." It's worse than contradictory.

CRS has made clear the following:

The Secretary's interpretation of her current authority under section 1115 with regard to waivable TANF provisions under section 402 appears consistent with the Secretary's practice under the same provision as it existed under the AFDC program.

TANF is going to be extended. We don't need to do it with this provision that harks back to the campaign. The 20 percent requirement, the Secretary made clear, it isn't waiving the work requirement; it's letting the States implement it. It was requested by the Governor of Utah, a Republican.

Bill Clinton has been mentioned so often. And I just urge everybody to listen to what he said. It strengthens the work requirements:

The requirement was for more work, not less.

So to come forth here and say that it weakens it is fallacious, to put it mildly.

Do you know what this is in a few words? This is an effort in 2013 to validate a fallacious political ad of the year 2012. And that's worse than unhappy when this place is searching for some ability to work together.

The election is over. Let's get on with the work ahead of us.

Mr. Speaker, I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I would just say—as other speakers have mentioned—the 1996 welfare reform law has been tremendously successful. It has lowered welfare rolls, it has lifted people out of poverty, it has reduced poverty for single mothers, and reduced poverty for children. And before that, before we had the 1996 welfare reform law, whether times were good or bad, welfare rolls only increased.

Clearly, the welfare reform law has been successful. Frankly, we need to protect the law from this administration, because what this administration wants to do is undermine the work requirement in welfare.

And what are we talking about here? The work requirement is really that only half of the welfare caseload has to be in work. That means for the other half, States have ultimate flexibility to determine how to move those people into job readiness and to work. For the half of the people that need to be in some form of work requirement there are 12 definitions of what is work in the law. Let me just list those off:

Subsidized private employment, subsidized government employment, job search, community service. You can be in community service and that qualifies for work.

Work experience, on-the-job training. If you're getting training related to your job, that counts as work.

Vocational education. So you can be training in a vocational discipline and still have that qualify for work.

Caring for the child of a TANF recipient in community service. So you can care for somebody else's child and that counts as work. And we're only talking about half of the welfare caseload.

Job skills training, education related to employment, completion of secondary school. That all counts as work.

Let's look at the Statement of Administration Policy. They say that no States have formally applied for waivers. No States are asking for this because they already have tremendous flexibility.

But let me just say, if you're going to change the law—and what this administration is trying to do is change the law—you don't just send a letter, or what they're calling an information memorandum. What is that?

Frankly, when the Government Accountability Office looked at this, they said they can't do business this way. This is a rule. And to follow a rule they need to follow the Congressional Review Act, they need to follow the law. And the law says they need to notify Congress, which they did not do. This is something they did on their own.

So on many levels we need to turn this around. They've entered into a gray murky area that we really don't

know what they're doing, whether it's legal or not, whether States will have authority to do this or not. Given that the law was explicit that there is no waiver of this work requirement, given that this work requirement was a condition for States getting a cash payment, a block sum amount in welfare, and given the flexibility that was written into the law, it's very important that we make this clear.

Frankly, I think my friends on the other side should be joining Republicans in protecting the constitutional authority of the Congress to make the laws, not the bureaucrats at the Department of Health and Human Services. So I would ask my friends, vote for this bill, support the work requirement, support the ability of the Congress to make the laws under the Constitution of the United States.

Mr. Speaker, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I am voting against H.R. 890 because it, just like nearly identical legislation brought before the Ways and Means Committee last year, is based on partisan charges that have been widely discredited by independent fact checker. It would also block new and innovative ways to move more people from welfare to work. At a time when Congress confronts so many pressing issues, not the least of which is preventing the misguided cuts in the sequester from hurting our economy, H.R. 890 is a step in the wrong direction.

H.R. 890 prevents the administration from pursuing flexible, innovative ways to return people to work. As Health and Human Services Secretary Sebelius informed our committee, "the Department is providing a very limited waiver opportunity for states that develop a plan to measurably increase the number of beneficiaries who find and hold down a job. Specifically, Governors must commit that their proposals will move at least 20% more people from welfare to work compared to the state's past performance."

The Congressional Research Service (CRS), in reviewing the administration's authority to permit demonstration projects, found that the current waiver initiative is "consistent" with prior practice. The CRS review found that dozens of waivers for demonstration projects have been approved in the past when their subject matter has been referenced in Section 402 of the Social Security Act (just as the administration currently proposes). CRS also found nothing in the law bars Secretary Sebelius from providing waivers related to employment activities in the Temporary Assistance for Needy Families program.

H.R. 890 seems more focused on politics than on policy. On that basis, and because it would impede progress in helping more welfare recipients move into work, I oppose this legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise in opposition to H.R. 890—Preserving Work Requirements for Welfare Programs Act of 2013.

This bill prohibits the Secretary of HHS from using longstanding authority to issue waivers that allow states to conduct demonstration

projects under the Temporary Assistance for Needy Families (TANF) program. It also reauthorizes the TANF program through December 31, 2013.

In Texas over 68,000 families receive TANF benefits. TANF is a block grant program to help move recipients into work and turn welfare into a program of temporary assistance.

In order to receive the maximum TANF benefit, families must be in compliance with work requirements and no one may remain on TANF for more than 60 months. Federal TANF law requires states to penalize families that fail to meet these requirements.

In response to a request from a bipartisan group of governors for more flexibility, the Obama Administration said the federal government would consider waiving existing work participation requirements for states that were experimenting with "new, more effective ways" of helping welfare applicants find work, "particularly helping parents successfully prepare for, find, and retain employment."

The Administration hasn't gotten rid of the work requirement or laid out a new theory of what it ought to include. It has given states the ability to seek executive branch approval for new methods.

This legislation is not needed, for no state has requested a waiver. This is the second time this bill has been introduced, as a solution to a problem that doesn't exist.

The House should focus on extending TANF benefits to needy families in the country.

Mr. CONYERS. Mr. Speaker, I rise today in opposition to H.R. 890. I urge members of both parties to oppose this legislation, which in only a few pages demonstrates all that is wrong with Washington—politicians putting partisan concerns ahead of constructive policy. Governors from several states have overcome partisan differences to support the waivers H.R. 890 wishes to eliminate. Let us follow their lead and defeat this legislation together.

H.R. 890 is a simplistic bill. It prohibits the Secretary of Health and Human Services from giving effect to the July 2012 guidance that granted states waivers regarding the design of Temporary Assistance to Needy Families (TANF) programs. It also prohibits further experimentation, banning pilot programs or demonstration programs that could potentially revolutionize TANF, making it more effective and less costly. Though these changes seem small, they can mean a world of difference for families in need of the training and educational opportunities that new approaches to TANF could provide.

Mr. Speaker, this legislation is one of the most remarkable pieces of work that I have ever seen considered on this floor. Not because it is such a bad piece of policy. Not because of how abominably it misrepresents the current state of federal and state practices. Not even because we are still litigating a claim which was dreamed up by a failed presidential campaign last summer, and which was roundly rejected by the American people.

No, Mr. Speaker, this legislation is remarkable because my friends across the aisle are demanding that we wrest control from the states in favor of a more inflexible and inefficient approach. The claims of federalism invoked by my Republican colleagues in so many of legislative battles I have witnessed over the years are nowhere to be heard.

Mr. Speaker, H.R. 890 is wrong—and it is wrong for all the wrong reasons.

Despite H.R. 890's claims, the waivers granted to TANF program operators in July 2012 do not weaken TANF's work requirements—they strengthen them. These waivers provide states with the opportunity to determine what works best for them. These waivers allow states to experiment with alternative employment and training programs that reflect the varied problems confronting TANF recipients who wish to join the work force. Successful programs can then be replicated in other states and limited resources can be stretched further to ensure more effort is expended finding jobs instead of complying with red tape.

Despite what H.R. 890 presumes, these waivers won't lead to TANF recipients laying on hammocks, but rather are the key to unlocking the potential of men and women who want their own piece of the American dream. The waivers will allow program officials to provide the training and education necessary for many beneficiaries to join the ever more competitive labor market. Further, they will allow states to tailor their programs to the specific demands of their local economies, and ensure that TANF continues to improve in its mission to see recipients become self-sufficient. This—Mr. Speaker—is what good government looks like. This—Mr. Speaker—is why Republican and Democratic governors across the nation support these waivers.

Mr. Speaker, I want to ask my friends across the aisle to put aside partisan concerns for just this moment and vote their conscience on this matter. I want them to ask whether they can in good conscience continue to oppose these commonsense reforms simply because it plays well with the fringes of their party. I want them to consider what it will sound like next time I hear from them that the federal government is too large and should cede more authority to the states. I want them to consider what people will hear when they claim to favor state solutions to national problems. Quite simply I want them to consider their professed principles instead of partisan politics—for if they do, they cannot support H.R. 890.

I urge everyone, Democrat and Republican, to vote "no" on H.R. 890. We've litigated this long enough—lets finally put it to rest.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I must express my profound surprise by the Republican effort to undermine state flexibility to strengthen work outcomes for people who receive TANF. In contrast to prior Republican support for such TANF waivers, in contrast to longstanding Republican advocacy for greater state flexibility, and in contrast to the reality that the TANF waivers would actually accelerate job placements and dramatically improve work outcomes, the current Republican rhetoric jettisons past support for state flexibility to improve TANF outcomes and disingenuously charges the Administration with gutting welfare reform. It is in states' best interests to improve the work outcomes of their citizens, which is why Republican and Democratic governors have asked for the type of flexibility provided by the Administration's waiver.

Under current rules, a state can meet its work requirement even if no recipient finds a

job. In contrast, approved demonstration waivers explicitly would focus on improving employment outcomes. Under current rules, states spend very little of their TANF funds on work activities and substantial resources monitoring participation in activities. In contrast, approved demonstration waivers would help states make more effective and efficient use of limited resources. Under current rules, people are discouraged from getting a high school diploma or GED, even though they're more likely to find good jobs with such education. In contrast, approved demonstration waivers would allow states to focus on building a better skilled workforce.

Under current rules, people working in subsidized jobs don't count toward the state's work rate. In contrast, Illinois boasted one of the most successful subsidized employment programs in the nation while using TANF Emergency Funds. The program directly placed almost 30,000 unemployed and underemployed adults in jobs that paid approximately \$10 per hour, putting almost \$9 million dollars into the pockets of hard working Illinoisans and into the economy. Almost 5000 employers in Illinois benefited.

Why Republicans would oppose innovative programs to help the unemployed get solid jobs is simply puzzling. Rather than advancing political theatre, the Republicans should be working with Democrats to replace the across-the-board spending cuts, strengthen the middle class, create jobs, expand our economy, and responsibly bring down the deficit. It is these proactive steps at governing that my constituents seek.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to H.R. 890, the Preserving Work Requirements for Welfare Act of 2013. This legislation would overturn the Administration's proposal to allow states greater flexibility to help more Americans move from welfare to good jobs. Several states have requested this flexibility, including some states with Republican governors and legislatures. This is a politically disingenuous bill which only prevents Congress from devoting our time to finding actual solutions to lowering our unemployment rate.

As a condition of receiving federal TANF funding, states are required to document the number of hours that welfare recipients spend in paid jobs, voluntary work, or other activities directly related to finding employment. Many states have argued that the current law's requirements are onerous and counterproductive to helping welfare recipients find work to lift their families out of poverty.

In response to state feedback, the Administration proposed a program to allow states to use alternate, outcome-based measures for job placement, rather than relying solely on numerical work participation standards. This waiver would give states the flexibility needed to improve the effectiveness of TANF programs by focusing on the outcomes that matter to our families. The Administration's waiver program has strict requirements to hold states accountable for making measurable progress in job placement.

I urge my colleagues to oppose H.R. 890, which would hinder states' autonomy and flexibility in finding solutions that work for their residents. Instead of wasting time on partisan

proposals, we must work across the aisle to find real solutions for working families in my Dallas district and across the country.

Mr. DINGELL. Mr. Speaker, I am disappointed to say that I must rise today in opposition to this legislation. Yet again, the House is taking programs that should enjoy bipartisan support—such as the Temporary Assistance for Needy Families—and adding such partisan provisions that make it wholly impossible to support.

In July 2012, the U.S. Department of Health and Human Services (HHS) issued a memo outlining a program for States to consider that would allow for demonstration projects to test alternative job placement performance measures for Temporary Assistance for Needy Families (TANF) recipients. This was in direct response to the requests from at least 29 States who wanted more flexibility on how they measured work participation. Many of these States requested a waiver so they could focus on more outcome-based measures, rather than job placement rates. The memo released by HHS outlines specific conditions that must be met by a State to receive a waiver: a clear and detailed explanation of how the alternative proposal would increase employment by 20 percent, as well as show that there are clear, measurable goals for work placement.

Unfortunately, my Republican colleagues would have you believe that the Administration is gutting the work requirements under TANF. This could not be further from the truth. In fact it should be obvious to any honest man who is not blind that this proposal does not waive the work requirements. Rather, this is the Administration being responsive to the needs of the States and providing them with more flexibility to test which strategies they think will work best for their residents. This type of State flexibility is routinely called for by Republican colleagues in federal programs, and now that this Administration has embraced the concept, my colleagues want to claim that welfare recipients will be able to stay on welfare and not work. In my experience, when the Administration has heard your complaints and takes the steps necessary to address these complaints you claim victory.

TANF is a necessary and important program that will give families who are struggling a hand-up, not a hand-out. I wish I could vote to reauthorize it today. But I cannot support a baseless partisan measure targeting flexibility for the States to improve this program. As President Clinton said, "The requirement was for more work, not less."

I urge my colleagues to reject this nakedly political legislation. Let's do the business of the American people in an honest, thoughtful, and proper way. I would remind my Republican colleagues that you are entitled to your own opinion, but you are not entitled to your own facts. The facts are that the Administration's proposal would increase work requirements and increase the ability of Americans to get back to work.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 107, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1650

#### MOTION TO RECOMMIT

Mr. ENYART. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ENYART. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Enyart moves to recommit the bill, H.R. 890, to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**SEC. \_\_\_\_.** **PROTECTING UNEMPLOYED PARENTS, INCLUDING VETERANS, WOMEN, VICTIMS OF NATURAL DISASTERS, AND GRANDPARENTS WHO ARE RAISING THE CHILDREN OF MEMBERS OF THE UNITED STATES ARMED FORCES.**

Nothing in this Act shall prohibit or limit a State which is receiving funds under section 403 (a)(1) of the Social Security Act from providing assistance, job opportunities, or educational training authorized in this Act, for—

(1) unemployed parents, including veterans, women who are victims of domestic violence, and victims of natural disasters; or  
(2) grandparents caring for children who have a parent who is, or who had a parent who died while being, a member of the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

Mr. ENYART. Mr. Speaker, I haven't been in Washington very long. Like so many in southern Illinois and across our Nation, I answered the call to serve. I grew up in a household where I was taught the importance of fairness, duty, and honor. Whether it was walking the beans on my grandparents' farm or working with my father on the line at Caterpillar, I understood the importance of hard work, fair pay, and taking responsibility for myself and our family.

When I was 19, I enlisted and arrived for duty at Scott Air Force Base, a vital component of our national security and major employer in the district I now represent. For 35 years, I served in the military. For the past 5 years, I served as the Adjutant General of the Illinois National Guard, where I led our response to natural disasters and oversaw the largest deployment of Guard troops since World War II. Serving alongside those 13,000 soldiers and airmen and hundreds of civilian employees proved to me that the resiliency of Illinoisans, whether recovering from floods, ice storms, or earthquakes, or coming together as a community to support our service men and women overseas, is unparalleled.

Today, I offer the final amendment to the bill. It will not delay nor kill the bill nor send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

From my experience as an enlisted man to that of commander of the Illinois National Guard, I'm concerned about how this bill interferes with States' rights and might unfairly affect unemployed veterans and their families, victims of domestic violence, and victims of natural disasters, as well as grandparents caring for children whose parents are deployed.

In January, families in Sparta, a town I represent in southern Illinois, had the joy and blessing to welcome home over 150 soldiers with the Guard's 661st Engineer Company and 662nd Engineer Fire Fighting Detachment from Afghanistan. I was the commander who signed their deployment orders and sent them into harm's way. I was honored to see their safe return. For many of these men and women, their return means making a young family whole again. They could not have borne their responsibilities in Afghanistan without support from grandparents, spouses, and a community like Sparta.

That's why I'm so alarmed by this bill in its current form. Why would Congress seek to make it more difficult for a single parent or grandparent to care for children while their mother or father is deployed overseas? Is that the message we want to send our troops, that their service is a burden to those back home?

For our veterans in Sparta and across the Nation facing new, sometimes heartbreaking challenges in their transition to civilian life, know that the promises we made to them are on the line. For us in southern Illinois, I'll be blunt. We need jobs.

Southern Illinois hasn't seen an economic recovery yet. Out of 102 counties in Illinois, six in my district in southern Illinois are among those struggling most, with more than 20 percent of families trying to make ends meet on incomes less than \$23,000 a year.

The fact is that our heroes, our veterans returning home, don't necessarily have jobs waiting for them. That's why this bill in its current form is so out of touch with the realities that our veterans face. Instead, Congress is telling our veterans and our military families: your service isn't good enough. You haven't done enough for our Nation. Once again, Congress has gotten it wrong.

Another example, in Illinois we don't qualify assistance for victims of domestic violence. That's why I have to ask, given the critical need for us to responsibly reduce the deficit and actually work on improving our economy, why would Congress focus on questioning the expertise and recommendations made by my State or any other?

Where I come from and where I'm proud to represent, we all share the

southern Illinois values of hard work, integrity, and fairness. Veterans and military families, victims of domestic abuse, communities overcoming natural disaster, like Harrisburg, Illinois, these are the good people who shouldn't be pawns of politics in Congress, and we owe them the assurance that this bill will not reduce critical assistance.

I urge my colleagues to stand by our veterans and military families. I urge them to consider honoring our home State's authority. I ask they pass this commonsense amendment to invest in the resiliency of our communities.

I yield back the balance of my time

Mr. CAMP. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. I have to say, Mr. Speaker, this is one of the most unnecessary and meaningless motions to recommit I've seen in my time in Congress. The definition of who's eligible for TANF is left to the States. So the idea that somehow this motion to recommit singles out unemployed parents, TANF applies to unemployed parents. TANF applies to people that are veterans. TANF applies to people who are grandparents. It's about getting the unemployed jobs.

So I have to say, I'm puzzled by this. It seems totally political and completely unnecessary. None of these groups mentioned in this motion to recommit are excluded from receiving TANF benefits.

What this is about is not weakening the work requirement. I understand why the administration may want to weaken the work requirement since their record on job creation is so atrocious. But the fact is that States have tremendous flexibility here. Half of the caseload doesn't have to meet the work requirement. They can be engaging in whatever activity or no activity the State determines. The other half has 12 different categories, including vocational training and other job readiness activities, that will qualify as work.

This is a straight extension of current law. This is an extension of current law that has proven extremely successful. Let's not weaken the requirement. Let's extend the welfare program, the TANF program, at current levels, and let's get people back to work.

I yield back the balance of my time.

Mr. REICHERT. Mr. Speaker, in addition to Chairman CAMP's arguments against the Motion to Recommit, the following are additional reasons for opposing this motion.

1. Totally unnecessary and obviously political. The States already have complete flexibility to decide which needy families with children to cover. So States can and should place a priority on the groups the MTR specified—the unemployed, veterans, victims of violence, grandparents, as well as anyone caring for

children with financial need. Democrats argued in the general debate on H.R. 890 that States should be trusted when it comes to the work requirements and that States should have virtually unlimited flexibility in implementing them. Why do they think in their MTR that States cannot be trusted when it comes to the even more elemental issue of whom to cover with TANF assistance? The answer is the MTR is an obviously political statement in search of a problem.

2. Potentially harmful. Current law includes a broad provision allowing States to screen for and identify victims of domestic violence and then create special programs and services designed to address their needs, such as waiving time limits, child support cooperation and related requirements as appropriate. Many States have done so. The MTR, coming afterward, suggests that "Nothing in this Act shall prohibit or limit" States from "providing assistance, job opportunities, or educational training" for "women who are victims of domestic violence." Why is this necessary? Are the current law protections applied by States, which would be extended for nine months under H.R. 890, not sufficient? Are States implementing them poorly or not at all? The MTR does not say. But given that the current protections afforded by States may be broader than the short list of protections in the MTR, is the MTR supposed to be limiting on States in terms of how and what they provide in terms of special help for such individuals? Again, the MTR does not say, creating confusion and potentially narrowing protections for a sensitive group.

3. Restoring the individual entitlement to welfare benefits—regardless of income? The MTR suggests a fundamental change in the nature of the TANF program. States must now spend TANF funds on "needy" families with children, with States defining financial need. However, the MTR suggests that "Nothing in this Act" (which if added to the underlying bill would mean effectively the TANF program) "shall prohibit or limit" States from providing "assistance" to "unemployed parents" or "grandparents" caring for the children of individuals in, or who died while serving in, the Armed Forces. It does not State that such adults and families must be "needy." While many of these families will no doubt be "needy" by States definition, not all will be. Yet the MTR says that all must receive "assistance" (which generally means a welfare check) from the TANF program. Is it really the intention of the authors of the MTR to require the payment of welfare checks to families that are not "needy"? This smacks of a return to the pre-TANF era when there was an individual entitlement to welfare benefits in Federal law, which was a key impediment to States' engaging low-income families in work and productive activities needed to help them support themselves. Even worse, especially given the capped nature of TANF funds, requiring States to provide welfare checks to households in which one parent may be unemployed, for example, while the other works full-time in a high-paying job, would certainly diminish funds available to assist truly needy families with children.

4. Points to other key flaws in the Administration's waiver proposal. When Ways and

Means staff reviewed HHS internal documents about their waiver plan on February 8, 2013, one of the key findings was that HHS staff has long believed the Secretary has the authority not only to waive work requirements for welfare recipients, but also other key program features like time limits and even the requirement that States must limit TANF benefits to families that include children. Yet the MTR, whose supporters argued in support of the Administration's waiver authority, lists supposed protections for parents and grandparents caring for children. Which begs the question—do supporters of the Administration's waiver authority and MTR want to allow States to pay welfare checks to single adults without children, as the Administration believes it has the authority to do? Or do they think that TANF assistance should continue to be payable only to families with children, as current law provides and the MTR seems to suggest?

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. ENYART. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 199, nays 230, not voting 2, as follows:

[Roll No. 67]

YEAS—199

Andrews	Davis, Danny	Horsford
Barber	DeFazio	Hoyer
Barrow (GA)	DeGette	Huffman
Bass	Delaney	Israel
Beatty	DeLauro	Jackson Lee
Becerra	DelBene	Jeffries
Bera (CA)	Deuth	Johnson (GA)
Bishop (GA)	Dingell	Johnson, E. B.
Bishop (NY)	Doggett	Jones
Blumenauer	Doyle	Kaptur
Bonamici	Duckworth	Keating
Brady (PA)	Edwards	Kennedy
Braley (IA)	Ellison	Kildee
Brown (FL)	Engel	Kilmer
Brownley (CA)	Enyart	Kind
Bustos	Eshoo	Kirkpatrick
Butterfield	Esty	Kuster
Capps	Farr	Langevin
Capuano	Fattah	Larsen (WA)
Cárdenas	Foster	Larson (CT)
Carney	Frankel (FL)	Lee (CA)
Carson (IN)	Fudge	Levin
Cartwright	Gabbard	Lewis
Castor (FL)	Gallego	Lipinski
Castro (TX)	Garamendi	Loeb sack
Chu	Garcia	Lofgren
Ciulline	Grayson	Lowenthal
Clarke	Green, Al	Lowe
Clay	Green, Gene	Lujan Grisham
Cleaver	Grijalva	(NM)
Clyburn	Gutierrez	Luján, Ben Ray
Cohen	Hahn	(NM)
Connolly	Hanabusa	Maffei
Conyers	Hastings (FL)	Maloney
Cooper	Heck (WA)	Carolyn
Courtney	Higgins	Maloney, Sean
Crowley	Himes	Markey
Cuellar	Hinojosa	Matheson
Cummings	Holt	Matsui
Davis (CA)	Honda	McCarthy (NY)

McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson

Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman

Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NAYS—230

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry

Fox  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinsinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCaul

McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Scalise  
Schock  
Schradler

Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

NOT VOTING—2

Costa  
Lynch

□ 1735

Messrs. NUNES, JOYCE, Mrs. MCMORRIS RODGERS, Messrs. CREN-SHAW, CARTER, COTTON, Ms. GRANGER, Messrs. SCALISE and BURGESS changed their vote from “yea” to “nay.”

Ms. ROYBAL-ALLARD, Mr. WELCH, Ms. SHEA-PORTER, Mrs. BEATTY, Mrs. DAVIS of California and Mr. COOPER changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 181, not voting 4, as follows:

[Roll No. 68]

AYES—246

Aderholt  
Alexander  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barton  
Benishek  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman

Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs

Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly

King (IA)  
King (NY)  
Kingston  
Kinsinger (IL)  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
Lipinski  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maffei  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)

Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perry  
Peters (CA)  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Scalise  
Schock  
Schradler

## NOES—181

Amash  
Andrews  
Bass  
Beatty  
Becerra  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Bridenstine  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett

Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kennedy  
Kildee  
Kilmer  
Kind  
Kuster  
Langevin  
Larsen (WA)

Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Markey  
Massie  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
Meeks  
Meng  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (MI)  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz

Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)

## NOT VOTING—4

Cartwright  
Costa

Lynch

Maloney,  
Carolyn

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The **SPEAKER** pro tempore (during the vote). There are 2 minutes remaining.

□ 1742

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. **CARTWRIGHT**. Mr. Speaker, on rollcall No. 68, I was detained off the floor. Had I been present, I would have voted “no.”

## MOTION TO ADJOURN

Mr. **McGOVERN**. Mr. Speaker, I move that the House do now adjourn.

The **SPEAKER** pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mr. **McGOVERN**. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 1, noes 421, not voting 9, as follows:

[Roll No. 69]

AYES—1

Cárdenas

NOES—421

Aderholt  
Alexander  
Amash  
Amodei  
Andrews  
Bachus  
Barber  
Bartletta  
Barr  
Barrow (GA)  
Barton  
Bass  
Beatty  
Becerra  
Benishke  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonamici  
Bonner  
Boustany  
Brady (PA)

Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brown (FL)  
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Buchanan  
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Capps  
Capuano  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castor (FL)  
Castro (TX)  
Chabot  
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Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Daines  
Davis (CA)  
Davis, Danny

Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutsch  
Diaz-Balart  
Dingell  
Doggett  
Doyle  
Duckworth  
Duffy  
Duncan (SC)  
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Edwards  
Ellison  
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Engel  
Enyart  
Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
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Frelinghuysen  
Fudge  
Gabbard  
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Garamendi  
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Garrett  
Gerlach  
Gibbs  
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Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guthrie  
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Hahn  
Hall  
Hanabusa  
Hanna  
Harper  
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Hastings (FL)  
Hastings (WA)  
Heck (NV)  
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Hensarling  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Holding  
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Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt

Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
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Labrador  
LaMalfa  
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Lance  
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Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Lee (CA)  
Levin  
Lewis  
Lipinski  
LoBiondo  
Loebbeck  
Lofgren  
Long  
Lowenthal  
Lowe  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Neugebauer

Noem  
Nolan  
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Nunes  
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O'Rourke  
Olson  
Owens  
Palazzo  
Pallone  
Pascarella  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
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Quigley  
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Rahall  
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Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schneider  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier

Stewart  
Stivers  
Stockman  
Stutzman  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton

## NOT VOTING—9

Bachmann  
Carney  
Coble

Costa  
Johnson (GA)  
Jones

Lynch  
Markey  
Schrader

□ 1759

Mr. **OLSON** changed his vote from “aye” to “no.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## HOERBIGER CORPORATION OF AMERICA—50TH ANNIVERSARY

(Ms. **ROS-LEHTINEN** asked and was given permission to address the House for 1 minute.)

Ms. **ROS-LEHTINEN**. Madam Speaker, on Tuesday, April 9, Hoerbiger Corporation of America will celebrate its 50th anniversary. A well-known and highly respected south Florida-based company, Hoerbiger provides many hardworking Americans with high quality manufacturing jobs in our south Florida community.

I commend this innovative corporation for its half decade of business prowess, its commitment to sustainable businesses practices, its fairness to its employees and generosity to our community.

Since 1963, Hoerbiger's focus on quality and innovation has established it as an industry leader, much to the credit of its founder, Hubert Wagner. The legacy of success continues with the expert guidance of its current president, Hannes Hunschofsky.

This exemplary corporation and community partner has accomplished much over the years, and I am pleased that it calls south Florida home. Congratulations to each and every one at Hoerbiger for achieving this exciting milestone, and I wish you many more years of success.

## A BALANCED BUDGET

(Mr. **THOMPSON** of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **THOMPSON** of Pennsylvania. Madam Speaker, the only way to get our economy growing stronger is to take an honest account of the fiscal

problems we face and put forward serious policies to address these challenges—it is called budgeting.

A fundamental part of governing entails writing and passing a budget, something we have not seen from the Senate Chamber in over 4 years. Four years, that's how long my constituents and Americans across this country have had to wait for the Senate to perform its most basic function as a legislative body.

Before today, the only thing certain was that the Senate would not consider a budget. Today, the Senate Democrats introduced a budget, and I'm glad they did. It's about time. Unfortunately, after reviewing their proposal, today the only thing certain is that their budget will never balance.

We owe the American people a responsible, balanced budget. The House budget introduced yesterday balances the budget in 10 years. The Senate Democrats' proposal never balances—ever.

A balanced budget will foster a healthier economy and create jobs, Madam Speaker. The American people elected us to lead and put forward solutions, not hide from challenges and posture for the next election.

#### CONGRATULATING MARS, INCORPORATED

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Madam Speaker, I rise to congratulate Mars, Incorporated for being recognized by Fortune Magazine as one of the "best companies to work for."

Many folks are familiar with the Mars' delicious snacks, such as M&Ms and Snickers. In my home State of Georgia, we have come to know Mars as a great place to work through its merger with Wrigley.

Since joining the Mars family in 2008, employees at the Wrigley manufacturing plant in Flowery Branch, Georgia, have benefited from being part of the Mars community. Mars employees are given wonderful opportunities for growth and advancement. As a result, the company boasts a low turnover rate.

Mars' strategies have resulted in diversity that strengthens its business model by mentorship opportunities which are built into the company's structure, including a "reverse internship" in which a younger employee introduces an executive to social media.

Like Wrigley, Mars is truly an American success story. Mars remains a family-owned company that places high value on its human capital, which it demonstrates through significant investment in its 72,000 employees.

Through innovation and creativity, Wrigley continues to identify new mar-

kets and growth opportunities, such as their new Alert chewing gum line.

I want to congratulate the hard-working Mars workforce throughout the United States, and especially the Wrigley employees in Georgia, for building a great company. The millions of Americans who enjoy Juicy Fruit, Life Savers, and your other wonderful products wish you continued success.

#### THE REPUBLICAN BUDGET

The SPEAKER pro tempore (Mrs. BROOKS of Indiana). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, this week, the House Budget Committee chair, PAUL RYAN, laid out his budget plan. Sadly, it's just more of the same. Like a bad record, this year's Republican proposal is virtually the same document as the one he proposed last spring. It harms the middle class. It harms low-income Americans, and it is especially bad for women and families.

Now they have framed this budget and called it a prosperity one, a prosperity plan. But this budget should be called "the road to austerity," because it is a plan that is most noteworthy for the rather harsh austerity it demands of the many and the lavish benefits it extends to the few. It clearly envisions a rising tide of selective tax cuts that would lift all yachts but leave many dinghies behind.

Our Republican friends like to talk about making the hard choices. What they propose here would indeed make things much harder for millions of Americans, but it will also make things much easier for a fortunate few. That's their plan.

Now, specifically under this plan, he has this new goal of balancing the budget in 10 years. To accomplish this, he slashes funding safety net programs that serve seniors, students, children, low-income families, and women. The budget slashes food stamps and cuts funding for infrastructure investments like high-speed rail. We're falling way behind the rest of the world. We need to invest in our infrastructure to stay competitive. And it does nothing for job creation or to help the unemployed.

The Ryan plan replaces Medicare, and really ends Medicare as we know it by replacing it with a voucher system and replaces Medicaid by making it a block grant to the States. These cuts hurt tens of millions of Americans who count on these programs for their health care coverage.

But not to just rely on what I'm saying, to quote The Washington Post:

The 10-year spending plan released Tuesday by Representative Ryan is virtually identical to last year's GOP budget. It would

defund President Obama's health care initiative and guaranteed Medicare coverage for future retirees and sharply restrain spending on the poor, college students and Federal workers.

Now, what I find very hypocritical about this budget is that they say that they are going to repeal ObamaCare, or the Affordable Care Act, yet this bill passed this Congress. It was upheld by the Supreme Court. We had an election where this was the issue that people ran on, and President Obama was re-elected, strongly. So they keep flip-flopping on this issue. They say they want to abolish ObamaCare, but then they rely on the savings of over \$700 million in that program.

So when Congressman RYAN was Vice Presidential candidate Ryan, he campaigned against the health care provider cuts of \$716 million, the same ones he wants to keep in this budget. The Republicans opposed these cuts when they were part of the Affordable Care Act, then they passed two budgets that included these cuts. And then Congressman RYAN and Presidential candidate Romney campaigned against the cuts in the 2012 election. And now Mr. RYAN wants to keep them, once again. That's not just a 180-degree turn, it's 180 degrees times four, so it's a change of 720 degrees.

But one thing that is completely clear in this budget is that women, in particular, will suffer because of the choices the Republican budget makes.

□ 1810

Instead of closing tax loopholes for companies that ship jobs overseas, the budget kicks kids out of Head Start. Instead of getting rid of tax breaks for the oil and gas industry, for single moms struggling to put food on the table it cuts food stamps.

It seems to me with the budget right now that we are spending at a roughly proposed 3.1 percent, but 1.1 percent is tax loopholes. If you just closed those tax loopholes, you would be able to significantly reduce the deficit and the debt. Why in the world are we giving tax loopholes for companies that move jobs overseas? If you're going to give a tax incentive, it should be to the companies that stay in America and create jobs for Americans.

Now, instead of ensuring that women are not discriminated against by health insurance companies, this bill would repeal the rights women earned in the Affordable Care Act. The Republican budget cuts Medicare benefits, cuts Medicaid services, cuts health research funding and so much more all in the name of a new agenda that they have that will cripple our economy and cause real and lasting harm to the women of America.

The Democratic approach is a more balanced one. Everyone agrees that we need to reduce the deficit and cut the debt, but it's a matter of how you do it, what priorities you have in it and



what's your timeframe. The Democratic plan is balanced. I would call it a three-legged stool. You have cuts, you have revenues and you have investments to help grow and expand the economy and create jobs, investments in education and innovation.

Chairman Bernanke has testified before Congress that many of the reasons why America is really digging its way out of this recession and bouncing back faster and stronger than Europe is that we have had a balanced approach, whereas Europe has had an austerity, austerity, austerity approach. As many economists say, "You cannot cut your way to prosperity." Austerity needs to be balanced with revenues and also investments.

I'm joined tonight by DINA TITUS from the great State of Nevada. She was reelected in this session. She was an outstanding member of our caucus. We are so thrilled that she's come back to join us.

I yield the gentlelady as much time as she may consume.

Ms. TITUS. Thank you, Congresswoman MALONEY, for letting me join you tonight, and thank you for organizing this very important special hour to talk about the Republican budget and its unacceptable impact on women.

For the third year in a row, Chairman RYAN has proposed an uncompromising budget plan that is out of touch with my State of Nevada's priorities and the country's vision for the future.

Chairman RYAN has used a lot of gimmicks in his budget, but no amount of chicanery will hide what this budget really means for women.

Instead of laying out a fair and balanced plan, as you said, Congresswoman, Representative RYAN's budget undermines the health and economic security of the elderly and the disabled, most of whom are women, and disproportionately harms low-income women and families they struggle to support.

It also would repeal the Affordable Care Act. This landmark legislation that we passed increases access to critical women's health services such as prenatal and maternity care, and it finally ends the longstanding notion that being a woman is a preexisting condition.

The proposed budget also threatens a laundry list of vital programs that help women and children such as SNAP, WIC, Head Start, school lunches, TANF, and Pell Grants, just to name a few. These are programs that millions of women across the country and their families rely on every day just to get by.

Instead of protecting such critical programs, Representative RYAN and the Republican Party would rather protect tax breaks for the wealthiest folks in our country, for oil companies and for those companies you mentioned that ship our jobs overseas.

The Federal budget is a blueprint for our Nation's future. It's a statement of our national priorities. It should reflect who we are, and it should provide a path forward that we can all be proud of.

My constituents in Las Vegas and our constituents around the country deserve better than this old rehashed Ryan budget which slashes programs for children, dismantles health care for women, eliminates the safety net for seniors and defunds education and needed research and development that we should be investing in as part of that three-legged stool.

Instead, we need to get to work on a balanced plan that protects women and families and makes those needed investments in our future.

Again, I thank you, Congresswoman MALONEY, and our colleagues who have joined us tonight to talk about these important issues, and I urge you to give careful consideration to the Ryan budget with all those hidden little tricks and old hat policies.

Mrs. CAROLYN B. MALONEY of New York. I thank you for joining us tonight to share how this impacts on Nevada, an important State that you're representing. And I just want to express my gratitude that you have come back to Congress and that you're a part of our caucus.

Another outstanding woman in our caucus is CAROL SHEA-PORTER from the great State of New Hampshire. And it is a State that's really unusual now in that all of its elected officials are women: the Governor, the legislature, the State and the assembly. We're so pleased that their Congresswoman is here today, and I know she has a special message from the great State of New Hampshire.

Ms. SHEA-PORTER. I thank you, Congresswoman MALONEY, for the chance to speak about the damage that the Ryan budget would do to women and to families.

There are a couple of points. The new Ryan budget and the cuts to discretionary programs and the cuts to Medicare and Medicaid guarantees would disproportionately affect the women and children who are already suffering this year because of the sequestration.

The Ryan budget would dismantle the SNAP food program just like it does Medicare. About two-thirds of the SNAP benefits go to families with children. They rely on this.

The Ryan budget would roll back affordable health care provisions, bringing back gender-rating and allowing preexisting conditions like pregnancy and domestic violence.

Discretionary spending programs have already seen sequester cuts that will force women and families in need off of programs that help them. The Republican budget would further decimate these programs.

The special supplemental nutrition program for Women, Infants and Chil-

dren, the WIC program, is one of our most successful and essential nutrition programs. Sequester will drop about 600,000 women and children from this program. Under the Republican budget, even more babies and mothers would be kicked off.

The new budget's enormous cuts would do even more than the sequester has done to destroy jobs and hurt our economic recovery. At a time when women are making unprecedented gains in higher education and the workforce, a war on jobs is a war on women and their families.

A budget is a moral document, and the Ryan budget fails this basic test of morality. This is wrong for women, and it is wrong for families, and we just reject this.

I thank you for the chance to talk about it.

Mrs. CAROLYN B. MALONEY of New York. I appreciate your input and for being here tonight to participate in this Special Order. You've raised some very relevant points.

I want to talk about the special impact the Ryan budget has on the Pell Grant cuts.

One of the ways women try to climb out of poverty and close the pay gap is through education, especially higher education. And as we all know, college tuition has far outpaced inflation for years and years. That's why programs such as the Pell Grant program are so important. And fully two-thirds of Pell Grant recipients are women.

Yet again, the Ryan Republican budget hurts women college students by cutting nearly \$83 billion—that's with a "b"—from Pell Grants over the next 10 years. They're doing this even though Congress already enacted and paid for annual mandatory inflationary increases in 2010 and recently cut Pell Grant benefits and eligibility to control costs. So the Ryan Republican budget will make it that much harder for women to climb the ladder of opportunity, get a college degree, get a decent job and start or maintain a family. It just does not need to be that way.

□ 1820

As President Obama has said, the math in this Ryan budget does not add up, and the math that is there cuts programs helping working women and single moms. The Ryan budget will be devastating for working women, low-income families and young women trying to afford college. Head Start, early childhood care, food stamps, Pell Grants for college, and so much more would be slashed under this budget. Let's start with early childhood education.

Many researchers and economists tell us that the very best investment that we can make in our society and in our children is in early childhood education. These cuts in the Ryan budget



are on top of the \$85 billion from sequestration, which are already in effect. Because of the sequestration, 70,000 children nationwide will be kicked off of Head Start. Another 30,000 low-income children will lose child care assistance because of the cuts to the child care and development block grants. That's a total of 100,000 low-income kids being kicked out of early childhood services. That's already happening as we are speaking tonight on the floor. The Ryan budget would double those cuts, which would mean another 100,000 kids losing services.

What are the working moms of 200,000 children across the country supposed to do? Women only earn 74 cents to the dollar of what men earn in similar jobs. While they are at work, how are these women going to afford to take care of their kids when they lose these services?

The answer is they'll need to find another affordable child care option, which, if you're a mom, you know how difficult that is. Or you'll have to cut back on hours at work because there is no child care. This will only widen the already existing economic divide that separates men and women.

It's not just the economic divide between men and women. The gap between the haves and the have-nots, because of the Ryan budget and the Bush years, has never been greater, but that's not all. Many of these same families would also lose the assistance they need so that they can feed their families.

Now from the great State of Maryland is the ranking member of the Oversight and Government Reform Committee, ELLIAH CUMMINGS. It's good to hear that like-minded men have joined us in this Special Order on the Ryan budget and how it affects American families.

Thank you for being here.

Mr. CUMMINGS. It's my honor. I want to, first of all, thank the gentlelady for yielding, and I thank you for calling this Special Order.

As I was listening to you talk, particularly when you talked about Pell Grants and women, I could not help but think about something that you and I hear over and over and over again as we serve together on the Joint Economic Committee. We hear that the less education a person has the more recessionary periods affect them negatively. In other words, if you have a little education, less than a high school education, your chances of being put out of a job or of not having a job are great. If you have a college education, you have a better chance of retaining a job.

You talked a moment ago about women, and women with regard to Pell Grants. Just the other night, I was at Howard University's annual dinner where they were trying to raise money for students to get scholarships. The

president of the university got up and said something that was very interesting. He said, We are now having to let young people go who have averages above 3.2 because they don't have the money. I can guarantee you most of those folks were women. He said, when they did the research and looked at young people who had left school years ago and when they just kind of tracked them, they noticed that only about 25 percent ever even returned to school.

What you're talking about is the quality of life for women. So, when you look at the Ryan budget cutting Pell Grants and cutting those things that women are so concerned about—their children and how they're going to be able to raise them, to nurture them, to give them a head start—those things are being cut as if somebody is just going through a forest, cutting down trees with a hatchet. I think that we have to stand up for women. We have to make sure that we let the Nation know what is being done in this budget and make it clear that we're not going to stand for it.

I just want to thank the gentlelady for her presentation tonight and for bringing us together with regard to this very, very important issue.

Keep in mind that he is talking about doing away with the Affordable Care Act. So much of the Affordable Care Act goes to keeping people well—keeping women well, keeping their children well, keeping their families well. It allows them to have affordable and accessible insurance, which is something that women are most concerned about, and being able to pay comparable rates that men would be paying. I mean, he comes in, and he wants to just do away with the Affordable Care Act and create and give us this budget that really makes no sense.

Mrs. CAROLYN B. MALONEY of New York. I want to thank the gentleman for his insight on how this budget is affecting his constituents, and to hear from him that women and men may have an almost perfect score in college and have to leave because they can't afford it, their Pell Grants have been cut—it's just unconscionable that the wealthiest country in the world is not there to invest in the next generation, in the next leaders, the next teachers and engineers that our country needs.

It's not just education. It's not just housing. We're talking about food on the table. Once again, as they did last year, House Republicans are proposing to slash the Supplemental Nutrition Assistance Program. This is commonly called the "food stamps." For people who don't have enough money for their food, this helps them, but they are calling for taking the food stamps and turning it into a block grant. Now, we who have worked in city, State, and Federal Governments know that "block grant" is another way of saying cut—permanently cut—and, in some cases, sliding it out of existence.

SNAP currently helps, roughly, 47 million low-income Americans afford the food they put on the tables every day, and during these past few years of the Great Recession, SNAP has been a lifeline to those in need, making sure that in the wealthiest country in the world American families don't have to go hungry. People who apply for food stamps need food. Now women make up, roughly, 60 percent of SNAP's adult beneficiaries, and more than half of SNAP households with children are headed by a single adult, the vast majority of whom—over 90 percent—are women. That means that single moms on SNAP are already struggling to make ends meet and to take care of their kids.

They will be losing these benefits because the Ryan Republican budget refuses to close the \$1.1 trillion in tax loopholes. Now, I for one say let's close those tax loopholes and keep the food on the tables of America's families who need it. I find that outrageous.

I am really thrilled that a new Member of Congress, LOIS FRANKEL—a woman with a great record of distinction in the State of Florida—has joined us. I want to thank her for coming and providing the perspective of her State. When it's cold, I know all my constituents want to be in Florida, but I'm pleased that she is here with us now.

Thank you for being here.

□ 1830

Ms. FRANKEL of Florida. Thank you, Congresswoman MALONEY. I'm pleased to be with you. I came up here as a new Member in a bipartisan spirit, and I really wanted to be standing here today embracing Mr. RYAN's plan; but I have to tell you, I'm worried about it. And I want to tell you why I'm worried about it. I'm worried about it for Sabrina, for Lucy, for Ruth, Lola, and Barbara.

I'm going to tell you about them. Sabrina is a small business owner. She has a little catering company. She called my office because she's looking for a way to get a small business loan so she can stay in business and improve it. It's hard today getting loans from the banks.

Lucy is a bright-eyed young student in a community college. She is thrilled to have a student loan, a Federal student loan.

Lola is a teacher who has a daughter with cerebral palsy, and she depends on services from the government to help her with her daughter.

And Ruth, Ruth is 91 years old. She used to be a ball of a fire, but she recently hurt herself. She just got out of the hospital, and she can't move around. She can hardly get out of bed. She depends on Meals on Wheels to feed her so she has food every day.

And then there is Barbara who's outlived most of her relatives. She's in a nursing home in my hometown, and she has Alzheimer's.

I know you ask me why I'm worried about them. You know why I'm worried about them, because they are the victims. They will be the victims of this proposed budget. And what's going to happen? Will Sabrina lose her business? Will Lucy have to drop out of school? Will Ruth go hungry? Will Lola have to give up her work so she can stay home with her daughter? Tell me something, who is going to take care of Barbara? Who's going to take care of her?

Mrs. CAROLYN B. MALONEY of New York. No one. No one. She is going to have to quit her job and stay home and take care of Barbara.

Ms. FRANKEL of Florida. Barbara is in no condition to take care of anybody. Listen, I think we all know, the American people know that we have to get our fiscal house in order. There is a deficit problem for us, but the American people want us to solve it in a responsible manner because I also know this: we still have a job problem out there. We have slow economic recovery. And now as we are just turning the corner, all of a sudden we have this plan, this bill, this proposal, this budget that independent analysts tell us is going to throw, what, 2 million people out of work, the majority of them women. It will really crush these people like Lucy, Ruth, and Lola and Barbara and Sabrina. We can tell each other hundreds and hundreds and hundreds of stories.

Mrs. CAROLYN B. MALONEY of New York. Thank you for putting a human face on what it's meaning for people who are coming to your office for help. But also what has to be part of this equation is that the economy is still very fragile, and you can't cut your way to prosperity. These deep cuts could put the economy in a tailspin. Chairman Bernanke, the Chairman of the Federal Reserve, has testified that we need a balanced approach, that we shouldn't slash so severely. Many economists say that the American economy is doing better than Europe because we are not cutting as deeply as Europe is, so giving the economy a chance to recover.

So to go in with these draconian cuts, not only does it hurt people, such as with the stories you're telling us, but it could hurt the recovery, the overall economy that for the past 35 months has been growing private sector jobs and digging ourselves out of that deep recession, so it could possibly throw us back into it. You've raised an important point, and I yield back to you.

Ms. FRANKEL of Florida. I ask another question: What is the logic in taking little children out of Head Start programs when we know that the path to middle class, the path to be able to take care of your family, to take care of yourself, to be a tax-paying citizen is education? So I ask you, Congresswoman, why would we pass a budget

that would take 27,000—I think even more, I think the last sequester bill would take 27,000 children out of child care, Head Start, and this new budget doubles down. Why would we do that?

Mrs. CAROLYN B. MALONEY of New York. Well, I think you pointed out that this budget is not only draconian and unfair; it is filled with contradictions. Why in the world would you let these tax breaks continue for big oil companies that are making a profit, and we're subsidizing some of them to the tune of 40 percent, yet you're going to take the future of our young kids and throw them off. It is a total, total contradiction; and it's completely wrong.

I want to point out the biggest contradiction in this budget. It repeals the Affordable Care Act, but keeps the law's budget savings and uses it to balance their budget. So they say in the budget they're going to repeal the Affordable Care Act. How are they going to repeal it? It passed the Congress; it is the law of this country. It was upheld by the Supreme Court. We had an election where this was a central point of debate; and, guess what, President Obama won the election, and he ran on the Affordable Care Act. So they say that they're going to repeal it. They don't have the votes to repeal it. And even if they did, he'd veto it. There's no way they can repeal it, so it is a complete—really a hoax. It's a hoax.

Then they claim to protect Medicare while ending Medicare as we know it for future seniors and our children and our grandchildren. And the biggest hoax, they sit there and say they are going to repeal the Affordable Care Act, and then they take the savings from the Affordable Care Act, the \$718 billion that was put there from the providers, and they use that to balance their budget. So the numbers do not add up.

Ms. FRANKEL of Florida. Let me ask you this: Does the repeal of the Affordable Care Act come with a repeal of people getting ill? I'm trying to figure out the logic here because if you repeal the Affordable Care Act, if you take Medicare and now you turn it into a voucher program or what they call "premium support," which means literally thousands of dollars more coming out of the seniors' pockets to take care of themselves, you're not repealing illness. All you're doing with this Ryan budget is shifting the burden back to the middle class.

You hit it on the head when you said let's keep giving those tax breaks to the big oil companies, the people who want to move their companies offshore, to big corporations with huge profits paying almost nothing in taxes. Here's how we're going to clean up our fiscal house: we're going to tell people when they're oldest and they're sickest, you're going to have to pay more money, or just don't get sick.

Mrs. CAROLYN B. MALONEY of New York. The gentlelady is correct. They're shifting the burden onto the middle class, the elderly, and the poor. Again, President Obama's budget contains \$1.3 trillion in spending, and in that budget is \$1.1 trillion in tax breaks. So where are the priorities of this country? Close the tax breaks, keep the food on the table, or close the tax breaks and reduce the deficit.

I think they're not sincere about wanting to reduce the deficit and the debt because if they were, they would take those tax loopholes and close them. Some are important such as the deduction for a family's home. That allows many middle class and moderate middle class Americans to own their own home. They are able to deduct that.

□ 1840

But there are all these other deductions that make no sense. Why in the world are we giving a subsidy to companies that move jobs overseas? It's crazy. If anything, the subsidy should be for companies in America making it in America, creating jobs in America, and paying their taxes, their Social Security, and their Medicare in America.

So this whole budget is an exercise in contradictions and it's an exercise in, really, lack of good judgment or values, and I hope that we are able to defeat it.

I hope that the Democratic plan will be the one that is finally the one that passes. This is just the same old same old from the last 2 years: slash the safety net and protect tax breaks. The Ryan approach just isn't a balanced or, I would say, fair or valued approach.

Ms. FRANKEL of Florida. Thank you, Representative. I want to thank you for letting me join you here today.

I just want to say this. I know we've been standing up here and we've been critical of this Ryan budget and, respectfully, I think we're just saying it like it is. But I want to just say this, and I know you feel the same way. I hope that we can vet it.

You know, we're venting our feelings here today. And our constituents need to know that we're going to stay strong for them and the women of this country, the Lucy's, the Sabrina's, the Barbara's of this country, and of course the men that we love, too. But I hope that we can find a way, that we can find a middle ground, we can find a reasoned budget that gets people back to work, that we secure our families and we get our fiscal house in order in a reasonable amount of time.

Mrs. CAROLYN B. MALONEY of New York. I want to thank you, Congresswoman, and you raised some important points.

And one that was not raised, that is the illnesses that we do not have cures for in this country. And one of the things that America's always led the

world in is scientific research, yet this budget cuts that research. It cuts the National Institutes of Health that could come up with the cures for the diseases that she mentioned.

America is a place of innovation and medical advancements, and Congress should be focused on keeping that status, that we don't want to lose our leadership in innovation.

To give one example, breast cancer is one of the most common cancers among women. One in seven women will come down with breast cancer, and it is one of the leading causes of death among women of all races in America. In 2009, over 210,000 women in the United States were diagnosed with breast cancer, and over 40,000 women died from the disease.

Over the past 5 years, the National Institutes of Health spent more than \$3 billion on breast cancer research, which dwarfs any amount we see in the private sector or nonprofit sector. And yet, in the Ryan budget, the NIH would be cut and slashed by billions and billions of dollars, yet these dollars are the hope for saving lives. They're the hope for finding cures. And we know that health research has paid off.

Another important area is Alzheimer's. The number of women and men that contract Alzheimer's is huge and growing, and this cut will be cutting the research that we have in Alzheimer's and other lifesaving efforts to prevent Alzheimer's, Parkinson's, and other diseases.

So we've been making a lot of progress in health research and innovative research, and all of that research is really at risk under the Ryan Republican budget.

I am very pleased that one of my colleagues from the great State of Texas, SHEILA JACKSON LEE, who is a strong advocate for women, children, and families, has joined us. Thank you so much for being here tonight.

I yield the gentlelady as much time as she may consume.

Ms. JACKSON LEE. Let me thank my friend from New York, Congresswoman MALONEY, for her leadership on economic issues particularly impacting women, for the persistence of her introduction of the Equal Rights Amendment, long overdue, that we all join in to ensure the rights of women. And let me thank the gentlemen that are on the floor that joined us this evening.

I want to follow up, as I listened to the discussion that you just had, I met with Dr. Brinkley in the hallway, who is one of the leading researchers in biomolecular research from Baylor University, in my Congressional region, if you will. I consider representation because it is such a massive institution. And he brought with him two of his researchers. In fact, the headline on one of my papers was the standstill work of one of our important researchers because of the sequester, and certainly

because of this budget. All of that points to women who are most vulnerable as relates to the needs of research in chronic illnesses.

Let me cite for my colleagues about this question of Medicare, Medicaid, and Social Security what is drastically cut and reordered under the Ryan Republican budget. I'm really saddened that misinformation comes that the Medicare's predominance, in terms of its help, goes to those who are fat cats.

Let me share some numbers with you. Many of these are women. We do know that women live longer, and so the needs that they have for Medicare and Social Security may be extended.

And may I take something out of our vocabulary, though it is in the dictionary. Medicare and Social Security are earned. I don't know where we got the word "entitlement," because entitlement suggests you're entitled with no basis of responsibility. But they earned this. Women earned this.

And women started before the fight that we had, Congresswoman, for pay equity over the last decade or two. They were making the lower wages, and so their Social Security input had to be much lower as they continued to work years in.

But let me just share with you on the Medicare beneficiaries:

Annual income less than \$22,500: 50 percent of the Medicare beneficiaries include in that number women;

Chronic conditions: of those who receive Medicare, 40 percent include in that number women;

Fair and poor health: 27 percent, women in that population;

Cognitive mental impairment: 23 percent, women in that population;

Functional limitations: 15 percent, women in that calculation.

So, as I look at this budget, 60 percent of it is taking away health care from the poor and middle class, which would include women.

The idea that the bill slants itself toward protecting the interests of the wealthy by not listing any deduction that you're willing to take. Now, I know if we get into a discussion about deductions, we put ourselves in that circle; but let me just say, middle class Americans need mortgage deductions. I know, however, that that is one that is under discussion.

But why did our friends writing this budget not list the deductions that they would be willing to put on the table? Some of us realize that mortgage deductions help young families. It helps single women. It helps women who are maintaining or getting their first house. So here we have a special emphasis.

I'm glad my colleague mentioned breast cancer. I have introduced legislation on triple negative. It happens to have a far-reaching impact on women from all ethnic groups, whether they are Caucasian, whether they are His-

panic, or whether they are African American or Asian, but it is a deadly form of the disease, a more deadly form of the disease. And so that kind of research which many of us are arguing for is now limited because of this budget.

The budget does not—well, let me just say this. The budget takes for its own what was accomplished with the savings in the Affordable Care Act. It takes for its own the cuts that we made, were willing to make in 2012, over a trillion in cuts and spending. And it totally ignores economists who have indicated that the austerity format that was taken in Europe was the completely wrong direction, and that, then, impacts our families more negatively.

□ 1850

Mrs. CAROLYN B. MALONEY of New York. Will the gentlelady yield?

Ms. JACKSON LEE. I would be happy to yield.

Mrs. CAROLYN B. MALONEY of New York. I want to point out and make sure that our colleagues and the listening public know that the Ryan plan assumes the \$85 billion in sequester cuts. So these cuts are on top of that. And according to the bipartisan Congressional Budget Office, the sequester could cause the U.S. economy to lose 750,000 jobs. And the Ryan plan compounds these job losses.

The Economic Policy Institute has initial estimates that the House Republican budget would cost 2 million jobs in 2014 alone, relative to current policy. So why in the world would we want to take these steps that are going to result in job loss?

I yield back to the lady.

Ms. JACKSON LEE. I thank the gentlelady for that astute assessment. When I give these various points, women are disproportionately placed. Many of them are heads of households, many of them are senior women. Many are going back into the workforce because they have resource shortages, if you will. And the Ryan budget takes in all of these; i.e., the \$85 billion in sequester cuts. By the way, again, I introduced legislation to eliminate the sequester provision out of the Budget Reconciliation Act. I happen to think that it is meritorious because we need to start from a fair point of view, not what I call nickel and diming, ending people's research, closing doors in the Capitol, and a number of other things that are not good for America.

But let me just finish on this. If we're interested in R&D, as we indicated, or clean energy—slashed. Obviously, it will have an impact on the quality of life of families who are raising their children. What about nutrition assistance, the SNAP program? What an obliterating cut to the SNAP program, which is now serving 48 million people. Let me remind my colleagues that these are military persons, women who are in the military.

These are young families. These are individuals who are in school. And so women are disproportionately impacted.

And this, I think, is clearly one of the largest conflicts of reason, and that is to underfund or take away the funding for the Affordable Care Act, which has been reaffirmed by the United States Supreme Court and has been documented as having a health care savings and providing for a healthier America. And here we are taking away coverage from 27 million Americans.

Mrs. CAROLYN B. MALONEY of New York. They take away the good aspects of it, all the preventive and the health care. They propose to eliminate that, but then they keep the tax savings from it to balance their budget. It is a hoax. It's not realistic. It's not true. And I really appreciate your words here today on the floor.

Ms. JACKSON LEE. They take all the good things that, might I say, the Democrats have worked on and can really be defined as balanced and fair and utilize it in a budget that is absolutely lopsided. And I thank you for having us on the floor to explain to the women of America why this budget will not be good for them, their children, or their expanded families, and that we're committed to standing against this kind of approach that is really not the American way.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady.

In conclusion, Americans can't afford more fuzzy math and budget gimmicks. We need real solutions that help grow our economy, create jobs, support the health and economic security of our seniors, and one that will address the arbitrary sequester cuts. Chairman RYAN's budget fails to address any of these.

Our Republican friends like to talk about making the hard choices. What they propose here would indeed make things much harder for millions of Americans, but it will also make things much easier for a fortunate few. That's their plan. The reality is that the majority's Ryan budget harms those who need help and doles out tax breaks and benefits to those who do not. So let me be as clear as I possibly can: the Ryan budget, if it were passed by the House, would risk our recovery.

I want to thank all the participants tonight. I thank the like-minded men who came to the floor to support us and the women that have spoken out tonight on how the budget affects women, children, and their expanded families.

I yield back the balance of my time.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 803, SUPPORTING KNOWLEDGE AND INVESTING IN LIFE-LONG SKILLS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-16) on the resolution (H. Res. 113) providing for consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, which was referred to the House Calendar and ordered to be printed.

#### FIREARMS TRAFFICKING LEGISLATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from California (Mr. THOMPSON) for 30 minutes.

##### GENERAL LEAVE

Mr. THOMPSON of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMPSON of California. Madam Speaker, I rise to call on my colleagues on both sides of the aisle to join with us and pass the bipartisan legislation to strengthen Federal penalties for straw purchasing of firearms. I'm a hunter and a gun owner, and I believe strongly in the Second Amendment. I support law-abiding Americans' right to own firearms, and nothing in this legislation infringes upon that right. This bill simply helps keep guns out of the hands of dangerous criminals who cannot legally buy guns on their own.

I chair the House Gun Violence Prevention Task Force. Our task force has developed a comprehensive set of policy principles that will help reduce gun violence. To develop these principles, we met with virtually everyone who had an interest on this issue: Republicans, Democrats, the NRA, gun owners and gun safety groups, mental health experts, educational leaders, people from the video game and movie industries, hunting and sportsman's groups, law enforcement leaders, and the Vice President of the United States. Out of these meetings, one of the principles we developed dealt specifically with strengthening penalties for gun trafficking and for straw purchasing. This is something we should all be able to agree on.

At a hearing yesterday held by my colleague and friend, Mr. CUMMINGS

from Maryland, and one of his cosponsors, Mrs. MALONEY from New York, we heard testimony from New York City fireman Ted Scardino. Mr. Scardino was wounded and two of his fellow firemen were killed when a gunman lured them to a house that that gunman had set on fire and then started shooting at them. The shooter had his neighbor buy the gun for him because he could not pass a background check.

Mr. Scardino said yesterday:

Putting a gun in someone's hand that isn't supposed to have one must be stopped.

So let's pass this bipartisan bill and let's stop it.

I now yield to my colleague and good friend from Maryland, the author of this legislation and a leader on this issue, Mr. CUMMINGS.

Mr. CUMMINGS. I want to thank the gentleman for yielding, and I rise today to ask every Member of the House to join our bipartisan efforts to combat firearms trafficking and cosponsor H.R. 452, the Gun Trafficking Prevention Act.

Earlier this year, I was honored to join colleagues on both sides of the aisle to introduce this commonsense proposal to make firearms trafficking a Federal crime for the first time and to impose stiff new penalties on straw purchasers. Since then, the number of cosponsors has swelled, adding both Republicans and Democrats. It has also gained bipartisan support in the Senate.

Our bill has been endorsed by law enforcement officials across the country, and it does not affect the rights of any law-abiding gun owner. The only people that would be against this bill would be straw purchasers and those who are forbidden legally from possessing a gun.

Just yesterday, we held a bipartisan forum, as my colleague has just mentioned, to hear the accounts of first responders who have been the victims of gun violence resulting from straw purchases or other trafficking incidents.

□ 1900

I want to reiterate what has been said by Mr. THOMPSON about Ted Scardino. He was a brave firefighter from New York who suffered multiple gunshot wounds and saw two of his colleagues gunned down on Christmas Eve when they were responding to a fire. Mike Chiapperini and Tomasz Kaczowka were those colleagues who are now no longer with us. Here is Tomasz. He was just a 19-year-old who had just joined the volunteer fire department.

It turned out that the fire was set by a convicted felon, William Spengler. He previously served 17 years in prison for killing his grandmother with a hammer. Spengler ambushed these first responders and sprayed them with bullets. Despite his criminal record, Spengler walked into a gun store, alongside

a straw purchaser, to obtain guns to be used to kill these brave men. As Mr. Scardino said yesterday, he supports our bipartisan legislation because he wants to keep guns out of the hands of deranged killers, create a deterrent to providing guns to dangerous criminals, and prevent more tragic deaths like these.

After working on this legislation for several years, Mrs. MALONEY and I have never been more hopeful that we can pass it with significant bipartisan support. I urge all my colleagues to cosponsor this bill.

Mr. THOMPSON, just very briefly, one of the things that has been said over and over again—and we hear it from the NRA—is that we ought to deal with the laws that we already have. Well, right now, there's a phenomenal loophole with the laws that we already have.

Law enforcement, by the way, brought this to the attention of our committee, and they didn't ask for a trafficking law—they begged for it. Because as was testified to yesterday in the hearing, those who want to commit some kind of crimes, they're always looking for what they call a hustle; they're looking for something to make their money off of.

Witnesses told us yesterday—as a matter of fact, the head of the San Francisco police said that it has become easier to deal in guns and more lucrative than to deal in drugs. So a lot of folks that would normally be going to deal in drugs are now dealing in guns. Why? Because there is no dedicated trafficking law, and this is what our bill will do. It also will increase those penalties for straw purchasers.

I want to thank the gentleman, by the way, for your hard work. You've done an outstanding job in bringing Members of the House together to forge ahead with regard to legislation to address these issues, and I want to thank you.

Mr. THOMPSON of California. I thank the gentleman.

I appreciate the fact that you provide clarity on the one issue, and that is that the critics of anything we try and do to prevent gun violence repeatedly state, Just enforce the laws that are on the books. Here, this gun trafficking proposal that you and Mrs. MALONEY have introduced is, I think, illustrative of the fact that sometimes you actually need other laws. Because there are no laws on the books to prevent against something that leads to the tragedies that we heard about in your hearing yesterday and that, sadly, the folks in this New York area and the families of these slain individuals will have to live with for the rest of their life.

I can't emphasize enough: there is no dedicated law on the book that prohibits trafficking of guns. People are trafficking in guns, and they are used

to kill people. We have an opportunity, and I commend you and Mrs. MALONEY for not only your dedication and your effort to bring this to an end, but the fact that you've reached out across party lines. You have a bipartisan coalition; you have bipartisan authorship of this bill recognizing that we've got to bring this to a stop.

The only sad commentary that I have is one of our brave colleagues who was willing to stand up and take a position on this bill to prevent criminals from getting guns, has been under attack by some who have just mischaracterized his position, mischaracterized his dedication, mischaracterized his motives, and mischaracterized the bill that all of you are working so hard on.

So thank you for being here tonight. And thank you very much for your tireless effort in bringing closure to this issue.

Mr. CUMMINGS. Thank you very much.

Mr. THOMPSON of California. I would now like to yield to my friend and colleague from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Thank you so much for organizing this.

I want to thank my dear friend and colleague, MIKE THOMPSON, not only for his leadership here on the floor, but the great work that he has done as the leader of the House Democratic Gun Violence Prevention Task Force. One of the things that he underscores at all of our hearings and meetings is that he is himself a gun owner. He enjoys hunting; he enjoys having a gun for protection; he enjoys it for target shooting. But he also understands that certain guns are not for hunting; they're just for killing people, such as assault weapons, and that there are loopholes in our laws.

I regret to inform you tonight that there has been another mass murder in New York yesterday, where a gunman shot down four law enforcement in upstate New York. Now, if we don't make changes, we can only expect more of the same. It was only 10 days after the tragic killing of 20 young innocent children in Connecticut that the tragedy happened in upstate New York.

Now, the straw purchaser that bought the guns—the rifle and the assault weapon—for the felon that murdered two police officers and firemen, I doubt that that neighbor would have bought those guns for him if the law had been on the books that straw purchasers could be looking at 20 years for knowingly buying guns and giving them to a criminal or a person who could not legally have that gun.

Now, this bill has been endorsed by 30 different law enforcement organizations. Law enforcement is asking us to give them the tools to get illegal guns out of the hands of criminals. This bill that I authored grew out of a hearing

we were having on violence on the border of Mexico. The agents testified that guns were being shipped into Mexico that were then used to kill our border agents. So I asked the question: Why don't we just stop the guns? At that point, the agents testified that they don't even bother to bring charges against straw purchasers because the laws are so weak. They call them a "slap on the wrist," a paper violation, that you wouldn't be punished at all.

So what we're trying to do with this bill is to make trafficking in guns to felons, to drug cartels, to gang leaders a crime—it's unbelievable that it's not a crime now—and to increase the penalties for the straw purchasers. I think it's reasonable, it's common sense, and, fundamentally, it will save lives in our country. It was introduced with Mr. CUMMINGS, Mr. MEEHAN and Mr. RIGELL. Mr. RIGELL is a member of the NRA. Also, I think that Mr. MEEHAN was also a former leader in law enforcement, so he had really literally understood the need of it.

At our hearing yesterday—and at the hearings we've had in the Government Reform and Oversight Committee—law enforcement is basically begging us, absolutely begging us to give them the tools to better protect Americans.

I hope that we will listen to our chairman's plea, MIKE THOMPSON's plea, that at least on this we can come together and forge a bipartisan effort to pass these two important bills. So I thank the gentleman for his leadership.

Mr. THOMPSON of California. I thank the gentlelady for her dedication, for her hard work on this, and for her taking time to be here tonight to talk about this.

You raised the issue and praised those on the other side of the aisle, many of whom have experience—one Member from Virginia, who is an NRA member, one from Pennsylvania, who is, I believe, a district attorney; extensive law enforcement background.

□ 1910

It's important that we have this type of across-the-aisle cooperation. As a matter of fact, the people of the United States of America, every one of us hears it every time we go home—we hear it in our townhall meetings, we can read it in our constituent mail, our friends tell us, our neighbors tell us: work together to solve the problems that we all face as Americans.

The fact that we have folks on the other side of the aisle coming forward to work together and then they're demonized and they're criticized for doing this, all Americans need to speak out against this. When something like this happens, we need to let everyone know that, no, we want our Members of Congress to work together to solve these problems that threaten our communities, threaten our children, threaten our grandchildren, and

threaten our neighborhoods. It's very, very important to do that.

As the gentlewoman pointed out, I am a gun owner and I hunt, and I believe strongly in the Second Amendment. I'm not interested in giving my guns up, and I'm not going to ask any other law-abiding citizen to give their guns up. At the same time, I'm a father and I'm a grandfather, and my kids and my children deserve to live in a safe community. Two of my sons are first responders. One is a firefighter; another one is a deputy sheriff.

When I sat through your hearing yesterday and listened to the testimony of the wounded firefighter talk about his colleagues who were killed—called to respond to a community catastrophe, a house on fire—doing their job, doing what we ask these first responders to do—and they get there and they're ambushed by a sick deranged murderer who has a gun because somebody bought it for him, because it was illegal for him to buy it himself, he couldn't buy it himself. It was just terrible to relive this for the witnesses who were there and certainly eye opening for anyone who paid attention to what the possibilities are out there in any of our communities.

Madam Speaker, I would like to yield time to a new Member of our House—someone who has been doing outstanding work, vice-chair of the Gun Violence Prevention Task Force, someone who brought with her not only an interest and a passion for this, but also an incredible constituency, because it was in her district that Sandy Hook took place—the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Thank you so much, Congressman THOMPSON, for organizing this Special Order and for your incredible leadership on these important issues that the country deserves to have a voice and deserves to have a vote.

And I wanted to thank Congressman CUMMINGS and Congresswoman MALONEY for your important leadership on this very important issue that is truly a remarkable hole in the law that I think most people had no idea.

These are the holes that we saw yesterday, because the holes in the law are allowing holes in the hearts of the families of America. Holes like this, shot with assault weapons, to brave firefighters who were responding to a fire on Christmas Eve, that's what this really means.

This is a 19-year-old young man following in his family's footsteps and his lifelong dream to be a firefighter and instead was met with this, and that ended his life—a man who never should have had those guns.

Yesterday, I had the pleasure of welcoming to Washington Team 26, a group of 26 cyclists from the town of Newtown, Connecticut, in my district, who rode to Washington in support of

commonsense legislation to reduce and prevent gun violence. The Sandy Hook ride to Washington was a successful event. It was also emblematic of what we're seeing across the country in the wake of the tragedy in Newtown.

Americans have been touched by the strength and love of the families and the people in Newtown in a way we have not seen in this country before. I can assure you, the Connecticut effect is not going away anytime soon because the American people are stepping up and making their voices heard for commonsense, reasonable regulations and laws to reduce and prevent gun violence. For far too long, for far too long, communities across this country, like West Webster, New York, and like Newtown, Connecticut, have paid for the price of inaction here in Congress. We cannot keep losing precious children and courageous police officers and brave first responders and many other innocent lives because we have allowed, and we are allowing, guns to be put into the hands of people who do not have permission and do not have the right to have them.

It is shocking and it is wrong that we do not have vigorous Federal laws making straw purchasing and trafficking in guns a Federal crime. We've learned today, and we learned yesterday in our hearing, that it is against the law to traffic in drugs, it is against the law to traffic in tainted food, but it is not against our Federal laws to traffic in illegal weapons in this country, and that is wrong and we need to fix it.

That's the reason that the Gun Trafficking Prevention Act has bipartisan support in the House. That is the same reason that this measure has the strong support and backing and urging and pleading of the hardworking law enforcement officers in my State who are dealing with the consequences of illegal drugs, including the leadership of Connecticut Attorney General and my friend George Jepsen.

There's a reason that law enforcement officials and groups around the country have been asking for us to pass this law. Few policies reflect commonsense, like keeping firearms out of the hands of criminals. If we are going to accomplish that goal, we must address this gaping hole with the lack of Federal laws punishing gun trafficking and straw purchasing.

Now is the time to act. We have a real opportunity to enact and to fix this hole in the law and to prevent holes in the hearts of the American people. I'm very proud to be a cosponsor of the Gun Trafficking Prevention Act and the Straw Purchaser Penalty Enhancement Act to do just that.

For the families of Newtown, for families across this great country who are affected by gun violence, for children and for police officers and first responders everywhere who put their lives on the line for us every day, and

for all those whose lives are at risk today because of illegal guns, let's meet the call of the American people to strengthen the penalties for gun trafficking and straw purchasing.

I urge my colleagues to support this very laudable legislation, and I urge members of the public to urge their Representatives to stand up for safety for our first responders for our communities.

I thank my good friend, the gentleman from California, for yielding.

Mr. THOMPSON of California. Thank you, Congresswoman ESTY, and thank you for your work on the task force and for your work every day to make sure that we all come together to make our communities safer places to live, to work, to recreate, and to raise our families.

One of the things, one of the beautiful benefits of doing this work for me has been the honor I've had in not only working with great dedicated people, yourself included, but meeting some of your wonderful constituents. Their passion is on fire in Connecticut. I've met with them many times with you, sometimes alone. We got another glimpse of it yesterday, as you mentioned, when Team 26 rode into Washington, D.C., rode all the way from your district to Washington, D.C., to call on all of us to work together to pass these bills to make our communities safer. They're wonderful folks, they're dedicated, they're hardworking, and I can understand why after watching you and experiencing your leadership on this issue. So thank you very much for all that you are doing.

And I just want to remind folks that the American people want us to make our communities safer; they want us to pass sensible laws that will do this. And everyone will tell you we shouldn't allow criminals and the dangerously mentally ill to get firearms.

Well, how in the world can you do that if you don't do some just real commonsense steps to make sure that doesn't happen?

We're talking about a couple of them today—straw purchases and gun trafficking.

□ 1920

Who in the world could be opposed to stopping straw purchases? And that means just what it says. That means somebody buys a gun and gives it to somebody who's not allowed by law to own a gun, who is trafficking in guns, making a living, making a profit, making a business out of buying guns and then shipping them someplace, taking them someplace, introducing them to a community where they're going to be used for unlawful purposes. No one could possibly be against that.

Background checks is another one. As you know, our task force will be holding a hearing this Friday on background checks. Ninety-four percent of

the American people believe we should pass background checks. Eighty-four percent of the NRA members think we should pass a background check bill. We're going to have an opportunity next week when I introduce legislation to put in place background checks for the American people to call their Representatives and let them know. This is important stuff. We need to have that check in place so people who are dangerously mentally ill, people who are criminals, if they try and buy a gun from someone selling that gun, it will be flagged if they're not allowed to have them and they'll be stopped, at least in that case. They may try and find other ways to do it, but it's incumbent upon us to do everything we can to make sure that that doesn't happen again.

I'm now going to yield to my friend and colleague, the vice chair of the task force, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank you for yielding, and most of all I thank you for your leadership in the firearms task force, the prevention of gun violence.

You've done a tremendous job in bringing diverse views into focus to respond appropriately to the children who were murdered senselessly in Newtown, Connecticut. They were young people, babies, whose bodies were riddled with bullets. I think finally we have concluded that we have to do something in response to the murders.

One of the things we have to do is reduce violence generally—and violence prevention. This week I'll be introducing the Youth PROMISE Act, which has a proactive approach to make sure that young people get on the right track and stay on the right track.

We have to deal, as you have indicated, with the mental health challenges. Those with mental health challenges have to get services, because if they're allowed to roam the streets with untreated mental health problems, you have a lot of difficulties.

There have to be some firearm-specific situations, such as an assault weapons ban, limiting the size of magazines, background checks, but also straw purchases, people who buy firearms for others knowing they could not buy them for themselves. Violating the law and circumventing the good background check processes we have has to be dealt with.

So I thank you for your leadership. I thank you for all that you have done. We have a lot that we can do in response to Newtown, and we expect to do it.

Mr. THOMPSON of California. I thank the gentleman for being here tonight and for his leadership.

Madam Speaker, I'll end where I started. As I said, we have to come together to work on these issues. These are the issues that the American people

want us to find solutions for. Let's close these loopholes, make sure that illegal gun activity doesn't take place, and protect the Second Amendment. You know I'm four-square on that, and we'll do everything we can to make sure that that happens. These are commonsense issues, and we should find cooperation across the aisle.

As I said, I'll end where I started. I call on my colleagues on both sides of the aisle to join together and to pass these bills that both protect our Second Amendment rights and help make our communities safer places in which to live, work, play, and raise our families.

Madam Speaker, thank you, and I yield back the balance of my time.

#### ADJOURNMENT

Mr. THOMPSON of California. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 14, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

671. A letter from the Acting Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLD Order No.: 001-2013] received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

672. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1070; Directorate Identifier 2012-NM-099-AD; Amendment 39-17340; AD 2013-03-05] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

673. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Helicopters [Docket No.: FAA-2013-0098; Directorate Identifier 2011-SW-039-AD; Amendment 39-17339; AD 2013-03-16] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

674. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1110; Directorate Identifier 2012-NM-013-AD; Amendment No.: 39-17353; AD 2013-03-19] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

675. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Pratt & Whitney Canada Corp Turbohaft Engines [Docket No.: FAA-2012-1005; Directorate Identifier 2012-NE-27-AD; Amendment 39-17349; AD 2013-03-14] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

676. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines and Continental Motors, Inc. Reciprocating Engines [Docket No.: FAA-2012-1245; Directorate Identifier 2012-NE-41-AD; Amendment 39-17279; AD 2012-24-09] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

677. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0339; Directorate Identifier 2011-SW-051-AD; Amendment 39-17259; AD 2012-23-03] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

678. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-0590; Directorate Identifier 2011-NM-112-AD; Amendment 39-17265; AD 2012-23-09] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

679. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Univair Aircraft Corporation Airplanes [Docket No.: FAA-2011-0360; Directorate Identifier 2010-CE-061-AD; Amendment 39-17023; AD 2012-08-06] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

680. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan engines [Docket No.: FAA-2012-1056; Directorate Identifier 2012-NE-32-AD; Amendment 39-17271; AD 2012-24-01] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

681. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0186; Directorate Identifier 2011-NM-286-AD; Amendment 39-17278; AD 2012-24-08] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

682. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model Helicopters [Docket No.: FAA-2012-1206; Directorate Identifier 2012-SW-021-AD; Amendment 39-17269; AD 2012-23-13] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

683. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0421; Directorate



Identifier 2012-NM-042-AD; Amendment 39-17284; AD 2012-25-03] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

684. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0678; Directorate Identifier 2011-NM-285-AD; Amendment 39-17280; AD 2012-24-10] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

685. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc., Helicopters [Docket No.: FAA-2012-0746; Directorate Identifier 2008-SW-332-AD; Amendment 39-17337; AD 2013-03-03] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

686. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-0547; Directorate Identifier 2009-NM-234-AD; Amendment 39-17354; AD 2013-03-20] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

687. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0595; Directorate Identifier 2012-NM-055-AD; Amendment 39-17962; AD 2012-23-06] (RIN: 2120-AA64) received February 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

688. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0591; Directorate Identifier 2012-NM-015-AD; Amendment 39-17264; AD 2012-23-08] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

689. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1220; Directorate Identifier 2012-NM-208-AD; Amendment 39-17277; AD 2012-24-07] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

690. A letter from the Department of Transportation Paralegal Specialist, Department of Transportation Paralegal Specialist, transmitting the Department's final rule — Airworthiness Directives; Schweizer Aircraft Corporation [Docket No.: FAA-2012-0602; Directorate Identifier 2009-SW-061-AD; Amendment 39-17338; AD 2013-03-04] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX. Committee on Rules. House Resolution 113. Resolution providing for consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century (Rept. 113-16). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CLAY (for himself, Mr. CUMMINGS, and Mr. CONNOLLY):

H.R. 1104. A bill to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HURT (for himself, Mr. COOPER, Mr. HIMES, and Mr. GARRETT):

H.R. 1105. A bill to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes; to the Committee on Financial Services.

By Mr. CHABOT (for himself, Ms. KUSTER, Ms. CHU, Mrs. ELLMERS, and Mr. CICILLINE):

H.R. 1106. A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control, and for other purposes; to the Committee on Small Business.

By Mr. MCNERNEY:

H.R. 1107. A bill to provide for the establishment of a grant program to assist State and local governments to install solar energy systems; to the Committee on Energy and Commerce.

By Mr. CUELLAR (for himself, Mr. MCCAUL, Mr. VELA, Mr. O'ROURKE, Mr. GALLEGO, and Mr. FARENTHOLD):

H.R. 1108. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 1109. A bill to amend title 10, United States Code, to require cost or price to the Federal Government be given at least equal importance as technical or other criteria in evaluating competitive proposals for defense contracts; to the Committee on Armed Services.

By Mr. PIERLUISI (for himself, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. FALEOMAVAEGA, and Ms. BORDALLO):

H.R. 1110. A bill to amend the Tsunami Warning and Education Act to direct the Administrator of the National Oceanic and Atmospheric Administration, through the National Weather Service, to establish, maintain, and operate an additional tsunami forecast and warning center for the improvement of the evaluation of tsunami risk to, and the

dissemination of forecasts and tsunami warning bulletins for, the public in Puerto Rico and the United States Virgin Islands; to the Committee on Science, Space, and Technology.

By Mr. GRAYSON:

H.R. 1111. A bill to amend the Internal Revenue Code of 1986 to impose a 500 percent excise tax on corporate contributions to political committees and on corporate expenditures on political advocacy campaigns; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 1112. A bill to direct the Securities and Exchange Commission to revise its reporting requirements to require public companies to report certain expenditures made to influence public opinion on any matter other than the promotion of the company's products or services; to the Committee on Financial Services.

By Mr. GRAYSON:

H.R. 1113. A bill to make the antitrust laws applicable to a political committee under the Federal Election Campaign Act of 1971 which is established and administered by a separate segregated fund of a corporation pursuant to section 316(b)(2)(C) of such Act; to the Committee on the Judiciary.

By Mr. GRAYSON:

H.R. 1114. A bill to amend the Federal Election Campaign Act of 1971 to extend the ban on the making of contributions by certain government contractors to other for-profit recipients of Federal funds, to limit the amount of contributions the employees of for-profit recipients of Federal funds may make during any calendar year in which such funds are provided, and for other purposes; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 1115. A bill to amend the Securities Exchange Act of 1934 to prohibit any national securities exchange from effecting any transaction in a security issued by a corporation unless the corporation's registration with the exchange includes a certification that the corporation currently is in compliance with the provisions of the Federal Election Campaign Act of 1971 governing contributions and expenditures by corporations which were in effect with respect to elections held during 2008; to the Committee on Financial Services.

By Mr. GRAYSON:

H.R. 1116. A bill to require the approval of a majority of a public company's shareholders for any expenditure by that company to influence public opinion on matters not related to the company's products or services; to the Committee on Financial Services.

By Mr. GRAYSON:

H.R. 1117. A bill to amend the Federal Election Campaign Act of 1971 to apply the ban on contributions and expenditures by foreign nationals to domestic corporations in which foreign principals have an ownership interest; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 1118. A bill to amend the Federal Election Campaign Act of 1971 to prohibit corporations which employ or retain registered lobbyists from making expenditures or disbursements for electioneering communications under such Act, and for other purposes; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 1119. A bill to prevent funding provided through the Federal Reserve System from being made available to corporations that finance political campaigns or political



propaganda, and for other purposes; to the Committee on Financial Services.

By Mr. ROE of Tennessee (for himself, Mr. KLINE, Mr. PETRI, Mr. WILSON of South Carolina, Ms. FOX, Mr. PRICE of Georgia, Mr. THOMPSON of Pennsylvania, Mr. SALMON, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. ROKITA, Mr. BUCSHON, and Mr. GOWDY):

H.R. 1120. A bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. SCOTT of Virginia, and Mr. JOHNSON of Georgia):

H.R. 1121. A bill to protect cyber privacy, and for other purposes; to the Committee on the Judiciary.

By Mr. NEUGEBAUER (for himself, Mr. BENISHEK, Mr. BENTIVOLIO, Mrs. BLACK, Mrs. BLACKBURN, Mr. BOUTSTANY, Mr. BRADY of Texas, Mr. BROWN of Georgia, Mr. CHABOT, Mr. CRAMER, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GRIFFIN of Arkansas, Mr. HALL, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. JONES, Mr. KINGSTON, Mr. LAMALFA, Mr. LAMBORN, Mr. LANKFORD, Mr. LATTI, Mr. LIPINSKI, Mr. LONG, Mr. MARCHANT, Mr. MASSIE, Mr. MICA, Mr. MILLER of Florida, Mr. MULLIN, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. POE of Texas, Mr. POMPEO, Mrs. ROBY, Mr. SALMON, Mr. SMITH of New Jersey, and Mr. WEBER of Texas):

H.R. 1122. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary schools and secondary schools that provide on-campus access to abortion providers; to the Committee on Education and the Workforce.

By Mr. GOODLATTE (for himself, Mr. CONYERS, Mr. COBLE, Mr. WATT, Mr. POE of Texas, and Ms. DELBENE):

H.R. 1123. A bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes; to the Committee on the Judiciary.

By Ms. WATERS (for herself, Ms. BASS, Mr. HONDA, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. CONYERS, Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. DEFazio, Mr. RUSH, Ms. NORTON, Ms. BROWN of Florida, Mr. RANGEL, Mr. PAYNE, Mr. CLAY, Ms. LEE of California, Mr. CICILLINE, Mr. CLEAVER, Ms. HAHN, Mr. CARSON of Indiana, Mrs. NEGRETE McLEOD, Mr. POCAN, Mr. TONKO, Ms. EDWARDS, Mr. McDERMOTT, Ms. MCCOLLUM, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, Ms. SEWELL of Alabama, Ms. PINGREE of Maine, Mr. LEWIS, Mr. LOWENTHAL, Mr. DEUTCH, Mr. RAHALL, Mr. HUFFMAN, Mr. SIRE, Mr. RYAN of Ohio, Mr. VARGAS, Mr. JOHNSON of Georgia, Mr. HECK of Washington, Mr. BUTTERFIELD, Mr. KEATING, Mr. SCOTT of Virginia, Mr. SCHIFF, Mr. NADLER, Mr. HINOJOSA,

Ms. WASSERMAN SCHULTZ, Mr. HIGGINS, Mr. DELANEY, Mr. AL GREEN of Texas, Ms. LOFGREN, Ms. BROWNLEY of California, Mr. BLUMENAUER, Mr. QUIGLEY, Ms. KAPTUR, Mr. WATT, Ms. SLAUGHTER, Mr. ENYART, Mr. ELLISON, and Ms. MENG):

H.R. 1124. A bill making supplemental appropriations for fiscal year 2013 for the TIGER Discretionary Grant program, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER:

H.R. 1125. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Ways and Means.

By Mr. BISHOP of Utah:

H.R. 1126. A bill to facilitate the completion of an appropriate national memorial to Dwight D. Eisenhower; to the Committee on Natural Resources.

By Mr. BRALEY of Iowa:

H.R. 1127. A bill to require the President to develop a comprehensive national manufacturing strategy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BROOKS of Alabama (for himself, Mr. FRANKS of Arizona, Mr. ROGERS of Alabama, Mr. LAMBORN, Mr. BRIDENSTINE, Mr. TURNER, Mr. ADERHOLT, and Mr. JONES):

H.R. 1128. A bill to ensure the effectiveness of the missile defense system of the United States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COBLE (for himself and Mr. JOHNSON of Georgia):

H.R. 1129. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mrs. DAVIS of California (for herself, Ms. ROS-LEHTINEN, Mr. ISRAEL, Ms. SCHWARTZ, Mr. VARGAS, Mr. WEBER of Texas, Mr. DEUTCH, Ms. MENG, Mr. KILMER, Mr. ENGEL, Mr. ROSKAM, Mr. WAXMAN, Ms. WASSERMAN SCHULTZ, Mr. CROWLEY, Mr. HIGGINS, Mr. PETERS of Michigan, Mr. GRIMM, Mr. MARKEY, Mr. TONKO, Mr. KING of New York, Mr. FRANKS of Arizona, Mr. GENE GREEN of Texas, Mr. MCCAUL, Mr. PIERLUISI, Mr. LAMBORN, Ms. HANABUSA, Mr. GUTIERREZ, Mr. LATTI, Mr. COLLINS of New York, Mr. BURGESS, Mr. MULVANEY, Mr. KLINE, Mr. RYAN of Ohio, Ms. FRANKEL of Florida, Mr. VAN HOLLEN, Mr. CICILLINE, Mrs. MCCARTHY of New York, Mr. JOHNSON of Ohio, Mr. GRIFFITH of Virginia, Mr. VEASEY, Mr. OLSON, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. CONNOLLY, Mr. MCGOVERN, Mrs. LOWEY, Mr. McDERMOTT, Mr. YODER, Mr. HOLT, Ms. BROWN of Florida, Mr. BRIDENSTINE, Mr. KEATING, Mr. CULBERSON, Mr. BARBER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. LANCE, Mr. CHABOT, Mr. YOUNG of Alaska, Mrs. BACHMANN, Mrs. HARTZLER, Mr.

BRALEY of Iowa, Mr. SMITH of Washington, and Mr. PETERS of California):

H.R. 1130. A bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Affairs.

By Mr. DENHAM (for himself, Mr. STIVERS, Mr. FARENTHOLD, and Mr. KINZINGER of Illinois):

H.R. 1131. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges, without time-period limitation, to members of the Armed Forces who are involuntarily separated with a service-connected disability and also to extend such privileges to their dependents; to the Committee on Armed Services.

By Mr. DENHAM (for himself and Mr. ROE of Tennessee):

H.R. 1132. A bill to direct the Secretary of Veterans Affairs and the Secretary of Defense to jointly ensure that the Vet Centers of the Department of Veterans Affairs have access to the Defense Personnel Record Image Retrieval system and the Veterans Affairs/Department of Defense Identity Repository system; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee:

H.R. 1133. A bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GALLEGO:

H.R. 1134. A bill to direct the Secretary of Veterans Affairs to carry out a grant program and pilot program designed to improve the delivery of health care to veterans residing in rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUIZENGA of Michigan (for himself and Mr. GARRETT):

H.R. 1135. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes; to the Committee on Financial Services.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. LEE of California, Mr. JOHNSON of Georgia, Mr. DANNY K. DAVIS of Illinois, Ms. NORTON, Ms. WILSON of Florida, Mr. RANGEL, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. LEWIS, Mr. GUTIERREZ, and Ms. LORETTA SANCHEZ of California):

H.R. 1136. A bill to amend the Hate Crime Statistics Act to include crimes against the homeless; to the Committee on the Judiciary.

By Mr. KIND (for himself and Mr. WITTMAN):

H.R. 1137. A bill to authorize the Secretary of the Interior, through the United States Fish and Wildlife Service, to conduct a Joint Venture Program to protect, restore, enhance, and manage migratory bird populations, their habitats, and the ecosystems they rely on, through voluntary actions on public and private lands, and for other purposes; to the Committee on Natural Resources.

By Ms. MATSUI (for herself, Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, Ms. LEE of California, Mr. HONDA, and Mr. GEORGE MILLER of California):

H.R. 1138. A bill to direct the Administrator of the Small Business Administration to establish a loan guarantee program to assist small business concerns that manufacture clean energy technologies in the United States, and for other purposes; to the Committee on Small Business.

By Mr. OWENS (for himself, Mr. GIBSON, Mr. MICHAUD, Mr. WELCH, and Mr. TONKO):

H.R. 1139. A bill to permit aliens who lawfully enter the United States on valid visas as nonimmigrant elementary and secondary school students to attend public schools in the United States for longer than 1 year if such aliens reimburse the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 1140. A bill to amend the Internal Revenue Code of 1986 to permit the medical expenses of dependents who have not attained age 27 to be paid from a health savings account; to the Committee on Ways and Means.

By Mr. SARBANES (for himself, Mr. WITTMAN, Ms. NORTON, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania):

H.R. 1141. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-off-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Oversight and Government Reform.

By Mr. SIMPSON:

H.R. 1142. A bill to authorize the Secretary of the Interior to permit an exchange of land between the city of Ketchum and the Blaine County School District, Idaho; to the Committee on Natural Resources.

By Mr. STOCKMAN:

H.R. 1143. A bill to amend title 18, United States Code, to require the Bureau of Prisons to provide secure storage areas on institution grounds outside the secure perimeter for employees authorized to carry a firearm; to the Committee on the Judiciary.

By Mr. STOCKMAN:

H.R. 1144. A bill to restore an opportunity for tribal economic development on terms that are equal and fair, and for other purposes; to the Committee on Natural Resources.

By Ms. WATERS (for herself and Mr. CAPUANO):

H.R. 1145. A bill to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. WHITFIELD (for himself, Mr. BARROW of Georgia, and Ms. SCHWARTZ):

H.R. 1146. A bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1147. A bill to provide limitations on maritime liens on fishing permits, and for

other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KELLY (for himself, Mr. WESTMORELAND, Mr. GRAVES of Missouri, Mr. GRIFFITH of Virginia, Mr. DUNCAN of South Carolina, Mr. BROWN of Georgia, Mr. MARINO, Mr. CARTER, Mr. HUELSKAMP, Mr. HULTGREN, Mrs. HARTZLER, Mr. MICHAUD, Mr. LAMBORN, Mr. RAHALL, Mr. THOMPSON of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. JONES, Mr. DUNCAN of Tennessee, Mr. YOUNG of Alaska, Mr. BISHOP of Utah, Mr. GOSAR, Mr. REED, Mr. BARLETTA, Mr. LUETKEMEYER, Mr. PITTENGER, Mr. OLSON, Mr. SMITH of Nebraska, Mr. HUIZENGA of Michigan, Mr. MILLER of Florida, Mr. BARTON, Mr. STIVERS, Mr. JOHNSON of Ohio, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. SCHWEIKERT, Mr. CONAWAY, Mr. BURGESS, Mr. FLEISCHMANN, Mr. WEBER of Texas, Mr. ROGERS of Alabama, Mr. NUNNELEE, Mr. HARRIS, Mr. MULLIN, Mr. YODER, Mr. ROE of Tennessee, Mr. STOCKMAN, Mr. FRANKS of Arizona, Mr. TIBERI, Mr. PERRY, Mrs. CAPITO, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. MARCHANT, Mrs. BLACKBURN, Mr. FLEMING, Mr. POSEY, Mr. CULBERSON, Mr. LAMALFA, Mr. CHABOT, Mr. STEWART, Mr. JORDAN, Mr. MULVANEY, Mr. MCKINLEY, Mr. WILSON of South Carolina, Mr. GARDNER, Mr. NUGENT, Mr. AUSTIN SCOTT of Georgia, Mr. SALMON, Mr. FLORES, Mr. WITTMAN, Mr. LATTA, Mrs. ELLMERS, Ms. JENKINS, Mr. MEADOWS, Mr. SOUTHERLAND, Mrs. BACHMANN, Mr. WHITFIELD, Mr. BROOKS of Alabama, Mr. BENISHEK, Mr. PEARCE, Mr. BUCSHON, Mr. BRIDENSTINE, Mr. CALVERT, Mr. SHIMKUS, Mr. COTTON, Mr. DAINES, Mr. GOHMERT, Mr. ROSS, Mr. AMODEI, Mr. KLINE, Mr. BILIRAKIS, Mr. FORBES, Mr. BENTIVOLIO, Mr. WALBERG, Mr. FINCHER, Mr. BOUTSANY, Mr. CRAWFORD, Mr. PALAZZO, Mr. POE of Texas, Mr. SCALISE, Mr. DESJARLAIS, Mr. MCCAUL, Mr. GARRETT, Mr. WOMACK, Mr. YOHIO, Mr. YOUNG of Florida, Mr. MESSER, Mr. RADEL, Mr. LANKFORD, Mr. STUTZMAN, Mr. WENSTRUP, Mr. MCCLINTOCK, Mrs. WAGNER, Mr. SESSIONS, Mr. FARENTHOLD, Mr. LONG, Mr. DESANTIS, Mr. NEUGEBAUER, Mr. ROTHFUS, Mrs. NOEM, Mr. HOLDING, Mr. KING of Iowa, and Mr. HUNTER):

H. Con. Res. 23. Concurrent resolution expressing the sense of Congress regarding the conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade; to the Committee on Foreign Affairs.

By Mr. TERRY (for himself and Mr. NEAL):

H. Res. 112. A resolution celebrating the history of municipal bonds, the 100-year precedent of the Federal tax exemption for municipal bond interest, and the important contribution municipal bonds have made to economic growth and wellbeing in each State and municipality in our great Nation; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself, Mr. SESSIONS, Mr. HINOJOSA, Mr. OLSON, Mr. FARENTHOLD, Mr. CARTER, Mr. MCCAUL, Mr. CUELLAR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VEASEY, Mr. POE of Texas, Ms. JACKSON LEE, Mr. SMITH of Texas, Mr.

BARTON, Mr. DOGGETT, Mr. CONAWAY, Mr. FLORES, Mr. SAM JOHNSON of Texas, Mr. BRADY of Texas, Mr. GENE GREEN of Texas, Mr. NEUGEBAUER, Mr. BURGESS, Mr. CASTRO of Texas, Mr. VELA, Mr. GALLEG0, and Mr. O'ROURKE):

H. Res. 114. A resolution recognizing the Sabin Vaccine Institute on the 20th anniversary of its founding; to the Committee on Energy and Commerce.

By Mrs. MILLER of Michigan:

H. Res. 115. A resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirtieth Congress; to the Committee on House Administration.

By Mr. PETERS of Michigan:

H. Res. 116. A resolution expressing support for the designation of March 13 as "K-9 Veterans Day", in order to recognize the service and improve the treatment of military working dogs; to the Committee on Armed Services.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CLAY:

H.R. 1104.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. HURT:

H.R. 1105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. CHABOT:

H.R. 1106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution permits the Congress to, "regulate commerce with foreign nations, and among the several states, and with the indian tribes"

By Mr. MCNERNEY:

H.R. 1107.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. CUELLAR:

H.R. 1108.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution Article I, Section 8: Powers of Congress Clause 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GRAYSON:

H.R. 1109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. PIERLUISI:

H.R. 1110.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. GRAYSON:

H.R. 1111.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1112.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1113.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1114.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1115.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1116.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1117.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRAYSON:

H.R. 1119.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. ROE of Tennessee:

H.R. 1120.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. CONYERS:

H.R. 1121.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, U.S. Constitution.

By Mr. NEUGEBAUER:

H.R. 1122.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. GOODLATTE:

H.R. 1123.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 8 gives Congress the authority "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." This legislation addresses the rights granted by Congress to selected copyrighted works.

By Ms. WATERS:

H.R. 1124.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 9, clause 7 of the U.S. Constitution.

By Mr. SCHRADER:

H.R. 1125.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to:

Section 8 of Article 1 of the Constitution

By Mr. BISHOP of Utah:

H.R. 1126.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. BRALEY of Iowa:

H.R. 1127.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BROOKS of Alabama:

H.R. 1128.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have the power to . . . make rules for the Government and Regulation of land and naval Forces . . . To make all laws this shall be necessary and proper. . . .

By Mr. COBLE:

H.R. 1129.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8, Clause 3

By Mrs. DAVIS of California:

H.R. 1130.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DENHAM:

H.R. 1131.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. DENHAM:

H.R. 1132.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. DUNCAN of Tennessee:

H.R. 1133.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. GALLEG0:

H.R. 1134.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION ARTICLE I, SECTION 8:

POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. HUIZENGA of Michigan:

H.R. 1135.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1136.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. KIND:

H.R. 1137.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Ms. MATSUI:

H.R. 1138.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. OWENS:

H.R. 1139.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. OWENS:

H.R. 1140.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. SARBANES:

H.R. 1141.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. SIMPSON:

H.R. 1142.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article N, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. STOCKMAN:

H.R. 1143.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

"The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof"

By Mr. STOCKMAN:

H.R. 1144.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8. Clause 3.

By Ms. WATERS:

H.R. 1145.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. WHITFIELD:

H.R. 1146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

AND

Article I, Section 8, Clause 8

The Congress shall have Power . . . to regulate Commerce with foreign Nations, among the several States, and with the Indian tribes.

By Mr. YOUNG of Alaska:

H.R. 1147.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 1.

H.R. 35: Mr. RICE of South Carolina.

H.R. 36: Mr. FLORES, Mr. LANCE, Mr. GERLACH, Mr. SHIMKUS, Mr. BOUSTANY, and Mr. WITTMAN.

H.R. 52: Mr. GRIFFIN of Arkansas.

H.R. 55: Mr. AMODEI.

H.R. 155: Mr. BONNER, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SCHIFF, Mr. TONKO, Mr. DUNCAN of Tennessee, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. HASTINGS of Florida, Mr. ELLISON, Mr. BISHOP of Georgia, and Mr. CLAY.

H.R. 164: Mr. MORAN, Mr. RUNYAN, and Mr. MATHESON.

H.R. 171: Mr. ENYART, Mr. HIMES, and Mr. CLAY.

H.R. 176: Mr. GIBBS, Mr. FLORES, Mr. MICA, and Mr. RADEL.

H.R. 183: Mr. CLAY and Mr. MARINO.

H.R. 196: Mr. GOODLATTE.

H.R. 198: Mr. MCGOVERN and Mr. HOLT.

H.R. 207: Ms. JENKINS and Mr. PRICE of Georgia.

H.R. 258: Mr. SCOTT of Virginia.

H.R. 285: Mr. HUFFMAN.

H.R. 311: Mr. ROKITA, Mr. THORNBERRY, and Mr. MULVANEY.

H.R. 333: Mr. GERLACH, Mr. CICILLINE, Mr. REICHERT, and Mr. AMODEI.

H.R. 335: Mr. STIVERS, Mr. MCNERNEY, and Mr. MAFFEI.

H.R. 351: Mr. BARROW of Georgia and Mr. COLLINS of New York.

H.R. 358: Mr. LOEBSACK.

H.R. 360: Mr. CASTRO of Texas, Ms. CASTOR of Florida, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAULO, Mr. DELANEY, Mr. DOGGETT, Mr. ELLISON, Mr. ENGEL, Mr. ISRAEL, Mr. LEVIN, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. ROYBAL-ALLARD, Ms. SPEIER, Ms. TSONGAS, Ms. VELAZQUEZ, Ms. WATERS, Mr. ANDREWS, Mr. BARBER, Mr. BERA of California, Ms. BROWN of Florida, Mr. COSTA, Mr. COURTNEY, Mr. HIMES, Mr. MICHAUD, Mr. PERLMUTTER, Mr. QUIGLEY, Mr. SHERMAN, Ms. WASSERMAN SCHULTZ, Mr. FARR, and Mr. BISHOP of New York.

H.R. 361: Mr. McDERMOTT.

H.R. 401: Ms. ESTY, Mr. YODER, Ms. BORDALLO, Mr. HECK of Nevada, and Mr. AMODEI.

H.R. 411: Mr. MAFFEI.

H.R. 447: Mr. MESSER and Mr. ROONEY.

H.R. 454: Mr. MARINO.

H.R. 481: Mr. ENYART.

H.R. 485: Mr. FATTAH.

H.R. 486: Mr. MARKEY, Mr. TIERNEY, and Mr. ADERHOLT.

H.R. 487: Mr. STIVERS.

H.R. 540: Mr. PETERS of California.

H.R. 541: Mr. VEASEY.

H.R. 544: Mr. THORNBERRY, Mrs. WAGNER, and Mr. WESTMORELAND.

H.R. 569: Mr. NUGENT, Mr. STIVERS, Ms. KUSTER, Mr. CARTWRIGHT, Mr. MCNERNEY, Mr. COLE, and Mrs. NOEM.

H.R. 570: Mr. NUGENT, Mr. STIVERS, Mr. CARTWRIGHT, Mr. MCNERNEY, and Mr. COLE

H.R. 581: Mr. JOHNSON of Ohio.

H.R. 582: Mr. HANNA, Mr. HUIZENGA of Michigan, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mrs. BROOKS of Indiana, Mr. YOUNG of Alaska, Mr. ROGERS of Michigan, Mr. GARRETT, Mr. GOHMERT, Mr. RADEL, and Mr. PITTENGER.

H.R. 584: Ms. ESHOO, Mr. McDERMOTT, Ms. BONAMICI, Ms. SPEIER, Mr. CLAY, Mr. HASTINGS of Florida, and Mr. FARR.

H.R. 604: Mr. MICHAUD.

H.R. 611: Mr. WITTMAN.

H.R. 627: Mr. BRALEY of Iowa, Mr. ROE of Tennessee, Mr. TONKO, Mr. HIGGINS, Ms. ROSELEHTINEN, Mr. YARMUTH, Mr. FLEISCHMANN,

Mr. MAFFEI, Mr. SMITH of Washington, Mr. HECK of Washington, Mr. COOPER, Mr. CROWLEY, Mr. RODNEY DAVIS of Illinois, Mr. DESJARLAIS, Mr. LATTA, Mr. PETERS of California, Mr. RANGEL, Ms. KUSTER, Mr. CULBERSON, and Ms. GRANGER.

H.R. 628: Mr. BLUMENAUER, Mr. CONNOLLY, Ms. DELBENE, and Ms. ESTY.

H.R. 630: Mrs. CAROLYN B. MALONEY of New York, Ms. FUDGE, Mr. SERRANO, Ms. TITUS, Mrs. MCCARTHY of New York, Ms. KUSTER, Mr. LOEBSACK, Mrs. KIRKPATRICK, and Ms. MENG.

H.R. 633: Ms. ESHOO and Mr. HONDA.

H.R. 634: Mr. CONAWAY and Mr. VARGAS.

H.R. 647: Ms. DELAULO, Mr. PRICE of North Carolina, and Mr. MICHAUD.

H.R. 659: Mr. HANNA, Mr. HUIZENGA of Michigan, and Mr. WESTMORELAND.

H.R. 661: Mr. LANGEVIN.

H.R. 669: Mr. RANGEL, Mr. CONNOLLY, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 676: Mr. HASTINGS of Florida.

H.R. 683: Mr. PRICE of North Carolina and Mr. MAFFEI.

H.R. 688: Mr. ANDREWS, Ms. TITUS, Mr. GRIJALVA, Mr. AMODEI, Mr. COLLINS of New York, Ms. BROWN of Florida, Mr. GENE GREEN of Texas, and Mr. HIGGINS.

H.R. 690: Mr. LATTA.

H.R. 693: Mr. AMODEI.

H.R. 719: Mr. GENE GREEN of Texas and Mr. COLLINS of New York.

H.R. 721: Mr. REED, Mr. LUCAS, Mr. STIVERS, Mr. PAULSEN, Mr. JONES, Mr. CRAWFORD, Mr. PETERS of Michigan, Mr. ALEXANDER, and Mr. HIGGINS.

H.R. 722: Ms. ESTY.

H.R. 724: Mr. SCHRADER.

H.R. 725: Mr. MCNERNEY.

H.R. 729: Mr. MARKEY.

H.R. 732: Mr. WEBER of Texas, Mr. BUCSHON, and Mr. GOSAR.

H.R. 736: Mr. MURPHY of Florida.

H.R. 742: Mr. DAVID SCOTT of Georgia and Mr. VARGAS.

H.R. 755: Mr. BISHOP of Georgia, Mr. MAFFEI, Mr. MCNERNEY, and Mr. ROGERS of Kentucky.

H.R. 763: Mr. WEBER of Texas, Mr. PAULSEN, Mrs. BROOKS of Indiana, Mr. BUCSHON, Mr. MCCAUL, Mr. STIVERS, Mr. ROTHFUS, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. MULVANEY, Mr. WOMACK, Mr. ROGERS of Michigan, Mr. GOSAR, Mr. COLE, Mr. WITTMAN, Mr. YODER, and Mr. HARPER.

H.R. 769: Mrs. BEATTY, Ms. CHU, Mr. CONNOLLY, Mr. Danny K. Davis of Illinois, Mr. FARR, Mr. GARAMENDI, Ms. MCCOLLUM, Mr. MICHAUD, Mr. LOEBSACK, Mrs. KIRKPATRICK, Ms. HANABUSA, and Mr. CLEAVER.

H.R. 776: Ms. MENG.

H.R. 782: Mr. STIVERS.

H.R. 794: Mrs. KIRKPATRICK.

H.R. 811: Mr. REED.

H.R. 819: Mrs. ELLMERS.

H.R. 825: Mr. BUCSHON.

H.R. 826: Mr. BARR.

H.R. 828: Mr. DESANTIS.

H.R. 833: Mr. PERRY, Mr. SCHWEIKERT, Mr. DESANTIS, Mr. STEWART, Mrs. CAPITO, Mr. O'ROURKE, Mr. AMODEI, Mr. GOSAR, Mr. McDERMOTT, Mr. GRIJALVA, Ms. KUSTER, and Mr. POCAN.

H.R. 850: Mr. RUIZ, Mr. HASTINGS of Florida, Mr. GRIFFIN of Arkansas, Mr. MULLIN, Mr. LIPINSKI, Mr. POMPEO, Mr. ROKITA, Mr. MULVANEY, Mr. PITTENGER, Mr. MCKINLEY, Mr. YOUNG of Indiana, Mr. MAFFEI, Mr. McKEON, Mr. PAULSEN, Mr. BISHOP of Georgia, Mr. MCNERNEY, Mrs. KIRKPATRICK, Mr. AMODEI, Mr. UPTON, Mr. PETERS of Michigan, Mrs. WAGNER, Mrs. ROBY, Mr. MCHENRY, Mr. SMITH of Texas, and Mr. SEAN PATRICK MALONEY of New York.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. MASSIE.

H.R. 25: Mr. ALEXANDER.

- H.R. 877: Mr. PRICE of North Carolina.  
H.R. 892: Mr. PAULSEN.  
H.R. 896: Ms. SPEIER, Mr. ANDREWS, Mr. MAFFEI, Mr. RUSH, Mr. CLAY, Mr. MARKEY, and Mr. ELLISON.  
H.R. 900: Ms. ZOE LOFGREN.  
H.R. 903: Mr. SCHOCK, Mr. PITTENGER, Mr. ROE of Tennessee, Mr. BENISHEK, Mr. RIBBLE, Mr. YODER, and Mr. WESTMORELAND.  
H.R. 904: Mr. GIBSON, Mr. CLYBURN, Mr. BISHOP of Georgia, Mr. MULVANEY, and Mr. ALEXANDER.  
H.R. 916: Mrs. BLACKBURN, Mr. CHAFFETZ, Mr. AMODEI, Mr. JONES, Mr. PRICE of North Carolina, Mr. MICHAUD, Mr. BLUMENAUER, Mr. COFFMAN, and Mr. YOUNG of Alaska.  
H.R. 940: Mr. DUNCAN of South Carolina, Mr. MARCHANT, Mr. HUIZENGA of Michigan, Mr. KLINE, Mr. COLLINS of New York, Mr. KING of New York, and Mr. BUCSHON.  
H.R. 956: Ms. SCHWARTZ, Mr. BARTON, and Mr. RUNYAN.  
H.R. 958: Mr. RYAN of Ohio, Mr. HOLT, Mr. TAKANO, and Mr. ENYART.  
H.R. 961: Mrs. KIRKPATRICK.  
H.R. 973: Mr. GOODLATTE, Mr. BURGESS, Mr. GRIFFIN of Arkansas, Mr. ROKITA, and Mr. KELLY.  
H.R. 979: Mr. LAMALFA, Mr. HECK of Washington, Mr. FLEMING, Mr. THOMPSON of Mississippi, Mr. AUSTIN SCOTT of Georgia, and Mr. YOUNG of Indiana.  
H.R. 981: Mr. HOLT, Mr. VAN HOLLEN, and Mr. CARSON of Indiana.  
H.R. 996: Mr. OWENS, Mr. NOLAN, and Mr. POCAN.  
H.R. 1003: Mr. VARGAS.  
H.R. 1005: Mr. DESANTIS, Mr. MULLIN, Mr. WEBER of Texas, and Mr. FLEISCHMANN.  
H.R. 1008: Mr. LARSEN of Washington, Mr. NOLAN, Mr. RICHMOND, and Mr. SESSIONS.  
H.R. 1014: Mr. BARR and Mr. SCHOCK.  
H.R. 1025: Mr. GEORGE MILLER of California.  
H.R. 1026: Mr. JONES.  
H.R. 1032: Mr. BUCSHON, Mr. ROSS, and Mr. STIVERS.  
H.R. 1039: Mr. STIVERS, Mr. LONG, and Mr. WESTMORELAND.  
H.R. 1089: Mr. FOSTER.  
H.R. 1090: Mr. VEASEY.  
H.R. 1102: Ms. NORTON, Ms. ZOE LOFGREN, and Mr. DEFAZIO.  
H.J. Res. 20: Mr. GRIJALVA.  
H.J. Res. 21: Ms. SHEA-PORTER and Mr. GRIJALVA.  
H.J. Res. 26: Mr. ROTHFUS.  
H.J. Res. 28: Mr. ROKITA.  
H.J. Res. 34: Ms. LEE of California and Mr. GENE GREEN of Texas.  
H. Res. 36: Mr. WILLIAMS, Mr. CRAMER, and Mr. NUNNELEE.  
H. Res. 69: Mr. BENISHEK and Ms. ZOE LOFGREN.  
H. Res. 74: Mr. LOWENTHAL and Mr. MCGOVERN.  
H. Res. 80: Mr. MCNERNEY.  
H. Res. 86: Mr. OLSON, Mr. FARENTHOLD, Mr. WOLF, and Mr. WEBER of Texas.  
H. Res. 87: Mr. DUNCAN of South Carolina.  
H. Res. 90: Mr. GENE GREEN of Texas, Ms. MOORE, Ms. BROWN of Florida, Mr. AL GREEN of Texas, Mr. PASTOR of Arizona, Mr. LANGEVIN, Mr. HIMES, Ms. HAHN, Mr. DEFAZIO, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SPEIER, Mr. CAPUANO, Mr. O'ROURKE, Mr. TIERNEY, Ms. TSONGAS, Ms. SCHAKOWSKY, Mr. CICILLINE, Ms. ZOE LOFGREN, Mr. MARKEY, Mr. KEATING, and Mr. NEAL.  
H. Res. 94: Mr. QUIGLEY, Ms. TITUS, and Mr. ELLISON.  
H. Res. 95: Mr. STIVERS.  
H. Res. 101: Mr. KING of New York.  
H. Res. 108: Mr. ELLISON.  
H. Res. 110: Mr. VARGAS.

**SENATE—Wednesday, March 13, 2013**

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, thank You for Your promise to meet all our needs. Plant Your peace in the garden of the hearts of our Senators, enabling them to feel the power of Your presence when they need it most. May they find opportunities to trust You, even in the midst of trouble. Lord, bring them through the difficulties of our times, as gold tried in the fire. Help them to be healing agents as they exemplify for the American people civility, graciousness, and oneness. Let Your spirit guide them moment by moment, keeping them close to You.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read as follows:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 13, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Following leader remarks, the Senate will resume consideration

of the motion to proceed to H.R. 933, the continuing resolution legislation. Last night I filed cloture on a motion to proceed to this most important legislation. We are now in the midst of another filibuster. If no agreement is reached, the cloture vote will be tomorrow morning.

**THE RYAN BUDGET**

Mr. President, yesterday Americans got their first look at this year's Ryan Republican budget. It turns out it looks like last year's Ryan Republican budget. I wasn't the only one who said: Gee whiz, not again.

Here is the headline from Bloomberg News:

Ryan Budget Replays Republican Hits.

One Washington Post reporter compared the release of the not-so-new and certainly not improved Ryan Republican budget to the movie "Groundhog Day," where Bill Murray relives his least favorite holiday over and over and over. Remember, this is the third Ryan Republican budget.

This is what the Washington Post also wrote:

The unrepentant reprisal of the same fiscal vision that was decisively repudiated last fall is bound to attract notice.

Indeed, this is the same budget plan we saw from Congressman RYAN last year and the year before that. Even the name is the same. If anything, this new version is even more extreme than the last two Ryan Republican budget proposals—proposals that sought to end the Medicare guarantee and raise taxes on middle-class families, all the while handing out more tax breaks to the wealthy.

The Ryan Republican budget is anything but balanced, and it reflects the same backward values Americans rejected in November. Instead of asking the wealthiest to contribute their fair share, the Ryan Republican budget demands that middle-class families pay more in taxes. Instead of ending wasteful corporate tax loopholes, it basically ends Medicare. In fact, the Ryan Republican budget takes special aim at health care. It would eliminate free preventive health services for 34 million Americans. The Ryan Republican budget would increase prescription drug prices for seniors by \$2.5 billion in 1 year. It would end the coverage guarantees for 3.1 million young men and women who are on their parents' health plans. The budget would end coverage for mammograms, cervical cancer screenings, and contraception for more than 47 million women and allow insurance companies to deny care for 17 million children simply because they were born with a heart de-

fect or some other illness. These drastic cuts will literally cost lives and also jobs.

Instead of a balanced approach that protects the American economy, the Ryan Republican budget guts education, medical research, infrastructure, and even public safety. The Ryan Republican budget would actually jeopardize the economic recovery; it wouldn't help it. And in case you are thinking such huge and painful cuts can buy an awful lot of deficit reduction, think again. Instead, Congressman RYAN's cuts will buy more tax breaks for the wealthiest among us. This budget isn't a serious attempt to reduce the deficit. Meaningful deficit reduction will require shared sacrifice, including contributions from those who can best afford to contribute to it.

Today, Budget Committee chairman PATTY MURRAY will introduce a budget that reflects the principle of balance. Senator MURRAY's plan, the Democratic plan, will cut wasteful spending, reduce the deficit, and close tax loopholes that benefit the rich, and it will invest in the things that help our economy grow: education, preventive health care, worker training, and roads and bridges. It will invest in a strong middle class. And unlike the Ryan Republican plan, it won't leave you wondering if it is Groundhog Day all over again.

As things now stand, we are in the midst, as I indicated, of a filibuster to even try to get on the bill. If we get on the bill tomorrow morning, then there will be 30 hours of waiting around, staring at each other. I just alert everyone that we have an Easter recess coming a week from Friday, and we are not going to be able to do that. The budget has a locked-in amount of time, 50 hours, plus the vote-athon. So everyone should be prepared to change their plans for the first few days—we hope it is the first few days—of the Easter recess.

We are not even on this bill, and that is such a sad thing. I thought it was such a good atmosphere here. We had a bill at a decent time from the House. As I indicated yesterday, I didn't like everything in that bill, but we had Senator MIKULSKI and Senator SHELBY working together. They checked in with me and Senator MCCONNELL to let us know how they were doing, and they did well on their own. They didn't need our help. They came up with a plan that was fair and as balanced as could be under the sequester situation, and it was bipartisan. The amendment that is being filibustered is sponsored by MIKULSKI and SHELBY. So this is a real shame.

I said last week when we were going on this bill that we would have opportunities for amendments. I hope we can get on the bill and have some amendments offered, but each day that goes by—and we have wasted 2 so far—we are unable to have the amendment process. We had yesterday waiting all day for Harkin and Cruz because that is the first Democratic amendment and the first Republican amendment. They are still on deck, waiting to come whenever the umpire says we can go forward—the umpire being one Senator.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### THE BUDGET

Mr. MCCONNELL. Mr. President, four years, four long years, that is how long Kentuckians and Americans from coast to coast have had to wait for Senate Democrats to perform their most basic of legislative responsibilities.

Later today, we hope, that long wait will come to an end when they finally release a budget plan.

Given what we have heard about that budget so far, it is obvious why they refused to release one for so many years.

We hear it won't prevent programs such as Medicare from going bankrupt.

We hear it contains yet more wasteful "stimulus" spending, spending that turns out to be a lot more effective at generating jokes for late-night comedians than jobs.

And in order to finance more spending, we hear it relies on more than \$1 trillion—that is trillion with a T—in new taxes, including on the middle class. Remember, Washington Democrats already got more than \$600 billion in taxes this year. So where is this new revenue going to come from, charities, the home mortgage interest deduction? Will they go after families and small businesses yet again?

At least there is one thing we almost certainly know: their budget will never balance—not today, not tomorrow, not ever.

If that was my vision for the country, frankly I would want to hide it from the American people too.

Look, a budget like that would be a disaster for our country. It would betray those who are going to need Medicare when they retire.

It would betray the younger Americans who would be forced to grapple with the consequences of Democrats' failure to get serious about the debt.

It would betray the hard-working middle-class families that simply can't afford higher taxes, especially in the Obama economy.

And if that is really the kind of budget Senate Democrats plan to offer, it would sacrifice Americans' hopes for sustained economic recovery at the altar of higher taxes and bloated, unaccountable government.

It would also draw an important contrast with the budget Republicans put forward yesterday.

Because here is the thing: Republicans believe we should be growing the economy, not the government—and the House Republican budget reflects just those priorities.

It is a budget that does something else too; it actually balances.

That is important for a number of reasons, not the least of which is that it would help unleash economic growth and bring down our country's massive debt load. Interest payments on the national debt alone are set to exceed everything we spend on defense in just a few years' time, so the path we are on clearly is not a sustainable one.

With that in mind, I hope Democrats offer something serious today. I hope they face up to the fact that they already got the revenue they are going to get. So that they can start dealing with the real issues that are leading us to fiscal ruin.

And I hope they will finally stop trying to shield the Washington establishment from every single attempt to inject a little accountability and reform, because if the reports I have seen are correct, the budget they plan to offer would do none of these things. It would only speed up the dangerous trajectory we are on rather than change it; entrench government waste and cronyism rather than root it out; and make things worse for the families we represent rather than give them hope. Hope is something the American people really need right now. They have been battered by the President's economy. They are tired of seeing their money wasted on an endless labyrinth of self-perpetuating bureaucracy.

So I am calling on my Democratic friends to shelve the extremist liberal budget we have been hearing so much about. Let's get serious here and start doing the things necessary to make government more efficient, more pro-growth, more responsive, and more compassionate—in other words, enact the same priorities Republicans have and, frankly, the priorities many of our constituents have too.

After 4 long years, Senate Democrats should be willing to do more than just protect their buddies in government at all costs—to offer Americans something better than a budget that would expand the IRS and crush the middle class.

The American people deserve better than that. Haven't they waited long enough already for true growth-oriented reform?

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to Calendar No. 21, H.R. 933.

The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 21, H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I wanted to make a few comments. We have finished our analysis of this bill. The bill has 587 pages and spends well over \$1 trillion. We finished at 9 p.m. last night. We have no objection to moving to the bill through a fair and open process. We will be happy to submit our ideas to the chairman and ranking member of the Appropriations Committee. There is a lot we ought to discuss about this bill. However, there is no attempt to filibuster the bill. There was an attempt to do our job, which was to actually read the bill and see what is in it so we would be prepared to offer constructive criticisms to the bill.

With that, I leave and I will be back on the floor in a little bit when the managers of the bill come to the floor. If they want to offer amendments and ask unanimous consent to move on to the bill, I am sure there will be no objection.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I respect my friend from Arizona. He is my friend, and we have worked together on a bipartisan basis. I respect his right as a Senator and his responsibility as a Senator to speak on issues that he thinks are important to our Nation and his home State as well as to offer amendments if that is the appropriate approach he wants to use. However, we have wasted a day. We lost a day in the U.S. Senate.

Yesterday was the day to begin the amendment process and we could not. Senators objected to our coming to this process and even offering an amendment on the continuing resolution, which is the Federal budget for the remainder of this year; in other words, until September 30. We know we are just days away from the continuing



resolution expiring. We don't want the government to shut down; we do want to fund the government. We understand there must be spending cuts and there is a healthy difference of opinion on where those cuts should be made. The Senator from Arizona was on the floor yesterday and we spoke of this.

One aspect of this bill, which I wish to address for a moment, is the Department of Defense appropriations. This is a new responsibility which I have on the Senate Appropriations Committee, and it is an awesome responsibility. Not only are we dealing with the security of the United States of America, first and foremost, we are dealing with a massive spending bill. This is larger than any other spending bill in the Federal Government.

Last week the House of Representatives passed a continuing resolution which covers the Department of Defense for the remainder of this year. Many changes are included in there, but that was done along with the military construction budget and the Veterans Administration budget. That was all finished last week. It was all sent to us by the House last week ready for us to address it if we cared to.

Well, we had that chance yesterday, and we didn't do it. Now we have another chance today, and we should take it. We have a lot to do in a limited amount of time. We have this week and the next to accomplish not only the passage of this Federal budget for the remainder of this year but also next week we will begin consideration of a budget resolution for spending in the next fiscal year. Those are two awesome responsibilities back to back and up against the Easter recess.

Senator HARRY REID, the Democratic majority leader, has come to the floor expressing some frustration. He wanted to move on this continuing resolution this week—as early as yesterday—and give Members an opportunity to offer amendments. There were several Members who stepped forward prepared to do so, but there was a stop. There was a hold.

I understand the Senator from Oklahoma—and I believe my friend from Arizona may echo his remarks—is prepared to not stand in the way of any of the amendments. If Members wish to offer amendments, they can do so, and I hope they will.

Mr. MCCAIN. Mr. President, could I ask my friend a question while he is on that subject?

Mr. DURBIN. Mr. President, I ask permission to engage in a dialogue with my friend from Arizona.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. I say to my friend from Illinois that there is no further objection. The Senator from Oklahoma and I have reviewed the bill and yesterday we discussed its length and our obliga-

tions. I promise to my friend from Illinois that we will not rehash that discussion we had. We have no objection whatsoever to taking up amendments right now and moving forward with that. I hope that is perfectly clear to all Members. Very frankly, I am eager to move forward.

I will mention to my friend from Illinois that I appreciate the new responsibilities he has. I appreciate the responsibilities he has addressing, as he just said, the largest single part of our appropriations bill which is in the Defense authorization. During the intervening time we had requested, I came up with, for example, \$65 million for Pacific coast salmon restorations for States, which includes Nevada. We are going to restore salmon restoration in the State of Nevada?

Also listed here is the Department of Defense to overpay contracts by an additional 5 percent—totaling \$15 million—for Native Hawaiian-owned companies. I would be glad to include this long list for the RECORD.

There is a request for \$993,000 in grants to dig private wells for private property owners; \$10 million for USDA high-energy cost grant program to go to subsidize electricity bills in Alaska and Hawaii; \$5.9 million for economic impact initiative grants. The list goes on and on.

I say to my friend from Illinois that we were trying to examine this legislation—the 587 pages or whatever it is—to find this sort of issue. It is our obligation to do so. We have found these things, and we are still finding additional elements.

I see my old friend, the distinguished majority leader, on the floor. We are ready to move forward with amendments. I was saying to my friend from Illinois that we found numerous additional provisions in this legislation that we think are important for debate and discussion. I won't go through all of them, but some of the items include \$120 million for Guam; \$5 million for the National Guard STARBASE Youth Program; \$154 million for alternative energy resource. It goes on and on. In the meantime we have ships that cannot deport, planes that cannot fly, and men and women we cannot train and equip. Yet we have this kind of stuff on the appropriations bills.

I want to share with my colleagues that the Senator from Oklahoma and I finished examining this bill yesterday. We are prepared with amendments and moving forward with vigorous debate. If there was any misunderstanding about that, I apologize to the majority leader and my friend from Illinois.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, as I said yesterday on the floor, I have nothing but the highest respect for my friend from Arizona. I know he looks into things very deeply, and I appreciate his

peacemaking. Even though he is a famous man in America and the world because of his wartime experiences, he is also a peacemaker, and I am grateful for that.

Mr. President, I ask unanimous consent that the motion to proceed be agreed to.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. The Senate will proceed to H.R. 933.

The clerk will report the bill.

The bill clerk read as follows:

A bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 26, AS MODIFIED

(Purpose: In the nature of a substitute)

Mr. REID. On behalf of Senators MIKULSKI and SHELBY, I call up their substitute amendment, as modified, which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Ms. MIKULSKI and Mr. SHELBY, proposes an amendment numbered 26, as modified, as follows:

On page 1, strike lines 3, 4, and 5.

(The text of the amendment is printed in the RECORD of Monday, March 11, 2013, under "Text of Amendments.")

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. I withdraw the cloture motion.

The ACTING PRESIDENT pro tempore. The cloture motion is withdrawn.

Mr. REID. The first two amendments we will go to on this bill, according to the two managers, are the amendments by HARKIN and CRUZ. If Senator HARKIN is not available immediately, then Senator CRUZ can do it. These are the first two amendments, and I ask that both of them come to the floor at the earliest possible time. In fact, soon. The two managers, Senator SHELBY and Senator MIKULSKI, will be here shortly.

In the meantime I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I will withdraw my request for a quorum call. I didn't know my friend, the distinguished Senator from Illinois, was here wanting to talk, which is a rare occasion.



Mr. MCCAIN. Mr. President, if we could continue our dialogue.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I want to thank the majority leader before he leaves the floor. I look forward to amendments and debate. Again, I apologize to all my colleagues if we held up this legislation, but we did want time to examine this legislation as we had previously requested. I thank my colleagues and look forward to moving forward with amendments. The Senator from Oklahoma and I are prepared with amendments whenever they are in order.

I thank my friend from Illinois, and I appreciate the enormous responsibility he has in his new position.

Mr. DURBIN. Mr. President, I thank my colleague from Arizona as well. I think we have a rare moment of peacemaking and harmony in the Senate. It may not last for long, so I want to speak while we have that moment and say for the Record that I don't dispute any of the statements made by the Senator from Arizona nor do I question his right to do so, including his responsibility to raise questions about spending.

We are at a time when we are cutting spending right and left—even at the Department of Defense. I do want to put on record the following: This bill, which we are considering as it relates to the Department of Defense in its entirety, is the bill that was passed by the House Republican majority. This is not a bill which was written on this side of the Rotunda. We have received it. That doesn't mean we should not ask questions about what the House did, but I don't want to be assigned the blame or asked to take responsibility for provisions which I did not author. We took the House version and brought it to the floor in an effort to get this moving in an expedited manner.

I know some of the questions the Senator from Arizona has raised are not new. There was a longstanding debate here in the Senate about whether to expand the notion of minority contracting to include Native Alaskans and Native Hawaiians. Understandably, Senator Stevens of Alaska, who chaired the subcommittee for a long time, and Senator Inouye, who also chaired the subcommittee—and unfortunately he passed away just a few weeks ago—believed that the minority status for contracting should include their native tribes people. They fought for it, and it was included. I know the Senator from Arizona perhaps took exception to that and debated with them. To renew that debate is perfectly appropriate, but it is not a new provision in the bill. It is something that has been there for some time. I welcome the debate. I think it is a fulsome debate and an important one, but I wanted to say that for the Record.

This is the House Republican bill and the measures which the Senator from Arizona addressed have been debated for a lengthy period of time. Some issues that were raised are new to me. I have to look more closely—and I should—to find out the merits of the provisions.

Before we go any further with that, I—

Mr. MCCAIN. Mr. President, could I briefly respond?

Mr. DURBIN. Mr. President, if I could ask any time that we use from now until the managers arrive on the floor be for debate only. I ask unanimous consent for that purpose.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I say to my friend I had no assurance that what came from the House—the defense portion of this bill—was going to be “preconferenced,” and that it was going to be the final bill. So to expect for me to honestly examine the House-passed bill without knowing what the disposition of it would be on the Senate side is a little much. During the intervening time, the Senator from Oklahoma and I have found items in this bill that have nothing to do with the defense bill. For example, \$65 million for Pacific coast salmon restoration for States including Nevada. I know there are rivers coursing through Nevada all the way to the Pacific Ocean, but the point is there is \$993,000 in grants to dig private wells for private property owners.

We have a list of provisions which we were able to uncover which we find controversial and should be open for debate and discussion. But it is over, and we are moving forward.

I hope the Senators whose amendments have just been made and ordered will come to the floor so we can debate and vote.

I thank the Senator from Illinois, and I yield the floor.

Mr. DURBIN. I see my friend and colleague from the State of Rhode Island, who serves on the Defense Appropriations Committee as well as the Armed Services Committee, and I will yield to him next.

I do want to say a word about the Department of Defense appropriation contained in this bill. This act provides \$604.9 billion, including \$87.2 billion for overseas contingency operations. That is a reduction from the 2012 level of \$633.2 billion. There were no changes in the bill that passed the House last week. The bill fully complies with the spending caps in the Budget Control Act. It contains no Member-requested earmarks in compliance with the earmark moratorium. Congress has cut the defense budget to find programs which we believe are excessive to accommodate scheduling delays, budget errors, and unspent funds.

The bill includes 671 cuts to programs in the budget request that have funds that are not needed for the remaining 6½ months of the year. I believe everyone should agree with the notion that if we are going to replicate last year's budget—for goodness' sake, we are not going to build the same ship twice, so we are trying to avoid those obvious misappropriations and waste of Federal tax dollars.

The bill also rescinds \$4 billion in unspent prior-year appropriations for 87 programs that have been delayed or terminated.

There has been talk in the press that the Defense appropriations bill included here gives an advantage to the Pentagon when it comes to sequestration, but that is not true. Until this bill is enacted, the Defense Department is dealing with two challenges: sequestration and the threat of defense being under a full-year continuing resolution for the first time in our Nation's history.

This bill does nothing about sequestration. Nearly \$42 billion in defense cuts have already been ordered by the President, and this bill does not change that at all.

Some people think the Defense Department is being afforded special treatment in being able to transfer money to deal with sequestration. In fact, this bill keeps a tight rein on the Pentagon's transfer authorities. The bill actually provides less transfer authority than what the Defense Department requested in February of 2012.

The Defense Department asks for \$5 billion in general transfer authority. The bill allows \$4 billion. The Defense Department asks for \$4 billion in transfer authority for overseas contingency accounts. The bill provides \$3.5 billion. All these transfer authorities are subject to congressional approval processes.

The perception that this bill gives the Pentagon excessive flexibility to deal with sequestration is not correct.

The other challenge facing the Department of Defense is the threat of a year-long continuing resolution if we fail to pass this bill—a bill that would do nothing more than extend the authority of last year's spending bill. Some of the Department's most pressing fiscal challenges relate to trying to live in today's world using last year's budget. Passing a defense bill will give the Pentagon relief from the threat of living under a full-year continuing resolution for the very first time. But that is not because of flexibility, that is because an appropriations bill is a better steward of taxpayer dollars than a continuing resolution.

Here are five reasons why a continuing resolution would be harmful to our national defense: Readiness. Readiness is the way to measure whether our troops are properly trained and equipped to do their mission. Under

last year's funding bill, operation and maintenance accounts would be underfunded by \$11 billion. In other words, if we just took last year's bill, we would be short \$11 billion in preparing our troops for battle. I will tell my colleagues that these operations and maintenance accounts which result in readiness training mean survivability for our men and women in uniform. It is that basic. That directly translates into less training, if we don't do something about it, and delayed repair of equipment. Every member of the Joint Chiefs of Staff has warned us that readiness is on the verge of plummeting because of fiscal uncertainty. That is disgraceful and unacceptable. Once readiness goes down, it takes years to rebuild it.

Spending on unneeded programs is also a concern. Continuing last year's bill would fund \$17 billion worth of programs that are no longer needed—specifically 31 programs that have ended.

For example, a continuing resolution would provide \$2.6 billion for MRAP armored vehicles. The Pentagon has already bought these vehicles, and with our troops beginning to draw away from Afghanistan, we don't need more at this moment. This bill would not provide funds for unneeded programs such as this.

Third, no new starts or multiyear authority. A simple extension of last year's bill would extend the prohibition on new programs and multiyear contract authority. A multiyear contract must be specifically authorized by law and only when the government would save approximately 10 percent compared to buying each year's requirements.

If this authority is not provided, the taxpayers stand to lose \$150 million in cost savings for the V-22 *Osprey* and as much as \$373 million in savings on the Army's Chinook helicopter. To put that in simple terms, if we can enter into multiyear contracting and get discounts on what we will need in the future, it is in the best interests of our national defense and the taxpayers. Losing that multiyear contracting results in the opposite. We overpay for things we know we will not need.

When the government needs to be finding ways to make taxpayer dollars stretch further, a simple extension would require the government to turn away from cost savings that have already been negotiated.

On the fourth point, shortfalls will go unaddressed. There is a long list of shortfalls in the defense budget that are not controversial but wouldn't be fixed by a continuing resolution. Here are just a few examples we are considering: \$1.5 billion for National Guard equipment; \$2.3 billion for ship operations; \$271 million to close the shortfall in TRICARE health care programs; \$211 million added for the Iron Dome missile defense program that protects Israeli cities from short-range rockets.

The President of the United States visited us yesterday for lunch and talked about his upcoming trip to the Middle East to meet with our allies in Israel. I will tell my colleagues the President, as well as the leaders in Israel, know how important the Iron Dome missile defense program is and we should not shortchange it.

Another example: \$45 million is added to focus intelligence efforts on finding Joseph Kony, the notorious leader of the Lord's Resistance Army in Uganda.

I recently visited Africa. I have been in the field with our troops who are stalking this man and they will find him. He is a notorious murderer. The President has said we will put an end to his reign of terror and we will. This bill, the bill we are considering, will provide the funds to finish that.

Let me summarize by saying this bill is a compromise solution that meets budget caps, does not unfairly help the Department of Defense compared to other agencies. It eliminates wasteful and unneeded spending, lowers the risk to readiness and the threat of a hollow force, takes care of our troops and their families, and addresses the priorities of our national defense.

I will not quibble or argue with my colleague from Arizona or any other colleagues. If there are provisions in the House bill—which is included here in its entirety—that need to be challenged, addressed, debated or changed, so be it. That is why we are here. But we are starting with this and with the good intention of finding funds for the Department of Defense in very challenging times.

I yield the floor to my friend from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me commend the Senator from Illinois for a very thoughtful statement about the pending appropriations bill, particularly with respect to the funding of the Department of Defense.

I wish to spend a moment to talk about another looming issue that is beyond appropriations but is rapidly approaching.

In June of last year, as we commemorated the 40th anniversary of legislation to establish the Pell Grant Program, we narrowly averted a doubling of the interest rate on need-based student loans.

Back in January of 2012, Congressman COURTNEY and I introduced legislation to permanently extend the 3.4 percent interest rate that has helped make college loans more affordable for millions of students across the country. But my colleagues on the other side of the aisle instead voted for budgets that effectively called for the doubling of the rate. They did this at a time when students are struggling—and I will point out some of the difficulties we face—at a time when col-

lege costs are increasing and at a time when college is becoming more and more essential for obtaining any type of long-term, stable employment and ability to contribute to the continued economic growth of the country.

It took thousands of calls and letters and rallies from students and parents across the country and President Obama himself getting involved in this issue to bring everyone to the table to negotiate. However, we were only able to get a temporary, short-term fix. Essentially, we were able to keep the interest rate at 3.4 percent but only until July 1 of this year. Interest rates will again double then on these need-based loans unless we act.

One of the other ironies, of course, is that even at 3.4 percent, that is a substantial interest payment at a time when Federal fund rates are closer to 1 percent and when large financial institutions can borrow at these very low rates, et cetera. So given that factor also, it is essential we once again respond, prior to July 1, to the anticipated doubling of the student loan rate.

Now is the time to develop not just a short-term solution but a long-term solution to this growing burden of student loan debt, the rising cost of college, and the need to improve higher education outcomes so students complete their degrees and get the full benefit of their investment in education and we get the benefit as a society and as an economy of their education.

Everyone agrees college costs are too high and are climbing higher. There has to be real reform by higher education in terms of the way they deliver services. They cannot continue to pass on increased costs. If that continues to happen, families will be priced out of a college education, even with our grants and loans; so we have to do something.

Student loan debt is the next big financial crisis we are facing. Even if we act now, we are looking at some very sobering statistics about the growth of student loan debt already. That should prompt, again, action now to prevent the doubling of the interest rate and longer term action to control the costs of higher education and the ability of families to respond to those costs.

Student loan debt continued to rise throughout the recession. In fact, one of the ironies of the recession is people can't find jobs; they are going back to college to get more training and sometimes they are going back to college because that is what they can do. So the irony, of course, is we are adding to the student debt. In fact, today, student loan debt is the second largest outstanding balance after mortgage debt. It eclipses credit card debt. It is the second largest outstanding balance in our economy behind mortgage debt. Borrowers are struggling under that debt.

The Federal Reserve Bank of New York recently reported that 17 percent

of student loan borrowers are more than 90 days past due on their payments—a large increase from under 10 percent in 2004. So in roughly a decade, we have seen an increasing amount of students unable to shoulder the burden of their debt. Even worse, if we consider that 44 percent of student loan borrowers are not in repayment—these are people who statutorily don't have to start paying—the effective delinquency rate rises to more than 30 percent. That is stunning.

This is affecting also the lives of these young people at a time when they are beginning to establish or are hoping to establish households. A recent Pew Research Center survey illustrates what is happening. As the percentage of young adult households with student loan debt climbed from 34 percent in 2007 to 40 percent in 2010—again, a huge increase in debt—the share of younger households owning their home has declined sharply from 40 percent in 2007 to 34 percent in 2011. Home ownership, which is one of but not the only measure of the American dream, is also one of the strongest supports of the American economy, but it is rapidly being priced out of the reach of young students because of their student debt. They literally can't qualify for mortgages.

Car ownership shows a similar trend. In 2007, 73 percent of households headed by young adults owned or leased at least one vehicle. By 2011, that figure dropped to 66 percent.

Students are caught literally between a rock and a hard place. Huge financial debts for their college education prevent them from buying homes, buying cars, and prevent this economy from growing as it has in the past because of new households, young households coming into the marketplace, buying homes and buying cars and starting families.

We can't do away with education. It is more important each day in a global economy. We have to deal with this issue of rising costs. The cost of attending college has increased by more than 550 percent since 1985. Let me repeat that: 550 percent. That is rising faster than gasoline, health care, and other consumer items. It is skyrocketing. Again, the universities, the colleges, education leaders at every level—Federal, State, and local—have to begin to respond to this rising cost of education. But keeping student loans affordable and interest rates low is one part of the solution, particularly this immediate crisis facing us by July 1.

The Federal Government should price student loans based on our actual costs of operating the student loan programs. We should set the student loan interest rates in a way that minimizes the cost for students while covering most of the cost for the taxpayer. The Federal Government provides student

loans to increase the number of Americans who can obtain college degrees. We do not and should not run these programs to generate revenue. They should be to increase the capital—the human capital—of our country. I plan to introduce legislation to set student loan interest rates based on the principles of keeping costs low for both students and taxpayers.

Providing more grant aid through Pell grants and other programs is another way to tackle these college costs. However, if college costs continue to rise at the current rate, students relying on the Pell grant will continue to lose ground. We need States and institutions to partner with us to make college affordable. Again, it has to be a cooperative effort.

With respect to the Pell grant, I have talked about the loans, but the Pell grant is just an outright grant of funds to the student without the need to repay. It was for a long time the backbone of our Federal support to students in college and families trying to put their children through college.

In 1976 the Pell grant maximum was \$1,400. That was enough to cover 72 percent of the cost of attendance at a public 4-year college. In fact, in those good old days, with a Pell grant and a summer job and a little help, you were usually able to emerge from college after 4 years without a huge debt, and you could start your family and buy your car at a younger age.

In 2010 the maximum Pell grant was increased to \$5,550, but that is only enough to cover 34 percent of the cost of attendance at a public 4-year college.

In my State, we have been particularly hard hit by this recession and economic downturn, and students and families are feeling this pressure of increased tuition and higher fees at schools and colleges acutely. They need these resources, and we have to ensure that they get these resources.

As I indicated, I am planning to introduce legislation to strengthen our higher education system and student aid programs by reestablishing a strong Federal-university-State partnership for college access and affordability and by requiring institutions to assume more of the risk in the student loan programs and to do so in a way that I think will vindicate our best principles and our soundest economic rationale.

I look forward to working with Chairman HARKIN. He has been a leader on these issues for so many years, both as the chairman of the HELP Committee and chairman of the Appropriations subcommittee. We want to start by preventing, obviously, the doubling of student loans by July 1. That is step 1, but it cannot be the last step.

Mr. President, with that, I yield floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Mr. President, I come to the floor on the 1,414th day since the Senate has passed a budget and on a day where, amazingly, the President of the United States is reported to have said: "We don't have an immediate crisis in terms of [our] debt."

Well, we do have a debt crisis that threatens both future generations—because somebody is going to have to pay that debt back, and thanks to abnormally low interest rates, right now they are not spiraling out of control, but if interest rates were to return to historic norms, I believe for each additional percentage point in interest we would have to pay on our national debt, it would result in roughly \$1.7 trillion more we would have to pay back. So in many ways the United States is lucky, even though we are on the brink of what scholars such as Reinhart and Rogoff have said—we are on the precipice of a debt crisis because once interest rates begin to rise, the creditors lose confidence in our ability to repay that debt, and our economy spins out of control, resulting not only in a severe recession or worse but also harm to some of the most vulnerable people in our society who depend on the safety net that government provides.

It is also, in a debt crisis, impossible for the Federal Government to do what it must do in terms of national security. Indeed, that is what led the former Chairman of the Joint Chiefs of Staff, Mike Mullen, to say that the single greatest threat to our national security is our debt. And it keeps getting worse and worse because the President seems unwilling to deal with the obvious and to enter into what he likes to call the grand bargain but one that can only occur if the President is willing to talk about the entire economy and not just raise taxes.

The President has said that we must embrace a balanced approach to deficit reduction. Of course, reasonable people can disagree on what a balanced approach looks like, but we all know what a balanced budget looks like.

Yesterday morning House Republicans released a plan that balances the Federal budget over the next 10 years. We still do not have the President's proposed budget even though it was due on February 4, and we are now advised that we may not see the President's own proposed budget until sometime in April, which, coincidentally, is after the time that the House and the Senate will act on their proposed budgets. It seems once again that the President has taken to leading from behind.

For that matter, White House Press Secretary Jay Carney has told us that the President's proposed budget will not even try to balance the budget but, instead, put us on what he calls a "fiscally sustainable path." But that cannot be true. Unless the Federal Government adopts serious reforms to Medicare and Social Security, mandatory

spending programs which occupy roughly 61 percent of all Federal spending—the kinds of reforms the President has constantly rejected—we cannot put our country on a fiscally sustainable path by definition.

As the President knows because his own bipartisan fiscal commission told him so in December 2010, to save Medicare we must make structural changes that ensure the program will be affordable over the long term. I do not know any young person the age of my two daughters—30 and 31—who actually believes Medicare and Social Security are going to be there for them when they retire. They simply do not believe it because they see the irresponsibility of the present generation in not only racking up bills they are going to have to end up paying, they are seeing us do nothing to address the fiscally unsustainable path for Medicare and Social Security.

Any of us who have studied the problem understand what the problem is with the Medicare system. Right now, an average couple will put, let's say, \$1 in the Medicare trust fund for every \$3 they will ultimately take out of it. This is not a pay-as-you-go system by any means, as opposed to Social Security, where basically you will get \$1 out for every \$1 you put in Social Security—but not Medicare because of its unique problems.

The current Medicare system incentivizes quantity over quality, and its price controls distort the entire health care market. In my State, in Texas, about one-third of the doctors will not even take a new Medicare patient because of government price controls that basically provide compensation to them roughly one-third less than what private health insurance plans would provide. Expanding those price controls, as the President has proposed, would only make Medicare's problems worse.

For all the challenges Medicare has, Medicaid—which is designed to provide health care to low-income Americans—is even worse in terms of the compensation provided to medical providers, hospitals, and doctors, and so many of them simply will not take Medicaid patients, leaving Medicaid-eligible beneficiaries “coverage” but no access in many instances.

By restructuring the Medicare Program and increasing competition, we can hold down cost growth in Medicare and make it available not only to the present generation of seniors but also to future generations of seniors. That is the sort of serious issue that is not going to go away that the Senate budget should deal with.

It should also provide a framework for sensible Tax Code reform. We all know the Tax Code is way too complicated. We also know it is riddled with tax credits, deductions, credits—what the Simpson-Bowles Commission

called tax expenditures. Yet the President does not want to eliminate those tax deductions, credits, and expenditures for the purpose of reforming the Tax Code, bringing down marginal tax rates not only for businesses and individuals, he wants to use it to raise taxes again.

There is a bipartisan consensus, however, that tax reform should lower the rates and broaden the base. Indeed, those are the recommendations of the Bowles-Simpson Commission and the Domenici-Rivlin panel as well. But, as I said, the President wants to use what he calls tax reform as a Trojan horse to raise taxes again. He argues that we will not have a balanced approach to deficit reduction unless we pass another massive tax hike, and that is after the President raised taxes by \$600 billion in January.

From what I understand, our friends across the aisle—Senator MURRAY, as the chairman of the Senate Budget Committee—are about to unveil a budget proposal that would raise taxes again by at least \$1 trillion.

I realize that if you think government is the answer to almost every question that comes up in America today, you are going to need bigger government, more intrusive government, funded by higher tax revenue. But they seem to be forgetting a few things. First of all, the Congressional Budget Office tells us that Federal tax revenues in 2014 are already projected to exceed the historical average. Secondly, the President's health care law, ObamaCare, already contains another trillion-dollar tax increase that is discouraging job creation and hurting our economy. Finally, as I pointed out, Democrats in this body already got a \$600 billion tax increase earlier this year, while hard-working Americans—the middle class in America—got a tax increase with the return of the payroll tax.

By my view, no one should be talking about another tax increase until the Federal Government quits wasting so much taxpayer money. My colleague from Oklahoma, Senator COBURN, who was just on the Senate floor, has singlehandedly worked tirelessly to expose frivolous and unnecessary spending, and the numbers are remarkable. For example, when Senator COBURN asked the Government Accountability Office to investigate how much Federal spending was duplicative, the Government Accountability Office found that more than \$364 billion of duplicative spending existed. And the President wants to close down tours at the White House because of the budget sequester. Give me a break.

How can anyone support another massive tax increase when the Federal Government is literally spending hundreds of billions of dollars on redundant services? For that matter, how can anyone support another massive

tax increase when we are spending nearly \$15 million each year to give millionaires unemployment checks? How can anyone support another massive tax increase when we are spending \$½ million on shampoo products for dogs and cats? That is your Federal Government at work for you. How can anyone support another massive tax increase when we are spending \$181,000 studying the effects of cocaine on Japanese quail? I know these sound ridiculous to the extreme, but that is the whole point. The Federal Government is littered with spending that we simply do not need, and yet, rather than do something about that, our friends across the aisle want to raise taxes once again, along with the President of the United States.

No one said cutting spending or reforming entitlement programs or overhauling our Tax Code would be easy. But if the President truly wants a balanced approach to our fiscal and economic challenges, he will stop leading from behind and start leading from the front.

I am shocked the President would say in an interview with Jon Karl, ABC News, that there is no immediate crisis in terms of the debt. What he might be forgetting is what economists tell us: When the debt gets so large, it retards economic growth. Forget the debt crisis part. That has an immediate impact on job creation in America.

We are all wondering why the recovery from the recession of 2008 has been the slowest since the Great Depression. Well, one reason is people are worried about tax rates going up because they see debt upon debt being piled up. They are sitting on the sidelines waiting to see what is going to happen. They are also experiencing additional costs in terms of health care, when they were told by the President back in 2008–2009 if we passed ObamaCare, the average family would see a reduction in their health insurance premiums by \$2,500. They were also told a lot of other things, such as if you like what you have, you can keep it. That did not end up being true either.

The President needs to listen to his own experts, such as the bipartisan fiscal commission he himself appointed. Not only do we risk a debt crisis if we do not deal with the \$16.5 trillion debt we have if interest rates were to go up, it is having an immediate impact on unemployment. More than 20 million people in this country are either out of work or working part time and want to work full time. That ought to be enough to get the President to act.

Should he choose to act, should he choose to lead, we will be happy to meet him halfway to deal with the single most important issue facing the country today. But it starts with passing a budget, something Senate Democrats have not done for 1,414 days.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, thanks to the cordiality and cooperation of Members on both sides of the aisle, but particularly those who initially had an objection to us going forward, we now can move forward. We are waiting for the junior Senator from Texas, Mr. CRUZ, to come to the floor. He will be offering the first amendment. As soon as he gets here, we are off and running.

I am going to thank everybody for getting us to this point: Senator SHELBY for working with me on the bill, Senators REID and MCCONNELL, and particularly now Senators MCCAIN and COBURN. We have a way of addressing their concerns. So we are ready. We are waiting for the Senator.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

AMENDMENT NO. 30 TO AMENDMENT NO. 26

Mr. CRUZ. Madam President, I call up my amendment No. 30.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ], for himself, Mr. LEE, Mr. INHOFE, Mr. PAUL, Mr. RUBIO, Mr. CORNYN, Mr. JOHNSON of Wisconsin, Mr. RISCH, Mr. VITTER, Mr. COBURN, Mr. SCOTT, Mr. HELLER, Mr. TOOMEY, and Mr. JOHANNES, proposes an amendment numbered 30 to amendment No. 26.

Mr. CRUZ. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to carry out the Patient Protection and Affordable Care Act)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ PROHIBITION ON FUNDING.**

None of the funds made available in this Act may be used—

(1) to carry out any provision of the Patient Protection and Affordable Care Act (Public Law 111-148) or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), or the amendments made by such Act, title, or subtitle; or

(2) for rulemaking under such Act, title, or subtitle.

Mr. CRUZ. Madam President, I rise to deliver my first official speech on

the floor of the Senate on an issue which I believe is the most urgent issue facing the country; namely, the dire need to restore economic growth to our Nation.

I will note at the outset this is the second opportunity I have had to speak on the Senate floor. The first was last week during the historic filibuster led by the junior Senator from Kentucky for nearly 13 hours.

I will note a particular debt of gratitude I owe to Senator PAUL. The very first time I spoke on this floor was in a colloquy with Senator PAUL. I had the opportunity to read Travis's letter from the Alamo, to read Shakespeare's "St. Crispin's Day Speech," to read the opening monolog from "Patton," and to read Ronald Reagan's 1964 speech, "A Time to Choose." This is a debt I will always owe Senator PAUL. As they say in the beer commercial: "It don't get no better than that."

Sadly, I promise my colleagues in the rest of my tenure, I am confident we will not have an opportunity to rival those glorious words William Barret Travis penned as he was standing for principle 177 years ago.

This being said, the topic of the day is, in my judgment, a topic of exceptional importance. Every elected Member of Congress, whether Republican or Democratic, should have as their very first priority restoring economic growth in this country. In the last 4 years we have seen stagnant growth. In the last 4 years our economy has averaged 0.8 percent growth each year. To put that in context, this is a fraction of historical levels. Since World War II, our economy has enjoyed 3.3 percent growth per year.

Last quarter the economy was struggling along and grew 0.1 percent. It was effectively stagnant.

If we want to solve the great many fiscal and economic challenges facing this country, growth is the critical precondition. If we want the 23 million people who are struggling to find jobs to get back to work—and I know every one of us wants those 23 million people to get back to work—we must restore economic growth. If we want to turn around the train wreck which is the balance sheet of the Federal Government, our perennial recurring deficits and debts, this can't be done without restoring growth.

In my view we should be working across the aisle in a bipartisan way to focus on bringing growth back. This should be our No. 1 priority. Given that, the purpose of this amendment is to advance economic growth and, in particular, to delay funding of ObamaCare until economic growth returns.

Let me be clear. In my view ObamaCare should be repealed in its entirety, which was the very first bill I introduced in the Senate. At a minimum, in my judgment, ObamaCare

should not be funded and implemented at a time when our economy is gasping for breath, at a time when our economy is struggling to such a degree that implementing it right now could well force us into a recession.

It seems to me every Member of this body should stand together in acting decisively to prevent this economy from being pushed into a recession. Implementing ObamaCare at a time when the economy is so weak could do just that. ObamaCare hurts the economy. It hurts jobs. It hurts young people. It hurts Hispanics. It hurts African Americans. It hurts single moms. It hurts everybody struggling to climb the economic ladder.

I would like to initially talk about four promises which were made when ObamaCare was passed and the reality we have seen as it has begun to be implemented. It is ironic the law is called the Affordable Care Act. In the 3 years it has begun to be implemented, it has proven to be neither affordable nor caring.

No. 1, before ObamaCare was adopted, President Obama promised the American people ObamaCare would reduce the cost of insurance. In particular, the President said American families would pay \$2,500 less for their insurance premiums by the end of his first term. I would note his first term ended not long ago. Today, American families are not paying \$2,500 less in health insurance premiums. They are not paying a penny less. Indeed, today American families are paying \$3,000 more in health insurance premiums than they were. That is a \$5,500 swing out of the pockets of hard-working Americans who are struggling make ends meet. The reality has not lived up to the promise.

The management consulting firm Oliver Wyman issued a new study recently which predicted people aged 21 to 29 could see a 42-percent hike in premium costs. The higher premiums in particular are hitting young people. Indeed, I would point out, if you are a young person, this law going into effect right now when the economy is struggling is particularly problematic. If you are a young person coming out of school today, you are facing: No. 1, fewer jobs. If you didn't graduate from high school, you are facing an unemployment rate today of over 12 percent. You have less opportunity. If you are between 16 to 19, you are facing an unemployment rate of over 25 percent.

If you are a minority, if you are Hispanic, you are facing an unemployment rate of nearly 10 percent. If you are African American, you are facing an unemployment rate of over 14 percent.

What are you seeing actually in the job market if you are lucky enough to get a job? More and more employers are dropping health care coverage because of the burdens of ObamaCare. More and more employers are forcing

employees to work fewer hours because of the burdens of ObamaCare. More and more individuals are seeing their premiums climb, especially young people. If you are a young person coming out of school today, you may not find a job.

It is harder to find a job because of economic growth right now. If you do find a job, there is a real possibility that job will not have health insurance and you will find your hours reduced. If you do have health insurance, you will pay higher premiums. The promises have not lived up to the reality.

The second differential between promise and reality is President Obama repeatedly told Americans, "If you like your health plan, you can keep it." This unfortunately has not proven to be the case.

The latest forecast from the Congressional Budget Office estimates some 7 million people are expected to lose or be dropped from their employer-provided health insurance by the year 2020. Indeed, health insurers in 34 States have stopped carrying child-only insurance policies. In my home State of Texas, one of the largest insurance markets in the country, every single carrier has dropped its child-only health insurance coverage. The same is true for other large States such as Florida and Illinois. The promise, if you like your health care coverage, you will be able to keep it, has not lived up to reality, as more and more Americans are losing their health insurance.

No. 3, President Obama pledged repeatedly not to raise taxes on families making less than \$250,000 a year. That promise has not materialized. Within ObamaCare, there is a tax on those who do not maintain government-approved health insurance. There are increases on the threshold of the deduction for unreimbursed medical expenses. There is an increase in taxes on distributions from Health Savings Accounts and from flexible spending arrangements. Indeed, in total, over \$1 trillion in tax increases are contained within ObamaCare. The promise has not lived up to the reality.

The fourth promise which has not lived up to the reality is in February of 2010, former House Speaker NANCY PELOSI said ObamaCare would create 4 million jobs, 400,000 jobs almost immediately.

This was in 2010. By 2011, the CBO Budget Director testified before a House Budget Committee that ObamaCare would result in an estimated 800,000 fewer jobs in the United States by 2021. The promises have not lived up to reality.

I wish to talk about five distinct harms which have come from ObamaCare and made life more difficult for Americans.

No. 1, ObamaCare harms the poor and those who are struggling to climb the

economic ladder. Right now, 60 million people are enrolled in Medicaid. Medicaid is a program which is struggling, which is challenged and desperately in need of reform to improve how it operates. ObamaCare, by raising the eligibility age and trying to incentivize and pressure States into expanding Medicaid, is designed to move at least an additional 18 million people onto Medicaid over the next 10 years.

The data demonstrates Medicaid beneficiaries face worse health outcomes than just about anybody else in the marketplace.

In 2010, the "Annals of Surgery" issued a landmark study which examined the outcomes from nearly 900,000 individuals undergoing surgery from 2003 to 2007. The conclusion of this study was Medicaid patients were almost twice as likely to die as those with private insurance. Medicaid patients' hospital stays were 42 percent longer and cost 26 percent more.

Even more striking, Medicaid patients, when compared to people without health insurance, people who were uninsured, Medicaid patients were 13 percent more likely to die. They stayed in the hospital for 50 percent longer and cost 20 percent more.

In 2011, Johns Hopkins did a study of patients undergoing lung transplantation. Their conclusions were very much the same. They found that Medicaid patients were 8.1 percent less likely to be alive 10 years after the transplant compared with those with private insurance and also compared to those without any insurance at all. Overall, the Johns Hopkins study found that Medicaid patients faced a 29-percent greater risk of death, and yet ObamaCare is moving more and more of the economically disadvantaged onto Medicaid, which subjects them to those worse health care outcomes.

No. 2, ObamaCare hurts seniors. ObamaCare took \$716 billion from Medicare, a large portion of which came from the Medicare Advantage Program which serves a great many seniors, and especially poor seniors. According to the Office of the Actuary at the Center for Medicaid and Medicaid Services, the Medicare Advantage cuts in ObamaCare will reduce enrollment from 14.8 million to 7.4 million by 2017. It will cut it in half. Seven million people will lose their coverage under Medicare Advantage.

I would remind everyone that the President said, "If you like your health insurance, you can keep it." Yet 7 million seniors are losing Medicare Advantage.

The Heritage Foundation found the substantial cuts to Medicare Advantage in particular hurt seniors in the States of Texas, California, New Mexico, Louisiana, Alaska, New York, Massachusetts, and also in the District of Columbia. Those States are expected to lose more than 50 percent of their enrollees by 2017.

I would suggest that each of us, as we return to our constituents, as we return to address seniors, any in this body who vote today to implement ObamaCare despite the difficult economic times, should be prepared to answer to seniors in our States who say: Why did you vote to damage the Medicare Advantage Program that I was relying upon?

Also, the harm to Medicare Advantage in particular is visited upon minorities. Hispanics are twice as likely to enroll in Medicare Advantage than the average Medicare beneficiary. African Americans are 10 percent more likely. So ObamaCare targets a program that is helping seniors and in particular is helping those seniors who are most vulnerable. In addition, 31 percent of African-American Medicare beneficiaries and 38 percent of Hispanic beneficiaries are enrolled in Medicare Advantage plans.

So those of us who return to our States that have substantial minority populations need to be prepared to explain to Hispanic seniors and African-American seniors why this body, why the Federal Government is damaging a program they are relying upon for essential health care.

No. 3, ObamaCare is harming jobs. In March 2013, the Federal Reserve said, in its annual "beige book"—which analyzes economic data from across the country—that "employers in several Districts cited the unknown effects of the Affordable Care Act as reasons for planned layoffs and reluctance to hire more staff."

Added health care costs are making it harder for businesses to hire new workers and especially low-skilled workers. This is a point that is worth underscoring because the detrimental effects of ObamaCare are not uniformly distributed throughout our population. They fall the hardest on those who are most vulnerable among us. The Heritage Foundation found that "workers who cannot produce at least \$20,000 per year" for a single plan "or \$27,500 per year" for a family plan "of value to employers will have serious difficulty finding full-time jobs."

Madam President, when I read those statistics, those are not simply empty words on a page. Those are data that strike very close to home because 55 years ago that precisely described my father. When my father came as an immigrant from Cuba in 1957, he was 18, he was penniless, and he could not speak English. The very first job my father received in Austin, TX, was washing dishes making 50 cents an hour.

The reason—he told me—he got that job was, he said: Look, I couldn't speak English. I couldn't interact with people as most jobs required, but I could wash dishes. So he worked 7 days a week. The reason he worked 7 days a week is because when you washed dishes, they



allowed the employees to eat, and he didn't have the money to buy food. So by working 7 days a week, he ensured he ate 7 days a week.

So when I read statistics like this and the words, "those who cannot produce \$20,000 per year in value to an employer will find themselves unable to find jobs," I can't help but think about my dad as that 18-year-old kid just beginning to climb the job ladder, not speaking English, not having yet developed skills, but what he could do was wash dishes. And working at 50 cents an hour is what enabled him to pay his way through the University of Texas. It is what enabled him to graduate, to get a higher paying job, and eventually to start a small business. Then, today, to become a pastor.

My father is here today visiting me, and I think about the impact these burdens would have had on him, and I tell you I am grateful that in 1957 this so-called Affordable Care Act had not been implemented because it could well have shut down the opportunity for him to survive and pay his way through school and begin climbing the economic ladder.

Additionally, ObamaCare keeps small businesses small. ObamaCare is designed so that its principal burdens are triggered when a business has 50 employees or more. As a consequence, there is an incredible deterrent to small businesses hiring more than 50 employees because hiring that 50th employee triggers enormous burdens and expenses. That has particular implications for everyone in this economy struggling to find work because two-thirds of all new jobs come from small businesses. By keeping these businesses small, what we are doing is stifling the ability to grow the economy, and in particular to grow the economy by creating opportunities for those who need to begin and want to begin climbing the economic ladder.

By hiring the 50th employee, if a small business does not provide government-approved insurance, it faces a penalty of up to \$3,000 for each uncovered worker beyond 30 employees. Thus, as the Wall Street Journal explained:

If a company with 50 employees hires a new worker for \$12 an hour for 29 hours a week, there is no health insurance requirement. But suppose that worker moves to 30 hours a week. This triggers a \$2,000 Federal penalty. So to get 50 more hours of work a year from that employee, the extra cost to the employer rises to about \$52 an hour—the \$12 salary and an ObamaCare tax of what works out to be \$40 an hour. Moving to 33 hours a week costs the employer about \$10 more in ObamaCare tax.

The result is small businesses are staying smaller, and the opportunities for those struggling to achieve the American dream are limited. That leads to the fourth harm: ObamaCare hurts workers.

One of the consequences we are seeing over and over is that in order to

avoid the crushing costs of ObamaCare, employers are limiting the hours employees can work. So, for example, in January, a Wendy's franchise in Nebraska announced it would cut the hours of nonmanagement employees to 28 hours a week. As a result, about 100 employees' hours were cut. That is a direct impact of ObamaCare for those 100 employees who were working at Wendy's.

Now, some may say: Well, is Wendy's a career? So many kids, so many young people, so many Hispanics and African Americans begin, as my father did, washing dishes or flipping burgers, and they use those jobs to gain skills and advance up the economic ladder. To have a law that forces small business owners to reduce those hours, to limit the hours those workers can work, is particularly harmful.

A Taco Bell in Guthrie, OK, has also cut worker hours. A single mother of three told Oklahoma News 9:

They informed everybody that nobody was considered full time any longer, that everybody was now considered part-time, and [they] would be cutting hours back to 28 hours or less due to ObamaCare.

She went on:

Several of the people I work with, some of them are single parents, and we do the best we can, and 28 hours a week just isn't going to cut it for the bills.

For those who are struggling, for the single moms in this country who are working as hard as they can to provide for their kids, seeing their hours reduced because of the consequences of this law is a real and material hardship, and that, sadly, is happening all over the country.

Stephen Caldeira, president of the International Franchise Association, predicts that "many stores will have to cut worker hours out of necessity."

Let me point out, by the way, it is not hard-heartedness on the part of those small business owners. It is the simple reality of trying to survive in this economy. As Caldeira continues, it could be the difference between staying in business or going out of business.

Indeed, a 2011 Hudson Institute study estimates that the insurance mandate will cost the franchise industry \$6.4 billion and put 3.1 million jobs at risk. That is worth underscoring: 3.1 million jobs at risk of kids flipping burgers, of single moms struggling to provide for their kids who are facing hard times because of ObamaCare. It is those who are most vulnerable who are hit the worst.

Indeed, if we look at the premium increases, in particular for young people, they have been significant. If ObamaCare is fully implemented, they are likely to be extraordinary. According to a 2013 staff report from the Senate Finance Committee and the House Energy and Commerce Committee, the ObamaCare impact on young adults in the individual market is expected to be staggering.

If we look at the city of Austin—a city I have lived in for many years, a terrific city, a city whose slogan unofficially is "Keep Austin Weird." It is a young, hip, vibrant—

Ms. MIKULSKI. Weird?

Mr. CRUZ. Weird, which in Austin is very fitting. It is a young, hip, vibrant city. It is referred to as the "Live music capital of the world." Right now, a young adult in Austin in the individual health insurance market pays an average premium of \$648. Under ObamaCare, that is anticipated to rise to \$1,836. That is a 183-percent increase.

I wish to repeat that, to underscore it. Today, they are paying \$648. That is expected to rise to \$1,836. An additional \$1,200 out of the pocket of a young person struggling to survive is substantial. And, indeed, nationally, that is consistent with the pattern that is expected all over the country. That is the average annual increase. It is parallel to what is expected in Chicago, Phoenix, Atlanta, and Milwaukee.

Madam President, I have been informed that the Senator from Utah has a time issue. I ask unanimous consent to yield to the Senator from Utah, and thank him for joining me.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, as the manager of the bill, I thought we were going to—of course Senator CRUZ has offered his amendment—but we were going to rotate speakers from the Democrats and Republicans. There was no agreement to do roundrobin here, where the Senator from Texas would yield to the Senator from Utah. I think there is some confusion. I wish to follow the traditional regular order, where the Senator from Texas, the proponent of the amendment, has full and ample time; then other Senators respond, and then Senator LEE. I am not going to make a scene, but that is the way we usually do it.

Has the Senator from Texas concluded his remarks?

Mr. CRUZ. In terms of my remarks, I have about an additional 10 minutes I wish to give. But I was just informed that the Senator from Utah had a scheduling issue, and asked if we could show him consideration. I am being told now that—if the Senator from Maryland would prefer, I am happy to continue my remarks.

Ms. MIKULSKI. And for the Senator from Utah, we all have scheduling issues. What we would want to do is make sure everybody has their say. If the Senator from Utah has a statement he wishes to put into the RECORD or wishes to return, we welcome him back. We in no way want to impede his ability to speak.

Mr. CRUZ. Madam President, the issue has been obviated. So if I may simply continue my remarks, and when I conclude, I will yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. The fifth impact of ObamaCare is that it imposes a substantial harm on the economy. On the economy altogether, ObamaCare includes more than 20 tax increases. The Joint Committee on Taxation estimates that over the next 10 years ObamaCare will raise \$1 trillion in taxes. That is \$1 trillion from the private sector that is not going to be available to be used to hire new workers.

Job losses just in the medical device industry, as a result of the medical device excise tax, could total as much as 47,100 or 10 percent of the medical device industry employment. Those jobs are needed. Those job losses are not driven by market conditions. Those job losses are driven by one thing, which is the policy decisions of the Federal Government to implement ObamaCare.

On March 5, 2013, Russell George, the inspector general for the IRS, testified in the House Committee on Appropriations:

It is unprecedented in recent history the amount of responsibility the IRS is being given in an area that most people don't think of as an IRS function.

He went on, "This is going to lead to problems."

The Congressional Budget Office expects ObamaCare penalties to total \$130 billion over the next 10 years. That is up \$13 billion from previous forecasts. And more taxpayers will be hit with ObamaCare taxes as time goes on. There is a 0.9-percent tax surcharge on individuals' earned income, and a 3.8-percent surcharge on investment income for individuals making more than \$200,000.

But those taxes are not indexed for inflation. And so as inflation raises the nominal income of Americans, it will push more and more from the middle class into paying those taxes. The Tax Policy Center estimates that by 2013, 2.4 percent of households will pay one or both of those taxes; by 2022, 4.6 percent of households will pay; by 2032, 9 percent of households will pay. That is a significant additional tax burden falling on Americans.

In addition, one of the most problematic short-term and long-term implications of ObamaCare is less innovation. The United States has enjoyed tremendous advantages because our free-market system encourages investment in innovation. In health care in particular we have seen incredible innovation—whether in medical devices or whether in pharmaceuticals—because the incentives are there to invest in new health care treatment. As a result, millions have lived better lives, have lived longer lives, have not died from diseases that previously were incurable and previously were untreatable. Because of the innovation we have had in the medical field, it has led to the

United States enjoying a world-class health care system. ObamaCare is substantially diminishing innovation in health care.

Venture capital, the seed money that funds new research and development in health care, has dropped precipitously. In 2010, venture capital in health care services was \$1.2 billion. By 2011, it had dropped more than in half, to \$541 million. According to Dr. Scott Gottlieb of the American Enterprise Institute, only about 30 venture stage health care services companies got funded last year, compared to hundreds from previous years.

If we want to continue the incredible medical innovation we have seen over the last century, we can't be drying up the capital that is devoted to research and development, that is devoted to new and innovative companies. And that is exactly what ObamaCare is doing.

Then there are the compliance costs. The compliance costs from ObamaCare are, quite simply, massive. ObamaCare will require American businesses, families, health care providers to spend more than 127 million hours per year in compliance costs. What could be done with 127 million hours? The problem with big numbers is it is hard to get your mind around them. What does it mean that 127 million hours are being spent on complying with ObamaCare?

To put that into perspective, Mount Rushmore—which took 14 years to build—could be completed over 1,000 times, and that is each and every year. That underscores how staggering; we are talking about 1,000 Mount Rushmores each and every year. I would note there may be some Members of this august body who would like to see themselves on those 1,000 or more Mount Rushmores.

But rather than needless compliance, we should be putting that energy into productive endeavors. None of that compliance cost is productive. As we say in Texas, it produces neither trucks nor tortillas. It is simply wasted time dealing with the burdens of government.

To give you a sense of the volume of burdens, as of today the administration has created more than 19,000 pages of regulations, bulletins, and guidance since ObamaCare became law. If the IRS and HHS and the Department of Labor continue at their current pace, we can expect an additional 3,000 pages of rules—which is what I have here, 3,000 pages—in the next 6 months, the period covered by this continuing resolution.

This is 3,000 pages right here. I will tell you, I am very glad I don't have to sit down and read these 3,000 pages. But I will tell you also, yesterday I held a tele-townhall with thousands of Texans. A small business owner asked a question. She said, Look, in our small business, we are struggling to make

ends meet. How do we ascertain what these regulations contain? I will tell you, I was very frustrated that I could not give her a good answer, because on my desk here is 3,000 pages, and yet what has already been promulgated is over 19,000 pages. So take this stack and send it six times up in the air. It would reach nearly into the gallery.

I told her, I don't have a good answer for how you, struggling to make payroll, to make sure your employees keep their jobs, possibly digest 19,000 pages of regulations, with new pages coming out without ceasing.

Why is our economy struggling? It is not hard to figure out why our economy is struggling when you think about the compliance costs and regulations that are being heaped on small businesses, when they are told, Figure out what is in the 19,000 pages of regulations, and if you get it wrong, you can be assured the hammer of the Federal Government will come down upon you.

That is why I am introducing this amendment today. This amendment to the continuing resolution is a very simple amendment. It simply provides that none of the funds within the continuing resolution shall be spent to implement ObamaCare or to engage in rulemaking under ObamaCare.

Let me be clear. In my view, ObamaCare should be repealed altogether. I think the harms from ObamaCare—and particularly the harms of the most vulnerable among us—are significant enough that we should repeal it in its entirety. I recognize that is not a view shared by every Member of this body. At a minimum, however, I would submit that every Member of this body will agree that restoring economic growth should be a critical priority. And with our economy gasping for breath—last quarter, we were at 0.1 percent growth—allowing ObamaCare to be fully implemented right now has the potential of pushing this economy into a recession. I know no Member of this body wants to see the economy go into a recession. No Member of this body wants to see the American people pay the price for damaging economic growth. If we allow ObamaCare to be funded and implemented right now, each of us who votes to do so will bear a significant amount of responsibility for the economic damage that comes.

I would submit that every Member of this body, Republican and Democrat, should stand together and say, at a minimum, let's restore growth first; at a minimum, let's wait until we get back to historic levels of growth—3.3 percent—before implementing such an incredibly antigrowth, job-killing omnibus bill.

Let me close with a simple observation of the power of growth. If we could get back to historic averages, 3 percent to 5 percent, every other problem this



body wrestles with becomes much simpler to resolve. Four percent growth for a decade would create over 10 million new jobs. Four percent growth for a decade would produce over \$3 trillion in additional tax revenue. I would note, that exceeds the tax increases. The revenue from the tax increases that have been proposed by President Obama exceeds the revenue from the tax increases that, my understanding is, the Budget Committee will include in its budget before this body.

I am all for new revenue to pay down our debt. I just believe the revenue should come from economic growth and not from higher taxes that hammer small businesses, kill jobs, and restrict growth.

Most importantly, 4 percent growth over a decade would lift over 3 million out of poverty and into the middle class. Growth sometimes seems to be an abstract number that only economists worry about, but sustained growth is what has led to the unprecedented prosperity of our great Nation. It is the reason why for centuries millions of people have come to America seeking a better life, because there has been no country on Earth that has allowed so many people to start with nothing and achieve anything.

A stagnant economy hurts, first and foremost, those struggling to climb the economic ladder. And, in my opinion, every one of us should come in to work every day fighting for those struggling to climb the economic ladder to make sure we remain the land of opportunity; to make sure we remain the hope and beacon to the world; to make sure that every American has a fair chance to achieve the American dream. With stagnant growth, millions are shut off from that American dream. And I know no Member of this body wants to see that happen.

Respectfully, I would urge my colleagues to restore growth first. Do not allow this bill to be implemented, to kill economic growth, to kill jobs, and to potentially push this economy into a recession. Instead, let's get growth back, let's maintain our economic strength and security, and let's make sure opportunity remains—not just for us but for the next generation and the generations after that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I guess I am compelled to say: Here we go again. We have been down this road a few times before since we passed the Affordable Care Act. Let me see, my notes tell me it is 33—this makes the 34th time that someone on the Republican side has tried to do away with the Affordable Care Act. This is the 34th time, and they failed every time. But they are free to offer amendments, I understand that. I respect the Senator's right to do that, but we have al-

ready made our decisions on this and we are moving ahead.

I have said many times as the chair of the HELP Committee, if someone has suggestions on how to improve the Affordable Care Act, to make it work better, be more efficient, I am open to that. That should be allowed, and we should have a constant exchange on maybe how we can improve it. But this idea that we are going to repeal it? I would also say I wonder if my friend, the Senator from Texas, saw the last election. The Senator from Texas got elected, that is for sure, and I congratulate him on that. But the Presidential candidate of the Republican Party who said he wanted to repeal the Affordable Care Act lost. President Obama, who was the President who initiated this and signed it into law won. I think quite convincingly.

So the American people basically have said it is time to move on with the Affordable Care Act. Yet here this amendment basically would repeal it.

I wonder if the Senator from Texas understands it is not just the Affordable Care Act his amendment would hit, it would hit a lot of other things. When we passed the Affordable Care Act there were authorizations for other programs that were included with it. When the amendment says we cannot fund any of the provisions of the Affordable Care Act, I just made a note that we also reauthorized the Nurse Training Partnership Act. So a lot of the funds there go for training nurses.

Does the Senator really believe we should stop funding training for nurses in America at this time when we need more nurses and more nurse practitioners than ever before, at a time when our nursing profession is facing a kind of age cliff? We have a huge cohort of nurses now who are going to be retiring. We need to bring in new nurses. Yet his amendment would cut funding. He says nothing we can do could support nurse training yet in America.

Medicare fraud and abuse—fighting fraud and abuse in Medicare; that was also included in the Affordable Care Act. Again, they have tried frontal assaults on getting rid of the Affordable Care Act. Now this amendment says we are going to not fund it. It would be strange. We have a law in effect but no funding to take advantage of it.

It is almost like some people on the other side of the aisle have an obsession with tearing down health care reform. I think it is unfortunate that some missed the results of the last election, so it is time to move on. This amendment really is the equivalent of repeal. It would turn back the clock on all we have accomplished in the past year. The administration would not be able to build the insurance exchanges or enforce the act's requirements on private insurers.

Again, if this amendment were adopted, it would mean we would go back to

the good old days when the insurance companies were in the driver's seat, telling you what kind of health care you are entitled to and when you are entitled to it.

Ever since we passed the Affordable Care Act, and during the time we debated it on the Senate floor, we kept asking our friends on the Republican side: What is your alternative? Basically, what we got was the status quo: Let's just stay with what we have.

I think the American people got pretty fed up with what we had, where insurance companies could turn people down at the very moment when they got sickest; when people had pre-existing conditions and could not get insurance or had to pay exorbitant prices for it.

I had a note, we had a family, the Grasshoffs, from Texas—the Senator's home State. They were unable to find coverage to pay for their son's hemophilia treatment. Why? Because they had reached their lifetime limit on insurance payments.

The Affordable Care Act bans lifetime limits, so now they can get treatment. More than 100 million Americans are currently protected by this provision. This amendment would take it away. So the Grasshoffs' treatment for their son with hemophilia would end, and they cannot afford to pay for it out of their own pockets. Keep that in mind when you vote on this amendment.

The Affordable Care Act allows young people to stay on their parents' policies, we know, until they are age 26. More than 3 million young people are taking advantage of this right now. Repeal would take that away from families. The adoption of the Cruz amendment would take that away because, obviously, we could not fund anything to help make this work.

I mentioned preexisting conditions—people who have high blood pressure, diabetes, heart disease, previous bouts with cancer. Right now the Cruz amendment would say no. The insurance companies can say: No, we are not going to insure you or if we do, you are going to pay sky-high prices for insurance.

One of the big things we put in the Affordable Care Act was prevention and wellness programs that would prevent illness. So we provided for free preventive services such as mammograms and colonoscopies, so people can get those without paying copays, sometimes as much as \$300 to as much as several hundred dollars for these essential services. The Cruz amendment would put us back where we would have to pay for those preventative screenings.

The Cruz amendment would deprive States and localities of vital funding to combat chronic diseases such as cancer, diabetes, and heart disease, as well as funding to make sure our kids have

access to lifesaving vaccines. Thanks to health reform, the Prevention and Public Health Fund is saving lives. The Cruz amendment would stop that.

I picked up a little bit of what the Senator from Texas said about young people; that their insurance rates are going to go sky high. Has the Senator ever heard of the marketplace? It is where people compete. Under the Affordable Care Act, all of these insurance companies now will have to go on the exchanges in the open market, with full transparency, and they are going to have to compete. We have not had that in the past, but under this we do. The Cruz amendment would take that away—a real market out there for insurance, for individuals, small businesses. They would have the same purchasing power and choice that only big companies had before.

I guess what is most important is these exchanges that we are setting up will bring coverage to 32 million Americans who do not have coverage right now. They live in the oppressive fear that they are just one illness away from bankruptcy, losing their homes, not knowing if they can afford another doctor visit.

Did anyone tell States to stop this, stop what they were doing to help serve our citizens? That is what this Cruz amendment does. The Cruz amendment would take us back to the days of the doughnut hole for the elderly because the Affordable Care Act closes that doughnut hole. We are closing it year after year; 6.1 million seniors have already saved more than \$5.7 billion in discounts on drugs purchased in the doughnut hole. The Cruz amendment would stop that. It would increase seniors' drug prices by an estimated \$3,500 per person over the next 10 years.

One of the key features we put in the Affordable Care Act was going after Medicare fraud, preventing Medicare fraud. We have increased criminal penalties, we have launched innovative technologies to detect and pursue those who would defraud Medicare, and we have put more cops on the beat to preserve Medicare funds for beneficiaries and not those who would scam the system. The Cruz amendment would stop all that, stop our efforts we put in there to get a handle on Medicare fraud.

Something that is very important to so many of us is what is happening in rural areas. Right now, under the Affordable Care Act, there are incentive payments paid to rural primary care providers in rural America—States such as North Dakota and Iowa and Texas. Right now the Cruz amendment would stop that incentive payment for primary care providers in rural areas.

I mentioned preventive services—right now every senior gets a wellness visit once a year. More than 34 million seniors got that last year, a free pre-

ventive service in Medicare so they can go in and get a wellness check to find out if they need to do something to take better care of themselves. They do not have to pay for that. The Cruz amendment would say if they want to do it now, they have to start paying for it.

Since this is kind of a blunt instrument, this amendment we have before us would defund all activities related to health reform, including paying the Federal employees who administer Medicare. Secretary Sebelius has informed us payments to Medicare providers would be significantly disrupted by this. You just cannot separate the Affordable Care Act from all the other provisions of Medicare that are being run by Health and Human Services or by CMS, the Center for Medicaid and Medicare Services.

Oh, yes, the Senator also talked about the deficit, reducing the deficit. I don't understand why someone would want to stop something which the Congressional Budget Office said would reduce the deficit. I guess we are going to reduce the deficit by increasing the deficit? That is sort of the logic of this amendment.

The Congressional Budget Office affirmed that the Affordable Care Act reduces the deficit by more than \$100 billion in the next 10 years, and more than \$1 trillion in the decade that follows. So the Cruz amendment would roll that back. I guess the Senator wants to reduce the deficit by increasing the deficit. Go figure that one out.

It is time to stop the silly games, but I guess it will continue. After all, in 1935 the Congress and President Roosevelt passed the Social Security Act. Seventy-five years later there are still some on the Republican side who would like to get rid of that.

I guess we will continue to have a few voices—not everyone—who will still be fighting the Affordable Care Act a year from now.

In 1965 Congress passed Medicare—the Republicans fought it bitterly, by the way—and 45 years later a few on that side are still trying to undo Medicare by voucherizing it, and that sort of stuff. I just have to say: Here we go again.

William F. Buckley was the founder of the National Review and sort of the godfather of the modern conservative movement in America. He was a very intellectual kind of guy. He was very intellectual and a good writer and speaker. I always enjoyed watching William F. Buckley. He once said: "A conservative is a fellow standing athwart history yelling: Stop!"

Well, is that really the role? I think there should be a different role, and that is to stand with liberals, moderates, and everybody else to figure out what is best. We need to figure out what is best for moving ahead and not to just yell "stop" or repeal something.

We need to do something that is so meaningful and so broadly supported, then figure out how to make it work the best.

I kind of conclude where I began. If people have suggestions on how to make the Affordable Care Act work better, smoother, be more efficient, more cost effective, fine. That would be a good debate and discussion. Just to say: No, we are not going to fund it is an ideological approach. It is not based on budget considerations, it is not based on reducing the deficit, which I just pointed out. It is not based on a rational reading of the bill and what is happening out there in terms of setting up the exchanges and all the other things I mentioned. It is just an ideological approach. It is sort of tearing it down and sort of going after President Obama, I guess, one more time. I don't want to take the position that somebody cannot offer an amendment such as that. Sure, they can offer an amendment. They can do anything. However, reasonable, rational people in the Senate don't need to follow that. We need to do what is best for the American people and leave the ideology behind.

I hope the Cruz amendment will be seen for what it is, an attempt to repeal ObamaCare at this moment in time when we are on the cusp of actually having it fully implemented. States have already moved ahead. Even very conservative Republican Governors have joined in and said: Yes, we want to extend Federal Medicaid coverage in our States. Conservative Republican Governors are setting up exchanges. We are moving ahead. Now is not the time to say: Well, we are going to cut the funding.

Again, keep in mind, this doesn't just defund the Affordable Care Act. I said there were other things, such as the Nurse Professional Training Act, which we put in the Affordable Care Act, which would also be defunded. It was reauthorized along with the Medicare fraud and abuse and the area health education centers. There are a number of things that were put in with the Affordable Care Act that would also be defunded under the Cruz amendment.

I hope everyone will see the amendment for what it is, and I hope the Senate will soundly reject it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, we will be alternating on both sides of the aisle. I regret Senator LEE had to leave, and we welcome those who support the Cruz amendment to speak before we have to take a break.

I have to go to a meeting with Senator REID and other members of the committee at 12:30 p.m. We ask those who have views on this to come forward and speak. I do have some comments on the Cruz amendment.

First of all, we welcome Senator CRUZ. He is the new Senator from

Texas. He replaced a very dear friend, Senator Kay Bailey Hutchison. Senator Hutchison and I were close friends and we usually agreed on goals, but there were times we didn't agree on methods. With Senator CRUZ we agree that we do need a job-creating strategy. We know we need to promote economic growth in whatever we do and even follow the physician's adage of "do no harm." That is why I absolutely disagree with the Senator's amendment. The very things he wants to accomplish and his underlying premise—though obviously well argued from his view in a persuasive way—I totally disagree with.

First of all, let's talk about what the Cruz amendment does. It prohibits discretionary funds from being used for the Affordable Care Act. It is affectionately known by some of us as ObamaCare, because Obama does care. So the Cruz amendment would prevent the Department of Health and Human Services from implementing the Affordable Care Act. This would mean the staff, for example, CMS, could not issue or enforce regulations on insurance abuse practices, such as gender discrimination. Quality reforms that improve the care that everybody does and actually lowers cost would also be affected. For example, Johns Hopkins lung transplants were cited as one study—Madam President, I could go on, but if the Senator from Utah is ready to speak, I will yield the floor. We were alternating, so it is actually the Senator's turn.

Madam President, as robust as my remarks would be, I will yield to give the Senator from Utah his rightful chance to speak.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I wish to extend my gratitude to my colleague from Maryland for allowing me to speak at this time. I appreciate that.

I rise in support of the amendment proposed by my good friend, the Senator from Texas, that would defund the implementation of the Patient Protection and Affordable Care Act for the remainder of this fiscal year. Almost everything the American people were told about ObamaCare by the bill's proponents has turned out to be incorrect. We were promised it would save money. Now we know it will cost us more money. In 2 short years, the projected cost of the government health care takeover has ballooned from \$940 billion to \$1.76 trillion. We were told it would help a struggling economy. Now we know it will help smother a still struggling economy.

Employers cite ObamaCare as a principal reason and reluctance to hire new employees. According to the National Federation of Independent Business, ObamaCare's unconstitutional mandate—which the Supreme Court salvaged only by rewriting it as a tax—will kill between 125,000 and 249,000 jobs

over the next 10 years. According to the Congressional Budget Office, ObamaCare will reduce total American employment by 800,000 jobs by 2021.

In fairness, these are only projections. Although I believe even those projections are optimistic, they certainly contradict the fairytale arguments in favor of ObamaCare in 2009 and 2010, but they are still just best guesses.

The reason Senator CRUZ introduced, and the reason why I support, this amendment is that the case against ObamaCare is rapidly moving from fears about tomorrow to pain that is felt today—right now.

In 2008, then-Senator Obama promised that his policies would lower health care premiums for the average American family by \$2,500; 4 years later—and 2 years after President Obama signed ObamaCare into law—the Kaiser Foundation reports that family health insurance premiums have actually risen by \$2,370. This is one of the things we were told we needed to pass the bill in order to find within the bill a \$5,000 premium hike on working families.

What else have we found? We found that when the Federal Government requires businesses to provide health insurance for their full-time employees, businesses respond by cutting employee hours. Other companies have chosen to go farther and have simply laid employees off altogether or shifted those jobs overseas. Other companies have admitted that the cost ObamaCare adds to their business will have to be passed on to their customers in the form of higher prices.

Then there is the devastating impact ObamaCare has had on our medical device industry, which is targeted for a special punitive tax under this law. Companies from Boston Scientific, Stryker, Smith & Nephew and others are laying off workers and shipping their jobs overseas.

It is important to remember that each of these layoffs is, in a sense, a double strike against our economy. On the one hand, when people lose their jobs and their health insurance, the economy suffers in and of itself because of that impact. On the other hand, at the very same time this is occurring because ObamaCare and the rest of the President's failed agenda are weighing down our economy quite heavily, there are not enough new jobs being created for the recently unemployed Americans to fill. So the unemployed are not only staying unemployed for longer than normal, but they are also increasing demand for already overburdened government assistance programs. Thanks to ObamaCare, fewer people are working and paying into the system to support people ObamaCare is preventing from finding work and health insurance in the first place.

The beauty of the Cruz amendment is that we don't have to pass it to discover what it would do. We already know exactly what it would do. It would delay the implementation of ObamaCare and thereby save taxpayer money and American jobs. It would also restore a semblance of democratic accountability to a process that is badly in need of precisely that. After all, the various departments of the Federal Government have already issued some 20,000 pages' worth of regulations to formalize the ObamaCare system. In other words, the 2,700-page monstrosity Congress passed in 2010 was only a fraction of the final deforesting product.

Does anyone—literally anyone in the entire country—know what those 20,000 pages of regulations say? For all we know, we could be violating ObamaCare right now. Somewhere in those 20,000 pages there might be something saying we cannot do what we are doing at the moment.

Some might think I am exaggerating, but as we were all shocked to learn recently, 98 percent of individual health insurance policies in the United States right now are in violation of ObamaCare's standards. When ObamaCare goes into full effect, those Americans who own those policies will have to either buy more expensive insurance than they have now or pay the unconstitutional fine. The unconstitutional fine was, according to the Supreme Court, unconstitutional as a fine and could be sustained by the Supreme Court only because the Supreme Court rewrote the law as a tax instead of a fine.

To recap, ObamaCare is already costing us jobs that we need badly. It is raising health care costs. It is adding to our deficit and debt. It is forcing families off their health insurance policies they have and like. It is a Trojan horse for 20,000 of new law that no elected official wrote and not a single citizen in the United States has read.

Then, of course, there is the slow-motion train wreck of the law's implementation. A majority of States in the Union have already refused to set up their own ObamaCare exchanges. The bill has been passed and the American people now see what is in it and they want no part of it. So the Department of Health and Human Services is now charged with setting up Federal exchanges in those States, but they don't know how.

The clock is ticking. People are losing their health insurance. The exchanges are supposed to be ready to handle the massive influx of people dumped by ObamaCare onto those same exchanges, and the exchanges are not going to be there.

What will be there? Well, according to a report issued by the Associated Press, uninsured Americans will find a 15-page, 21-step application that will

need approval from three separate Federal agencies. There are expected to be more than 4 million of these applications next year alone. Even as an advocate of the program says in this same AP story: The form will take a considerable amount of time to fill out and will be difficult for many people to be able to complete. That part of the process “does not get you to the selection of a plan.”

ObamaCare is going to make doing your taxes feel like a round of golf. For this reason, there are some who believe the only way to expose ObamaCare and rescue the health care system is to let nature take its course, to let it go into effect as soon as possible. They say that the sooner it collapses, the sooner we can repeal it and start over.

The Senator from Texas and I and everyone else supporting this amendment reject that logic. We cannot in good conscience send millions of innocent Americans into a dangerously dysfunctional health care system run by unaccountable, if well-intentioned, bureaucrats. We will not sacrifice millions of families to prove a political point. People's lives and livelihoods are at stake. The American people are not pawns in Washington's partisan political game. We work for them, not the other way around.

As public servants we have an obligation to protect the American people—those who elected us to serve. ObamaCare is going to hurt our country, our economy, our constituents, our friends, and our neighbors. It is the single greatest threat to our economy and to our health care system. Eventually, ObamaCare will be repealed. The American people will see the damage it does and demand that we scrap it and start over. But for now we must at least defund it, at least for the life of this continuing resolution—for the remainder of this fiscal year.

Senator CRUZ and I have been assured that this amendment will fail and ObamaCare will move ahead as planned. If that is the will of the Senate, then so be it. But when ObamaCare does start to break down—when waiting times start to grow, when costs start to explode, when taxes start to rise, when doctors and nurses start to quit, when hospitals start to close, when businesses start to shutter, when take-home pay falls and jobs disappear, when patients and families truly find out what is in this bill, then the American people will know who is responsible for the catastrophe of ObamaCare and who, like the Senator from Texas, tried to help.

A few years ago, when then-Speaker of the House NANCY PELOSI famously told Members of the House that you have to pass this 2,700 page bill in order to find out what is in it, she perhaps saw what we would be experiencing today or at least some aspect of it. But either way, today we now see what is in

what they passed back then. We, as Members of the Senate, have had an opportunity to review this piece of legislation over the last few years. We know what economic impact this law is already having as its still massive implementation has moved forward.

We need to make ourselves accountable to the American people for what is in this law and what we now know is in this law. I, therefore, respectfully urge each and every one of my colleagues to support this amendment.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise to speak on the Cruz amendment. I am glad Senator LEE had a chance to speak.

As I said, the Cruz amendment would prevent the Department of Health and Human Services from implementing funding for the discretionary spending aspects of the Affordable Care Act. Since the Presiding Officer knows the Affordable Care Act so well and played a major part in it when she was a Member of the House of Representatives, she knows this amendment would have disastrous consequences. It would essentially defund the Affordable Care Act. They call it ObamaCare. I call it ObamaCare. As I said earlier, Obama does care, and that is why we passed the legislation in the first place.

The Cruz amendment means that CMS couldn't do their job to, for example, issue regulations on ending gender discrimination. It has been said that there are all these pages of regulation. But why should we pay more for health insurance than men of comparable age and health status—as much as 50 percent more?

The Affordable Care Act also ends discrimination on the basis of pre-existing conditions. As the Presiding Officer knows, in eight States women were denied health insurance because domestic violence was deemed a pre-existing condition. They were battered in their own home, and then they were battered by their insurance agency. What are we doing here? This is not where we are going.

Excuse me. I promised I wouldn't try to incite; I would try more to inspire. But I feel very strongly and passionately that the Cruz amendment should not pass. It should not pass.

I wish to speak to what the Senator said about economic growth. He said he is for economic growth. I want to be on that list. He is a progrowth Senator. I want to be on that list too. I think it is a committee of 100. What I want him to know is that without a form of health care that provides universal access but insisting on delivery models of reform, we will have a catastrophe and not only in an earned benefit program such as Medicare. What happens is if people don't have health insurance, it

gets shifted onto other people who do have health insurance and the employers who have the generosity and wherewithal to pay for it.

So if we want to be for economic growth, the first thing we need to do is clean up our own act here. This is what we need to do here. The politics of brinkmanship, ultimatum politicians, shut down, show down, and slam down must end. That is what we are trying to do here. What we are trying to do is move legislation so there is no government shutdown.

Businesses don't invest in creating jobs because they don't have certainty. They don't have reliability. Where is the Federal Government going? What is it going to do? How is it going to get its act together so businesses can invest, whether it is in their own employees or perhaps bringing money back home from overseas, legally earned profits, to put into infrastructure? So if a person is progrowth, they want to have health insurance.

The two costs business cannot control are the cost of health care and the cost of energy. We can control the impact on reforming the cost of health care through ObamaCare. Why do I say that? First of all, if a person doesn't have health insurance, they get sick and go to the emergency room. Do my colleagues know what the average cost of an emergency room visit is? It is \$1,000. Do my colleagues know what a primary care doctor gets? He gets \$40. Now, what is wrong with that picture? He gets \$40, not \$400, by the time all of it is taken out.

I wish to bring to the attention of my colleagues a fantastic documentary that was on CNN on Sunday night. It was called “Escape Fire.” It was a complete 2-hour documentary from CNN, not some lefty think tank or nothing like the Institute of Medicine. This was a CNN documentary on the cost of health care and how the system we have now increases costs but does not increase or improve health outcomes.

I am not going to argue all those dynamics here today, but if we really want to lower the cost of health care, we want to have President Obama and our Affordable Care Act. This is what businesses want. What they don't want is cost-shifting. Because some people don't have it or because they got it too late in their own situation, the cost is actually greater.

The other side has talked about small business. Senator CRUZ just told this wonderful story about his father—a Cuban refugee, essentially—who came to this country. Because he couldn't speak English, he took a job where it wasn't required, washing dishes. And then here we go, one generation later, Senator CRUZ is a Senator. I think that is a wonderful personal story. He then went on to talk about business.

His story is a lot like my own family's story. We came from Poland. When we came from Poland, it was not because we were rich; we came because we thought that Lady Liberty and her shining light really meant something. My family started small businesses. My grandmother ran one of the best Polish bakeries in Baltimore. My father had a small grocery store. Because of a large family, he left school in the eighth grade, but through his own grit and determination, with my mother at his side, he served a community. Over 700 people came to my father's funeral because they loved him as much, in their own way, as we did. My father, through his grit, determination, and working—the same as Senator CRUZ's father—my father worked 6 days a week, 12 hours a day. He sent his three daughters to college to be sure they had an education in post-high school.

He wanted to have health care. My father was crazy about Social Security and BlueCross and BlueShield. My father couldn't get on Social Security until the 1950s because small business was excluded. The reason he liked Social Security was that he worried about my mother and he worried about his girls. He was worried that if he died, would his own insurance—my father had insurance. My father was a planner and a provider—a planner and a provider—but he worried about whether that would be enough to take care of us. So when he was eligible for Social Security, he said: I will pay my fair share so if anything happens, fine, and if nothing happens, I am glad to pay my fair share.

As a small businessman, he didn't have access to big markets, but through the Maryland Grocers Association—again, in the 1950s—he could come in on BlueCross and BlueShield. He wanted health insurance for himself, for my mother, for his daughters, and, if he could, for the few people who worked for him because he knew that people were one financial bankruptcy away if a big illness happened.

What my father faced in the 1950s America is facing now in 2013.

So what does ObamaCare do? It improves access for 35 million Americans who are without health insurance. It ends the punitive practices of insurance companies, one of which is gender discrimination. The other is the pre-existing condition denials. It also strengthens Medicare in a way that actually reduces health costs. Data has been released in the last several days that actually shows health care costs are going down, and it is not because of the recession. It is because our reforms are going into effect, such as the famous Pronovost checklist developed at Johns Hopkins University that was quoted in another study: If we wash our hands and take care of certain things in the OR, we won't get an infection. And if we don't get infections, we don't

stay in the hospital longer than necessary.

I chaired the quality initiatives committee that examined how we could, through improvements in quality, not only save lives but would it save money, and the answer was a resounding yes. I didn't make that up.

They said: MIKULSKI, you are a social worker. What do you know about delivering health care?

It wasn't my idea. I went to learned societies, such as the Institute of Medicine, that said to err is human, but it is also costly. I am not talking about the medical malpractice stuff—infections, returning admissions to hospitals within 10 days or 30 days because of the way people are often discharged, the issue of prevention.

I am the author of the so-called preventive amendment that went into the health care bill.

What was that all about? It meant that early detection and screenings save lives—early detection and screenings save lives. That means if you get your mammogram, if you get your PSA test for a man, you are more likely to find it.

But it is not only for that dread, awful "C" word. Let's take a "D" word: diabetes. A lot of people walk around and do not know they have diabetes or high blood pressure. Both are silent killers. They can result in strokes or death. If you have undetected diabetes, it can kill you through a coma and other things, but it can also kill you slowly. The consequences of prolonged diabetes can result in the loss of eyesight, the loss of a kidney, diabetic myopathy, where you cannot walk. And if you come in so late, you are often—rather than facing an amputation, wouldn't it have been better to find it 10 years before and get you into the right program, with the right diabetic educator, to make sure we not only control your diabetes but we are not paying for amputations, which is a heartbreak for the family and the person and a budget buster to us?

This is what prevention is all about. It is not some gooshy-pooch thing. It is not like a slogan on a cereal box. This is the real deal. If you find certain of these chronic conditions sooner, you can manage their escalation. That helps the family and the patient. It also helps control our costs.

This is what we are talking about. This is why we care so much. And for women, we were helped through this bill, dealing with gender discrimination, preexisting conditions. Children were helped. And now, right now—because ObamaCare is not fully implemented—it stops insurance companies from denying families health insurance or charging sky-high premiums because their child has a preexisting condition.

What are we talking about here? We are talking about autism. We are talk-

ing about type 1 diabetes. We are talking about even children who have arthritis.

The other day I had such a poignant thing happen. I was dashing to the elevator, and there was a family with a young lady, a young girl about my height, but about—well, she was 13 and a tween. When they showed me their picture of the last time we met, that tween, that young lady, was in a wheelchair. We do not think of someone around 11 or 9 having arthritis, but she does. This is going to be a chronic condition with this young lady. But through the work of NIH, other great research, and working with a biologic that was used for other medical issues but allowed under FDA to work with her, under very strictly controlled conditions, with parental consent, of course, this young lady stood next to me. We laughed and we joked, back to back, because the little girl that was in the wheelchair is now a tween, and she is a lot taller than I am. We had a good laugh. But I will tell you, when I got on that elevator I had a good cry, and I was so emotional about it, I even feel it today.

What are we doing here? Don't we want to give this little girl a break? When her mother and father applied for health insurance, do we want the schoolmarmish no—the nos of the insurance company saying: No, that kid has arthritis. We cannot insure you.

That kid does have arthritis, but she is walking today. She is standing proud with her mother and father, joking with a U.S. Senator, doing well in school. Isn't that what we want for our country and for our young people? Why would we want to repeal legislation that does that?

I could talk a lot about this bill. I feel so strongly about the incredible infrastructure we have in our United States—NIH, academic centers of excellence, learned societies from IOM to the American Academy of Pediatrics that have advised us along the way—all of us working together. The biologic was developed by the private sector—the private sector—working with doctors, working with FDA, to say: Can we try an off-label that meets all the ethical things where children are involved?

We did it, and look at the story. That is just one story. We are a country of 300 million people. That story is being acted out every single day, and it is being acted out right now in the ER. If you came to the ER with me at Johns Hopkins, the University of Maryland, at Mercy Hospital, are there people who are there from trauma? Yes. Are there people there who were in an automobile accident? Yes. I was there 3 years ago myself with a fall coming out of church. Yes. But over 70 percent who are there are there because they do not have health insurance. And they are using a thousand dollars a visit being in there. What kind of system is that?

So if we repeal the President's Affordable Care Act, the consequences on families, the consequences on business, will be horrific. We are simply shifting the cost rather than solving the problem.

Are there reforms necessary? Yes. Do the Senators from Texas and Utah, who spoke, offer suggestions? Yes. But let's let ObamaCare go forward. Let's evaluate, let's do due diligence, and let's do oversight and make sure health reforms we have instituted are working, but do not repeal it. We will endanger lives, and we will endanger our economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the time until 2 p.m. be equally divided between Senator CRUZ and myself or our designees; that at 2 p.m. the Senate proceed to vote in relation to the Cruz amendment; that there be no amendments in order to the Cruz amendment prior to the vote; further, that upon the disposition of the Cruz amendment, the next amendment in order be an amendment offered by Senator HARKIN relative to Labor-HHS appropriations.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the time in the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Madam President, I rise to speak on the pending question, which is the Cruz amendment, to defund ObamaCare. I appreciate him offering the amendment on this very relevant issue. I am glad we are talking again about it.

When I ran for office 2 years ago, this was one of the central issues. There has been a court decision since then. We need to understand, court decisions are about the constitutionality of something. They do not speak to its policy wisdom. That is what this debate is about today. I think it is important because since the election—and even

going into the election—we had lost some view on this.

But let me begin by saying health insurance is a problem in the United States. There is no doubt about it. I think that to be in opposition to the health care bill is not to say that we think nothing should happen. On the contrary, I know health insurance is a major problem for millions of Americans. Its affordability is a problem. Its access is a problem, the ability of people to get the kind of health coverage they want.

In fact, when I was speaker of the Florida House—I had the honor of being that for 2 years in Florida—we actually worked on some ideas that created a marketplace where the private insurers and others could come together and create creative packages for people. That is the kind of insurance you need. Not everybody needs the same health insurance. Let me give you an example.

A family of four with two children—I have four children—I promise you, you are going to wind up in the pediatrician's office quite a bit, for everything and all kinds of stuff. We are very blessed. My children, thank God, are very healthy. And even then, there are issues where you need to bring them, whether it is primary care, whether it is vaccinations, whether it is a cold that does not go away—whatever it may be. I think it is so critically important to have that. So families in that circumstance need a certain type of coverage.

Then there are other people, people I know who are in their mid to late twenties. They never go to the doctor. But if they ever get sick, it is probably going to be, unfortunately, something very bad. So those folks maybe would rather have a plan that covers them upfront with some primary care coverage—maybe a higher deductible that you could pay with a health savings account—but on the back end some catastrophic hospitalization costs so if you truly get sick, God forbid, you have the opportunity to have the kind of coverage you need.

The point is everybody needs different kinds of health care coverage. My hope is that this country and the Federal Government—to the extent it has a role to play in all this—would help incentivize the creation of marketplaces for those sorts of innovative health ideas.

As I said, not everybody needs the same health insurance. That is why there are some principles that should have guided us when this was debated before I got here and should guide us going forward.

For example, I think one of our guiding principles should be that Americans should be able to buy health insurance from any company in the country that is willing to sell it to them. Right now, health insurance is regu-

lated at the State level. In essence, these States have mandates as to what insurance companies must offer in order to sell insurance in that State, and you cannot buy insurance if it does not have all of those. The equivalent would be of saying: You either have to buy a Cadillac Escalade or you have to buy nothing. Some people do not want a car that is that big and that fancy. They need something that is a little different.

The point is those choices are not available to consumers. We should start with an organizing principle by saying every American should be able to buy health insurance they want from any company in America that is willing to sell it to them.

Another part of that is you should be able to buy health insurance for yourself. Let me tell you why that is problematic. If your employer buys the health insurance for you, they do not have to pay taxes on the money. Taxes are not paid on the money that is used to buy that health insurance. But if you buy it for yourself, it is income, it is treated as income. You have to pay tax on it. That is problematic for a couple reasons. No. 1, some businesses and some employers would rather give them the health care money so they can go out and buy the plan they want. Others would want to buy you plans or give you options among different plans.

Federal employees know very well what that is like. Let me tell you what a Federal employee gets. A Federal employee gets a book. In that book you get to choose between—depending on where you live—a bunch of different plans. You go right down the graph, and it tells you: This is how much this plan offers, this is how much you have to pay in premiums per month, this is how much you are going to owe in copayments if you go to a doctor, if you go to a specialist, if you go to a hospital.

How many people in America get that choice? How many people in America get the same choices on buying health care that their Congressmen and their Senators get? Very few. To me, that is a serious problem.

The good news about this—imagine now, for a moment, a country where people control their health care dollars, where you got to buy the insurance you wanted from the company you wanted. Let me tell you what the market is going to do. It is going to react to that. What the market is going to do—when there are people out there who are going to have choices over how they spend their health care dollars—they are going to start creating insurance packages that people want to buy. They are going to realize: We have a bunch of 25, 27, 29-year-olds in the United States who do not get sick. We should create special packages of insurance for them. They are going to realize: We have a lot of families out

there who can afford to pay “X” amount of money for a family coverage plan. We should go out and create a special plan for families like them.

By the way, along the lines of this level of flexibility, you could see where small businesses all of a sudden can get together with other small businesses. As an example, a small chamber of commerce in a midsize city somewhere can decide to bring all of those companies together. Together they can buy health insurance for their employees. It is hard to buy group coverage if you only have four or five employees. But if you can get together with a bunch of other companies that have three, four, five employees, all of a sudden you have a buying pool. That buying pool gives you leverage and power to go out and create plans for all of your employees.

There is no one size fits all. We should have that kind of flexibility in our insurance marketplace. We do not. These are not going to cure everything, but these are important steps forward.

By the way, I would be remiss in talking about medicine to not talk about the malpractice insurance rates, especially for specialties. Do not underestimate what a significant impediment that is for some people to go into the medical profession or to stay in the medical profession.

Right up front, let me tell you, if a doctor is negligent, if a doctor commits malpractice, you should have a right to recover your economic damages, and there should be some level of punitive damages to encourage people not to do that in the future and to be careful. The problem is it has gone beyond that. In many States we have a crisis when it comes to litigation and medicine. People are not just suing because, unfortunately, something went wrong. They are suing on outcomes. They are not just suing because the treatment was bad. The result is that doctors practice defensive medicine.

You go to a doctor, you go to a hospital, they order a slew of tests. It is not because you need them, but because they want to make sure they are covered; that if they ever wind up in a court they can be able to say to the jury: Look at all of those tests I ordered—even though most of them might not have been necessary. Who do you think pays for that? We do.

It is worse than that. There are places like in Florida where obstetricians do not even have coverage at all. They go bare. They hire lawyers to protect their assets so they cannot be sued. I know true stories of obstetricians who will not see certain patients anymore because they are afraid of the outcome of what may happen.

So I think we need to look at, perhaps, not as a part of the insurance situation but in health care across the States, a way to incentivize States to pass medical malpractice reform that

protects patients. People should always have the right to access the court system for wrongdoing, and especially to be compensated for their economic damages. If a doctor commits malpractice and you cannot work anymore, all of those lost wages that you are not going to be able to work for in the future, you should be able to be rewarded for that.

If we allow doctors to continue to be sued in this country as an industry, which is what it has become, people are not going to go to medical school.

Here is another problem we are starting to see. A lot of young people in medical school do not want to go into the complex issues anymore. They do not want to become brain surgeons. They do not want to become OB-GYNs. They want to go into some other specialty that in addition to offering better hours—your beeper does not go off if you are a plastic surgeon at 3:00 in the morning. In addition to that, they do not have to worry about liability. Let me tell you, that is a problem. In Florida, most of our cardiologists are over the age of 50. What does that mean 10 years from now? That means we are not going to have enough cardiologists. It is discouraging people from going into very important professions in medicine because they are afraid they are going to get sued—not for doing something wrong but because things did not turn out well in treatment.

Let me put on the record that I am not against people being able to sue a negligent doctor. In fact, I think negligent doctors should not only be sued, they should lose their license. I am just saying, if we go too far, like anything else in the world, you are going to lose people from medicine. They are going to decide not to go in it.

Let's talk about this issue for a moment and the amendment that is before us. The problem with ObamaCare is that it is a one-size-fits-all approach to the entire country. The health care needs of Americans are very different. No. 1, they are very different geographically depending on where you live; No. 2, they are very different depending on your family situation, your health situation, et cetera.

Now, some people are very sick. They are chronically ill. That is where we can have a conversation about high-risk pools because these people are very difficult to insure. If someone is sure to get sick, it is hard to find an insurance for them because you are guaranteed to be sick. So we have to find a solution for that problem. That is where conversations about high-risk pools at the State level are a valid thing to talk about. But beyond that, I think people should have flexibility. That is not what ObamaCare does.

I understand that people read the newspapers and say: This is good. We are going to get a health care plan. We

are going to be able to buy insurance. My boss is going to be forced to give me health insurance.

That is not how it is going to work out, guys. That is not how things work out in the real world. We are already starting to see the impacts of it. What is amazing to me is as this law begins to develop, as people start to see the true impact and the unintended or maybe even the intended consequences of this law, I predict right now that the number of people who were excited about ObamaCare is going to dwindle dramatically.

The proof is how many groups have come here already and asked to be exempted. How many unions, how many other groups have raised their hands and said: Please do not make us live under the laws that we supported. Do not make us live under their laws that we held rallies for. Do not make us live under these laws that we bragged about because it has a negative impact on us. And some of them are coming to bear right now.

No. 1 is the cost. When this bill was passed, they said it would be about \$1 trillion—\$940 billion to be exact. Now we know it is \$1.7 trillion in gross cost over the next few years.

How about tax hikes? Absolutely, because starting in 2014, the IRS is going to create a problem for millions of Americans and small businesses. Basically, if you are not buying health insurance of the kind they want, of the kind the law requires—not just health insurance, a specific kind of health insurance—you are going to owe the IRS a fine. Think about that for a moment. If you are a small business owner or an individual, and you are not buying the health insurance the government says you must have, you now are going to have to pay a fine every year to the IRS.

Some people are going to do the math. They are going to say it is cheaper to pay the fine than it is to buy the health insurance. That is problematic, but it is a cost.

We are trying to grow our economy. That is the only solution to our problems. Over the next couple of weeks, we are going to debate budgets, we are going to debate continuing resolutions, and the word “debt” is going to come up. We cannot tax our way out of this debt. There is no tax increase that gets us out of this debt. To my own party, I say while we always have to have fiscal discipline, you cannot cut your way out of this debt alone either. The only real solution to our debt problems—and the debt matters because it is killing jobs in America—the only real solution to our debt problems is a combination of two things: rapid, robust economic growth.

If we can grow our economy at 4 percent a year, we could generate \$3 trillion for debt reduction over the next decade, and we would create millions of



jobs and pull people out of poverty and strengthen our middle class, which is the source of our exceptionalism as a country.

The second thing we need is fiscal discipline on future spending. This bill violates both. This bill violates both. It hurts economic growth because the only way you are going to grow your economy is if you make America a better place to create jobs and start businesses. That is how economic growth is created. When someone takes money they have or money they borrowed or money someone invested in them, and they use it, they risk it to open a new business or to grow an existing one, as the idea works, they start hiring people, and those people now are making a middle-class salary. Those people are now buying things and spending money, creating jobs and opportunity for others.

That is the formula for growth and prosperity. This hurts that because what you are now saying is, in addition to everything else you have to put up with in America—all the State and local regulations, all the complicated Tax Code stuff, the natural downturn in the economy, globalism and the changes that it has brought—in addition to all of that, here is one more thing you are going to have to do: You are either going to have to offer health insurance of a certain kind or you are going to owe the IRS a fine.

I promise you that is not the kind of thing chambers of commerce put on their pamphlets when they try to attract businesses to their communities or their States. This is not going to help in job creation. The tax hikes are a big problem. It is especially bad for small businesses because they have this arbitrary number of people—50 employees or more—who have to do certain things. OK. So what do you think a lot of businesses are going to do? I know people. They have already told me about this.

If you have 51 employees, this is a huge incentive to only have 49 employees. So you think about that for a moment. If you own a small road-paving company with 50 full-time employees or 51 full-time employees, you sit down with your accountant to do your math for next year. Your accountant will tell you: By the way, if you get rid of a couple of employees, this is how much money this is going to save you because of ObamaCare.

So do we want to have an incentive in our laws to have businesses get rid of workers because it helps them avoid certain costs mandated by government? This is happening. This is not pie in the sky, this is going to happen. There are people planning to do that already. It is happening right now.

Here is another thing. How about part-time workers versus full-time workers. We have already seen evidence of this across the board. But I

will tell you where you are seeing it already is in people who own a bunch of franchises. So you own a chain of Kentucky Fried Chickens or a chain of McDonalds, and all of a sudden you have incentive to move as many of those people as you can to part time because they do not trigger the ObamaCare mandates either. So now you have all of these businesses across America that have an incentive that we have created in this law—I say “we,” the people who were here when this passed—a perverse incentive to cut people’s hours so they do not trigger the mandate. These are horrible consequences that are going to have an impact on our country at a time when we should be growing our economy and creating middle-class prosperity, not working against it.

So my prediction is that when they start to fully implement this over the next 12 to 18 months, it is going to be an epic disaster. Not because it was ill-intentioned, per se. I think the goal of providing an environment where everybody can buy affordable health insurance is something we should take very seriously and something we have to work on. You cannot have a strong, stable middle class if people cannot afford the cost of living. You cannot have a strong and stable middle class if people do not have access to quality health care at an affordable price. We should work on that. We should work on that very hard. But we have to do that with balance.

This is not balanced. This is an across-the-board application to the entire country that is going to hurt a lot of people. There are people in America who are going to lose hours at work because of this bill. There are people in America who are going to lose the health insurance they have which they are happy with because of this bill. There are people in America who are going to have to lay off people, and therefore there are people in America who are going to lose their jobs because of this bill. Our debt is going to grow.

I hope we will pass this amendment. I hope we will defund this program. It was ill-designed. As the true ramifications of this bill begin to apply over the next few months and the next couple of years, we are going to be right here on this floor trying to fix it because this country cannot be what it is meant to be if it has to deal with something like this hanging around its neck.

I yield the floor.

THE PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Before the Senator from Florida leaves the floor, I just wanted to commend him for his observations. I listened carefully to what the Senator from Florida had to say. It reminds me of the prediction many of us made when it was passed: It would

be the single worst piece of legislation in modern times.

Everything the President predicted would happen has not happened. Premiums have gone up; jobs have been destroyed. The single biggest step in the direction of Europeanizing our country that we could possibly have taken we took with ObamaCare.

So I just wanted to commend the Senator from Florida for his comments. They are right on the mark.

I also want to thank Senator CRUZ for offering this amendment. I offered it in the last Congress myself. There is no way to fix this thing, no way to fix it. It needs to be pulled out by its roots. The Senator from Florida pointed out it is also destroying jobs.

I was on a tele-townhall the other night. A restaurant manager called in and said exactly what the Senator from Florida just said, that they were moving to lower their employment and to have more part-time workers in order to try to deal with the impending ObamaCare explosion.

So I am sure the Senator from Florida is running into that in his State as well.

Mr. RUBIO. Let me say a couple of things—actually, a true world example. Here is the startling thing about it. A lot of people are not fully aware of what this means yet. This may surprise some of us who are here every day or the people who cover politics on a daily basis, but most Americans are not tuned into C-SPAN 24 hours a day. They get their news in tidbits in the morning when they are making their coffee. They have the radio on. They hear some stuff on the radio on the way to work. Then they go to work for 10, 12, 14 hours to run a business. They get home, they have to do homework with the kids, make dinner, put them to bed. Maybe they get to watch an hour or two of TV. They wake up tomorrow morning and they do it all over again. They are not in touch with all of this on a daily basis. They have lives to lead.

You will be surprised how many small business men and women and how many employees around the country are not even aware of this yet, do not even realize the decisions they are going to have to make next year. So if you are in a business that has anywhere between 45, 55, 60 employees, when you sit down at the end of this year with your planner—be it your accountant, your lawyer, whatever it is you use, your human resources people—and do next year’s planning, they are going to tell you: OK, next year we have this new law. This new law says we have to offer this kind of insurance. Here are your choices: Option No. 1 is you can offer the insurance, and this is how much more it is going to cost than what you are paying right now. Option No. 2 is do not offer any insurance and pay a fine to the IRS every year from



now on. Here is how much that is going to be. Option No. 3 is to let some people go so you do not have to do any of this.

I am telling you, a lot of these people are going to say: You know what. It breaks our heart; we do not want to do it; it is not good for our business, but of the three options, the only one that is going to allow us to survive is to let some people go. That is not good for us. That is not good for us.

Mr. MCCONNELL. Well, the Senator from Florida may have mentioned that earlier in his remarks. But so far there are 20,000 new pages of regulations—so far—a stack this high.

This is absolutely indecipherable by very intelligent people, and they are just getting started.

I want to thank the Senator from Florida for his comments. I think they are right on the mark. This is a huge mistake for our country. Hopefully, someday, maybe even beginning with this amendment, we may begin to undo this massive mistake we made a few years ago.

Madam President, we have been saying for 3 years this bill will be too expensive; it won't do what it promised. Every day we are seeing further proof of that.

The Federal Reserve said it will cost jobs—the Federal Reserve not the RNC. We predicted that. Yesterday we had a glimpse of the application process for ObamaCare. It turns out applying for it will be as difficult as doing your taxes.

Today there is another AP story saying some folks will see their insurance bill double next year as a result of this law. As I indicated, so far there are 20,000 pages of regulations and many more are expected. This bill is an unmitigated disaster for our country, an absolute disaster.

I applaud Senator CRUZ for offering this amendment. I strongly support his efforts. Not a single Member of my party in the House and the Senate voted for this bill in the first place. We need to get this bill off the books and straighten out our country. This would be a big step in the direction of achieving that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I assume a number of my colleagues have seen the movie "Lincoln."

One particularly brief but poignant moment of that movie showed the President's staff discouraging him from spending so much time talking to regular people, leaving the White House and inviting normal people who weren't involved in politics every day or didn't work in the White House into the White House to talk.

They were saying: Mr. President, you need to run this war. You have so much to do. You shouldn't be meeting with people as much.

President Lincoln said to his staff: I need my regular public opinion baths.

Just listening to the last few speakers, particularly the Republican leader, I think it is more important more people in this institution go out and talk to real people who are affected by this health care law. There is the 25-year-old who has already benefited from staying on her mother's health care plan, the person in the high-risk pool who has insurance now—such as a friend of mine in Port Clinton in Ottawa County, Ohio, does—because of this law. People have seen the consumer protections. They haven't lost their insurance because they were expensive for an insurance company.

My colleagues need to get a public opinion bath, walk around their States a little more and listen to people outside of the country clubs and outside of the trade associations who are charged ideologically and not really particularly open about these kinds of issues.

I rise to oppose the amendment offered by Senator CRUZ, the badly named "Restore Growth First" amendment, which would prohibit resources included in the continuing resolution to implement the Affordable Care Act.

Specious claims about how the health law will harm our economy have already been debunked by the hundreds of Ohioans who are able to have annual wellness visits, by the tens of thousands of young adults staying on their parents' insurance plans, by the seniors who are seeing the doughnut hole coverage gap closing with real savings on prescription costs.

It has been debunked by Americans who are no longer denied coverage because of a preexisting condition, by the Americans who are not forced to pay more for insurance because of a preexisting condition, by women who may now rely on affordable, accessible reproductive health services; and starting in 2014, Americans who have not been able to afford health insurance in the private market will be able to comparison shop, if needed, to purchase insurance.

These much needed health care reforms which will benefit Americans next year are already benefiting Americans and have been for a couple of years. Continued implementation of these reforms is crucial for improving the quality of care and bending the cost curve.

I agree with Senator CRUZ on one thing: health spending is related to the economy and to the deficit. Let's be clear. We know the health care law will reduce the deficit by over \$100 billion over the next decade. These are Congressional Budget Office numbers, not Republican numbers or Democratic numbers. On the Cruz amendment, repealing the health care law would increase, not reduce, the deficit.

We know how it is helping people. There are 100,000 reasons in my own State of Ohio to stand up for this health care law and reject this amend-

ment: Nearly 97,000 of Ohio's young adults are now able to stay on their parents' plan until age 26.

Mr. INHOFE. Would the Senator yield for a unanimous consent request?

Mr. BROWN. I yield to the Senator from Oklahoma.

Mr. INHOFE. I ask unanimous consent to be recognized at the end of the Senator's remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Almost 100,000 of Ohio's young adults are now able to stay on their parents' health plan. Seniors have saved almost \$300 million in prescription drugs just since the passage of the health care law, with an average per beneficiary savings of \$774. And up to 147,000 small businesses in Ohio are eligible for tax credits.

Finally, thanks to the health law, more people in my home State and across the Nation have access to free preventive services. As I said, there are 100,000 reasons for Ohioans to like this law and oppose this amendment.

There are 2 million Ohioans with private insurance who have gained preventive health services with no cost sharing. This means major illnesses may be detected earlier. It means decreasing treatment costs and human suffering over the long term.

The Affordable Care Act was the most promising initiative to control health care costs in decades. The health care law is about reducing health costs for consumers and investing in more affordable preventive care for Americans.

The health care law is about containing costs as we extend insurance. It means people, rather than going to the emergency room with a sick child, may go to the family doctor and receive preventive care prior to the child's ear infection becoming serious. Under the new medical loss ratio rules health insurance plans must spend at least 80 percent of premium dollars on health care costs, not executive bonuses, not other administrative expenses. In Ohio, 143,000 received over \$11 million in rebates.

The Prevention and Public Health Fund is the part of the health care law which will give us test data about how to bend the cost curve through preventive programs. Ohioans received more than \$17 million already to prevent chronic diseases and decrease smoking rates.

Mr. DURBIN. Would the Senator yield for a question?

Mr. BROWN. Certainly.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I would ask of the Senator, pending before the Senate is the Cruz amendment which would literally remove any funding to implement the Affordable Care Act, as I understand; is that correct?

Mr. BROWN. That is correct.

Mr. DURBIN. We have heard from the Republicans on the other side of the aisle that they oppose this intrusion of government into health care and creating health insurance exchanges so Americans who currently don't have a choice in health insurance and want to get a different policy, if they care to get one, would have a choice through the exchanges?

Mr. BROWN. This is what they have been saying, yes.

Mr. DURBIN. The premise behind this is the government shouldn't be involved in this, as I understand the Republican argument; is that correct?

Mr. BROWN. That is what they say.

Mr. DURBIN. Did I hear the Republican leader come to the floor and speak about thousands of pages of regulations, government regulations, which will now be part of health care?

Mr. BROWN. You did.

Mr. DURBIN. I would like to ask the Senator from Ohio, is he aware of the fact every Member of the Senate has a government-administered health insurance plan?

Mr. BROWN. I am aware of it. I assume my colleagues are too.

Mr. DURBIN. Is the Senator aware of any Senator on the Republican side who has come forward—and there may be one, I don't know—who has said: I am so opposed to government-administered health care, and as a Senator I will not take advantage of the Federal Employees Health Benefits Program?

Mr. BROWN. I have not heard any say that.

Mr. DURBIN. The same Senators who are critical of ObamaCare because the government is involved in health care have themselves, their families, and children protected by a government-administered health insurance plan?

Mr. BROWN. It is my understanding this has been sort of the hypocrisy we have woven through this debate over the last 3 years.

Mr. DURBIN. What is good enough for these Senators apparently is not good enough for the rest of America?

Mr. BROWN. Apparently not good enough for a senior, not good enough for somebody who is low income but working two \$10-an-hour jobs, I guess it is not good enough for them.

Mr. DURBIN. Is it not true the amendment by the Senator from Texas is breathtaking because it says we eliminate all funding for the Affordable Care Act in terms of, for example, the extension of the availability of health insurance for children up to the age of 26?

As I understand the Cruz amendment, we couldn't fund that aspect of the Affordable Care Act.

Mr. BROWN. The Cruz amendment doesn't just anticipate changes in the future, it takes away all these services which have been out there that I have been talking about: the thousands of people in Illinois, Ohio, and Wisconsin

who have benefited; 25-year-olds, 22-year-olds, such as somebody who graduates from Champagne, Urbana, Madison, or Columbus and don't have insurance but have a job, are 23 years old and may stay on their parents' health plan. All of the preventive care literally hundreds of thousands of seniors in Ohio now receive with no copay or no deductible would all be wiped away. All the provisions people have benefited from already would be taken away by this amendment.

Mr. DURBIN. This breath-taking Cruz amendment would actually say to these families with children who are currently on the family policy up to the age of 26: It is over. Those kids are now on their own.

Mr. BROWN. These kids would be on their own, but the Senators who are pushing this amendment would still have their health insurance, just to reiterate that.

Mr. DURBIN. The Cruz amendment does not eliminate the government—

Mr. BROWN. It doesn't take away the insurance for those people voting on this amendment; that is correct.

Mr. DURBIN. The Federal Employees Health Benefits Program, which protects Senators and Congressmen, is not affected by the Cruz amendment?

Mr. BROWN. My reading of it is it is not affected.

Mr. DURBIN. They don't hate that aspect of government-administered health insurance?

Mr. BROWN. Apparently not.

Mr. DURBIN. Is it also true the seniors who would receive benefits under the Affordable Care Act, for example, annual physicals which are available, those would be eliminated as well?

Mr. BROWN. In my State and the Senator's State, since his State is slightly larger than mine—over 1 million seniors in each State and hundreds of thousands in the Presiding Officer's State of Wisconsin—millions of seniors have received some kind of preventive care, such as screenings for diabetes, screenings for osteoporosis, and not paid a copay or deductible. They have received their physicals and not had their deductibles, copayer deductibles, waived as a result of the Affordable Care Act.

The Cruz amendment would, while still protecting health insurance for Senator Cruz and others, wipe away those benefits for seniors.

Mr. DURBIN. Is it also not true in the U.S. Capitol we have an Attending Physician's Office run by the U.S. Navy, a government entity, which makes itself available to each Senator if they care to pay a monthly fee for annual physicals—a government-administered annual physical for Senators?

Mr. BROWN. It is true. That is true. This is open to people regardless of how they vote on the Cruz amendment.

Mr. DURBIN. Does the Cruz amendment eliminate this government-ad-

ministered physical exam which is available for Members of the Senate?

Mr. BROWN. It does not.

Mr. DURBIN. I am starting to note a pattern here. The Senators who wish to do away with government-administered health care for everyone else want to keep it for themselves. Does that pattern emerge from the Senator's analysis?

Mr. BROWN. We had this discussion back in 2009 and 2010 when we debated this health care law, that Members of the House and Senate continue to receive health insurance.

I recall one House Member was unhappy during campaigning against the Affordable Care Act, as he recently came to the House. He didn't get his insurance for the first month paid for by the government, as he tried to take away insurance for low-income, moderate-income people in my State, my district and the Senator's State.

Mr. DURBIN. I would say Senator Cruz would certainly be able to offer an amendment which eliminated all government-administered health insurance as it applies to any person in the United States. If he did that, he would be consistent. Instead, what he has done is go after those today who are struggling to find their own health insurance, cannot afford it, and are simply asking for the same option as Members of Congress have today: to be able to go to an insurance exchange and choose the insurance plan that is best for them and their families. I think it would be more consistent.

I ask the Senator from Ohio if he thinks it would be more consistent?

Mr. BROWN. I would like to see Senator Cruz or one of the supporters of the Cruz amendment offer an amendment.

Mr. DURBIN. I thank the Senator from Ohio.

Mr. BROWN. I appreciate the words of the Senator from Illinois.

To close, Senator DURBIN's comments accurately explain that there is a bias in this institution on tax policy and health policy for some Senators to take care of themselves and people like them, a little more than paying attention to the rest of the country. I think this amendment shows this and is one more good reason to vote against the Cruz amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, we have been discussing and debating ObamaCare for 3 years—several years anyway. I have not heard the argument before where they say you have the same government-run plan. That is not true. That is not true at all.

I have worked in the corporate world and been on the leadership part where we were making decisions and offered our employees the benefits of different companies. It could be Aetna, Blue

Cross-Blue Shield or anybody else. We could make that determination as to what we wanted and then we paid for it.

I don't think that argument has ever been used, to my memory. I wasn't coming down to talk about that, but I will, since I am a cosponsor of the Cruz amendment. I think anything you are able to do to get rid of ObamaCare is in our interests.

Right now, the attorney general in the State of Oklahoma is Scott Pruitt. I spoke with him this morning. He has a lawsuit with an amended complaint challenging the implementation of ObamaCare. Scott Pruitt is arguing the IRS is attempting to redefine ObamaCare's mandate tax in order to hike taxes on Oklahoma employees. That is what is happening right now in my State of Oklahoma. I don't know how the polling goes. I would only say this: I sense an air of anxiety with a lot of these people trying to support ObamaCare right now, because people have caught on. People in the State of Oklahoma have caught on. In Oklahoma, we would have to spend an additional \$400 million over the next 10 years on Medicaid in order to cover those who already qualify and will be forced into the program—this government program we are talking about—due to ObamaCare and the mandate. This money will be diverted from schools and from roads and other needs, public safety, in the State of Oklahoma. Our research shows that premiums in Oklahoma could increase anywhere from 65 to 100 percent due to the coverage mandates required by ObamaCare. It is as if we are having this debate all over again, but they are bringing up things now I have never heard of.

I want to mention one thing, and that is there is a friend of mine in Oklahoma whose name is David Green. David Green several years ago started with one store, a thing called Hobby Lobby—I store in the State of Oklahoma—and now he has 500 stores in 41 States and he has, I don't know, I think it is over 50,000 employees. He is now facing a new type of intimidation he has never faced in his life, and it is the intimidation of saying because of David Green's religious convictions against providing his employees with abortion-inducing drugs his company now faces fines amounting to \$1.3 million a day.

All those pro-abortionists out there like this. This is wonderful. But he is someone who has hired thousands of people in 41 States in this country and is now providing all these benefits for Americans, and all he is saying is his religious convictions don't allow him to participate in abortion-inducing drugs. So he is under the threat right now, if you do the math, of a \$1.3-million-a-day fine. And I guess I am more sensitive to this than I should be be-

cause I have known him from the very beginning.

I want to speak briefly, because I know I have a couple of colleagues who wish to speak. Does the Senator wish to make a UC to get in line?

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Yes, I came to the floor today to support the Cruz amendment. Does the Senator from Oklahoma still wish to speak?

Mr. INHOFE. Yes, I just wanted to ask whether the Senator wanted to lock himself in with a unanimous consent request while I finish on another subject.

Mr. JOHNSON of Wisconsin. Yes. Madam President, I ask unanimous consent to speak for up to 5 to 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, I do cosponsor this amendment, and I will be voting for it at 2 p.m. today. But there is another one that will come up, amendment No. 28, and it could be coming up in a very short time this afternoon, and I was afraid I wouldn't have a chance to make a couple of comments about it.

I am cosponsoring this amendment by Senator PAUL, and it withholds funding to go to Egypt until Egypt's President Morsi declares he intends to abide by the Camp David peace accords, which have kept the peace between Egypt and Israel for over 30 years.

If you talk to any of your Israeli friends, they will tell you this is significant, and I appreciate the fact he recognizes that. In fact, the bill I had introduced back in—well, I actually introduced it earlier, but reintroduced it on January 25 of this year—S. 207—calls for the suspension of the shipment of F-16s and other military equipment and services to Egypt until Morsi agrees to continue to uphold Egypt's commitment under the 1979 Camp David peace accords.

A lot of people don't realize they have been our friend, and if you ask any of your Israeli friends, they will tell you they are. It happens that this President is a Muslim Brotherhood president. He is not like the ones we have had in Egypt before. People who think of other countries having the same kind of system we have, they do not. Right now the military is a military we trained. There is a Major General Elkesky, who happens to be here now and who is a friend of mine, and he was trained at Fort Sill in Oklahoma. The majority of the middle-grade officers in Egypt have been trained in the United States. They are our friends. And that is what we are getting at here.

So I made that qualification when I said we want to reduce the things we

are doing, and I was talking about military equipment—the F-16s—way back in January, until they make that commitment. I think that is a very reasonable commitment.

The amendment that will be coming up, amendment No. 28, will be by Senator PAUL and myself and it will talk about support for Egypt and go into other areas of support over and above military equipment, saying that until such time as they agree with what they have agreed to over the last 30 years or so—that they will continue to be our friends—then we want to withhold this. It is the only leverage we have. I said this back in January, that the only leverage we have, in order to encourage them to come with us, is to say we are going to withhold some things, and that is what we are doing.

So when that amendment comes up—of course, I still have my bill, S. 207, and it is essentially the same as the Paul-Inhofe amendment. It is not necessary to have them both in terms of a vote, but I think on one we will have to have a vote, but it should tie in to what their behavior has been in the past, what it should be in the future, so that we don't have a Muslim Brotherhood guy running a country and we don't know how our equipment is going to be used.

Our F-16s and other equipment, our tanks, have been used to participate in the defense of our friends in the Middle East, primarily Israel and of ourselves. I am hoping we will get to that when we have a chance to have a vote on it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Madam President, I thank the Senator from Oklahoma for his comments.

I came to the floor to voice my support for the Cruz amendment. I want to concentrate on the cost of the health care law, which is why we are asking in this amendment to defund that bill because we simply can't afford it. So much of our budget already is not considered. Frequently, during negotiations on how we stabilize our deficit and our debt situation, there are many items off the table, things such as Medicare and Social Security. As unsustainable as those programs are, they are off the table in terms of negotiation. But if you want to take a look at the problem with the health care law—ObamaCare—it is the fact that it is simply not affordable. I know the name of the bill is the Affordable Care Act, but we simply can't afford it. Basic economics 101 describes the problem, because ObamaCare will dramatically increase the demand for health care. Thirty million more Americans—and let's face it, we all want those Americans to have access to affordable health care—will be accessing health care or trying to, demanding health care through some kind of program,

such as Medicaid, while at the same time the supply will be dramatically reduced. That is going to be an economic disaster.

What I wish to do is put up a couple of charts and graphs showing the true cost. We don't talk about the true budget window when ObamaCare fully kicks in in the year 2016. This is based on the CBO estimate, and all we have had to do is extrapolate the final 3 years. Basically, it shows that ObamaCare won't cost the \$1 trillion it was originally estimated to cost when it is fully implemented between 2016 and 2025. It will actually cost \$2.4 trillion, at a minimum. And, of course, it will be paid for by these taxes, fees, and penalties, which I guess now are taxes, equaling about \$1.4 trillion.

So given the \$2.4 trillion worth of cost, we have \$1 trillion worth of taxes—and, by the way, the majority of those or a great portion of those taxes will be indirect on middle-income Americans—that leaves about a \$1 trillion hole in the current budget window. That is the \$716 billion that will apparently be taken out of Medicare providers. We are not sure what will be happening in the full budget window, but that is a \$1 trillion deficit risk.

Again, these are all estimates, and I would argue in general that the Federal Government is not particularly good at estimating anything. Back when they first passed Medicare in the mid 1960s, they projected out 25 years and said Medicare would cost \$12 trillion in 1990. In fact, it cost \$110 trillion—over nine times the original estimate. I don't believe the Federal Government has gotten better at estimating in that intervening time period.

As a matter of fact, President Obama famously repeatedly said that if we passed a health care law, by the end of his first term the cost of a family plan would actually decline by \$2,500. Unfortunately, that guarantee has not come true. When President Obama took office, the average cost of a family plan was a little over \$12,000. If his promise had come true, we would be looking at a family cost of \$10,000. In fact, the cost of a family plan today is now \$15,000. Again, that is somewhat of a broken promise.

But let's take a look at what I think is the greatest risk in terms of cost projections by the CBO in that estimate of the total cost of ObamaCare—the \$2.4 trillion we are talking about in the true budget window. The CBO estimated only 1 million people net would lose their employer-sponsored care and get dumped in the exchanges with the subsidies. But it is going to be far worse than that, because 160 to 180 million Americans access their health care through their employers. I was one of those employers. I purchased health care for more than 31 years. The decision employers are going to be making

in terms of whether to carry health care has dramatically changed under the health care law. Now the decision is going to be: Do I pay \$15,000 for a family plan and then try to comply with the now 20,000 pages of law—rules and regulations?

Leader MCCONNELL printed out those 20,000 pages. You can see it in the hallway. It is an enormous burden for anybody trying to comply with that.

Anyway, the decision is: Do I pay \$15,000 trying to comply with 20,000 pages of rules and regulations or do I pay the \$2,000 to \$3,000 fine—the penalty—and in so doing I am not exposing my employees to financial ruin, I am making them eligible for huge subsidies in the exchange? If an individual has a median household income of \$64,000, they will be eligible for \$10,000 in those exchanges—\$10,000 worth of subsidies. Who isn't going to take that deal?

And that is my point. As employers, we will drop coverage. Employers are incentivized to do so. So rather than 1 million Americans losing their employer-sponsored health care and enjoying those subsidies, there will be tens of millions.

One of the amendments I will be offering in this budget process will be asking the CBO to provide the worst-case scenario: What happens if the McKinsey study is true, 30 percent of employers will drop coverage or 50 or 100 percent? It will be a simple amendment to get the worst-case scenario.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to the floor today to speak in support of the Cruz amendment and I do that as a doctor, as someone who has practiced medicine for 25 years taking care of families all around the State of Wyoming.

When we entered into the discussion about health care, and then ultimately the discussion of what became the Obama health care law, I would come to the floor and say, yes, we need to do health care reform. Patients know what they want. They want the care they need, from a doctor they choose, at lower cost. Because cost was the driver of all of this.

Then we got into the debate and into the discussions and what we ended up with was a health care law over 2,000 pages long. I said then: Does that make a lot of sense? Let's go back to what one of our Founding Fathers said. James Madison, the father of the Constitution, said: Congress shall pass no laws so voluminous they cannot be read nor so incoherent they cannot be understood. Regrettably, that is exactly what we got with this health care law—a law so voluminous it cannot be read and so incoherent it cannot be understood.

And when you say: Well, how do we know it is so long that it could not be

read, how voluminous, well, NANCY PELOSI said it herself. She said: First you have to pass it before you get to find out what is in it. Well, the American people now know what is in the health care law. They know it, and they don't like it.

I have had townhall meetings all around the State of Wyoming. When you go to a community and talk about the health care law and ask the simple question, Do you believe that under the President's health care law you will be paying more for your health care, all the hands go up. And then you ask the question, Do you believe that under the President's health care law the quality of your care and the availability of your care will actually go down, and again all the hands go up. That is why as of today this health care law continues to be very unpopular. Nationwide, more people think the health care law is doing harm than believe it is doing well.

Let's take a look at what the President promised during the discussion and why some people supported it.

First of all, the President said that under the health care law, if you like the plan you have, if you like the care you have, you can keep it.

We now know from many studies and reports that is not the case. It seemed in having just read the law as it was being discussed that you weren't going to be able to keep it, but it wasn't until now that people realize more and more that they are not able to keep what they had if they liked it.

The other thing the President promised is that under his health care law, insurance premiums for a family would drop by \$2,500, he said, by the end of his first term in office. The first term has come and gone, and what families around the country are seeing is that health care premiums didn't go down, they actually went up—up quite a bit, up by over \$3,000 per family.

Why is it that the law is so unpopular? There are many reasons, but part of it is this so-called individual mandate—the mandate that the government can come into your home and tell you that you have to buy a government-approved product. Many people around the country believe it is unconstitutional. It actually went to the Supreme Court, and the Court ruled. The Court ruled that it was not unconstitutional. But it is still unworkable, it is still very unpopular, and it is absolutely unaffordable for us as a nation.

I talk to physicians and I talk to the nurses who take care of patients. This health care law is bad for patients, it is bad for providers—the nurses and doctors who take care of those patients—and it is terrible for the American taxpayers.

The most interesting thing to me in the last week has been the report called the "Beige Book," which the Federal Reserve comes out with every

month. They travel around the country and ask their Federal Reserve people what is happening in this community, that community, in this part of the country, in that region of the country. And what is happening to the economy? In this past month's report, it said that specifically as a result of the health care law, businesses aren't hiring. The Federal Reserve has called this a drag on the economy—the health care law.

How can that be? Well, there are a couple of things. One is the huge uncertainty—businesses not knowing what the impacts of the health care law specifically in terms of dollars and cents are going to be. But there are a couple of components of the health care law that are really hurting in terms of businesses hiring people. One is that things kick in for businesses once a business has 50 employees. So if a business has 49 full-time employees and they are trying to expand and they have more business and they want to hire more people, they have to decide, what is the cost of that additional 50th employee?

Well, the costs are dramatic because it then kicks that business into the huge expenses of supplying government-approved health care—not necessarily health care or insurance at a level that those employees might need or want or that business can afford, no; a government level of approved health care that may be much more than that individual needs or wants or can afford because the government is saying: We know what is best, the government knows what is best for you, the family in this community or that community and people working for that business. So that is part of it. So those folks aren't hiring.

Remember, I said full-time employees. They define full time as 30 hours or more a week. So we have the businesses known as the 29ers, where they are, for purposes of not having additional full-time employees, hiring people for 29 hours a week. There have been reports in the press of different businesses where people are working two different jobs at two different businesses because they can only get part-time work, and the reason they can only get part-time work is because when they are part-time workers, the businesses aren't mandated to pay for very expensive health care which makes it much more difficult to be successful as a business and to keep hiring more people.

There was a report of a Five Guys hamburger chain in one community. They said: We are not going to expand, we are not going to build another, we are not hiring any more full-time people, and we are going to cut the hours of the people we have. We are putting in more part-time people.

This is one of the unintended consequences of the health care law—hurt-

ing the economy directly through impacting jobs.

The President says he wants to improve the economy, get people back to work, get America on the road to recovery. Yet the health care law is—according to the Federal Reserve in this month's "Beige Book"—hurting the economy, dragging down the economy.

So I come to the floor today to support the amendment by Senator CRUZ because the American people know what they were looking for in health care reform, which was, of course, the care they need from a doctor they choose at lower cost, and that was not at all provided under the President's health care law.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I rise to speak today in opposition to the Cruz amendment, which would prohibit any funding in the continuing resolution from being used to carry out the goals of the Affordable Care Act.

The broad scope of this amendment clearly indicates that anything anticipated under the Affordable Care Act would be subject to defunding, and that is a broad category of activities. In fact, we already have seen the Affordable Care Act produce demonstrable positive results in my State of Rhode Island, and those results could be eliminated or reversed.

For example, because of the Affordable Care Act, there are protections in place today for children with pre-existing conditions to ensure they are no longer denied coverage. There are over 15,000 children who have a pre-existing condition who could have been dropped from insurance coverage prior to the enactment of the Affordable Care Act. Their parents and other adults—approximately 200,000 Rhode Island adults also living with preexisting conditions—will gain protection from being dropped from coverage beginning in January. We began with children, and now we are expanding it to adults. If we don't do that, then we are going to have a whole category, a huge segment of my population who may lose access to insurance, and the inevitable result will be that they will go to expensive emergency rooms, and they will cost all of us more money. Rather than saving money and dealing with the deficit in a responsible way, this will just add to our deficit problems and deny people health care.

The law, the Affordable Care Act, included new tax breaks for small businesses to make health insurance more

affordable. Small businesses have been able to access a tax credit of up to 35 percent of their health care costs every year since 2010. Beginning in 2014, these businesses may receive a tax credit of up to 50 percent of their health care costs for any 2-year period. Again this support under the Affordable Care Act could be jeopardized or eliminated under the proposed amendment.

Also in jeopardy are discounts on covered brandname and generic prescription drugs for seniors who have reached the prescription drug coverage gap known as the famous or infamous doughnut hole. Already in Rhode Island, seniors have saved—individual senior citizens of Rhode Island have saved \$20.5 million as a result of these discounts since the law was enacted. These discounts will continue until the coverage gap—the doughnut hole—is eliminated in 2020. The Cruz amendment will stop that. Essentially we are telling seniors go back to the time of the doughnut hole, more money out of your pocket at a time when you can afford less and less for prescription drugs.

Many of my colleagues on the Republican side say they support these aspects of the Affordable Care Act, yet this amendment would effectively do away with them or cast so much doubt or confusion that they would not be effectively implemented. We have to, I think, continue to effectively implement the Affordable Care Act, not only in terms of providing access to quality care for all of our citizens but because within the Affordable Care Act were significant efforts to improve health care efficiencies. Indeed, through these reforms, we were able to extend the Medicare Program by, I believe, 8 years, to 2024, in terms of our funding models. All of that would be jeopardized by this amendment.

There are some other examples, too. For example, the Affordable Care Act would reauthorize funding to help immunize uninsured and underinsured children and adults. Every year my State of Rhode Island receives \$3 million to immunize this population. Funding for immunizations is critical for the child and the family, but it also benefits all of us, because if you can immunize 75 to 95 percent of the population, immunologists and health specialists will tell us we are all protected through something that is technically known as herd immunity. It makes sense, if you have a sufficient number of people who are vaccinated against the disease, when an outbreak occurs the likelihood of it spreading is diminished dramatically. This is another example of a public health initiative under the Affordable Care Act, which, if it is repealed or defunded, will leave us all vulnerable to diseases. That is not a benefit, that is a detriment to all of us.

We have to, again, I think, consider other aspects of the Affordable Care

Act. One other aspect I wish to mention is the critical area of health care workforce programs, programs that help train doctors and nurses. Many of these programs are funded in the continuing resolution and they, too, would be either eliminated or so uncertain as to be unreliable for the institutions. In my home State, colleges and universities, such as at the University of Rhode Island, are using these programs to help train a new generation of health care professionals, not just physicians but physician's assistants and nurse-practitioners. Indeed, what we are seeing, because of the Affordable Care Act, is a refocus to more emphasis on family practitioners, primary care that is less expensive and more effective over the long term in terms of prevention—all that would be jeopardized under this proposed amendment.

There are countless other examples of not only interfering with health care access for a vast number of Americans, but actually setting back our efforts to reduce the deficit and to sustain programs such as Medicare. The burden might be particularly felt by seniors because one of the things that was most compelling in the debate about the Affordable Care Act was closing this doughnut hole. Seniors believe we have taken a positive step to do that. This would be an about-face for the seniors of America, causing them to see more and more costs in their limited budgets.

These are not the messages we want to give to seniors or families. I urge my colleagues to oppose this amendment.

I yield the floor and suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHANNIS. Madam President, I ask unanimous consent the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. I ask for 3 minutes to speak on the Cruz amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. Madam President, today I rise to speak on behalf of the Cruz amendment. I want to spend a couple of minutes explaining my thoughts behind the amendment and why I am proud to be a cosponsor of this amendment.

All across Nebraska I do roundtable meetings, where I sit down with hospital communities, I sit down with medical professionals, I sit down with small businesses. I have done this for years and years.

Over the last couple of years since the Affordable Care Act was passed, I have had a number of opportunities to sit down with small businesses. Invariably the first issue that comes up is the crushing effect of the regulatory

environment. Businesses will tell me they simply are afraid to grow or cannot grow because of what Washington is burdening them with. More specifically, they talk to me about the Affordable Care Act and the toll it is taking on their businesses.

I will give you a perfect example: a small business, a franchise business. They have a franchise in Lincoln, they have a franchise in Omaha. The owner of that business said to me: You know, my business is not too bad. We could actually grow this business. We look out there in the future and see some opportunities to grow this business.

They went on to say: We have about 48 employees now, and we are not going to grow. I said: Why would that be? Why have you decided you are not going to grow this business? Their answer was straightforward. They said: When we grow to over 50 employees, we become subject to the requirements that are impossible for a business our size to meet under the Affordable Care Act. The owner said to me: Mike, I met with the accountants and the lawyers. We have looked at this in every possible way we can, and we decided we are going to stay a business of this size.

It was not isolated to that business. I went down the interstate and sat down with another business in a different community and the story was the same. I was told business was pretty good and that business was there for them to grow. They had about 47 or 48 employees, and they made the decision they will not grow. This is at a time in our Nation's history where we are desperate for employment in the United States.

In Nebraska, we have been fortunate. We pay our bills. Our unemployment never got over 5 percent because we are a conservative State. Having said that, when we hear businesses say the greatest impediment to their growth is not the competition down the street or across the street, the greatest impediment to their growth is the Federal Government, when we hear that, we have to realize we have done something very seriously wrong.

I want to wrap up with another thought, and it is on a different area of the Affordable Care Act.

Madam President, I ask for an additional minute to finish this thought.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. Madam President, I met with a group of young people today. They have their whole lives in front of them. They are talking and thinking about what they are going to do in terms of going to college and what their careers might be. They asked me about the Affordable Care Act. I said: One of the things that is important to point out is that my generation is going to do very well under this act. We have caps on how much

our premiums can go up, and we have Medicare out there. Then I said: Your generation is not going to do well. Why? Because your premiums are going to go straight up and you are at a point in your lives where you are not going to use a lot of health care. I am at a point in my life where I will use a lot of health care.

This imbalance is going to be devastating to the younger generation. When they start thinking about starting their families, buying their first home and making an investment, what is the Federal Government going to do? It is going to place a crushing blow upon them in terms of higher premiums, and that is the reality of the situation.

I will wrap up with this thought; I could go on and on. As a former Governor, I can tell everyone that adding 24 million people to Medicaid is such a flawed policy approach. I could talk about the impact this is going to have on accessibility for care by people who desperately need that care, but the bottom line is this: This was a flawed policy. I was here when it was passed. It is a policy that needs to be defunded. We need to do the right thing with health care, and this is not it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, could we just have quiet. We are going to have our first vote on this bill.

The PRESIDING OFFICER. The question is on agreeing to the Cruz amendment.

Mr. SHELBY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce the Senator from New Jersey (Mr. LAUTENBERG), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—45

Alexander	Barrasso	Boozman
Ayotte	Blunt	Burr

Chambliss	Grassley	Murkowski
Coats	Hatch	Paul
Coburn	Heller	Portman
Cochran	Hoeven	Risch
Collins	Inhofe	Roberts
Corker	Isakson	Rubio
Cornyn	Johanns	Scott
Crapo	Johnson (WI)	Sessions
Cruz	Kirk	Shelby
Enzi	Lee	Thune
Fischer	McCain	Toomey
Flake	McConnell	Vitter
Graham	Moran	Wicker

## NAYS—52

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Wyden
Franken	Murphy	
Gillibrand	Murray	

## NOT VOTING—3

Lautenberg	Manchin	Whitehouse
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The amendment (No. 30) was rejected. Mr. REID. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

## AMENDMENT NO. 53 TO AMENDMENT NO. 26

Mr. HARKIN. Mr. President, I have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself and Mr. CARDIN, proposes an amendment numbered 53 to amendment No. 26.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. HARKIN. Mr. President, the spending package we are considering this week I think is a little bit unusual, to say the least. Five of the twelve Appropriations subcommittees get detailed, full-length spending bills: Defense, Military Construction, Agriculture, Homeland Security, and Commerce and Justice. The other seven appropriations bills are basically on autopilot, continuing resolutions. So with a few exceptions, whatever the government spent last year on programs in these seven subcommittees the government will spend this year.

I know for a fact this is not what the chairwoman of the Appropriations Committee wanted. She fought hard for an omnibus that would have included all 12 spending bills. I am very respectful of that. She fought hard for it, but this is where we stand right now.

I am speaking today because the programs under the jurisdiction of the Senate Labor, Health and Human Serv-

ices, and Education Appropriations Subcommittee, of which I am privileged to chair, would be put on autopilot. I suppose it comes as no surprise I think that is a terrible mistake.

The Labor-HHS bill—or Labor-H, as it is known in the terminology around here—is how we fund the National Institutes of Health, the preeminent biomedical research entity in the world. This bill is how we fund the child care and development block grant, which gives working families access to high-quality childcare. It is how we provide Federal funding to teach students with disabilities—the Individuals With Disabilities Education Act—it is how we help local school jurisdictions meet their constitutional obligation to provide a free and appropriate education to all kids, even kids with disabilities.

These services are critical to this Nation. It has been said before—actually, the first person I ever heard say it was a recently departed and beloved chairman, Senator Dan Inouye, who once said: The Defense Appropriations Committee is the committee that defends America. The Labor, Health and Human Services, and Education Committee is the committee that defines America—who we are as a country, what we are about as a people, what we are going to do for the future of our children in America.

So we need to examine every year whether we are spending the right amounts of taxpayer money for these services. If that makes sense for the Defense appropriations bill, to take a look at it yearly, to see if we are spending the right amounts, if it is right for Homeland Security and Agriculture, why shouldn't the same level of oversight be applied to the Labor, Health and Human Services bill?

As a way of sort of describing where we are, this past December, we negotiated a fiscal 2013 spending bill with Republican and Democratic counterparts, House and Senate. So I, Senator SHELBY, Congressman Rehberg, and Congresswoman DELAURO on the House side all read this bill through in December and signed off on it.

That was going to be in the omnibus bill. Well, as we know, we did not have an omnibus spending bill. So the talks were bicameral and bipartisan. They were difficult talks and we hammered out an agreement and we had a compromise. I got some of what I wanted and I lost some of what I wanted. But that is the nature of compromise. So with an exception, which I will explain shortly, the amendment I have just offered is what was agreed upon in December. No more money, not adding any money. But we are changing some of the accounts to better represent what we decided, both bicameral and bipartisan, should be priorities. That is the amendment I am offering. Again, I repeat, it is what we decided upon in December in terms of what our prior-

ities ought to be. If we just go with Labor-H in a CR, all of that is wiped out. So what I am proposing to replace that is the autopilot version with a detailed bipartisan compromise.

I want to emphasize this point. This amendment is not my Labor-HHS bill. Now, obviously if I had my druthers, I would have spent dollars as I wanted them to be spent. But compromise does not work that way. This amendment includes the priorities from the other side of the aisle and from the other side of the Capitol. It was a give and take. Even though there are things in the amendment I would like to change, it is vastly superior—vastly superior—to putting all of these programs on autopilot and doing this year exactly what we did last year and the year before, because we were on autopilot last year too.

Let me point out two things that are different in this amendment than what was in December. I said it was the same but there are two things different. The agreement we hammered out in December, with Republicans and Democrats in the Senate, Republicans and Democrats in the House Appropriations Committee, included money for the Affordable Care Act, for ObamaCare. This amendment I am offering today took that out, just took it out. Even though we had agreed upon \$513 million for that in December, this is not in my amendment. I want to make that clear.

The second major difference between the December bill and this amendment is the total cost. As I said, the December bill would not fit within our new budget cap. We have a new budget cap since December. So this amendment fits within that budget cap by a very small, across-the-board cut of 0.127 percent. That is one-eighth of 1 percent to every program in the bill. I did not do an across-the-board cut on some at the expense of others. No. We just did it on everything, .127 percent. So the programs that would have received increases in the December bill still get the increases, just minus .127 percent. The programs that were cut in the December cut will still get cut, they will just be cut by .127 percent more. But other than those two changes, no additional health reform money, no other kinds of cuts. The amendment is basically identical to what we agreed upon in December. So I want to take a look at it and see why it is better than what I call the autopilot version or the continuing resolution.

Let's start first with education. Title I is the cornerstone Federal program for helping all students, especially those from disadvantaged backgrounds, helping them meet high academic standards. More than 90 percent of the school districts across America receive title I funds. My amendment, the one that is before us, has \$107 million more for title I. What is in the bill before us has absolutely no increase, zero.



We were able to bump that up again by an amount equal to .127 percent, as I said. It is basically the same. That is title I. Special education, I mentioned IDEA, we have a \$125 million increase in the amendment I am offering; in the CR, no increase whatsoever.

National Institutes of Health, we are especially proud of this. The omnibus, the Senate CR that is before us, has \$71 million more than last year. This amendment bumps it up to \$211 million. So the CR has \$71 million, we have \$211 million for an NIH increase.

Childcare. The underlying CR includes \$50 million more than last year. My amendment would increase that to \$107 million. That means the childcare subsidy for working families of 10,000 additional children, families who basically depend upon this so they are able to go to work.

AIDS drugs. The Ryan White AIDS Drug Assistance Program provides lifesaving drugs to people living with HIV. My amendment includes \$29 million more for this program. The CR has no increase whatsoever.

So far I mentioned only some of the larger programs in the bill. My amendment addresses dozens of smaller priorities as well. At the full committee markup of the Labor-H bill back in July of last year, Senator Inouye, who was chairman at that time, promised Senator MURKOWSKI that the final fiscal year 2013 spending bill would include \$10 million for suicide prevention among Alaska Natives and Native Americans. I did not make that promise, but it was made by the chairman of the committee. I am honoring that promise. I honored it when we negotiated this in December. We included that \$10 million. That is in my amendment also.

Again, a small increase for suicide prevention is not possible in a CR. But it is in my amendment. If we approve it, that funding will become law.

TRIO Program. It is an important program to many Members on both sides of the aisle. It has had broad support. The TRIO Program makes the dream of a college education possible for low-income students. As we know, this goes basically to students who are the first in their family to go to college. So if your parents had not gone to college, they would be eligible for TRIO, based upon income levels.

The bill we negotiated in December included an increase for the TRIO Program. Again, that is not possible in a CR, the bill that is before us. But it is in my amendment. If Congress approves it, TRIO will get a \$14 million increase this year. I just did not have it on my chart.

I could go on and on. There are a lot of things. Food safety, lead poisoning screening for kids in this country, lead poisoning screening, diabetes prevention, worker safety. These are important priorities. They are all addressed

in my amendment, because we addressed those in December. But they are not in the bill before us.

Again, let me sort of sum up what we have here in this amendment. It is the same total cost as what is in the bill before us, no additional money. It was a bicameral, bipartisan compromise that we hammered out in December. There is more money for NIH, childcare, education, I mentioned things such as TRIO, I mentioned things such as IDEA and others. I think it fulfills our constitutional duty to be good stewards of the public's money, to do adequate oversight on appropriations, and to mold and shape, again in a bipartisan, bicameral method, to work it out.

There are some who say, gee, if we pass this, the House will not take it. I do not know why not. They agreed upon it in December. I do not mean the whole House, but the House Appropriations Committee, under the chairmanship of Chairman ROGERS, agreed on this in December. It was all signed off on. So I do not know why they would not accept it. They did not put it in their bill when they sent it over here. Okay. They did not. Well, there are some other things they did not put in the bill when they sent it over here too. So I think it is incumbent upon us to do our duty, to make sure we look at these programs and decide where we want to bump some up, maybe some we want to cut down, some we want to modify. That is what we did in December. Well, we finished in December. I think we started working on it back around July, if I am not mistaken. We finally got it worked out in December.

If we had had an omnibus, we would have had this. I would not be here today offering this amendment. Again, to those who say: Well, if we had this, the House would not accept it, is that a reason for us not to do our duty? Is that a reason for us not to do what is right and just and fair, because someone says maybe the House will not take it? I mean, the House would have some serious explaining to do on why they would not take it since it was already in the December compromise that was reached.

I would point out again that the defense bill, the Defense appropriations bill that is here is what they agreed upon in December. If that is the case, then why cannot we do Labor-H and all of the things that we fund the same as what we had in December also? That is my basic point here.

As I say, we did make a couple of changes. One change we did is we took out the funding for ObamaCare, which I think is a good deal. I mean, ObamaCare is something we have to continue to implement. It is going to save us a lot of money. It is going to make lives better for people all over America, already is making lives better for people with preexisting condi-

tions, people with very intricate diseases and conditions that need to be managed, young people who are staying on their parents' policies until they are age 26, the elderly who get their free health screenings every year under Medicare. So it is already making a big impact. I am a big supporter of ObamaCare. I want to make sure it gets funded and implemented. But the fact is that we could not do that. Well, that is no reason then not to increase NIH and childcare development block grants, IDEA, TRIO Programs, a host of other things. If the will of the body was that we could not do anything to implement ObamaCare, then at least let's do our duty and agree to meet the goals and meet the targets we set in December in our negotiations.

We laid the bill down earlier. As I said, it is basically what we had in December. I am hopeful that Senators and their staffs will take the time to look through it and see what is in there, because I think they will come to the same conclusion. No more money than what we have in the CR. It is basically the same with the exceptions I mentioned of what we did in December. We will have a better result, a better platform going forward the rest of this year and next year by not doing a CR but by doing this bill in a bill form, just as we have done for other bills in this appropriations measure.

Again, I want to thank Chairman MIKULSKI for fighting so hard for this. I know she has done everything possible. But, again, sometimes it falls to an amendment that we have to do to get things done. I am hopeful my friends on the other side of the aisle again will take a serious look at this and support this amendment. As I said, I see no real reason not to support it.

I mean, I am anxious to see if someone has some arguments as to why we shouldn't support this since, as I said, we had hammered out this agreement over a long period of time last fall. We always spoke about how we want to work in a bipartisan fashion, we want to accept the results of bipartisan negotiation.

That is what we did last year. I think we started probably around July, had an August break, at least by September—probably started in July, then September, October, November, December we worked it out in a very bipartisan fashion, although I didn't get everything I wanted in the bill.

If my friends on the other side of the aisle now want to say: No, we are not going to accept this, what is the use of engaging in long, hard, difficult, strenuous bipartisan negotiations where we reach an agreement and they respond: Well, we don't care. We are not going to support it anyway.

I have taken great pride in working with my colleagues in a bipartisan fashion last year on the reauthorization of the Food and Drug Administration bill, the drug user bill, the drug



safety bill. We worked long and hard on these for probably almost 2 years and were able to get them through. There were other bills I have been involved in where we did good bipartisan negotiating, and that was the same as this.

This is not something I rammed through and said: This is my bill; take it or leave it. That is not the way I work. I have been the chair or ranking member of this subcommittee since 1989. It is a great subcommittee because it meets the human needs, social needs, educational needs, and, yes, biomedical research needs and disease control needs, as the Centers for Disease Control and Prevention is also funded under our subcommittee.

It keeps Americans safe. The Defense Committee keeps us safe from foreign entities, other entities that would want to do us harm militarily. Homeland Security does the same.

This committee keeps us safe from diseases. It keeps us safe from illnesses. It provides for the kind of research which has overcome so much in the last 20 to 30 years and the great strides we have made in cancer and other chronic diseases. We have made great strides because we have invested in them. This is what the subcommittee does.

It also provides for education, making sure kids who come from the poorest families and poor areas also receive a fair shake in education funds, programs for students who go to college, Pell grants and student loans. It is incumbent upon us, as we can't continue to have continuing resolutions on this type of bill. Times change, circumstances change, and we need to modify the bill and do things which recognize some of the new realities. This is what we have done. I am hopeful we can get support for this amendment. I don't think it is a heavy lift at all for anyone to support this.

I said, and I will repeat, repeat, repeat and keep repeating: There is no new money, no more than what is in the underlying bill. It is basically the same as we hammered out in December through long negotiations.

Hopefully, it may be a little easier for my Republican colleagues, as there is not any money in there for the implementation of ObamaCare. This is something I didn't agree with, but that is life and one of the compromises one has to make. The other items in this bill are vitally important to the health, the welfare, the education, and safety of the American people.

I hope the amendment will pass, and I ask my colleagues for their support.

Mr. President, I ask unanimous consent that an explanatory statement and a detailed funding table accompanying the amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### **DIVISION—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES**

Following is an explanation of the effects of this division (hereafter referred to as the "bill"). Funds for the individual programs and activities within the accounts in this act are displayed in the detailed table at the end of the explanatory statement for this act. Funding levels that are not displayed in the detailed table are identified in this explanatory statement.

In implementing this bill, the Departments and agencies should be guided by the language and instructions set forth in Senate Report 112-176 accompanying S. 3295 unless specifically addressed in this statement. In cases where the language and instructions in the Senate report specifically address the allocation of funds, those that should be implemented have been restated in this explanatory statement.

#### **TITLE I DEPARTMENT OF LABOR**

##### **EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES**

##### **(INCLUDING TRANSFER OF FUNDS)**

The bill provides \$84,291,000 for migrant and seasonal farmworker formula grants, including \$5,678,222 for migrant and seasonal farmworker housing grants, of which not less than 70 percent of this amount shall be used for permanent housing grants. The Secretary of Labor shall submit annual reports documenting the use of farmworker housing funds. The reports should include information on the amount of funds used for permanent and temporary housing activities, respectively; a list of the communities served; a list of the grantees and the States in which they are located; the number of individuals or families served listed by State; and a list of allowable temporary housing activities.

##### **OFFICE OF JOB CORPS**

##### **(INCLUDING TRANSFER OF FUNDS)**

The Department of Labor's mismanagement of Job Corps appropriations led to considerable disruptions for current and new students at the end of program year 2011. The Department delayed notification to the Committees on Appropriations of the House of Representatives and the Senate regarding the shortfall once discovered.

In October 2012 the Department began implementing several cost-cutting measures and shall provide quarterly reports detailing its cost-cutting measures and their impact on both centers and students.

The bill includes language allowing the Secretary to transfer up to \$30,000,000 for Job Corps operations from unobligated balances. The bill requires the Secretary to transfer not less than \$10,000,000 within 30 days of enactment of this act.

Contracts provided for the operation and maintenance of Job Corps facilities are generally let on a 2-year basis, with as many as 3 option years depending on the quality of performance. When evaluating contract renewals or re-bids, the Secretary shall provide due consideration to the Federal investment already made in high-performing incumbent contractors as a part of a full, fair, and open competitive process. As part of this process, the Department shall consider documented past performance of student outcomes and cost-effective administration as key factors in determining fair market value in Job Corps procurements.

##### **OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

##### **SALARIES AND EXPENSES**

The language in Senate Report 112-176 directing the Department to issue a notice of

proposed rulemaking on silica stands as a recommendation of the Senate Committee on Appropriations. There is a need to protect workers from developing silicosis. Therefore, not later than 30 days after enactment of this bill, OSHA shall provide the Committees on Appropriations of the House of Representatives and the Senate a report describing its efforts in this area, including a chronology related to its silica standard-setting effort initiated in 1997 and the number of silica enforcement activities the agency has undertaken since that time.

##### **MINE SAFETY AND HEALTH ADMINISTRATION**

##### **SALARIES AND EXPENSES**

##### **(INCLUDING TRANSFER OF FUNDS)**

In order to prepare properly for emergencies, the Mine Safety and Health Administration (MSHA) should continue to devote resources toward a competitive grant activity for effective emergency response and recovery training in various types of mine conditions. The Committees on Appropriations of the House of Representatives and Senate also expect to be notified in advance of any reallocation of funds pursuant to new bill language included in the bill.

The Government Accountability Office (GAO) is directed to provide an additional analysis as a follow-up to its report (prepared in response to a request in last year's conference agreement) concerning MSHA's proposal to lower the permissible exposure limit for coal dust. The follow-up study should discuss the available data and estimates to date regarding trends in the prevalence of coal workers pneumoconiosis and other occupational respiratory diseases among coal miners over the past two decades. The study shall include including the adequacy of the data, methodologies, and conclusions that can be drawn regarding trends in prevalence both nationally and to particular regions or categories of mining. The GAO shall provide to the Committees on Appropriations of the House of Representatives and Senate an interim report not later than 90 days after enactment of this bill.

##### **BUREAU OF LABOR STATISTICS**

The Bureau of Labor Statistics shall follow the language under the Bureau of Labor Statistics heading in Senate Report 112-176.

##### **GENERAL PROVISIONS**

##### **GENERAL TRANSFER AUTHORITY**

The bill includes a provision modified from last year's bill that provides transfer authority of not to exceed 1 percent of the funds appropriated for fiscal year 2013 in this Act for the Department of Labor.

##### **TRANSFER AUTHORITY FOR EVALUATION PURPOSES**

The bill modifies a provision that allows up to 0.5 percent of discretionary appropriations provided in this act for all Department of Labor agencies to be used by the Chief Evaluation Office for evaluation purposes consistent with the terms and conditions in this bill applicable to such office.

##### **TEMPORARY NON-AGRICULTURAL EMPLOYMENT H-2B PROGRAM**

The bill continues a provision relating to the "Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program" regulation published by the Employment and Training Administration and includes a new provision relating to the "Temporary Non-Agricultural Employment of H-2B Aliens in the United States" regulation published by the Employment and Training Administration and the Wage and Hour Division.

## WORKING CAPITAL FUND RESCISSION

The bill includes a new provision that rescinds \$10,337,000 from "Departmental Management, Working Capital Fund".

## EVALUATION FUNDING FOR THE TRADE ADJUSTMENT ASSISTANCE COMMUNITY COLLEGE AND CAREER TRAINING GRANT PROGRAM

The bill includes a new provision that allows up to 3 percent of funds provided for the Trade Adjustment Assistance Community College and Career Training grant program to be used for evaluation and technical assistance purposes.

## TRANSFER OF COMPTROLLER GENERAL RESPONSIBILITIES

The bill includes a new provision that transfers Davis-Bacon Act claims responsibilities from the Comptroller General to the Secretary of Labor.

## TITLE II

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

This explanatory statement includes tables allocating funding for the programs, projects and activities in this Act. The agencies funded in this act are expected to fully implement these allocations in accordance with this statement, except as permitted by the reprogramming and transfer authorities provided in this act. Any action to eliminate or consolidate programs, projects and activities should be pursued through a proposal in the President's budget so it can be considered by the Committees on Appropriations.

HHS is directed to include in its fiscal year 2014 congressional budget justification the amount of expired unobligated balances available for transfer to the nonrecurring expenses fund (NEF), and the amount of any such balances transferred to the NEF. This should include actual or estimated amounts for the prior, current, and budget years.

## HEALTH RESOURCES AND SERVICES ADMINISTRATION

## PRIMARY HEALTHCARE

*Community Health Centers.*—The bill includes statutory language to require all funds provided for the Community Health Centers program to be obligated prior to October 1, 2013. Bill language also provides \$48,000,000 for base grant adjustments to existing health centers.

## HEALTH WORKFORCE

Within the funds provided for Primary Health Care, HRSA is expected to provide not less than the fiscal year 2012 level of funding for the Native Hawaiian Health Care Program.

Within the funds provided for Training in Oral Health Care, the bill includes not less than \$8,000,000 for General Dentistry programs and not less than \$8,000,000 for Pediatric Dentistry programs, \$12,344,000 for State Health Workforce grants, and \$4,048,000 for other programs authorized under section 748 of the Public Health Services (PHS) Act, to include public health dental residencies, dental faculty loan repayment, and geriatric dental training programs.

The bill includes language prohibiting health workforce funds to be used for section 340G–1, the Alternative Dental Health Care Providers Demonstration program.

The bill moves a long-standing general provision regarding the continuation of the Council on Graduate Medical Education to this heading.

*Public Health Workforce Development (formerly Public Health and Preventive Medicine).*—The program line has been changed to Public Health Workforce Development to

better align with the congressional budget justification, which uses this title to encompass a wide variety of training activities authorized in the PHS Act. Sufficient funding has been included to continue all activities at last year's level. In addition, increased funding over fiscal year 2012 shall be used for a center of excellence on integrative primary care for the purpose of developing and disseminating best practices for integrative medicine training for physicians and nurses.

## MATERNAL AND CHILD HEALTH

The bill includes a provision setting aside \$78,641,000 for Special Projects of Regional and National Significance (SPRANS). The bill provides \$551,181,000 for State grants and includes sufficient funding to continue the set-asides for oral health, epilepsy, and sickle cell at not less than fiscal year 2012 levels. The set-aside for fetal alcohol syndrome is funded at \$500,000.

The bill provides not less than the fiscal year 2012 funding level for the protection and advocacy services under the Traumatic Brain Injury program.

Within the funds provided for the Autism and Other Related Disorders program, not less than the fiscal year 2012 level shall be provided for the LEND program and for programs authorized under section 399BB of the Combating Autism Act.

The bill includes a \$2,000,000 increase for the Heritable Disorders program to support wider implementation of newborn screening for Severe Combined Immune Deficiency and related disorders.

## RYAN WHITE HIV/AIDS PROGRAMS

The increase provided for the AIDS Drug Assistance Program is intended to be awarded according to the statutory formula.

Four transitional grant areas changed status in fiscal year 2011 and HRSA transferred funds from Part A to Part B in accordance with Section 2610(c)(2) of the PHS Act. Sufficient funding has been included for these areas within the Part B allocation and bill language ensures that no additional and redundant transfers take place with respect to these four areas. This is intended to fulfill the intent of the authorizing statute. This should in no way preclude the authorizing statute from taking effect for any transitional grant area changes that occur for the first time in fiscal year 2013.

HRSA shall allocate funds for the Minority AIDS Initiative within the Ryan White HIV programs at not less than the fiscal year 2012 funding level.

## HEALTH CARE SYSTEMS

The bill includes language that permits the Secretary to collect a fee from each purchase of drugs made through the 340B Drug Pricing Program.

## HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

The bill allows for the transfer of the Health Education Assistance Loans Program to the Department of Education.

## CENTERS FOR DISEASE CONTROL AND PREVENTION

The bill includes \$5,589,285,000 in discretionary appropriations for the Centers for Disease Control and Prevention (CDC). In addition, \$386,357,000 is made available under section 241 of the Public Health Service (PHS) Act and \$205,925,000 in transfers from the Public Health and Social Services Emergency Fund.

## IMMUNIZATION AND RESPIRATORY DISEASES

The bill includes a total of \$589,114,000 for Immunization and Respiratory Diseases,

which includes \$525,201,000 in discretionary appropriations, \$12,864,000 that is made available under section 241 of the PHS Act, and \$51,049,000 that is made available from amounts in the Public Health and Social Services Emergency Fund.

Within this total, the bill includes the following amounts:

Budget activity	FY 2013 level
Section 317 Immunization Program .....	367,870,000
Program Implementation and Accountability .....	62,302,000
National Immunization Survey .....	12,864,000
Influenza Planning and Response .....	158,942,000

*Section 317 Immunization Policy.*—Immunizations play an important role in protecting and promoting children's health. On July 10, 2012, CDC proposed a policy that prohibits section 317 funds from being used to vaccinate insured individuals. The transition may require more time. For that reason, the bill directs CDC to delay the policy from taking effect during fiscal year 2013 to allow CDC and States to review and adjust to the proposed change in a manner that maintains a strong vaccination program.

## HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES AND TUBERCULOSIS PREVENTION

The bill includes \$1,101,956,000 for HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases and Tuberculosis Prevention.

Within this total, the bill includes the following amounts:

Budget activity	FY 2013 level
Domestic HIV/AIDS Prevention and Research .....	\$786,176,000
HIV Prevention by Health Departments .....	392,636,000
Activities to Improve Program Effectiveness .....	363,702,000
School Health .....	29,838,000
Viral Hepatitis .....	19,694,000
Sexually Transmitted Infections .....	155,788,000
Tuberculosis .....	140,298,000

*Sexually Transmitted Infections.*—The increase provided for the prevention and control of sexually transmitted infections shall be used to expand the Infertility Prevention Program.

## EMERGING AND ZOO NOTIC INFECTIOUS DISEASES

The bill includes \$266,458,000 for Emerging and Zoonotic Infectious Diseases. Within this total, the bill includes the following amounts:

Budget activity	FY 2013 level
Emerging and Zoonotic Base Activities .....	\$19,822,000
Vector-borne Diseases .....	23,083,000
Lyme Disease .....	9,000,000
Food Safety .....	39,781,000
Prion Disease .....	6,000,000
Chronic Fatigue Syndrome .....	4,707,000
Emerging Infectious Diseases .....	123,359,000
National Healthcare Safety Network .....	14,840,000
Quarantine .....	25,866,000

*Food Safety.*—Within the increase provided for food safety, \$4,300,000 is for a microbiological data program to be undertaken in partnership with appropriate state agencies. The remainder of the increase shall be used to support upgrades to PulseNet, enhance surveillance and response capability, and develop new laboratory tools.

*Lyme Disease.*—CDC is encouraged to consider expanding activities related to developing sensitive and more accurate diagnostic

tools and tests for Lyme disease, including: the evaluation of emerging diagnostic methods; improving utilization of validated diagnostic testing to account for the multiple clinical manifestations of Lyme disease; epidemiological research on tick-borne diseases to include determining the frequency and nature of any long-term complications; improved surveillance and reporting to produce more accurate data on their incidence; and prevention of Lyme and tick-borne diseases through product development, community-based public education, and physician and healthcare provider programs based on the latest scientific research.

**Prion Disease.**—The bill includes increased support for the prion disease program targeted toward extramural activities.

#### CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

The bill includes \$797,081,000 for Chronic Disease Prevention and Health Promotion.

Within this total, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Tobacco .....	\$108,077,000
Environmental Health Lab .....	1,963,000
Nutrition, Physical Activity, and Obesity .....	48,998,000
School Health .....	13,522,000
Food Allergies .....	487,000
Health Promotion .....	19,984,000
Community Health Promotion .....	6,106,000
Glaucoma .....	3,319,000
Visual Screening Education .....	508,000
Alzheimer's Disease .....	4,202,000
Inflammatory Bowel Disease .....	677,000
Interstitial Cystitis .....	651,000
Excessive Alcohol Use ....	2,440,000
Chronic Kidney Disease ..	2,081,000
Prevention Research Centers .....	17,900,000
Heart Disease and Stroke ..	54,975,000
Diabetes .....	74,434,000
Cancer Prevention and Control .....	359,690,000
Breast and Cervical Cancer .....	211,490,000
WISEWOMAN .....	21,304,000
Breast Cancer Awareness for Young Women .....	5,040,000
Cancer Registries .....	51,643,000
Colorectal Cancer .....	44,225,000
Comprehensive Cancer ...	20,857,000
Johanna's Law .....	5,134,000
Ovarian Cancer .....	5,041,000
Prostate Cancer .....	13,541,000
Skin Cancer .....	2,208,000
Cancer Survivorship Resource Center .....	511,000
Oral Health .....	19,000,000
Safe Motherhood/Infant Health .....	43,803,000
Arthritis .....	13,001,000
Epilepsy .....	7,757,000
National Lupus Patient Registry .....	2,000,000
REACH .....	13,940,000

**Consolidated Chronic Disease Prevention and Health Promotion.**—The proposed consolidation of CDC chronic disease programs is rejected. CDC is expected to demonstrate that funds are spent in the exact amounts allocated and for the purposes specified in this explanatory statement. Although the bill does not provide the 5 percent flexibility included in Senate report 112-176, CDC is directed to explore ways to better achieve overlapping chronic disease goals, leverage resources, and reduce the reporting burden.

**Diabetes.**—Of the increase provided, \$5,000,000 shall be to expand the National Diabetes Prevention Program.

**Nutrition, Physical Activity, and Obesity program.**—Of the increase provided, \$5,000,000 shall be for extension and outreach services at land grant schools for health education in counties that CDC determines have over 40% obesity rate.

**Ovarian Cancer.**—Within the funds provided for Johanna's Law, \$1,500,000 shall be used for a review of the state of the science on ovarian cancer, as described in the Senate report. In addition, CDC and the National Institutes of Health (NIH) are expected to conduct a joint workshop to examine the research gaps that remain in ovarian cancer science.

**Oral Health.**—Sufficient funding is included for an oral health literacy campaign, a conference on innovative strategies to prevent early childhood caries, and not less than \$150,000 for planning and technical assistance to expand public-private media campaigns.

#### BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES

The bill includes \$132,037,000 for birth defects and developmental disabilities.

The administration's proposal to consolidate disability and health programs is rejected. This bill retains the fiscal year 2012 position that no consolidation will be considered without an assessment of the needs of the populations currently served and an analysis of the impact of a consolidation on those populations. Within the total for Birth Defects and Developmental Disabilities, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 Level</i>
Child Health and Development .....	\$60,161,000
Birth Defects .....	18,387,000
Fetal Death .....	806,000
Fetal Alcohol Syndrome .....	9,862,000
Folic Acid .....	2,779,000
Infant Health .....	7,868,000
Autism .....	21,265,000
Health and Development for People with Disabilities .....	56,585,000
Disability & Health .....	17,779,000
Limb Loss .....	2,820,000
Tourette Syndrome .....	1,698,000
Early Hearing Detection and Intervention .....	10,630,000
Muscular Dystrophy .....	5,828,000
Paralysis Resource Center .....	6,700,000
Attention Deficit Hyperactivity Disorder .....	1,715,000
Fragile X .....	1,681,000
Spina Bifida .....	5,734,000
Congenital Heart Failure .....	2,000,000
Public Health Approach to Blood Disorders .....	7,935,000
Hemophilia Treatment Centers .....	5,500,000
Thalassemia .....	1,856,000

#### PUBLIC HEALTH SCIENTIFIC SERVICES

The bill includes a total of \$391,741,000 for Public Health Scientific Services, which includes \$129,614,000 in discretionary appropriations and \$262,127,000 made available under section 241 of the PHS Act.

Within the total for Public Health Scientific Services, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Health Statistics .....	\$138,683,000
Surveillance, Epidemiology, and Informatics ...	217,129,000
Public Health Workforce ...	35,929,000

#### ENVIRONMENTAL HEALTH

The bill includes \$107,316,000 for Environmental Health Programs. Within this total, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Environmental Health Laboratory .....	\$42,383,000
Newborn Screening Quality Assurance Program .....	6,825,000
Newborn Screening/Severe Combined Immuno-deficiency Diseases .....	965,000
Environmental Health Activities .....	33,135,000
Safe Water .....	7,109,000
Volcanic Emissions .....	197,000
Amyotrophic Lateral Sclerosis (ALS) Registry .....	5,869,000
Climate Change .....	4,800,000
Built Environment and Health Initiative .....	3,000,000
Asthma .....	25,298,000
Childhood Lead Poisoning .....	6,500,000

#### INJURY PREVENTION AND CONTROL

The bill includes \$137,693,000 for Injury Prevention and Control activities. Within this total, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Intentional Injury .....	\$93,282,000
Domestic Violence and Sexual Violence .....	31,042,000
Child Maltreatment ....	6,959,000
Youth Violence Prevention .....	14,968,000
Domestic Violence Community Projects .....	5,411,000
Rape Prevention .....	39,389,000
Unintentional Injury .....	30,966,000
Traumatic Brain Injury .....	6,026,000
Elderly Falls .....	1,958,000
Injury Control Research Centers .....	9,974,000
National Violent Death Reporting System .....	3,471,000

#### NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

The bill includes a total of \$292,588,000 for the National Institute for Occupational Safety and Health, which includes \$181,222,000 in discretionary appropriations and \$111,366,000 made available under section 241 of the PHS Act.

Within the total for Occupational Safety and Health, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Education and Research Centers .....	\$24,268,000
Personal Protective Technology .....	16,791,000
Healthier Workforce Centers .....	5,016,000
National Occupational Research Agenda .....	111,366,000
Ag, Forestry, Fishing ....	23,000,000
Mining Research .....	52,363,000
Other Occupational Safety and Health Research .....	82,784,000
Miners Choice .....	646,000
National Mesothelioma Registry and Tissue Bank .....	1,020,000

#### ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

The bill includes \$55,358,000 in mandatory funding for CDC's responsibilities with respect to the Energy Employee Occupational Illness Compensation Program. A long-standing provision, transferring funds to the Advisory Board on Radiation and Worker Health, has been deleted without prejudice. CDC has the authority to transfer funds to the Board under the authorizing statute.

#### GLOBAL HEALTH

The bill includes \$353,794,000 for Global Health Activities. Within this total, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Global AIDS Program .....	\$117,118,000
Global Immunization Program .....	160,287,000
Polio Eradication .....	111,286,000
Other Global/Measles .....	49,001,000
Global Disease Detection and Emergency Response .....	41,601,000
International Emergency .....	5,997,000
Global Disease Detection .....	35,604,000
Parasitic Diseases/Malaria .....	19,367,000
Global Public Health Capacity .....	15,421,000
National Public Health Institutes .....	7,000,000
Field Epidemiology and Lab Training Program .....	8,421,000

*Global Public Health.*—CDC shall provide an operating plan for all international activities funded through this and other CDC accounts to the Committees on Appropriations of the House of Representatives and the Senate.

*Global Health Strategy.*—CDC, FDA, and NIH are expected to develop, coordinate, and plan jointly global health research activities with specific measurable metrics that are based on sound scientific methods and to track the progress toward these agreed upon global health goals.

*Global Health Capacity.*—The bill reduces overall funding by \$800,000 to reflect the elimination of the Sustainable Management Development Program. Funding for the Field Epidemiology and Lab Training Program shall be maintained at not less than last year's level.

*National Public Health Institutes (NPHIs).*—The bill includes \$7,000,000 to assist other nations in setting up and strengthening NPHIs. This initiative is intended to be an organizational effort, and in no way limit capacity building work in other programs of CDC.

#### PUBLIC HEALTH PREPAREDNESS AND RESPONSE

The bill includes \$1,380,889,000 for public health preparedness and response activities, which includes \$1,226,013,000 in discretionary appropriations and \$154,876,000 made available from amounts available in the Public Health and Social Services Emergency Fund.

Within the total for Public Health Preparedness and Response, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Public Health Emergency Preparedness Cooperative Agreements .....	\$642,000,000
Academic Centers for Public Health Preparedness ..	8,000,000
All Other State and Local Capacity .....	7,767,000
CDC Preparedness and Response .....	128,802,000
Upgrading CDC Capacity .....	100,000,000
BioSense .....	20,727,000
Lab Reporting .....	8,075,000
Strategic National Stockpile .....	594,320,000

*Preparedness Administrative Costs.*—CDC's proposal to consolidate administrative costs into funding provided for Public Health Emergency Preparedness cooperative agreements is rejected. The bill includes \$7,767,000 for these costs, in addition to the funds provided for the cooperative agreements.

*Public Health Emergency Preparedness Index.*—CDC is expected to work with the States to develop a method to measure the preparedness of each State.

*Strategic National Stockpile (SNS).*—The bill provides \$154,876,000 from the 2009 supplemental appropriations bill to support the SNS in fiscal year 2013. The Secretary is expected to pay particular attention to ensur-

ing the needs of special populations, such as children, are met in the SNS. CDC shall submit a report within 180 days after enactment of this act on steps being taken and resources dedicated to maintain the integrity of the SNS and its effectiveness in an emergency, particularly with regard to the need to rotate old supplies and equipment, and purchase new countermeasures, devices, and equipment to ensure the preparedness level is sustained.

#### BUILDINGS AND FACILITIES

The bill provides \$46,000,000, which includes \$6,600,000 of unobligated Individual Learning Accounts balances for Buildings and Facilities activities.

The National Institutes for Occupational Safety and Health facilities that support the underground and surface coal mining safety and health research capacity and the applied technology and occupational hazard evaluation field research capabilities may be becoming obsolete and not fully operational. The bill provides \$35,000,000 for CDC to support competitive acquisition, renovation, replacement, or consolidation of these capabilities to save operational costs, improve productivity and support the capacities listed above. CDC is expected to take positive steps to ensure the capabilities are maintained to support mine safety research.

In addition, within the total provided for Buildings and Facilities, \$11,000,000 is for CDC-wide repairs and improvements. CDC is expected to ensure future budget requests include resource allocation requests to support appropriate facility stewardship.

#### CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT (INCLUDING TRANSFER OF FUNDS)

The bill includes \$591,500,000 for CDC-wide activities.

Within this total, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Preventive Health & Health Services Block Grant .....	\$105,000,000
Business Services Support .....	380,000,000
Office of the Director .....	106,500,000

*Budget Information.*—CDC's value to public health and preparedness is widely recognized and budget processes that link programs and activities to measurable public health and preparedness goals are strongly supported. CDC is directed to explain in the congressional budget request how sound scientific data are linked to measurable public health and preparedness goals and objectives for each program, and how those goals directly relate to the budget request. In addition, CDC is directed to provide the following information in the fiscal year 2015 and future budget requests:

Program evaluations—an identification of the timeframes and criteria used to evaluate each program;

User fee, reimbursement, and other sources of funding—an itemization of the actual and estimated collections for each activity and the actual annual costs related to each associated user fee, reimbursement, and other funding source used to support CDC activities;

Accounting—a more detailed accounting of how funds are spent in each program. The budget justification should not only be an accounting of how funds will be spent in the coming fiscal year, but also how funds have been spent in the previous fiscal years, potentially under different budget structures or organizations;

Types of activities supported—the breakdown of intramural and extramural funding for each program; and

Working Capital Fund (WCF)—The object class breakout of annual WCF resource inputs, assets, expenditures, carry over, WCF-supported FTE, WCF-supported contract FTE, and WCF-supported overhead for the prior actual year, current year and budget year at each Center, Institute, or Office, in addition to the CDC aggregate levels. The budget justification should include the projected and actual reserve with a breakout justification to explain the projected use and identification of any reserve and residual funds for the prior actual year, current year, and budget year. Further, CDC shall brief jointly the Committees on Appropriations no later than July 15, 2013 on the WCF governance structure, rules in place to ensure appropriate activity and accounting, and hypothetical impact of the fund if it were implemented in fiscal year 2013 and funding adjustments for the expected implementation at the beginning of fiscal year 2014.

Repairs and Improvements—the categorization of the needed repairs for CDC facilities in areas such as security, life/safety repairs, condition index, and other repairs.

*Data Reporting.*—Significant opportunities exist to create administrative and economic efficiencies in the reporting of public health data. For that reason, the Director of CDC is directed to work with State and local health officials, to submit a report to the Committees on Appropriations no later than 180 days after enactment of this act on the opportunities for consolidating the various data collection systems in CDC. The report should include the opportunities and costs, advantages and barriers, and projected timeline to such a consolidated data reporting system, along with recommendations for adoption. The report should include full consideration of a single Web-based data collection information technology platform.

*Individual Learning Accounts.*—A longstanding provision extending availability of funds for the Individual Learning Account program has been deleted, as well as a longstanding general provision regarding the management of this program. The training and professional development of CDC staff shall be supported and maintained by the centers and leadership of CDC.

*Office of the Director (formerly Public Health Leadership and Support).*—The program line has been changed to Office of Director to better reflect the activities these funds support.

*Scientific Research Coordination with NIH.*—CDC programs are expected to coordinate with the Institutes and Centers of the NIH to identify scientific gaps for ready opportunities to accelerate understanding of diseases and their prevention in NIH and CDC research portfolios. Specifically, updates are requested in the fiscal year 2014 budget request on this effort as it relates to each of the CDC cancer programs.

#### NATIONAL INSTITUTES OF HEALTH

The bill includes \$30,873,259,000 for the accounts that comprise the NIH total appropriation. This amount includes a \$40,000,000 increase for Institutional Development Awards (IDeA) within the National Institute of General Medical Sciences and a \$15,000,000 increase for the Cures Acceleration Network within the National Center for Advancing Translational Sciences (NCATS). To improve transparency, the bill also includes an increase of \$25,300,000 for NCATS to fully fund the Clinical and Translational Science Awards (CTSA) program within that Center; in fiscal year 2012, CTSA's were funded partially through contributions from other Institutes and Centers (ICs).

Other than the adjustments described above, funding for each IC is increased over

the fiscal year 2012 level by an equal percentage.

In accordance with longstanding tradition, the bill does not direct funds to any specific disease research area. NIH is expected to base its funding decisions only on scientific opportunities and the peer review process.

NIH is expected to adopt a reasonable NIH-wide policy for non-competing and competing inflation rates that is consistent with the overall funding increase. Further, NIH is expected to support as many scientifically meritorious new and competing research project grants as possible, at a reasonable award level, with the funding provided in this act.

All the NIH ICs are expected to continue to support the Pathways to Independence program, which provides new investigators with mentored grants that convert into independent research project grants. In addition, New Innovator Awards, Director's Pioneer Awards, and the Transformative R01 Program are supported through the Common Fund. NIH should have a reasonable policy for inflationary increases on research training stipends that are not below the federal pay policy. The Office of the Director (OD) shall ensure, as practicable, the programs and offices within OD receive increases proportional to the overall increase, unless otherwise specified.

NIH is expected to limit funding for the Intramural Research Program to the same share of the overall NIH budget as in fiscal year 2012. The percentage of funds used to support basic research across NIH is expected to be maintained.

**CTSA.**—NIH shall make no changes to the CTSA program until the Institute of Medicine (IOM) completes its evaluation of the program, due in June 2013. Following the completion of that evaluation, if NIH then determines that adjustments to the CTSA program are needed, the NCATS Director is directed to brief the House and Senate Committees on Appropriations before implementing the changes.

**Clinical Trials.**—GAO is requested to conduct a review of how NIH has applied the recommendations from the 2010 Institute of Medicine (IOM) recommendations on NCI's clinical trials across all ICs to improve all NIH-wide clinical trial activity. The review should examine the specific recommendations NIH can consider to further improve the efficiency and effectiveness of administering, monitoring, managing, and supporting clinical trials.

**Clinical Trials Patient Enrollment.**—NIH is directed to host a workshop on the challenges regarding enrolling and retaining patients in clinical trials. The workshop should include public foundations that provide clinical trial navigation services, the NIH Foundation, and other appropriate organizations. Topics should include the development of ways to track, monitor, and improve participation and enrollment in NIH-funded clinical trials, particularly among underrepresented and uninsured populations. The workshop should also discuss potential public-private partnerships that could address these goals.

**Common Fund.**—NIH is expected to continue the longstanding policy for Common Fund projects to be short-term, high-impact awards, with no projects receiving funding for more than 10 years. NIH is directed to discontinue health economics research within the Common Fund.

**Extramural and Intramural Research.**—NIH plans to impose an additional level of scrutiny on extramural principal investigators with grants of \$1,500,000 or more. NIH is di-

rected to ensure that this policy, and any other new measures which are intended to improve oversight and accountability for extramural researchers, should apply equally to intramural researchers as well.

Peer reviewers for extramural research would benefit from knowing the scope of intramural activities that are related to the subjects under consideration to reduce the possibility of duplication. Therefore, NIH is directed to make such information available to extramural peer review study sections.

**Improved Trans-NIH Coordination.**—The Director of the Division of Program Coordination, Planning, and Strategic Initiatives is requested to develop a strategic plan to improve coordination and facilitation of trans-NIH research. The plan should include measurable objectives and specific steps that NIH and the ICs will take to reduce duplication and increase the effectiveness and efficiency of research activities occurring in multiple ICs. The plan should be posted on the NIH Web site within 180 days after enactment and updated routinely thereafter regarding progress made toward reaching the objectives.

**Kennedy's Disease.**—NINDS supports research related to spinal and bulbar muscular atrophy, also known as Kennedy's disease. NINDS is encouraged to continue research into the causes of this disease and animal testing for possible avenues for treatment.

**Ruth L. Kirschstein National Research Service Awards.**—The number of Ruth L. Kirschstein National Research Service Awards has declined each year since fiscal year 2007. While there is a need to increase stipend levels, NIH should put a higher priority on maintaining the number of awards. NIH is expected to continue efforts to support new investigators.

**National Children's Study (NCS).**—There have been significant concerns in the scientific community about NIH's plans to change substantially the design of the NCS. Therefore, the bill requires NIH to charter a comprehensive IOM/National Research Council review to evaluate the proposal and make the results public before contracts are awarded for the NCS Main Study. Topics covered by the review should include: the representative sample size, participation of traditionally underrepresented groups, generalizability of the data, participant retention rates, statistical artifacts, required infrastructure, involvement of academia, study costs, and other factors determined relevant by the review experts.

**NCATS.**—NCATS should make every effort to prevent duplication, redundancy, and competition with the private sector. To that end, NCATS is directed to work with industry representatives to initiate a process that will inform the private sector on a regular basis about the Center's current and planned programs and activities. A plan and timeline to implement this process is requested within 90 days of enactment.

**Opioid Drug Abuse.**—The June 2011 IOM report on pain indicates that abuse and misuse of prescription opioid drugs resulted in an annual estimated cost to the Nation of \$72,500,000,000. Therefore the National Institute on Drug Abuse is urged to support scientific activities that provide companies with the basic science to develop and implement innovative strategies to reduce opioid drug abuse. Such strategies may include new chemical molecule structures, coatings, agents, or other processes with a goal of preventing abuse while still providing the necessary pain relief required for patient care.

**Improved Coordination and Dissemination of Research.**—The OD is expected to work with

the ICs and other HHS operating divisions to establish a systematic means of disseminating research results for the purposes of preventing duplication of effort across the Department and enabling NIH to target its research more effectively.

**IDEA.**—NIH is expected to maintain the fiscal year 2012 levels for the Centers of Biomedical Research Excellence (COBRE), IDEA Networks of Biomedical Research Excellence, and the IDEA Clinical Trial and Translation Program programs. NIH is directed to divide the increase over the fiscal year 2012 level for IDEA equally between a new COBRE competition and additional awards for the IDEA Clinical Trial and Translation Program. Last year NIH was urged to give the IDEA Director the flexibility to include all States that qualify for the Experimental Program to Stimulate Competitive Research (EPSCoR) program in the IDEA program. An update on this proposal was requested in the fiscal year 2013 congressional budget justification. NIH failed to respond to either request. Therefore, NIH is directed to review whether changes to the eligibility criteria are warranted, including the possible inclusion of all EPSCoR-eligible States, and to present its recommendations in a report to the House and Senate Committees on Appropriations and the relevant authorizing committees no later than 120 days after enactment. In addition, the NIH and IC Directors are requested to work with the IDEA Director to implement a plan to improve coordination and co-funding of IDEA awards and programs to increase opportunities to improve biomedical research capacity and training.

**Scientific Management and Review Board (SMRB).**—The NIH Director has rejected the recommendation by the Scientific Management and Review Board to create a new Institute on substance use, abuse, and addiction-related research, and has decided that the National Institute on Drug Abuse and the National Institute on Alcohol Abuse and Alcoholism should pursue "functional integration" to advance this research rather than consolidation. NIH is expected to provide specific details on how the two Institutes plan to achieve such integration in the fiscal year 2014 congressional budget justification.

#### SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

The Substance Abuse and Mental Health Services Administration (SAMHSA) is expected to provide more detailed information in its annual congressional justification, including budgetary and programmatic information on programs as they existed in prior fiscal years, even if the budget request proposes a new structure or consolidation. SAMHSA shall not make changes to any program, project, or activity as outlined by the budget tables included in this explanatory statement without prior notification to the House and Senate Committees on Appropriations.

SAMHSA and the Department are directed to exempt the Mental Health Block Grant (MHBG) and the Substance Abuse Prevention and Treatment (SAPT) Block Grant from being used as a source for the PHS evaluation set-aside in fiscal year 2013, as was done prior to fiscal year 2012.

#### MENTAL HEALTH

Within the total provided for Mental Health Programs of Regional and National Significance, the bill includes the following amounts:

Budget activity	FY 2013 level
Capacity	
Seclusion & Restraint ....	2,444,000

<i>Budget activity</i>	<i>FY 2013 level</i>
Youth Violence Prevention .....	12,817,000
National Traumatic Stress Network .....	48,713,000
Children and Family Programs .....	6,474,000
Consumer and Family Network Grants .....	6,224,000
MH System Transformation and Health Reform .....	10,603,000
Project LAUNCH .....	34,640,000
Primary and Behavioral Health Care Integration .....	30,749,000
Suicide Lifeline .....	5,512,000
GLS—Youth Suicide Prevention—States .....	29,682,000
GLS—Youth Suicide Prevention—Campus .....	4,966,000
AI/AN Suicide Prevention Initiative .....	2,938,000
Homelessness Prevention Programs .....	30,772,000
Minority AIDS .....	9,265,000
Criminal and Juvenile Justice Programs .....	4,281,000
Grants for Adult Trauma Screening and BI .....	2,896,000
Tribal Behavioral Health Grants .....	20,000,000
Science and Service GLS—Suicide Prevention Resource Center .....	5,550,000
Practice Improvement & Training .....	7,437,000
Consumer & Consumer Support T.A. Centers ...	1,923,000
Primary/Behavioral Health Integration T.A	1,996,000
Minority Fellowship Program .....	5,089,000
Disaster Response .....	2,950,000
Homelessness .....	2,302,000
HIV/AIDS Education .....	773,000

In order to address the high incidence of substance abuse and suicide in American Indian/Alaska Native (AI/AN) populations, the bill provides \$20,000,000 for a new Tribal Behavioral Health Grant program within the Center for Mental Health Services. Not less than \$10,000,000 shall be used for competitively awarded grants targeting tribal entities with the highest rates of suicide per capita over the past 10 years. Funds shall be used for effective and promising strategies that address the problems of substance abuse and suicide and promote mental health among AI/AN young people.

Within the funds provided for the National Child Traumatic Stress Network, the bill provides \$1,500,000 for the targeted collection of new outcome data from selected centers, as well as analyses and reports related to the National Center for Child Traumatic Stress core data set.

All grants awarded for the Primary and Behavioral Health Integration program shall be funded under the authorities in section 520(K) of the PHS Act.

Funds provided to Project LAUNCH should not duplicate activities eligible for funding elsewhere in HHS and should focus on mental health promotion and promotion strategies for children aged 0 to 8.

**SUBSTANCE ABUSE TREATMENT**

Within the total provided for Substance Abuse Treatment Programs of Regional and National Significance, the bill includes the following amounts:

<i>Budget Activity</i>	<i>FY 2013 Level</i>
Capacity	
Opioid Treatment Programs/Regulatory Activities .....	8,886,000

<i>Budget Activity</i>	<i>FY 2013 Level</i>
Screening, Brief Intervention, Referral, and Treatment .....	28,187,000
TCE—General .....	13,256,000
Pregnant & Postpartum Women .....	15,970,000
Strengthening Treatment Access and Retention .....	1,000,000
Recovery Community Services Program .....	2,445,000
Access to Recovery .....	87,666,000
Children and Families ...	29,678,000
Treatment Systems for Homeless .....	41,571,000
Minority AIDS .....	65,863,000
Criminal Justice Activities .....	70,000,000
Science and Service	
Addiction Technology Transfer Centers .....	9,064,000
Minority Fellowship Program .....	546,000
Special Initiatives/Outreach .....	1,436,000

SAMHSA shall ensure that Addiction Technology Transfer Centers continue to maintain a primary focus on addiction treatment and recovery services in order to strengthen the addiction workforce.

All funding appropriated to the Center for Substance Abuse Treatment for drug treatment courts shall be allocated to serve people diagnosed with a substance use disorder as their primary condition.

SAMHSA shall ensure that funds provided for Screening, Brief Intervention, Referral, and Treatment are used for existing evidence-based models of providing early intervention and treatment services to those at risk of developing substance abuse disorders.

**SUBSTANCE ABUSE PREVENTION**

Within the total provided for Substance Abuse Prevention Programs of Regional and National Significance, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Capacity	
Strategic Prevention Framework/Partnerships for Success .....	109,754,000
Mandatory Drug Testing .....	4,906,000
Minority AIDS .....	41,307,000
Sober Truth on Preventing Underage Drinking (STOP Act) ...	7,931,000
National Adult-Oriented Media Public Service Campaign .....	1,000,000
Community-based Coalition Enhancement Grants .....	5,931,000
Intergovernmental Coordinating Committee on the Prevention of Underage Drinking .....	1,000,000
Science and Service	
Fetal Alcohol Spectrum Disorder .....	9,802,000
Center for the Application of Prevention Technologies .....	7,511,000
Science and Service Program Coordination .....	4,082,000
Minority Fellowship Program .....	71,000

SAMHSA shall make continuation awards for Strategic Prevention Framework State Incentive Grant/Partnerships for Success (SPFSIG/PFS) grantees at amounts not less than what grantees received in fiscal year 2012. Furthermore, SAMHSA shall use any

additional funding to provide new grants under SPFSIG/PFS. These new grants shall be awarded as the program was originally designed prior to fiscal year 2011, with similar eligible applicants, a multiyear project period, and reliance on epidemiological workgroups. SAMHSA shall award these multiyear grants on an annual, incremental basis rather than fully funding them in fiscal year 2013.

#### HEALTH SURVEILLANCE AND PROGRAM SUPPORT

Within the total provided for health surveillance and program support, the bill includes the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Health Surveillance .....	29,424
Program Management .....	72,229
Military Families .....	3,500
Public Awareness and Support .....	13,545
Performance and Quality Info. Systems .....	12,940

SAMHSA shall prioritize the award of the Military Families Initiative policy academy service grants to States with higher populations of military families not eligible for or with reduced access to the services provided through the Departments of Veterans Affairs and Defense.

#### AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

##### HEALTHCARE RESEARCH AND QUALITY

The bill provides \$349,053,000 for the Agency for Healthcare Research and Quality. These funds are made available through section 241 of the Public Health Service (PHS) Act.

Within the total for the Patient Safety Research portfolio, the bill provides \$4,000,000 for research grants authorized by section 933 of the PHS Act, as proposed in Senate Report 112-176.

Within the total for the Crosscutting Activities Related to Quality, Effectiveness and Efficiency Research portfolio, the bill provides \$38,555,000 for investigator-initiated research.

#### CENTERS FOR MEDICARE AND MEDICAID SERVICES

##### PROGRAM MANAGEMENT

The bill includes \$3,826,187,000 for the Program Management account. The bill moves the State Health Insurance Assistance Program from CMS Program Management to the Administration for Community Living. The conferees recommend the following levels within the Program Management account:

<i>Program management</i>	<i>FY 2013 level</i>
Research, Demonstration and Evaluation .....	\$21,160,000
Program Operations .....	2,608,785,000
State Survey and Certification .....	381,278,000
State High Risk Insurance Pools .....	44,000,000
Federal Administration .....	770,964,000

The bill includes funding for Research, Demonstration, and Evaluation activities, including the Medicare Current Beneficiary Survey. CMS is requested to include in its fiscal year 2015 congressional budget justification all programs, projects, and activities authorized in the Affordable Care Act (ACA) intended to be supported, along with amounts expended in the current year and 3 prior fiscal years.

**CMS Policy Guidance.**—CMS uses Medicare Administrative Contractors (MACs) as its agents in lieu of federal employees to process reimbursement activity. The MACs may develop and implement independent policies, which can be perceived as being inconsistent



with CMS guidance. CMS is requested to provide a detailed description in the fiscal year 2015 budget request of the mechanisms CMS has in place or plans to put in place to ensure its contracting agents consistently adhere to CMS policies.

**Critical Access Hospitals.**—The Secretary is urged to create a review process for those hospitals less than 35 miles by primary road from the nearest hospital for the purpose of improving access to essential health services, including acute medical inpatient care. If changes are required, HHS should work with Congress for approval. CMS is encouraged to work with the Office of Rural Health Policy in HRSA to ensure that rural patients maintain access to necessary health services.

**Fungal Meningitis.**—The 2012 outbreak of fungal meningitis remains a concern, with more than 500 illnesses and a median patient age in the late 60s. While the primary responsibility for ensuring the safety of drugs lies with other agencies of Federal and State government, CMS should consider whether there are actions it can take to ensure that the providers are operating in a manner that is consistent with State and Federal standards, and report to the Committees on Appropriations within 180 days of enactment of this act regarding its conclusions.

**Fraud, Waste, and Abuse.**—CMS is urged to implement a process across all operations to increase its focus on preventing improper payments and paying claims right the first time. A 2010 GAO report found that CMS had no formal process in place to ensure that vulnerabilities identified by the Recovery Audit Contractor (RAC) program are addressed. CMS is directed to include in its annual report to Congress the steps it has taken to implement a systematic process across all operations to prevent fraud, waste, and abuse in both federal and contractor-operated program and administrative activities and an accounting of RAC-reported vulnerabilities. Similar language was proposed in the Senate Report 112-176.

**Rural Patient Access.**—The Committees on Appropriations strongly support efforts to preserve and improve rural patient access to providers and durable medical equipment (DME). CMS is requested to provide an update in the fiscal year 2015 budget request on the steps CMS is taking to ensure changes due to the competitive bidding process will not negatively impact rural patient access to quality DME.

#### HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

The bill includes \$309,790,000 from the Medicare Trust Fund for the Health Care Fraud and Abuse Control account.

**Medicare Fraud Prevention.**—CMS is expected to develop a more robust set of tools to prevent fraud, for example using the latest technology to ensure only valid beneficiaries and valid providers receive benefits and ensure that payments are for authorized benefits. GAO is directed to review the feasibility, cost, benefits, and barriers for CMS to implement a Medicare transactional system with "smart card" type technology. The review must examine technology related to beneficiary and provider validation and authentication at point of entry for provider care within the Medicare program and consider ease of implementation, impact on the beneficiary and provider, ease of use, cost attributes (long and short term), and other criteria relevant decision making, sourcing and implementation. GAO is expected to publish a report within 1 year after enactment of this act.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES REFUGEE AND ENTRANT ASSISTANCE

The Department of HHS shall provide a briefing within 45 days of enactment for the House and Senate Committees on Appropriations regarding the rate of expenditure for all Refugee and Entrant Assistance programs, including information on the number of unaccompanied alien children placed into the Department's care, the number of arriving refugees and refugees otherwise receiving services, and how the characteristics of these populations have changed over recent years.

#### CHILD CARE AND DEVELOPMENT BLOCK GRANT

The bill includes a \$110,000,000 increase for the Child Care and Development Block Grant (CCDBG), including a \$14,035,000 increase in existing set-asides for quality improvement activities. HHS is encouraged to continue efforts to improve the quality of child care programs, including the early childhood care and education workforce.

Under current law State child care agencies may use CCDBG funding to pay for a wide variety of initiatives, including helping providers with the cost of supplies, such as diapers for infants and toddlers.

#### CHILDREN AND FAMILIES SERVICES PROGRAMS

Within the funds provided for Head Start, the bill includes \$25,000,000 to support the transition costs associated with the Designation Renewal System and \$25,000,000 for grantee cost-of-living adjustments.

The bill includes \$3,000,000 within Child Abuse Discretionary for competitive grants to support the implementation of research-based court teams models that include the court system, child welfare agency, and community organizations in order to better meet the needs of infants and toddlers in foster care.

The bill includes up to \$10,000,000 for the Healthy Foods Financing Initiative within the Community Economic Development Program.

The Department of HHS is encouraged to support efforts that help TANF recipients graduate high school or complete a GED, which is often critical to securing employment.

#### ADMINISTRATION FOR COMMUNITY LIVING AGING AND DISABILITY SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

The bill transfers the State Health Insurance Assistance Program from the Centers of Medicare and Medicaid Services to the Administration for Community Living (ACL).

Within the funding provided, the bill provides \$998,000 to continue the 24-hour call center to support Alzheimer's family caregivers.

The House and Senate Committees on Appropriations received no advance notice that the Department intended to establish the ACL when the fiscal year 2013 budget was submitted to Congress. Carrying out such organizational changes without advance notice ignores the critical oversight role of the Committees on Appropriations. This is not a precedent that should occur again and the Department is urged to provide advance notice of such mergers, particularly when they have an impact on appropriations structures and funding levels. ACL shall provide the House and Senate Committees on Appropriations a briefing within 30 days of enactment on how ACL is balancing the needs of the disabled and elderly communities.

#### OFFICE OF THE SECRETARY GENERAL DEPARTMENTAL MANAGEMENT

The Department is directed to include in its annual budget justifications the amount

of administrative and overhead costs spent by the Department for every major budget line. Beginning in fiscal year 2015, and each year thereafter, the Department shall include the amount and percentage of administrative and overhead costs spent by the Department for every program, project and activity.

The Department is directed to issue a report identifying which programs throughout HHS address teen dating violence and healthy relationship strategies as a means to prevent teen pregnancy.

The Comptroller General is directed to issue a report within 180 days of enactment on the Department's coordination of activities related to patient centered outcomes research (PCOR), whether funded in this bill or through the Patient Centered Outcomes Research Trust Fund. The report should review the processes and practices used by the Department to ensure that the various operating divisions supporting patient centered outcomes research prevents duplication and is coordinated. Further, the report should review the criteria and procedures used by the Department prior to disseminating or making recommendations based on patient centered outcomes research results. The report should also include a review of the evaluation criteria used to allocate funding and determine research topics, as well as the metrics to measure effectiveness.

The bill provides \$250,000 for the Advisory Council on Alzheimer's Research, Care and Services, \$1,000,000 for a competitive grant or contract for the principal purpose of providing assistance regarding transportation assistance for individuals with disabilities, \$1,000,000 to continue the national health education program on lupus for healthcare providers, and \$3,010,000 to continue the preventing violence against women initiative.

HHS is directed to include in future budget requests information on user fees, reimbursements, and other sources of funding available to HHS operating divisions that itemizes the actual and estimated collections for each activity and the actual annual costs related to each associated user fee, reimbursement, and other funding source used to support these activities.

The Department is directed to ensure that all necessary and feasible steps have been taken to ensure that Antideficiency Act violations similar to those reported on July 14, 2011 do not occur in the future. The Department is directed to ensure that future Antideficiency Act violations are submitted in a timely manner with the appropriate account adjustment or other action to remedy the violations.

HHS is urged to work with Congress to propose a special hiring authority in lieu of the continued expanded use of title 42. The Department is requested to issue a report on the key parameters that would need to be included in a special hiring authority within 180 days of enactment to the House and Senate Committees on Appropriations and the relevant authorizing committees.

The Secretary is encouraged to issue the rules and regulations required by P.L. 111-353 in a timely manner.

The Department is urged to continue existing programs run by the Office of Minority Health that address health disparities in rural and disadvantaged populations.

#### OFFICE OF INSPECTOR GENERAL

The Office of Inspector General (OIG) is directed to provide a report to the Committees on Appropriations of the House of Representatives and the Senate that provides an update on OIG activities related to the investigation of grantees' use of taxpayer resources to influence laws, regulations or

policies at the State or local level. Additionally, the report should include detail as to how HHS is implementing any new policies and how the Department is tracking or monitoring grantee performance.

**PUBLIC HEALTH AND SOCIAL SERVICES  
EMERGENCY FUND**

**(INCLUDING TRANSFER OF FUNDS)**

The Department is directed to issue a report, not later than 90 days after the date of enactment of this act, on the implementation of a 5-year budgetary planning process for the development of medical countermeasures. The report should include end-to-end details of planned investments, including the costs associated with existing and anticipated new research and development, the costs of procuring and maintaining all materials placed in the Strategic National Stockpile, and the costs associated with distribution, dispensing and surveillance. The report should include the costs necessary to ensure sustainability of the multiple Centers for Innovation and Advanced Manufacturing. The report should also include details of the investment and progress made to date in the development of products for diagnosis, protection and treatment for the full range of radiation exposures from nuclear and radiation threats.

**GENERAL PROVISIONS  
EVALUATION TAP LEVEL**

The bill modifies a provision establishing reprogramming requirements for evaluation tap funding.

**PUBLICLY AVAILABLE ACCESS REGARDING THE  
USE OF FUNDS PROVIDED BY THE PATIENT  
PROTECTION AND AFFORDABLE CARE ACT**

The bill includes a modified provision relating to the improvement of a more accessible Web site that details the use of funds made available under section 4002 of the Patient Protection and Affordable Care Act.

**PERSONNEL SUPPORT FOR THE PATIENT  
PROTECTION AND AFFORDABLE CARE ACT**

The bill includes a new provision relating to the public disclosure of the number of full-time equivalent Federal employees or contractors assigned to activities to carry out the provisions of the Patient Protection and Affordable Care Act.

**TITLE III  
DEPARTMENT OF EDUCATION  
EDUCATION FOR THE DISADVANTAGED**

The bill includes a new provision clarifying that title I funds may be used to address the transportation needs of homeless children and youth, as well as support homeless liaisons.

The bill includes new language under the School Improvement Grant (SIG) program that allows funds to be used to implement a research-proven, whole-school reform model.

New language is also included that will allow a State educational agency, with the approval of the Secretary, to establish an alternative State-determined school improvement strategy that may be used by local educational agencies under the SIG program. The purpose of this alternative strategy is to allow State educational agencies to develop their own flexible models that can be implemented by local educational agencies that receive SIG funds.

It is expected that any approach taken with SIG funds should address school-wide factors, whole school culture, the individual needs of the students and data to inform instruction and for continuous improvement; ensure that the needs of students are addressed through the organization of the

school, curriculum and instruction, and social and emotional support services; as well as address teacher and leader effectiveness, including through training and support for teachers and school leaders in school improvement efforts and in the needs of students.

The bill also includes new language to allow local educational agencies that are eligible to receive services under the Rural Education Achievement Program to modify not more than one element required under a school improvement model.

Over the past decade Bureau of Indian Education schools have received approximately 0.7 percent of each year's appropriation for ESEA Title I Grants to LEAs. The Department is urged to continue using its existing formula in allocating these funds and to follow this practice in any relevant future emergency funding that provides it the same authority and discretion.

**IMPACT AID**

The bill includes language providing for formula grants for Impact Aid construction grants.

**SCHOOL IMPROVEMENT PROGRAMS**

The bill allows for up to 3 percent of funds available for the State Grants for Improving Teacher Quality program to be used for competitive awards to national not-for-profit organizations for recruiting, training, or providing professional enhancement activities, including in the area of civic education, for teachers or school leaders, particularly for high-need schools most likely to face shortages in these areas. The bill allows up to 10 percent of the set-aside funds to be used for related research, development, evaluation, dissemination, and technical assistance.

The bill provides \$380,000,000 for formula grants to States and \$9,214,000 for competitive grants to improve the quality and reliability of assessment systems within the State Assessments and Enhanced Assessments Instruments program.

**INNOVATION AND IMPROVEMENT**

The bill includes \$549,284,000 for the Race to the Top program. These funds are available for obligation through December 31, 2013.

The Departments of Education and HHS are directed to use this appropriation for another competition under the Race to the Top—Early Learning Challenge (RTT-ELC). In combination with additional resources allocated for the CCDBG and Head Start programs, it is expected that these investments will help improve early learning and development systems and opportunities for young children.

The bill includes \$149,417,000 for the Investing in Innovation program, as described in Senate Report 112-176. The bill does not include the new authority and funding proposed in the Senate bill regarding ARPA-ED.

An opportunity to review the results from the significant investment made in both the RTT and Investing in Innovation programs is expected. The Secretary is directed to continue to provide the Committees on Appropriations of the House of Representatives and Senate the findings from evaluations, including impact evaluations and interim progress evaluations, of activities conducted using these funds.

The bill includes \$14,097,000 for continuation costs for the School Leadership program.

Within FIE, the bill includes funding for the following activities in the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Arts in Education .....	\$26,500,000

<i>Budget activity</i>	<i>FY 2013 level</i>
Data Quality and Evaluation .....	1,276,000
Full Service Community Schools .....	11,094,000
National Clearinghouse for Educational Facilities ....	1,000,000
Peer Review .....	350,000
Child Literacy Initiative ...	29,000,000
The bill also includes \$10,000,000 for a new STEM initiative, as described in Senate Report 112-176.	

**SPECIAL EDUCATION**

The bill includes new language clarifying provisions of the Individuals with Disabilities Education Act (IDEA). The first provision clarifies that penalties paid by States for violating maintenance of effort under part B of the IDEA shall be reallocated to States by formula to those States that did not violate those requirements. The language further clarifies that both the reduced State allocations due to penalties paid and increased amounts under the reallocation shall not be considered in fiscal year 2013 or future years for allocations under the statutory formula. The bill also includes new language clarifying that the level of effort under part B that a LEA must meet in the year after it fails to maintain its fiscal effort is the level that it should have met in the prior year. This language clarifies congressional intent and is consistent with the Office of Special Education Program's (OSEP's) April 4, 2012, informal guidance letter on the issue.

Additionally, the bill includes language clarifying that funds reserved under section 611(c) of the IDEA may be used to help improve State capacity to meet data collection requirements under the IDEA and improve data collection, quality, and use under the act.

The bill includes new language allowing the Department to use up to \$2,710,000 for incentive grants to States that choose to serve children 3 years old until entrance into elementary school, as described in Senate report 112-176.

Within this account, the bill includes \$1,996,000 to remain available through September 30, 2014, for the Promoting Readiness of Minors in SSI (PROMISE) program. The bill includes language that slightly modifies the program as it was initially created in last year's bill. The bill also includes new language that allows a portion of the funds provided to be used for Pay for Success awards, as described in Senate Report 112-176. The Committees on Appropriations of the House of Representatives and Senate expect to be notified prior to the issuance of any notice related to the Pay for Success activity.

**REHABILITATION SERVICES AND DISABILITY  
RESEARCH**

The bill includes \$3,624,226,000 for Rehabilitation Services and Disability Research.

The bill includes \$6,075,000 for Demonstration and Training Programs. Within this amount, the bill includes \$750,000 to support a new competition for parent training and information centers. The Rehabilitation Services Administration (RSA) shall coordinate with OSEP in carrying out this activity. The bill does not include funding for new technical assistance activities at RSA.

The bill continues language allowing unmatched funds in excess of any funds requested during the reallocation process to be available for the PROMISE program referenced under the Special Education account. Such funds used for the PROMISE program will remain available for obligation through September 30, 2014.



The bill allows up to \$20,000,000 made available to PROMISE after reallocation to be used for Pay for Success, as described in Senate Report 112-176. The Federal Government will use funds to pay for defined outcomes, such as employment or graduation. Philanthropic groups and social impact investors will finance the services and would earn payments if those services lead to the agreed-upon outcomes. Any funds deobligated from Pay for Success projects will be immediately available for programs authorized under the Rehabilitation Act of 1973.

The bill includes \$37,771,000 for the Assistive Technology program. This includes \$30,492,000 for State grant activities authorized under section 4 of the Rehabilitation Act of 1973; \$4,283,000 for protection and advocacy systems authorized under section 5; \$996,000 for technical assistance activities authorized under section 6; and \$2,000,000 to support alternative financing programs (AFPs) that provide financing mechanisms for loans.

AFPs have had success in providing low-interest loan funds, interest buy-down programs, revolving loan funds, and loan guarantees, and in emphasizing consumer choice and control and other partnerships that help people with disabilities acquire assistive technology devices through loans. Such devices and services enable people with disabilities to live independently and often are the means that enable them to become or remain employed. While many State programs have developed equipment demonstration projects, lending libraries and reuse programs, these do not cover certain types of higher-cost expenses that promote independence, such as adapting vehicles and modifying home entrances and showers to enable people to remain in their homes.

#### SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The bill includes \$65,422,000 for the National Technical Institute for the Deaf. Funding for construction will be considered in the future as needs may warrant.

##### STUDENT FINANCIAL ASSISTANCE

The Department shall provide the same funding in fiscal year 2013 as in fiscal year 2012 for the Work Colleges program authorized under section 448 of the Higher Education Act (HEA) from the Federal Work-Study Program appropriation.

##### HIGHER EDUCATION

The bill includes \$67,432,000 for International Education and Foreign Language Studies—Domestic programs. The increase in funds over the fiscal year 2012 level will support new awards in the Undergraduate International Studies and Foreign Language programs and expand access to study abroad, as authorized by section 604(b) of the HEA.

The bill includes language allowing funds awarded under the Graduate Assistance in Areas of National Need program to be used to fund continuation costs for the Javits Fellowship program.

The bill includes \$29,494,000 for the Fund for the Improvement of Postsecondary Education (FIPSE). Within the amount for FIPSE, the bill includes \$25,000,000 for the First in the World initiative, with up to \$9,000,000 set aside for minority-serving institutions; \$1,128,000 for the Training for Realtime Writers program; \$2,366,000 for continuations for international consortia projects; and \$1,000,000 for the Secretary to enter into an agreement with the National Research Council of the National Academy of Sciences to conduct a study on the impact

of Federal regulations and reporting requirements on institutions of higher education as authorized under section 1106 of the Higher Education Opportunity Act of 2008.

The bill includes \$854,932,000 for TRIO. The last Upward Bound grant competition may have disadvantaged applicants in rural areas. Many of the rural programs that were not renewed in the last round are located in areas of extreme poverty that would appear to be prime targets for Upward Bound grants. The Department shall provide an analysis within 60 days of enactment of this act of how selection criteria and outcomes changed in the past Upward Bound grant cycle, in order to determine whether applicants from rural areas were put at a disadvantage compared to other applicants.

##### HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The bill includes language allowing funds for the HBCU Capital Financing Program to remain available through September 30, 2014.

##### INSTITUTE OF EDUCATION SCIENCES

The bill includes \$38,077,000 for Statewide Data Systems. The bill allows up to \$10,000,000 to be used for awards to public or private agencies or organizations to support activities to improve data coordination, quality, and use at the local, State, and national levels. Prior to obligating any funds for this purpose, an operating plan describing the proposed purpose and use of such funds shall be submitted to the Committees on Appropriations of the House of Representatives and Senate.

IES is directed to continue support for research and development activities related to gifted and talented education that directly support learning and improve the academic achievement of gifted and talented students, including those who may not be formally identified as gifted and those who are from underrepresented populations, as called for in Senate Report 112-176.

IES also is directed to support a National Research Center on the Gifted and Talented and to ensure that gifted and talented education is reported in national reports produced by IES, as called for in Senate Report 112-176.

##### GENERAL PROVISIONS

##### OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

The bill includes a general provision renaming the Office of Vocational and Adult Education as the Office of Career, Technical, and Adult Education.

##### EVALUATION AUTHORITY

The bill includes a new provision related to the evaluation authority established under section 9601 of the ESEA. Not later than 45 days prior to the submission of the operating plan required under this provision, the Department is directed to brief the Senate Committees on Appropriations and Health, Education, Labor and Pensions and House Committees on Appropriations and Education and Workforce on the programs being considered for inclusion in the plan. Further, the conferees expect the Department to include in future congressional budget justifications a discussion of its planned use of this new authority.

##### NOT-FOR-PROFIT LOAN SERVICERS AND STUDENT AID ELIGIBILITY

The bill includes a new provision that clarifies eligibility for funding for not-for-profit loan servicers and allows students enrolled in "career pathways" programs who do not have a high school diploma or GED to become eligible for student aid if they have

passed an ability to benefit test, completed a process designed by the State, or successfully completed six credit hours.

##### HBCU GULF HURRICANE DISASTER LOANS

The bill continues a provision that authorizes the Secretary to modify terms of Gulf hurricane disaster loans to HBCUs if such modifications result in no net cost to the government and if such modifications are approved by the Departments of Education and Treasury and the Office of Management and Budget.

#### TITLE IV

##### RELATED AGENCIES

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

##### OPERATING EXPENSES

The funding included in the bill for the State Commission grants reflects a consolidation with Training and Technical Assistance.

Within the total provided for Innovation, Assistance, and Other Activities, the bill includes \$44,815,000 for the Social Innovation Fund, \$3,992,000 for the Volunteer Generation Fund, and \$992,000 for the Martin Luther King Day of Service.

The bill includes \$207,491,000 for the National Senior Volunteer Corps programs. Sufficient funding is provided to maintain all programs at the fiscal year 2012 level.

##### INSTITUTE OF MUSEUM AND LIBRARY SERVICES

##### OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

Within the total for IMLS, the bill includes funds for the following activities in the following amounts:

<i>Budget activity</i>	<i>FY 2013 level</i>
Library Services Technology Act:	
Grants to States .....	156,365
Native American Library Services .....	3,869
National Leadership: Libraries	12,000
Laura Bush 21st Century Librarian .....	12,470
Museum Services Act:	
Museums for America .....	20,643
Native American/Hawaiian Museum Services .....	926
National Leadership: Museums	7,880
African American History and Culture Act:	
Museum Grants for African American History & Culture ..	1,410
Program Administration .....	16,391

Within the amount provided for Program Administration, the bill includes \$1,886,000 for research and data collection activities.

IMLS is encouraged to maintain current staffing levels and continue to work toward improving efficiency to decrease or eliminate requirements for FTE growth in future years.

##### SOCIAL SECURITY ADMINISTRATION

##### SUPPLEMENTAL SECURITY INCOME

*Research and Demonstration.*—Within the Research and Demonstration activity conducted under sections 1110, 1115, and 1144 of the Social Security Act, the bill includes \$7,200,000 for the Promoting Readiness of Minors in SSI (PROMISE) program and up to \$3,000,000 for a demonstration program to test the impact of providing financial literacy information on the Old Age and Survivors Insurance, Disability Insurance and SSI programs to high-school aged youth.

SSA shall provide a briefing within 45 days of enactment for the House and Senate Committees on Appropriations on the factors SSA considers in the review and graduation process for research and demonstration

projects. SSA shall continue to describe the specific section 1110 research graduation process in the fiscal year 2014 budget request and include the year each project or consortium was initiated.

#### LIMITATION ON ADMINISTRATIVE EXPENSES

*Work Incentives Planning and Assistance [WIPA] and Protection and Advocacy for Beneficiaries of Social Security [PABSS].*—The bill includes not less than \$23,000,000 for the WIPA program and not less than \$7,000,000 for the PABSS program. Because these programs were not funded in fiscal year 2012, SSA shall make these funds available as soon as possible to eligible organizations to minimize any disruption in services.

*Representative Payee Oversight.*—SSA is strongly encouraged to continue efforts to improve representative payee oversight through partnerships with outside organizations.

*Social Security Annual Statements.*—The bill includes not less than \$20,000,000 for the mailing of annual Social Security Account Statements. SSA shall provide statements in a manner that maximizes their effectiveness, including leveraging online resources, to inform individuals about their contributions and benefits under Social Security programs and to provide individuals an opportunity to review their earnings record. Further, SSA shall brief the House and Senate Committees on Appropriations within 45 days of enactment on their plan for mailing statements in fiscal year 2013.

*Information Technology Investments.*—SSA shall provide a quarterly accounting of the Limitation on Administrative Expenses (LAE) expired unobligated balances and the amount made available from these balances without fiscal year limitation for information technology investments. This should include the total amount of Information Technology (IT) expenses and the actual or estimated amount paid for with LAE funds and no-year IT funds.

*Long-range Strategic Plan.*—The production of a strategic plan for SSA requires the input of an external body that is competent in addressing complex management challenges within the public sphere. Therefore, SSA shall provide the final draft of the strategic plan currently under development to the National Academy of Public Administration (NAPA) for its review and comment. SSA is also directed to incorporate NAPA's views into the final document. Such incorporation may be accomplished by including comments noting instances where SSA does not concur with NAPA's views. The bill includes \$500,000 within SSA's LAE account to cover any expenses NAPA incurs to complete this review. The final version of the strategic plan shall be submitted within 180 days of enactment to the House and Senate Committees on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance. SSA and NAPA shall jointly report to the House and Senate Committees on Appropriations within 30 days of enactment on the plan for producing the document.

#### TITLE V

##### GENERAL PROVISIONS

###### PORNOGRAPHY RESTRICTIONS

The bill includes a new general provision that prohibits the use of government-provided information technology resources to view, download, or exchange pornography.

###### REPORTING ON BALANCES OF APPROPRIATIONS

The bill includes a new general provision modifying the application of requirements for reporting on balances of appropriations to the Indian Health Service.

###### HEAL PROGRAM TRANSFER

The bill includes a new general provision that permanently transfers the Health Education Assistance Loan program from the Department of Health and Human Services to the Department of Education.

###### INTERNATIONAL CONFERENCES

The bill includes a new general provision that limits the attendance of Federal employees at international conferences.

###### EXPLANATORY STATEMENT

The bill includes a new general provision related to the explanatory statement accompanying the bill.

###### FULL-YEAR CONTINUING APPROPRIATIONS

The bill includes a new general provision that makes ineffective certain provisions from the Full-Year Continuing Appropriations Act related to this bill.

#### FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

(\$ in 000s)

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Department of Labor				
Employment and Training Administration				
Training and Employment Services				
Grants to States:				
Adult Training, current year .....	D	58,811	57,465	-1,346
Advance from prior year .....	NA	(710,654)	(712,000)	(1,346)
FY14 .....	D	712,000	712,000	0
Adult Training .....		770,811	769,465	-1,346
Youth Training .....	D	824,353	824,353	0
Dislocated Worker Assistance, current year .....	D	148,151	146,526	-1,625
Advance from prior year .....	NA	(858,375)	(860,000)	(1,625)
FY14 .....	D	860,000	860,000	0
Dislocated Worker Assistance .....		1,008,151	1,006,526	-1,625
Subtotal: Grants to States .....		2,603,315	2,600,344	-2,971
Current Year .....		1,031,315	1,028,344	-2,971
FY14 .....		1,572,000	1,572,000	0
Federally Administered Programs:				
Dislocated Worker Assistance Nat'l Reserve, current year .....	D	24,066	23,688	-378
Advance from prior year .....	NA	(199,622)	(200,000)	(378)
FY14 .....	D	200,000	200,000	0
Subtotal: Dislocated Worker Assistance Nat'l Reserve .....		224,066	223,688	-378
Total, Dislocated Worker Assistance .....		1,232,217	1,230,214	-2,003
Native American Programs .....	D	47,562	47,562	0
Migrant and Seasonal Farmworker Programs .....	D	84,291	84,291	0
Women in Apprenticeship .....	D	996	996	0
Youthbuild .....	D	79,689	79,689	0
Workforce Innovation Fund .....	D	49,906	40,000	-9,906
Subtotal: Federally Administered Programs .....		486,510	476,226	-10,284
Current Year .....		286,510	276,226	-10,284
FY14 .....		200,000	200,000	0
National Activities:				
Pilots, Demonstrations and Research .....	D	6,603	0	-6,603
Reintegration of Ex-Offenders .....	D	80,238	80,238	0
Evaluation .....	D	9,563	0	-9,563
Workforce Data Quality Initiative .....	D	6,463	5,000	-1,463
Subtotal: National Activities .....		102,867	85,238	-17,629
Total: Training and Employment Services .....		3,192,692	3,161,808	-30,884
Current Year .....		1,420,692	1,389,808	-30,884
FY14 .....		1,772,000	1,772,000	0
Office of Job Corps				
Administration .....	D	29,077	29,132	55
Operations .....	D	1,569,078	1,574,000	4,922

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Advance from prior year .....	NA	(589,883)	0	(— 589,883)
FY14 .....	D	0	0	0
Construction and Renovation .....	D	104,792	80,000	— 24,792
Advance from prior year .....	NA	(99,811)	0	(— 99,811)
FY14 .....	D	0	0	0
Total: Job Corps .....		1,702,947	1,683,132	— 19,815
Current Year .....		1,702,947	1,683,132	— 19,815
FY14 .....		0	0	0
Community Serv. Employment Older Americans .....	D	448,251	448,251	0
Federal Unemployment Benefits and Allowances .....	M	1,100,100	1,421,000	320,900
State Unemployment Insurance and Employment Service Operations				
Unemployment Insurance .....				
State Operations .....	TF	3,225,047	2,994,912	— 230,135
National Activities .....	TF	11,266	11,297	31
Subtotal: Unemployment Insurance .....		3,236,313	3,006,209	— 230,104
Employment Service:				
Allotments to States:				
Federal Funds .....	D	22,595	22,595	0
Trust Funds .....	TF	678,247	693,204	14,957
Subtotal: Employment Service Allotments to States .....		700,842	715,799	14,957
ES National Activities .....	TF	20,912	20,912	0
Subtotal: Employment Service .....		721,754	736,711	14,957
Federal Funds .....		22,595	22,595	0
Trust Funds .....		699,159	714,116	14,957
Foreign Labor Certification				
Program Administration .....	TF	50,323	50,323	0
State Grants .....	TF	15,070	15,070	0
Subtotal: Foreign Labor Certification .....		65,393	65,393	0
One-Stop Career Centers/Labor Market Information .....	D	63,473	63,473	0
Total: State UI and ES .....		4,086,933	3,871,786	— 215,147
Federal Funds .....		86,068	86,068	0
Trust Funds .....		4,000,865	3,785,718	— 215,147
Advances to the UI and Other Trust Funds <sup>1</sup> .....	M	171,000	0	— 171,000
Program Administration				
Adult Employment and Training .....	D	46,677	46,677	0
Trust Funds .....	TF	8,518	8,518	0
Youth Employment and Training .....	D	12,260	12,260	0
Employment Security .....	D	3,476	3,476	0
Trust Funds .....	TF	39,343	39,343	0
Apprenticeship Services .....	D	27,676	27,676	0
Executive Direction .....	D	7,048	7,048	0
Trust Funds .....	TF	2,083	2,083	0
Subtotal: Program Administration .....		147,081	147,081	0
Federal Funds .....		97,137	97,137	0
Trust Funds .....		49,944	49,944	0
Total: Employment and Training Administration .....		10,849,004	10,733,058	— 115,946
Federal Funds .....		6,798,195	6,897,396	99,201
Current Year .....		5,026,195	5,125,396	99,201
FY14 .....		1,772,000	1,772,000	0
Trust Funds .....		4,050,809	3,835,662	— 215,147
Employee Benefits Security Administration S&E				
Enforcement and Participant Assistance .....	D	145,243	145,243	0
Policy and Compliance Assistance .....	D	31,205	31,205	0
Executive Leadership, Program Oversight and Administration .....	D	6,705	6,705	0
Total: EBSA .....		183,153	183,153	0
Pension Benefit Guaranty Corporation				
Pension Insurance Activities .....	NA	(86,023)	(75,943)	(— 10,080)
Pension Plan Termination .....	NA	(243,372)	(240,611)	(— 2,761)
Operational Support .....	NA	(147,506)	(162,459)	(14,953)
Total: PBGC, program level .....		(476,901)	(479,013)	(2,112)
Enforcement of Wage and Hour Standards .....	D	227,061	235,730	8,669
Office of Labor-Management Standards .....	D	41,289	41,289	0
Federal Contractor EEO Standards Enforcement .....	D	105,187	105,187	0
Federal Programs for Workers' Compensation .....	D	115,720	115,720	0
Trust Funds .....	TF	2,120	2,120	0
Total: Federal Programs for Workers' Compensation .....		117,840	117,840	0
Federal Funds .....		115,720	115,720	0
Trust Funds .....		2,120	2,120	0
Special Benefits				
Federal employees compensation benefits .....	M	347,000	393,000	46,000

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

(\$ in 000s)

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Longshore and harbor workers' benefits	M	3,000	3,000	0
Subtotal: Special Benefits		350,000	396,000	46,000
Special Benefits for Disabled Coal Miners				
Benefit payments	M	177,000	158,000	-19,000
Administration	M	5,227	5,220	-7
Subtotal: Spec. Bens. for Disabled Coal Miners, program level		182,227	163,220	-19,007
Less funds advanced in prior year	M	-41,000	-40,000	1,000
Total, Spec. Bens. for Disabled Coal Miners, current request		141,227	123,220	-18,007
New advances, 1st quarter FY14	M	40,000	35,000	-5,000
Energy Employees Occupational Illness Compensation	M	52,147	54,962	2,815
Black Lung Disability Trust Fund				
Benefit payments and interest on advances	M	242,609	250,043	7,434
Office of Workers' Compensation, S&E	M	32,906	32,906	0
Departmental Management S&E	M	25,217	25,217	0
Departmental Management, Inspector General	M	327	327	0
Subtotal: Black Lung Disability		301,059	308,493	7,434
Treasury Adm. Costs	M	356	356	0
Total: Black Lung Disability Trust Fund		301,415	308,849	7,434
Total: Office of Workers' Compensation Programs		1,002,629	1,035,871	33,242
Federal Funds		1,000,509	1,033,751	33,242
Current Year		960,509	998,751	38,242
FY14		40,000	35,000	-5,000
Trust Funds		2,120	2,120	0
Occupational Safety and Health Administration S&E				
Safety and Health Standards	D	19,962	20,463	501
Federal Enforcement	D	207,753	207,075	-678
Whistleblower Enforcement	D	15,873	18,445	2,572
State Programs	D	104,196	104,196	0
Technical Support	D	25,819	24,880	-939
Compliance Assistance:				
Federal Assistance	D	76,355	76,355	0
State Consultation Grants	D	57,890	61,844	3,954
Training Grants	D	10,709	10,709	0
Subtotal: Compliance Assistance	D	144,954	148,908	3,954
Safety and Health Statistics	D	34,739	34,313	-426
Executive Direction and Administration	D	11,491	11,491	0
Total: OSHA		564,787	569,771	4,984
Mine Safety and Health Administration S&E				
Coal Enforcement	D	164,500	166,180	1,680
Metal/Non-Metal Enforcement	D	89,063	90,380	1,317
Standards Development	D	4,765	5,090	325
Assessments/Accountability & Special Enforcement	D	7,103	6,732	-371
Educational Policy and Development	D	38,325	34,745	-3,580
Technical Support	D	33,613	33,613	0
Program Evaluation and Information Resources (PEIR)	D	18,157	17,990	-167
Program Administration	D	17,768	18,962	1,194
Total: MSHA		373,294	373,692	398
Bureau of Labor Statistics S&E				
Employment and Unemployment Statistics	D	209,367	214,367	5,000
Labor Market Information	TF	67,176	67,176	0
Prices and Cost of Living	D	205,888	210,860	4,972
Compensation and Working Conditions	D	80,391	80,391	0
Productivity and Technology	D	12,013	12,013	0
Executive Direction and Staff Services	D	34,236	34,236	0
Total: Bureau of Labor Statistics		609,071	619,043	9,972
Federal Funds		541,895	551,867	9,972
Trust Funds		67,176	67,176	0
Office of Disability Employment Policy S&E	D	38,879	38,953	74
Departmental Management				
Salaries and Expenses				
Executive Direction	D	33,220	32,722	-498
Departmental Program Evaluation	D	8,484	8,484	0
Legal Services	D	128,877	130,938	2,061
Trust Funds	TF	325	326	1
International Labor Affairs	D	92,309	92,309	0
Administration and Management	D	30,282	29,614	-668
Adjudication	D	29,172	29,496	324
Women's Bureau	D	11,559	11,559	0
Civil Rights Activities	D	6,785	7,273	488
Chief Financial Officer	D	5,340	5,340	0
Total: DM S&E		346,353	348,061	1,708
Federal Funds		346,028	347,735	1,707
Trust Funds		325	326	1
Veterans Employment and Training				
State Administration, Grants	TF	165,081	172,000	6,919
Transition Assistance Program	TF	8,983	14,000	5,017
Federal Administration	TF	35,155	35,155	0

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
National Veterans Training Institute .....	TF	2,439	3,414	975
Homeless Veterans Program .....	D	38,185	38,185	0
Veterans Workforce Investment Programs .....	D	14,594	0	-14,594
Total: Veterans Employment and Training .....		264,437	262,754	-1,683
Federal Funds .....		52,779	38,185	-14,594
Trust Funds .....		211,658	224,569	12,911
IT Modernization				
Departmental Support Systems .....	D	11,830	7,985	-3,845
IT Infrastructure Modernization .....	D	7,985	11,830	3,845
Total: IT Modernization .....		19,815	19,815	0
Office of the Inspector General				
Program Activities .....	D	77,790	77,790	0
Trust Funds .....	TF	5,898	5,898	0
Total: Office of the Inspector General .....		83,688	83,688	0
Total: Departmental Management .....		714,293	714,318	25
Federal Funds .....		496,412	483,525	-12,887
Current Year .....		496,412	483,525	-12,887
Current Year (emergency) .....		0	0	0
FY14 .....		0	0	0
Trust Funds .....		217,881	230,793	12,912
Total: Department of Labor .....		14,708,647	14,650,065	-58,582
Federal Funds .....		10,370,661	10,514,314	143,653
Current Year .....		8,558,661	8,707,314	148,653
FY14 .....		1,812,000	1,807,000	-5,000
Trust Funds .....		4,337,986	4,135,751	-202,235
Two year availability.				
DEPARTMENT OF HEALTH & HUMAN SERVICES				
Health Resources and Services Administration .....				
Health Resources and Services .....				
Bureau of Primary Health Care .....				
Community health centers .....	D	1,566,892	1,566,892	0
Free Clinics Medical Malpractice .....	D	40	40	0
Hansen's Disease Services .....	D	16,045	16,045	0
Buildings and Facilities .....	D	128	127	-1
Payment to Hawaii, treatment of Hansen's .....	D	1,960	1,960	0
Subtotal: Bureau of Primary Health Care .....		1,585,065	1,585,064	-1
Health Professions .....				
Training for Diversity .....				
Centers of excellence .....	D	22,909	22,909	0
Health careers opportunity program .....	D	14,822	14,822	0
Faculty loan repayment .....	D	1,243	1,243	0
Scholarships for disadvantaged students .....	D	47,452	47,452	0
Subtotal: Training for Diversity .....		86,426	86,426	0
Training in Primary Care Medicine .....	D	38,962	44,481	5,519
Oral Health Training .....	D	32,392	32,392	0
Interdisciplinary Community-Based Linkages .....				
Area health education centers .....	D	27,220	27,220	0
Geriatric education .....	D	30,629	30,629	0
Mental and Behavioral Health .....	D	2,892	4,000	1,108
Subtotal: Interdisciplinary Comm. Linkages .....		60,741	61,849	1,108
Workforce information and analysis .....	D	2,782	5,000	2,218
Public health and preventive medicine training .....	D	8,111	10,111	2,000
Nursing programs .....				
Advanced Education Nursing .....	D	63,925	63,925	0
Nurse education, practice and retention .....	D	39,182	39,182	0
Nursing workforce diversity .....	D	15,819	15,819	0
Loan repayment and scholarship program .....	D	83,135	83,135	0
Comprehensive geriatric education .....	D	4,485	4,485	0
Nursing faculty loan program .....	D	24,553	24,553	0
Subtotal: Nursing programs .....		231,099	231,099	0
Subtotal: Health Professions .....		460,513	471,358	10,845
Children's Hospitals Graduate Medical Education .....	D	265,171	275,171	10,000
National Practitioner Data Bank .....	D	27,963	28,016	53
User Fees .....	D	-27,963	-28,016	-53
Subtotal: Bureau of Health Professions .....		725,684	746,529	20,845
Maternal and Child Health Bureau .....				
Maternal & Child Health Block Grant .....	D	638,646	640,098	1,452
Sickle Cell Anemia Demonstration Program .....	D	4,665	4,665	0
Traumatic Brain Injury .....	D	9,760	9,760	0
Autism and Other Developmental Disorders .....	D	47,142	47,142	0
Heritable Disorders .....	D	9,834	11,834	2,000
Healthy Start .....	D	103,532	103,532	0
Universal Newborn Hearing .....	D	18,660	18,660	0
Emergency medical services for children .....	D	21,116	21,116	0
Subtotal: Maternal and Child Health Bureau .....		853,355	856,807	3,452

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
HIV/AIDS Bureau				
Ryan White AIDS Programs				
Emergency Assistance .....	D	671,258	666,071	– 5,187
Comprehensive Care Programs .....	D	1,355,640	1,390,827	35,187
AIDS Drug Assistance Program (ADAP) .....	NA	(933,299)	(963,299)	(30,000)
Early Intervention Program .....	D	215,086	215,086	0
Children, Youth, Women & Families—Part D .....	D	77,167	77,167	0
AIDS Dental Services .....	D	13,485	13,485	0
Education and Training Centers .....	D	34,542	34,542	0
Subtotal: Ryan White AIDS programs, appropriation .....		2,367,178	2,397,178	30,000
Evaluation Tap Funding .....	NA	(25,000)	(25,000)	0
Subtotal: Ryan White AIDS programs, program level .....		2,392,178	2,422,178	30,000
Subtotal: HIV/AIDS Bureau .....		2,367,178	2,397,178	30,000
Healthcare Systems Bureau				
Organ Transplantation .....	D	24,015	24,015	0
National Cord Blood Inventory .....	D	11,887	11,887	0
Bone Marrow Program .....	D	23,330	23,330	0
Office of Pharmacy Affairs .....	D	4,472	4,472	0
340B Drug Pricing User Fees .....	D	0	6,000	6,000
User Fees .....	D	0	– 6,000	– 6,000
Poison control .....	D	18,830	18,830	0
Subtotal: Healthcare Systems Bureau .....		82,534	82,534	0
Rural Health Programs				
Rural outreach grants .....	D	55,553	55,553	0
Rural Health Research .....	D	9,866	9,866	0
Rural Hospital Flexibility Grants .....	D	41,040	41,040	0
Rural and Community Access to Emergency Devices .....	D	1,100	3,000	1,900
State Offices of Rural Health .....	D	10,036	10,036	0
Black lung clinics .....	D	7,140	7,140	0
Radiation Exposure Screening Education Program .....	D	1,935	1,935	0
Telehealth .....	D	11,502	11,502	0
Subtotal: Rural Health Programs .....		138,172	140,072	1,900
Family Planning .....	D	293,870	293,870	0
Program Management .....	D	159,894	162,517	2,623
Total: Health resources and services, appropriation .....		6,205,752	6,264,571	58,819
Evaluation Tap Funding (NA) .....		(25,000)	(25,000)	0
Total: Health resources and services, program level .....		6,230,752	6,289,571	58,819
Health Education Assistance Loans Program				
Liquidating account .....	NA	(1,000)	(1,000)	0
Program management .....	D	2,807	2,807	0
Total: HEAL .....		2,807	2,807	0
Vaccine Injury Compensation Program TF				
Post-FY88 claims .....	M	235,000	235,000	0
HRSA administration .....	D	6,477	6,477	0
Total: Vaccine Injury Compensation Trust Fund .....		241,477	241,477	0
Total: HRSA, appropriation .....		6,450,036	6,508,855	58,819
Evaluation Tap Funding (NA) .....		(25,000)	(25,000)	0
HRSA, funded in this bill .....		6,475,036	6,533,855	58,819
Prevention and Public Health Fund .....		0	0	0
Total: HRSA, program level .....		6,475,036	6,533,855	58,819
Centers for Disease Control and Prevention				
Immunization and Respiratory Diseases .....	D	576,083	525,201	– 50,882
Balances from P.L. 111 – 32 Pandemic Flu .....	NA	0	(51,049)	51,049
Evaluation Tap Funding .....	NA	(12,864)	(12,864)	0
Subtotal: Immunization and Respiratory Disease .....		588,947	589,114	167
HIV/AIDS, Viral Hepatitis, STD and TB Prevention .....	D	1,099,934	1,101,956	2,022
Emerging and Zoonotic Infectious Diseases .....	D	252,476	266,458	13,982
Chronic Disease Prevention, Health Promotion and Genomics .....	D	756,377	797,081	40,704
Birth Defects, Developmental Disabilities, Disability and Health .....	D	137,287	132,037	– 5,250
Public Health Scientific Services .....	D	143,972	129,614	– 14,358
Evaluation Tap Funding .....	NA	(247,769)	(262,127)	(14,358)
Health Information and Service, program level .....		391,741	391,741	0
Environmental Health .....	D	104,998	107,316	2,318
Injury Prevention and Control .....	D	137,693	137,693	0
National Institute for Occupational Safety and Health <sup>1</sup> .....	D	181,864	181,222	– 642
Evaluation Tap Funding .....	NA	(110,724)	(111,366)	(642)
Occupational Safety and Health, program level <sup>1</sup> .....		292,588	292,588	0
Energy Employees Occupational Illness Compensation Program .....	M	(55,358)	(55,358)	0
Global Health .....	D	347,594	353,794	6,200
Public Health Preparedness and Response .....	D	1,299,479	1,226,013	– 73,466
Balances from P.L. 11132 Pandemic Flu .....	NA	(30,000)	(154,876)	(124,876)
Public Health Preparedness and Response, Program Level .....		1,329,479	1,380,889	51,410
Buildings and Facilities .....		24,946	39,400	14,454
CDC-Wide Activities .....	D	592,967	591,500	– 1,467
Total: Centers for Disease Control, appropriation .....		5,711,028	5,644,643	– 66,385
Mandatory Funding .....		55,358	55,358	0
Discretionary Appropriation .....		5,655,670	5,589,285	– 66,385

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## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

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		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Evaluation Tap Funding (NA)		(371,357)	(386,357)	(15,000)
Balances from P.L. 11132 Pandemic Flu		(30,000)	(205,925)	(175,925)
Total: CDC, program level		6,112,385	6,236,925	124,540
National Institutes of Health				
National Cancer Institute	D	5,062,805	5,090,976	28,171
National Heart, Lung, and Blood Institute	D	3,073,329	3,090,430	17,101
National Institute of Dental & Craniofacial Research	D	409,951	412,232	2,281
Nat. Inst. of Diabetes & Digestive & Kidney Diseases	D	1,793,721	1,803,702	9,981
Juvenile Diabetes (Mandatory)	NA	(150,000)	(150,000)	0
NIDDK, program level		(1,943,721)	(1,953,702)	(9,981)
National Institute of Neurological Disorders and Stroke	D	1,623,357	1,632,390	9,033
National Institute of Allergy and Infectious Diseases	D	4,482,138	4,507,078	24,940
National Institute of General Medical Sciences	D	2,425,588	2,479,085	53,497
Nat. Inst. of Child Health and Human Development	D	1,318,954	1,326,293	7,339
National Eye Institute	D	701,413	705,316	3,903
National Institute of Environmental Health Sciences	D	684,303	688,111	3,808
National Institute on Aging	D	1,120,401	1,126,636	6,235
Nat. Inst. Arthritis & Musculoskeletal & Skin Diseases	D	534,795	537,771	2,976
Nat. Inst. on Deafness & Other Communication Disorders	D	415,504	417,816	2,312
National Institute of Nursing Research	D	144,502	145,306	804
National Institute on Alcohol Abuse and Alcoholism	D	458,669	461,221	2,552
National Institute on Drug Abuse	D	1,051,420	1,057,270	5,850
National Institute of Mental Health	D	1,477,528	1,485,749	8,221
National Human Genome Research Institute	D	512,263	515,113	2,850
National Institute of Biomedical Imaging and Bioengineering	D	337,731	339,610	1,879
National Center for Research Resources	D	0	0	0
National Center for Complementary and Alternative Medicine	D	127,820	128,531	711
National Institute on Minority Health and Health Disparities	D	275,929	277,464	1,535
John E. Fogarty International Center	D	69,493	69,880	387
National Center for Advancing Translational Sciences	D	574,334	617,830	43,496
National Library of Medicine	D	364,822	366,852	2,030
Evaluation Tap Funding	NA	(8,200)	(8,200)	0
NLM, program level		(373,022)	(375,052)	(2,030)
Office of the Director	D	1,457,181	1,465,289	8,108
Common Fund (NA)	NA	(544,930)	(547,962)	(3,032)
Buildings and Facilities	D	125,308	125,308	0
Total: National Institutes of Health, appropriation		30,623,259	30,873,259	250,000
Evaluation Tap funding (NA)		(8,200)	(8,200)	0
Total: National Institutes of Health, Program Level		30,631,459	30,881,459	250,000
Substance Abuse & Mental Health Services Adm.				
Mental Health:				
Programs of Regional and National Significance	D	275,757	290,996	15,239
Mental Health Block Grant	D	438,717	448,717	10,000
Evaluation Tap Funding	NA	(21,039)	(21,039)	0
Mental Health Block Grant, program level		459,756	469,756	10,000
State Prevention Grants	D	0	0	0
Children's Mental Health	D	117,314	117,315	1
Grants to States for the Homeless (PATH)	D	64,794	64,794	0
Protection and Advocacy	D	36,238	36,238	0
Subtotal: Mental Health, appropriation		932,820	958,060	25,240
Subtotal: Mental Health, program level		953,859	979,099	25,240
Substance Abuse Treatment:				
Programs of Regional and National Significance	D	398,243	373,568	−24,675
Evaluation Tap Funding	NA	(2,000)	(2,000)	0
Programs of Regional and National Significance, program level		400,243	375,568	−24,675
Substance Abuse Prevention Grants	D	0	0	0
Substance Abuse Block Grant	D	1,721,132	1,741,132	20,000
Evaluation Tap Funding	NA	(79,200)	(79,200)	0
Substance Abuse Block Grant, program level		1,800,332	1,820,332	20,000
Subtotal: Substance Abuse Treatment, appropriation		2,119,375	2,114,700	−4,675
Subtotal: Substance Abuse Treatment, program level		2,200,575	2,195,900	−4,675
Substance Abuse Prevention:				
Programs of Regional and National Significance	D	185,956	185,364	−592
Health Surveillance, Crosscutting Issues & Support				
Program Management	D	76,894	72,229	−4,665
Health Surveillance	D	1,996	1,996	0
Evaluation Tap Funding	NA	(27,428)	(27,428)	0
Surveillance, program level		29,424	29,424	0
Military Families	D	3,493	3,500	7
Data Requests & Publications	D	0	1,500	1,500
User Fees	D	0	−1,500	−1,500
Public Awareness and Support	D	13,545	13,545	0
Performance and Quality Information Systems	D	12,940	12,940	0
Subtotal: Health Surveillance & Support appropriation		108,868	104,210	−4,658
Subtotal: Health Surveillance & Support program level		136,296	131,638	−4,658
Total: SAMHSA, appropriation		3,347,019	3,362,334	15,315
Evaluation Tap Funding (NA)		(129,667)	(129,667)	0
Total: SAMHSA, program level		3,476,686	3,492,001	15,315
Agency for Healthcare Research and Quality				
Research on Health Costs, Quality, and Outcomes (HCQO):				
HCQO, Federal Funds	D	0	0	0
HCQO, Evaluation Tap funding	NA	(235,768)	(219,931)	(−15,837)
Subtotal: Research on Health Costs, Quality, and Outcomes		(235,768)	(219,931)	(−15,837)

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Medical Expenditure Surveys, Federal Funds .....	D	0	0	0
Medical Expenditure Surveys, Evaluation Tap Funding .....	NA	(59,300)	(60,700)	(1,400)
Program Support, Federal Funds .....	D	0	0	0
Program Support, Evaluation Tap Funding .....	NA	(73,985)	(68,422)	(— 5,563)
Total: AHRQ, appropriation .....		0	0	0
Evaluation Tap Funding .....		369,053	349,053	— 20,000
Total: AHRQ, program level .....		369,053	349,053	— 20,000
Centers for Medicare and Medicaid Services				
Grants to States for Medicaid				
Medicaid current law benefits .....	M	253,884,907	250,398,918	— 3,485,989
State and local administration .....	M	12,808,496	14,735,346	1,926,850
Vaccines for Children .....	M	4,030,996	4,271,015	240,019
Subtotal: Medicaid program level .....		270,724,399	269,405,279	— 1,319,120
Less funds advanced in prior year .....	M	— 86,445,289	— 90,614,082	— 4,168,793
Total: Grants to States for Medicaid .....		184,279,110	178,791,197	— 5,487,913
New advance, 1st quarter .....	M	90,614,082	106,335,631	15,721,549
Payments to Health Care Trust Funds				
Supplemental medical insurance .....	M	178,041,000	189,520,000	11,479,000
Hospital insurance for the uninsured .....	M	0	0	0
Federal uninsured payment .....	M	262,000	228,000	— 34,000
Program management .....	M	222,000	192,000	— 30,000
General revenue for Part D benefit .....	M	51,431,000	60,744,000	9,313,000
General revenue for Part D federal administration .....	M	475,000	424,000	— 51,000
Reimbursement for HCFAC .....	M	310,378	309,790	— 588
Subtotal: Payments to trust funds, program level .....		230,741,378	251,417,790	20,676,412
Less funds advanced in prior year .....		0	0	0
Total: Payments to trust funds, current law .....		230,741,378	251,417,790	20,676,412
Program Management				
Research, Demonstration and Evaluation .....	TF	21,160	21,160	0
Program Operations .....	TF	2,608,785	2,608,785	0
State Survey and Certification .....	TF	375,203	381,278	6,075
High Risk Insurance Pools .....	TF	44,000	44,000	0
Federal Administration .....	TF	770,963	770,964	1
Total: Program Management lim. on new BA .....		3,820,111	3,826,187	6,076
Health Care Fraud and Abuse Control				
Discretionary MIP .....	TF	219,463	219,463	0
Office of Inspector General .....	TF	29,674	29,674	0
Department of Justice .....	TF	29,674	29,674	0
Medicaid/SCHIP PERM .....	TF	30,979	30,979	0
Total: Health Care Fraud and Abuse Control .....		309,790	309,790	0
Total: Center for Medicare and Medicaid Services .....		509,764,471	540,680,595	30,916,124
Federal Funds .....		505,634,570	536,544,618	30,910,048
Current year .....		415,020,488	430,208,987	15,188,499
New advance, FY14 .....		90,614,082	106,335,631	15,721,549
Trust Funds .....		4,129,901	4,135,977	6,076
Administration for Children and Families				
Family Support Payments to States				
Payments to territories .....	M	33,000	33,000	0
Repatriation .....	M	1,000	1,000	0
Subtotal: Welfare payments .....		34,000	34,000	0
Child Support Enforcement:				
State and local administration .....	M	3,780,819	3,272,647	— 508,172
Federal incentive payments .....	M	526,158	539,838	13,680
Access and visitation .....	M	10,000	10,000	0
Subtotal: Child Support Enforcement .....		4,316,977	3,822,485	— 494,492
Total: Family support payments, program level .....		4,350,977	3,856,485	— 494,492
Less funds advanced in previous years .....	M	— 1,200,000	— 1,100,000	100,000
Total: Family support payments, current year .....		3,150,977	2,756,485	— 394,492
New advance, 1st quarter, FY14 .....	M	1,100,000	1,100,000	0
Low Income Home Energy Assistance Program				
Formula grants (non-emergency) .....	D	3,471,672	3,471,672	0
Refugee and Entrant Assistance				
Transitional and Medical Services .....	D	323,195	412,875	89,680
Victims of Trafficking .....	D	9,775	9,775	0
Social Services .....	D	124,305	153,407	29,102
Preventive Health .....	D	4,730	4,730	0
Targeted Assistance .....	D	28,073	48,401	20,328
Unaccompanied Alien Children .....	D	267,211	363,767	96,556
Victims of Torture .....	D	11,045	11,045	0
Total: Refugee and Entrant Assistance .....		768,334	1,004,000	235,666
Child Care and Development Block Grant .....	D	2,278,313	2,388,313	110,000
Social Services Block Grant (Title XX) .....	M	1,700,000	1,700,000	0
Children and Family Services Programs				
Programs for Children, Youth and Families:				
Head Start, current funded .....	D	7,968,544	8,018,544	50,000



## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Consolidated Runaway, Homeless Youth Prog. ....	D	97,355	97,355	0
Prevention Grants to Reduce Abuse of Runaway Youth .....	D	17,901	17,901	0
Child Abuse State Grants .....	D	26,432	26,432	0
Child Abuse Discretionary Activities .....	D	25,744	28,744	3,000
Community Based Child Abuse Prevention .....	D	41,527	41,527	0
Abandoned Infants Assistance .....	D	11,553	11,553	0
Child Welfare Services .....	D	280,650	280,650	0
Child Welfare Training .....	D	26,092	26,092	0
Adoption Opportunities .....	D	39,179	39,179	0
Adoption Incentives .....	D	39,346	39,346	0
Social Services and Income Maintenance Research .....	D	0	0	0
Evaluation Tap Funding .....	NA	(5,762)	5,762	0
Native American Programs .....	D	48,583	48,583	0
Community Services:				
Community Services Block Grant Act:				
Grants to States for Community Services .....	D	677,358	677,358	0
Economic Development .....	D	29,943	34,943	5,000
Rural Community Facilities .....	D	4,981	5,981	1,000
Subtotal: CSBG Act .....		712,282	718,282	6,000
Individual Development Account Initiative .....	D	19,869	17,000	-2,869
Subtotal: Community Services .....		732,151	735,282	3,131
Domestic Violence Hotline .....	D	3,197	4,500	1,303
Family Violence/Battered Women's Shelters .....	D	129,547	135,000	5,453
Independent Living Training Vouchers .....	D	45,174	45,174	0
Faith-Based Center .....	D	1,370	1,370	0
Disaster Human Services Case Management .....	D	1,992	1,992	0
Program Direction .....	D	198,645	201,645	3,000
Total: Children and Family Services Programs, appropriation .....		9,734,982	9,800,869	65,887
Current Year .....		9,734,982	9,800,869	65,887
Evaluation Tap Funding (NA) .....		(5,762)	(5,762)	0
Total: Children and Family Services Programs, program level .....		9,740,744	9,806,631	65,887
Promoting Safe and Stable Families .....	M	345,000	345,000	0
Discretionary Funds .....	D	63,065	63,065	0
Payments for Foster Care and Permanency:				
Foster Care .....	M	4,288,000	4,143,000	-145,000
Adoption Assistance .....	M	2,495,000	2,537,000	42,000
Independent living .....	M	140,000	140,000	0
Kinship Guardianship .....	M	80,000	90,000	10,000
Total: Payments to States .....		7,003,000	6,910,000	-93,000
Less Advances from Prior Year .....	M	-1,850,000	-2,100,000	-250,000
Total: Current year .....		5,153,000	4,810,000	-343,000
New Advance, 1st quarter .....	M	2,100,000	2,200,000	100,000
Total: Administration for Children and Families, appropriation .....		29,865,343	29,639,404	-225,939
Current Year .....		26,665,343	26,339,404	-325,939
Evaluation Tap Funding (NA) .....		(5,762)	(5,762)	0
Total: Administration for Children and Families, program level .....		29,871,105	29,645,166	-225,939
Total: Administration for Children and Families, discretionary .....		16,316,366	16,727,919	411,553
Administration for Community Living				
Aging and Disability Services Programs				
Grants to States:				
Supportive Services and Centers .....	D	366,916	366,916	0
Preventive Health .....	D	20,944	20,944	0
Protection of Vulnerable Older Americans—Title VII .....	D	21,798	21,798	0
Family Caregivers .....	D	153,621	153,621	0
Native American Caregivers Support .....	D	6,376	6,364	-12
Subtotal: Caregivers .....		159,997	159,985	-12
Nutrition:				
Congregate Meals .....	D	439,070	439,070	0
Home Delivered Meals .....	D	216,830	216,830	0
Nutrition Services Incentive program .....	D	160,389	160,389	0
Subtotal: Nutrition .....		816,289	816,289	0
Grants for Native Americans .....	D	27,601	27,601	0
Aging Network Support Activities .....	D	7,873	7,873	0
Alzheimer's Disease Demonstrations .....	D	4,010	4,010	0
Lifespan Respite Care .....	D	2,490	2,490	0
Adult Protective Services Demonstrations .....	D	0	5,000	5,000
Senior Medicare Patrol Program .....	D	9,402	9,402	0
Elder Rights Support Activities .....	D	4,088	4,088	0
Aging & Disability Resource Centers .....	D	6,457	6,457	0
State Health Insurance Program (SHIPs) .....	TF	52,115	52,115	0
Developmental Disabilities Programs:				
State Councils .....	D	74,774	74,774	0
Protection and Advocacy .....	D	40,865	40,865	0
Voting Access for Individuals with Disabilities .....	D	5,235	5,235	0
Developmental Disabilities Projects of National Significance .....	D	8,317	8,317	0
University Ctrs. for Excellence in Developmental Disabilities .....	D	38,792	38,792	0
Subtotal: Developmental Disabilities Programs .....		167,983	167,983	0
Program Administration .....	D	29,311	29,652	341
Total: Administration for Community Living .....		1,697,274	1,702,603	5,329
Federal Funds .....		1,645,159	1,650,488	5,329

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Trust Funds .....		52,115	52,115	0
Administration for Community Living Program Level .....		1,697,274	1,702,603	5,329
Office of the Secretary				
General Departmental Management				
Federal Funds .....	D	218,262	223,253	4,991
Trust Funds .....	TF	0	0	0
Subtotal .....		218,262	223,253	4,991
Teen Pregnancy Prevention .....	D	104,592	104,592	0
Eval Tap .....	NA	(8,455)	(8,455)	0
Subtotal .....		113,047	113,047	0
Minority Health .....	D	55,782	55,782	0
Abstinence Education .....	D	4,991	5,000	9
Office of Women's Health .....	D	33,682	29,120	-4,562
Minority HIV/AIDS .....	D	53,681	53,681	0
Embryo Adoption Awareness Campaign .....	D	1,996	1,996	0
Planning and Evaluation (Eval Tap) .....	NA	(60,756)	(60,756)	0
Total: General Department Management .....		542,197	542,635	438
Federal Funds .....		472,986	473,424	438
Evaluation Tap .....		(69,211)	(69,211)	0
Trust Funds .....		0	0	0
Office of Medicare Hearings and Appeals .....	TF	72,011	79,908	7,897
Office of the Nat'l Coord. for Health IT .....	D	16,415	16,415	0
Evaluation Tap Funding .....	NA	(44,811)	(49,842)	(5,031)
Health Information Technology, program level .....		(61,226)	(66,257)	(5,031)
Office of the Inspector General				
Federal Funds .....	D	50,083	55,483	5,400
HIPAA funding (NA) .....	NA	(196,090)	(196,669)	(579)
Evaluation Tap Funding .....	NA	0	0	0
Total: Office of the Inspector General, appropriation .....		50,083	55,483	5,400
Total: Office of the Inspector General, program level .....		(246,173)	(252,152)	(5,979)
Office for Civil Rights				
Federal Funds .....	D	40,938	38,966	-1,972
Trust Funds .....	TF	0	0	0
Total: Office for Civil Rights .....		40,938	38,966	-1,972
Trust Funds .....		0	0	0
Federal Funds .....		40,938	38,966	-1,972
Medical Benefits for Commissioned Officers				
Retirement payments .....	M	375,016	395,452	20,436
Survivors benefits .....	M	28,350	31,043	2,693
Dependents' medical care .....	M	93,984	100,656	6,672
Total: Medical benefits for commissioned officers .....		497,350	527,151	29,801
Public Health and Social Service Emergency Fund				
Asst. Sec. for Preparedness & Response:				
Operations .....	D	32,982	32,982	0
Preparedness & Emergency Operations .....	D	29,583	24,647	-4,936
National Disaster Medical System .....	D	52,735	52,390	-345
Hospital Preparedness .....	D	374,650	323,004	-51,646
ESARVHP .....	D	4,989	4,990	1
Biomedical Advanced Research & Development .....	D	415,000	445,000	30,000
Medical Countermeasure Strategic Investor .....	D	0	15,000	15,000
Medical Countermeasure Dispensing .....	D	0	5,000	5,000
Policy, Strategic Planning & Communications .....	D	15,674	15,164	-510
Subtotal: ASPR .....		925,613	918,177	-7,436
Assistant Sec. for Administration/Cyber-Security .....	D	39,924	40,000	76
Assistant Secretary for Health/Medical Reserve Corps .....	D	11,247	10,971	-276
Office of the Secretary:				
HHS Lease Replacement .....	D	0	17,000	17,000
Office of Security & Strategic Information .....	D	6,448	7,428	980
Subtotal: OS appropriation .....		6,448	24,428	17,980
Total: PHSSEF appropriation .....		983,232	993,576	10,344
Total: Office of the Secretary .....		2,133,015	2,184,923	51,908
Federal Funds .....		2,061,004	2,105,015	44,011
Trust Funds .....		72,011	79,908	7,897
Total: Department of Health and Human Services .....		589,591,445	620,596,616	31,005,171
Federal Funds .....		585,337,418	616,328,616	30,991,198
Current year .....		491,523,336	506,692,985	15,169,649
FY14 advance .....		93,814,082	109,635,631	15,821,549
Trust Funds .....		4,254,027	4,268,000	13,973

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FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Includes Mine Safety and Health				
DEPARTMENT OF EDUCATION				
Education for the Disadvantaged				
Grants to Local Educational Agencies (LEAs)				
Basic Grants				
Advance from prior year .....	NA	(2,956,911)	(2,962,510)	(5,599)
Forward funded .....	D	3,611,410	3,611,410	0
Current funded .....	D	3,984	3,984	0
Subtotal: Basic Grants, current year approp. ....		3,615,394	3,615,394	0
Subtotal: Basic Grants, total .....		(6,572,305)	(6,577,904)	(5,599)
Basic Grants FY14 Advance .....	D	2,962,510	2,962,510	0
Subtotal: Basic Grants, program level .....		6,577,904	6,577,904	0
Concentration Grants				
Advance from prior year .....	NA	(1,359,726)	(1,362,301)	(2,575)
FY14 Advance .....	D	1,362,301	1,362,301	0
Subtotal: Concentration Grants, program level .....		1,362,301	1,362,301	0
Targeted Grants				
Advance from prior year .....	NA	(3,252,025)	(3,258,183)	(6,158)
Forward Funded .....	D	29,943	92,443	62,500
FY14 Advance .....	D	3,258,183	3,258,183	0
Subtotal: Targeted Grants, program level .....		3,288,126	3,350,626	62,500
Education Finance Incentive Grants				
Advance from prior year .....	NA	(3,252,025)	(3,258,183)	(6,158)
Forward Funded .....	D	29,943	92,443	62,500
FY14 Advance .....	D	3,258,183	3,258,183	0
Subtotal: Education Finance Incentive Grants, program level .....		3,288,126	3,350,626	62,500
Subtotal: Grants to LEAs (program level) .....		14,516,457	14,641,457	125,000
School Improvement Grants .....	D	533,552	533,552	0
Striving Readers .....	D	159,698	159,698	0
State Agency Programs:				
Migrant .....	D	393,236	393,236	0
Neglected and Delinquent/High Risk Youth .....	D	50,231	50,231	0
Evaluation .....	D	3,194	3,100	—94
High School Graduation Initiative .....	D	48,809	48,809	0
Special Programs for Migrant Students .....	D	36,526	36,526	0
Total: Education for the Disadvantaged .....		15,741,703	15,866,609	124,906
Current Year .....		4,900,526	5,025,432	124,906
FY14 .....		10,841,177	10,841,177	0
Subtotal: Forward Funded .....		4,808,013	4,933,013	125,000
Impact Aid				
Basic Support Payments .....	D	1,153,540	1,173,540	20,000
Payments for Children with Disabilities .....	D	48,413	48,413	0
Facilities Maintenance (Sec. 8008) .....	D	4,845	4,845	0
Construction (Sec. 8007) .....	D	17,441	17,441	0
Payments for Federal Property (Sec. 8002) .....	D	66,947	66,947	0
Total: Impact Aid .....		1,291,186	1,311,186	20,000
School Improvement Programs				
State Grants for Improving Teacher Quality .....	D	785,126	785,126	0
Advance from prior year .....	NA	(1,678,263)	(1,681,441)	(3,178)
FY14 .....	D	1,681,441	1,681,441	0
State Grants for Improving Teacher Quality, program level .....		2,466,567	2,466,567	0
Mathematics and Science Partnerships .....	D	149,716	149,716	0
Supplemental Education Grants .....	D	17,619	17,619	0
21st Century Community Learning Centers .....	D	1,151,673	1,151,673	0
State Assessments/Enhanced Assessment Instruments .....	D	389,214	389,214	0
Education for Homeless Children & Youth .....	D	65,173	65,173	0
Training and Advisory Services (Civil Rights) .....	D	6,962	6,962	0
Education for Native Hawaiians .....	D	34,181	34,181	0
Alaska Native Education Equity .....	D	33,185	33,185	0
Rural Education .....	D	179,193	188,693	9,500
Comprehensive Centers .....	D	51,113	51,113	0
Total: School improvement programs .....		4,544,596	4,554,096	9,500
Current Year .....		2,863,155	2,872,655	9,500
FY14 .....		1,681,441	1,681,441	0
Subtotal: Forward funded .....		2,720,095	2,729,595	9,500
Indian Education				
Grants to Local Educational Agencies .....	D	105,921	105,921	0
Federal Programs:				
Special Programs for Indian Children .....	D	18,986	18,986	0
National Activities .....	D	5,872	5,872	0
Subtotal: Federal Programs .....		24,858	24,858	0
Total: Indian Education .....		130,779	130,779	0
Innovation and Improvement				
Race to the Top .....	D	548,960	549,284	324
Investing in Innovation .....	D	149,417	149,417	0
Transition to Teaching .....	D	26,054	18,200	—7,854
School Leadership .....	D	29,107	14,097	—15,010
Charter Schools Grants .....	D	254,836	254,836	0
Magnet Schools Assistance .....	D	96,733	96,733	0
Fund for the Improvement of Education (FIE) .....	D	65,776	79,220	13,444
Teacher Incentive Fund, current funded .....	D	299,433	299,433	0
Ready-to-Learn Television .....	D	27,194	27,194	0

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Advanced Placement .....	D	30,027	36,027	6,000
Total: Innovation and Improvement .....		1,527,537	1,524,441	−3,096
Safe Schools and Citizenship Education				
Promise Neighborhoods .....	D	59,887	80,000	20,113
National Activities .....	D	64,877	48,600	−16,277
Elementary and Secondary School Counseling .....	D	52,296	52,296	0
Carol M. White Physical Education Program .....	D	78,693	78,693	0
Total: Safe Schools and Citizenship Education .....		255,753	259,589	3,836
English Language Acquisition				
Current funded .....	D	47,589	47,589	0
Forward funded .....	D	684,555	684,555	0
Total: English Language Acquisition .....		732,144	732,144	0
Special Education				
State Grants				
Grants to States Part B .....	D	2,294,472	2,434,472	140,000
Advance from prior year .....	NA	(8,576,143)	(9,283,383)	(707,240)
FY14 .....	D	9,283,383	9,283,383	0
Grants to States, program level .....		11,577,855	11,717,855	140,000
Preschool Grants .....	D	372,646	372,646	0
Grants for Infants and Families .....	D	442,710	452,710	10,000
Subtotal: State grants, program level .....		12,393,211	12,543,211	150,000
IDEA National Activities (current funded):				
State Personnel Development .....	D	43,917	45,011	1,094
Technical Assistance and Dissemination .....	D	54,781	54,781	0
Personnel Preparation .....	D	88,299	86,205	−2,094
Parent Information Centers .....	D	28,917	29,917	1,000
Technology and Media Services .....	D	29,588	29,588	0
Subtotal: IDEA National Activities .....		245,502	245,502	0
Special Olympics Education Programs .....	D	0	0	0
Promoting Readiness of Minors in SSI (PROMISE) .....	D	1,996	1,996	0
Total: Special Education .....		12,640,709	12,790,709	150,000
Current Year .....		3,357,326	3,507,326	150,000
FY14 .....		9,283,383	9,283,383	0
Subtotal: Forward funded .....		3,109,828	3,259,828	150,000
Rehabilitation Services and Disability Research				
Vocational Rehabilitation State Grants .....	M	3,121,712	3,230,972	109,260
Discretionary modification .....	NA	0	0	0
Vocational Rehabilitation State Grants, Program Level .....		3,121,712	3,230,972	109,260
Client Assistance State grants .....	D	12,240	12,240	0
Training .....	D	35,515	35,515	0
Demonstration and training programs .....	D	5,325	6,075	750
Migrant and seasonal farmworkers .....	D	1,262	1,262	0
Protection and advocacy of individual rights (PAIR) .....	D	18,031	18,031	0
Supported employment State grants .....	D	29,068	29,068	0
Independent living:				
State grants .....	D	23,359	23,359	0
Centers .....	D	79,953	79,953	0
Services for older blind individuals .....	D	34,018	34,018	0
Subtotal: Independent living .....		137,330	137,330	0
Helen Keller National Center for Deaf/Blind Youth and Adults .....	D	9,145	9,145	0
National Institute on Disability and Rehab. Research (NIDRR) .....	D	108,817	106,817	−2,000
Assistive Technology .....	D	32,836	37,771	4,935
Subtotal: Discretionary Programs .....		389,569	393,254	3,685
Total: Rehabilitation Services .....		3,511,281	3,624,226	112,945
Special Institutions for Persons with Disabilities				
American Printing House for the Blind .....	D	24,505	24,505	0
National Technical Institute for the Deaf				
Operations .....	D	65,422	65,422	0
Construction .....	D	0	0	0
Subtotal: NTID .....		65,422	65,422	0
Gallaudet University				
Operations .....	D	117,541	117,541	0
Construction .....	D	7,975	7,000	−975
Subtotal, Gallaudet .....		125,516	124,541	−975
Total: Special Institutions for Persons with Disabilities .....		215,443	214,468	−975
Career, Technical and Adult Education				
Career and Technical Education				
State Grants:				
State grants, current funded .....	D	332,030	332,030	0
Advance from prior year .....	NA	(789,505)	(791,000)	(1,495)
FY14 .....	D	791,000	791,000	0
State Grants, program level .....		1,123,030	1,123,030	0
National Programs .....	D	7,829	7,829	0
Subtotal: Career and Technical Education .....		1,130,859	1,130,859	0
Adult Education:				
State Grants/Adult basic and literacy education				
State Grants .....	D	594,993	594,993	0

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

[\$ in 000s]

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
National Programs				
National Leadership Activities .....	D	11,302	11,302	0
Subtotal: National programs .....		11,302	11,302	0
Subtotal: Adult Education .....		606,295	606,295	0
Total: Career, Technical and Adult education .....		1,737,154	1,737,154	0
Current Year .....		946,154	946,154	0
FY14 .....		791,000	791,000	0
Subtotal: Forward funded .....		946,154	946,154	0
Student Financial Assistance				
Pell Grants—maximum grant .....	NA	(4,860)	(4,860)	0
Pell Grants .....	D	22,824,000	22,824,000	0
Federal Supplemental Educational Opportunity Grants .....	D	734,599	734,599	0
Federal Work Study .....	D	976,682	976,682	0
Total: Student Financial Assistance .....		24,535,281	24,535,281	0
Student Aid Administration				
Administrative Costs .....	D	675,750	711,618	35,868
Servicing activities .....	D	367,637	393,745	26,108
Total: Student Aid Administration .....		1,043,387	1,105,363	61,976
Higher Education				
Aid for Institutional Development:				
Strengthening Institutions .....	D	80,623	80,623	0
Hispanic Serving Institutions .....	D	100,432	100,432	0
Promoting Postbaccalaureate Opp. For Hispanic Americans .....	D	9,011	9,011	0
Strengthening Historically Black Colleges (HBCUs) .....	D	227,980	227,980	0
Strengthening Historically Black Graduate Insts. ....	D	58,958	58,958	0
Strengthening Predominately Black Insts. ....	D	9,262	9,262	0
Asian American Pacific Islander .....	D	3,119	3,119	0
Strengthening Alaska Native/Native Hawaiian-Serving Insts. ....	D	12,859	12,859	0
Strengthening Native American Non-tribal Colleges .....	D	3,119	3,119	0
Strengthening Tribal Colleges .....	D	25,713	25,713	0
Subtotal: Aid for Institutional development .....		531,076	531,076	0
International Education and Foreign Language:				
Domestic Programs .....	D	66,586	67,432	846
Overseas Programs .....	D	7,451	7,451	0
Subtotal: International Ed and Foreign Language .....		74,037	74,883	846
Fund for the Improvement of Postsec. Ed. (FIPSE) .....	D	3,494	29,494	26,000
Postsecondary Programs for Students with Intellectual Disabilities .....	D	10,957	10,957	0
Minority Science and Engineering Improvement .....	D	9,466	9,466	0
Tribally Controlled Postsec Vocational and Technical Institutions .....	D	8,131	8,131	0
Federal TRIO Programs .....	D	839,932	854,932	15,000
GEAR UP .....	D	302,244	302,244	0
Graduate Assistance in Areas of National Need .....	D	30,909	30,909	0
Teacher Quality Partnership .....	D	42,833	42,833	0
Child Care Access Means Parents in School .....	D	15,970	15,970	0
GPRA data/HEA program evaluation .....	D	607	607	0
Total: Higher Education .....		1,869,656	1,911,502	41,846
Howard University				
Academic Program .....	D	201,637	201,637	0
Endowment Program .....	D	3,593	3,593	0
Howard University Hospital .....	D	28,834	28,834	0
Total: Howard University .....		234,064	234,064	0
College Housing and Acad. Facilities Loans (CHAFL)	D	459	459	0
HBCU Capital Financing Program				
Federal Admin .....	D	352	352	0
Loan Subsidies .....	D	20,150	20,150	0
Total: HBCU Capital Financing Program .....		20,502	20,502	0
Institute of Education Sciences				
Research, development and dissemination .....	D	189,787	189,787	0
Statistics .....	D	108,748	112,748	4,000
Regional Educational Laboratories .....	D	57,426	57,426	0
Research in Special Education .....	D	49,905	49,905	0
Special Education Studies and Evaluations .....	D	11,415	11,415	0
Statewide Data Systems .....	D	38,077	38,077	0
Assessment:				
National Assessment .....	D	129,616	124,616	–5,000
National Assessment Governing Board .....	D	8,690	7,690	–1,000
Subtotal: Assessment .....		138,306	132,306	–6,000
Total: IES .....		593,664	591,664	–2,000
Departmental Management				
Program Administration				
Salaries and Expenses .....	D	446,259	446,259	0
Building Modernization .....	D	0	2,211	2,211
Subtotal: Program Administration .....		446,259	448,470	2,211
Office for Civil Rights .....	D	102,624	102,624	0
Office of the Inspector General .....	D	59,820	59,820	0
Total: Departmental Management .....		608,703	610,914	2,211
Total: Department of Education .....		71,234,001	71,755,150	521,149

## FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued

(\$ in 000s)

		FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Current Year .....		48,637,000	49,158,149	521,149
FY14 .....		22,597,001	22,597,001	0
<b>RELATED AGENCIES</b>				
Committee for Purchase from People who are Blind or Severely Disabled .....	D	5,375	5,375	0
Corporation for National and Community Service (CNCS)				
Domestic Volunteer Service Programs				
Volunteers in Service to America (VISTA) .....	D	94,820	94,820	0
National Senior Volunteer Corps:				
Foster Grandparents Program .....	D	110,565	110,565	0
Senior Companion Program .....	D	46,722	46,722	0
Retired Senior Volunteer Program .....	D	50,204	50,204	0
Subtotal: Senior Volunteers .....		207,491	207,491	0
Subtotal: Domestic Volunteer Service Programs .....		302,311	302,311	0
<b>National and Community Service Programs</b>				
AmeriCorps Grants .....	D	344,348	344,348	0
Disability Placement Funds .....	D	0	0	0
Innovation, Assistance, and Other Activities .....	D	53,280	53,014	-266
Evaluation .....	D	2,994	3,994	1,000
National Civilian Community Corps .....	D	31,882	30,742	-1,140
State Commission Grants .....	D	15,437	15,437	0
Subtotal: National and Community Service Programs .....		447,941	447,535	-406
Total, Operating Expenses .....		750,252	749,846	-406
Payment to the National Service Trust .....	D	211,797	208,744	-3,053
CNCS, Salaries and Expenses .....	D	82,843	85,886	3,043
Office of the Inspector General .....	D	3,992	5,400	1,408
Total: Corporation for National and Community Service .....		1,048,884	1,049,876	992
<b>Corporation for Public Broadcasting</b>				
Budget Year +2 (Current Request) .....	D	445,000	445,000	0
Budget Year +1 .....	NA	(445,000)	(445,000)	0
Budget Year .....	NA	(444,159)	(445,000)	(841)
Federal Mediation and Conciliation Service .....	D	46,163	46,163	0
Federal Mine Safety and Health Review Commission .....	D	17,604	17,000	-604
Institute of Museum and Library Services .....	D	231,954	231,954	0
Medicaid and CHIP Payment and Access Commission .....	D	5,989	7,500	1,511
Medicare Payment Advisory Commission .....	TF	11,778	11,778	0
National Council on Disability .....	D	3,258	3,258	0
National Health Care Workforce Commission .....	D	0	0	0
National Labor Relations Board .....	D	278,306	278,306	0
National Mediation Board .....	D	13,411	13,411	0
Occupational Safety and Health Review Commission .....	D	11,667	11,667	0
Railroad Retirement Board				
Dual Benefits Payments Account .....	D	50,904	45,000	-5,904
Less Income Tax Receipts on Dual Benefits .....	D	-2,000	-3,000	-1,000
Subtotal: Dual Benefits .....		48,904	42,000	-6,904
Federal Payment to the RR Retirement Account .....	M	150	150	0
Limitation on Administration .....	TF	108,649	111,149	2,500
Inspector General .....	TF	8,155	8,155	0
<b>Social Security Administration</b>				
Payments to Social Security Trust Funds .....	M	20,404	20,402	-2
Supplemental Security Income				
Federal benefit payments .....	M	47,557,000	54,245,000	6,688,000
Beneficiary services .....	M	47,000	0	-47,000
Research and demonstration .....	M	7,998	17,000	9,002
Administration .....	D	3,611,552	4,061,552	450,000
Subtotal: SSI program level .....		51,223,550	58,323,552	7,100,002
Less funds advanced in prior year .....	M	-13,400,000	-18,200,000	-4,800,000
Total: SSI, current request .....		37,823,550	40,123,552	2,300,002
<b>New advance, 1st quarter, FY12</b>				
Limitation on Administrative Expenses				
OASDI Trust Funds .....	TF	5,320,028	4,870,028	-450,000
HI/SMI Trust Funds .....	TF	2,089,794	2,089,794	0
Social Security Advisory Board .....	TF	2,146	2,146	0
Acquisition Workforce Capacity & Capabilities .....	D	0	0	0
SSI .....	TF	3,123,576	3,573,576	450,000
Subtotal: Regular LAE .....		10,535,544	10,535,544	0
<b>Program Integrity Funding:</b>				
OASDI Trust Funds .....	TF	268,076	268,076	0
SSI .....	TF	487,976	487,976	0
Subtotal: Program Integrity Funding .....		756,052	756,052	0
SSI User Fee Activities .....	D	153,596	170,000	16,404
SSPA User Fee Activities .....	D	998	1,000	2
Total: LAE .....		11,446,190	11,462,596	16,406
Office of Inspector General				
Federal Funds .....	D	28,887	28,887	0
Trust Funds .....	TF	73,396	75,396	2,000
Total: Office of Inspector General .....		102,283	104,283	2,000
Federal Funds .....		28,887	28,887	0
Trust Funds .....		73,396	75,396	2,000
Adjustment: Trust fund transfers from general revenues .....	TF	-3,611,552	-4,061,552	-450,000

FY 2013 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS—Continued  
(\$ in 000s)

	FY 2012 Comparable	Harkin Amend- ment	Harkin Amendment versus FY12*
Total: Social Security Administration .....	63,980,875	66,949,281	2,968,406
Federal funds .....	56,227,435	59,643,841	3,416,406
Current year .....	38,027,435	40,343,841	2,316,406
New advances, 1st quarter .....	18,200,000	19,300,000	1,100,000
Trust funds .....	7,753,440	7,305,440	- 448,000
Total: Related agencies .....	66,266,122	69,232,023	2,965,901
Federal Funds .....	58,384,100	61,795,501	3,411,401
Current Year .....	39,739,100	42,050,501	2,311,401
2013 Advance .....	18,200,000	19,300,000	1,100,000
2014 Advance .....	445,000	445,000	0
Trust Funds .....	7,882,022	7,436,522	- 445,500
Emergency Appropriations .....	0	0	0

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I wish to speak on the bill and comment on the amendment.

First of all, I want to say to the Senator from Iowa how much I admire him and the fantastic job he has done on behalf of the poor, people who didn't have health care, and the disabled people who had no voice in Washington. I want the Senator to know I am so sorry he is retiring. I really am. The Senator is neither shy nor retiring in the leadership role he played and the very pragmatic solutions he came up with over the years.

If I may ask, how long has the Senator chaired the subcommittee on Labor-HHS?

Mr. HARKIN. Before I respond specifically to the question, let me also state how proud I am of the Senator from Maryland and her long service, now the longest serving woman in the history of the Senate, and her devotion to the underprivileged, to those who lack a voice and a vote in the Senate. There is no one stronger for them than the Senator from Maryland.

It has been a pleasure of mine to work with the Senator through all these years. I can honestly say I don't remember any time we have ever disagreed on anything.

Ms. MIKULSKI. The Senator is correct. If I might comment back, we sound like two war horses at the VFW Hall. The next thing, if it wasn't prohibited, we would be doing shooters on the Senate floor.

Mr. HARKIN. I appreciate the Senator's sentiments. One of the things which makes me feel comfortable about retiring is knowing this committee is left in good hands, and I mean that, really good hands.

To answer the Senator's question, I have been either chair or ranking member of this subcommittee since

1989. When the Democrats were in charge I was chair up until 1995, and then Senator Specter was chair from then until 2001. Following that, I became chair for about a year and a half or two. It went back to Republicans, and I picked it back up again in 2007. Since 1989, I was chairman or ranking member of the subcommittee.

Ms. MIKULSKI. This would be, in 2014, essentially the Senator's diamond jubilee, 25 years.

Mr. HARKIN. Yes.

Ms. MIKULSKI. We could exchange a lot of things about diamonds, but that would be quite a benchmark.

This is what I am going to say: What we would like to do is return to regular order where the Senator could have brought his bill to the floor all by itself—not in the midst of a threat of a showdown, shutdown, lockdown. He could have brought it up with his ranking member. Now you have the Senator from Kansas, Mr. MORAN, and we have open, public debate, transparent, going through category after category: education, special education, funding for the National Institutes of Health, the Department of Labor, all of those things.

The Senator's subcommittee is one of the most robust, other than defense, and second in size in expenditure. It funds the entire Department of Labor, the entire Department of Education, and the entire Department of Health and Human Services. Under that, there are spectacular agencies and independent agencies, such as the Social Security Administration, which is literally headquartered in my hometown of Baltimore.

It has, I would say, 40 percent of the domestic expenditures which meet compelling human need. It also funds the kinds of programs we need for the workforce of the future and our research of the future.

The Senator deserves to have his day. Anyone who wishes to analyze it, scru-

tinize it, amend it, improve it from both sides of the aisle should do this.

I say to my colleague, what I want to do is get this bill through this Senate, working with my colleague Senator SHELBY, who has been my ranking member over the years and who is so well versed on the agreement. Essentially, the ideal situation would have been regular order where we would have passed our bills before October 1. You could have been on the Senate floor.

Now we are in something called a continuing resolution where the entire Federal Government is in one package. Everybody is trying to parse it, understand it, and they should. This is not the way to govern. We shouldn't be threatened with these deadlines and kind of an ultimatum-type situation.

We are going to try to do the best we can. The Senator has made his point and done it robustly. He produced a great bill, along with Senator SHELBY, in terms of coming out of the subcommittee, and then fashioned it. It is not only great on content, policy, but it has the sense of receiving value for the dollar as well and keeps an eye on that.

At the same time, we were able to fashion a bipartisan agreement, but you couldn't move the bill. Here we are now into this larger issue. My job is to get this bill through the Senate, working with Senator SHELBY. This is our job.

I am going to say to Senator HARKIN and to all Members on both sides of the aisle, we need to get back to regular order. We can't be doing big bills nobody understands, that everybody is suspicious of. We need to be able to do this the way the founders of the Appropriations Committee wanted us to, committee by committee, out in the open, with full and open debate where we could focus on the content. When we bring Commerce-Justice-Science,

we can focus on the Justice Department, focus on Federal law enforcement, and focus on science programs.

We can look at Labor-HHS, which has such an enormous labor impact on our economy and an impact on the future of our economy. Remember, research and development, the workforce of the future, through education, Pell Grants, are all of the great things on this bill.

As the Senator proposes this amendment and the Senate works its will on this amendment, I want to say get the job done. Let's get the bill passed and then let's solve the sequester problem, which has a Draconian shield hold over us. Let's get rid of brinkmanship, shutdown, showdown politics.

Let's return to our regular order where we may produce bills, debate them in the full sunshine of the Senate—and not only do a good job, but the American people can understand what we are doing. There aren't just views on policy. This is America. That is what a democracy is and what a parliamentary body is. We should be able to bring process and procedure. This means following a regular order with our legislation.

I thank the subcommittee chairman, Senator HARKIN, for his advocacy in the last 2 years. He and Senator SHELBY worked together to produce a great bill. We are where we are, and I hope we do all we can to pass the bill and return to regular order.

THE PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Alabama.

Mr. SHELBY. Madam President, I would be remiss, while we are on the Senate floor, as I was thinking about Senator HARKIN, Senator MIKULSKI, both senior Members—she is the chairperson of the Senate Appropriations Committee where I have had the privilege to serve a number of years. We all go back to our House days. That is where I first met Senator HARKIN. He was a couple of years younger then, and so was I. Senator MIKULSKI and I were on the same committees over there. Senator HARKIN came to the Senate a couple of years before we did. We have been involved together on the issues and against each other and so forth, but we stayed friends. And I think Senator HARKIN is absolutely right. Senator MIKULSKI is very on point on regular order; that what we are trying to do on the Appropriations Committee—and this is a big start here—is to go back to the way we used to do things—regular order. We would have our spirited debates—and they were spirited—in the subcommittees of Appropriations, the full committee would come to the floor, and we would debate it, vote on it, and go to a conference with the House, work it out, come back, and live with it. We haven't done that in a long time. What we are trying to do now is get back on that track, and this is a big first step.

Having said that, I would like to take just a few minutes to speak on Chairman HARKIN's amendment. I believe there are three critical points my colleagues should understand about this amendment. First, the draft omnibus that has been talked about was never finalized. There were more than a dozen significant items not agreed to at the time negotiations ended in December. A lot of those negotiations were done at the staff level. Critical decisions regarding health care, education, and labor policies and billions of dollars in funding decisions at that point remained undecided. They were never finalized.

I think these provisions have been decided and put in this amendment without consultation by Senator HARKIN. These items included such critical issues as conscience protections for health care providers and provisions limiting the job-killing rules by the National Labor Relations Board. Those were critical issues for us.

Second, the Harkin amendment replaces a bipartisan continuing resolution which the distinguished chairperson has been talking about here for 2 days which includes key provisions in this bill we filed which would support research at the National Institutes of Health and emergency operations at the Centers for Disease Control with a 160-page bill that no Republican has approved. I believe the Harkin amendment both begins new programs and makes authorization changes to programs.

In addition, any program that did not receive an increase in funding during negotiation on the draft omnibus that he has talked about is cut in an across-the-board cut. These reductions hit critical job-training programs and funding for hospital preparedness.

Finally, if the Harkin amendment is agreed to, it will undo a very fragile consensus and poison the entire continuing resolution we have put before us, putting our government at the risk of a shutdown. None of us want that. House leadership has already stated they cannot and will not support the inclusion of the Harkin amendment, and I don't believe we should risk funding the entire Federal Government to do so.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I want to respond to my friend from Alabama, and he is my friend, and he knows that very well. We have traveled together. Our spouses are friends, and he is a dear friend of mine. We have worked together, as he said, going clear back to our House days. But I am disappointed that my friend opposes this amendment. If there is one thing that has been clear in my association with the Senator from Alabama through all these years, I think it is

that he has been an unrelenting champion of NIH research. I am told the University of Alabama at Birmingham ranks 11th in terms of NIH funding. That is even higher than the University of Iowa, by the way.

So my amendment, as my friend knows, would put in a \$211 million increase for NIH funding that goes around the country. It doesn't just go to Maryland, although some goes to Maryland, but a lot goes around the country. So this does that.

Then I would say to my friend from Alabama, during the negotiations from last year, the Senator from Alabama offered an amendment during our full committee markup—that was last July—that would require the Department of Labor to delay both the wage rule and the comprehensive rule regarding H-2B visas. I opposed the amendment, but I included it because it was, again, part of a bipartisan, bicameral agreement.

The Senator is right that this agreement was never signed off on high—I guess by the Speaker of the House or the majority or minority leader here in the Senate—but usually they have been very accommodating if the Appropriations Committee agrees and we all agree on what is called the four corners: the Republican House, the Democratic House, the Republican Senate, and the Democratic Senate. Basically, we would move those bills.

So, again, this amendment that was offered by my friend from Alabama that would require the Department of Labor to delay both the wage rule and the comprehensive rule regarding H-2B visas is in this amendment, even though I oppose it, because it was part of a bipartisan agreement. The only way this provision can take effect is by approving my amendment because it is not in the CR. Since my friend from Alabama offered this amendment, I think he considered it to be important, he fought for it, but it won't take effect in a CR.

I would also remind my friend and others that the cost of this amendment is the same as in the underlying substitute.

My friend said there were other things in the bill in December that were not finalized. That is true, I say to my friend. That is very true, there were other things. But these were called riders. Some were Republican riders, some were Democratic riders. Are they in this bill? No, because they weren't agreed to. They were there, but they were never agreed to—and for good reason. Some of them were, obviously, very closely held by Democrats and some very closely held by Republicans, so there just wasn't agreement.

I am just saying that in the amendment now before us are the things on which we did agree. So the Senator is right. Some of the things that were out there on the riders we didn't include



because they simply were not agreed to in December. I am just saying that what is in this bill is what we did agree to in December.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA

Mr. VITTER. Mr. President, this week, March 10 to 16, has been designated Sunshine Week. What better time for it this year since President Obama has a brandnew nominee to head the Environmental Protection Agency, and that agency is in desperate need of sunshine and transparency. In the midst of Sunshine Week, I wanted to talk about these very serious issues.

First of all, let's go back a little bit. The first day President Obama took office in 2009, the White House Web site declared that his administration would become "the most open and transparent in history." The President issued high-profile orders pledging "a new era" and "an unprecedented level of openness" across the Federal Government. Those are great goals and great aspirations. Unfortunately, the record—particularly, as I said, at the EPA—is a lot different.

President Obama's EPA has earned a reputation for ignoring congressional information requests, ignoring and frustrating FOIA—the Freedom of Information Act—hiding elite e-mails, which is completely contrary to EPA policy, and hiding other important information from the public. Is it in desperate need of a new leader who will reverse these antisunshine, anti-transparency practices and build a true culture of transparency and openness. Unfortunately, President Obama's nominee, Gina McCarthy, comes from inside the very troubled agency and she has been directly involved in many of these problem areas. That is why I think we need to talk about these concerns.

I wish to go through four important categories where the EPA—including during Gina McCarthy's service—has exhibited a complete lack of transparency. It has been exactly the opposite of sunshine, openness, and transparency.

First of all, e-mails and the growing e-mail scandal. A lot of the EPA's trou-

bles have surfaced through their dubious e-mail practices, e-mail practices that have been used, in my opinion, clearly to circumvent transparency laws such as FOIA and to circumvent congressional oversight. We have uncovered the use of alias e-mail accounts and private e-mail accounts to conduct official agency business.

What is the issue there? The issue is that clearly this is a way to avoid transparency, avoid these being produced through FOIA requests, and try to avoid producing these important e-mails when Congress has asked for them and to keep the public and Congress in the dark.

The most infamous example of this is Lisa Jackson, the former EPA Administrator's complete disregard for transparency through her Richard Windsor e-mails. Richard Windsor was an alias. I think, clearly in my opinion, she used this alias when it came to openness and producing documents, et cetera, that this was not necessarily her.

As it turns out, multiple EPA officials have been conducting business through aliases or through private e-mail accounts, and these private e-mail accounts are absolutely prohibited by the EPA. In spite of that, we have uncovered a pattern. This is not an isolated incident. It is not just Richard Windsor who has been used as an alias, but there is a pattern. The Acting Administrator, Bob Perciasepe, has used an alias private account. Region 8 Administrator Martin used me.com, a private account; Region 9 Administrator Blumenfeld used comcast.net, a former account; former Deputy General Counsel Yang, a lawyer for the EPA, used a gmail.com account. That is completely contrary to the clear rules of the EPA.

It doesn't stop with the use of these completely improper private e-mail accounts for official business. We have also uncovered high-level officials collaborating with environmental groups to push their biased agenda. Administrator Martin—since he resigned over all this when we had this come out—regularly communicated with far-left environmental groups such as the Environmental Defense Fund on his personal e-mail account to circumvent Federal transparency laws. His personal e-mails, which we have since gotten, exposed the EPA's efforts to further bury coal plants under crushing regulations.

Again, this is not just some technicality. These private accounts and aliases were clearly used to hide stuff from Congress, hide stuff from the public, and to try not to disclose all this collusion with outside environmental groups and what—in my opinion—is a far-left agenda.

Another very important category is FOIA. FOIA is the Freedom of Information Act. It was passed into law by Congress in 1966. It was passed for a very simple purpose: to direct sunshine

onto the Federal Government. Here we are in the middle of Sunshine Week, and FOIA is a classic example of an important tool to direct sunshine onto the Federal Government.

Under former Administrator Jackson's leadership, FOIA has become a joke at the EPA. Al Armendariz, the former EPA Administrator, had to resign after claiming it was EPA's policy to "crucify" domestic businesses. He actually called FOIA "nonsense." As others at the EPA would try to have others think, Al Armendariz was not some rogue EPA official. In fact, this is the general attitude of the EPA.

The Obama administration again has tried to get away with the claim that they are "the most transparent in history." Yet as the Associated Press has reported, they sometimes produce a lot of pieces of paper under FOIA, but "more often than it ever has, it cited legal exceptions to censor or withhold the material, according to a new analysis."

This is a perfect example. This is a document produced under a FOIA request. It is one of the infamous Richard Windsor e-mails. Guess what is produced. Nothing. It is one thing to redact a few words or a particularly sensitive sentence. They have produced absolutely nothing. There is not a single word from the body of the e-mail. This is routine. The EPA has regularly mismanaged FOIA requests. It is clearly in the business to frustrate these sorts of requests and not to follow the law.

I would like to show some other examples. Again, these are produced e-mails. Most of them are from the infamous Richard Windsor e-mails. Again, not a word in the body of any of these e-mails is produced. There is not a single word. This is another good example. There is not a single word produced. So we get plenty of paper, but what information do we have for the public? Nothing.

There is something else that is particularly outrageous. We have an e-mail that was produced from the Office of General Counsel to Region 6 officials. That e-mail talks about standard EPA protocol regarding FOIA requests. It is not about a particular FOIA request, which might be overbroad, inappropriate, and might have arguments against it. Again, this e-mail is from the EPA lawyers to an EPA region, and it is about how to deal with FOIA in general. That standard EPA protocol—according to this e-mail—is "to alert the requestor that they need to narrow their request because it is overbroad, and secondarily that it will probably cost more than the amount of money they agreed to pay." Then when the requestor doesn't immediately respond to that, they just shut down any EPA response.

Again, this is outrageous. This was not a response to a particular request.

This was the advice from EPA lawyers about how they should always consider responding. Just always say it is overbroad, just always say it is going to cost more money, and then shut things down, foot drag, and obstruct. That is absolutely ridiculous.

A third important category in this pattern of activity is EPA's use of secret data. This EPA, more than any other in history, has been promulgating rules and regulations which have a dramatic effect on major sectors of our economy. Obviously, this is a big deal and big concern, particularly when it costs us jobs or potentially shuts down businesses. Yet the EPA has been completely opposed to releasing any of the numbers, the science—the alleged science—and the data behind these decisions.

Again, many of EPA's regulations have big price tags. Yet EPA refuses to publicize the basic scientific data underlying virtually all of what they have done. The new Clean Air Act rules are the biggest example. Implementing the Clean Air Act happens to be the responsibility, by the way, that Gina McCarthy has been directly overseeing since June of 2009.

The National Ambient Air Quality Standards, for example, are complex and sweeping in their nature. The law requires, as it should, that they be based on sound scientific data and that it be implemented through a robust decisionmaking process. Unfortunately, that has not been the case and recent standards have suffered from a rushed process, reliance on secret data, and biased scientific review.

The only way we can fully know what is going on and have a discussion about this is if EPA releases the underlying scientific data—the underlying numbers. I have personally asked for this. In fact, this request is 20 months outstanding. I asked for it almost 2 full years ago. Yet EPA has adamantly refused.

Recently, it has come to light that EPA fails to complete comprehensive economic analyses of a majority of its rules. A February 2013 study reveals that the Agency's disregard for economywide impacts, as well as any other discrete negative impacts, renders their cost-benefit analyses to be misleading and based on manipulated data. Again, this is a very important category.

If sunshine is to mean anything, if it is to have any real meaning as we stand here in the midst of Sunshine Week, we need to see the data behind these enormously important decisions. EPA cannot use secret data. That is contrary to the letter and spirit of the law. It is certainly contrary to the public having access to important information and to our responsibility in Congress on oversight.

The final category I wish to mention is the so-called unified agenda. Under

Federal law, every agency is required to produce their regulatory agenda. In fact, they are required to produce it under law twice a year—once in the spring and once in the fall, and that is called the unified agenda. Again, every agency is required to produce that to the Office of Information and Regulatory Affairs.

The problem is this requirement is observed sort of like the requirement to pass the budget is observed in the Senate. In 2012, the EPA was 8 months late producing their spring 2012 regulatory agenda, and they have yet to submit their fall 2012 regulatory agenda. Again, I have asked EPA directly about this. More than 6 weeks after the deadline passed, EPA has yet to respond to the simple question of when they will submit their spring and fall regulatory agendas. We have not seen a bit of either of them yet.

This is important because it is about sunshine, openness, and transparency. It is about being fair and open to the American people and giving the American people—including through its representatives in Congress—full information. This is an important area that the nominee to head the EPA, Gina McCarthy, has to address. It is awfully basic and legitimate to say to Gina McCarthy: If you want to become the new EPA Administrator, you will need to answer these big, obvious, and pertinent questions. It is particularly important since you come from inside this very troubled, completely non-transparent agency and have been at the heart of many of these troubling areas.

One thing I will question her directly on is her active coordination with Al Armendariz, whom I mentioned earlier, in shutting down key energy projects. That direct coordination was highlighted in an e-mail we did get from Armendariz celebrating the death of a petroleum coke plant in Texas. Armendariz wrote in that e-mail: "Gina's new air rules will soon be the icing on the cake." Shutting down jobs, shutting down American businesses is going to be the icing on the cake.

In conclusion, I want to underscore that President Obama's EPA, unfortunately, has been the worst example of how hollow his promise is of being the most open and transparent administration in history. As we begin to consider the confirmation of a new EPA Administrator, this needs to be a big focus of our attention. Surely she needs to commit in very concrete and specific ways to change this culture. I am concerned that she has been part of this culture. She comes from inside the agency. She is directly involved in many of these very troubling areas. So we need to hear how she is going to reverse this culture and usher in a new era of openness and transparency. I will have specific requests for her that will allow

her to prove that commitment, and I know many other Members of the Senate have similar concerns.

I look forward to that discussion with Gina McCarthy. I look forward to continuing this discussion with the entire U.S. Senate. Transparency Week is an important time and an appropriate time to start that important discussion and to end these abusive practices by the current EPA.

Thank you, Mr. President. I yield the floor.

Ms. MIKULSKI. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I rise today to speak about the continuing resolution before the Senate to fund the government and keep this country moving forward. This is a very difficult assignment that they have been handed, especially as we have a brandnew chair and ranking member.

The bill increases support for firefighters battling blazes out West. That is very good. It maintains a critical safety net for women and children. That is very good. It returns full funding to several critical conservation programs and reaffirms our commitment to veterans, especially rural veterans—all very good. I thank Senator JACK REED and Senator TIM JOHNSON in particular for their efforts in those areas.

But while no bill is perfect, I am deeply—deeply—disappointed by two provisions that were slipped into this bill by the House of Representatives when this deal was being cooked up in December.

This is Sunshine Week for the Federal Government. It is a time to highlight the need for greater transparency and openness so voters can hold their elected leaders accountable and for what happens here in Washington, DC, and to just know what is going on.

I take transparency seriously. When I first ran for the Senate 7 years ago, I campaigned on the need to bring more accountability and honest leadership to Washington, DC. My first vote in this body was for a sweeping ethics bill that, among other provisions, improved disclosure rules and reformed the earmark process so that everybody would know which Member or Members of Congress requested an earmark, and it required Members to certify that they and their families had no financial interest in that earmark.

Under regular order, folks had a chance to come down to the floor and try to remove earmarks they did not like. In fact, a few years ago I remember former Senator Jon Kyl and I had a

pretty good debate on this floor about an important project for the city of Whitefish, MT. So we debated it, and we took a vote on it in the Senate.

That is why I am so upset by two agriculture-related provisions that someone from the House of Representatives put into this bill—and that the Senate seems willing to accept. I do not know who authored this provision. Maybe someone in Washington knows, but no one is willing to put their name on it, and that is a shame. It is a shame that folks who get so bent out of shape about earmarks do not seem to be troubled by these provisions.

Montana is home to thousands of working families who make a living off the land. Like my wife and me, they are family farmers and ranchers. The House of Representatives is prepared to toss those working families aside in favor of the Nation's large meatpacking corporations. The House inserted a provision in the bill that gives enormous marketing power to America's three largest meatpacking corporations while stiffing family farmers and ranchers.

Family-run production agriculture faces tremendous market manipulation. Chicken farmers, hog farmers, and cattle ranchers all struggle to get a fair price from the meatpackers, and if they fight back, they risk angering corporate representatives and being shut out of the market. Thanks to this provision, the Agriculture Department will not be able to ensure a fair, open market that puts the brakes on the worst abuses by the meatpacking industry.

What is worse is that the USDA took congressionally mandated steps to protect ranchers from market manipulation over the last few years. That is what we told them to do in the 2008 farm bill. This provision will actually overturn rules the USDA has already put into place. But apparently intense, behind-the-scenes lobbying won out in the House of Representatives, and now we are back to square one with the big meatpackers calling the shots.

The second provision sent over from the House tells the USDA to ignore any judicial ruling regarding the planting of genetically modified crops. Its supporters are calling it the "farmer assurance" provision, but all it really ensures is a lack of corporate liability.

The provision says that when a judge finds that the USDA approved a crop illegally, the Department must reapprove the crop and allow it to continue to be planted—regardless of what the judge says.

Let's think about that. The U.S. Congress is telling the Agriculture Department: Even if a court tells you that you failed to follow the right process and tells you to start over, you must disregard the court's ruling and allow the crop to be planted anyway.

Not only does this ignore the Constitution's idea of separation of powers,

but it also lets genetically modified crops take hold across this country even when a judge finds it violates the law. Once again, agribusiness, multinational corporations are putting farmers as serfs. It is a dangerous precedent. It will paralyze the USDA by putting the Department in the middle of a battle between Congress and the courts.

The ultimate loser will be our family farmers going about their business in feeding America in the right way. Sunshine Week should not be show and tell. Slipping corporate giveaways into a bill at the same time that we call for more open government is doubling down on the same policies that created the need for Sunshine Week. That is why we need to remove those corporate welfare provisions from the bill.

Montanans elected me to go to the Senate to do away with these shady backroom deals, to get rid of handouts to big corporations, to make government work better. We still have many challenges in front of us. I commend the leaders of the Appropriations Committee for their commitment to working together to bring us a plan on which we can vote.

These two provisions undermine our good work to support family farm agriculture. These provisions are giveaways, pure and simple, and will be a boon worth millions of dollars to a handful of the biggest corporations in this country. They deserve no place in this bill. We simply have to do a better job on both policy and process.

I know Chairwoman MIKULSKI is committed to doing better. I strongly support her efforts. I wanted to thank her for that commitment. But we ought to start right here and now by striking those corporate giveaways.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 33.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Would the Senator withhold?

Mr. McCAIN. I yield to the chairwoman.

Ms. MIKULSKI. First of all, I know the Senator has been waiting patiently to file his amendment. I have been waiting patiently for him to be able to do it. As I understand it, we are trying to negotiate a sequence to vote on the Harkin amendment and for the Senator to be able to offer his amendment as promptly as swiftly as we can.

Mr. President, I suggest the absence of a quorum without violating the Senator's rights.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. McCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 33 TO AMENDMENT NO. 26

Mr. McCAIN. I ask unanimous consent to set aside the pending amendment and call up amendment No. 33.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Arizona [Mr. McCAIN] proposes an amendment numbered 33.

Mr. McCAIN. I ask unanimous consent that the reading of the amendment be disposed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike certain authorities relating to the use for grants of funds of the Office of Economic Assistance of the Department of Defense)

Strike section 8039, relating to the use for grants of funds of the Office of Economic Assistance of the Department of Defense.

Strike section 8104, relating to the use of funds of the Office of Economic Assistance of the Department of Defense for grants for Guam.

Mr. McCAIN. I come to the floor to talk about amendment No. 33, which would strike sections 8104 and 8039 of the bill. It is a pair of Guam earmarks that directly contravene the explicit directions provided by the Armed Services Committees of the Senate and the House of Representatives in the conference report on the fiscal year 2013 National Defense Authorization Act.

Congress has not yet received a sufficient cost analysis of the proposed movement of the troops from Okinawa to Guam. Because of that, and the whole operation of these troops from Okinawa to Guam has still not been decided, the Armed Services Committees of the House and Senate explicitly prohibited this type of premature investment in civilian infrastructure.

At a time when the Department of Defense is facing the impact of sequester, on top of the \$487 billion in cuts directed by the President, it is appalling and disgraceful that the authorizing language would be directly circumvented by the authorizers.

I want to read the language for my colleagues' benefit. After hours and hours of hearings, of amendments, of markup, of 3 weeks on the floor of the Senate, the product stated:

Restriction on development of public infrastructure. If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal

agency, or supplement of funds available in fiscal year 2012 or fiscal year 2013 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless specifically authorized by law.

So here is clear language of the National Defense Authorization Act directly contradicted by this continuing resolution. What in the world is the job of the authorizers if it is not to have the language adhered to? At a time when the Department of Defense is facing the impact of sequestration, on top of \$487 billion in cuts already directed by the President, the appropriators decided that we would spend \$140 million on Guam. It is absolutely unbelievable, I say to my colleagues.

Now, let me tell my colleagues about the effect of the sequester that has happened now. According to this line item in the appropriations bill, it will spend \$140 million on a wastewater treatment plant on Guam and another project. So we are going to spend \$140 million on that.

Meanwhile, I say to my colleagues, here is what has already happened, with the sequester to the Armed Forces. The Army: Cancels four brigade exercises at the National Training Center or Joint Readiness Training Center. The Army: Reduced base operations by 30 percent; cancels half the year of helicopters and ground vehicle depot maintenance; stops post-war repair of 1,300 vehicles and 17,000 weapons; reduces readiness of 80 percent of the Army's nondeploying brigades; stops tuition assistance for all Active and Reserve soldiers.

Navy: Cancels several submarine deployments; reduces flying hours on deployed carriers in the Middle East by 55 percent; steaming days by 22 percent; reduces Western Pacific deployed operations by 35 percent; nondeployed Pacific ships lose 40 percent of steaming days; reduces Middle East Atlantic MED ballistic missile defense patrols; shuts down all flying for four of nine carrier air wings 9 to 12 months to restore normal readiness at two to three times the cost; cuts all major naval exercises; defers emergent repairs; cancels Blue Angels shows in third and fourth quarter; USS *Truman* carrier deployment delayed indefinitely.

I might say that deployment was to the Middle East where the centrifuges are spinning. The USS *Eisenhower* carrier deployment extended indefinitely; USS *Nimitz* and USS *Bush* carrier strike groups will not be fully ready for scheduled fiscal year 2013 deployments.

Air Force: Likely prevent Air Force's ability to achieve the 2017 goal of being fully auditable; defer nonemergency facility requirements; reduce repairs by

50 percent over 420 projects at over 140 installations across the Air Force; affects runway repairs and critical sustainment projects; delays planned acquisition of satellites and aircraft, including JSF and AC-130J, which will increase the future cost of these systems; reduces flying hours for cargo, fighter and bomber aircraft; stops tuition assistance for all Active and Reserve airmen.

Marine Corps: I hope my colleagues will listen to this. The Commandant of the Marine Corps says:

By the end of this year, more than 50 percent of my combat units will be below minimal acceptable levels of readiness for deployment to combat.

I repeat. The Commandant of the Marine Corps says:

By the end of this year, more than 50 percent of my combat units will be below minimal acceptable levels of readiness for deployment to combat.

Unable to complete rebalancing of Marine Corps forces into the Asia Pacific region; will cause 55 percent of the U.S. Marine Corps forces to have unsatisfactory readiness ratings; 50 percent of the U.S. Marine Corps aviation squadrons will fall below ready-to-deploy status; U.S. Marine Corps will not be able to accomplish planned reset of equipment returning from overseas expeditionary forces; depot level maintenance will be reduced, delaying resettability by 18 months and reducing nondeployed forces; facilities sustainment will be funded at 71 percent of requirement, reducing effectiveness of home station training and quality of life.

These are the effects of sequestration. So what do they do? What do they do in the continuing resolution? They add \$140 million for Guam for a wastewater treatment plant. Talk about divorced from reality. Talk about insensitivity to the men and women who are serving this country. I am already beginning to hear from them, I will tell you that.

There are a lot of bright young men and women who are serving this country, are serving it with courage and skill and are the best probably we have ever seen. I am hearing from their leaders. They are making decisions about whether to stay in the military. It is an All-Volunteer Force. I can tell you what a lot of them are deciding when they see something as ridiculous as this, and there are other outrageous and stupid things in this bill.

While all of the things are taking place in the Air Force, the Army, and the Marine Corps, we are now on this list—we have \$5 million—they are adding money, adding money, adding millions. In fact, it comes up to billions—\$5 million for the National Guard Youth Challenge Program, \$5 million for the Department of Defense Star Base Youth Program, \$154 million for an Army, Navy, and Air Force “alter-

native energy resource initiative,” \$18 million for unspecified “industrial preparedness,” \$16 million for Parkinson's disease research—there is a whole bunch in here for medical research. They are taking it out of defense. I am for research in all of these programs, whether it be Parkinson's or neurofibromatosis or HIV/AIDS research, but they are taking it out of defense.

They are adding \$9 million for unspecified radar research, \$20 million for university research initiatives, \$7 million for a Civil Air Patrol Program increase, \$45 million for Impact Aid. The list goes on and on and on.

While the Air Force is unable to fly, the Civil Air Patrol will get an additional \$15 million. I am a great admirer of the Civil Air Patrol.

The fact is that what we are doing is we are cutting the flying hours and affecting the readiness of the men and women who are serving in the military in this country. I repeat a statement of the Commandant of the Marine Corps: By the end of this year, “more than 50 percent of my combat units will be below minimal acceptable levels of readiness for deployment to combat.” What did these appropriators do? They put in \$140 million for wastewater treatment on Guam, which is expressly prohibited by the National Defense Authorization Act.

I have been on this floor for many years fighting against what I believe is encroachment by appropriators on the authorizers' business. I have never, in 26 years as a member of the defense appropriations committee and the Armed Forces committee, seen anything quite as egregious as this.

I say to my colleagues, who are authorizers and not appropriators, if you let them get away with directly violating and contradicting the express language of the National Defense Authorization Act, you are next. You are next. This is unacceptable. I hope my colleagues will vote on the issue of whether we need to spend this money, particularly at this moment, with the condition of our military.

Many of our constituents say: Why is this being so hard hit? Why is the military being so hard hit?

They don't quite understand sequester—this thing the President said won't happen. This sequester affects 19 percent of what we call the discretionary spending. They exempted about two-thirds of all of the discretionary spending and then took 50 percent of what was left of 19 percent of the spending. This has a dramatically increased effect on what we need most; that is, our national security. It is shameful.

I hope my colleagues and friends know that this Guam provision would provide, which is expressly prohibited, \$120 million for a public regional health laboratory and civilian wastewater improvements. The Department

of Defense wants to move marines to Guam but does not know how much military infrastructure will be needed—military infrastructure will be needed to support the move—what the implications will be to operational responsiveness in the Pacific theater or how much any of it will cost.

Over the last 2 years, the Armed Services Committee received many hours of testimony, briefings, and meetings on the troop realignment in the Pacific and directed the Center for Strategic and International Studies to conduct an independent assessment on U.S. force strategy in the region. The assessment—delivered in August 2012—recommended a better alignment of engagement strategies between the U.S. Pacific Command and the Department of Defense in order to improve our capabilities in the region and respond to a range of contingencies. The CSIS was clear in the appraisal that the Department of Defense had not adequately articulated the strategy behind its future posture planning nor aligned the strategy with resources in a way that reflects current budget realities.

After more testimony, briefings, and meetings, the Armed Services Committee acted and, through the vehicle of the fiscal year 2013 National Defense Authorization Act, prohibited the use of funds for any military realignment to Guam until the Department of Defense and the U.S. Pacific Command provided a detailed set of reports. These reports will address the plan for ensuring that any proposed force realignments in the Pacific region to include moving U.S. marines from Japan to Guam and Hawaii are supported by resources that will allow our forces to meet operational requirements. Admiral Locklear, commander of the U.S. Pacific Command, told me yesterday that these reports would be ready this summer.

The Department of Defense has planning left to do. While Congress may someday authorize some number of marines to be realigned to Guam, it will only be after we have a clear understanding of the clear implications and costs. In this context, the Appropriations Committee would fund unrequested civilian infrastructure—not military infrastructure, civilian infrastructure—far greater in scope than would be required in the event the most extreme estimates of troop realignment occurred. There is absolutely no justification for it.

This is why the Armed Services Committee expressly prohibited such funding, because we don't know how much military or civilian infrastructure we may need, if any. Has one single marine, sailor, or airman been assigned to Guam as part of the intended buildup that would justify using DOD money to rebuild Guam civilian wastewater facilities or build a new civilian health laboratory? The answer is obviously

no. The support payoff to Guam to solve an already existing problem has nothing to do with any future military realignment to Guam. This is no better than last year's set of earmarks for a cultural artifacts repository.

It should be very clear by now that these expenditures pushed through in direct contravention of the bipartisan, bicameral decisions of the Armed Services Committee are a shameful waste of taxpayers' money. In my view, this is a clear example of political abuse of the appropriations process.

I could go on for a long time. In fact, instead of doing a continuing resolution, we should be doing everything we can to avoid the sequester, which has such a disastrous effect on our military.

I am sure my colleagues are aware that in Tehran the centrifuges are spinning. North Korea just had another nuclear test. They threatened to cancel the cease-fire of 1953. They are making very aggressive noises toward South Korea and, I believe, our 30,000 men and women who are stationed there. Tension between Japan and China is very high. For my colleagues' information, I am sure they know that the Chinese have increased, doubled, and redoubled their spending on their military. The Middle East is in a state of turmoil, which could lead to an international crisis almost at any moment. Seventy thousand Syrians have been slaughtered by Bashar al-Assad. There are over 1 million refugees, as that conflict shows all possibility of spreading to Lebanon and to Jordan.

What are we doing? We are imposing Draconian cuts on the U.S. military, which caused the Commandant of the Marine Corps to say 50 percent of all his combat units will be below minimal acceptable levels of readiness for deployment to combat.

I have been around this body and this Nation for a long time. I have seen this movie before. Everybody talks about war weariness. Everybody talks about how weary we are of Iraq and Afghanistan, and indeed we are. We were war weary after Vietnam. We cut the military, cut the military, and we cut the military as we are doing today. The Chief of Staff of the U.S. Army in the late 1970s came before the Armed Services Committee and said we have a hollow army. Do you know what we are doing right now with sequestration? We are hollowing out our military. To add insult to injury, we are putting on a long list of wasteful, unnecessary programs, many of which have nothing to do with defending this Nation. Some are outright pork-barrel spending.

I hope my colleagues, particularly those on authorizing committees, will understand that if the appropriators are able to directly contradict language in authorizations that are passed by both Houses of Congress and signed by the President of the United States,

then you become irrelevant to the process. I don't think the 80-so of us who are not members of the Appropriations Committee should be subjected to irrelevance.

I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I wish to say the Senator who currently now chairs the Subcommittee on Defense will speak on the amendment of the Senator from Arizona. I wish to speak about the process and about sequester.

First, the Appropriations Subcommittee on Defense finished its work before the August recess. The authorizers didn't get it done until December 20. There is a gap here because Senator Inouye—a very happy, blessed, and beloved memory—moved his committee in an expeditious way, which appropriators are supposed to do.

Remember, appropriations are supposed to be done before October 1. Senator Inouye chaired the committee, chaired the full committee and then chaired this Appropriations Subcommittee on Defense. Senator Inouye did his job under the authorization that was present before him.

The authorizers didn't pass their bill until December 20. We want to respect the authorizers not only on defense but on every committee. They need to pass their bills before we pass ours. We work on our bills by holding our hearings under regular order beginning when we get the President's budget, which we wish would be up-tempo a bit. Then we start our hearings, mark up our bills in May and June, and begin to move them through the process.

Before we attack the Appropriations Committee, we should attack the process and get back to regular order, where authorizing and appropriating are in sync.

The second thing I wish to comment on is sequester. I want to acknowledge what the Senator from Arizona said about the impact of sequester. Sequester is an awful, awful, awful thing. That is not on this bill. When the Budget Committee comes up, along with the negotiations by the President with the leadership of the House, I absolutely agree with him, we must cancel sequester and ensure that not only our Defense Department but others who defend America, such as our Border Patrol guards, are not unduly harmed. And we are hollowing out, to use the quote from General Amos, an extraordinary Commandant.

What we need to do is get a process in order to have the proper policy debates.

I note that the subcommittee chairman will now comment on the specifics.

I yield the floor.

The PRESIDING OFFICER. The assistant Senate majority leader is recognized.

Mr. DURBIN. Let me thank the chairwoman of the Appropriations Committee, Senator MIKULSKI. This is her first major assignment on the floor of the Senate. It is an awesome responsibility. I note that she was not only up for this job, she was made for this job. She has the knowledge, skill, and drive we need to make sure the Appropriations Committee is playing its important historic role in the Senate.

I commend the Senator from Alabama, my friend Senator RICHARD SHELBY too. Senator SHELBY and Senator MIKULSKI have been close partners in developing a very complicated bill. This bill we are considering is going to fund the Federal Government for the remaining 7 months; otherwise, when we run out of money March 24, literally, the government will close. They are working and have worked hard for the last several weeks to get this bill ready.

A version of the bill passed the House. Now it is being considered on the floor of the Senate and Senators are being allowed to offer amendments, which is their right.

One of the Senators who just offered an amendment is Senator JOHN MCCAIN of Arizona, who is well known to virtually everyone in America as a former candidate for President and by virtue of his service to our Nation. I would say I count JOHN MCCAIN as a real friend. We came to the House of Representatives the same year. We have maintained that friendship here in the Senate. We have worked closely together on immigration reform and many other issues. I can't think of a finer Senator on the other side of the aisle.

I don't need to speak to JOHN MCCAIN's reputation when it comes to military service. We know the story: a Navy pilot shot down over Vietnam, captured and held captive, subjected to torture for more than 5 years. John's body still bears the scars of that terrible experience. Thank God he survived and continues to serve in the Senate representing the people of Arizona and the Nation in his capacity as a Senator. He has been the ranking Republican on the Armed Services Committee, so he knows those issues not only as a veteran, a man who served in the Vietnam war, but also as a Senator who has looked closely at each of the issues that affects the Department of Defense. He doesn't hold a candle to anyone, take a step back to anyone when it comes to his commitment to our military and our Nation's defense. But now it is my responsibility to come to the floor of the Senate and argue against an amendment Senator MCCAIN is offering on the Department of Defense bill. You might think to yourself: DURBIN, how did you get this assignment? The fact is, as chairman of this particular subcommittee, it is my responsibility to argue the other side

of the issue that Senator MCCAIN has brought to the floor.

I come to this assignment brandnew, just a few weeks now, since the untimely passing of our great friend and national hero, Dan Inouye of Hawaii. Because of his passing, there were vacancies created, and I ended up in this position as chairman of the Subcommittee on Defense Appropriations in the Senate. It is a job I am learning, and I confess there are many here who know it better than I do. But I will do my best because I know the awesome responsibility attached to it.

I stand today to urge my colleagues to vote against the amendment JOHN MCCAIN has offered to this continuing resolution as it relates to the Department of Defense. There are basically four provisions in this—three or four provisions in the McCain amendment—and I wish to address each of them.

One of the provisions allows the Department of Defense to give grants to organizations. That sounds like a very easy thing to explain, and it is. The three organizations that receive the grants from the Department of Defense are well-known to most Americans; certainly two are—the USO is one.

The USO for decades has been an organization which has tried to provide help to our veterans, usually stationed overseas, and to give them things as basic as entertainment, to counseling, or when they go through airports to make sure they have a place to stop by and get a cup of coffee and a doughnut. That is the USO. I have understated their mission, but we are all familiar with it.

The other organization is one known to every American, I am sure, the Red Cross. The third is an organization new, but important, called Fisher House. Fisher House. Let me tell you about Fisher House.

Two years ago, I was invited to the grand opening of a Fisher House facility near the Hines VA Hospital in Chicago. Fisher House is to military and veterans hospitals what Ronald McDonald houses are to children's hospitals. What we are saying here in the underlying bill is that the Department of Defense can provide grants to these organizations—Fisher House, Red Cross, and USO. The McCain amendment says no, they can't. The McCain amendment strikes the authority of the Department of Defense to give them these grants. I think that is a mistake. And for that reason alone, I hope my colleagues will vote against the McCain amendment.

The services being provided through these organizations and at these facilities are nothing short of remarkable. Fisher House, right in the city of Chicago, near Hines VA Hospital, is a beautiful home—a place where families who have a loved one who is going through surgery or rehabilitation at the Hines VA Hospital are given a

chance to stay overnight. They do not have to pay for a hotel room and they are treated like royalty, as they should be. These are military families—mothers and fathers, spouses and children, who are treated like royalty at Fisher House while they are waiting for their loved one to finish the treatment or surgery they need to come back home.

Why wouldn't we do that? Why wouldn't we provide that kind of service? The Fisher House facilities are largely built by charitable contributions, donations from everybody. So to give to the Department of Defense the ability to transfer up to \$4 million a year—\$4 million—to the Fisher House, why, of course, we want to do that. Across America they do such extraordinary things.

In terms of the Red Cross grants, here is what the Red Cross does, and every Member of Congress knows this. A family will call a Senator and say: Senator SHELBY, we live in Mobile, AL, and I wanted you to know the mother of a soldier overseas has just passed away and we have to get the word to him right away. What Senator SHELBY or what Senator DURBIN would do is to call the Red Cross and say: You have to help us. We have to get in touch with this service man or woman overseas somewhere. So it is an opportunity for them to use their network of volunteers and communications to reach out to that soldier, that sailor, that airman, or marine. That is what they do. They spend about \$10 million in emergency communication services to keep a hotline running connecting servicemembers, veterans, and their families with the services they offer. There is \$2 million for theater support of deployed troops—emergency communication services between deployed servicemembers and their families back home.

They provide lounges, the Red Cross does, in these theaters of operation, war settings, for troops to have access to computers so they can be in touch with their families back home.

One of the big surprises I ran into as I visited our troops in Afghanistan and Iraq was to find many of them Skyping away with their families while they are far away. Some of these facilities are being provided by the Red Cross.

The list goes on and on of all that the Red Cross does to support and help our troops. But the list can't tell you in specifics what Red Cross volunteers do. These men and women—and you see them everywhere under the flag of the Red Cross—show up when a tornado hits, when a flood hits, and they always show up when our troops need a helping hand.

When our troops get off the plane in Landstuhl, Germany, after being grievously wounded or injured overseas and are about to be hospitalized—maybe facing their first surgery—one of the first smiling faces they will see will be a Red Cross volunteer, there to say:



What can I do for you; can I get in touch with your family; is there something you need? The stories are legendary about soldiers who land at these bases and a Red Cross volunteer walks up to them.

I recall one story in particular about one of the soldiers who volunteered at the Red Cross who said: What do you want? And the soldier said: I need a rootbeer float. Imagine, a rootbeer float. And in a matter of 15 minutes, up pops the Red Cross volunteer with a rootbeer float. It was a small thing for that soldier, but it was an important thing.

So to say we are not going to allow the Department of Defense to provide grants to the Red Cross, the USO, or to Fisher House I think is a mistake. These are great organizations with great volunteers and they do a wonderful job day in and day out to help our troops overseas. If it were my son or daughter overseas, I would like to know the Red Cross is going to be there. I would like to know the USO is going to be there. And God forbid that we would ever need some work at a military hospital; I would like to know there is a Fisher House nearby in case a family needs it because they can't otherwise afford to stay at a hotel for a number of nights.

The McCain amendment would stop the grants by the Department of Defense to these three organizations. If it were not for the fact that such a fine man, a veteran, offered this amendment, some people might say: Why would you do that to our military servicemembers? I don't think we should.

There is also a situation that has been going on for some time regarding Guam. Guam is an important place for stationing some 16,000 marines—16,000 men and women who volunteered to serve in the U.S. Marine Corps and are stationed on Guam. It is a challenge. I have been there. It is a remote location, but important for our national security, particularly in the Pacific theater. Wouldn't we want to say to the men and women who are there in uniform that they are going to have the basics taken care of? And wouldn't we want to say that one of the basics is to make sure they have safe drinking water and wastewater treatment facilities?

Here is what we found out. We found out that on the island of Guam our 16,000 marines are in a facility that has reached the absolute limit in terms of wastewater treatment. The Department of Defense came to us and said: For these troops, we have got to build a new wastewater treatment facility. Well, of course, we do. We don't want to shortchange them or jeopardize public health in any way.

The McCain amendment would eliminate this money, \$106 million in funding, for a wastewater treatment plant on Guam. This is not some frill, this is

a basic. Everyone wants to believe their son or daughter, volunteering for the Marine Corps and stationed somewhere overseas, is being taken care of by our government—that the government is doing everything we can to make sure they have the basics they need to stay healthy. Well, this is one of those basics—\$106 million for a wastewater treatment plant in Guam.

There is also a \$13 million ask here that I think makes sense when it comes to the safety of these troops. We want to make sure there is a public health lab in Guam. God forbid these men and women in uniform, or anyone who represents the United States, is facing some biological terrorist. God forbid there is some substance being used that could endanger their lives, and God forbid we would have to rely on laboratory facilities in Atlanta, GA, if you are halfway around the world. That is where the most professional facilities are. So the Department of Defense said: Let's put a \$13 million investment in a basic public health lab in Guam to protect the safety of Americans and our troops.

Look at these things. Look at what I am asking for—not for museums, not for things that may be considered frivolous and unnecessary in a given context but, rather, for the basics to support our troops in the field and to provide those who are stationed on Guam some of the most fundamental and basic public health facilities.

So it pains me to come to the floor and to resist an amendment offered by my friend Senator McCain, but I do it in memory of Senator Dan Inouye, who helped write this bill, who himself was a recipient of the Congressional Medal of Honor and had a distinguished career of service in the military.

I hope my colleagues will listen carefully to this debate, and though they feel the strong positive feelings I do toward Senator McCain, they will go to the merits of the issue and defeat the McCain amendment. Make sure the ability of the Department of Defense to continue to work with Fisher House, the Red Cross, and the USO is authorized in law. Let's make sure the 16,000 marines on Guam have the most basic things they need to be safe and healthy and come home just as we want them to. That is what this is all about.

I urge my colleagues to vote against the McCain amendment.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent that the time until 5:30 p.m., for

debate on the McCain amendment, be equally divided between Senators McCain and myself or our designees; that at 5:30 p.m. the Senate proceed to a vote in relation to the McCain amendment and that there be no amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I don't know if Senator McCain is nearby, but if he is, I want to give him a chance to come over and use the few minutes remaining before the rollcall vote.

But for those Members of the Senate who did not listen to the earlier statements by Senator McCain and myself, this amendment is very basic and very straightforward: Senator McCain would cut or eliminate the ability of the Department of Defense to give grants to three organizations: Fisher House, Red Cross, and USO.

Fisher House is the Ronald McDonald House of military and veterans hospitals. I have visited the one in Chicago. I have talked to my colleagues about other Fisher House facilities around America. They are remarkable and amazing places.

Fisher House is where a family who may not be wealthy has a chance to stay and be treated like royalty while their son, their daughter, their husband, their mother is being operated on in a military hospital. That is what Fisher House is all about. I have seen it. The volunteers who man these houses make sure people are treated in the way they should be and make us proud as Americans. The McCain amendment would eliminate the authority of the Department of Defense to give money to the Fisher House to continue their operations.

The McCain amendment would also eliminate funding grants that are given to the Red Cross and the USO. The Red Cross is an extraordinary organization, and every American knows what they are about. But in the fiscal year 2010, the Red Cross provided more than 597,000 emergency communications services for nearly 150,000 military families, and they provided nearly \$6 million in financial aid to 5,000 military families, not to mention thousands of Red Cross volunteers—including servicemembers, veterans, and military spouses—offered comfort and support to our wounded troops and their families at hospitals around the world.

The USO is another great organization which has provided assistance and entertainment to our troops, many of them stationed far away from home and far away from their family.

In addition, the McCain amendment would eliminate the construction of a wastewater treatment facility in Guam. We have 16,000 marines stationed in Guam. The administration—the President has asked for this money because the wastewater treatment facility in Guam is inadequate. It is not

safe. It is a public health hazard. An environmental impact statement prepared for the realignment of marines from Okinawa to Guam clearly finds that the current system is near capacity and needs upgrading.

So whether you argue that Guam is going to have a large future, a small future, the current allocation of marines in Guam deserves the most basic sanitary wastewater treatment facility. You would expect it, would you not, for your son or daughter serving in our Marine Corps? We should expect no less, and the McCain amendment would eliminate the funding necessary for this wastewater treatment facility, as well as a public health laboratory to test samples of suspected toxic substances in a timely manner to protect Americans and our troops in that theater of the world.

I don't know why Senator MCCAIN has picked out these elements. I think they are all positive elements. I hope my colleagues will join me in defeating the McCain amendment. It is an amendment which would take needed resources away from the USO, Red Cross, and Fisher House and deny this wastewater treatment facility in Guam. I hope my colleagues will join me in opposing the McCain amendment.

At this point I yield the floor, and I suggest the absence of a quorum, in the hopes that Senator MCCAIN can return before the vote.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded. I wish to give my friend, Senator MCCAIN, the author of this amendment, the opportunity to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I guess the time here is short. Sometimes when you can't argue the merits of an issue you just make up something. Senator DURBIN claims this amendment would cut funding for the Fisher House, Red Cross, and the USO. If you read the bill, the Fisher House is covered in the CR in section 8070. The Red Cross and USO are covered in section 8078. This amendment strikes section 8039, which pertains to the Office of Economic Adjustment fund, the OEA fund. It has nothing to do with Fisher Houses, the Red Cross, mothers of America, apple pie, or the flag—nothing to do with those except that it strikes legislation which is expressly prohibited in the Defense authorization bill. It strikes language which is directly prohibited by the National Defense Authorization Act.

If the Senator wants to claim that Fisher House, Red Cross, USO, small animals, children, the United Way,

whatever else he wants to, they are covered in other parts of the bill. I suggest to the Senator from Illinois reread the bill which says—section 8070 talks about Fisher Houses; section 8078 talks about the Red Cross and the USO. Our amendment strikes 8039, which is the Office of Economic Adjustment, that funding.

I thank the Senator for recognizing that. It is already part of the record. It is very clear this has nothing to do with the Fisher House.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, we have been assured by the House in the construction of this bill that this provision was added explicitly to make certain that there be no question that the grants that are given to these organizations would be authorized and included in this appropriations process. That is their belief. With an abundance of caution, we support their belief because we know of the importance of these organizations.

I now move to table the McCain amendment No. 33, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 35 Leg.]

#### YEAS—48

Baldwin	Gillibrand	Nelson
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Rockefeller
Boxer	Hirono	Sanders
Brown	Johnson (SD)	Schatz
Cantwell	Kaine	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Menendez	Udall (CO)
Cowan	Merkley	Udall (NM)
Durbin	Mikulski	Warner
Feinstein	Murphy	Warren
Franken	Murray	Wyden

#### NAYS—50

Alexander	Cruz	King
Ayotte	Donnelly	Kirk
Barrasso	Enzi	Lee
Blunt	Fischer	Levin
Boozman	Flake	Manchin
Burr	Graham	McCain
Chambliss	Grassley	McCaskey
Coats	Hatch	McConnell
Coburn	Heller	Moran
Cochran	Hoeven	Murkowski
Collins	Inhofe	Paul
Corker	Isakson	Portman
Cornyn	Johanns	Risch
Crapo	Johnson (WI)	Roberts

Rubio	Shelby	Vitter
Scott	Thune	Wicker
Sessions	Toomey	

NOT VOTING—2

Lautenberg      Whitehouse

The motion was rejected.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 33) was agreed to.

Mr. INHOFE. Mr. President, I ask unanimous consent to set the pending amendment aside to consider—

Ms. MIKULSKI. Mr. President, the Senate is not in order. I know there is a lot of gloating over this amendment—I don't mean yours. Could we kind of keep it quiet so Senator INHOFE can offer his amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I ask unanimous consent to set aside the pending amendment for consideration of my amendment.

Mrs. BOXER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I just 2 minutes ago got a copy of what my dear friend is going to offer, and here we go again with a series of environmental riders that have nothing to do with this bill, that would change laws that protect our rivers and our streams, and involve the EPA making sure we prevent oil spills.

Frankly, I am objecting to this at this time unless I know we are going to have a 60-vote threshold; otherwise, I will put us in a quorum call at this time.

Mr. INHOFE addressed the Chair.

Mrs. BOXER. I have the floor because I am reserving the right to object.

Mr. INHOFE. No, I have the floor.

Mrs. BOXER. All right. Go ahead.

Mr. INHOFE. First of all, I would not object to a 60-vote threshold in order to get things to move along. I would say my good friend from California has seen this bill several times before, and several months ago we actually had a vote on it, but I have no objection.

Mrs. BOXER. Thank you so much.

AMENDMENT NO. 29 TO AMENDMENT NO. 26

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. This is something we are all familiar with. There is a spill prevention or an SPCC—

The PRESIDING OFFICER. The Senator will suspend.

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 29 to amendment No. 26.

Mr. INHOFE. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:



(Purpose: To prohibit the expenditure of Federal funds to enforce the Spill Prevention, Control, and Countermeasure rule of the Environmental Protection Agency against farmers.)

At the end of title VII of division C, insert the following:

SEC. 17. No funds made available under this Act shall be used to implement or enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

Mr. INHOFE. This is a bill that for years and years has come up. It was originally designed for refineries that have very large amounts of storage, of oil, of propane, of all that type of material, and it was designed for them to have the necessary safeguards in place. Then, later on, there became a gray area. I ask the question because it has never been answered: Should they now be able to apply this to farms? Farms may have perhaps a little bit of propane over here and over here, someplace else, something else. It might add up to the 1,320 gallons at one time. If that is the case, then they would be under the same requirements as we currently have for refiners. I am talking about them having to do volumes and volumes of paperwork. They would have to purchase new double-lined containers and build berms around their storage facilities. We are talking about hundreds of thousands of dollars, and this could be an average-sized farm.

The EPA has not done enough outreach to farmers to help them get into compliance. When this came up before, we introduced this same amendment that would give them time, with the assurance at that time that they would do this. In fact, I recall personally visiting with Lisa Jackson and she had every intention to go ahead and make these notifications.

So the EPA shouldn't be allowed to enforce the rule against farmers at this time. What this amendment does is asks for an extension to give them time. I plan on talking to the new Director of the EPA about this very issue. This is not just exempting farmers. This is giving more time, in this case, until the end of this fiscal year.

So I would like to be able to pass this. I do urge its adoption and ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, if we are still on the Inhofe amendment, is there still an opportunity to speak on the amendment before a vote is called or is the Senator asking for a vote immediately?

Mr. INHOFE. I am sorry, I could not hear the Senator.

Mr. REED. Is the Senator asking for a vote immediately or is there still an opportunity to speak?

Mr. INHOFE. No. We are asking for a vote sometime tomorrow.

Mrs. BOXER. Does the Senator wish to have time?

Mr. REED. I would like to, at the appropriate moment, be recognized to speak, respectfully, against the Senator's amendment.

Mrs. BOXER. Well, now is the time.

Mr. REED. Now is the time? Well, in that case, let me go ahead and speak.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, Senator INHOFE is proposing a very sweeping amendment that would affect a rule the EPA has developed over the normal rulemaking process, with notice and comments over many, many, many months. It is scheduled to go into effect in May of this year. The amendment the Senator is offering, as I understand it, exempts all farms from this EPA oilspill regulation. Again, this rule is designed to prevent or significantly prevent the pollution of navigable waters by oilspills coming from agricultural operations.

One of the issues here is the definition of what appropriate farm should be exempt. As I understand the amendment, it is all farms. That includes large agribusinesses that have the capability not only of mitigating these hazards but also the resources to do so and, collectively, would contribute to environmental quality.

I know the agricultural community is concerned. And I know also this the type of very complicated legislation that is best resolved at the authorization level. The Senator from Oklahoma, I think, has already indicated there are bills pending, and these bills are much more finely attuned in nuance to address more specifically the problem rather than a total effective preemption from the rule for all farms.

So I would urge very strenuously that—and I know the intentions of the Senator from Oklahoma are to assist the agricultural community, but I do not think this is the place or the time, as we try very seriously to get a bill through by the end of the week, essentially, that will keep the government operating, to decide on these complicated authorization issues, effectively cutting out completely a very serious and detailed rulemaking process that the EPA has undertaken.

So I will urge my colleagues at the appropriate time to resist the amendment.

Mr. INHOFE. Will the Senator yield?

Mrs. BOXER. Will the Senator yield? Go ahead.

Mr. REED. I will certainly yield.

Mr. INHOFE. I want to correct and make sure it is clear the understanding of what this is. This is something that is in existence today, and it is going to be temporarily holding this until the EPA will study to see what kind of hardship this is going to be to all the

Senator's farmers and my farmers. This is not the bill that—I actually have a bill that would exclude farmers from this. This is not that bill. This merely extends that deadline to give them time to do what they had agreed they were going to do in terms of the EPA studying this issue.

I wanted to make sure that clarification was on the Record.

Mr. REED. I appreciate very much that clarification. But let me retain my time and then yield to the Senator from California.

Mrs. BOXER. If I could ask my colleague a couple questions, if he would engage in a colloquy with me.

Mr. REED. I will yield.

Mrs. BOXER. I know the Senator from Rhode Island—and I appreciate what he said about how sweeping this is. The Senator has the amendment in front of him, does he not?

Mr. REED. I have the amendment, yes.

Mrs. BOXER. I need to say here, please, colleagues, this is not any kind of an extension of time. This says:

No funds made available under this Act shall be used to implement or enforce with respect to any farm. . . .

And it goes through the Spill, Prevention, Control, and Countermeasure rule.

Does my colleague read it the way I do? This is not an extension of time. This is a prohibition on EPA implementing the rule. Am I correct?

Mr. REED. I believe the Senator is absolutely correct. There is no time extension. One could argue that as this CR runs out maybe this provision would run out. But the intent of the bill is clearly that there is no money to be expended for any implementation against any farm.

Mrs. BOXER. Exactly.

Mr. REED. That is the language of the bill.

Mrs. BOXER. I want to ask my colleague a couple other questions.

Farmers are exempted if they store less than 1,320 gallons of oil aboveground or less than 42,000 gallons underground. That is the rule.

Is my colleague aware of that?

Mr. REED. Well, I thank the Senator for bringing that to my attention because one point I would make—and I think Senator INHOFE does want to engage also—but one point I would make is that in this EPA rulemaking process there is a requirement to evaluate the cost and benefits with respect to the rule. In that sense, many of these issues have been addressed, and they have been done so in a very careful way.

Two, it has been done by listening to—in fact, requiring legally to take the opinions, the comments of many people, stakeholders from all sides. And then, frankly, the other cost and the traditional cost to protest a rule is not to legislatively eliminate it, particularly in an appropriations bill, but

to contest the rule in court based upon the facts.

Mrs. BOXER. Will my colleague yield for one more question? I know my colleague, Senator INHOFE, wants to speak. By the way, we have a deep friendship. But this is something we have never agreed on.

I want to make a point about the EPA rule. Farmers storing any amount of oil, I say to my colleague, are exempted if an oilspill could not reasonably be expected to reach rivers and streams.

My colleague was talking about this as some Draconian rule. The fact is, even one quart of oil, used oil, can contaminate up to 2 million gallons of drinking water.

I am a little blindsided on this, I have to say to my friend. If he is going to keep on doing these riders on here that threaten the health of the American people, I wish he would take it to me and at least give me a personal heads up because this is something that is very serious, and I will be speaking more on it tomorrow.

I thank my colleague for yielding.

Mr. REED. I believe I still have the time.

Let me make one point. This is a complicated rule that has tried to balance various equities—environmental protection, protecting the navigable waters of the United States, recognizing small farms or farms where in no way their oil could reach down to where it should be exempt.

Here, on the other side, is an amendment that is very broad, open ended—no funds, all farms. I think in this context, I would urge my colleagues to resist the amendment.

I think the Senator from Oklahoma wants to speak.

Mr. INHOFE. Yes. Let me make one comment for clarification.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. We will have the opportunity to look at this closer, as the Senator from California suggests, tomorrow. We have talked about this in the past. This is extending that May 30 date to the end of the fiscal year. As you know, everything that would be an amendment adopted on this would expire at the end of the fiscal year. So it is just an extension of that time. Because by their own admission, the EPA has not had time to listen to the concerns of the farmers. And I am talking about farmers in both of your States there as well as my State of Oklahoma.

As far as making the determination as to where the oil might go, I think we all know that would be a very difficult thing to do. There has been an effort for quite some time to take the word “navigable” out, which would open it to anywhere.

So I think perhaps tomorrow we will have time to get into this. I really wanted to get it in the queue. I have

done that, and we will have a chance tomorrow.

I thank the Senator.

Mr. REED. If I could reclaim the time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Let me say, I think the Senator's comments are accurate in that because the CR terminates on September 30, then because it terminates, the CR, this language might go away. But the clear language here is not a—and I think that is the point the Senator from California made—is not a time-certain extension for the EPA to do something. It is: No funds, no farms. And I think there is a reasonable concern—that certainly I have—that this will not just be a deliberate delay of several months, but this is the intent to stop this law indefinitely, as this language was drafted.

Mr. INHOFE. Look, I would conclude by saying, yes, that would be my intent, but not with this legislation. This amendment does not do that. I actually do have a bill that I have up that would permanently exempt farmers in certain categories from being under the jurisdiction of these limitations. But that is not what this is at this time.

I thank the Senator very much.

Mr. REED. I thank the Senator from Oklahoma, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BUDGET

Mrs. MURRAY. Mr. President, here in Washington, DC, the budget debate is often discussed in terms of abstract numbers and political winners and losers. But the truth is that budgets are about far more than that. They are about our values and our priorities, and they are about the people across the country whose lives are impacted by the decisions we make.

Today the Senate Budget Committee discussed one approach to tackling our budget challenges, an approach that, while getting our debt and deficits under control, will also create jobs and build a foundation for prosperity from the middle out.

Tomorrow we will continue this discussion and vote on a plan. Then we will move this debate here to the Senate floor, and then, hopefully, work toward a balanced and bipartisan agreement with the House of Representatives, while the American people have a chance to weigh in.

I believe our budget must meet not just one but many pressing challenges of our time. We have come a long way since early 2009 when President Obama entered office facing massive deficits and an economy that was shedding hundreds of thousands of jobs per month.

We have made progress toward getting our debt and deficits under control, and we have added back jobs, but the recovery is not as strong or as fast as it needs to be. Millions of workers continue struggling to get back to work, and we still have some very serious challenges when it comes to our medium and long-term deficit and debt challenges.

In the coming weeks and months, we will be asked to make tough choices as we work to tackle these challenges responsibly. This process is not going to be easy. There is a serious difference of opinion about what our government should be doing to keep our economy and our national finances moving in the right direction.

One approach is to follow a path back to the economic policies of the last administration. This is the path to more tax cuts for the rich but less opportunity for the middle class to get ahead. It is a path not to prosperity, which can only truly be built from the middle out, but to the deterioration of our national infrastructure and the decline of our schools and the dismantling of the Medicare promise we have made to our seniors. This approach, in fact, was on the ballot last November. Voters around the country rejected it. Instead, they want an approach that puts the middle class first, that returns our Nation to the fiscal and economic policies that have worked for this country before, by focusing on jobs and the economy, cutting spending responsibly, and calling on the wealthiest Americans to pay their fair share.

The Senate budget—which we put out today—reflects the progrowth, pro-middle class agenda that the American people went to the polls and supported in November.

Our budget is really built on three principles: No. 1, we need to protect our fragile economic recovery, create jobs, and invest in long-term growth. No. 2, we need to tackle our deficit and debt fairly and responsibly. And, No. 3, we need to keep the promises we made to our Nation's seniors and families and our communities.

We believe with an unemployment rate that remains stubbornly high and a middle class that has seen their wages stagnate for far too long, we simply cannot afford any threats to our fragile recovery.

That is why this budget uses equal amounts of responsible spending cuts and new revenue from the wealthiest Americans to fully replace the cuts from sequestration—cuts that, by the way, threaten hundreds of thousands of jobs this year, and cuts that endanger economic growth for years to come, and cuts that are being felt in States such as mine, where military families are losing services, local housing officials are being forced to cut housing vouchers for the homeless, and furloughs are being handed out to those

who are cleaning up nuclear waste that threatens our environment.

The budget we are offering invests in infrastructure and job training to get Americans back to work now. It prioritizes education, as well as research and development, so that our workforce of today and tomorrow has the skills to compete in the 21st century global economy.

Our budget puts jobs and the economy first and foremost. But it also builds on the work we have done over the last 2 years to tackle our deficit and debt responsibly.

Since 2010, Congress and the administration have worked together to reduce the deficit by \$2.4 trillion—\$1.8 trillion coming from spending cuts, \$600 billion coming from allowing tax rates to rise on the wealthiest Americans, which we voted on in the year-end deal.

The Senate budget takes us the rest of the way to that \$4 trillion goal and beyond. It builds on the \$2.4 trillion in deficit reduction already done with an additional \$1.85 trillion in new deficit reduction, for a total of \$4.25 trillion in deficit reduction since the Simpson-Bowles report.

Our budget reduces the deficit to below 3 percent of GDP by 2015 and keeps it well below that level for the rest of the 10-year window in a responsible way. It pushes down our debt, as a percentage of the economy, moving in the right direction. Our budget tackles the deficit the way the American people have consistently said they want it done, with an equal mix of responsible spending cuts made across the Federal budget and new revenue raised by closing loopholes and cutting wasteful breaks that primarily benefit the rich.

This budget cuts spending responsibly by \$975 billion, finding savings across the budget, including health and defense. It matches those responsible spending cuts with \$975 billion in new revenue, which is raised by closing loopholes and cutting unfair spending in the Tax Code for those who need it the least, while locking in tax cuts for the middle class and low-income working families and protecting them from having to pay a penny more.

Since we have so far been unable to get a deal because Republicans reject using new revenue from the wealthiest to help us reduce the deficit, I want to emphasize that there is bipartisan support for deficit reduction through making the Tax Code more fair and efficient. During the recent fiscal cliff negotiations Speaker BOEHNER proposed that we reduce the deficit by \$800 billion by closing what he called special interest loopholes and deductions. This budget takes him up on that.

In addition to investing in jobs and economic growth and tackling our deficit and debt responsibly, this budget also keeps the promises we have made to our seniors, our families, our vet-

erans, and our communities. We strongly reject the call to dismantle Medicare by voucherizing it because this critical program that seniors and families support, paid into, and depend on should be protected. This budget takes a responsible, fair approach. It is the one endorsed by bipartisan groups and experts. It is the one supported by the vast majority of the American people.

The House of Representatives is also working on their budget resolution today. I know there are going to be serious differences between the visions and values and priorities within the budgets which will emerge from our Chamber and theirs. But the American people are going to have an opportunity now to examine these budgets side by side. They are going to be able to decide which approach is best for our economy, best for our jobs, and best for the middle class. They will let us know whether they want to go back down the path of the trickle-down policies that decimated the middle class and threw our economy into a tailspin or if they would prefer the approach we have seen work before: to tackle our deficit responsibly, to reinvest in the middle class, to build a strong foundation for growth, and to restore the promise of American opportunity.

The Senate budget is a balanced and responsible approach to taking us down that second path. I am hopeful the House of Representatives will join us at the bargaining table so we can end this gridlock and work together toward a responsible and bipartisan budget deal that the American people expect and deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before the Senator leaves the floor, the chair of the Budget Committee—first of all, I want to compliment her on the work she has done on the Budget Committee. It is indeed impressive. I want to compliment her because she is headed for a balanced approach, really. Increased revenue. We are not talking about rates, we are talking about getting rid of tax break earmarks, earmarks that go on not for one group for 1 year but go on indefinitely, such as subsidies for corporate jets and sending jobs overseas.

But the other areas she is looking at are how we can be more frugal in our spending, and then a rigorous review of mandatory spending. We have to review it to see how we can get more value for our dollar.

The Senator has championed veteran's health care. She and I know we can get more value there. I compliment the Senator on that.

I am going to ask the Senator a question about timing and process. Does the Senator have a time mandate that has been assigned to her to complete her bill?

Mrs. MURRAY. Mr. President, I thank the Senator from Maryland. First of all, let me just say it is truly a pleasure to be on the floor with the chairman of the Appropriations Committee. I just remember when the Senator and I were here back in 1992, the Year of the Woman, and now here we are managing these critical financial bills.

Ms. MIKULSKI. It is the economic framework for the United States of America.

Mrs. MURRAY. Exactly. Families across the country should be grateful for the work the Senator is doing on the appropriations side of the committee, which focuses on making sure their kids can go to school, that they have the research and investment they need for their health care, and so many transportation infrastructure projects that allow them to go to work and raise their families in a responsible way.

I respect and admire the work the Senator is doing right now on a very difficult and challenging budget CR that no one wishes looked like it does, but we recognize the reality of the task the Senator has been given. She is managing it in the best way possible.

To answer the question, I would tell the Senator that we are in a very short timeframe. Our Budget Committee will proceed through the amendment process, and tomorrow night pass out our budget after many amendments. At that time, our staff will work over the few short days they have to have the paperwork ready to lay down our bill on the floor of the Senate, hopefully, Monday night. We are under a very constricted timeframe. It is the one piece of legislation that comes before this body like that with 50 hours of debate and multiple amendments. We need to finish that before we can leave for the April break.

Ms. MIKULSKI. Well, I want to share the Senator's sense of urgency to get her bill done. In order for her to get her bill done, I need to get my bill done. I want to pledge my cooperation, and I believe that of my vice chairman, Senator SHELBY. We have a sense of urgency to move our bill because we must take it over to the House. There, we have a deadline that is a Draconian one: If we do not have a continuing funding resolution passed before the Easter-Passover break, we will face a government shutdown. That is horrific in terms of our economy and the people who want the U.S. Government to govern itself. It is also one more sign that we have a problem governing. I say that because, while the Senator is marking up her bill tomorrow, we want to move through here so that we are done.

I would like to have this bill done tomorrow. There are those who have obligations in their States and even at an international conference. I would like

to support that, but Senator SHELBY and I need support too. So we do not doubt people offering amendments, we do not question their content or their policy, but we have timing and process.

Our bill is not meant to be “pin the tail on the donkey.” It is not meant to solve every problem the U.S. Government has. Our job is to keep the continuing resolution.

I want to say to the Senator, while, speaking to a much larger audience, I know there is pent frustration not to be able to offer amendments and debate. We are doing that. You win some, you lose some. That is called the Senate. I want the Senator to know we want to work with her so that we do not interfere in her work. But I believe one of the ways we can get to the budget, which is the real framework for how we can even vitiate sequester, is to get out our bill, meaning the continuing funding resolution.

So I want to compliment the Senator on her work. I pledge to support it, but I ask the support of all of the other 98 of our colleagues. Let's look at what we need to get done on the continuing funding resolution, not what we would like to get done.

Mrs. MURRAY. If the Senator from Maryland, the chairman of our Appropriations Committee, would yield for a minute, I want to back her up on that. I know there are probably 8,000 amendments that can be offered to this because nobody is happy with the fact that we are faced with a continuing resolution that does not reflect the needs of all of our communities. I know she did not come here to debate process or to be the mother of Senators and get them over here to offer amendments. I know where her passion is. It is fitting for her kids and families and communities in Maryland. That is what she wants to get back to.

If we can get past this and put the CR in place, swallow hard and then get our budget done and work toward a process of a bipartisan budget, we need to do that so we can then give the Senator the ability to put the Appropriations Committee bills together. They will come out here and we will be able to offer amendments and people will have their say about the spending of the future. We cannot get to that unless we get that work done.

Ms. MIKULSKI. That is right. An open and transparent process in that legislation that we put together over a weekend, 571 pages. Senators McCAIN and COBURN were right, but I could not do any more because I did not get it from the House until Thursday. So, again, I am not here to debate process, but I am the prodder of the process. So I am out here prodding and pleading: Please, let's get a simple, contained order of amendments. We thank the other side of the aisle. They are working with us.

In terms of the floor staff who is working on this, we need the cooperation of the Senators.

Mrs. MURRAY. I would back up the Senator and urge Senators to, please, finish this product, move on to our budget next week, and get that done. Then we can get to the point that America will respect the work of this body and not lurch from crisis to crisis as the Senator has outlined and get back to focusing on the policies those families she cares about and represents so well want her here for.

Ms. MIKULSKI. Absolutely. I see my colleague from Maryland, such an able and active Member, a member of the Finance Committee that is known to make a contribution. We want him to make a couple of trillion dollars' worth of contributions, as a matter of fact.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me thank my colleague from Maryland, Senator MIKULSKI. I was listening to the exchange between Senator MURRAY and Senator MIKULSKI. I just want to concur in their comments. We need to act on H.R. 933, the amendments offered by Senator MIKULSKI and Senator SHELBY. It is important for us to move forward on this for several reasons.

First, we are over 5 months into the fiscal year. We need to enact the fiscal year 2013 budget. If we are going to the fiscal year 2014 budget, we have to get past the fiscal year 2013 budget. So it is critically important that we pass the continuing resolution omnibus bill, send it back to the House, and, hopefully, reconcile those differences very quickly because we only have a few more days to get this enacted in order to make sure government continues, but just as importantly to give predictability to our agencies for the next 7 months.

We are very close to getting that done. I urge my colleagues to cooperate as the chairperson of the Appropriations Committee, Senator MIKULSKI, has said. I certainly strongly support the work that has been done. I thank Senator MIKULSKI and Senator SHELBY for bringing us together in a way that I would hope the Senate would operate, that we work together, Democrats and Republicans, come together on a bill, and move that legislation.

Having said that, I must tell you I share the frustration that Senator MIKULSKI talked about. There are provisions that are not included in this legislation that I would like to see included, and there are some provisions that are included that I would like to see not included. Let me talk about one of the provisions that is included that I regret is there. That is the provision that would extend the pay freeze for our Federal workforce through the remainder of the current budget year, fiscal year 2013.

I am proud to represent the people of Maryland in the Senate, along with my colleague Senator MIKULSKI. We represent 130,000 Federal workers. That is about 5.6 percent of the Maryland workforce who are Federal workers. These are public servants. These are people who are on the frontline. These are people who are providing critical services every day to the people of this country.

A couple of weeks ago, I was at the National Institutes of Health. I had a chance to talk to the workforce there. What they are doing is critically important to the people of this country. I could tell you that the basic research they do is critically important to a lot of companies in the creation of jobs. That is absolutely true.

I will tell you the story of one individual I happened to meet. One of the scientists there took me to the program on which they are working. The work they are doing is in the field of research on renal cancer. The reason I say this is I had a chance to meet with one of the individuals who is in the program. He comes from a different State and was diagnosed a while ago with having a form of renal cancer with no cure. He was told by his doctor that he had basically two choices: We can treat you with the only technology we know here or at any facility in the country—and you have 6 months to live—or you may participate in an NIH program where they are looking at alternative ways to treat this form of renal cancer. This person chose the latter course, traveled to Bethesda, MD, and participated in the program. They discovered for this form of cancer a drug therapy that will stop the growth of the cancer cells. He is now living a somewhat more normal life with hope of survival. He didn't have that just a few months ago.

When I spoke with this person about what he felt about sequestration or about government shutdowns, do you know what he told me? He said: I never thought I would need government. I was working. I never thought I would need government. NIH needs the money we give them. It helped save my life, and it helped develop the type of scientific base we need in this country.

This story could be told many times over. They need the predictability of a budget. They need the legislation Senator MIKULSKI is promoting, which will give them funding for the remainder of this year so they can continue their critically important work.

I visited the Social Security Administration a week ago and met a lot of hard-working Federal workers who were trying to send Social Security benefits to those who need them. We have people with disabilities trying to get a disability determination to receive a check. There is a delay in getting this done—a delay that will only become longer if the Social Security

Administration doesn't have the people it needs in order to process those claims.

I could mention many other agencies—NSA and the critical work they do in cyber security. These are the best mathematicians in the world who are Federal workers serving in the most noble of public service. This includes Departments such as NIST, National Institute of Standards and Technology, which develops technology needs for our future, and the work done at FDA, the Food and Drug Administration, on food safety.

These are all people working in my State of Maryland for a Federal agency as Federal workers. They are getting the job done for the people of this country and deserve our support. They have already sacrificed and have seen budgets that have shrunk. There are fewer people working, and their mission has increased—more work, fewer workers. They have now been through 2 years—which will now increase to 3—of a pay freeze. This translates into a \$90 billion contribution to the deficit problems of this country. This is what the Federal workers have done.

Quite frankly, I find it disappointing that a very modest pay adjustment for a 7-month period—a .5 percent, one-half of 1 percent increase, which was in the President's budget—was held off for the first 5 months and will now be held off for the remainder of this year. I think this is wrong. That pay adjustment should have gone forward. I regret that it is not included in the legislation we will act on.

The Federal workforce will have additional sacrifices because this continuing resolution on the omnibus bill incorporates the lower numbers caused by these across-the-board cuts by sequestration. As a result of that, many of our Federal workers will be getting furlough notices. What does a furlough notice mean? That means as many as 1 day out of 5 they will be asked to not show up for work, which translates into a 20-percent pay cut, and some possibly 1 out of every 10 days, which is a 10-percent pay cut. If you have a mortgage payment to make or your utility bills to pay, creditors are not going to accept the fact that it can be 10 percent less because you have been furloughed 1 day out of every 10 days.

Our Federal workers will even do more, and I think we need to acknowledge that not by just saying "you are doing a great job at public service" but by giving them the support they need. I hope that as we move forward on the budget considerations for fiscal year 2014, we will take into consideration the sacrifices already made by our Federal workforce and give them the support they need to get the job done for the people of this country.

There are provisions which were left out of this continuing resolution omnibus bill which I think should have been

included. Let me support Senator HARKIN and the amendment he has pending, which would basically put into the continuing resolution the work that was done during regular order by the Appropriations Committee on the Labor-HHS appropriations bill. It really accepts regular order. It doesn't increase the total at all; it just adjusts the money that was spent in fiscal year 2012 to the committee priorities established in fiscal year 2013. In other words, it establishes regular order with the same appropriation dollars in order to update the spending in the agencies under the committee's jurisdiction. This makes sense.

Let me give you one example, and I could give you many others. I spoke about the National Institutes of Health. I spoke about how valuable the work is that they accomplish. Well, as a result of budget reductions, they may now only approve about one out of every seven grants. They make grants to our universities and to groups who work to find answers for these diseases. They only now may do one out of every seven. As was explained to me by Dr. Collins, they must choose between the really great grants that are submitted and the great, great grants that are submitted. They can take only a few of the really great projects that are out there.

We need to do better. Senator HARKIN's amendment would increase the amount of money going to NIH by about \$140 million. Once again, it doesn't change the overall totals; it adjusts the priorities from fiscal year 2013 to fiscal year 2014. I urge my colleagues to support the Harkin amendment to enable an agency such as NIH to receive the help needed without affecting the overall spending of this Nation.

I really do look forward to us working together, Democrats and Republicans, in the national interest to compromise in a bipartisan manner. This is what we need to do. This is exactly what Senator MIKULSKI and Senator SHELBY have done in bringing forward this legislation. It deserves our support.

I listened to Senator MURRAY, as I know we will be voting on a budget next week for fiscal year 2014. What we need to do is work together, Democrats and Republicans, let these bills go to conference, work together and bring out a budget that represents the best for our Nation to move forward.

What I hear most from the people of Maryland is that they want us to make decisions. They need the predictability of a budget. We can give them that for our current year by the enactment of the bill that is currently before us, and then we could give them the predictability they need for the future decisions of our Nation by approving in a bipartisan manner the budget for fiscal year 2014. I would hope we could do that also as this would clearly be in the best interests of our Nation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we began a markup on the budget today. It is the first time in 3 years the Budget Committee has actually met to begin to mark up a bill. We had opening statements today. We made opening statements before we saw the chairman's mark, and the mark was produced later after the opening statements were completed.

Tomorrow we will have a markup on the budget and it will be 1 day, and amendments will all be completed tomorrow. There will be several interruptions, but the determination is to finish, which, of course, is contrary to what we would like to have happen. The Republican members of the committee asked that we have a week set aside and we do opening statements beginning Monday or Tuesday and that we actually have amendments up during a normal process and be able to actually engage in the kind of debate I think would be helpful for the financial future of our country. The chair and the Democratic majority decided we would just do opening statements this afternoon and we would do all the amendments tomorrow and we will complete tomorrow regardless. So that is where we are.

I am glad we do have a budget being brought forward. If it is brought to the floor, it will be the first time in 4 years the Democratic majority has brought a budget to the floor. This is in violation of plain law, statutory code of the United States, 1974, requiring a budget be passed every year and brought forward. They refused to do so. The majority leader said it was foolish to bring a budget. What he meant was it was foolish politically. Surely he wouldn't contend it is foolish for America that the Democratic leadership in the Senate bring up a budget. Surely it would be good for the country to do this every year, as the law requires. But that is where we have been. So we are glad.

The House passed earlier this year a bill that said no budget, then no pay. It said, Congress, if you don't pass a budget, at least out of your own House, then you don't get paid. So that picked up the pace, apparently, and we have a budget, although the President has not submitted his budget. Amazingly, I think it is the first time in 90 years, somebody said—the first time certainly in my memory—the President of the United States, who is required by law to have the budget in by February 4,

has waited for the House, which is marking up a budget today, and the Senate to do their budget first. That goes against what mayors and city councils do and Governors do. But that is where we are.

I will tell you one thing that we have learned in the short time we have had the budget that I think defines a lot about where our majority wants the country to go. Over 10 years, this budget—at a time of a dangerous fiscal crisis—spends more—\$640-some-odd billion more—than the current law we passed about 20 months ago in August of 2011. We agreed to the Budget Control Act. We agreed to a certain amount of money that we would spend and no more. The President signed it and both parties in the House and Senate agreed to it. But what happens? Here we are with their proposing a budget that will spend more money than we agreed to spend just a few months ago.

The worst thing about this is that the Budget Control Act did not go far enough. We should have reduced spending more. In addition to that, it looks as though there will be about \$1 trillion in new taxes in this budget. So it is tax more and spend more. It is the wrong direction for America.

People say: Well, that is just politics; what is the matter with you guys. Why can't you reach an agreement? It is hard to reach an agreement when the country is on an unsustainable debt path that puts us in danger of financial crisis; a path that is already slowing growth down in our country. Agreeing to a budget that continues down this path is not the right thing to do. So I am deeply disappointed that we are in this fix.

I wish we had had an opportunity in committee to really have a lot of discussion about it back and forth, because there are good Democratic members of our committee, talented members, good Republican members, talented members, who bring so much to the discussion. But it was just both sides talking today. Some good statements were made but not the kind of engagement we would like to have had. So that is a disappointment.

Under the current baseline we are on, according to the Congressional Budget Office, in the tenth year of this budget we are dealing with right now—the Budget Control Act—interest on our debt will be \$850 billion—\$850 billion in interest payments for 1 year on the money we have borrowed—the almost \$17 trillion we have borrowed. This is why it is such a dangerous thing. The highway bill is \$40 billion or \$50 billion a year, aid to education may be \$100 billion.

I am saying that in just a few years, because we have run up unnecessarily so much debt, that interest will be \$900 billion. That will be more than the Defense Department by far. The Defense

Department's base budget is about \$540 billion, and it is actually being cut. Interest will be the largest growing item in the budget.

Food stamps went from \$20 billion a decade ago to \$80 billion. I just left my farmers, who came up from Alabama, and we were talking about that. The farm bill is about \$100 billion a year. Of that farm bill, \$80 billion of it is the food stamp budget. It has gone up four times. The \$20 billion that goes to farmers, in aid and insurance, actually was cut this year, but nothing was cut out of food stamps. They resisted that, and rejected even a modest amendment I offered to end a clear abuse which wouldn't have hurt anybody. I guess what I am saying is we are in serious business here and we have to get off the debt course we are on.

Erskine Bowles, who was appointed by President Obama to head the fiscal commission, along with Alan Simpson—the Simpson-Bowles Commission—said this Nation has never faced a more predictable financial crisis. What he was saying was, if we don't get off the debt path we are on, we are going to have a financial collapse. They didn't say exactly what, but something like Greece, something like we had in 2007, throwing our country back into a recession, which would be a very dangerous thing. It was a bipartisan warning to us that we needed to act, and we haven't acted since then, and that was over 2 years ago.

We haven't done anything. So a lot of people are saying and you have heard it said that we have to act because we are worried about our children and our grandchildren. And we should be worried about the debt that is out there for our children and grandchildren.

Senator KELLY AYOTTE from New Hampshire put a picture up in our Budget Committee today of her two children, ages 5 and 8, and she had one with \$1,100,000 on that child's picture, and the younger one had \$1,300,000 on her picture. That is what was calculated will be the share of the Nation's debt that they will carry when they are adults. This is wrong. We should not—must not—do this to our children and grandchildren. It was not done to us. Our parents left us with a country much more responsibly managed than this.

We have never, ever had a situation in which we have had four consecutive years of deficits amounting to \$1.2 trillion a year. Never. Oh, President Bush spent too much. Yes, he did. He deserves some criticism. I think he does deserve some criticism. The year before he left office, his deficit was \$161 billion; his last year was \$470 billion. For the last 4 years, we have averaged \$1.2 trillion, and it is systemic and it is deep and it has to be changed.

Now, there is one more thing I really would like for my colleagues to focus on, and I will wrap up with this point,

but it is really important. The question is: When you have debt equal to \$17 trillion, does it impact the economy now? Yes. It puts us at risk for some sort of fiscal crisis. If there is a collapse in Europe, a collapse in Japan, a collapse in China, it could kick us off into a major financial disaster in the United States. It is a very fragile situation.

But the question is: Does the debt we have now slow growth today? I think that is a really important issue, and so we have done the research.

The issue was originally raised by Rogoff and Reinhart. They have done a number of studies and wrote a big book about all the nations that have gone into default and have had a debt crisis over the last 200 years. It is a thoroughly respected work of two highly competent and proven, respected economists. What they concluded was that when debt reaches 90 percent of the size of your economy, you slow economic growth by 1 to 2 percent.

Where are we now? A lot of people have been using the "public debt of the United States." That is one way to calculate it, and our public debt represents about 76 percent of our gross domestic product. But the other debt that we use, the one you have seen most often, is the \$16 trillion figure that has the numbers spinning on it—\$16 trillion is what is called the gross debt. A lot of people seem to think we are not in danger because Rogoff and Reinhart were talking about the public debt. That is not so. We have examined their work, and we have examined their footnotes and their reports and analysis. It is the gross debt. That is what they were using; that is what they calculated. We are at 104 percent gross debt, so we are well over the 90.

I would contend that the reason our economy has failed to meet, for the last 3 years, the growth expectations that were out there is because our debt is dragging us down now. And there are hundreds of thousands—millions of Americans who are probably out of work today because of the debt drag.

We need to get off this path, and the budget the majority moves in our committee gets us nowhere off this path. It never brings our gross debt below 90 percent or 94 percent of GDP, and we haven't finished the analysis of it.

In addition, the International Monetary Fund, the European Central Bank, the International Settlements Bank—all three have done similar studies with a little different approach, and they all reach the same conclusion. What they have concluded is that however you calculate the debt, the United States is already above the line where growth is slowed.

I think it was 2 years ago that the Congressional Budget Office—our non-partisan group who makes projections for our debt and finances in the future—calculated that this year, 2013,

we would have 4.6 percent growth. They predicted a much higher growth last year than the 2.2 percent we got the year before that, and they missed the previous year. They missed 3 consecutive years, predicting higher growth than occurred. And growth means a lot.

White House economic expert Christina Romer has estimated that a 1-percent growth in the economy—a difference between 2 and 3 percent—means you would create 1 million jobs to have 3 percent growth rather than 2 percent growth. That is what growth does to job creation, to wages, the possibility of getting raises, getting more wages, more overtime, perhaps, more bonuses, because the economy is growing. And if it is not growing, our workers are hurting.

So in our vision—I think the members of the Republican side of this Budget Committee—we are united in the belief that we can bring this budget under control and we can balance it.

Now, I have to tell you, the budget Chairman MURRAY produced tonight does not balance ever. It never balances. They say it is a balanced approach. They even said a couple times that it is a balanced budget, in our hearing. All they were trying to do was use the word “balance.” I think maybe—surely not but perhaps—they were hoping people would hear them say they have a balanced budget, which comes nowhere close to balance. With \$500 billion, \$600 billion, \$700 billion of deficit out there for years and years, it never balances. Congressman RYAN made his budget public, openly, a day before he commenced his hearing, and it balances in 10 years.

This is the deal. There is good and bad news in what I am saying. The good news is that we can increase spending every year by 3.4 percent and the budget will balance. The path we are on, the CBO current baseline projects us increasing spending each year at 5.4 or 5.6 percent. So if you reduce that growth instead of growing at that level, you grow at 3.4 percent, the budget will balance. And 3.4 percent is higher than what the Congressional Budget Office says inflation will be. They say it is about 2.2 percent; it will be about 25 percent over 10 years. So you can increase spending over 10 years by 40 percent above the inflation rate, and the budget will balance. You just can't keep increasing it by 5.4 or 5.6 percent.

It is critical for America that we get on the right course. So this is deeply troubling to me. I know we can do this. It is not that hard.

But here is the bad news and why it is painful a bit to get there; that is, because more than half of our budget now is the entitlement programs and interest. As I said, interest on the debt—you have to pay it. You really can't cut the interest except by reducing your debt.

And there is no balanced budget in the short-term future, so the interest is going up at a solid rate.

Then you have our big entitlement programs. You have Medicare, you have Social Security, and then you have some large ones—Medicaid, which is a surging program growing at 8 percent a year, projected to increase by 117 percent over 10 years, and then food stamps is considered to be an entitlement. You put all those entitlements together and you have a problem. Those are in law. And “entitlement” means that if your income is at a certain level, your age is a certain age, you are entitled to the benefit that the law gives you whether the government has any money or not. Congress doesn't have to appropriate it. The government has to go out and borrow the money if they don't change the law.

So we need a plan to change Medicare, Social Security, food stamps, and some of the other entitlement programs in a way that saves them from the financial disaster they are headed toward, puts them on a sound path, and actually begin to restore the finances of America.

There is still waste, fraud, and abuse in the remaining part of the government. There are still programs that don't do any good for the money they get. There is still money spent on projects that should never have money spent on them from Washington, DC, and they ought to be eliminated. But to slow growth from 5.4 percent a year to 3.4 percent a year, we need to touch a little bit of everything. And spending will still go up. That is the good news. We can still spend more, but we just can't spend it quite at the increased rate we are on.

Some people say: Why don't you balance it now? Why are you talking about waiting 10 years?

We probably should do it sooner than 10 years. But I think it is a realistic appeal to Democrats and Republicans alike—let's get on this path, this path that is not too hard to achieve what would be fabulous for America.

Two things. First, I believe that if we were to pass a budget that would be on the path to balance in 10 years, we would feel some economic growth that we have never felt before. Investors worldwide, investors in the United States, and businesses would feel so much better about our country. I really think that is true. Second, we would reduce the huge debt hanging over us that is already slowing down growth. Those two things we can accomplish.

I don't know where we will go. We will pass a budget out of committee, I am sure, on a party-line vote. Maybe it will pass here on the Senate floor by a party-line vote, and then it will go to conference. I don't know, maybe Speaker BOEHNER or Chairman RYAN's budget will match up with the Democratic budget out of the Senate, and

maybe something good will happen for America and we can reach some sort of agreement. But we cannot tax our way out of this. We can't keep increasing spending, for heaven's sake. We need to reduce the growth of spending to a level that is reasonable and can put us on a path to balance.

Mrs. FEINSTEIN. Mr. President, I rise today in support of an amendment that I have filed, along with Vice Chairman CHAMBLISS, to the appropriations bill now on the floor, which will address a unique problem the intelligence community faces in applying the sequester reductions to the National Intelligence Program, NIP, budget.

In short, this amendment would ensure that the intelligence community—which has to be as predictive and agile as possible—will have the same level of flexibility in implementing budget cuts as the Department of Defense, where most of its budget is located. Without this relief, the intelligence community will be far less discriminating in how it adjusts personnel and financial resources to address the dynamic and unforeseen threats our Nation will face in the upcoming months.

This is a commonsense amendment. It does not cost a dime, and it will likely avoid a great deal of harm to our intelligence capabilities.

Let me briefly describe the background and how the amendment would work.

As has been described many times, the terms of the sequestration require that the same level of budget cuts apply across the board. That is, departments and agencies have to apply the same percentage cut across each account.

It therefore becomes very important how those accounts are defined. If the account is very large, a manager has more leeway to prioritize funding and cut the least important, or the least urgent, needs. By contrast, if the account is defined as being smaller, there is less flexibility to cut funding responsibly, and more important programs will suffer.

Because of language included in the Fiscal Year 2012 Defense Appropriations Act, however, the intelligence community must apply the sequester in a highly restrictive way. That legislation required that the definition of an account for sequestration in the intelligence community is at something known as the Programs, Projects, and Activities—known as PPA—level. The intelligence community's budget has 685 PPAs, and each will need to be cut equally. The most problematic of these PPAs for the intelligence agencies are the 354 PPAs within the intelligence agencies' Operations and Maintenance, O&M, accounts. These are the accounts which fund current operations and salaries.

The overall Department of Defense budget is roughly 10 times that of the



intelligence community, but it has only 3 times more PPAs—in other words, it has relatively fewer accounts that are affected by sequestration, and thus greater flexibility to absorb the sequester cuts, since they can be applied within larger budget accounts.

This amendment would help alleviate this problem by permitting the agencies in the intelligence community that are funded by the Defense Appropriations bill to use the same definition of what constitutes a Program, Project, and Activity Account as the Defense Department when applying sequestration reductions to its O&M accounts. This specific change will reduce the number of these PPAs from 354 to 5 and will not affect other PPAs. No budget outside of the intelligence community is affected—we simply provide these intelligence agencies with the same level of flexibility as the Pentagon.

In times like today, where the threats are neither static nor predictable, I ask that my colleagues approve this amendment so that the intelligence community may be nimble and responsive to the dangers our Nation faces.

This is not a simple budgetary matter. How the cuts of sequestration are applied makes a great deal of difference in practical terms.

Just yesterday, Director of National Intelligence James Clapper and other intelligence agency heads testified at the Senate Select Committee on Intelligence's hearing on Current and Projected National Security Threats to the United States. They described the numerous, complex, and interrelated threats we face. Director Clapper noted "how quickly and radically the world—and our threat environment—are changing." He stated there is an increasing risk to U.S. critical infrastructure from cyber attacks, in particular from isolated state or non-state actors using less sophisticated but still effective techniques that are more prevalent today. I ask unanimous consent that an excerpt from this transcript be printed in the RECORD at the conclusion of my remarks.

The terrorist threat continues to become more diffuse since the al-Qa'ida core leadership has been degraded and its affiliates in the Arabian Peninsula and Africa look to fill that void and strike against the United States. Countries like Iran and North Korea continue their efforts to develop ever more deadly weapons of mass destruction, and look to market them to counter their failing economies. And, the instability in the Middle East and North Africa that has grown since the Arab spring continues to create more dangers and potential flashpoints in countries that 3 years ago were not assessed to have such risks.

In the past 6 months, it has been clear that the intelligence community

needs to surge additional resources to collect and analyze intelligence on Northern Africa. Our policymakers need more and better information to deal with instability and terrorist activities in Libya, Mali, and Algeria. Under sequestration, however, agencies would be limited to do so. The same needs apply to address threats that emanate from Iran, North Korea, Syria, and cyberspace, to name just a few.

There is no doubt that the intelligence community can reduce spending and contribute to the Government-wide reductions. But to strip it of all flexibility to cut programs and personnel across the board makes no sense.

If our intelligence agencies are to absorb the cuts required by sequestration, our Nation's security would be better served by providing the intelligence community with the flexibility it needs to implement cuts in as responsible and thoughtful way under these circumstances.

The changes my amendment seeks are necessary to help the intelligence community adapt to a changing world as the sequestration reductions are implemented. I understand there may be concerns with how the other chamber will view this amendment, but I believe that our counterparts on the House Permanent Select Committee on Intelligence—Chairman MIKE ROGERS and Ranking Member DUTCH RUPPERS-BERGER—support making these changes to help intelligence agencies succeed in their mission.

Finally, Mr. President, let me make clear that this amendment is intended, and I believe does, have no effect on the visibility that Congress has in how the intelligence community will make budget reductions due to sequestration or with how these agencies reprogram funds. The only thing affected by the amendment is the size of the accounts from which sequestered funds must be taken.

On behalf of myself and Vice Chairman CHAMBLISS, I urge adoption of the amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE TESTIMONY OF DIRECTOR OF NATIONAL INTELLIGENCE JAMES CLAPPER, BEFORE THE SENATE SELECT COMMITTEE ON INTELLIGENCE, MARCH 12, 2013

In my considered judgment as the nation's senior intelligence officer, sequestration jeopardizes our nation's safety and security. And this jeopardy will increase over time. The National Intelligence Program, or NIP as it's called, which I manage is spread across six cabinet departments, and two independent agencies. Much of it is included in the DOD budget. For that portion of the NIP, the Congress directed that the National Intelligence Program use an even more onerous set of rules to carry out these cuts than that imposed on the Defense Department.

This restrictive Program Project and Activity, or PPA, structure as it's known, compounds the damage because it restricts our

ability to manage where to take deductions in a balanced, and rational way. Accordingly the sheer size of the budget cut, well over \$4 billion, or about 7 percent of the NIP will directly compel us to do less, with less. Some examples, and I'll have to be circumspect here, in a—in an open, unclassified setting, and we're prepared to speak more specifically in a classified setting, of the impacts of sequestration.

We'll reduce human technical, and counter intelligence operations resulting in fewer collection opportunities while increasing the risk of strategic surprise. This includes for example, possibly furloughing thousands of FBI employees funded in the National Intelligence Program. Our cyber efforts will be impacted. This is an area where, as you all know, we must—we need to keep ahead of rapid technology advances to maintain and increase access to adversaries as well as provide warning of a cyber attack against the U.S.

Critical analysis and tools will be cut back. So we'll reduce global coverage, and may risk missing the early signs of a threat. Our response to customers will suffer as well. We'll let go over five thousand contractors, and that number may grow, who are an integral part of the intelligence community, and this is on top of the thousands of contractors we've let go in previous years. We'll delay major systems acquisitions, and decommission older, but still productive overhead reconnaissance capabilities, thus reducing coverage. Virtually all of the 39 major systems acquisitions across the intelligence community would be wounded.

We'll have to re-negotiate contracts and slip schedules to the right, which in the long run, will cost us more. And we'll scale back cutting edge research that helps us maintain a strategic advantage. Since we're already halfway through the fiscal year, the mandate of across the board cuts are equivalent to 13 percent, because we'll be forced to take them in just seven months. These condensed timelines magnify the impact these cuts will have on the I.C. So in response, our approach starts with the premise that mission comes first. Therefore, our two highest priorities are: One, to protect our most valuable resource, our civilian workforce so we can focus on the threats we face. And two to support overseas operations.

Our civilian workforce works 24/7 around the world and is crucial to performing that mission. It is our civilian professionals who will provide the resilience and ingenuity to help compensate for the other cuts we'll incur. I am resolutely committed to minimizing the number, and lengths of furloughs that would be required, not only because of the direct impact on our mission because of the severe impact on the morale of the people who do it. I plan to follow Deputy Secretary of Defense, Ash Carter's sterling example, and have my pay reduced as well in solidarity with any I.C. employees that have to be furloughed.

Now let me emphasize here that we are not arguing against taking our share of the budget reductions. What I am saying is we must manage this budget crisis, and continue our vital missions. And in so doing, we'll minimize the impact on our nation, and on our employees. Therefore, I plan to submit a reprogramming action that mitigates some of the most egregious cuts to help us cut in a more rational mission focused manner. And in this, I'm asking for your support, and the other intelligence oversight committees for expedited management and consideration.



And Madam Chairman I want to on behalf of the entire intelligence community, thank you for your leadership and your care for the mission of the intelligence community, and introducing a bill that would give us that flexibility. Now I must tell you that, unfortunately, I've seen this movie before. 20 years ago I served as director of Defense Intelligence Agency, the job that Lieutenant General Mike Flynn has right now. We were then enjoying to reap the peace dividend occasioned by the end of the Cold War.

We reduced the intelligence community by 23 percent. During the mid to late '90s, we closed many CIA stations, reduced human collectors, cut analysts, allowed our overhead architecture to atrophy, and we neglected basic infrastructure needs, such as power, space, and cooling. And we let our facilities decay. And most damaging, most devastatingly we badly distorted the workforce. All of that of course was—was reversed in the wake of 9/11, and thanks to the support of the Congress over the last decade, we rebuilt the intelligence community into the premier in such capability on the planet.

And now if we're not careful, we risk another damaging downward spiral. So I'm going to do all I can to prevent history from repeating that cycle. But to be clear, the scope and magnitude of the cuts already underway will be long lasting. Unlike more directly observable sequestration impacts, like shorter hours of public parks, or longer security lines at airports, the degradation to intelligence will be insidious. It will be gradual and almost invisible, unless and until, of course we have an intelligence failure.

Ms. COLLINS. Mr. President, I rise to speak on an amendment I have offered with my colleague from Colorado, Senator UDALL, but before I do so, I want to commend the senior Senators from Maryland and Alabama, Senators MIKULSKI and SHELBY, for putting forth a bipartisan proposal to prevent a government shutdown, and to congratulate them both on their new roles as Chairwoman and Vice Chairman of the Senate Appropriations Committee. I look forward to working with both of them as we complete work on the fiscal year 2013 funding bills and begin the fiscal year 2014 budget process.

I also want to thank my friend from Colorado, Senator UDALL, for working with me to develop this bipartisan amendment, which is based on a stand-alone bill that we introduced last week.

Our amendment would help mitigate the harmful effects of the indiscriminate across-the-board cuts, known as sequestration, which took effect on March 1.

Our amendment would not reverse the automatic spending reductions, but would empower the heads of Federal agencies and departments to set priorities and implement the cuts in a smarter way.

Without this amendment, sequestration will be applied without distinction between high and low priority programs, programs that have a proven track record of success and those that should be reduced or eliminated.

To ensure appropriate Congressional oversight, the amendment requires

agency heads to submit their spending proposals to the House and Senate Appropriations Committees for approval.

This Congressional oversight is an important step in the process because the Appropriations Committees know the budget of each agency inside and out. This review process also provides a strong incentive for each department or agency to put forth a serious plan if it wants to avoid the across-the-board cuts that would otherwise take effect.

Mr. President, this is an approach that our intelligence community has requested. The Nation's senior intelligence officer, Director Clapper, testified yesterday before the Intelligence Committee that sequestration jeopardizes our Nation's safety and security and that the across-the-board nature of the cuts compounds the damage by limiting "our ability to manage where to take deductions in a balanced, and rational way." His plea was for flexibility, saying "All we're asking for is the latitude on how to take them to minimize the damage."

The Udall-Collins amendment would provide that needed flexibility to the intelligence community and other areas of our government, and I urge my colleagues to support the amendment.

Finally, I would like to note how pleased I am that the legislation currently before the Senate includes full-year funding bills for a number of departments and agencies, including the Departments of Defense, Homeland Security, Justice, Veterans Affairs, Commerce, and Agriculture. While I wish we had been able to move all of the annual appropriations bills, at a minimum, we appear on the verge of passing full-year funding bills for the departments I just mentioned, which is particularly important for the Department of Defense.

Military leaders have repeatedly warned that failure to enact a full-year defense funding bill would have dire consequences for our military. Military readiness would suffer, and the military would not be fully ready to respond to crises because DOD could not transfer funds from investment accounts into readiness accounts.

A year-long CR for the Defense Department would have resulted in a hollow force because the Pentagon would not have been able to increase production rates for existing weapons, start new programs, or sign multiyear procurement contracts that will provide significant savings for taxpayers.

When I questioned Deputy Defense Secretary Ash Carter on February 14, 2013, at a Senate Appropriations Committee hearing about what the continuing resolution means for the Navy and our domestic shipbuilding capability, he testified that:

We're in the absurd position where we're five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships

that we plan to build this year. That's crazy . . . and that has nothing to do with sequester, by the way, that's the C.R.

The full-year funding bills that are included in the continuing resolution offered by Senators MIKULSKI and SHELBY will help alleviate some of the impacts of sequestration on the departments and agencies funded through those bills.

Unfortunately, the departments and agencies that find themselves funded under a continuing resolution, operating under a budget based on last year's needs, are not as lucky. It is all the more important for these departments and agencies that we provide additional flexibility, as the Udall-Collins amendment would do, in carrying out the cuts mandated by the Budget Control Act.

Mr. President, I ask my colleagues to support this amendment so that the cuts that are taking place now can be targeted at programs that do not work while sparing those programs that do.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that following leader remarks tomorrow, March 14, the Senate resume consideration of H.R. 933; that there be up to 1 hour of debate equally divided in the usual form on the Harkin amendment; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Harkin amendment; that there be no amendments in order to the amendment prior to the vote, and the amendment be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

#### CLOTURE MOTIONS

Mr. REID. Mr. President, I have a cloture motion on the Mikulski-Shelby substitute amendment at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Mikulski-Shelby substitute amendment No. 26, as modified, to H.R. 933 a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Sherrod Brown, Barbara Boxer, Robert

Menendez, Patty Murray, Amy Klobuchar, Debbie Stabenow, Max Baucus, Tim Johnson, Benjamin L. Cardin, John D. Rockefeller IV, Charles E. Schumer, Carl Levin, Thomas R. Carper, Richard J. Durbin, Maria Cantwell.

Mr. REID. Mr. President, I have another cloture motion to the underlying bill at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 933 a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Sherrod Brown, Barbara Boxer, Robert Menendez, Patty Murray, Amy Klobuchar, Debbie Stabenow, Max Baucus, Tim Johnson, Benjamin L. Cardin, John D. Rockefeller IV, Charles E. Schumer, Carl Levin, Thomas R. Carper, Richard J. Durbin, Maria Cantwell.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO MYRON FLEMING

Mr. REID. Mr. President, I have been waiting today to take just a moment to honor Myron Fleming, Director of Doorkeepers, who is retiring after 40 years of working on Capitol Hill.

Myron began his work in the Capitol with the office of Senator Howard Metzenbaum of Ohio. He has worked in the Senate for 33, 34 years, and prior to that he worked in the House of Representatives for 7 years. He is someone whom I have watched over the many years I have been here. He has a wonderful personality. He is someone who helps keep order in this institution, and his presence in the Senate is one that is calming. Everyone who knows him likes him. It just will not be the same without him.

While I will miss him, I know he will be glad to spend more time with his wife Jean Carolyn, as well as his children Mark and Mitchell and their granddaughter Nila.

We talked earlier in the day when I learned he was retiring, and I have already spoken about what a fine gentleman he is. But here is one thing he and I joked about today. I was here handling the floor as I did for Senator Daschle for many years, and there was this big crash. Everyone said: What has happened? What happened was Myron was rushing around doing the work he did, and he could not have done a better pirouette if he been a ballerina. He flipped in the air and came crashing down. Everybody thought something bad had happened, and Myron just got up, smiled, and walked away. He and I joked about that earlier today. I will always remember that. I asked Gary to find somebody on the staff who was there when Myron fell, and no one remembered, but Myron and I remembered. So I went and talked to him myself.

Myron is leaving next week to go on a cruise to Cancun, Mexico, with his wife and his granddaughter. I thank him on behalf of the entire Senate for his faithful service to our country and to the U.S. Senate. I wish him well in the future.

#### TRIBUTE TO JANICE MILLER

Mr. REID. Mr. President, today I rise to recognize one of my longest-serving and loyal staffers, Janice Miller. After more than a quarter of a century in my Las Vegas office, Janice retired on February 22, 2013. She has earned a happy and restful retirement from public service, but she will be deeply missed.

Just six months after I had been elected to serve my first term in the U.S. Senate, Janice joined my staff. A self-described cat lover, Janice soon came to be known for her laughter and her sharp wit. Along with her no-nonsense attitude, she showed true compassion for the countless Medicare and Social Security recipients she assisted throughout her career.

Janice is a true Nevadan. She attended the Western High School in Las Vegas, and then went to the University of Nevada, Reno. Although Las Vegas is her home, she continues to be an avid Wolf Pack supporter. In her youth, Janice had a tremendous activist spirit. That was tapped into by one of her mentors, my good friend and former chief of staff, Rey Martinez. Rey taught Janice at Western High School, and he also introduced her to politics, where she stayed until her recent retirement. Janice has always cared deeply about women's issues, ranging from women's health care to access to education and equality in the workplace.

Janice Miller, during the time she worked on my campaigns, was an all-star. Janice also had tremendous compassion for senior citizens who were often struggling with Social Security issues. In the more than 25 years that

Janice was with me, she never lost her concern for the seniors who needed her help. She always went above and beyond, helping to develop invaluable resources for Nevada's seniors in need. She helped to write the first "Retiree Guide" for my office. Thousands of copies of this guide are still used as a catalog of information and resources for seniors in southern Nevada.

Janice developed a deep understanding of the medical field through her work and her continued outreach to the community. Cindy Lubiarz, vice president of business development at Care Meridian, credits Janice with helping to facilitate the development of the CareMeridian Pediatric Facility, the only free-standing, post-acute inpatient pediatric facility in Nevada, which is set to open its doors later this year.

While fighting to ensure that Nevadans in need got the benefits they deserved, Janice also battled breast cancer. As a survivor, she serves as a source of strength for so many women who are facing the same challenge. She took this role in her personal life as well as in her professional life. Her support has meant so much to Mary Liveratti, retired administrator for the Nevada Division of Aging and Disability Services, who is a breast cancer survivor herself. When Janice first learned of Mary's diagnosis, she pulled her aside at a meeting to tell Mary that she had also battled breast cancer and to offer Mary support and encouragement. When Mary talks about this incident, it brings her to tears because she knew she was not alone in her fight.

Janice's kind spirit, in-depth knowledge of Medicare and Social Security, and commitment to public service will be truly missed. I thank her for her tireless service, and wish her well in her retirement.

#### REMEMBERING LIEUTENANT VALERIE DELANEY

Ms. MIKULSKI. Mr. President, I want to express my deep condolences to the family of LT Valerie Delaney who was a graduate of the U.S. Naval Academy in 2009, whose life was cut short by jet crash in Washington State.

Lieutenant Delaney graduated from the Naval Academy and was a wonderful young lady. She was not my appointment but appointed to the Academy by Congressman ELIJAH CUMMINGS. She was a great naval officer who married 1 year ago. She had a promising life and a promising career ahead of her.

To her family who resides in Howard County in the wonderful community of Ellicott City, I, Senator CARDIN, and the other Senators wish to extend our heartfelt condolences.

Valerie did everything well. She was popular with other officers and well regarded. When she sought nomination,

she needed to take 1 year off for prep school, which she did. She was diligent, persistent and terrific.

We deeply regret this tragic accident which occurred. I wanted to inform the Senate of this accident and let her family know we extend our sympathy.

#### ADDITIONAL STATEMENTS

##### REMEMBERING DR. DONALD ZACHARIAS

• Mr. COCHRAN, Mr. President, Mississippi State University and my State of Mississippi lost one of its most outstanding leaders with the passing of Dr. Donald Zacharias on March 3 at the age of 77. Dr. Zacharias served as the president of Mississippi State University from 1985–1997. His name became synonymous with the highest qualities of leadership, vision, and humanity. He was blessed with gifts that enabled him to make important contributions to higher education throughout the country.

I ask that a March 3, 2013 article from the Clarion-Ledger newspaper titled “Former MSU president Donald Zacharias’ legacy one of transformation,” be printed in the RECORD.

The article follows.

[From the Clarion-Ledger, Mar. 3, 2013]

FORMER MSU PRESIDENT DONALD ZACHARIAS’  
LEGACY ONE OF TRANSFORMATION  
(By Therese Apel)

Former Mississippi State University President Donald Zacharias is being remembered among friends, family and MSU faithful as a man with a vision for the university—and a man who left a legacy of growth and progress at the school he loved.

Zacharias, who led the Starkville university from 1985–97, died Sunday of complications from multiple sclerosis after an extended illness. He was 77.

“He had an influence not just on MSU but on higher education at large in Mississippi,” said Sid Salter, director of University Relations. “He had some rather tumultuous battles with the Legislature over funding higher education. I think that’s really where he could shine in his ability and his willingness to fight for what he believed in.”

Roy Ruby was vice president for student affairs when Zacharias joined the MSU family and later was dean of the College of Education and interim president of the university. Until a year ago, when Zacharias was admitted to a nursing home, the two were neighbors.

“He was a man of solid integrity, and he was a man of his word,” said Ruby. “He was a man who, in all aspects of his life, tried to do right. He was a good family man, a good citizen of the state, and an exemplary college administrator.”

Current MSU President Mark Keenum said Zacharias was someone he looked up to.

“I counted him as a friend, a mentor and an inspiration. Don Zacharias was a man of great courage and dignity—and he was one of the most influential leaders in the history of Mississippi higher education,” Keenum said.

Salter said he and his late wife, Paula, who also had multiple sclerosis, were friends with Zacharias and his wife of 53 years, Tommie.

“They took an interest in Paula, and, ironically, he would later be diagnosed with MS,” Salter said. “He had a tremendous impact on me. He was a solid guy and a man of great integrity.”

Zacharias brought Mississippi State to a new level of prominence during his 12½ years of service.

He raised MSU’s visibility and reputation nationally, and enrollment climbed to the largest in the state at almost 16,000. African-American enrollment more than doubled to 2,200, 15 percent of the student body and the highest percentage among SEC schools, according to a Sunday news release from the university.

Enrollment, private contributions, research and athletic achievement all grew significantly as part of Zacharias’ legacy.

“Dr. Donald Zacharias was a transformative figure at Mississippi State University,” Keenum said. “He really helped bring MSU into the modern era, and he did so by developing a broad vision for the leadership that Mississippi needed from a land grant university.”

Zacharias, upon his retirement from MSU, said: “I saw things in Mississippi State University that others might not have seen. I felt that I had made the right decision to be at this university because I liked both what it stood for and its overall character. I liked its mission, and I liked the students and alumni. I saw the potential.”

Gary Harris, a coach and educator at Heritage Academy in Columbus who graduated from MSU in the early 1990s, said he remembers Zacharias as someone who was able to connect with everyone, regardless of their backgrounds.

“Because of my involvement in several campus organizations, I was around Dr. Z many times,” he said. “He was a very kind, knowledgeable man who always seemed to know how to make everyone in the room seem important. He was a tremendous leader for our campus during some very difficult financial times.”

Salter said many of Zacharias’ dreams for the university continue to be fulfilled.

“He had a long reach, and his influence extended past his own tenure as president.”

Funeral arrangements are incomplete, but the Zacharias family will communicate details through the university. A public memorial service is tentatively planned for Thursday on the Starkville campus of MSU.●

##### TRIBUTE TO JUDGE STEVEN ELLIOT

• Mr. HELLER, Mr. President, today I wish to congratulate Judge Elliot as he retires from the bench having honorably served on Nevada’s Second Judicial District Court for 16 years. Judge Elliot’s wisdom and temperance has made him an extremely effective and admirable judge. His distinguished career as an attorney, judge, and public servant in Nevada is worthy of our appreciation.

After graduating from Stanford University and earning his juris doctor from the University of Denver, Judge Elliot was first elected Sparks City Attorney in 1979 and held that position until his election to the district court. While working as city attorney for Sparks, he founded the Washoe County Domestic Violence Task Force and sup-

ported the Washoe County DUI Task Force. Judge Elliot also crafted legislation requiring land developers to dedicate water rights to local governments, saving taxpayer dollars.

In 1997, Judge Elliott assumed his position as district judge where he was assigned in the family division and general jurisdiction dockets working on civil and criminal cases. As chairman of the Employee Relations Committee, he led a year-long task force to revise the employee manual. He also served on the Nevada Statewide Court Security Task Force to improve security for judges and the public in courthouses throughout Nevada.

In addition to his responsibilities in the court, he has also been very active in many community organizations. He has tirelessly worked to improve the life of Nevada’s young people and abused and battered women, as well as promoted clean and safe communities in Nevada. I applaud Judge Elliot’s commitment to upholding the law of the land as well as the betterment of his community. Today, I ask my colleagues to join me in congratulating Judge Elliot for his accomplishments and contributions to Nevada and his retirement from the Second Judicial District Court of Nevada. He is a truly exceptional Nevadan.●

##### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

##### MESSAGE FROM THE HOUSE

At 10:59 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 749. An act to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement.

H.R. 1035. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

##### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 592. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 749. An act to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1035. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 558. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity outside the United States.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-796. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Maximum Interest Rates on Guaranteed Farm Loans" (RIN0560-AH66) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-797. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Selection and Functions of Farm Service Agency State and County Committees" (RIN0560-AG90) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-798. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child Nutrition Programs: Nondiscretionary Amendments Related to the Healthy, Hunger-Free Kids Act of 2010" (RIN0584-AE14) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-799. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program (SNAP): Updated Trafficking Definition and Supplemental Nutrition Assistance Program—Food Distribution Program on Indian Reservations Dual Participation" (RIN0584-AD97) received in the Office of the President of the

Senate on March 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-800. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National School Lunch Program; Direct Certification Continuous Improvement Plans Required by the Healthy, Hunger-Free Kids Act of 2010" (RIN0584-AE10) received in the Office of the President of the Senate on March 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-801. A communication from the Director of Operational Test and Evaluation, Office of the Secretary of Defense, transmitting, pursuant to law, the Director of Operational Test and Evaluation's fiscal year 2012 annual report; to the Committee on Armed Services.

EC-802. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Repeal of Disclosure Regulations" (RIN2590-AA64) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-803. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regional Reliability Standard PRC-006-NPCC-01—Automatic Underfrequency Load Shedding" (RIN1902-AE54) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Energy and Natural Resources.

EC-804. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; New Source Review (NSR) Preconstruction Permitting Program; Clarification of EPA's Approval of the Sunland Park Section 110(a) (1) Maintenance Plan for the 1997 8-Hour Ozone Standard" (FRL No. 9788-8) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Environment and Public Works.

EC-805. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New York: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9693-2) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Environment and Public Works.

EC-806. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Federal Implementation Plan for Oil and Natural Gas Well Production Facilities; Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nation), North Dakota" (FRL No. 9789-3) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Environment and Public Works.

EC-807. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revise

Shutdown Margin Definition to Address Advance Fuel Designs" (NUREG-1433 and 1434) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Environment and Public Works.

EC-808. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the transfer of jurisdictional control of certain classes of items currently on the United States Munitions List (USML) to the Commerce Control List (CCL); to the Committee on Foreign Relations.

EC-809. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report relative to a claim for equitable relief under the Meritorious Claims Act; to the Committee on Homeland Security and Governmental Affairs.

EC-810. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Government in the Sunshine Act during calendar year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-811. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Government in the Sunshine Act during calendar year 2011; to the Committee on Homeland Security and Governmental Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MIKULSKI, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2013" (Rept. No. 113-3).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 542. A bill to provide limitations on maritime liens on fishing licenses and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mr. COBURN):

S. 543. A bill to require the Secretary of Veterans Affairs to reorganize the Veterans Integrated Service Networks of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN:

S. 544. A bill to require the President to develop a comprehensive national manufacturing strategy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself, Mr. WYDEN, Mr. RISCH, Ms. CANTWELL, Mr. CRAPO, Mrs. MURRAY, and Mr. BEGICH):

S. 545. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. FRANKEN,

Ms. WARREN, Mr. BLUMENTHAL, Mr. SANDERS, Mr. ROCKEFELLER, Mr. DURBIN, Mr. LAUTENBERG, and Mr. MURPHY):

S. 546. A bill to amend entrance counseling and exit counseling for borrowers under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. PAUL, Mr. RUBIO, Mr. VITTER, Mr. BARASSO, and Mr. ISAKSON):

S. 547. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI):

S. 548. A bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. TESTER:

S. 549. A bill to establish an advisory committee to issue nonbinding governmentwide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH:

S. 550. A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Ms. CANTWELL, Mrs. MURRAY, and Mr. MERKLEY):

S. 551. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. ALEXANDER, Mr. BEGICH, Mr. BOOZMAN, Mr. COONS, Mr. HEINRICH, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 552. A bill to amend the Department of Energy Organization Act to replace the current requirement for biennial energy policy plan with a Quadrennial Energy Review, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON of South Dakota (for himself, Mr. CRAPO, Ms. COLLINS, Mrs. GILLIBRAND, Ms. HIRONO, Mr. ISAKSON, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. MERKLEY, Mr. MORAN, Mr. ROBERTS, Ms. STABENOW, Mr. TESTER, Mr. BENNET, Mr. COCHRAN, and Mr. RISCH):

S. 553. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ENZI, Mr. MANCHIN, Ms. KLOBUCHAR, and Mr. KING):

S. 554. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the

performance of the Federal Government; to the Committee on the Budget.

By Mr. HARKIN:

S. 555. A bill to amend the Americans with Disabilities Act of 1990 to require captioning and video description at certain movie theaters; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 556. A bill to amend title 49, United States Code, to improve the accessibility of entertainment programming provided by air carriers on passenger flights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself, Mr. ROBERTS, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. JOHNSON of South Dakota, and Mr. BROWN):

S. 557. A bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program; to the Committee on Finance.

By Mr. PAUL:

S. 558. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity outside the United States; read the first time.

By Mr. ISAKSON (for himself and Mr. BLUMENTHAL):

S. 559. A bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on Foreign Relations.

By Mr. SANDERS:

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to restore the rights of the American people that were taken away by the Supreme Court's decision in the Citizens United case and related decisions, to protect the integrity of our elections, and to limit the corrosive influence of money in our democratic process; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. LEAHY):

S. Res. 76. A resolution designating room S-126 of the United States Capitol as the "Senator Daniel K. Inouye Room" in recognition of his service to the Senate and the people of the United States; considered and agreed to.

By Mr. MORAN (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mr. FLAKE, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER):

S. Con. Res. 7. A concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a sig-

natory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 19

At the request of Mr. CORNYN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 54

At the request of Mr. LEAHY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 230

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 230, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 313

At the request of Mr. CASEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 344

At the request of Mr. WICKER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 367

At the request of Mr. CARDIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 382

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 401

At the request of Mr. CARPER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 470

At the request of Mr. TESTER, the names of the Senator from Texas (Mr. CORNYN), the Senator from Maine (Ms. COLLINS), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 475

At the request of Mr. HARKIN, the names of the Senator from Montana (Mr. TESTER), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Mr. BEGICH) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 517

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 517, a bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 65

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

At the request of Mr. PRYOR, his name was added as a cosponsor of S. Res. 65, *supra*.

At the request of Mr. VITTER, his name was added as a cosponsor of S. Res. 65, *supra*.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. Res. 65, *supra*.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Florida (Mr. RUBIO), the Senator from Colorado (Mr. BENNET) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 28

At the request of Mr. INHOFE, his name was added as a cosponsor of

amendment No. 28 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 29

At the request of Mr. INHOFE, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Nebraska (Mrs. FISCHER), the Senator from Wyoming (Mr. ENZI) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of amendment No. 29 proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 30

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mr. ISAKSON), the Senator from North Carolina (Mr. BURR), the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 30 proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 31

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 31 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself, Mr. WYDEN, Mr. RISCH, Ms. CANTWELL, Mr. CRAPO, Mrs. MURRAY, and Mr. BEGICH):

S. 545. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation aimed at increasing the production of our hardest working renewable resource, one that often gets overlooked in the clean energy debate—hydropower. The Hydropower Improvement Act of 2013 is a bipartisan bill co-sponsored by my colleagues Senators WYDEN, RISCH, CANTWELL, CRAPO, MURRAY, and BEGICH, true hydropower advocates. The Hydropower Improvement Act of 2013 seeks to increase substantially the capacity and generation of



our clean, renewable hydropower resources that will improve environmental quality and support local job creation and economic investment across the nation.

There is no question that hydropower is, and must continue to be, part of our energy solution. It is the largest source of renewable electricity in the United States. The approximately 100,000 megawatts of hydroelectric capacity we now have today provide about seven percent of the Nation's electricity needs. Hydro-electric generation is carbon-free baseload power that allows us to avoid over 200 million metric tons of carbon emissions each year. Hydropower is clean, efficient, and inexpensive. Yet, despite its tremendous benefits I am constantly amazed at how some undervalue this important resource.

Perhaps it's because conventional wisdom dismisses our Nation's hydropower capacity as tapped out. That is simply not the case. If anything, hydropower is really an underdeveloped resource—something we certainly understand in my home State of Alaska where hydro already supplies 24 percent of the State's electricity needs and over 200 promising sites for further hydropower development have been identified. There is great potential for additional hydropower development in every state, not just Alaska.

According to the Department of Energy, conventional hydropower facilities have the capacity to generate an additional 75,000 megawatts of power—a staggering amount of clean, inexpensive power. Now, that doesn't seem possible until you realize that only three percent of the country's 80,000 existing dams are even electrified. Significant amounts of new capacity—anywhere between 20,000 and 60,000 megawatts—can be derived from simple efficiency improvements or capacity additions at existing facilities. Additional hydropower can be captured in existing man-made conduits and hydroelectric pumped storage projects can help reliably integrate other renewable resources that are intermittent, such as wind, onto our grid.

The Hydropower Improvement Act of 2013 seeks to multiply our nation's hydropower capacity in an effort to expand clean power generation and create domestic jobs. The bill provides the Federal Energy Regulatory Commission with the authority to extend preliminary permit terms and to explore a possible 2-year licensing process for hydropower development at non-powered dams and closed loop pumped storage projects. The bill establishes an expedited process for FERC to consider “qualifying conduit” hydropower facilities and increases the rated capacity for small hydro projects to 10 megawatts. The act also calls for the Department of Energy to conduct studies of the technical flexibility and grid

reliability benefits that pumped storage facilities can provide to support intermittent renewable energy, as well as on the range of opportunities for conduit hydropower potential. Importantly, the Hydropower Improvement Act of 2013 does not contain any spending authorizations and therefore does not represent any new funding.

It is my hope that as the Senate considers our Nation's long-term energy policy, we can finally recognize the important contribution the renewable resource of hydropower makes, and will continue to make, toward our clean energy goals. Our colleagues in the House have already done so. The Hydropower Improve Act of 2013 is a companion piece to H.R. 267, the Hydropower Regulatory Efficiency Act of 2013 sponsored by Representatives MCMORRIS-ROGERS and DEGETTE. H.R. 267 recently passed the House by a stunning 422-0 vote and is supported by both the National Hydropower Association and American Rivers. I ask my colleagues to join me in supporting this hydropower legislation to promote the further development of our most cost-effective, clean energy option.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Ms. CANTWELL, Mrs. MURRAY, and Mr. MERKLEY):

S. 551. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am reintroducing a bill to reform the Capital Construction Fund. This legislation would allow fishers to withdraw monies from their CCF accounts without penalty or interest, preventing overfishing and overcapitalization.

The Capital Construction Fund, CCF, program was developed at a time when American fishers were having a hard time competing with highly efficient foreign fishing vessels. The program was designed to enable fishers to deposit a portion of their fishing-related earnings into a CCF account on a tax-deferred basis. Fishers then make withdrawals from their CCF account to construct, reconstruct, or under limited circumstances, acquire fishing vessels. However, any unauthorized withdrawal from CCF account is subject to severe interest and other penalties.

The program was a success. The CCF program helped U.S. fishers build a modern state-of-the-art fleet. Unfortunately, that U.S. fleet is now overcapitalized. This problem is exacerbated by concerns surrounding overfishing. Fisheries managers have begun to implement catch-share limits to reduce the number of fish that they allow fishers to catch each year. Now, the U.S. commercial fishing fleet has more harvesting capacity than our fisheries can sustainably support. However, the monies fishers put into CCF accounts

remain and represent a potential for further overcapitalization. Yet, current CCF regulations penalize withdrawals made for anything other than authorized expenditures.

The resulting situation is problematic for the fishers, the industry and the resource. That is why I am reintroducing legislation today, along with my colleague Senator MURKOWSKI, to address this problem and relieve the pressure to increase further capitalization of the fishing fleet. My legislation will enable CCF accountholders to make a one-time withdrawal from their CCF accounts. Accountholders would be required to pay the taxes due on the monies withdrawn, but without having to pay tax penalties. An income-averaging formula would be applied to the withdrawals in an effort to avoid assessing an excessive tax rate on the one-time withdrawal. Any fisher taking advantage of one-time withdrawal would then be required to close their CCF accounts and would be prohibited from further participation in the program.

This is a win-win-win situation. The fisher gets to take the money out of his CCF without having to pay penalties and interest, but still pays the taxes when due; the government gets taxes on the withdrawals; and the resource and the fishers who remain in the fishery avoid further capitalization of an already over-capitalized industry.

I look forward to working with Senators Murkowski, Murray, Cantwell, Begich and Merkley, the fishing community, and the bill's other supporters to advance this legislation to the President's desk.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 551

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Capital Construction Fund Penalty Relief Act”.

#### SEC. 2. ELECTION TO TERMINATE CERTAIN CAPITAL CONSTRUCTION FUNDS.

(a) AMENDMENTS TO CHAPTER 535 OF TITLE 46, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 535 of title 46, United States Code, is amended by adding at the end the following new section:

##### “§ 53518. Election to terminate

“(a) IN GENERAL.—

“(1) ELECTION.—Any person who has entered into an agreement under this chapter with respect to a vessel operated in the fisheries of the United States may make an election under this paragraph to terminate the capital construction fund established under such agreement.

“(2) EFFECT OF ELECTION ON INDIVIDUALS.—In the case of an individual who makes an election under paragraph (1) with respect to a capital construction fund—

“(A) any amount remaining in such capital construction fund on the date of such election shall be distributed to such individual as a nonqualified withdrawal, except that—

“(i) in computing the tax on such withdrawal, except as provided in paragraph (4), subsections (c)(3)(B) and (f) of section 53511 shall not apply; and

“(ii) the taxpayer may elect to average the income from such withdrawal as provided in subsection (b); and

“(B) such individual shall not be eligible to enter into, directly or indirectly, any future agreement to establish a capital construction fund under this chapter with respect to a vessel operated in the fisheries of the United States.

“(3) EFFECT OF ELECTION FOR ENTITIES.—

“(A) IN GENERAL.—In the case of a person (other than an individual) who makes an election under paragraph (1)—

“(i) the total amount in the capital construction fund on the date of such election shall be distributed to the shareholders, partners, or members of such person in accordance with the terms of the instruments setting forth the ownership interests of such shareholders, partners, or members;

“(ii) each shareholder, partner, or member shall be treated as having established a special temporary capital construction fund and having deposited amounts received in the distribution into such special temporary capital construction fund;

“(iii) no gain or loss shall be recognized with respect to such distribution;

“(iv) the basis of any shareholder, partner, or member in the person shall not be reduced as a result of such distribution;

“(v) any amounts not distributed pursuant to clause (i) shall be distributed in a nonqualified withdrawal; and

“(vi) such person shall not be eligible to enter into, directly or indirectly, any future agreement to establish a capital construction fund under this chapter with respect to a vessel operated in the fisheries of the United States.

“(B) SPECIAL TEMPORARY CAPITAL CONSTRUCTION FUNDS.—For purposes of this chapter, a special temporary capital construction fund shall be treated in the same manner as a capital construction fund established under section 53503, except that the following rules shall apply:

“(i) A special temporary capital construction fund shall be established without regard to any agreement under section 53503 and without regard to any eligible or qualified vessel.

“(ii) Section 53505 shall not apply and no amounts may be deposited into a special temporary capital construction fund other than amounts received pursuant to a distribution described in subparagraph (A)(i).

“(iii) In the case of any amounts distributed from a special temporary capital construction fund directly to a capital construction fund of the taxpayer established under section 53505—

“(I) no gain or loss shall be recognized;

“(II) the limitation under section 53505 shall not apply with respect to any amount so transferred;

“(III) such amounts shall not reduce taxable income under section 53507(a)(1); and

“(IV) for purposes of section 53511(e), such amounts shall be treated as deposited in the capital construction fund on the date that such funds were deposited in the capital construction fund with respect to which the election under paragraph (1) was made.

“(iv) In the case of any amounts distributed from a special temporary capital con-

struction fund pursuant to an election under paragraph (1), clauses (i) and (ii) of paragraph (2)(A) shall not apply to so much of such amounts as are attributable to earnings accrued after the date of the establishment of such special temporary capital construction fund.

“(v) Any amount not distributed from a special temporary capital construction fund before the due date of the tax return (including extension) for the last taxable year of the individual ending before January 1, 2019, shall be treated as distributed to the taxpayer on the day before such due date as if an election under paragraph (1) were made by the taxpayer on such day.

“(C) REGULATIONS.—The joint regulations shall provide rules for—

“(i) assigning the amounts received by the shareholders, partners, or members in a distribution described in subparagraph (A)(i) to the accounts described in section 53508(a) in special temporary capital construction funds; and

“(ii) preventing the abuse of the purposes of this section.

“(4) TAX BENEFIT RULE.—Rules similar to the rules under section 53511(f)(3) shall apply for purposes of determining tax liability on any nonqualified withdrawal under paragraph (2)(A), (3)(A)(v), or (3)(B)(v).

“(5) ELECTION.—Any election under paragraph (1)—

“(A) may only be made—

“(i) by a person who maintains a capital construction fund with respect to a vessel operated in the fisheries of the United States on the date of the enactment of this section; or

“(ii) by a person who maintains a capital construction fund which was established pursuant to paragraph (3)(A)(ii) as a result of an election made by an entity in which such person was a shareholder, partner, or member;

“(B) shall be made not later than the due date of the tax return (including extensions) for the person's last taxable year ending on or before December 31, 2018; and

“(C) shall apply to all amounts in the capital construction fund with respect to which the election is made.

“(b) ELECTION TO AVERAGE INCOME.—At the election of an individual who has received a distribution described in subsection (a), for purposes of section 1301 of the Internal Revenue Code of 1986—

“(1) such individual shall be treated as engaged in a fishing business, and

“(2) such distribution shall be treated as income attributable to a fishing business for such taxable year.”

(2) CONFORMING AMENDMENTS.—

(A) Section 53511 of title 46, United States Code, is amended by striking “section 53513” and inserting “sections 53513 and 53518”.

(B) The table of sections for chapter 535 of title 46, United States Code, is amended by inserting after the item relating to section 53517 the following new item:

“53518. Election to terminate.”.

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Section 7518 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) ELECTION TO TERMINATE CAPITAL CONSTRUCTION FUNDS.—

“(1) IN GENERAL.—Any person who has entered into an agreement under chapter 535 of title 46 of the United States Code, with respect to a vessel operated in the fisheries of the United States may make an election under this paragraph to terminate the cap-

ital construction fund established under such agreement.

“(2) EFFECT OF ELECTION ON INDIVIDUALS.—In the case of an individual who makes an election under paragraph (1) with respect to a capital construction fund, any amount remaining in such capital construction fund on the date of such election shall be distributed to such individual as a nonqualified withdrawal, except that—

“(A) in computing the tax on such withdrawal, except as provided in paragraph (4), paragraphs (3)(C)(ii) and (6) of subsection (g) shall not apply; and

“(B) the taxpayer may elect to average the income from such withdrawal as provided in paragraph (6).

“(3) EFFECT OF ELECTION FOR ENTITIES.—

“(A) IN GENERAL.—In the case of a person (other than an individual) who makes an election under paragraph (1)—

“(i) the total amount in the capital construction fund on the date of such election shall be distributed to the shareholders, partners, or members of such person in accordance with the terms of the instruments setting forth the ownership interests of such shareholders, partners, or members,

“(ii) each shareholder, partner, or member shall be treated as having established a special temporary capital construction fund and having deposited amounts received in the distribution into such special temporary capital construction fund,

“(iii) no gain or loss shall be recognized with respect to such distribution,

“(iv) the basis of any shareholder, partner, or member in the person shall not be reduced as a result of such distribution, and

“(v) any amounts not distributed pursuant to clause (i) shall be distributed as a nonqualified withdrawal.

“(B) SPECIAL TEMPORARY CAPITAL CONSTRUCTION FUNDS.—For purposes of this section, a special temporary capital construction fund shall be treated in the same manner as a capital construction fund established under section 53503 of title 46, United States Code, except that the following rules shall apply:

“(i) Subsection (a) shall not apply and no amounts may be deposited into a special temporary capital construction fund other than amounts received pursuant to a distribution described in subparagraph (A)(i).

“(ii) In the case of any amounts distributed from a special temporary capital construction fund directly to a capital construction fund of the taxpayer established under section 53505 of title 46, United States Code—

“(I) no gain or loss shall be recognized;

“(II) the limitation under subsection (a) shall not apply with respect to any amount so transferred;

“(III) such amounts shall not reduce taxable income under subsection (c)(1)(A); and

“(IV) for purposes of subsection (g)(5), such amounts shall be treated as deposited in the capital construction fund on the date that such funds were deposited in the capital construction fund with respect to which the election under paragraph (1) was made.

“(iii) In the case of any amounts distributed from a special temporary capital construction fund pursuant to an election under paragraph (1), subparagraphs (A) and (B) of paragraph (2) shall not apply to so much of such amounts as are attributable to earnings accrued after the date of the establishment of such special temporary capital construction fund.

“(iv) Any amount not distributed from a special temporary capital construction fund before the due date of the tax return (including extension) for the last taxable year of



the individual ending before January 1, 2019, shall be treated as distributed to the taxpayer on the day before such due date as if an election under paragraph (1) were made by the taxpayer on such day.

“(C) REGULATIONS.—The joint regulations shall provide rules for—

“(i) assigning the amounts received by the shareholders, partners, or members in a distribution described in subparagraph (A)(i) to the accounts described in subsection (d)(1) in special temporary capital construction funds; and

“(ii) preventing the abuse of the purposes of this section.

“(4) TAX BENEFIT RULE.—Rules similar to the rules under subsection (g)(6)(B) shall apply for purposes of determining tax liability on any nonqualified withdrawal under paragraph (2), (3)(A)(v), or (3)(B)(iv).

“(5) ELECTION.—Any election under paragraph (1)—

“(A) may only be made—

“(i) by a person who maintains a capital construction fund with respect to a vessel operated in the fisheries of the United States on the date of the enactment of this subsection, or

“(ii) by a person who maintains a capital construction fund which was established pursuant to subparagraph (3)(A)(ii) as a result of an election made by an entity in which such person was a shareholder, partner, or member,

“(B) shall be made not later than the due date of the tax return (including extensions) for the person's last taxable year ending on or before December 31, 2018, and

“(C) shall apply to all amounts in the capital construction fund with respect to which the election is made.

“(6) ELECTION TO AVERAGE INCOME.—At the election of an individual who has received a distribution described in paragraph (2), for purposes of section 1301—

“(A) such individual shall be treated as engaged in a fishing business, and

“(B) such distribution shall be treated as income attributable to a fishing business for such taxable year.”

(2) CONFORMING AMENDMENT.—Section 7518(g)(1) of such Code is amended by striking “subsection (h)” and inserting “subsections (h) and (j)”.

By Mr. JOHNSON of South Dakota (for himself, Mr. CRAPO, Ms. COLLINS, Mrs. GILLIBRAND, Ms. HIRONO, Mr. ISAKSON, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. MERKLEY, Mr. MORAN, Mr. ROBERTS, Ms. STABENOW, Mr. TESTER, Mr. BENNET, Mr. COCHRAN, and Mr. RISCH):

S. 553. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to reintroduce the Veterinary Medicine Loan Repayment Program Enhancement Act with my friend, Senator MIKE CRAPO of Idaho. This bipartisan bill would exempt Veterinary Medicine Loan Repayment Program, VMLRP, awards from federal income taxation in order to increase veterinary services in areas

around the country that lack adequate veterinary expertise.

Authorized in 2003 by the National Veterinary Medical Services Act, NVMSA, the United States Department of Agriculture's, USDA, Veterinary Medicine Loan Repayment Program serves a dual purpose in assisting qualified veterinarians in reducing their student debt while also alleviating veterinarian shortages in rural areas. Specifically, the program authorizes the National Institute of Food and Agriculture, NIFA, to repay up to \$25,000 of a veterinarian's debt per year if they agree to serve in high-priority veterinary shortage areas for at least 3 years. However, awards under the program continue to be taxed at a rate of 39 percent, effectively limiting the number of awards that can be provided and delaying veterinary services to areas in desperate need. The awards are taxed with the tax payments paid under the program by the federal government, and the tax payments themselves are also taxed.

The Department of Agriculture determines whether an area is eligible for assistance under the VMLRP through a “shortage situation” declaration process. Currently, two circumstances lead to such a designation. A geographic designation is made when a given geographic area suffers from a shortage of veterinarians overall and an area can also be designated as a shortage area when it suffers from a shortage of veterinarians who practice in a particular field of veterinary specialty. Currently, my home state of South Dakota has 6 designated shortage situations; three of them are statewide designations noting a shortage of practitioners in veterinary specialties. Moreover, the Bureau of Labor Statistics estimates that employment of veterinarians will grow by 36 percent by 2020, creating a need for 22,000 additional veterinarians. The future growth and increased demand for veterinarians becomes even more pressing when considered in combination with national statistics that show dozens of counties across the country that have more than 25,000 food animals but zero veterinarians.

Attaining a professional degree in a specialized and advanced field like veterinary medicine takes more than academic fortitude and personal dedication. According to the American Veterinary Medicine Association, the average VMLRP award recipient in Fiscal Year 2011 had an average eligible debt of over \$100,000. Given the financial resources necessary to pursue a degree in higher education, I have long fought for this legislation to make it easier for students to pay off their loans. While South Dakota is truly a wonderful place to call home, it is a difficult place for a young veterinarian to earn a living when saddled with 6 figures of school debt. My legislation will help by enhancing the assistance veterinary

graduates receive in exchange for meaningful public service while also providing important services to underserved rural areas.

With an economic impact of \$21.4 billion each year, according to the South Dakota Department of Agriculture, the importance of agriculture to the South Dakota economy cannot be understated. Our ranchers, many of whom operate in very rural areas, rely on the access they have to qualified veterinarians to care for their livestock and many of them must drive long distances to access the nearest veterinarian that works with their specific type of livestock. This lack of adequate access to veterinary services could have ramifications for both human and animal health, as well as animal welfare, disease surveillance, public safety and economic development. Farmers and ranchers make their living in agriculture but food security is fundamentally in all of our interests. Everyone in America benefits from the veterinary services provided in even the most remote areas of the country. As such, I am committed to doing all I can to help bring veterinarians to underserved parts of our state.

I am proud to have fought for the establishment of the VMLRP program and for securing funding for the program through my seat on the Senate Appropriations Committee. Unfortunately, the 39 percent tax that is assessed on these benefits continues diminish the full benefits of the program. With enactment of this legislation, for every three veterinarians selected for the loan repayment awards, an additional veterinarian could also be selected to serve in an underserved shortage area. Moreover, such an exemption is not without precedent. In 2004, Congress exempted from taxation the assistance received by participants in the National Health Services Corps, NHSC.

It should be noted that nearly 140 organizations from across the nation have announced their support for a tax exemption for VMLRP, including the South Dakota Veterinary Medical Association, South Dakota Farmers Union, South Dakota Farm Bureau, South Dakota Cattlemen's Association, South Dakota Stockgrowers Association, South Dakota Cattlemen's Association, South Dakota Pork Producers Council, the American Veterinary Medical Association, the American Farm Bureau Federation, the American Sheep Industry Association, the National Farmers Union, and many, many others.

The VMLRP has had proven success in providing our agricultural producers with access to the veterinary services that they need to be effective. In fiscal year 2011, the program filled at least one shortage area in 35 States. Through the Veterinary Medicine Loan Repayment Program Enhancement Act, we can ensure that the program,

and the awards offered through it, is continued and strengthened for the benefit of our students, rural communities, and family farms and ranches.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SUPPORT FOR THE VETERINARY MEDICINE LOAN REPAYMENT PROGRAM ENHANCEMENT ACT OF 2013

The undersigned organizations offer our strongest support for the Veterinary Medicine Loan Repayment Program Enhancement Act of 2013 championed by Senator Tim Johnson (D-SD), Senator Michael Crapo (R-ID), and Representative Kurt Schrader (D-OR-5).

Our organizations represent a broad spectrum of animal agriculture from all across our great country. We are concerned about the continued economic viability of America's farmers, ranchers, and the businesses they own. We support public policy that promotes vibrant rural communities. We are livestock producers; processors; animal health and research organizations; veterinary medical associations; and livestock feed, pet food and animal drug companies. We represent businesses that care deeply about animal health and animal agriculture. Together we urge Congress to pass the Veterinary Medicine Loan Repayment Program Enhancement Act without delay.

The legislation provides a federal income tax exemption for awards received under the Veterinary Medicine Loan Repayment Program (VMLRP) and similar state programs. The awards are presently taxed at 39 percent.

Veterinary medicine loan repayment awards help qualified veterinarians offset a portion of the educational debt in return for practicing food animal medicine or veterinary public health in federally designated high-priority veterinary shortage situations. Congress set a precedent for tax exemption in 2004 when it passed "The American Jobs Creation Act of 2004" (H.R. 4520, P.L. 108-357) making the National Health Service Corps (NHSC) loan repayment program awards tax exempt. Prior to P.L. 108-357 the NHSC awards were taxed at 39 percent.

VMLRP participants provide a wide array of veterinary services for rancher's livestock (beef, dairy cows, turkeys, chicken, swine, goats, sheep, farmed deer and elk, camelids, and working farm horses) including accredited medical procedures including vaccinations (i.e., Brucellosis official calf-hood vaccination/RB51), castration and dehorning, pregnancy detections, breeding soundness exams, and services for acute illness, trauma, dystocia or obstetrical difficulties. They provide required services for interstate movement of livestock, including commuter agreements, animal health testing requirements needed to ship livestock, tuberculosis checks and blood sample services for Brucellosis, Bluetongue, and Bovine Viral Diarrhea. They perform duties for state and federal disease control and eradication programs and play a role in a state's veterinary emergency response teams. Veterinarians practicing in public health provide regulatory oversight for critical programs and activities protecting livestock and poultry populations from catastrophic diseases of animal and public health importance. They perform domestic and foreign animal disease surveillance activities, epidemiological investigations, institute mitigation measures

for disease control and are active first responders in the event of an animal disease outbreak or incident that threatens animal or human health. Also, they perform outreach and education contributing to animal disease awareness for producers, veterinary practitioners and the public.

By passing the Veterinary Medicine Loan Repayment Program Enhancement Act, Congress will bolster animal health and welfare, protect the nation's food supply and ensure that ranchers and farmers will have access to veterinary services they need for their livestock.

Sincerely,

LIVESTOCK PRODUCERS, PROCESSORS, PACKERS AND RELATED ORGANIZATIONS

American Horse Council; American Meat Institute; American Rabbit Breeders Association, Inc.; American Sheep Industry Association; American Veal Association; Fur Commission USA; International Llama Registry; Michigan Pork Producers Association; National Aquaculture Association; National Cattlemen's Beef Association; National Chicken Council; National Livestock Producers Association; National Milk Producers Federation; National Pork Producers Council; National Renderers Association; National Turkey Federation; Nebraska Poultry Industries; North American Deer Farmers Association; North American Meat Association; North Dakota Stockmen's Association; Ohio Poultry Association; South Dakota Cattlemen's Association; South Dakota Pork Producers Council; South Dakota Stockgrowers Association; Texas Association of Dairymen; United Egg Producers; U.S. Cattle-men's Association.

ANIMAL AGRICULTURE AND RURAL-FOCUSED ORGANIZATIONS

American Farm Bureau Federation®; Center for Rural Affairs; Kansas City Animal Health Corridor; Kansas City Area Development Council; Kansas City Area Life Sciences Institute; Livestock Marketing Association; National Farmers Union; National Grange; National Association of State Departments of Agriculture; National Council of Farmer Cooperatives; National Dairy Herd Information Association; National Institute for Animal Agriculture; Northeast States Association for Agriculture Stewardship; Rocky Mountain Farmers Union; South Dakota Farmers Union; State Agriculture and Rural Leaders.

ANIMAL HEALTH AND RESEARCH-FOCUSED ORGANIZATIONS;

American Dairy Science Association; American Society of Animal Science; American Society of Laboratory Animal Practitioners; Federation of Animal Science Societies; Kansas Bioscience Authority; Poultry Science Association; Silliker, Inc.; Society for Theriogenology; United States Animal Health Association.

LIVESTOCK FEED, PET FOOD, ANIMAL DRUG COMPANIES

American Feed Industry Association; Animal Health Institute; Bayer Animal Health; Boehringer Ingelheim Vetmedica, Inc.; Ceva Animal Health; Elanco Animal Health (A Division of Eli Lilly & Company); Pet Food Institute; Zoetis.

VETERINARY TRADE AND ALLIED ORGANIZATIONS

American Veterinary Medical Association; American Association of Veterinary Laboratory Diagnosticians; Association of American Veterinary Medical Colleges; Academy of Rural Veterinarians; Alabama Veterinary Medical Association; Alaska Veterinary Medical Association; American Animal Hospital Association; American Academy of Veterinary Nutrition; American Association for Laboratory Animal Science; American Association of Avian Pathologists; American Association of Bovine Practitioners; American Association of Corporate and Public Practice Veterinarians; American Association of Equine Practitioners; American Association of Feline Practitioners; American Association of Food Hygiene Veterinarians; American Association of Public Health Veterinarians; American Association of Small Ruminant Practitioners; American Association of Swine Veterinarians; American Association of Veterinary Clinicians; American Association of Zoo Veterinarians; American Board of Veterinary Practitioners; American Board of Veterinary Toxicology; American College of Laboratory Animal Medicine; American College of Poultry Veterinarians; American College of Theriogenologists; American College of Veterinary Dermatology; American College of Veterinary Pathologists; American College of Veterinary Radiology; American Veterinary Medical Foundation; Arizona Veterinary Medical Association; Arkansas Veterinary Medical Association; Association for Women Veterinarians Foundation; Association of Avian Veterinarians; Association of Veterinary Biologics Companies; Association of Zoos & Aquariums; California Veterinary Medical Association; Colorado Veterinary Medical Association; Connecticut Veterinary Medical Association; Delaware Veterinary Medical Association; District of Columbia Veterinary Medical Association; Florida Veterinary Medical Association; Georgia Veterinary Medical Association; Hawaii Veterinary Medical Association; Idaho Veterinary Medical Association; Illinois State Veterinary Medical Association; Indiana Veterinary Medical Association; Iowa Veterinary Medical Association; Kansas Veterinary Medical Association; Kentucky Veterinary Medical Association; Lesbian and Gay Veterinary Medical Association; Louisiana Veterinary Medical Association; Maine Veterinary Medical Association; Maryland Veterinary Medical Association; Massachusetts Veterinary Medical Association; Michigan Veterinary Medical Association; Minnesota Veterinary Medical Association; Mississippi Veterinary Medical Association; Missouri Veterinary Medical Association; Montana Veterinary Medical Association; National Association of Federal Veterinarians; National Association of State Public Health Veterinarians; National Association of Veterinary Technicians in America; National Food Animal Veterinary Institute; Nebraska Veterinary Medical Association; Nevada Veterinary Medical Association;

New Hampshire Veterinary Medical Association; New Jersey Veterinary Medical Association; New Mexico Veterinary Medical Association; New York State Veterinary Medical Society; North Carolina Veterinary Medical Association; North Dakota Veterinary Medical Association; Ohio Veterinary Medical Association; Oklahoma Veterinary Medical Association; Oregon Veterinary Medical Association; Puerto Rico Veterinary Medical Association (Colegio de Medicos Veterinarios de Puerto Rico); Pennsylvania Veterinary Medical Association; Rhode Island Veterinary Medical Association; South Carolina Association of Veterinarians; South Dakota Veterinary Medical Association; Student American Veterinary Medical Association; Tennessee Veterinary Medical Association; Texas Veterinary Medical Association; Utah Veterinary Medical Association; Vermont Veterinary Medical Association; Virginia Veterinary Medical Association; Washington State Veterinary Medical Association; Wisconsin Veterinary Medical Association; Wyoming Veterinary Medical Association.

By Mr. HARKIN:

S. 555. A bill to amend the Americans with Disabilities Act of 1990 to require captioning and video description at certain movie theaters; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today marks the 25th anniversary of the appointment of Gallaudet University's first Deaf president, Dr. I. King Jordan. This historic appointment, the product of the "Deaf President Now" student protests, was truly a catalyzing moment—a moment to establish dignity—for the Deaf community. As President Jordan stated in his acceptance speech, the Deaf community would "no longer accept limits on what we can achieve."

Deaf President Now was significant not only for the Deaf community, but it also showed other Americans what Deaf individuals are capable of. We saw the rights of the Deaf community brought to the forefront. And the Deaf President Now movement, with the active involvement of the Deaf community, helped lead to passage of the Americans with Disabilities Act 2 years later, in 1990.

The Americans with Disabilities Act is one of the landmark civil rights laws of the 20th century—a long-overdue emancipation proclamation for Americans with disabilities. The ADA has played a huge role in making our country more accessible, in raising the expectations of people with disabilities about what they can hope to achieve at work and in life, and in inspiring all of us to view disability issues through the lens of equality and opportunity.

Before the ADA, life was very different for folks with disabilities. Being an American with a disability meant not being able to ride on a bus because there was no lift, not being able to attend a concert or ballgame because there was no accessible seating, and

not being able to cross the street in a wheelchair because there were no curb cuts. In short, it meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have seen amazing progress. The ADA literally transformed the American landscape by requiring that architectural barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widening doorways, and closed captioning. More importantly, the ADA gave millions of Americans the opportunity to participate in their communities. We have made substantial progress in advancing the four goals of the ADA—equality of opportunity, full participation, independent living, and economic self-sufficiency.

But despite this progress, we still have more work to do. Although most television and home videos contain captioning for individuals who are deaf or hard of hearing—or the rest of us—most movie theaters do not. Thus millions of Americans who are deaf or hard of hearing are not able to attend a movie with their families or friends, at a time and location that they want, simply because captioning is not available. The same is true for individuals who are blind or visually impaired; most movie theaters do not provide access to video description technology, which would allow these individuals to have access to the key elements of a motion picture by contemporaneous audio narrated descriptions during the natural pauses in the audio portion of the programming, usually through headphones.

A similar problem occurs in airplanes, with respect to in-flight entertainment. Many airlines are now providing in-flight entertainment for their passengers—but individuals who are deaf or hard of hearing cannot access it, because the overwhelming majority of this programming does not have captioning. Individuals who are blind or visually impaired are similarly excluded, since video description is not provided for such programming either.

So we have a situation where an individual, in his own home, can usually access captioning or similar technology on his television when watching live television, or a television show, or a movie. Such captioning is often available in other venues, such as restaurants and sports bars. I do not believe that it would be difficult to provide the same technology access for individuals with disabilities in movie theaters or on airplanes. This would allow these Americans with disabilities to have the same access as everyone else.

Today I am introducing two bills. These bills will allow Americans with visual or hearing impairments to enjoy going to the movies and watching in-flight entertainment, through cap-

tioning and video description, just as they can at home.

The first, S. 555, entitled the Captioning and Image Narration to Enhance Movie Accessibility, CINEMA, Act, would amend Title III of the ADA to require movie theater complexes of two or more theaters to make captioning and video description available for all films at all showings.

The second, S. 556, entitled the Air Carrier Access Amendments Act, would require air carriers to make captioning and video description available for visually displayed entertainment programming—live televised events, recorded programming, and motion pictures—that is available in-flight for passengers. In instances where the programming is only available through the use of an individual touchscreen or other contact-sensitive controls, the bill would authorize the U.S. Access Board to develop accessibility standards so that individuals with disabilities can operate the displays independently.

I look forward to working with my fellow members to pass these two bills and ensure that individuals who are deaf or hard of hearing, or who are blind or visually impaired, can have the same access to movies and in-flight entertainment as other Americans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 555

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Captioning and Image Narration to Enhance Movie Accessibility Act" or the "CINEMA Act".

#### SEC. 2. MOVIE THEATER ACCESSIBILITY.

Section 302(b) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

"(3) MOVIE THEATER ACCESSIBILITY.—

"(A) DEFINITIONS.—In this paragraph:

"(i) CLOSED CAPTIONING.—The term 'closed captioning' means a method, process, or mechanism, which may include a device, that—

"(I) allows an individual who is deaf or hard of hearing to have access to the content of a motion picture; and

"(II) allows that access by displaying, through an individual device or individually used technology, all of the audio portion of the motion picture (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed and controlled by that individual while the individual simultaneously watches the motion picture.

"(ii) COVERED ENTITY.—The term 'covered entity' means an entity—

“(I) that operates a complex of 2 or more movie theaters, screening rooms, or similar venues, at a single location, that are used for the exhibition of copyrighted motion pictures, if such exhibition is open to the public; and

“(II) whose operations affect commerce.

“(iii) OPEN CAPTIONING.—The term ‘open captioning’ means a method, process, or mechanism that—

“(I) allows an individual who is deaf or hard of hearing to have access to the content of a motion picture; and

“(II) allows that access by openly displaying on the movie screen involved all of the audio portion of the motion picture (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed by that individual and other members of the audience while the individual and members simultaneously watch the motion picture.

“(iv) VIDEO DESCRIPTION.—The term ‘video description’ means a method, process, or mechanism, including a device, that—

“(I) allows an individual who is blind or visually impaired to have access to the key visual elements of a motion picture (such as actions, settings, facial expressions, costumes, and scene changes); and

“(II) allows that access through the provision of contemporaneous audio narrated descriptions of those elements during the natural pauses in the audio portion of the motion picture, or during the audio portion if necessary.

“(B) ACCESSIBILITY.—It shall be discriminatory for any person who owns, leases (or leases to), or operates a covered entity to fail to ensure that all motion pictures shown at the complex involved are accessible to individuals with disabilities, including—

“(i) providing, or making available, open captioning for individuals with disabilities, including individuals who are deaf or hard of hearing;

“(ii) providing, or making available, closed captioning for individuals with disabilities, including individuals who are deaf or hard of hearing; and

“(iii) providing, or making available, video description for individuals with disabilities, including individuals who are blind or visually impaired.

“(C) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit or prohibit an individual with a disability from utilizing technology in connection with a personal device in a manner that may provide the individual with access to closed captioning, open captioning, or video description that is equivalent to or greater than the corresponding access required under subparagraph (B).”.

### SEC. 3. CONFORMING AMENDMENT.

Section 308(a)(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)(2)) is amended by striking “and section 303(a)” and inserting “, 302(b)(3), and 303(a)”.

### SEC. 4. EFFECTIVE DATE.

This Act takes effect 1 year after the date of enactment of this Act.

By Mr. HARKIN:

S. 556. A bill to amend title 49, United States Code, to improve the accessibility of entertainment programming provided by air carriers on passenger flights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 556

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Air Carrier Access Amendments Act”.

### SEC. 2. ACCESSIBILITY OF IN-FLIGHT ENTERTAINMENT PROGRAMMING.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by inserting after section 41705 the following:

#### “§ 41705a. Accessibility of in-flight entertainment programming

“(a) IN GENERAL.—In providing air transportation, an air carrier, including (subject to section 40105(b)) any foreign air carrier, shall ensure that—

“(1) on and after the date that is 180 days after the date of the enactment of the Air Carrier Access Amendments Act, all visually displayed entertainment programming available to passengers on a flight is accessible to individuals with disabilities, including by—

“(A) providing, or making available, open captioning for individuals with disabilities, including individuals who are deaf or hard of hearing, when such programming is available to passengers through shared video displays, such as a monitor located in a passenger access aisle;

“(B) providing, or making available, closed captioning for individuals with disabilities, including individuals who are deaf or hard of hearing, when such programming is available to passengers through individual video displays; and

“(C) providing, or making available, video description for individuals with disabilities, including individuals who are blind or visually impaired, when such programming is available to passengers through individual video displays or shared video displays; and

“(2) not later than the effective date of the regulations prescribed under subsection (c)(2), all individual video displays that display entertainment programming or information to passengers on a flight that are operated primarily by using touchscreens or other contact-sensitive controls include a mechanism that allows individuals with disabilities, including individuals who are blind or visually impaired, to independently operate the displays in accordance with the standards prescribed under subsection (c).

#### “(b) ENFORCEMENT.—

“(1) IN GENERAL.—The remedies and procedures set forth in section 308(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)), including the injunctive relief described in paragraph (2) of that section, shall be available to any person aggrieved by the failure of an air carrier to comply with subsection (a).

“(2) ENFORCEMENT BY ATTORNEY GENERAL.—The provisions of section 308(b) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(b)) shall apply with respect to the compliance of air carriers with subsection (a) to the same extent that those provisions apply with respect to the compliance of covered entities with title III of that Act (42 U.S.C. 12181 et seq.).

“(c) ESTABLISHMENT OF STANDARDS FOR OPERATION OF INDIVIDUAL VIDEO DISPLAYS.—

“(1) IN GENERAL.—Not later than 18 months after the date of the enactment of the Air Carrier Access Amendments Act, the Architectural and Transportation Barriers Compliance Board shall, in consultation with the Secretary of Transportation, prescribe standards in accordance with chapter 5 of title 5 (commonly known as the ‘Administrative Procedure Act’) setting forth the minimum technical criteria for individual video displays described in subsection (a)(2) to ensure that such video displays include a mechanism that allows individuals with disabilities to operate the displays independently.

“(2) REGULATIONS.—Not later than 180 days after the Architectural and Transportation Barriers Compliance Board issues standards under paragraph (1), the Secretary shall prescribe such regulations as are necessary to implement those standards and shall publish those regulations in an accessible format.

“(3) REVIEW AND AMENDMENT.—The Architectural and Transportation Barriers Compliance Board, in consultation with the Secretary, shall periodically review and, as appropriate, amend the standards prescribed under paragraph (1) in accordance with chapter 5 of title 5. Not later than 180 days after the Architectural and Transportation Barriers Compliance Board issues amended standards under this paragraph, the Secretary shall make such revisions to the regulations prescribed under paragraph (2) as are necessary to implement the amended standards.

“(d) DEFINITIONS.—In this section:

“(1) CLOSED CAPTIONING.—The term ‘closed captioning’ means a method, process, or mechanism, which may include a device, that—

“(A) allows an individual who is deaf or hard of hearing to have access to the content of visually displayed entertainment programming; and

“(B) allows that access by displaying, through an individual device or individually used technology, all of the audio portion of the programming (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed and controlled by that individual while the individual simultaneously watches the programming.

“(2) INDIVIDUAL WITH A DISABILITY.—The term ‘individual with a disability’ means any person who has a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

“(3) OPEN CAPTIONING.—The term ‘open captioning’ means a method, process, or mechanism that—

“(A) allows an individual who is deaf or hard of hearing to have access to the content of visually displayed entertainment programming; and

“(B) allows that access by openly displaying on the video display on which the programming is displayed all of the audio portion of the programming (including displaying the dialogue and any narration, as well as descriptions of on- and off-screen sounds such as sound effects, music, or lyrics for music, and information identifying the character who is speaking) as text that can be effectively viewed by that individual and other passengers while the individual and passengers simultaneously watch the programming.

“(4) VIDEO DESCRIPTION.—The term ‘video description’ means a method, process, or mechanism, including a device, that—

“(A) allows an individual who is blind or visually impaired to have access to the key visual elements of visually displayed entertainment programming (such as actions, settings, facial expressions, costumes, and scene changes); and

“(B) allows that access through the provision of contemporaneous audio narrated descriptions of those elements during the natural pauses in the audio portion of the programming, or during the audio portion if necessary.

“(5) VISUALLY DISPLAYED ENTERTAINMENT PROGRAMMING.—The term ‘visually displayed entertainment programming’ means live televised events, recorded programming (including television programs), or motion pictures that are available to passengers, for a fee or without cost, on a flight in air transportation.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41705 the following:

“41705a. Accessibility of in-flight entertainment programming.”.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 76—DESIGNATING ROOM S-126 OF THE UNITED STATES CAPITOL AS THE “SENATOR DANIEL K. INOUE ROOM” IN RECOGNITION OF HIS SERVICE TO THE SENATE AND THE PEOPLE OF THE UNITED STATES

Mr. REID (for himself and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 76

Whereas Senator Daniel K. Inouye served the people of Hawaii for more than 58 years as a member of the Territorial House of Representatives, the Territorial Senate, the United States House of Representatives, and the United States Senate;

Whereas Senator Daniel K. Inouye became the first Japanese American to serve in both the United States House of Representatives and the United States Senate;

Whereas Senator Daniel K. Inouye represented Hawaii in Congress from before the time that Hawaii became a State in 1959 until 2012;

Whereas, during his tenure in the Senate, Senator Daniel K. Inouye served as the President pro tempore, the Chairman of the Committee on Appropriations, the Chairman of the Subcommittee on Defense of the Committee on Appropriations, the first Chairman of the Select Committee on Intelligence, the Chairman of the Committee on Indian Affairs, the Chairman of the Democratic Steering Committee, the Chairman of the Committee on Commerce, Science, and Transportation, the Chairman of the Committee on Rules and Administration, the Chairman of the Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and the Secretary of the Democratic Conference;

Whereas Senator Daniel K. Inouye enlisted in the Army after the attacks on Pearl Harbor in 1941 and fought heroically in the Italian theater even after being wounded; and

Whereas Senator Daniel K. Inouye received a Distinguished Service Cross, a Bronze Star,

a Purple Heart with cluster, and 12 other medals and citations before receiving the Medal of Honor from President William J. Clinton in June 2000: Now, therefore, be it

*Resolved*, That the Senate designates room S-126 of the United States Capitol as the “Senator Daniel K. Inouye Room”, in recognition of his service to the Senate and the people of the United States.

#### SENATE CONCURRENT RESOLUTION 7—EXPRESSING THE SENSE OF CONGRESS REGARDING CONDITIONS FOR THE UNITED STATES BECOMING A SIGNATORY TO THE UNITED NATIONS ARMS TRADE TREATY, OR TO ANY SIMILAR AGREEMENT ON THE ARMS TRADE

Mr. MORAN (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mr. FLAKE, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 7

Whereas in October 2009, the United States voted in the United Nations General Assembly to participate in the negotiation of the United Nations Arms Trade Treaty;

Whereas in July 2012, the United Nations Conference on the Arms Trade Treaty convened to negotiate the text of the Arms Trade Treaty;

Whereas in December 2012, the United Nations General Assembly voted to hold a final negotiating conference on the Arms Trade Treaty in March 2013, on the basis of the text of July 2012;

Whereas the Arms Trade Treaty poses significant risks to the national security, foreign policy, and economic interests of the United States as well as to the constitutional rights of United States citizens and United States sovereignty;

Whereas the Arms Trade Treaty fails to expressly recognize the fundamental, individual right to keep and to bear arms and the individual right of personal self-defense, as well as the legitimacy of hunting, sports shooting, and other lawful activities pertaining to the private ownership of firearms and related materials, and thus risks infringing on freedoms protected by the Second Amendment;

Whereas the Arms Trade Treaty places free democracies and totalitarian regimes on a basis of equality, recognizing their equal right to transfer arms, and is thereby dangerous to the security of the United States;

Whereas the Arms Trade Treaty's criteria for assessing the potential consequences of arms transfers are vague, easily politicized, and readily manipulated;

Whereas the Arms Trade Treaty's model for using these criteria is incompatible with the decision-making model for arms transfers employed by the United States under Presidential Decision Directive 34, which dates from 1995;

Whereas the Arms Trade Treaty will create opportunities to engage in “lawfare” against

the United States via the misuse of the treaty's criteria in foreign tribunals and international fora;

Whereas the Arms Trade Treaty could hinder the United States from fulfilling its strategic, legal, and moral commitments to provide arms to allies such as the Republic of China (Taiwan) and the State of Israel;

Whereas the creation of an international secretariat to administer and assist in the implementation of the Arms Trade Treaty risks the delegation of authority to a bureaucracy that is not accountable to the people of the United States;

Whereas the Arms Trade Treaty urges the provision of capacity building assistance from signatory nations to implement the Arms Trade Treaty, which could create a source of permanent funding to a new international organization that would be susceptible to waste, fraud, and abuse;

Whereas the Arms Trade Treaty risks imposing costly regulatory burdens on United States businesses, for example, by creating onerous reporting requirements that could damage the domestic defense manufacturing base and related firms;

Whereas an Arms Trade Treaty that has not been signed by the President and received the advice and consent of the Senate should not bind the United States in any respect as customary international law, jus cogens, or any other principle of international law that bypasses the treaty power in article II, section 2, clause 2 of the Constitution;

Whereas an Arms Trade Treaty that has merely been signed by the President but has not received the advice and consent of the Senate should not bind the United States in any respect, including any obligation to refrain from defeating the object and purpose of the Arms Trade Treaty, under any provision of the Vienna Convention on the Law of Treaties, to which the United States is not a party;

Whereas an Arms Trade Treaty that has merely been signed by the President but has not received the advice and consent of the Senate should not bind the United States in any respect, as an international agreement other than a treaty, as a sole executive agreement, or in any other way; and

Whereas an Arms Trade Treaty that has been signed by the President and has received the advice and consent of the Senate, is a non-self-executing treaty that has no domestic legal effect within the United States, unless and until it has been adopted by the enactment of implementing legislation by the Congress: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that—

(1) the President should not sign the Arms Trade Treaty, and that, if he transmits the treaty with his signature to the Senate, the Senate should not ratify the Arms Trade Treaty; and

(2) until the Arms Trade Treaty has been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by Congress, no Federal funds should be appropriated or authorized to implement the Arms Trade Treaty, or any similar agreement, or to conduct activities relevant to the Arms Trade Treaty, or any similar agreement.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 32. Mr. LEAHY submitted an amendment intended to be proposed by him to the

bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 33. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 34. Mr. MCCAIN (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 35. Mr. MCCAIN (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 36. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 37. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 38. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 39. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 40. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 41. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 42. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 43. Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNES, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 44. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 45. Mr. MORAN (for himself, Mr. INHOFE, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mr. KIRK, Mr. PRYOR, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 46. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 47. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 48. Mr. REID (for Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mrs. GILLIBRAND)) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 49. Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 50. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 51. Mrs. FEINSTEIN (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 52. Mr. INHOFE (for himself, Mr. ALEXANDER, Mr. ENZI, and Mr. JOHANNES) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 53. Mr. HARKIN (for himself and Mr. CARDIN) proposed an amendment to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 54. Mr. TOOMEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 55. Mr. MORAN (for himself, Mr. INHOFE, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mr. KIRK, Mr. PRYOR, Mr. ROBERTS, Mr. WYDEN, Mr. JOHANNES, Mr. MERKLEY, Mr. KAINE, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 56. Mr. ALEXANDER (for himself, Mr. BENNET, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 57. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 58. Mr. JOHNSON, of South Dakota (for himself, Ms. STABENOW, Mr. REED, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 59. Mr. JOHNSON, of South Dakota (for himself, Ms. STABENOW, Mr. REED, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 60. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 61. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 62. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 63. Mr. HATCH (for himself, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, and Mr. COR-

NYN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 64. Mr. UDALL, of Colorado (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 65. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 66. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 67. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 68. Mr. COBURN (for himself, Mr. MCCAIN, Ms. AYOTTE, Mr. CORKER, Mr. BURR, Mr. FLAKE, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 69. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 70. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 71. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 72. Mr. INHOFE (for himself and Mrs. HAGAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 73. Mr. ALEXANDER (for himself, Mr. BENNET, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 74. Mr. TESTER (for himself, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Mr. BEGICH, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 75. Mr. TESTER (for himself, Mr. JOHNSON of South Dakota, Mr. BROWN, Mr. LEAHY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 76. Mr. GRASSLEY (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. VITTER, Mr. COATS, and Mr. ROBERTS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 77. Mr. PORTMAN submitted an amendment intended to be proposed to



amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 78. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 79. Mrs. SHAHEEN (for herself, Mr. TOOMEY, Mr. KIRK, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 80. Mr. ROCKEFELLER submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 81. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 82. Mr. PRYOR (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 83. Mr. BROWN (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 84. Ms. AYOTTE (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 85. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 86. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 87. Mr. ISAKSON (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 32.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . RESTORATION OF CERTAIN PROPERTIES IMPACTED BY NATURAL DISASTER.

(a) IN GENERAL.—

(1) PILOT PROGRAM.—Hereafter, in administering the funds made available to address any major disaster declared on or after August 27, 2011, the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”) shall

establish a pilot program for the relocation of State facilities under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

(2) AUTHORITY.—

(A) WAIVER AUTHORIZED.—Subject to subparagraph (B), under the pilot program established under paragraph (1), the Administrator may waive, or specify alternative requirements for, any regulation that the Administrator administers to provide assistance, consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for the permanent relocation of State facilities described in subparagraph (C) that—

(i) were significantly damaged as a result of the major disaster;

(ii) are subject to flood risk; and

(iii) are otherwise eligible for repair, restoration, reconstruction, or replacement under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(B) CONDITIONS.—The Administrator may take actions authorized under subparagraph (A) only if the Administrator determines that the relocation—

(i) is practicable;

(ii) will be cost effective, or more appropriate than repairing, restoring, reconstructing, or replacing the facility in its pre-disaster location; and

(iii) will effectively mitigate the flood risk to the facility.

(C) FACILITIES COVERED.—This paragraph shall apply with respect to State facilities including administrative office buildings, medical facilities, laboratories, and related operating infrastructure (including heat, sewage, mechanical, electrical, and plumbing).

(b) ELIGIBILITY OF CERTAIN COSTS.—Hereafter, for determinations regarding compliance with codes and standards under the Federal Emergency Management Agency Public Assistance program authorized under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172), the Administrator shall, for major disasters declared on or after August 27, 2011, consider eligible the costs required to comply with a State’s Stream Alteration General Permit process, including any design standards required to be met as a condition of permit issuance.

**SA 33.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

Strike section 8039, relating to the use for grants of funds of the Office of Economic Assistance of the Department of Defense.

Strike section 8104, relating to the use of funds of the Office of Economic Assistance of the Department of Defense for grants for Guam.

**SA 34.** Mr. MCCAIN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for

the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In section 8040(b)(1), strike subparagraph (C).

**SA 35.** Mr. MCCAIN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8019, relating to incentive payments authorized by the Indian Financing Act of 1974.

**SA 36.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds made available under this Act may be used to provide economic impact initiative grants under the rural community facilities program account of the Department of Agriculture.

**SA 37.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8122, relating to a prohibition on the retirement of C-23 Sherpa aircraft.

**SA 38.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 98, strike line 22 and all the follows through page 99, line 18.

**SA 39.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74 \_\_\_\_\_. None of the funds made available under this Act for the Agricultural Research Service may be used to continue to carry out extramural research projects, or to operate research laboratories, that have been identified for termination by the Secretary of Agriculture.

**SA 40.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, lines 9 through 14, strike “*Provided further*, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a).”

**SA 41.** Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 455, between lines 19 and 20, insert the following:

SEC. 574. Of the amounts appropriated under title II to the Transportation Security Administration for civil aviation security services, \$2,500,000 shall be transferred to the United States Secret Service for salaries and expenses to permit the resumption of self-guided tours of the White House.

**SA 42.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX of division C, insert the following:

SEC. 9015. (a) FINDINGS.—Congress makes the following findings:

(1) It remains the goal of the United States to enhance the sovereignty of the Islamic Republic of Afghanistan in all areas of its government.

(2) The United States’ continuing mission in Afghanistan requires effective cooperation with the Government of Afghanistan to ensure that law of war detainees captured on the battlefield do not present an undue danger to members of the armed forces or civilians of either nation.

(3) A cooperative, humanitarian, and flexible system of detainment in Afghanistan is a critical element of ensuring the safety of our troops as long as the United States’ mission continues in Afghanistan.

(b) LIMITATION.—No funds appropriated or otherwise made available by title IX of this division under the heading “AFGHANISTAN IN-

FRASTRUCTURE FUND” may be obligated or expended until the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the certifications as follows:

(1) That transfers to the Government of Afghanistan of Afghan nationals detained by United States Armed Forces in Afghanistan territory do not present a significant threat to United States or coalition forces based upon the likelihood that the detainee to be transferred will engage in continuing hostile acts against the United States or its coalition allies.

(2) That the Government of Afghanistan is in compliance with international humanitarian law, including Additional Protocol II of 1977 to the Geneva Convention of 1949, with respect to preventing detainee abuse.

(3) That the Government of Afghanistan has implemented an administrative detention regime under its domestic law as an alternative to criminal prosecution, which regime is—

(A) consistent with international humanitarian law, including the Additional Protocol II of 1977 to the Geneva Convention of 1949, Afghanistan domestic law, and all of the international obligations of Afghanistan;

(B) in compliance with the international obligations of Afghanistan with respect to humane treatment and applicable due process; and

(C) based on sustainable arrangements, including housing.

(4) That there exists a continuing capability of both the United States and Afghanistan to gather intelligence from detainees transferred to the Government of Afghanistan for the mutual benefit of both nations.

(5) That, as part of the intelligence gathering described in paragraph (4), the United States is granted regular, direct access to detainees held by the Government of Afghanistan for the purpose of interrogation or any other lawful purpose.

(6) That the Government of Afghanistan is consulting, and will continue to consult, the United States before the release, including release prior to indictment, of any detainee transferred to the Government of Afghanistan, and, if the United States provides its assessment that continued detention is necessary to prevent such a detainee from engaging in or facilitating terrorist activity, the Government of Afghanistan will consider favorably such assessment.

(7) That additional processes will be in place in any case where the United States considers a detainee held by Afghanistan an enduring security threat (or its equivalent) to ensure that the detainee will not present a security threat once released.

(c) CONTINGENT REQUIREMENT FOR EXPLANATORY REPORT.—If the report described by subsection (b) has not been submitted to Congress by 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress on such date a report setting forth an explanation why the report described by subsection (b) has not been so submitted.

(d) COMPTROLLER GENERAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report setting forth an assessment by the Comptroller General of the ability of the Government of Afghanistan to sustain costs associated with securing detainees in Afghanistan.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 43.** Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNES, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, insert the following:

SEC. \_\_\_\_\_. **ESSENTIAL SERVICES ACT OF 2013.**

(a) SHORT TITLE.—This section may be cited as the “Essential Services Act of 2013”.

(b) DEFINITIONS.—In this section—

(1) the term “agency” means an Executive agency (as defined in section 105 of title 5, United States Code); and

(2) the term “essential employee” means an employee that performs work involving the safety of human life or the protection of property, as determined by the head of the agency.

(c) FURLOUGH FLEXIBILITY.—

(1) IN GENERAL.—In implementing the sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as ordered on March 1, 2013, the head of an agency may furlough such employees of the agency as are required to achieve the funding reduction required by the sequester for the agency, but shall exempt essential employees.

(2) TRANSFER OF BUDGETARY RESOURCES.—The head of an agency may transfer budgetary resources within their agency to carry out paragraph (1), subject to the limitation that transfers may only be made to maintain essential employees.

**SA 44.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. \_\_\_\_\_. (a)(1)(A) Except as provided under paragraph (3), none of the amounts appropriated or otherwise made available by this Act or any prior Act making appropriations for the Department of State, foreign operations, and related programs for bilateral economic assistance under the heading “ECONOMIC SUPPORT FUND” may be made available to the Government of Egypt unless a certification under subsection (c)(2) is in effect.

(B) Except as provided under paragraph (3), none of the amounts appropriated or otherwise made available by this Act or any prior Act making appropriations for the Department of State, foreign operations, and related programs for assistance for Egypt



under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) may be obligated or expended for contracts with the Government of Egypt entered into on or after the date of the enactment of this Act unless a certification under subsection (c)(1) is in effect.

(2) Not later than 90 days after the date on which the Secretary of State transmits to the appropriate congressional committees an initial certification under paragraph (1) or (2) of subsection (c), and every 6 months thereafter, the Secretary shall transmit to the appropriate congressional committees—

(A) a recertification that the requirements contained in such paragraph are continuing to be met; or

(B) a statement that the Secretary is unable to make such a recertification and that the certification is no longer in effect.

(3) The Secretary of State may waive the requirements of subparagraphs (A) and (B) of paragraph (1) for one or more 180-day periods if, for each such 180-day period, the Secretary determines and certifies to the appropriate congressional committees that it is in the national security interests of the United States to do so and submits to the appropriate congressional committees a report with detailed reasoning for the determination and certification.

(b) During a period in which a certification described in subsection (c)(2) is not in effect, amounts that may not be made available for Economic Support Fund assistance to the Government of Egypt pursuant to the limitation under subsection (a) shall be reallocated for democracy and governance programs for Egypt, including direct support for secular, democratic nongovernmental organizations, as well as programming and support for rule of law and human rights, good governance, political competition and consensus-building, and civil society.

(c)(1) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that the following conditions have been met:

(A) The Government of Egypt has adopted and implemented legal reforms to protect the political, economic, and religious freedoms and human rights of all citizens and residents of Egypt.

(B) The Government of Egypt is not acting to restrict the political, economic, or religious freedoms and human rights of the citizens and residents of Egypt.

(C) The Government of Egypt is continuing to demonstrate a commitment to free and fair elections and is not taking any steps to interfere with or undermine the credibility of such elections.

(D) Egypt is implementing the Egypt-Israel Peace Treaty.

(E) The Government of Egypt is taking all necessary action to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(F) The Government of Egypt is taking all necessary action to combat terrorism in the Sinai, and the Department of Defense has allocated a portion of Egypt's Foreign Military Financing (FMF) assistance, not less than \$100,000,000, toward counterterrorism tools, including equipment and training related to border security, to address this problem.

(G) The Department of Defense has consulted with the Government of Egypt and produced an analysis of Egypt's current security needs, and the analysis has been shared with the relevant congressional committees.

(H) The Government of Egypt has lifted restrictions in law and practice on the work and funding of Egyptian and international nongovernmental organizations, comprising those in the human rights and democracy field, including the International Republican Institute, the National Democratic Institute, and Freedom House.

(2) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that—

(A) the conditions set forth in paragraph (1) have been met; and

(B) the Government of Egypt has signed and submitted to the International Monetary Fund a Letter of Intent and Memorandum of Economic and Financial Policies designed to achieve such actions as reducing and streamlining energy subsidies, improving the government financial management, and increasing taxation revenues through a broadened tax base and reducing tax exemptions and has begun to implement such measures.

(d) Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report describing the results of a policy review on Egypt conducted after a dialogue with the Government of Egypt and civil society on how to rebalance United States military and economic assistance to Egypt.

(e) Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report listing all of the Foreign Military Financing contracts for the Government of Egypt carried out over the previous 10 years and describing plans for such contracts over the next 10 years.

(f) In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SA 45.** Mr. MORAN (for himself, Mr. INHOFE, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mr. KIRK, Mr. PRYOR, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division F, add the following:

SEC. 1811. (a) Notwithstanding section 1101, the level for "Department of Transportation, Federal Aviation Administration, Operations" shall be \$9,703,395,000: *Provided*, That the amounts specified in the matter under the heading "OPERATIONS" under the heading "FEDERAL AVIATION ADMINISTRATION" in title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 645) shall be applied to funds appropriated by this division—

(1) by substituting "\$7,492,738,000" for "\$7,442,738,000"; and

(2) by substituting "\$10,350,000 shall be for the contract tower cost-sharing program and not less than \$130,500,000 shall be for the contract tower program" for "\$10,350,000 shall be

for the contract tower cost-sharing program".

(b) Of amounts appropriated for fiscal years before fiscal year 2013 that remain available for obligation as of the date of the enactment of this Act and that are not designated an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, the following amounts are rescinded from the following accounts:

(1) "Department of Transportation, Federal Aviation Administration, Facilities and Equipment", \$23,861,002.

(2) "Department of Transportation, Federal Aviation Administration, Research, Engineering, and Development", \$26,183,998.

**SA 46.** Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY" is hereby decreased by \$380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by \$380,861,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

**SA 47.** Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 232, line 10, strike "\$4,000,000,000" and insert "\$3,000,000,000".

**SA 48.** Mr. REID (for Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mrs. GILLIBRAND)) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ Chapter 9 of the Disaster Relief Appropriations Act, 2013 (division A of Public Law 113-2) is amended, under the heading "GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION", by striking "or any other Act".

**SA 49.** Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

SEC. \_\_\_\_\_. (a) Notwithstanding any other provision of law (including regulations), no funds made available under this Act or any other Act to the Secretary of the Army, acting through the Chief of Engineers, shall be used to take any action to establish a restricted area prohibiting public access to waters downstream of a dam owned by the Corps of Engineers.

(b) For purposes of this Act, installing and maintaining sirens, strobe lights, and signage for alerting the public of hazardous water conditions shall not be considered to be an action to establish a restricted area under subsection (a).

(c)(1) Subject to paragraph (2), this section shall apply to an action described in subsection (a) on or after August 1, 2012.

(2) If the Secretary of the Army, acting through the Chief of Engineers, has taken an action described in subsection (a) during the period beginning on August 1, 2012, and ending on the date of enactment of this Act, the Secretary shall—

(A) cease implementing the restricted area resulting from the action; and

(B) remove any barriers constructed in connection with the restricted area.

**SA 50.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN ALLOCATION OF FUNDS FOR CIVIL AIR PATROL CORPORATION.—Notwithstanding section 8022—

(1) the total amount available under that section shall be \$27,334,000; and

(2) the amount of funds provided to that total from "OPERATION AND MAINTENANCE, AIR FORCE" shall be \$23,904,000; and

(3) the amount of funds provided to that total from "AIRCRAFT PROCUREMENT, AIR FORCE" shall be \$2,498,000.

(b) TERMINATION OF ALLOCATION OF FUNDS FOR STARBASE PROGRAM.—Notwithstanding any other provision of this division, none of the funds appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, DE-

FENSE-WIDE" may be used for the STARBASE program.

**SA 51.** Mrs. FEINSTEIN (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 315, between lines 8 and 9, insert the following:

SEC. 8131. In fiscal year 2013, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177; 99 Stat. 1038) and for purposes of applying general reductions by "program, project, and activity", the term "program, project, and activity" for the operations and maintenance accounts of the National Intelligence Program appropriated as part of this Act for the Department of Defense shall have the same meaning as that term as applied to the Department of Defense.

**SA 52.** Mr. INHOFE (for himself, Mr. ALEXANDER, Mr. ENZI, and Mr. JOHANNES) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. The United States Government may not allow the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt until the President certifies to Congress that the Government of Egypt has agreed—

(1) to continue to uphold its commitments under the Camp David Peace Accords;

(2) to provide proper security at United States embassies and consulates pursuant to the Vienna Convention on Consular Relations, done at Vienna April 24, 1963; and

(3) to bring stability to Egypt by ending its systematic exclusion and silencing of all official minority political opposition and taking concrete steps to engage in dialogue with such opposition parties and consider a coalition, power-sharing government with such opposition parties.

**SA 53.** Mr. HARKIN (for himself and Mr. CARDIN) proposed an amendment to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

At the appropriate place, insert the following:

# **DIVISION \_\_\_\_—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

## **TITLE I**

### **DEPARTMENT OF LABOR**

#### **EMPLOYMENT AND TRAINING ADMINISTRATION**

##### **TRAINING AND EMPLOYMENT SERVICES**

##### **(INCLUDING TRANSFER OF FUNDS)**

For necessary expenses of the Workforce Investment Act of 1998 (referred to in this Act as "WIA"), the Second Chance Act of 2007, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992 ("WANTO Act"), \$3,161,808,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,600,344,000 as follows:

(A) \$769,465,000 for adult employment and training activities, of which \$57,465,000 shall be available for the period July 1, 2013, through June 30, 2014, and of which \$712,000,000 shall be available for the period October 1, 2013 through June 30, 2014;

(B) \$824,353,000 for youth activities, which shall be available for the period April 1, 2013 through June 30, 2014; and

(C) \$1,006,526,000 for dislocated worker employment and training activities, of which \$146,526,000 shall be available for the period July 1, 2013 through June 30, 2014, and of which \$860,000,000 shall be available for the period October 1, 2013 through June 30, 2014:

*Provided*, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: *Provided further*, That a local board may award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice: *Provided further*, That notwithstanding section 128(a)(1) of the WIA, the amount available to the Governor for statewide workforce investment activities shall not exceed 10 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs;

(2) for federally administered programs, \$476,226,000 as follows:

(A) \$223,688,000 for the dislocated workers assistance national reserve, of which \$23,688,000 shall be available for the period July 1, 2013 through June 30, 2014, and of which \$200,000,000 shall be available for the period October 1, 2013 through June 30, 2014:

*Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that

provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That none of the funds shall be obligated to carry out section 173(e) of the WIA;

(B) \$47,562,000 for Native American programs, which shall be available for the period July 1, 2013 through June 30, 2014;

(C) \$84,291,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including \$78,104,742 for formula grants (of which not less than 70 percent shall be for employment and training services), \$5,678,222 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$508,036 for other discretionary purposes, which shall be available for the period July 1, 2013 through June 30, 2014: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$996,000 for carrying out the WANTO Act, which shall be available for the period July 1, 2013 through June 30, 2014;

(E) \$79,689,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2013 through June 30, 2014; and

(F) \$40,000,000 to be available to the Secretary of Labor (referred to in this title as "Secretary") for the Workforce Innovation Fund to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for beneficiaries, which shall be for the period July 1, 2013 through June 30, 2014: *Provided*, That amounts shall be available for awards to States or State agencies that are eligible for assistance under any program authorized under the WIA, consortia of States, or partnerships, including regional partnerships: *Provided further*, That not more than 5 percent of the funds available for workforce innovation activities shall be for technical assistance and evaluations related to the projects carried out with these funds: *Provided further*, That not more than \$10,000,000 of the funds provided for the Workforce Innovation Fund may be used for performance-based awards or other agreements under the Pay for Success program: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects or agreements shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a), and that any funds deobligated from such projects or agreements shall immediately be available for Workforce Innovation Fund activities;

(3) for national activities, \$85,238,000, as follows:

(A) \$80,238,000 for ex-offender activities, under the authority of section 171 of the WIA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2013 through June 30, 2014, notwithstanding the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA: *Provided*, That of this amount, \$20,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas; and

(B) \$5,000,000 for the Workforce Data Quality Initiative, under the authority of section 171(c)(2) of the WIA, which shall be available for the period July 1, 2013 through June 30,

2014, and which shall not be subject to the requirements of section 171(c)(4)(D).

#### OFFICE OF JOB CORPS

##### (INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA, \$1,683,132,000, plus reimbursements, as follows:

(1) \$1,574,000,000 for Job Corps Operations, which shall be available for the period July 1, 2013 through June 30, 2014: *Provided*, That of the funds available to the Department of Labor, Employment and Training Administration in this Act or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to \$30,000,000 may be transferred to "Office of Job Corps" for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: *Provided further*, That not less than \$10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: *Provided further*, That, not later than 15 days after any transfer has been made under the authority of the two preceding provisos, the Secretary shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of Job Corps during program years 2012 and 2013 and the savings gained by implementing each initiative;

(2) \$80,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2013 through June 30, 2016: *Provided*, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: *Provided further*, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2014; and

(3) \$29,132,000 for necessary expenses of the Office of Job Corps, which shall be available for obligation for the period October 1, 2012 through September 30, 2013:

*Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

#### COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as "OAA"), \$448,251,000, which shall be available for the period July 1, 2013 through June 30, 2014, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

#### FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2013 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, including benefit

payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, \$1,421,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2013.

#### STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$86,068,000, together with not to exceed \$3,770,718,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) \$2,979,912,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than \$60,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, and shall be available for obligation by the States through December 31, 2013, except that funds used for automation acquisitions or competitive grants awarded to States for improved operations, reemployment and eligibility assessments and improper payments, or activities to address misclassification of workers shall be available for obligation by the States through September 30, 2015, and funds used for unemployment insurance workloads experienced by the States through September 30, 2013 shall be available for Federal obligation through December 31, 2013;

(2) \$11,297,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) \$693,204,000 from the Trust Fund, together with \$22,595,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, of which not less than \$15,000,000 shall be used to provide reemployment services to beneficiaries of unemployment insurance, and shall be available for Federal obligation for the period July 1, 2013 through June 30, 2014;

(4) \$20,912,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed \$1,228,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980;

(5) \$65,393,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which \$50,323,000 shall be available for the Federal administration of such activities, and \$15,070,000 shall be available for grants to States for the administration of such activities; and

(6) \$63,473,000 from the General Fund is to provide workforce information, national

electronic tools, and one-stop system building under the Wagner-Peyser Act and section 171(e)(2)(C) of the WIA and shall be available for Federal obligation for the period July 1, 2013 through June 30, 2014:

*Provided*, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2013 is projected by the Department of Labor to exceed 3,908,000, an additional \$28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A-87: *Provided further*, That the Secretary, at the request of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: *Provided further*, That the Secretary may, during the fiscal year ending September 30, 2013, collect and retain fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and non-profit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities and shall credit such fees to this account, which shall be available for obligation through September 30, 2014, for such purposes.

In addition, \$15,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews.

#### ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections

905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for non-repayable advances to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be necessary, which shall be available for obligation through September 30, 2014.

#### PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$97,137,000, together with not to exceed \$49,944,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

#### EMPLOYEE BENEFITS SECURITY ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, \$183,153,000.

#### PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2013, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2013 shall be available for obligations for administrative expenses in excess of \$479,013,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2013, an amount not to exceed an additional \$9,200,000 shall be available through September 30, 2014, for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That an additional \$50,000 shall be made available through September 30, 2014, for obligation for investment management fees for every \$25,000,000 in assets received by the Corporation as a result of new plan terminations or asset growth, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

#### WAGE AND HOUR DIVISION SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$235,730,000.

#### OFFICE OF LABOR-MANAGEMENT STANDARDS SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, \$41,289,000.

#### OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

##### SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, \$105,187,000.

#### OFFICE OF WORKERS' COMPENSATION PROGRAMS

##### SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, \$115,720,000, together with \$2,120,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

#### SPECIAL BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, \$396,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2012, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2013: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, \$58,544,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems and telecommunications systems, \$23,166,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, \$20,517,000;

(3) For periodic roll management and medical review, \$14,861,000; and

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

*Provided further*, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

#### SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as

amended by Public Law 107-275, \$123,220,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2014, \$35,000,000, to remain available until expended.

#### ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$54,962,000, to remain available until expended: *Provided*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

#### BLACK LUNG DISABILITY TRUST FUND

##### (INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund ("Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2013 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed \$32,906,000 for transfer to the Office of Workers' Compensation Programs, "Salaries and Expenses"; not to exceed \$25,217,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed \$327,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed \$356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

#### OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$569,771,000, including not to exceed \$104,196,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act ("Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$200,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2013, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended

to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

*Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That \$10,709,000 shall be available for Susan Harwood training grants.

#### MINE SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Mine Safety and Health Administration, \$373,692,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities; in addition, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; in addition, the Mine Safety and Health Administration is authorized to collect and retain up to \$2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities, notwithstanding 31 U.S.C. 3302; in addition, the Mine Safety and Health Administration is authorized to collect and retain fees for services related to the analysis of rock dust samples, and may utilize such sums to administer such activities, notwith-

standing 31 U.S.C. 3302; the Secretary may transfer from amounts provided under this heading up to \$2,000,000 to "Departmental Management" for activities related to the Office of the Solicitor's caseload before the Federal Mine Safety and Health Review Commission; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster; and the Secretary may reallocate among the items funded under this heading up to \$3,000,000 to support inspections or investigations pursuant to section 103 of the Federal Mine Safety and Health Act of 1977.

#### BUREAU OF LABOR STATISTICS

##### SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$551,867,000, together with not to exceed \$67,176,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which \$1,500,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act.

#### OFFICE OF DISABILITY EMPLOYMENT POLICY

##### SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, \$38,953,000.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, \$347,735,000, together with not to exceed \$326,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That \$66,500,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2013: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: *Provided further*, That not less than \$40,000,000 shall be for programs to combat exploitative child labor internationally: *Provided further*, That not less than \$6,500,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which

the United States has free trade agreements or trade preference programs: *Provided further*, That \$8,484,000 shall be used for program evaluation and shall be available for obligation through September 30, 2014: *Provided further*, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce.

#### VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$224,569,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4113, 4211–4215, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2013, of which \$3,414,000 is for the National Veterans' Employment and Training Services Institute.

In addition, to carry out Department of Labor programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001, \$38,185,000.

#### INFORMATION TECHNOLOGY MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, \$19,815,000.

#### OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$77,790,000, together with not to exceed \$5,898,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

#### GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

#### (TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than com-

petitive grants for training in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. Notwithstanding this section, the limitation on salaries for the Job Corps shall continue to be governed by section 101.

SEC. 106. The Secretary shall take no action to amend, through regulatory or administration action, the definition established in section 667.220 of title 20 of the Code of Federal Regulations for functions and activities under title I of WIA, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 107. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 108. (a) The Secretary may reserve not more than 0.5 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2014: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Office of Job Corps", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor-Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", and "Veterans Employment and Training".

SEC. 109. None of the funds made available by this Act may be used to promulgate the Definition of "Fiduciary" regulation (Regulatory Identification Number 1210-AB32) published by the Employee Benefits Security Administration of the Department of Labor on October 22, 2010 (75 Fed. Reg. 65263).

SEC. 110. (a) None of the amounts made available under this Act may be used to promulgate, administer, enforce, or otherwise implement the final rule entitled "Temporary Non-Agricultural Employment of H-2B Aliens in the United States" published by the Department of Labor on February 21, 2012 (77 Fed. Reg. 10038).

(b) None of the amounts made available under this Act may be used to promulgate, administer, enforce, or otherwise implement the final rule entitled "Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program" published by the Department of Labor on January 19, 2011 (76 Fed. Reg. 3452).

SEC. 111. None of the funds made available by this Act may be used by the Secretary to administer or enforce 29 CFR 779.372(c)(4).

#### (RESCISSION)

SEC. 112. Of the unobligated balances available under the heading "Departmental Management, Working Capital Fund", \$10,337,000 is rescinded: *Provided*, That no funds may be rescinded from amounts previously designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 113. Of the funds appropriated under section 272(b) of the Trade Act of 1974 for each of fiscal years 2013 and 2014, the Secretary may not reserve more than 3 percent of such funds to conduct evaluations and provide technical assistance relating to the activities carried out under section 271 of such Act, including activities carried out under such section supported by the appropriations provided for fiscal years 2011 and 2012.

#### TRANSFER OF COMPTROLLER GENERAL AUTHORITIES

SEC. 114. (a) AUTHORITY OF COMPTROLLER GENERAL TO PAY WAGES AND LIST CONTRACTORS VIOLATING CONTRACTS.—40 U.S.C. 3144, is amended—

(1) in the title, by striking "of Comptroller General"; and

(2) in subsection (a)(1), by striking "The Comptroller General" and inserting "The Secretary of Labor".

(b) REPORT OF VIOLATIONS AND WITHHOLDING OF AMOUNTS FOR UNPAID WAGES AND LIQUIDATED DAMAGES.—40 U.S.C. 3703, is amended in subsection (b)(3), by—

(1) striking "The Comptroller General" in the first sentence and inserting "The Secretary of Labor"; and

(2) striking "the Comptroller General" in the second sentence and inserting "the Secretary of Labor".

This title may be cited as the "Department of Labor Appropriations Act, 2013".



TITLE II  
DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

HEALTH RESOURCES AND SERVICES  
ADMINISTRATION  
PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the “PHS Act”) with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,585,064,000, of which \$127,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen’s Disease Center: *Provided*, That no more than \$40,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act, including associated administrative expenses and relevant evaluations: *Provided further*, That no more than \$95,073,000 shall be available until expended for carrying out the provisions of Public Law 104-73 and for expenses incurred by the Department of Health and Human Services (referred to in this Act as “HHS”) pertaining to administrative claims made under such law: *Provided further*, That all funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services (referred to in this title as “Secretary”) by September 30, 2013, of which \$48,000,000 shall be awarded for base grant adjustments to address the increased costs of care and implement quality improvement activities.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, section 1128E of the Social Security Act, section 301 of the Health Professions Education Extension Amendments of 1992, and the Health Care Quality Improvement Act of 1986, \$746,529,000: *Provided*, That section 301(k) of Public Law 102-408, sections 747(c)(2), 751(j)(2), and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of the PHS Act shall not apply to funds made available under this heading: *Provided further*, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary may waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for fiscal year 2013 and fiscal years thereafter: *Provided further*, That no funds shall be available for section 340G-1 of the PHS Act: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under such Act sufficient to recover the full costs of operating the National Practitioner Data Bank and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the “Health Care Fraud and Abuse Data Collection Program”, authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the disclosure of information under the information reporting requirement program authorized by section 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the program and shall remain available until expended to carry out that Act: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of

title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, \$856,807,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than \$78,641,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and \$10,276,000 shall be available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, \$2,397,178,000, of which \$2,056,898,000 shall remain available to the Secretary through September 30, 2015, for parts A and B of title XXVI of the PHS Act, and of which not less than \$963,299,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act: *Provided*, That in addition to amounts provided herein, \$25,000,000 shall be available from amounts available under section 241 of the PHS Act to carry out parts A, B, C, and D of title XXVI of the PHS Act to fund Special Projects of National Significance under section 2691: *Provided further*, That notwithstanding section 2610(c) of the PHS Act, no funds shall be transferred or reprogrammed from part A to part B of title XXVI of the PHS Act as a result of an entity having lost transitional grant area status in any fiscal year prior to fiscal year 2013: *Provided further*, That within the funds provided for part B, the amount required by section 2610(c)(2)(B)(ii)(I)(cc) shall be awarded to each State containing a metropolitan area that lost transitional status in a fiscal year prior to fiscal year 2013.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, \$82,534,000: *Provided*, That the Secretary may collect a fee of 0.1 percent of each purchase of 340B drugs from entities participating in the Drug Pricing Program pursuant to section 340B of the PHS Act to pay for the operating costs of such program: *Provided further*, That fees pursuant to the 340B Drug Pricing Program shall be collected by manufacturers at the time of sale, and shall be credited to this account, to remain available until expended.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act, the Cardiac Arrest Survival Act of 2000, and sections 711 and 1820 of the Social Security Act, \$140,072,000, of which \$41,040,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, \$15,000,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to \$1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for

grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, \$10,036,000 shall be available for State Offices of Rural Health.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, \$293,870,000: *Provided*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, \$162,517,000: *Provided*, That funds made available under this heading may be used to supplement program support funding provided under the headings “Primary Health Care”, “Health Workforce”, “Maternal and Child Health”, “Ryan White HIV/AIDS Program”, “Health Care Systems”, and “Rural Health”.

HEALTH EDUCATION ASSISTANCE LOANS

PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the PHS Act.

For administrative expenses to carry out the guaranteed loan program, including section 709 of the PHS Act, \$2,807,000.

VACCINE INJURY COMPENSATION PROGRAM

TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (“Trust Fund”), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$6,477,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND  
PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, VII, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, \$525,201,000: *Provided*, That in addition to amounts provided herein, \$12,864,000 shall be available from amounts available under section 241 of the PHS Act to carry out the National Immunization Surveys: *Provided further*, That none of the funds made available under this heading may be used to require recipients of funding under section 317 of the PHS Act to comply with the policy issued on July 10, 2012 titled “Use of Vaccine Purchased with 317 Funds”.

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

For carrying out titles II, III, VII, XVII, XXIII, and XXVI of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, \$1,101,956,000.

## EMERGING AND ZONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, VII, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, \$266,458,000.

## CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, VII, XI, XV, XVII, and XIX of the PHS Act, with respect to chronic disease prevention and health promotion, \$797,081,000: *Provided*, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations.

## BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, VII, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, and disabilities and health, \$132,037,000.

## PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II and III of the PHS Act with respect to health statistics, surveillance, informatics, and workforce development, \$129,614,000: *Provided*, That in addition to amounts provided herein, \$262,127,000 shall be available from amounts available under section 241 of the PHS Act to carry out public health scientific services.

## ENVIRONMENTAL HEALTH

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to environmental health, \$107,316,000.

## INJURY PREVENTION AND CONTROL

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to injury prevention and control, \$137,693,000.

## NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, VII, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, 501, and 514 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, \$181,222,000: *Provided*, That in addition to amounts provided herein, \$111,366,000 shall be available from amounts available under section 241 of the PHS Act.

## ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$55,358,000, to remain available until expended: *Provided*, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106-554.

## GLOBAL HEALTH

For carrying out titles II, III, VII and XVII of the PHS Act with respect to global health, \$353,794,000, of which \$117,118,000 for international HIV/AIDS shall remain available through September 30, 2014, and of which \$7,000,000 shall remain available through September 30, 2014, to support national public health institutes: *Provided*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

## PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, VII, and XVII of the PHS Act with respect to public health preparedness and response, and for ex-

penses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, \$1,226,013,000, of which \$439,444,000 shall remain available until expended for the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided*, That funds appropriated under this heading may be used to support the hire, maintenance, and operation of aircraft for use and support of the activities of CDC: *Provided further*, That in the event the Director of the CDC activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 30 days to support the work of the CDC Emergency Operations Center, so long as the Director provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided further*, That in the previous proviso the annual reimbursement cannot exceed \$3,000,000 across CDC.

## BUILDINGS AND FACILITIES

For acquisition of real property, equipment, construction, and renovation of facilities, \$35,000,000, which shall remain available until September 30, 2017: *Provided*, That funds appropriated under this heading shall only be used to support competitive acquisition, renovation, or replacement, of the National Institute for Occupational Safety and Health's underground and surface coal mining safety and health research capacity and the applied technology and occupational hazard evaluation field research capabilities.

In addition, \$11,000,000 shall be available until September 30, 2014, for repairs and improvements of real property, equipment, construction and facilities, of which \$6,600,000 shall be derived from prior year unobligated balances of any amounts available for Individual Learning Accounts.

## CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT (INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, VII, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support that supplement activities funded under the headings "Immunization and Respiratory Diseases", "HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention", "Emerging and Zoonotic Infectious Diseases", "Chronic Disease Prevention and Health Promotion", "Birth Defects, Developmental Disabilities, Disabilities and Health", "Environmental Health", "Injury Prevention and Control", "National Institute for Occupational Safety and Health", "Energy Employees Occupational Illness Compensation Program", "Global Health", "Public Health Preparedness and Response", "Public Health Scientific Services", and "Buildings and Facilities", \$591,500,000, of which \$380,000,000 shall be available until September 30, 2014, for business services, and of which \$105,000,000 shall be for the Preventive Health and Health Services Block Grant Program: *Provided*, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: *Provided further*, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the

PHS Act, or in overseas assignments, shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: *Provided further*, That CDC may use up to \$10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: *Provided further*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program shall be available through September 30, 2014: *Provided further*, That to facilitate the implementation of the permanent Working Capital Fund ("WCF") authorized under this heading in division F of Public Law 112-74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: *Provided further*, That on or after October 1, 2013, CDC shall transfer other amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: *Provided further*, That once the WCF is implemented in fiscal year 2014, assets purchased with funds appropriated for or reimbursed to business services may be transferred to the WCF and customers billed for depreciation of those assets: *Provided further*, That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activities, and that WCF funds are not co-mingled with programmatic activity funding: *Provided further*, That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfers made with funds provided under this heading.

## NATIONAL INSTITUTES OF HEALTH

## NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, \$5,090,976,000, of which up to \$8,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

## NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$3,090,430,000.

## NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, \$412,232,000.

## NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, \$1,803,702,000.

## NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, \$1,632,390,000.

## NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, \$4,507,078,000.



## NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$2,479,085,000: *Provided*, That not less than \$316,480,000 is provided for the Institutional Development Awards program.

## EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, \$1,326,293,000.

## NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, \$705,316,000.

## NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, \$688,111,000.

## NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, \$1,126,636,000.

## NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, \$537,771,000.

## NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, \$417,816,000.

## NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, \$145,306,000.

## NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, \$461,221,000.

## NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, \$1,057,270,000.

## NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, \$1,485,749,000.

## NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, \$515,113,000.

## NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, \$339,610,000.

## NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to complementary and alternative medicine, \$128,531,000.

## NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, \$277,464,000.

## JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), \$69,880,000.

## NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, \$617,830,000: *Provided*, That up to \$25,000,000 shall be available to implement section 480 of the PHS Act (relating to the Cures Acceleration Network): *Provided further*, That at least \$487,767,000 is provided to the Clinical and Translational Sciences Awards program.

## NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, \$366,852,000, of which \$2,000,000 shall be available until September 30, 2014, for improvement of information systems: *Provided*, That in fiscal year 2013, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as "NIH"): *Provided further*, That in addition to amounts provided herein, \$8,200,000 shall be available from amounts available under section 241 of the PHS Act to carry out the purposes of the National Information Center on Health Services Research and Health Care Technology established under section 478A of the PHS Act and related health services.

## OFFICE OF THE DIRECTOR

## (INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, \$1,465,289,000, of which up to \$25,000,000 shall be used to carry out section 213 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That NIH is authorized to collect third-party payments for the cost of clinical services that are incurred in NIH research facilities and that such payments shall be credited to the NIH Management Fund: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are deposited: *Provided further*, That \$165,000,000 shall be for the National Children's Study ("NCS"), except that not later than July 15, 2013, the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act: *Provided further*, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council ("IOM/NRC") panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations, and no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public: *Provided further*, That \$547,962,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research

within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That funds provided under this heading in this Act may be used to support the Sanctuary System for Surplus Chimpanzees authorized by section 404K of the PHS Act, including for the construction, renovation, and funding of current or additional facilities of the sanctuary system as authorized by section 404K, notwithstanding the limitations in subsection (g) of such section except that the aggregate total of funds reserved may not exceed the amount specified in subsection (g)(1) of such section by more than \$2,000,000.

## BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, \$125,308,000, to remain available until September 30, 2017.

## SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, \$958,060,000: *Provided*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: *Provided further*, That in addition to amounts provided herein, \$21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: *Provided further*, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated under this Act for fiscal year 2013: *Provided further*, That of the amount appropriated under this heading, \$48,713,000 shall be for the National Child Traumatic Stress Initiative as described in section 582 of the PHS Act.

## SUBSTANCE ABUSE TREATMENT

For carrying out titles III, V, and XIX of the PHS Act with respect to substance abuse treatment and section 1922(a) of the PHS Act with respect to substance abuse prevention, \$2,114,700,000: *Provided*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) \$79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) \$2,000,000 to evaluate substance abuse treatment programs.

## SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, \$185,364,000.

## HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and

Mental Health Services Administration, \$104,210,000: *Provided*, That in addition to amounts provided herein, \$27,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: *Provided further*, That, in addition, fees may be collected for the costs associated with additional publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: *Provided further*, That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

#### AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

##### HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, \$349,053,000 shall be available from amounts available under section 241 of the PHS Act, notwithstanding subsection 947(c) of such Act: *Provided*, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2014.

#### CENTERS FOR MEDICARE AND MEDICAID SERVICES

##### GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$178,791,197,000, to remain available until expended.

For making, after May 31, 2013, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2013 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2014, \$106,335,631,000, to remain available until expended.

Payment under such title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

##### PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D-16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$251,417,790,000.

In addition, for making matching payments under section 1844 and benefit payments under section 1860D-16 of the Social Security Act that were not anticipated in budget estimates, such sums as may be necessary.

#### PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare and Medicaid Services, not to exceed \$3,826,187,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until September 30, 2018: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That \$11,150,000, to remain available through September 30, 2014, shall be for contract costs for the Healthcare Integrated General Ledger Accounting System: *Provided further*, That the Secretary is directed to collect fees in fiscal year 2013 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further*, That \$44,000,000 shall be available for the State high-risk health insurance pool program as authorized by the State High Risk Pool Funding Extension Act of 2006.

#### HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, \$309,790,000, to remain available through September 30, 2014, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which \$250,442,000 shall be for the Centers for Medicare and Medicaid Services Program Integrity Activities, including administrative costs, to conduct oversight activities for the Medicare program, including but not limited to Medicare Advantage under part C and the Medicare Prescription Drug Program under part D of title XVIII of the Social Security Act, and for activities described in section 1893(b) of such Act and for Medicaid and Children's Health Insurance Program integrity activities, of which \$29,674,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, and of which \$29,674,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided*, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2013 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES

##### PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X,

XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, \$2,756,485,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2014, \$1,100,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families with respect to such State, such sums as may be necessary: *Provided*, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

##### LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, \$3,471,672,000: *Provided*, That all but \$497,000,000 of such funds shall be allocated as though the total appropriation for such payments for fiscal year 2013 was less than \$1,975,000,000: *Provided further*, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than \$3,000,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures.

##### REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000, for costs associated with the care and placement of unaccompanied alien children, and for carrying out the Torture Victims Relief Act of 1998, \$1,004,000,000, of which up to \$9,775,000 shall be available to carry out the Trafficking Victims Protection Act of 2000: *Provided*, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act, section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000 for fiscal year 2013 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2015.

##### PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 ("CCDBG Act"), \$2,388,313,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That \$19,396,000 shall be available for child care resource and referral and school-aged child care activities, of

which \$1,000,000 shall be available to the Secretary for a competitive grant for the operation of a national toll free referral line and Web site to develop and disseminate child care consumer education information for parents and help parents access child care in their local community: *Provided further*, That, in addition to the amounts required to be reserved by the States under section 658G of the CCDBG Act, \$304,733,000 shall be reserved by the States for activities authorized under section 658G, of which \$111,758,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That \$9,871,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

#### SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,700,000,000: *Provided*, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX—A of such Act shall be 10 percent.

#### CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B-1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 473B and 477(i) of the Social Security Act, and the Assets for Independence Act; for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; and for the administration of prior year obligations made under the Developmental Disabilities Assistance and Bill of Rights Act and the Help America Vote Act of 2002, \$9,800,869,000, of which \$39,346,000, to remain available through September 30, 2014, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2013: *Provided*, That \$8,018,544,000 shall be for making payments under the Head Start Act: *Provided further*, That of the amount in the previous proviso, \$7,968,543,933 shall be available for payments under section 640 of the Head Start Act at the same level of such payments for fiscal year 2012: *Provided further*, That of the remaining amount for making payments under the Head Start Act under this heading, notwithstanding any other provision of law, \$25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act, and \$25,000,000 shall be available for carrying out the cost of living adjustment described in section 640(a)(3)(A)(ii)(II)(aa) of such Act: *Provided further*, That amounts allocated to Head Start grantees at the discretion of the Sec-

retary to supplement activities pursuant to the previous proviso shall not be included in calculation of the "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act: *Provided further*, That \$718,282,000 shall be for making payments under the CSBG Act: *Provided further*, That \$41,274,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than \$34,943,000 shall be for section 680(a)(2) and not less than \$5,981,000 shall be for section 680(a)(3)(B) of such Act: *Provided further*, That to the extent funds provided in this Act for the Assets for Independence Act are distributed as grant funds to a qualified entity and have not been expended by such entity within three years after the date of award, such funds may be recaptured and reallocated among other qualified entities, to remain available to such other qualified entities for five years: *Provided further*, That in addition to amounts provided herein, \$5,762,000 shall be available from amounts available under section 241 of the PHS Act to carry out the provisions of section 1110 of the Social Security Act: *Provided further*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That \$1,992,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That section 303(a)(2)(A)(i) of the Family Violence Prevention and Services Act shall not apply to amounts provided herein: *Provided further*, That up to \$2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

#### PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, \$345,000,000 and in addition, for carrying out section 437 of such Act, \$63,065,000.

#### PAYMENTS FOR FOSTER CARE AND PERMANENCY

For making payments to States or other non-Federal entities under title IV—E of the Social Security Act, and for carrying out section 477(g) of such Act, \$4,810,000,000.

For making payments to States or other non-Federal entities under title IV—E of the

Social Security Act, for the first quarter of fiscal year 2014, \$2,200,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV—E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

#### ADMINISTRATION FOR COMMUNITY LIVING AGING AND DISABILITY SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 ("OAA"), section 398 and title XXIX of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX—B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, section 291 of the Help America Vote Act of 2002, for necessary administrative expenses to carry out section 393D of the PHS Act, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, \$1,650,488,000, together with \$52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That none of the funds provided shall be used to carry out sections 1701 and 1703 of the PHS Act (with respect to chronic disease self-management activity grants), except that such funds may be used for necessary expenses associated with administering any such grants awarded prior to the date of the enactment of this Act: *Provided further*, That the total amount available for fiscal year 2013 under this and any other Act to carry out activities related to Aging and Disability Resource Centers under subsections (a)(20)(B)(iii) and (b)(8) of section 202 of the OAA shall not exceed the amount obligated for such purposes for fiscal year 2010 from funds available under Public Law 111-117: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section.

#### OFFICE OF THE SECRETARY

##### GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, and XXI of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$473,424,000, together with \$69,211,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, \$53,681,000 shall be for minority AIDS prevention and treatment activities: *Provided further*, That of the funds made available under this heading, \$104,592,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated

with administering and evaluating such contracts and grants, of which not less than \$75,000,000 shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, of which not less than \$25,000,000 shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy, and of which any remaining amounts shall be available for training and technical assistance, evaluation, outreach, and additional program support activities: *Provided further*, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, \$8,455,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further*, That of the funds made available under this heading, \$5,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2)(A)–(H) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: *Provided further*, That grants made under the authority of section 510(b)(2)(A)–(H) of the Social Security Act shall be made only to public and private entities that agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: *Provided further*, That of the funds made available under this heading, \$3,500,000 shall be for strengthening the capacity and capabilities of the acquisition workforce (as defined in 41 U.S.C. 1703) of HHS, including for training, recruitment, and hiring and retention of members of the acquisition workforce; information technology in support of acquisition workforce effectiveness; and management solutions to improve acquisition management: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

#### OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), \$79,908,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

#### OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, \$16,415,000: *Provided*, That in addition to amounts provided herein, \$49,842,000 shall be available from amounts available under section 241 of the PHS Act.

#### OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of pas-

senger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, \$55,483,000: *Provided*, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228: *Provided further*, That at least 40 percent of this amount shall be used only for investigations, audits, and evaluations pertaining to the discretionary programs funded in this Act.

#### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$38,966,000.

#### RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

#### PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

##### (INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, \$561,576,000; of which \$5,000,000 shall remain available through September 30, 2015, to support emergency operations and of which \$15,000,000 shall remain available until expended for the purpose of funding a strategic investment corporation established to further the purposes of section 319L of the PHS Act to foster innovation in the development of medical countermeasures; and of which up to \$5,000,000 shall remain available through September 30, 2015 to support the delivery of medical countermeasures.

From funds transferred to this account pursuant to the fourth paragraph under this heading in Public Law 111–117, up to \$415,000,000 shall be available for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act, and other administrative expenses of the Biomedical Advanced Research and Development Authority to support additional advanced research and development: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures may be used and shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act.

In addition, for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, \$17,000,000, to remain available until expended.

#### GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60

employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 204. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, until 15 days following notification to the Committees on Appropriations of the House of Representatives and the Senate regarding the planned uses of such funds: *Provided*, That any further adjustments to such taps or assessments shall be treated as a reprogramming of such funds under section 514 of this Act.

SEC. 205. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

##### (TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

##### (TRANSFER OF FUNDS)

SEC. 207. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified at least 15 days in advance of any transfer.

##### (TRANSFER OF FUNDS)

SEC. 208. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2013:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or non-profit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section

5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

SEC. 213. (a) **AUTHORITY.**—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds available under section 402(b)(7) or 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) **PEER REVIEW.**—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 214. Not to exceed \$45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed \$3,500,000 per project.

#### (TRANSFER OF FUNDS)

SEC. 215. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under section 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 216. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 217. (a) The Secretary shall publish in the fiscal year 2014 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the Patient Protection and Affordable Care Act ("PPACA"), and the amendments made by that Act, in the proposed fiscal year and the 3 prior fiscal years.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the PPACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each authorized and funded provision detailed in accordance with paragraph (1).

(c) In carrying out this section, the Secretary may exclude from the report employees or contractors who:

(1) Are supported through appropriations enacted in laws other than PPACA and work on programs that existed prior to the passage of PPACA;

(2) spend less than 50 percent of their time on activities funded by or newly authorized in PPACA;

(3) or who work on contracts for which FTE reporting is not a requirement of their contract, such as fixed-price contracts.

SEC. 218. (a) The Secretary shall establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of Public Law 111-148.

(b) With respect to funds provided under section 4002, the Secretary shall include on the Web site established under subsection (a) at a minimum the following information:

(1) In the case of each transfer of funds under section 4002(c), a statement indicating the program or activity receiving funds, the operating division or office that will administer the funds, and the planned uses of the funds, to be posted not later than the day after the transfer is made.

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of \$25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

(4) A report detailing the uses of all funds transferred under section 4002(c) during the fiscal year, to be posted not later than 90 days after the end of the fiscal year.

(c) With respect to awards made in fiscal years 2012 and 2013, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of \$25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

(d) In carrying out this section, the Secretary shall:

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

(2) ensure that all information required in this section is directly accessible from the single webpage or database; and

(3) ensure that all information required in this section is able to be organized by program or State.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2013".

#### TITLE III

##### DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section

418A of the Higher Education Act of 1965 (referred to in this Act as “HEA”), \$15,866,609,000, of which \$4,933,013,000 shall become available on July 1, 2013, and shall remain available through September 30, 2014, and of which \$10,841,177,000 shall become available on October 1, 2013, and shall remain available through September 30, 2014, for academic year 2013–2014: *Provided*, That \$6,577,904,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to \$3,984,000 of these funds shall be available to the Secretary of Education (referred to in this title as “Secretary”) on October 1, 2012, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: *Provided further*, That \$1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: *Provided further*, That \$3,350,626,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That \$3,350,626,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act: *Provided further*, That \$3,100,000 shall be to carry out sections 1501 and 1503 of the ESEA: *Provided further*, That \$533,552,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State’s lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: *Provided further*, That funds available for school improvement grants may be used by a local educational agency to implement a whole-school reform strategy for a school using an evidence-based strategy that ensures whole-school reform is undertaken in partnership with a strategy developer offering a whole-school reform program that is based on at least a moderate level of evidence that the program will have a statistically significant effect on student outcomes, including more than one well-designed or well-implemented experimental or quasi-experimental study: *Provided further*, That funds available for school improvement grants may be used by a local educational agency to implement an alternative State-determined school improvement strategy that has been established by a State educational agency with the approval of the Secretary: *Provided further*, That a local educational agency that is determined to be eligible for services under subpart 1 or 2 of part B of title VI of the ESEA may modify not more than one element of a school improvement grant model: *Provided further*, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than \$2,000,000 for each participating school applicable to such funds: *Provided further*, That the Secretary may reserve up to 5 percent of the funds available for section 1003(g) of the

ESEA to carry out activities to build State and local educational agency capacity to implement effectively the school improvement grants program: *Provided further*, That \$159,698,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children: *Provided further*, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools: *Provided further*, That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research-based methods of improving classroom instruction and practice.

#### IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the ESEA, \$1,311,186,000, of which \$1,173,540,000 shall be for basic support payments under section 8003(b), \$48,413,000 shall be for payments for children with disabilities under section 8003(d), \$17,441,000 shall be for construction under section 8007(a), \$66,947,000 shall be for Federal property payments under section 8002, and \$4,845,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2012–2013, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal prop-

erty as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

#### SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A and B of title II, part B of title IV, parts A and B of title VI, and parts B and C of title VII of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, \$4,554,096,000, of which \$2,729,595,000 shall become available on July 1, 2013, and remain available through September 30, 2014, and of which \$1,681,441,000 shall become available on October 1, 2013, and shall remain available through September 30, 2014, for academic year 2013–2014: *Provided*, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: *Provided further*, That funds made available to carry out part C of title VII of the ESEA shall be awarded on a competitive basis, and also may be used for construction: *Provided further*, That \$51,113,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: *Provided further*, That \$17,619,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided further*, That up to 5 percent of the amount referred to in the previous proviso may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services: *Provided further*, That up to 3 percent of the funds for subpart 1 of part A of title II of the ESEA shall be reserved by the Secretary for competitive awards for teacher or principal recruitment and training or professional enhancement activities to national not-for-profit organizations, of which up to 10 percent may be used for related research, development, evaluation, technical assistance, and outreach activities.

#### INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the ESEA, \$130,779,000.

#### INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V of the ESEA, and sections 14006 and 14007 of division A of the American Recovery and Reinvestment Act of 2009, as amended, \$1,524,441,000: *Provided*, That the Secretary may use up to \$549,284,000, which shall remain available for obligation through December 31, 2013, for section 14006 of division A of Public Law 111–5, as amended, to make awards (including on the basis of previously submitted applications) to State educational



agencies, local educational agencies, or consortia of either, in accordance with the applicable requirements of that section, as determined by the Secretary, and may use up to 5 percent of such funds for technical assistance and evaluation of the activities carried out under that section: *Provided further*, That the Secretary shall make new awards for State grants for improving early childhood care and education for infants, toddlers, and pre-schoolers under such section and shall administer such grants jointly with the Secretary of HHS on such terms as such Secretaries set forth in an interagency agreement: *Provided further*, That up to \$149,417,000 shall be available for obligation through December 31, 2013 for section 14007 of division A of Public Law 111-5, and up to 5 percent of such funds may be used for technical assistance and the evaluation of activities carried out under such section: *Provided further*, That \$299,433,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one non-profit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: *Provided further*, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: *Provided further*, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: *Provided further*, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: *Provided further*, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: *Provided further*, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities: *Provided further*, That of the funds available for part B of title V of the ESEA, the Secretary shall use not less than \$16,000,000 to carry out activities under section 5205(b) and shall use not less than \$11,000,000 for subpart 2: *Provided further*, That of the funds available for subpart 1 of part B of title V of the ESEA, and notwithstanding section 5205(a), the Secretary shall reserve not less than \$30,000,000 to make multiple awards to non-profit charter management organizations and other entities that are not for-profit entities for the replication and expansion of successful charter school models and shall reserve up to \$14,082,000 to carry out the activities described in section 5205(a), including improving quality and oversight of charter schools and providing technical assistance and grants to authorized public chartering agencies in order to increase the number of high-

performing charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include evaluation, planning, training, and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the public chartering agency, including student academic achievement goals for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as the primary factor when determining to renew or revoke a school's charter: *Provided further*, That each application submitted pursuant to section 5203(a) may use the funds to make multiple awards for subgrants to not-for-profit charter management organizations and other not-for-profit entities for the replication and expansion of successful charter school models, in addition to supporting new charter schools models.

#### SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by part A of title IV and subparts 1, 2, and 10 of part D of title V of the ESEA, \$259,589,000: *Provided*, That \$48,600,000 shall be available for subpart 2 of part A of title IV: *Provided further*, That \$80,000,000 shall be available for Promise Neighborhoods and shall be available through December 31, 2013.

#### ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, \$732,144,000, which shall become available on July 1, 2013, and shall remain available through September 30, 2014, except that 6.5 percent of such amount shall be available on October 1, 2012, and shall remain available through September 30, 2014, to carry out activities under section 3111(c)(1)(C): *Provided*, That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.

#### SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act ("IDEA") and the Special Olympics Sport and Empowerment Act of 2004, \$12,790,709,000, of which \$3,259,828,000 shall become available on July 1, 2013, and shall remain available through September 30, 2014, and of which \$9,283,383,000 shall become available on October 1, 2013, and shall remain available through September 30, 2014, for academic year 2013-2014: *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2012, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent

change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2012: *Provided further*, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: *Provided further*, That the level of effort a local educational agency must meet under section 613(a)(2)(A)(iii) of the IDEA, in the year after it fails to maintain effort is the level of effort that would have been required in the absence of that failure and not the local educational agency's reduced level of expenditures: *Provided further*, That the Secretary may, notwithstanding section 643(e)(1) of the IDEA, reserve up to \$2,710,000 of the amount provided under section 644 for incentive grants to States to carry out section 635(c): *Provided further*, That \$1,996,000, to remain available for obligation through September 30, 2014, shall be for competitive grants to States, incentive payments, and related activities as may be necessary to improve the provision and coordination of services and supports for Supplemental Security Income ("SSI") child recipients and their families or households in order to achieve improved outcomes, including both physical and emotional health, education and post-school outcomes, such as completing post-secondary education and job training and obtaining employment, that may result in long-term improvements in the SSI child recipient's economic self-sufficiency: *Provided further*, That States may award subgrants for a portion of the funds to other public and private, non-profit entities: *Provided further*, That funds provided in the ninth proviso may be used for performance-based awards for Pay for Success projects: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a):

*Provided further*, That, with respect to the twelfth proviso, any deobligated funds from such projects shall immediately be available for section 611 of the IDEA.

#### REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$3,624,226,000: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for activities aimed at improving the outcomes of children receiving Supplemental Security Income (SSI) and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: *Provided further*, That States may award subgrants for a portion of the funds to other public and private, non-profit entities: *Provided further*, That any funds made available subsequent to reallocation for activities aimed at improving the outcomes of children receiving SSI and their families shall remain available until September 30, 2014: *Provided further*, That not to exceed \$20,000,000 of the amounts made available in the first proviso may be used for performance-based awards for Pay for Success projects: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a): *Provided further*, That, with respect to the fifth proviso, any deobligated funds from such projects shall immediately be available for programs authorized under the Rehabilitation Act of 1973: *Provided further*, That \$2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or insurance program: *Provided further*, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further*, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete.

#### SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, \$24,505,000.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, \$65,422,000: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

##### GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$124,541,000, of which \$7,000,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

#### CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act (referred to in this Act as the "AEFLA"), \$1,737,154,000, of which \$946,154,000 shall become available on July 1, 2013, and shall remain available through September 30, 2014, and of which \$791,000,000 shall become available on October 1, 2013, and shall remain available through September 30, 2014: *Provided*, That of the amount provided for Adult Education State Grants, \$74,709,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited-English-proficient populations: *Provided further*, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the AEFLA, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than \$60,000: *Provided further*, That of the amounts made available for AEFLA, \$11,302,000 shall be for national leadership activities under section 243.

#### STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, and part C of title IV of the HEA, \$24,535,281,000, which shall remain available through September 30, 2014.

The maximum Pell Grant for which a student shall be eligible during award year 2013–2014 shall be \$4,860.

#### STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, and 9 of part A, and parts B, C, D, and E of title IV of the HEA, \$1,105,363,000, to remain available until September 30, 2014.

#### HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, \$1,911,502,000: *Provided*, That \$607,000 shall be for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: *Provided further*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That, of the amount available under

subpart 2 of part A of title VII of the HEA, the Secretary may use up to \$4,451,000 to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of the HEA.

#### HOWARD UNIVERSITY

For partial support of Howard University, \$234,064,000, of which not less than \$3,593,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

#### COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, \$459,000.

#### HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, \$20,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2014: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$320,350,000: *Provided further*, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, \$352,000.

#### INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, \$591,664,000, which shall remain available through September 30, 2014: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: *Provided further*, That up to \$10,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

#### DEPARTMENTAL MANAGEMENT

##### PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$448,470,000, of which \$2,211,000, to remain available until expended, shall be for relocation of, and renovation of buildings occupied by, Department staff.

##### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$102,624,000.

##### OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section



212 of the Department of Education Organization Act, \$59,820,000.

#### GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

#### (TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the ESEA.

SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2013" for "2009".

SEC. 307. (a) Section 206 of the Department of Education Organization Act (20 U.S.C. 3416) is amended—

(1) by striking out the heading and inserting "Office of Career, Technical, and Adult Education";

(2) by striking out "Office of Vocational and Adult Education" and inserting "Office of Career, Technical, and Adult Education";

(3) by striking out "Assistant Secretary for Vocational and Adult Education" and inserting "Assistant Secretary for Career, Technical, and Adult Education"; and

(4) by striking out "vocational and adult education" each place it appears and inserting "career, technical, and adult education".

(b) Section 202 of the Department of Education Organization Act (20 U.S.C. 3412) is amended—

(1) in subsection (b)(1)(C), by striking out "Assistant Secretary for Vocational and Adult Education" and inserting "Assistant

Secretary for Career, Technical, and Adult Education"; and

(2) in subsection (h), by striking out "Assistant Secretary for Vocational and Adult Education" each place it appears and inserting "Assistant Secretary for Career, Technical, and Adult Education".

(c) Section 1 of the Department of Education Organization Act (20 U.S.C. 3401 note) is amended by striking out the entry for section 206 and inserting "Sec. 206. Office of Career, Technical, and Adult Education".

(d) Section 114(b)(1) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2324(b)(1)) is amended by striking out "Office of Vocational and Adult Education" and inserting "Office of Career, Technical, and Adult Education".

#### SEC. 308. (a) STUDENT ELIGIBILITY.—

(1) Subsection (d) of section 484 of the HEA (20 U.S.C. 1091) is amended to read as follows:

"(d) STUDENTS WHO ARE NOT HIGH SCHOOL GRADUATES.—

"(1) STUDENT ELIGIBILITY.—In order for a student who does not have a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, to be eligible for any assistance under subparts 1 and 3 of part A and parts B, C, D, and E of this title, the student shall meet the requirements of one of the following subparagraphs:

"(A) The student is enrolled in an eligible career pathway program and meets one of the following standards:

"(i) The student shall take an independently administered examination and shall achieve a score, specified by the Secretary, demonstrating that such student can benefit from the education or training being offered. Such examination shall be approved by the Secretary on the basis of compliance with such standards for development, administration, and scoring as the Secretary may prescribe in regulations.

"(ii) The student shall be determined as having the ability to benefit from the education or training in accordance with such process as the State shall prescribe. Any such process described or approved by a State for the purposes of this section shall be effective 6 months after the date of submission to the Secretary unless the Secretary disapproves such process. In determining whether to approve or disapprove such process, the Secretary shall take into account the effectiveness of such process in enabling students without high school diplomas or the equivalent thereof to benefit from the instruction offered by institutions utilizing such process, and shall also take into account the cultural diversity, economic circumstances, and educational preparation of the populations served by the institutions.

"(iii) The student shall be determined by the institution of higher education as having the ability to benefit from the education or training offered by the institution of higher education upon satisfactory completion of 6 credit hours or the equivalent coursework that are applicable toward a degree or certificate offered by the institution of higher education.

"(B) The student has completed a secondary school education in a home school setting that is treated as a home school or private school under State law.

"(2) ELIGIBLE CAREER PATHWAY PROGRAM.—In this subsection, the term 'eligible career pathway program' means a program that—

"(A) concurrently enrolls participants in connected adult education and eligible postsecondary programs;

"(B) provides counseling and supportive services to identify and attain academic and career goals;

"(C) provides structured course sequences that—

"(i) are articulated and contextualized; and

"(ii) allow students to advance to higher levels of education and employment;

"(D) provides opportunities for acceleration to attain recognized postsecondary credentials, including degrees, industry relevant certifications, and certificates of completion of apprenticeship programs;

"(E) is organized to meet the needs of adults;

"(F) is aligned with the education and skill needs of the regional economy; and

"(G) has been developed and implemented in collaboration with partners in business, workforce development, and economic development.".

(2) EFFECTIVE DATE AND TRANSITION.—The amendment made by paragraph (1) shall take effect as if such amendment was enacted on June 30, 2012, and shall apply to students who first enroll in a program of study during the period beginning July 1, 2012, and ending June 30, 2019.

(3) REPEAL.—Effective June 30, 2012, section 309(c) of division F of the Consolidated Appropriations Act, 2012 (20 U.S.C. 1091 note), and the amendments made by such section 309(c), are repealed.

(b) SPECIAL RULES FOR CERTAIN NOT-FOR-PROFIT SERVICERS.—Section 456(a) of the HEA (20 U.S.C. 1087f(a)) is amended by adding at the end the following:

"(5) SPECIAL RULE FOR NOT-FOR-PROFIT SERVICERS WITH AFFILIATES.—Notwithstanding any other provision of this section, only an eligible not-for-profit servicer described in clause (i) or (ii) of subsection (c)(1)(B) shall receive a contract with the Secretary under paragraph (4)(A), and an allocation under paragraph (4)(B), except that, if an eligible not-for-profit servicer so described is also a corporation described in subparagraphs (A) and (B) of section 150(d)(2) of the Internal Revenue Code of 1986, then the affiliated entity of that servicer (described in subsection (c)(1)(B)(ii)) shall receive the contract with the Secretary under paragraph (4)(A), and an allocation under paragraph (4)(B), rather than the eligible not-for-profit servicer described in clause (i) or (ii) of subsection (c)(1)(B).

"(6) SPECIAL RULE FOR NOT-FOR-PROFIT SERVICERS WITH SHARED MANAGEMENT OR COMMON CONTROL.—Notwithstanding any other provision of this section, in the case of entities that otherwise meet the definition of an eligible not-for-profit servicer under this section but 2 or more of the same individuals serve as part of the management, board of directors, or other governing body of more than one such entity, or the Secretary determines that one entity controls, is controlled by, or is under common control with, another such entity, all such entities with that shared management or control shall receive one aggregate allocation under paragraph (4)(B) and be treated for purposes of paragraph (4) as though all of such entities were a single eligible not-for-profit servicer."

SEC. 309. Section 307 of division F of the Consolidated Appropriations Act of 2012 (Public Law 112-74) shall continue in effect until March 27, 2013.

SEC. 310. The Secretary may reserve funds under section 9601 of the ESEA (subject to the limitations in subsections (b) and (c) of that section) in order to carry out activities authorized under that section with respect to any ESEA program funded in this Act and

without respect to the source of funds for those activities: *Provided*, That not later than 10 days prior to the initial obligation of funds reserved under this section, the Secretary shall submit an evaluation plan to the Senate Committees on Appropriations and Health, Education, Labor and Pensions and the House Committees on Appropriations and Education and Workforce which identifies the source and amount of funds reserved under this section, the impact on program grantees if funds are withheld, and the programs to be evaluated with such funds.

This title may be cited as the "Department of Education Appropriations Act, 2013".

#### TITLE IV

##### RELATED AGENCIES

##### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

###### SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92-28, \$5,375,000.

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

###### OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as "CNCS") to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as "1973 Act") and the National and Community Service Act of 1990 (referred to in this title as "1990 Act"), \$749,846,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(6), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) \$44,815,000 shall be available for expenses authorized under section 501(a)(4)(E) of the 1990 Act; (3) \$15,437,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (4) \$30,742,000 shall be available to carry out subtitle E of the 1990 Act; and (5) \$3,992,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis.

###### PAYMENT TO THE NATIONAL SERVICE TRUST (INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, \$208,744,000, to remain available until expended: *Provided*, That CNCS may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

###### SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990

Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$85,886,000.

###### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$5,400,000.

###### ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2013, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

SEC. 404. In addition to the requirements in section 146(a) of the 1990 Act, use of an educational award for the purpose described in section 148(a)(4) shall be limited to individuals who are veterans as defined under section 101 of the Act.

###### CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2015, \$445,000,000: *Provided*, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB: *Provided further*, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

###### FEDERAL MEDIATION AND CONCILIATION SERVICE

###### SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service")

to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, \$46,163,000, including \$400,000 to remain available through September 30, 2014, for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

###### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

###### SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, \$17,000,000.

###### INSTITUTE OF MUSEUM AND LIBRARY SERVICES OFFICE OF MUSEUM AND LIBRARY SERVICES:

###### GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, \$231,954,000.

###### MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

###### SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, \$7,500,000.

###### MEDICARE PAYMENT ADVISORY COMMISSION

###### SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$11,778,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

###### NATIONAL COUNCIL ON DISABILITY

###### SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, \$3,258,000.

###### NATIONAL LABOR RELATIONS BOARD

###### SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, \$278,306,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a

mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

#### ADMINISTRATIVE PROVISIONS

SEC. 405. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means that enables off-site, remote, or otherwise absentee voting in an election to determine a representative for the purposes of collective bargaining.

#### NATIONAL MEDIATION BOARD

##### SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, \$13,411,000.

#### OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

##### SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, \$11,667,000.

#### RAILROAD RETIREMENT BOARD

##### DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$45,000,000, which shall include amounts becoming available in fiscal year 2013 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

#### FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2014, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

#### LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$111,149,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

#### LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than \$8,155,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

#### SOCIAL SECURITY ADMINISTRATION

##### PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and

1131(b)(2) of the Social Security Act, \$20,402,000.

#### SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$40,123,552,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further*, That not more than \$17,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act and remain available through September 30, 2014.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2014, \$19,300,000,000, to remain available until expended.

#### LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$20,000 for official reception and representation expenses, not more than \$10,535,544,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: *Provided*, That not less than \$2,146,000 shall be for the Social Security Advisory Board: *Provided further*, That not less than \$23,000,000 shall be for section 1149 of the Social Security Act: *Provided further*, That not less than \$7,000,000 shall be for section 1150 of the Social Security Act: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2013 not needed for fiscal year 2013 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That the Commissioner of Social Security ("Commissioner") shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made: *Provided further*, That the Commissioner shall seek to enter into a contract with the National Academy of Public Administration for purposes of reviewing and contributing to a long-range strategic plan for the Social Security Administration.

In addition, for the costs associated with conducting continuing disability reviews

under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$756,052,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That, of such amount, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *Provided further*, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104-121 for fiscal years 1996 through 2002.

In addition, \$170,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2013 exceed \$170,000,000, the amounts shall be available in fiscal year 2014 only to the extent provided in advance in appropriations Acts.

In addition, up to \$1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

#### OFFICE OF INSPECTOR GENERAL (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$28,887,000, together with not to exceed \$75,396,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

#### TITLE V GENERAL PROVISIONS (TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used, other than for normal and recognized

executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund

to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or

numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate information that is deliberately false or misleading.

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2013 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement regarding this division, or the fiscal year 2013 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding \$500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2013, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the 3 years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSION)

SEC. 519. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, \$6,934,000,000 are hereby rescinded: *Provided*, That this rescission shall have no effect until July 1, 2013.

SEC. 520. None of the funds appropriated in this Act shall be expended or obligated by

the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 521. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 522. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 523. (a) IN GENERAL.—The Health Education Assistance Loan (“HEAL”) program under title VII, part A, subpart I of the PHS Act, and the authority to administer such program, including servicing, collecting, and enforcing any loans that were made under such program that remain outstanding, shall be permanently transferred from the Secretary of Health and Human Services to the Secretary of Education no later than the end of the first fiscal quarter that begins after the date of enactment of this Act.

(b) TRANSFER OF FUNCTIONS, ASSETS, AND LIABILITIES.—The functions, assets, and liabilities of the Secretary of HHS relating to such program shall be transferred to the Secretary of Education.

(c) INTERDEPARTMENTAL COORDINATION OF TRANSFER.—The Secretary of HHS and the Secretary of Education shall carry out the transfer of the HEAL program described in subsection (a), including the transfer of the functions, assets, and liabilities specified in subsection (b), in the manner that they determine is most appropriate.

(d) USE OF AUTHORITIES UNDER HEA OF 1965.—In servicing, collecting, and enforcing the loans described in subsection (a), the Secretary of Education shall have available any and all authorities available to such Secretary in servicing, collecting, or enforcing a loan made, insured, or guaranteed under part B of title IV of the HEA of 1965.

(e) CONFORMING AMENDMENTS.—Effective as of the date on which the transfer of the HEAL program under subsection (a) takes effect, section 719 of the PHS Act is amended by adding at the end the following new paragraph:

“(6) The term ‘Secretary’ means the Secretary of Education.”

SEC. 524. The first proviso in section 526 of division F of Public Law 112-74 shall not apply to funds appropriated to the Indian Health Service in fiscal year 2013 or prior fiscal years.

SEC. 525. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single international conference unless the head of such department or agency reports to the Committees on Appropriations of the Senate and the House of Representa-

tives at least 30 days in advance of the beginning of the conference that such attendance is important to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 526. None of the funds in this Act may be used to support, maintain, or establish a computer network, software, or Web site that permits or enables viewing, downloading, or exchanging pornography.

(RESCISSION)

SEC. 527. Of the funds made available for fiscal year 2013 for the Independent Payment Advisory Board under section 3403 of Public Law 111-148, \$10,000,000 is rescinded.

SEC. 528. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.127 percent of—

(1) the budget authority provided for fiscal year 2013 for any discretionary account of this Act; and

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in prior Acts making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in this Act or the accompanying explanatory statement).

(c) EXCEPTION.—This section shall not apply to the amount made available by this Act for “Social Security Administration, Limitation on Administrative Expenses” for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

SEC. 529. The explanatory statement regarding this division printed in the Senate section of the Congressional Record on or about March 12, 2013, by the Chairman of the Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 530. (a) Notwithstanding any other provision of this Act, subsections (a)(4) and (c)(2) of section 1101, section 1109(b), and paragraphs (3), (5), (10), (28), and (29) of section 1114(c) of title I of division F, and sections 1501 through 1521 of title V of division F, shall have no force or effect.

(b) Notwithstanding any other provision of this Act, section 1111 of title I of division F shall not apply with respect to advance appropriations provided to the Departments of Labor and Education and the Corporation for Public Broadcasting.

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2013".

**SA 54.** Mr. TOOMEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR ARMY O&M FOR ACTIVITIES IN CONUS.—The amount appropriated by title II of this division under the heading "OPERATION AND MAINTENANCE, ARMY" is hereby increased by \$114,000,000, with the amount to be available for operation and maintenance expenses of the Army in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—

(1) ARMY RDTE FOR ALTERNATIVE ENERGY RESEARCH.—The amount appropriated by title IV of this division under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY" is hereby reduced by \$37,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Alternative Energy Research.

(2) NAVY RDTE FOR ALTERNATIVE ENERGY RESEARCH.—The amount appropriated by title IV of this division under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY" is hereby reduced by \$40,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Alternative Energy Research.

(3) AIR FORCE RDTE FOR ALTERNATIVE ENERGY RESEARCH.—The amount appropriated by title IV of this division under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE" is hereby reduced by \$37,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Alternative Energy Research.

**SA 55.** Mr. MORAN (for himself, Mr. INHOFE, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mr. KIRK, Mr. PRYOR, Mr. ROBERTS, Mr. WYDEN, Mr. JOHANNES, Mr. MERKLEY, Mr. KAINE, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division F, add the following:

SEC. 1811. (a) Notwithstanding section 1101, the level for "Department of Transportation, Federal Aviation Administration, Operations" shall be \$9,703,395,000: *Provided*, That the amounts specified in the matter under the heading "OPERATIONS" under the heading

"FEDERAL AVIATION ADMINISTRATION" in title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 645) shall be applied to funds appropriated by this division—

(1) by substituting "\$7,492,738,000" for "\$7,442,738,000"; and

(2) by substituting "\$10,350,000 shall be for the contract tower cost-sharing program and not less than \$130,000,000 shall be for the contract tower program" for "\$10,350,000 shall be for the contract tower cost-sharing program".

(b) Of amounts appropriated for fiscal years before fiscal year 2013 that remain available for obligation as of the date of the enactment of this Act and that are not designated an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, the following amounts are rescinded from the following accounts:

(1) "Department of Transportation, Federal Aviation Administration, Facilities and Equipment", \$23,861,002.

(2) "Department of Transportation, Federal Aviation Administration, Research, Engineering, and Development", \$26,183,998.

**SA 56.** Mr. ALEXANDER (for himself, Mr. BENNET, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 555, between lines 21 and 22, insert the following:

SEC. 1515A. Of the amount provided by section 1101 for the First in the World initiative under part B of title VII of the Higher Education Act of 1965 (20 U.S.C. 1138 et seq.), not more than \$1,000,000 shall be available to the Secretary of Education to carry out section 1106 of the Higher Education Opportunity Act (Public Law 110-315; 122 Stat. 3494).

**SA 57.** Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by division A, B, C, D, or E of this Act may be made available, including through a contract, grant, loan, sub-loan, or other means of financing or support, to the Institute for Microelectronics, of the Agency for Science, Technology and Research, of Singapore, unless the Attorney General and the Director of the Federal Bureau of Investigation have submitted a certification to Congress that the Government of Singapore has allowed Federal law enforcement from the United States to access all records and evidence relating to the death of Shane Todd on June 24, 2012, in Singapore and the subsequent investigation.

**SA 58.** Mr. JOHNSON of South Dakota (for himself, Ms. STABENOW, Mr. REED, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1313, and insert the following:

#### SEC. 1313. PRESERVING MARKET REGULATORY ENFORCEMENT.

Notwithstanding section 1101—

(1) the level for the "Commodity Futures Trading Commission" shall be \$308,000,000, and the authorities and conditions, including comparable periods of availability, under Public Law 112-55 shall apply to such appropriation; and

(2) the level for the "Securities and Exchange Commission" shall be \$1,415,000,000, and the authorities and conditions, including comparable periods of availability, under Public Law 112-74, shall apply to such appropriation.

**SA 59.** Mr. JOHNSON of South Dakota (for himself, Ms. STABENOW, Mr. REED, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

#### SEC. \_\_\_\_\_. PRESERVING MARKET REGULATORY ENFORCEMENT.

Notwithstanding section 1101, the level for the "Securities and Exchange Commission" shall be \$1,415,000,000, and the authorities and conditions, including comparable periods of availability, under Public Law 112-74, shall apply to such appropriation.

**SA 60.** Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 580, between lines 4 and 5, insert the following:

SEC. 1811. Notwithstanding section 1101, the first paragraph under the heading "Department of Housing and Urban Development, Federal Housing Administration, General and Special Risk Program Account" in division C of Public Law 112-55 shall be applied in fiscal year 2013 by substituting "\$30,000,000,000" for "\$25,000,000,000".

**SA 61.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to



the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. (a)(1) None of the amounts appropriated or otherwise made available by this Act for military assistance for Egypt under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program), may be used to enter into a contract on or after the date of enactment of this Act with the Government or Armed Services of Egypt for the sale or transfer of significant conventional defense articles, including F-16 attack aircraft, M1 tanks, and related defense technologies, until 30 days after the President submits to Congress the strategy required under subsection (b).

(2) Nothing in the section shall be construed to require the violation of an existing defense contract with the Government or Armed Forces of Egypt, or to prevent or disrupt the production, transfer, or delivery of any defense article or service to the Government or Armed Services of Egypt as required by a contract concluded by the United States Government or a United States person prior to the date of the enactment of this Act.

(b)(1) Not later than 120 days after the date of the enactment of this Act, the President, in consultation with the Government and Armed Services of Egypt, and with other partners in the region, shall provide to Congress a report detailing a comprehensive strategy for modernizing and improving United States security cooperation with, and assistance to, Egypt in order to prioritize and advance the following national security objectives:

(A) The strategy shall seek to enhance the ability of the Government of Egypt to detect, disrupt, dismantle, and defeat al Qaeda, affiliated groups, and other terrorist organizations, whether based in and operating from Egyptian territory or elsewhere, and to counter terrorist ideology and radicalization within Egypt.

(B) The strategy shall seek to improve and increase the capacity of the Government of Egypt to prevent human trafficking and the illicit movement of terrorists, criminals, weapons, and other dangerous material across Egypt's borders or administrative boundaries, especially through tunnels and other illicit points of entry into Gaza.

(C) The strategy shall seek to improve the ability of the Government of Egypt to conduct counterinsurgency and counterterrorism operations in the Sinai as part of a comprehensive civil-military strategy—

(i) to enforce the rule of law and the sovereign authority of the Egyptian state;

(ii) to enhance security while protecting basic human rights;

(iii) to advance economic development in the Sinai;

(iv) to deny safe haven to enemies of Egypt, the United States, and our other partners in the region; and

(v) to maintain the Camp David Accords.

(D) The strategy shall seek to enhance the capacity of the Egyptian Armed Services to gather, integrate, analyze, and share intelligence, especially with regard to the threat posed by terrorism and other illicit criminal activity, while ensuring a proper respect and protection for the human rights and civil liberties of Egypt's citizens.

(E) The strategy shall seek to encourage, reinforce, and strengthen efforts by the Government of Egypt to reform its internal security services, including police forces, and justice sector with the purpose of maintaining public order and security while ensuring protections for internationally-recognized human rights, the rule of law, and equal access to justice for all citizens and persons in Egypt.

(F) Any other objective that the President determines necessary.

(2) The strategy required under paragraph (1) shall include a detailed assessment of resources and amounts that will be necessary to achieve each of the objectives enumerated in such paragraph.

(3) The strategy required under paragraph (1) may also include any recommended changes to the allocation of amounts between Foreign Military Financing and Economic Support Funds within overall United States assistance to Egypt and any additional authorities that the President may determine necessary to implement such strategy, including authorities to shift money between foreign assistance accounts or between Federal departments or agencies.

**SA 62.** Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

On page 378, line 3, strike “a. grant for”.

On page 585, line 11, strike “through C” and insert “through F”.

On page 586, line 16, strike “division C” and insert “division F”.

**SA 63.** Mr. HATCH (for himself, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. . PROHIBITION ON FUNDING.**

None of the funds made available in this Act may be used by the Secretary of Health and Human Services to do the following:

(1) Finalize, implement, enforce, or otherwise take any action to give effect to the Information Memorandum dated July 12, 2012 (Transmittal No. TANF-ACF-IM-2012-03), or to any administrative action relating to the same subject matter set forth in the Information Memorandum or that reflects the same or similar policies as those set forth in the Information Memorandum.

(2) Authorize, approve, renew, modify, or extend any experimental, pilot, or demonstration project under section 1115 of the Social Security Act (42 U.S.C. 1315) that waives compliance with a requirement of section 407 of such Act (42 U.S.C. 607)

through a waiver of section 402 of such Act (42 U.S.C. 602) or that provides authority for an expenditure which would not otherwise be an allowable use of funds under a State program funded under part A of title IV of such Act (42 U.S.C. 601 et seq.) with respect to compliance with the work requirements in section 407 of such Act to be regarded as an allowable use of funds under that program for any period.

**SA 64.** Mr. UDALL of Colorado (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, insert the following:

#### **SEC. . SEQUESTER FLEXIBILITY.**

(a) DEFINITION.—In this section, the term “agency” means—

(1) an Executive agency (as defined in section 105 of title 5, United States Code);

(2) an office, agency, or other establishment in the legislative branch which is not a part of another office, agency, or other establishment in the legislative branch; and

(3) an office, agency, or other establishment in the judicial branch which is not a part of another office, agency, or other establishment in the judicial branch.

(b) 2013 SEQUESTER CANCELLATION.—Notwithstanding any other provision of law, the sequestration of budgetary resources for fiscal year 2013 ordered on March 1, 2013, pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is cancelled.

(c) FLEXIBLE SEQUESTER IMPLEMENTED BY AGENCY HEADS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the budget sequester for an account in the security and non-security categories required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2013 shall be implemented within each account as determined by the head of the agency with spending authority over such account.

(2) APPROPRIATIONS OVERSIGHT.—

(A) IN GENERAL.—The head of an agency may not exercise the authority provided in paragraph (1) unless the head has submitted a notice of implementation describing the proposed exercise of authority to the Committees on Appropriations of both Houses not later than 15 days before exercising such authority and each such committee approves the implementation as provided in subparagraph (B).

(B) APPROPRIATIONS APPROVAL.—After the committees receive an executive branch proposal for administering the sequester under subparagraph (A) and not later than 5 days after such receipt, each committee, using standard procedures for reprogramming, shall accept or reject the proposal. If a proposal is accepted by both committees, the proposal may be implemented. If either committee rejects a proposal and notwithstanding subsection (b), sequestration within the relevant agency will be administered through across the board cuts consistent with section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SA 65.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 193, between lines 11 and 12, insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation.

(b) Notwithstanding any other provision of this Act, the amount available for the "National Science Foundation; Research and Related Activities" is decreased by \$10,000,000.

(c) Notwithstanding section 1101, the level for the "National Institutes of Health; National Cancer Institute" shall be increased by \$7,000,000.

**SA 66.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. FREEZE ON HIRING OF NONESSENTIAL FEDERAL EMPLOYEES.**

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available under division A, B, C, D, E, or F of this Act may be used by any Executive agency (as defined under section 105 of title 5, United States Code, except that such term shall not include the Government Accountability Office) to hire any new employee.

(b) EXCEPTION.—Subsection (a) shall not apply to the hiring of an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

**SA 67.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 521, line 15, strike "this" and all that follows through "occurring" on line 19, and insert "division A, B, C, D, E, or F of this Act may be used to send or otherwise pay for the attendance of more than 25 employees from a Federal department or agency at any single conference occurring within the United States or".

**SA 68.** Mr. COBURN (for himself, Mr. MCCAIN, Ms. AYOTTE, Mr. CORKER, Mr.

BURR, Mr. FLAKE, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 539, between lines 15 and 16, insert the following:

**SEC. 1315. UNITED STATES POSTAL SERVICE.**

Notwithstanding section 1101, the matter under the heading "PAYMENT TO THE POSTAL SERVICE FUND" under the heading "UNITED STATES POSTAL SERVICE" of title V of division C of the Consolidated Appropriations Act, 2012 (Public Law 112-74; 125 Stat. 923) shall be applied by striking the second proviso.

**SA 69.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 392, line 25, strike "training." and insert the following: "training: *Provided further*, That none of the funds made available under paragraph (2) may be used for employee overtime or backfill pay, for security measures at sports facilities used for Major League Baseball spring training, to pay for attendance at conferences, or to purchase computers or televisions."

**SA 70.** Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

After section 573 of title V of division D, insert the following:

SEC. 574. The Secretary of Homeland Security shall submit a copy of each report required under this division to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

**SA 71.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74 \_\_\_\_\_. None of the funds made available by this Act may be used to carry out (or to pay the salaries and expenses of personnel to carry out) the Federal sugar loan program under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) or the feedstock flexibility program for bioenergy producers under section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) other than in a manner that is of no cost to the Federal Government.

**SA 72.** Mr. INHOFE (for himself and Mrs. HAGAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

SEC. 8131. Notwithstanding any other provision of law, the Secretaries of the military departments shall use not less than the amounts appropriated or otherwise made available by this Act for tuition assistance programs for members of the Armed Forces to carry out such tuition assistance programs in accordance with the provisions of law authorizing such programs.

**SA 73.** Mr. ALEXANDER (for himself, Mr. BENNET, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 555, between lines 21 and 22, insert the following:

SEC. 1515A. Of the amount provided by section 1101 for part B of title VII of the Higher Education Act of 1965 (20 U.S.C. 1138 et seq.), not more than \$1,000,000 shall be available to the Secretary of Education to carry out section 1106 of the Higher Education Opportunity Act (Public Law 110-315; 122 Stat. 3494).

**SA 74.** Mr. TESTER (for himself, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Mr. BEGICH, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 80, strike line 3 and all that follows through page 81, line 2.

**SA 75.** Mr. TESTER (for himself, Mr. JOHNSON of South Dakota, Mr. BROWN, Mr. LEAHY, and Mr. ROCKEFELLER) submitted an amendment intended to be



proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 82, strike line 21 and all that follows through page 84, line 3.

**SA 76.** Mr. GRASSLEY (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. VITTER, Mr. COATS, and Mr. ROBERTS) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 455, between lines 19 and 20, insert the following:

SEC. 574. Not later than 30 days after the date of the enactment of this Act, and weekly thereafter through the end of fiscal year 2013, the Assistant Secretary of U.S. Immigration and Customs Enforcement shall submit a report to the Committee on the Judiciary of the Senate, the Committee on Appropriations of the Senate, the Committee on the Judiciary of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—

(1) a detailed expenditure plan for amounts appropriated under the “U.S. Immigration and Customs Enforcement, Salaries and Expenses” heading, by program, project, and activity, which specifies how the Assistant Secretary will use such amounts to maintain not fewer than 34,000 detention bed levels through September 30, 2013;

(2) the number of aliens who were released from detention by U.S. Immigration and Customs Enforcement during the elapsed portion of fiscal year 2013 not covered by a prior report under this section;

(3) a complete list of the aliens described in paragraph (2) who were released from detention as a result of budgetary constraints; and

(4) for each alien described in paragraph (3), a description of—

(A) the offense for which the alien was convicted or charged;

(B) the alien’s status as an absconder or a fugitive;

(C) an existing order of deportation, if applicable;

(D) the reason for the alien’s detention; and

(E) the terms of the alien’s release.

**SA 77.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

SEC. 543. (a) INCREASE IN AMOUNT FOR NASA FOR CROSS AGENCY SUPPORT.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CROSS AGENCY SUPPORT” is hereby increased by \$172,000,000.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION” is hereby decreased by \$172,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Construction of Facilities (CoF).

**SA 78.** Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 446, strike lines 4 through 22.

**SA 79.** Mrs. SHAHEEN (for herself, Mr. TOOMEY, Mr. KIRK, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74. None of the funds of the Commodity Credit Corporation may be used to carry out the feedstock flexibility program for bioenergy producers under section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110).

**SA 80.** Mr. ROCKEFELLER submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division F, add the following:

SEC. 1523. Of the amounts made available under this Act to the Solicitor of Labor, the amount necessary to maintain the amount allocated for offices and resources to reduce the number of cases pending before the Federal Mine Safety and Health Review Commission for fiscal year 2013 at the same level of funding provided for such offices and resources for fiscal year 2012 shall be used for such offices and resources, except that such amount may be reduced by a percentage equal to the percentage reduction of the So-

licitor of Labor’s budget required pursuant to a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).

**SA 81.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 580, between lines 4 and 5, insert the following:

SEC. 1811. Section 5307(a)(2) of title 49, United States Code, is amended by inserting “or general public demand response” after “fixed route” each place that term appears.

**SA 82.** Mr. PRYOR (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74. Notwithstanding any other provision of this Act—

(1) the amount made available for buildings operations and maintenance expenses in the matter before the first proviso under the heading “AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$52,169,000;

(2) the amount made available for necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act in the matter before the first proviso under the heading “FOOD SAFETY AND INSPECTION SERVICE” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$1,056,427,000; and

(3) the amount made available to provide competitive grants to State agencies in the second proviso under the heading “CHILD NUTRITION PROGRAMS” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV shall be \$10,000,000.

**SA 83.** Mr. BROWN (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 441, strike line 17 and all that follows through page 445, line 12.

**SA 84.** Ms. AYOTTE (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) FINDINGS.—The Senate makes the following findings:

(1) United States officials reportedly took Suleiman Abu Ghayth into custody on February 28, 2013.

(2) Abu Ghayth is the son-in-law of Osama Bin Laden and a member of al Qaeda.

(3) From 2001 to 2002, Abu Ghayth allegedly served al Qaeda, urged others to swear allegiance to Bin Laden, spoke on behalf of and in support of al Qaeda's mission, warned that attacks similar to those of September 11, 2001, would continue, and actively supported al Qaeda's efforts to kill Americans.

(4) On or about May 2001, Abu Ghayth allegedly urged individuals at a guest house in Kandahar, Afghanistan, to swear an oath of allegiance to Bin Laden.

(5) Members and associates of al Qaeda have executed a number of terrorist attacks intended to kill Americans, including the attacks on the United States on September 11, 2001, in New York, Virginia, and Pennsylvania, which killed approximately 2,976 people.

(6) On the morning of September 12, 2001, Abu Ghayth appearing with Bin Laden and Ayman al-Zawahiri, served as a spokesman for al Qaeda and warned the United States and its allies that “[a] great army is gathering against you” and called upon “the nation of Islam” to do battle against “the Jews, the Christians and the Americans”.

(7) After the September 11, 2001, terrorist attacks, Abu Ghayth gave a speech in which he warned that “the storms shall not stop, especially the Airplanes Storm”, and advised Muslims, children, and opponents of the United States “not to board any aircraft and not to live in high rises”.

(8) In 2002, Abu Ghayth allegedly said “al Qaeda has the right to kill four million Americans, including one million children, displace double that figure, and injure and cripple hundreds and thousands”.

(9) In 2002, Abu Ghayth reportedly arranged to be smuggled to Iran, where he was held under a loose form of house arrest for several years.

(10) Abu Ghayth has been reportedly tied to the October 8, 2002, attack on United States Marines training on Faylaka Island off the coast of Kuwait, which resulted in the death of one American.

(11) Kuwait reportedly stripped Abu Ghayth of his citizenship because of his role in recruiting Kuwaitis for al Qaeda.

(12) Abu Ghayth is reportedly believed to have been in Iran since his release in 2010.

(13) On or about March 1, 2013, Abu Ghayth was brought to the United States to stand trial on terrorism charges in the United States District Court for the Southern District of New York.

(14) On March 8, 2013, Abu Ghayth pled not guilty to terrorism charges.

(15) On September 14, 2001, in the wake of the terrorist attacks on the United States, Congress passed the Authorization for Use of Military Force (Public Law 107-40), which the President signed on September 18, 2001.

(16) The Authorization for Use of Military Force authorizes the President “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons”.

(17) Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) affirms the authority of the Armed Forces of the United States to detain covered persons pursuant to the Authorization for Use of Military Force.

(18) Section 1022 of the National Defense Authorization Act for Fiscal Year 2012 establishes a requirement, subject to a case-by-case national security waiver by the President, for military custody of foreign members of al Qaeda and associated forces who participated in the course of planning or carrying out an attack or attempted attack against the United States and its coalition partners.

(19) Abu Ghayth is an enemy belligerent and meets the definition of a covered person under section 1022 of the National Defense Authorization Act for Fiscal Year 2012.

(20) Military custody for enemy belligerents, consistent with United States and international law, provides the best means to collect the intelligence that can prevent future terrorist attacks and save American lives.

(21) Long-term law of war military detention affords the opportunity for interrogators to return periodically over subsequent months and years to gather additional information.

(22) It is this access to detainees in long-term law of war custody that allowed the intelligence community to gather information that helped ultimately locate Bin Laden.

(23) Members of al Qaeda, like Abu Ghayth, are not common criminals. They are enemy belligerents at war with our country. United States detention and interrogation policies must distinguish between intelligence collection to prevent terrorist attacks and standard criminal prosecutions.

(24) When the United States places enemy belligerents in courts under Article III of the Constitution for trial, grants them the legal rights normally reserved for common criminals, and focuses on prosecution rather than intelligence collection, the United States can miss valuable information that will help keep our country safe.

(25) Al Qaeda affiliates throughout the world, such as al Qaeda in the Arabian Peninsula and al Qaeda in the Islamic Mahgreb, present a complex and growing threat to the United States and its interests.

(26) United States forces continue to capture members of al Qaeda and associated forces.

(27) The United States has a top-rate facility at Naval Station Guantanamo Bay, Cuba, that allows for the secure and humane detention and interrogation of foreign enemy belligerents.

(28) On January 22, 2009, President Obama issued an executive order to close the detention facility at Naval Station Guantanamo Bay, yet Congress has prohibited the use of funds to transfer detainees at Naval Station Guantanamo Bay to the United States or to construct or modify facilities in the United States to house detainees at Naval Station Guantanamo Bay. Congress has also placed restrictions on the ability to transfer detain-

ees at Naval Station Guantanamo Bay to foreign countries.

(29) On February 15, 2011, the Under Secretary of Defense for Intelligence, Michael Vickers, said “[t]he administration is in the final stages of . . . establishing its detention policy”.

(30) On April 7, 2011, General Carter Ham, the Commander of the United States Africa Command responded to a question about what he would do if we captured a member of al Qaeda in Africa, by saying he would need “some lawyerly help on answering that one”.

(31) On June 28, 2011, the Commander of the United States Special Operations Command, Admiral William McRaven, testified that his options to detain foreign enemy belligerents were to detain them temporarily on a ship, transfer them to a third country, or “if we can’t do either one of those, then we’ll release that individual and that becomes the— the unenviable option, but it is an option”.

(32) On March 6, 2012, approximately a year later, when asked during a hearing of the Committee on Armed Services of the Senate whether the administration has developed a detention policy for enemy belligerents, Admiral McRaven testified “nothing has changed since then”.

(33) Approximately 28 percent of detainees who have been released from Naval Station Guantanamo Bay have reengaged or are suspected of having reengaged in terrorist activity.

(34) Former detainees at Naval Station Guantanamo Bay have conducted suicide bombings, recruited radicals, and trained recruits to kill Americans and our allies.

(35) Said al Shihri and Abdul Zakir represent two examples of former detainees at Naval Station Guantanamo Bay who returned to the fight and assumed leadership positions in terrorist organizations dedicated to killing Americans and our allies.

(36) On November 29, 2012, in a 54 to 41 vote, the Senate agreed to Senate Amendment 3245 to S. 3254, the National Defense Authorization Act for Fiscal Year 2013, which would have permanently prohibited use of funds for the transfer or release of detainees from Naval Station Guantanamo Bay into the United States.

(37) As enacted, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) prohibits for one year the use of Department of Defense funds to transfer or release detainees at Naval Station Guantanamo Bay to or within the United States, its territories, or possessions.

(b) SENSE OF SENATE.—It is the sense of the Senate to—

(1) reaffirm that the United States remains at war with al Qaeda and its associated forces;

(2) assert that when a member of al Qaeda or an associated force is taken into custody, the focus should be on intelligence collection and the prevention of future attacks and not on prosecution;

(3) believe by bringing members of al Qaeda and its associated forces into civilian custody, rather than military detention, the United States inappropriately gives these terrorists the rights afforded by the civilian system of justice in the United States, including speedy presentment and Miranda rights;

(4) believe no terrorists should ever hear “you have the right to remain silent”;

(5) believe that Abu Ghayth and other members of al Qaeda or associated forces like him should be placed in military custody and brought to Naval Station Guantanamo Bay for long-term, interrogation, and,

as appropriate, trial by military commission, consistent with chapter 47A of title 10, United States Code (as amended by the Military Commissions Act of 2009 (title XVIII of Public Law 111-84)); and

(6) call on the Obama Administration to work with Congress to establish a coherent detention policy for the long-term detention and interrogation of enemy belligerents, and the potential trial by military commission of foreign enemy belligerents, that will help collect intelligence, protect our country, and prevent future attacks.

**SA 85.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. (a) Not later than 30 days after the end of the 60-day period for an audited establishment to respond to a covered final audit report submitted to the establishment by an Inspector General under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.), or by the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for Iraq Reconstruction, or any other Inspector General under applicable law, or 30 days after the establishment responds to a covered audit report with a non-concur or partial concur response, the head of the establishment shall submit to Congress a report with an explanation for the failure to respond or the non-concur or partial concur response.

(b) In this section:

(1) The term “covered final audit report” means a final audit report issued by an Inspector General under the Inspector General Act of 1978 or other applicable law that includes a recommendation for an establishment to implement cost-saving measures or to seek reimbursement for failure by a contractor or subcontractor to successfully complete a contract due to poor contractor performance, cost-overruns, or other reasons that would, if implemented, result in at least \$2,000,000 in savings.

(2) The term “establishment” has the meaning given that term in section 12 of the Inspector General Act of 1978, except that the term also includes the following:

(A) The Office of the Director of National Intelligence.

(B) The Central Intelligence Agency.

(C) The Architect of the Capitol.

(D) The Government Accountability Office.

(E) The Government Printing Office.

(F) The Library of Congress.

(3) The term “head of the establishment” has the meaning given that term in section 12 of the Inspector General Act of 1978, except that the term also includes the following:

(A) The Director of National Intelligence.

(B) The Director of the Central Intelligence Agency.

(C) The Architect of the Capitol.

(D) The Comptroller General of the United States.

(E) The Public Printer.

(F) The Librarian of Congress.

**SA 86.** Mrs. SHAHEEN submitted an amendment intended to be proposed by

her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. (a) Not later than 180 days after an establishment responds to a covered audit report submitted to the establishment by an Inspector General under section 5 of the Inspector General Act of 1978, or by the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for Iraq Reconstruction, or any other Inspector General under applicable law, with a full concur response, the head of the establishment shall submit to Congress a report with a description of the status of any open or pending recommendations from the Inspector General, including any actions taken to implement the recommendations.

(b) In this section:

(1) The term “covered final audit report” means a final audit report issued by an Inspector General under the Inspector General Act of 1978 or other applicable law that includes a recommendation for an establishment to implement cost-saving measures or to seek reimbursement for failure by a contractor or subcontractor to successfully complete a contract due to poor contractor performance, cost-overruns, or other reasons that would, if implemented, result in at least \$2,000,000 in savings.

(2) The term “establishment” has the meaning given that term in section 12 of the Inspector General Act of 1978, except that the term also includes the following:

(A) The Office of the Director of National Intelligence.

(B) The Central Intelligence Agency.

(C) The Architect of the Capitol.

(D) The Government Accountability Office.

(E) The Government Printing Office.

(F) The Library of Congress.

(3) The term “head of the establishment” has the meaning given that term in section 12 of the Inspector General Act of 1978, except that the term also includes the following:

(A) The Director of National Intelligence.

(B) The Director of the Central Intelligence Agency.

(C) The Architect of the Capitol.

(D) The Comptroller General of the United States.

(E) The Public Printer.

(F) The Librarian of Congress.

**SA 87.** Mr. ISAKSON (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### TITLE I—BIENNIAL BUDGETING AND APPROPRIATIONS

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Biennial Budgeting and Appropriations Act”.

##### SEC. 102. REVISION OF TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 (2 U.S.C. 631) is amended to read as follows:

###### “TIMETABLE

“SEC. 300. (a) IN GENERAL.—Except as provided by subsection (b), the timetable with respect to the congressional budget process for any Congress (beginning with the One Hundred Thirteenth Congress) is as follows:

	“First Session
On or before:	Action to be completed:
First Monday in February.	President submits budget recommendations.
February 15 .....	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after budget submission.	Committees submit views and estimates to Budget Committees.
April 1 .....	Budget Committees report concurrent resolution on the biennial budget.
May 15 .....	Congress completes action on concurrent resolution on the biennial budget.
May 15 .....	Biennial appropriation bills may be considered in the House.
June 10 .....	House Appropriations Committee reports last biennial appropriation bill.
June 30 .....	House completes action on biennial appropriation bills.
August 1 .....	Congress completes action on reconciliation legislation.
October 1 .....	Biennium begins.

###### “Second Session

On or before:	Action to be completed:
February 15 .....	President submits budget review.
Not later than 6 weeks after President submits budget review.	Congressional Budget Office submits report to Budget Committees.
The last day of the session.	Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.

“(b) SPECIAL RULE.—In the case of any first session of Congress that begins in any year immediately following a leap year and during which the term of a President (except a President who succeeds himself or herself) begins, the following dates shall supersede those set forth in subsection (a):

	“First Session
On or before:	Action to be completed:
First Monday in April.	President submits budget recommendations.
April 20 .....	Committees submit views and estimates to Budget Committees.
May 15 .....	Budget Committees report concurrent resolution on the biennial budget.
June 1 .....	Congress completes action on concurrent resolution on the biennial budget.
July 1 .....	Biennial appropriation bills may be considered in the House.
July 20 .....	House completes action on biennial appropriation bills.
August 1 .....	Congress completes action on reconciliation legislation.
October 1 .....	Biennium begins.”.

##### SEC. 103. AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

(a) DECLARATION OF PURPOSE.—Section 2(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621(2)) is amended by striking “each year” and inserting “biennially”.

(b) DEFINITIONS.—

(1) BUDGET RESOLUTION.—Section 3(4) of such Act (2 U.S.C. 622(4)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(2) BIENNIAL.—Section 3 of such Act (2 U.S.C. 622) is further amended by adding at the end the following new paragraph:

“(12) The term ‘biennium’ means the period of 2 consecutive fiscal years beginning on October 1 of any odd-numbered year.”.

(c) BIENNIAL CONCURRENT RESOLUTION ON THE BUDGET.—

(1) SECTION HEADING.—The section heading of section 301 of such Act (2 U.S.C. 632) is amended by striking “ANNUAL” and inserting “BIENNIAL”.

(2) CONTENTS OF RESOLUTION.—Section 301(a) of such Act (2 U.S.C. 632(a)) is amended—

(A) in the matter preceding paragraph (1) by—

(i) striking “April 15 of each year” and inserting “May 15 of each odd-numbered year”;

(ii) striking “the fiscal year beginning on October 1 of such year” the first place it appears and inserting “the biennium beginning on October 1 of such year”; and

(iii) striking “the fiscal year beginning on October 1 of such year” the second place it appears and inserting “each fiscal year in such period”;

(B) in paragraph (6)—

(i) by striking “For purposes” and inserting “for purposes”; and

(ii) by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”; and

(C) in paragraph (7)—

(i) by striking “For purposes” and inserting “for purposes”; and

(ii) by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”.

(3) ADDITIONAL MATTERS.—Section 301(b)(3) of such Act (2 U.S.C. 632(b)(3)) is amended by striking “for such fiscal year” and inserting “for either fiscal year in such biennium”.

(4) VIEWS OF OTHER COMMITTEES.—Section 301(d) of such Act (2 U.S.C. 632(d)) is amended by inserting “(or, if applicable, as provided by section 300(b))” after “United States Code”.

(5) HEARINGS.—Section 301(e)(1) of such Act (2 U.S.C. 632(e)(1)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) inserting after the second sentence the following: “On or before April 1 of each odd-numbered year (or, if applicable, as provided by section 300(b)), the Committee on the Budget of each House shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.”.

(6) GOALS FOR REDUCING UNEMPLOYMENT.—Section 301(f) of such Act (2 U.S.C. 632(f)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(7) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is amended by striking “for a fiscal year” and inserting “for a biennium”.

(8) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of such Act is amended by striking the item relating to section 301 and inserting the following:

“Sec. 301. Biennial adoption of concurrent resolution on the budget.”.

(d) COMMITTEE ALLOCATIONS.—Section 302 of such Act (2 U.S.C. 633) is amended—

(1) in subsection (a)

(A) in paragraph (1), by—

(i) striking “for the first fiscal year of the resolution,” and inserting “for each fiscal year in the biennium”;;

(ii) striking “for that period of fiscal years” and inserting “for all fiscal years covered by the resolution”; and

(iii) striking “for the fiscal year of that resolution” and inserting “for each fiscal year in the biennium”; and

(B) in paragraph (5)(A), by striking “April 15” and inserting “May 15 or June 1 (under section 300(b))”;

(2) in subsection (b), by striking “budget year” and inserting “biennium”;

(3) in subsection (c) by striking “for a fiscal year” each place it appears and inserting “for each fiscal year in the biennium”;

(4) in subsection (f)(1), by striking “for a fiscal year” and inserting “for a biennium”;

(5) in subsection (f)(1), by striking “the first fiscal year” and inserting “each fiscal year of the biennium”;

(6) in subsection (f)(2)(A), by—

(A) striking “the first fiscal year” and inserting “each fiscal year of the biennium”; and

(B) striking “the total of fiscal years” and inserting “the total of all fiscal years covered by the resolution”; and

(7) in subsection (g)(1)(A), by striking “April” and inserting “May”.

(e) SECTION 303 POINT OF ORDER.—

(1) IN GENERAL.—Section 303(a) of such Act (2 U.S.C. 634(a)) is amended by—

(A) striking “for a fiscal year” and inserting “for a biennium”;

(B) striking “the first fiscal year” and inserting “each fiscal year of the biennium”; and

(C) striking “that fiscal year” each place it appears and inserting “that biennium”.

(2) EXCEPTIONS IN THE HOUSE.—Section 303(b)(1) of such Act (2 U.S.C. 634(b)(1)) is amended—

(A) in subparagraph (A), by striking “the budget year” and inserting “the biennium”; and

(B) in subparagraph (B), by striking “the fiscal year” and inserting “the biennium”.

(3) APPLICATION TO THE SENATE.—Section 303(c)(1) of such Act (2 U.S.C. 634(c)(1)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) striking “that year” and inserting “each fiscal year of that biennium”.

(f) PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET.—Section 304 of such Act (2 U.S.C. 635) is amended—

(1) by striking “fiscal year” the first two places it appears and inserting “biennium”; and

(2) by striking “for such fiscal year” and inserting “for such biennium”.

(g) PROCEDURES FOR CONSIDERATION OF BUDGET RESOLUTIONS.—Section 305 of such Act (2 U.S.C. 636) is amended—

(1) in subsection (a)(3), by striking “fiscal year” and inserting “biennium”; and

(2) in subsection (b)(3), by striking “fiscal year” and inserting “biennium”.

(h) COMPLETION OF HOUSE ACTION ON APPROPRIATION BILLS.—Section 307 of such Act (2 U.S.C. 638) is amended—

(1) by striking “each year” and inserting “each odd-numbered year”;

(2) by striking “annual” and inserting “biennial”;

(3) by striking “fiscal year” and inserting “biennium”; and

(4) by striking “that year” and inserting “that odd-numbered year”.

(i) COMPLETION OF ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of such Act (2 U.S.C. 640) is amended—

(1) by inserting “of any odd-numbered year” after “July”;

(2) by striking “annual” and inserting “biennial”;

(3) by striking “fiscal year” and inserting “biennium”; and

(4) by striking “such year” and inserting “such odd-numbered year”.

(j) RECONCILIATION PROCESS.—Section 310(a) of such Act (2 U.S.C. 641(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “any fiscal year” and inserting “any biennium”; and

(2) in paragraph (1) by striking “such fiscal year” each place it appears and inserting “any fiscal year covered by such resolution”.

(k) SECTION 311 POINT OF ORDER.—

(1) IN THE HOUSE.—Section 311(a)(1) of such Act (2 U.S.C. 642(a)(1)) is amended—

(A) by striking “for a fiscal year” and inserting “for a biennium”;

(B) by striking “the first fiscal year” each place it appears and inserting “either fiscal year of the biennium”; and

(C) by striking “that first fiscal year” and inserting “each fiscal year in the biennium”.

(2) IN THE SENATE.—Section 311(a)(2) of such Act (2 U.S.C. 642(a)(2)) is amended—

(A) in subparagraph (A), by striking “for the first fiscal year” and inserting “for either fiscal year of the biennium”; and

(B) in subparagraph (B)—

(i) by striking “that first fiscal year” the first place it appears and inserting “each fiscal year in the biennium”; and

(ii) by striking “that first fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(3) SOCIAL SECURITY LEVELS.—Section 311(a)(3) of such Act (2 U.S.C. 642(a)(3)) is amended by—

(A) striking “for the first fiscal year” and inserting “each fiscal year in the biennium”; and

(B) striking “that fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(1) MDA POINT OF ORDER.—Section 312(c) of such Act (2 U.S.C. 643) is amended—

(1) by striking “for a fiscal year” and inserting “for a biennium”;

(2) in paragraph (1), by striking “the first fiscal year” and inserting “either fiscal year in the biennium”;

(3) in paragraph (2), by striking “that fiscal year” and inserting “either fiscal year in the biennium”; and

(4) in the matter following paragraph (2), by striking “that fiscal year” and inserting “the applicable fiscal year”.

#### SEC. 4. AMENDMENTS TO TITLE 31, UNITED STATES CODE.

(a) DEFINITION.—Section 1101 of title 31, United States Code, is amended by adding at the end the following:

“(3) ‘biennium’ has the meaning given that term in paragraph (12) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622).”.

(b) BUDGET CONTENTS AND SUBMISSION TO THE CONGRESS.—

(1) SCHEDULE.—The matter preceding paragraph (1) in section 1105(a) of title 31, United States Code, is amended to read as follows:

“(a) On or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974), beginning with the One Hundred Fourteenth Congress, the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget of the United States Government transmitted under this subsection shall include a

budget message and summary and supporting information. The President shall include in each budget the following:"

(2) **EXPENDITURES.**—Section 1105(a)(5) of title 31, United States Code, is amended by striking "the fiscal year for which the budget is submitted and the 4 fiscal years after that year" and inserting "each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 fiscal years".

(3) **RECEIPTS.**—Section 1105(a)(6) of title 31, United States Code, is amended by striking "the fiscal year for which the budget is submitted and the 4 fiscal years after that year" and inserting "each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years".

(4) **BALANCE STATEMENTS.**—Section 1105(a)(9)(C) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(5) **FUNCTIONS AND ACTIVITIES.**—Section 1105(a)(12)(A) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(6) **ALLOWANCES.**—Section 1105(a)(13) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(7) **ALLOWANCES FOR UNCONTROLLED EXPENDITURES.**—Section 1105(a)(14) of title 31, United States Code, is amended by striking "that year" and inserting "each fiscal year in the biennium for which the budget is submitted".

(8) **TAX EXPENDITURES.**—Section 1105(a)(16) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(9) **FUTURE YEARS.**—Section 1105(a)(17) of title 31, United States Code, is amended—

(A) by striking "the fiscal year following the fiscal year" and inserting "each fiscal year in the biennium following the biennium";

(B) by striking "that following fiscal year" and inserting "each such fiscal year"; and

(C) by striking "fiscal year before the fiscal year" and inserting "biennium before the biennium".

(10) **PRIOR YEAR OUTLAYS.**—Section 1105(a)(18) of title 31, United States Code, is amended—

(A) by striking "the prior fiscal year" and inserting "each of the 2 most recently completed fiscal years";

(B) by striking "for that year" and inserting "with respect to those fiscal years"; and

(C) by striking "in that year" and inserting "in those fiscal years".

(11) **PRIOR YEAR RECEIPTS.**—Section 1105(a)(19) of title 31, United States Code, is amended—

(A) by striking "the prior fiscal year" and inserting "each of the 2 most recently completed fiscal years";

(B) by striking "for that year" and inserting "with respect to those fiscal years"; and

(C) by striking "in that year" each place it appears and inserting "in those fiscal years".

(12) **HOMELAND SECURITY.**—Section 1105(a)(35)(A)(i) of title 31, United States Code, is amended in the matter preceding subclause (I), by striking "the fiscal years for which the budget is submitted" and inserting "each fiscal year in the biennium for which the budget is submitted".

(13) **EESA.**—Section 1105(a)(36) of title 31, United States Code, is amended in the matter preceding subparagraph (A), by striking "the fiscal year for which the budget is submitted" and inserting "each fiscal year in the biennium for which the budget is submitted".

(14) **VETERANS HEALTH.**—Section 1105(a) of title 31, United States Code, is amended in the first paragraph designated as paragraph (37) (relating to medical care accounts of the Veterans Health Administration), by striking "the fiscal year for which the budget is submitted" and inserting "each fiscal year in the biennium for which the budget is submitted".

(A) **TECHNICAL AMENDMENT.**—Section 1105(a) of title 31, United States Code, is amended by redesignating the second paragraph designated as paragraph (37) (relating to plans and reports identified for elimination or consolidation) as paragraph (39).

(C) **ESTIMATED EXPENDITURES OF LEGISLATIVE AND JUDICIAL BRANCHES.**—Section 1105(b) of title 31, United States Code, is amended by striking "each year" and inserting "each even-numbered year".

(D) **RECOMMENDATIONS TO MEET ESTIMATED DEFICIENCIES.**—Section 1105(c) of title 31, United States Code, is amended—

(1) by striking "the fiscal year for" the first place it appears and inserting "each fiscal year in the biennium for";

(2) by striking "the fiscal year for" the second place it appears and inserting "each fiscal year of the biennium, as the case may be, for"; and

(3) by striking "for that year" and inserting "for each fiscal year of the biennium".

(E) **CAPITAL INVESTMENT ANALYSIS.**—Section 1105(e)(1) of title 31, United States Code, is amended by striking "ensuing fiscal year" and inserting "biennium to which such budget relates".

(F) **SUPPLEMENTAL BUDGET ESTIMATES AND CHANGES.**—

(1) **IN GENERAL.**—Section 1106(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1), by—

(i) inserting after "Before July 16 of each year" the following: "and February 15 of each even-numbered year"; and

(ii) striking "fiscal year" and inserting "biennium";

(B) in paragraph (1), by striking "that fiscal year" and inserting "each fiscal year in such biennium";

(C) in paragraph (2), by striking "fiscal year" and inserting "biennium"; and

(D) in paragraph (3), by striking "fiscal year" and inserting "biennium".

(2) **CHANGES.**—Section 1106(b) of title 31, United States Code, is amended by—

(A) inserting after "Before July 16 of each year" the following: "and February 15 of each even-numbered year";

(B) striking "the fiscal year" and inserting "each fiscal year in the biennium"; and

(C) striking "submitted before July 16" and inserting "required by this subsection".

(G) **CURRENT PROGRAMS AND ACTIVITIES ESTIMATES.**—

(1) **IN GENERAL.**—Section 1109(a) of title 31, United States Code, is amended—

(A) by striking "On or before the first Monday after January 3 of each year (on or before February 5 in 1986)" and inserting "At the same time the budget required by section 1105 is submitted for a biennium"; and

(B) by striking "the following fiscal year" and inserting "each fiscal year of such period".

(2) **JOINT ECONOMIC COMMITTEE.**—Section 1109(b) of title 31, United States Code, is amended by striking "before March 1 of each year" and inserting "within 6 weeks of the President's budget submission for each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974)".

(H) **YEAR-AHEAD REQUESTS FOR AUTHORIZING LEGISLATION.**—Section 1110 of title 31, United States Code, is amended by—

(1) striking "May 16" and inserting "March 31"; and

(2) striking "year before the year in which the fiscal year begins" and inserting "calendar year preceding the calendar year in which the biennium begins".

## **SEC. 105. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF APPROPRIATIONS ACTS.**

Section 105 of title 1, United States Code, is amended to read as follows:

### **“§ 105. Title and style of appropriations Acts**

“(a) The style and title of all Acts making appropriations for the support of the Government shall be as follows: ‘An Act making appropriations (here insert the object) for each fiscal year in the biennium of fiscal years (here insert the fiscal years of the biennium).’

“(b) All Acts making regular appropriations for the support of the Government shall be enacted for a biennium and shall specify the amount of appropriations provided for each fiscal year in such period.

“(c) For purposes of this section, the term ‘biennium’ has the same meaning as in section 3(12) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(12)).”

## **SEC. 106. MULTIYEAR AUTHORIZATIONS.**

(a) **IN GENERAL.**—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following:

### **“AUTHORIZATIONS OF APPROPRIATIONS**

“SEC. 316. (a) **POINT OF ORDER.**—It shall not be in order in the House of Representatives or the Senate to consider—

“(1) any bill, joint resolution, amendment, motion, or conference report that authorizes appropriations for a period of less than 2 fiscal years, unless the program, project, or activity for which the appropriations are authorized will require no further appropriations and will be completed or terminated after the appropriations have been expended; and

“(2) in any odd-numbered year, any authorization or revenue bill or joint resolution until Congress completes action on the biennial budget resolution, all regular biennial appropriations bills, and all reconciliation bills.

“(b) **APPLICABILITY.**—In the Senate, subsection (a) shall not apply to—

“(1) any measure that is privileged for consideration pursuant to a rule or statute;

“(2) any matter considered in Executive Session; or

“(3) an appropriations measure or reconciliation bill.”

(b) **AMENDMENT TO TABLE OF CONTENTS.**—The table of contents in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following:

“Sec. 316. Authorizations of appropriations.”

## **SEC. 107. GOVERNMENT PLANS ON A BIENNIAL BASIS.**

(a) **MANAGERIAL ACCOUNTABILITY AND FLEXIBILITY.**—Section 9703 of title 31, United States Code, relating to managerial accountability, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking “annual”; and

(B) by striking “section 1105(a)(29)” and inserting “section 1105(a)(28)”; and

(2) in subsection (e)—

(A) in the first sentence by striking “one or”;

(B) in the second sentence by striking “a subsequent year” and inserting “a subsequent 2-year period”;

(C) in the third sentence by striking “three” and inserting “4”.

(b) PILOT PROJECTS FOR PERFORMANCE BUDGETING.—Section 1119 of title 31, United States Code, is amended—

(1) in subsection (d)(1), by striking “annual” and inserting “biennial”; and

(2) in subsection (e), by striking “annual” and inserting “biennial”.

(c) STRATEGIC PLANS.—Section 2802 of title 39, United States Code, is amended—

(1) in subsection (a), by striking “September 30, 1997” and inserting “September 30, 2015”;

(2) in subsection (b)—

(A) by striking “five years forward” and inserting “6 years forward”; and

(B) by striking “at least every three years” and inserting “at least every 4 years”; and

(3) in subsection (c)—

(A) by striking “section” the second place it appears and inserting “section, including a strategic plan submitted by September 30, 2015 meeting the requirements of subsection (a)”.

(d) PERFORMANCE PLANS.—Section 2803(a) of title 39, United States Code, is amended—

(1) in the matter before paragraph (1), by striking “an annual” and inserting “a biennial”;

(2) in paragraph (1), by inserting after “program activity” the following: “for each years 1 and 2 of the biennial plan”;

(3) in paragraph (5), by striking “and” after the semicolon;

(4) in paragraph (6), by striking the period and inserting “; and”; and

(5) by adding after paragraph (6) the following:

“(7) cover a 2-year period beginning with the first fiscal year of the next biennial budget cycle.”.

(e) COMMITTEE VIEWS OF PLANS AND REPORTS.—Section 301(d) of the Congressional Budget Act (2 U.S.C. 632(d)) is amended by adding at the end “Each committee of the Senate or the House of Representatives shall review the strategic plans, performance plans, and performance reports, required under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code, of all agencies under the jurisdiction of the committee. Each committee may provide its views on such plans or reports to the Committee on the Budget of the applicable House.”.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on March 1, 2015.

(2) AGENCY ACTIONS.—Effective on and after the date of enactment of this Act, each agency shall take such actions as necessary to prepare and submit any plan or report in accordance with the amendments made by this title.

#### SEC. 08. BIENNIAL APPROPRIATIONS BILLS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.), as amended by section 06(a), is amended by adding at the end the following: “CONSIDERATION OF BIENNIAL APPROPRIATIONS BILLS

“SEC. 317. It shall not be in order in the House of Representatives or the Senate in any odd-numbered year to consider any regular bill providing new budget authority or a limitation on obligations under the jurisdic-

tion of any of the subcommittees of the Committees on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond 1 year and will be completed or terminated after the amount provided has been expended.”.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 316, as added by section 06(b) the following: “Sec. 317. Consideration of biennial appropriations bills.”.

#### SEC. 09. REPORT ON TWO-YEAR FISCAL PERIOD.

Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) determine the impact and feasibility of changing the definition of a fiscal year and the budget process based on that definition to a 2-year fiscal period with a biennial budget process based on the 2-year period; and

(2) report the findings of the study to the Committee on the Budget of the House of Representatives and the Committee on the Budget of Senate.

#### SEC. 10. EFFECTIVE DATE.

Except as provided in section 07, this title and the amendments made by this title shall take effect on January 1, 2015, and shall apply to budget resolutions and appropriations for the biennium beginning with fiscal year 2016.

### NOTICE OF HEARING

#### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on March 14, 2013, at 10:30 a.m. in room 432 Russell Senate Office building to hold a roundtable discussion entitled “Helping Small Businesses Weather Economic Challenges & Natural Disasters: Review of Legislative Proposals on Access to Capital and Disaster Recovery.”

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 13, 2013, at 10 a.m., to hold a hearing entitled, “Strategic Counterterrorism: Meeting Current and Emerging Challenges.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 13, 2013, at 2:30 p.m. to conduct a hearing entitled “The Costs and Impacts of Crisis Budgeting.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 13, 2013, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “We the People: Fulfilling the Promise of Open Government Five Years After The OPEN Government Act.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON VETERANS’ AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on March 13, 2013, at 10 a.m. in room SR-418 of the Russell Senate office building to conduct a hearing entitled “VA Claims Process—Review of VA’s Transformation Efforts.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON PERSONNEL

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on March 13, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SPECIAL COMMITTEE ON AGING

Mr. REED. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on March 13, 2013, to conduct a hearing entitled “876-SCAM: Jamaican Phone Fraud Targeting Seniors.”

The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### DESIGNATING THE SENATOR DANIEL K. INOUE ROOM

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 76.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 76) designating room S-126 of the United States Capitol as the “Senator Daniel K. Inouye Room” in recognition of his service to the Senate and the people of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 76) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURE READ THE FIRST TIME—S. 558

Mr. REID. I understand there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 558) to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity outside the United States.

Mr. REID. Mr. President, I ask for a second reading in order to place the bill on the calendar under the provisions of rule XIV, but I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for a second time on the next legislative day.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, in accordance with Public Law 93-618, as amended by Public Law 100-418, on behalf of the President pro tempore and upon the recommendation of the Chairman of the Committee on Finance, appoints the following members of the Finance Committee as congressional advisers on trade policy and ne-

gotiations to international conferences, meetings and negotiation sessions relating to trade agreements: the Senator from Montana, Mr. BAUCUS, the Senator from West Virginia, Mr. ROCKEFELLER, the Senator from Oregon, Mr. WYDEN, the Senator from Utah, Mr. HATCH, and the Senator from Iowa, Mr. GRASSLEY.

#### ORDERS FOR THURSDAY, MARCH 14, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, March 14; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate resume consideration of H.R. 933, the continuing appropriations bill, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Tomorrow we will continue to work through the amendments to the CR. There will be at least one rollcall vote at approximately 11:15. We hope to complete action on this bill tomorrow.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:43 p.m., adjourned until Thursday, March 14, 2013, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### ENVIRONMENTAL PROTECTION AGENCY

JAMES J. JONES, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE STEPHEN ALAN OWENS, RESIGNED.

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE PETER SILVA SILVA, RESIGNED.

##### DEPARTMENT OF STATE

DEBORAH KAY JONES, OF NEW MEXICO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

JAMES KNIGHT, OF ALABAMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

##### UNITED STATES POSTAL SERVICE

STEPHEN CRAWFORD, OF MARYLAND, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2015, VICE ALAN C. KESSLER, RESIGNED.

##### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

OLGA VISO, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE WILLIAM FRANCIS PRICE, JR., TERM EXPIRED.

#### WITHDRAWAL

Executive message transmitted by the President to the Senate on March 13, 2013 withdrawing from further Senate consideration the following nomination:

ELISSA F. CADISH, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE PHILIP M. PRO, RETIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2013.



## EXTENSIONS OF REMARKS

## TRIBUTE TO DUSTIN PETERSEN

## HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Dustin Petersen for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Dustin Petersen has been a partner with McGladrey LLP since 2007. His roles at McGladrey certainly keep him busy as a national tax leader for the firm's consumer products group as well as a national practice leader for the alternative energy sector. In 2002, Mr. Petersen started a national renewable practice with McGladrey that today has clients across the country and the world. Outside of work, Dustin serves his community as the chair of Ankeny Economic Development Collaboration Start-up and Entrepreneurial Growth Group, as well as a board member for the Blank Park Zoo Foundation and the Blank Park Endowment Corporation. Raised on a second generation farm in northern Iowa, Dustin now resides in Ankeny with his wife Nicole and their three children, Alex, Megan and Zach. In all facets of his life, Dustin is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Dustin in the United States Congress and it is with great pride that I recognize and applaud Mr. Petersen for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Dustin on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN HONOR OF DETECTIVE  
ELIZABETH CHASE BUTLER

## HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. FARR. Mr. Speaker, I rise today to honor the memory of Detective Elizabeth Chase Butler, a fallen Santa Cruz Police Detective who touched the lives of many through her commitment to service in her community.

Elizabeth was born on March 16th, 1974, in Boulder, Colorado, and moved to Santa Cruz, California, after the tragedy of 9/11. Elizabeth joined the Santa Cruz Police Department in 2003 and was constantly challenged to learn new skills and take on new roles within the SCPD. She took great pride in the work she did and wore many hats in her years with the department, serving as a patrol officer and bicycle officer, and also as a member of a special drug task force and hostage negotiation team. Elizabeth had a love of investigating and had earned the rank of Detective in charge of sexual assault investigations at the time of her tragic death. Her compassion for others and commitment to her community only grew as she spent more time assisting with and caring for child and female victims.

Elizabeth is survived by her long-time partner, Peter Wu, and their two sons, five-year old Joaquin, and two-year old Stellan. Her time with her family was filled with trips to the Santa Cruz beach, walks through Henry Cowell State Park, and visits to the Santa Cruz Beach Boardwalk. She and her family also traveled to Manzanita, Oregon, every summer to visit with extended family. Additionally, Elizabeth stayed very close with her long-time friends and college roommates, who had traveled to San Francisco for a twenty-year reunion the week before Elizabeth's passing. Detective Elizabeth Chase Butler will be remembered not only for her commitment to her family and her community, but also for her joyful spirit and love of life.

Mr. Speaker, I rise today to honor Detective Elizabeth Chase Butler's legacy as a kind-hearted and dedicated partner, mother, and community servant.

RECOGNIZING THE 90TH ANNIVERSARY  
OF THE KAPPA OMEGA  
CHAPTER OF ALPHA KAPPA  
ALPHA SORORITY

## HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to recognize the 90th Anniversary of the Kappa Omega chapter of the Alpha

Kappa Alpha Sorority. The Kappa Omega chapter was the first chapter established in the South Atlantic Region, where it was chartered on March 1, 1923 in Atlanta, GA. The charter members include Founder Marie Woolfolk Taylor, Floy Brown, Eva Conner, Caroline Bond Day, Madeline Smith Davis, Adelaide D. Smith, Alice Rucker, Ruth Prince, Louise Shively and Hattie Watson. I honor their commitment to their community, particularly to promoting and cultivating high scholastic achievement and social unity amongst girls and women of color.

For the past nine decades, Kappa Omega has distinguished itself as a guiding torch in servicing others by implementing programs that impact communities around the world. Their current international program initiatives focus on Global Leadership through Timeless Service. The women of Kappa Omega certainly know leadership. Several notable chapter members have become leaders on the local, regional and international level. At the regional level, A. Cathryn Johnson, Sujette F. Crank, Dr. Mary Shy Scott and Dr. Lucretia R. Payton-Stewart have all served as South Atlantic Regional Directors, while Dr. Scott has also served as the 23rd President of Alpha Kappa Alpha Sorority. Members of this chapter have also served on and chaired several international committees.

The members of Alpha Kappa Alpha Sorority deserve to be commended for the thousands of hours of volunteer work they contribute every year. Their efforts at the local level to encourage young girls to go to college, and to help them succeed after they get in, are laudable and must continue. Mr. Speaker, I stand before you today to honor their hard work and service, and I encourage my fellow colleagues to do the same.

IN CELEBRATION OF GREGORY  
KONDOS

## HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Ms. MATSUI. Mr. Speaker, I rise today in celebration of Gregory Kondos, a friend and renowned artist, as we celebrate his extraordinary career and his upcoming 90th birthday. Gregory is often noted as one of the finest California landscape artists, receiving a number of awards for his exquisite ability to capture beauty. As his family, friends, colleagues and fellow artists all gather to honor his remarkable career, I ask my colleagues to join me in tribute to Gregory Kondos.

A resident of Sacramento for over eight decades, Gregory began his career and artistic training at Sacramento City College, later to receive both his Bachelor's and Master's in Art from California State University in Sacramento. He would later return to Sacramento

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



City College to teach within the Art Department for 27 years, and served as the director of the campus gallery.

Gregory's art is simply breathtaking, capturing California's beauty like few others ever have. I have long been an admirer of Gregory's work, and am thankful to have one of his paintings of the Sacramento River in my office. In Sacramento our rivers are our identity and the painting reminds me of Sacramento's ties to water and the benefits and challenges that brings. His California and Sacramento landscape pieces are amazing works of art that truly capture the essence and beauty of the region. After decades of work, Gregory and his art continue to be great ambassadors for the Sacramento region.

His collections have been on display in numerous museums including the Monterey Museum of Art, the Hirshhorn in Washington D.C., Yosemite Museum and the National Academy Museum and School of Fine Arts in Manhattan. Additionally, Gregory has been recognized by a number of awards and accolades including being elected to the National Academy of Design.

To celebrate Gregory's 90th birthday and his career as both an artist and teacher, the Crocker Art Museum in Sacramento is displaying over 70 pieces of his work in an exhibit, "A Touch of Blue: Landscapes by Gregory Kondos."

Mr. Speaker, I am pleased to recognize the many contributions made by Gregory Kondos to the people of Sacramento and our nation. As Gregory, his wife Moni, friends, and colleagues celebrate his achievement, I ask my colleagues to join me in thanking him for his contributions and in celebrating his birthday and exceptional artistry.

#### IN RECOGNITION OF THE PHIFER MIDDLE SCHOOL PERFORMANCE

#### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. ANDREWS. Mr. Speaker, I rise today in gratitude to the members of the Phifer Middle School student council, concert band, chorus and cheer squad for their welcoming reception during a recent visit. I enjoyed the cheer performance by Zoe Dillard, Irez Ramirez, and Jeanny Valerio Disla, as well as the assembly of talented young students who sang and performed music, making my visit quite memorable. As these Middle School students continue their education, I hope they choose to cultivate and develop their talents, as they have done at Phifer.

Participants in the assembly included members of the Phifer Middle School student council, made up of Davina Nguyen, Natalya Portobanco, Medina Talebi, Carmen Rosario, Alejandro Rodriguez, Franshayla Matias, Krystian Duong, Monica Van, Nicole Alfino, Michael Zuckerman, Zach DiPietro, Jennifer Luu, Grace Pietzsch, Kaitlyn McGowan, Maresha Morton, Kiara Banchs, Yesarie Rivera, Brianni Lugo, Daisy Anyanwu, Maryann Dwomor, Laura Espallat, Christina Van, Areli Olarte, Jasmine Magalong, Asia Davis, Mi-

chael Nguyen, Yasmeir S, Marcellus Edwards, Alyssa Edelman, Xavier Molina, Kyla Green, Emilie Reustle, Michelle Olivares, Christian Alvarez, DaJone Saunders, Alina Ayala, Selena Carter, Alyza Alix, Alexis Taylor, Angel Davis and Jadae Turlington.

Members of the 7th and 8th grade concert band, accompanied by the 8th grade chorus performed America the Beautiful, the Star Spangled Banner and "Plaza de Toros" by Mark Williams. Members of the 8th grade concert band include: Johnny Almonte, Isaac Amato, Daniel Ball, Nicholas Camacho, Michael Camacho, Asia Davis, Toni Deliso, Jude Dizon, Sarah Eisenhower, Kyle Faraghan, Emily Gmyr, Dimitri Hicks, Jose Jimenez, Ryan Lam, Nicolette Markakis, Xavier Martinez, Elijah Medina, Kristina Mitchell, Isaac Munoz, Christian Nicdao, Alexandra Pasamihalis, Talisa Prince, Irez Ramirez, Alison Rosado, Mario Sagliocca, Micheal Sculley, Jake Urena, Vivian Vu, Aaliya Ware and Steven Williams.

Members of the 7th grade concert band include: Carlos Acevedo, Ariana Alameda, Nicole Alfano, Briana Allende, Jonathan Almonte, Tyler Barrett, Karoline Cedano, Nicole Chin, Desiree Colon, Angel Cruz, Megan Flaherty, Joshua Hall, Destiny Hernandez, Jonathan Hernandez, Paige Hickman, Eric Hoang, Kaitlyn McGowan, Jamil Morris, Gabriella Pavel, Jesse Pringle, Deanna Rodriguez, Serenity Sanders, Sydney Slaton, Gina Stone and Irene You.

Members of the 8th grade chorus include: Dezeray Adams, Amanda Alicea, Alina, Ayala, Irisell Baetz, Teyonna Balkman, Michelle Bello, Selena Carter, Flarissa Crawford, Angel Davis, Courtney Dixon, Josh Echeverria, Janiskaliz Espada, Lucas Figueroa, Jurnee Gabri-El, Toni Glatz, Bobbi-Sue Godwin, Michael Hartka, Vivian Hynnh, Elias Horiates, Krystiana Jalosjos, Talia Johnson, Taylor Johnson, Kayli Jones, Alexis Laboy, Kimani Lawson, Tyler Lee, Zephenia Lindsey, Sanayah Mack, James Marchese, Kinaya McEady, Emma Muller, Kiara Munoz, Jessica Ngeth, Areli Olarte, Hannah Pietzsch, Kaitlyn Pratt, Jose Ravelo and Tyiya Richards.

#### TRIBUTE TO MATTHEW OSTANIK

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Matthew Ostanik for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Matt Ostanik is the President of Submittal Exchange LLC, his own online construction communications software company he founded in 2003. Today, Matt has overseen Submittal Exchange grow to 40,000 users and 35 employees with an annual year-over-year revenue growth rate of 350 percent over five years. Architecture is one of Matt's passions, as he helps others grow professionally through his business and his roles on the board of directors for the American Institute of Architects' Iowa chapter and with the Iowa Architectural Foundation. In all facets of his life, Matt is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Matt in the United States Congress and it is with great pride that I recognize and applaud Mr. Ostanik for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Matt on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### THE NAGORNO KARABAKH

#### HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. SARBANES. Mr. Speaker, peace and stability in the Caucasus is in the national interest of the United States and our European allies. That means achieving a peaceful resolution to the rising tensions between the peoples of Armenia and Azerbaijan. A final status of the Nagorno Karabakh dispute must be achieved without resorting to war and must be in keeping with democratic principles, the rule of law and the protection of individual human rights.

Decades of Soviet rule and the continuing dispute over Nagorno Karabakh have decimated the economy of Armenia. In stark contrast, Azerbaijan now enjoys a growing economy from the extraction of natural resources. This economic imbalance is further aggravated by the fact that both Turkey and Azerbaijan have sealed their borders with Armenia, with Azerbaijan pursuing an aggressive military build-up.

The United States must continue to press for resolution of the Nagorno Karabakh dispute through the good offices and mechanisms of international actors such as the Organization for Security and Cooperation in Europe. We must be ever vigilant in decrying actions that undermine such efforts. I concur with the Obama administration's demand for an explanation of Azerbaijan's pardoning of Ramil Safarov. Azerbaijan's decision to pardon Ramil Safarov after he was convicted by a Hungarian court for the murder of an Armenian soldier while participating in NATO's Partnership for Peace program is not only unconscionable, it is a direct affront to NATO and its efforts to bring peace and stability to conflict regions through the Partnership for Peace program.

FIRST THE SATURDAY PEOPLE  
THEN THE SUNDAY PEOPLE

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. WOLF. Mr. Speaker, I just returned from Lebanon and Egypt where I met with State Department officials, civil society actors, including prominent religious leaders and humanitarian aid organizations, and Syrian refugees. The trip (February 18–21, 2013) came at a critical time, as events in the broader Middle East over the last two years have been both historic and tumultuous.

One of the main purposes of the trip was to spend time with the Syrian Christian community. As a brutal civil war, which has taken nearly 70,000 lives, rages in Syria the plight of the sizable Christian community is often overlooked. While from the outside it appears as though President Bashar al-Assad's brutal regime will ultimately fall, the eventual outcome, including how many will perish in or be displaced by the continued violence and who will step into the ensuing power vacuum, is far from certain. Moreover, what that will mean for the Christian community in Syria is largely unknown and, unfortunately, rarely addressed by Western media or church leaders.

I wanted to hear firsthand from Syrian Christians about their concerns and what the future might hold and to put this issue in the larger context of an imperiled Christian community in the broader Middle East, specifically in Egypt and Iraq.

Coptic Christians and other minorities in Egypt have increasingly been marginalized with the ascendancy of the Muslim Brotherhood. The newly drafted constitution is viewed as highly problematic by many Egyptians. A February 5 Associated Press article reported "[p]rovisions in the document allow for a far stricter implementation of Islamic Shariah law than in the past, raising opponents' fears that it could bring restrictions on many civil liberties and the rights of women and Christians."

Egypt is the recipient of billions of dollars in U.S. foreign assistance. A thorough assessment of the conditions in Egypt and the evolving political situation is critical, especially in these tight budgetary times.

THE SUNDAY PEOPLE

These issues must be viewed not simply as today's news but rather through the lens of history. A phrase not often heard outside the majority Muslim world is "First the Saturday people, then the Sunday people." The "Saturday people" are, of course, the Jews. Their once vibrant communities in countries throughout the region are now decimated. In 1948 there were roughly 150,000 Jews in Iraq; today less than 10 remain. In Egypt, there were once as many as 80,000 Jews; now less than 100 remain. It appears a similar fate may await the ancient Christian community in these same lands.

Consider this observation by author and adjunct fellow at the Center for Religious Freedom, Lela Gilbert, who recently wrote in the Huffington Post: "Between 1948 and 1970, between 80,000 and 100,000 Jews were expelled from Egypt—their properties and funds

confiscated, their passports seized and destroyed. They left, stateless, with little more than the shirts on their backs to show for centuries of Egyptian citizenship. . . ."

Meanwhile, with the fall of Hosni Mubarak, Coptic Christians, numbering roughly 8–10 million, are leaving in droves. A January 8 National Public Radio, NPR, story reported "Coptic Christians will celebrate Christmas on Monday, and many will do so outside their native Egypt. Since the revolution there, their future in the country has looked uncertain and many are resettling in the United States. Their population in the U.S. may have grown by nearly 30 percent, according to rough estimates."

Gilbert echoes this reality, writing ". . . today, hundreds of thousands of Copts have already fled—those able to afford airfare and lawyers have sought asylum in the U.S. and Canada. As for the others . . . the options are few and fraught with danger."

Similarly, Iraq's Christian population has fallen from as many as 1.4 million in 2003 to roughly 500,000 today. Churches have been targeted, believers kidnapped for ransom and families threatened with violence if they stay. In October 2010, Islamist extremists laid siege on Our Lady of Salvation Catholic Church in Baghdad, killing over 50 hostages and police, and wounding dozens more.

Turning to Syria, in the midst of devastating bloodshed and civil war, the Christian population is particularly vulnerable. A recent Associated Press story reported "[Christians] are fearful that Syria will become another Iraq, with Christians caught in the crossfire between rival Islamic groups."

Over the span of a few decades, the Middle East, with the exception of Israel, has virtually been emptied of Jews. In my conversations with Syrian Christian refugees, Lebanese Christians and Coptic Christians in Egypt, a resounding theme emerged: a similar fate awaits the "Sunday People."

AN EXODUS

While it remains to be seen whether the historic exodus of Christians from the region will prove to be as dramatic as what has already happened to the Jewish community, it is without question devastating, as it threatens to erase Christianity from its very roots.

A recent study on Christian persecution released by the London-based think tank Civitas found that "[p]arts of the media have been influenced by the logical error that equates criticism of Muslims with racism, and therefore as wrong by definition. This has further distracted attention away from the hounding of Christians, helping to cement the surprisingly widespread idea that Christianity is a 'Western' faith."

This idea could not be further from the truth. The Middle East is the very cradle of Christendom.

Consider Iraq. With the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq, and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq

as did the account of Daniel in the Lion's Den. Furthermore, many of Iraq's Christians still speak Aramaic the language of Jesus. In fact a February 2013 Smithsonian Magazine story noted "[a]s Jesus died on the cross, he cried in Aramaic, 'Elahi, Elahi, lema shabaqtani?' ('My God, my God, why have you forsaken me?')" In Egypt, some 2,000 years ago, Mary, Joseph and Jesus sought refuge in this land from the murderous aims of King Herod. Egypt's Coptic community traces its origins to the apostle Mark.

If, as appears to be happening, the Middle East is effectively emptied of the Christian faith, this will have grave geopolitical implications and does not bode well for the prospects of pluralism and democracy in the region, which is especially disquieting in the aftermath of the "Arab Spring." These developments demand our attention as policymakers.

Similarly, these realities demand the attention of the church in West. As already noted, ancient faith communities have inhabited these lands for centuries and are a vital part of the fabric of global Christendom.

LEBANON

Upon arriving in Beirut on the evening of February 18, I met with the U.S. Ambassador to Lebanon, Maura Connelly, and senior embassy staff. One of the many issues addressed was the impact the substantial—and growing—Syrian refugee population is having on Lebanon.

Just over four million people live in Lebanon, which is about the size of Connecticut. Since the fighting started in Syria in the spring of 2011, thousands of refugees have entered the country, putting a strain on the people and government of Lebanon. Complicating this is the fact that Lebanon has its own sectarian issues, and there is concern that the spillover from Syria could lead to instability in Lebanon, given that roughly half the population supports the Assad regime and the other half supports the rebels.

A February 23 New York Times story described the precarious balance this way: "As they flee increasingly sectarian killing, Syrians layer their fears onto those of a country deeply scarred by its own generation-long sectarian civil war. They are testing, yet also relying on, the fragile yet flexible balance that has endured here, punctured by occasional fighting, since Lebanon's war ended 22 years ago."

On February 19, I met with Lebanese President Michel Sleiman, the only Christian president in the region. I also met with Lebanese Prime Minister Najib Mikati and Lebanese Minister of Social Affairs Wael Abou Faour. Lebanon's leaders—and its people—should be thanked for what they are doing to help address the humanitarian crisis in Syria. Lebanon is hosting more Syrian refugees than any other country, and all three expressed concern that the situation is growing more tenuous by the day as greater numbers of refugees pour over the border and resentment among Lebanon's poorer communities grows, not to mention the underlying sectarian tension. Criminal activity is also on the rise.

Following the initial meetings with government leaders, I spent the rest of my time in Lebanon meeting with religious leaders, civil society representatives, non-governmental organizations, NGOs, and Syrian refugees—both Christian and Muslim.

JOHN AND MARY

My first meeting was a moving encounter with a Syrian Christian and his wife who, despite the risks, had driven from Syria to Beirut to meet with me and detail the experience of their community. They often cross the border. Given security concerns, I will simply refer to them as John and Mary.

John and Mary told me that many Christians had left Damascus, and most of those who remained were simply too old to flee. They described some in the Free Syrian Army as terrorists, including foreign fighters from countries like Libya, Afghanistan, Yemen and Egypt.

Increasingly the claims of foreign jihadists are verified. A February 18 Washington Post story reported "[a] report issued Monday in Geneva by the U.N. Independent International Commission of Inquiry on Syria said the Islamist fighters include foreigners—from Libya, Tunisia, Saudi Arabia, Lebanon, Iraq and Egypt—drawn to the conflict because they consider it a Sunni jihad against Assad's government, which, although secular, is dominated by Alawites, a branch of Shism."

John and Mary described the situation in Syria as "very dangerous." Fear was a constant. "We are always afraid," they said. They did not see a future for themselves or their community if the Free Syrian Army prevailed. "We were told that when we [the opposition] take over the government you will be out [of the country] or you will die."

But the threat is actually imminent, not some distant concern. They said the day before meeting with me that they read on the Internet that "we advise you to leave because we are going to destroy your community."

Throughout the course of the meeting Mary was understandably emotional. Through tears she told me that they had attempted to prepare their children for what the future may hold, saying "we have told our children our house could come under attack and there may be blood. We have told them we will shut our eyes and then open them in Heaven."

She went on to say that she feels God wants them in Syria. "We will not fail. It is our mission."

Bashar al-Assad is a brutal dictator and war criminal. But, as John and Mary caution, the West must be clear-eyed about who the rebels are, and what they will do if they seize power. Indeed, factions within the rebel movement, such as the al-Nusra Front, do not seek a peaceful, democratic and pluralistic Syria.

They warned against supporting such segments of the opposition. The prospect of extremists taking over Syria weighed heavily on John and Mary.

I asked if they felt abandoned by the church in the West. Their answer: "yes."

I left the meeting deeply sobered by what I had heard and convinced anew that there are no easy answers to the unfolding tragedy in Syria.

CHURCH LEADERS

On March 15, 2011, Bechara Rai was elected the 77th Patriarch of Antioch and the Levant. The Maronite Church is in communion with Rome, and Patriarch Rai frequently travels on pastoral visits to Maronite communities around the world. I spent an hour with Patriarch Rai and Bishop Sayah, who served in Jerusalem for 16 years before coming to Lebanon.

Patriarch Rai provided a candid assessment of the situation in Syria, saying that "the original movement was spontaneous. It was about freedom and human rights. But all of a sudden someone came in and took over."

He told me "reforms were needed, but in dealing with theocracies, it backfired." He pointed to Iraq, saying "it has not reached a democracy, and now the Sunni and Shia are fighting. Our Christian culture started in Iraq. Now a majority of the Christians have had to leave. A similar thing is happening in Egypt with the Copts. They have been marginalized and are afraid. In Syria, we are witnessing the same scenario."

Patriarch Rai also spoke to the broader geopolitical implications of the crisis facing Christians in the region, saying "the West is heading to a situation that is going to hurt them. If Christians disappear, what will happen to this part of the world? If the Christians are gone, the West will have to deal with this radicalism."

He lauded the model of Lebanon, saying "Lebanon has agreed to live together. It has become a model. It still has its problems, but it has human rights. We have to make sure this country is safeguarded, too. If Lebanon disappears as a formula for success it will hurt this region and the West, too."

I also met with Archdeacon Emanuel Youkhana of the Assyrian Church of the East. He was the focus of a piece that recently appeared in National Review Online vividly detailing the exodus of Christians from Syria. It was written by Nina Shea, director of the Hudson Institute's Center for Religious Freedom and a former commissioner on the U.S. Commission on International Religious Freedom. She also highlighted a recent report by Swedish Journalist Nun i Kino titled "Between the Barbed Wire." The Archdeacon told me that it is imperative that the church be involved in the political debate and peace process surrounding it. He also cautioned the church not to defend the Assad regime by saying it is protecting them. He said the minorities in Syria, including Christians, are being used to give cover to the dictatorship. He ended our conversation by saying Christianity in the West cannot survive if Christianity in the East is being destroyed and asked for the church in the West to "pray for those suffering in the East. Pray for the Martyrs."

Again, the complexities of the situation in Syria were apparent.

SYRIAC LEAGUE

During a meeting with the Syriac League, an NGO in Lebanon that has strong connections with the Syriac community in Lebanon and with Christians who have come to Lebanon to escape conflict and difficulties in their own countries, including Syria, Iraq and Egypt, I had a chance to hear directly from a number of people who had fled Syria. Once again, the general theme was an abiding sense of fear. They said they lived under threat every day. They described killings and kidnappings for ransom. They talked about having to pay smugglers to help them get across the border. (One man told me that he knew he had fake papers, so he turned himself in to the authorities and ultimately had to spend 57 days in a Lebanese prison. He was released the day before we met.) They said there are some

towns and villages in Syria where there are no Christians left. They said many of the Christians who remain simply have no money to get out. They talked about multiple checkpoints: some manned by the regime's forces; others by opposition forces.

They said three years ago life in Syria was relatively good. While they may not have had equal rights in the government, they had freedom of religion. They also had their safety and security.

One of the people I met was a doctor. He described how the Free Syrian Army forced him to treat wounded soldiers. He said they came in daily but when they found out he was a Christian they threatened to kill him. The Kurds helped him escape. He said half of his friends had either been killed or kidnapped. He lamented that as a doctor he led a good life in Syria but is struggling now because he obviously can't go back to his country nor is he able to practice medicine in Lebanon.

When I asked what message I needed to take back to leaders in the West, the universal refrain was: "We need you not to support regimes that are persecuting us [Christians]. We need to be treated as equals."

JIHADISTS ARRIVE

The people also spoke of a newcomer on the scene: jihadists. They echoed earlier conversations saying that people from other places (Afghanistan, Tunisia and Chechnya were mentioned) were coming in to fight. They specifically mentioned al-Nusra Front. On December 11, 2012, the State Department designated al-Nusra Front as a terrorist organization linked to al-Qaeda in Iraq. In the State Department briefing announcing the designation, the department spokesperson said "Al-Nusra Front has sought to portray itself as part of a legitimate Syrian opposition, but today's actions are intended to expose them and make clear that the United States believes that al-Nusra's extremist ideology has no role in a post-Assad Syria. Among the consequences of today's actions is a prohibition against knowingly providing or attempting or conspiring to provide material support or resources to or engaging in transactions with al-Nusra Front."

One of the men I spoke to said, "Our people see no future for us. There is no law and order in Iraq or Syria. Our people are leaving and not coming back."

"We want to survive here," another said. "Yet there are two problems: violence and people do not accept us as citizens."

One family who was there with their young daughter, who is an American citizen, said they had been in Lebanon for seven months. They left Syria because the opposition knew their daughter was born in America, and they were going to kidnap her. They said a Palestinian woman once came to their house and said: "Your daughter is an American. I am going to take your house." They said their neighbors were killed because they were Christians.

I asked them what they would want church leaders in the West to know. The response: "There is a total erasure of the Christian presence in the region."

## A REFUGEE CRISIS

I also visited the registration center being operated by the United Nations High Commissioner for Refugees (UNHCR), which is leading the humanitarian response to the refugee crisis in Lebanon. UNHCR has identified roughly 300,000 refugees—both those already registered and those who are known to be waiting for a registration date. As of February 22, there were 309,997 Syrian refugees in Lebanon, which includes 196,744 already registered and 113,253 waiting to be registered. The number of Syrians reaching out to UNHCR has accelerated significantly in the last two months with more than 3,000 individuals per day seeking assistance. I was told that it is difficult to quantify how many Christians there are among the Syrian refugee population since most of them are too afraid to register.

During my visit to the center, I met with a Muslim family who had fled Syria after their village was destroyed by a bomb. The father said during the day life was normal, but at night the bombing would start and continue for several hours. "You cannot sleep," he told me. He said his youngest son was cut by shards of glass when the village was hit. The family, made up of two girls and three boys, had been in Lebanon for three months and would like to go back but don't know what the future holds. The father said he has seen a number of "foreign fighters" in Syria and that there were checkpoints—some controlled by the regime; some controlled by the opposition—throughout the country.

My next stop was the town of Zahlé, about 90 minutes southeast of Beirut, to meet with more refugees and Caritas Lebanon, an NGO that has been operating in Lebanon since 1994. Catholic Relief Services is assisting Caritas.

During my visit, I was able to talk to two families in Caritas' offices and visit two sites where families were living. Their stories were painfully similar to the other stories I had already heard: death, destruction and fear. Both families I met with said the circumstances in Syria have changed dramatically since the fighting started, saying Christians were not initially targeted for violence but they are now. "Christians and Muslims were living like brother and sister but that has changed," one woman, who has two young children and whose husband cannot escape Syria, told me.

She also explained that while she is appreciative of all that the Lebanese have done, her situation is not good. She said she has had a hard time trying to find a place to live and is essentially living in a hallway. She cannot work because there is no one to watch her children. I was told by officials with Caritas that some women are prostituting themselves for \$3.50 simply to help their families survive. In recent years similar heartbreaking stories have emerged out of the Iraqi refugee population. A May 29, 2007 New York Times story quoted Sister Marie-Claude, a Syrian nun aiding Iraqi refugees, saying "I met three sisters-in-law recently who were living together and all prostituting themselves . . . They would go out on alternate nights—each woman took her turn—and then divide the money to feed all the children."

Unlike many humanitarian crises which are the result of war, those fleeing Syria into Leb-

anon are not living in massive tent cities. Most are being absorbed into communities and towns across Lebanon. But Wael Abou Faour, the Lebanese Minister of Social Affairs, cautioned in our meeting that the time is fast approaching when formal camps may need to be established. Some in the Lebanese government are understandably concerned about this.

The first "house" I visited looked essentially like a storage unit in the West. It was about 20 feet wide and 40 feet deep (roughly the size of a two-car garage) with a concrete floor and no windows. Three Muslim families—a total of 19 people—shared the space and paid \$250 a month in rent. The second site was in a farmer's field. Twenty families were living in about eight large white tents. They had been there for roughly six months. The ground was extremely muddy, the result of heavy rains in January. They pay rent to the farmer. There did not appear to be running water.

The burgeoning Syria refugee crisis is but one of the great human tolls of this deadly conflict.

## EGYPT

I was last in Egypt in June 2011, four months after Hosni Mubarak stepped down as president and turned over power to the military. In the face of decades of human rights and religious freedom abuses under the Mubarak regime, successive U.S. administrations, including the Obama Administration, failed to advocate for those whose voices were being silenced. Many pro-democracy activists and religious minorities that I spoke with during that trip felt abandoned by the West. Their disillusionment with the U.S. and general trepidation about the rise of Islamists in the lead up to the elections was tempered by a palpable sense of anticipation, and in some cases, even hope about what the future might hold for the Egyptian people.

Fast-forward to February 2013. I wanted to witness first-hand the outcome of the revolution. The verdict is not what anyone had hoped. Egypt is in danger of becoming a failed state. Its economy is collapsing, unemployment is rising, as is inflation, lawlessness is becoming a real issue, and human rights abuses persist, and in some cases, are now enshrined in the new Egyptian constitution.

During my visit, I met with government officials, including Prime Minister Hisham Kandil, civil society activists, Christian leaders and NGOs. In addition, I met with Maggie Gobran, affectionately known as "Mama Maggie." She runs a ministry that serves poor families living in Egypt's garbage slums. Established in 1989, Stephen's Children runs 65 camps, five vocational centers, 80 clinics and 80 community education centers. The organization serves Egyptians of all faiths, including Coptic Christians. I have been so inspired by her work and ministry over the years that I joined with several other Members of Congress, both last year and this year, in nominating her for the Nobel Peace Prize.

One of my last meetings was with 86-year-old Carmen Weinstein, the president of the Jewish Community of Cairo (JCC). She was born and raised in Egypt and has lived her entire life there—a life set against the backdrop of a great Jewish emigration out of Egypt, namely the departure of thousands of Egypt-

tian Jews from the 1940s–60s. She now leads a small community of mostly elderly Jewish women in Cairo, who with their sister community in Alexandria, represent Egypt's remaining 70 or so Jews.

There are 12 synagogues left in Cairo. Some, along with a landmark synagogue in Alexandria, have been refurbished by the government of Egypt and/or U.S. Agency for International Development (USAID) and have received protection as cultural and religious landmarks. Mrs. Weinstein is seeking to form a foreign-based endowment to protect the remaining synagogues, the Bassatine Jewish Cemetery—which is 900 years old and half overrun with squatters—and the patrimony records of the community. This is increasingly important as the remaining Jewish community ages and in all likelihood will eventually disappear.

## SUMMER MARRIAGES

Other than in my meetings with Egyptian officials, no one painted a rosy picture for the future of Egypt. In fact, many suggested that life was better under Mubarak. I was repeatedly told that the new government led by President Mohamed Morsi and the Muslim Brotherhood is ignoring women's rights, human rights and religious rights. I was told women are being removed from positions in the workplace. Photos of unveiled women are being dropped from textbooks. Child labor abuse continues, as well as female genital mutilation. I was told girls as young as nine are being kidnapped and sold as child brides. When reported to the police, no action is taken. There is no rule of law. Sexual trafficking is prevalent. Girls ages 16–18 are "rented" to rich men from the Gulf in what are called "summer marriages" during the summer months and then returned to their families.

## GROWING PERSECUTION

The Christian community also continues to be persecuted. Churches have been desecrated, and no permits to build new churches have been granted since January 2011. Just days before I arrived, an angry mob set fire to a church in Fayoum Province. Fox News reported that it was the "second such assault against the town's Coptic population in a month. The attackers ripped down the church's cross and hurled rocks at church members. . . ."

Television channels regularly carry programming that insults Christians and women. "The general atmosphere allows Islamists to speak out against women and Christianity and the government does nothing," one activist told me.

At a meeting at the Coptic Orthodox Church in Cairo, Bishop Moussa, a close advisor to Coptic Pope Tawadros II, told me he is concerned about where Egypt is headed and said the Coptic community is fearful. He raised a number of issues relating to the proposed changes to the Egyptian constitution. Earlier this month, Pope Tawadros took the unusual step of publicly criticizing the constitution as discriminatory.

## ELECTIONS

There also is deep concern that the upcoming elections will essentially be rigged, especially since it is believed that the Muslim Brotherhood has put its supporters in place to

oversee the elections and that there will be no transparency. The Associated Press reported on February 23 that “[a] key opposition leader called Saturday for a boycott of upcoming parliamentary elections, saying he will not take part in a ‘sham democracy.’”

In a meeting with Emad Abdel Ghafour, a Salafist who is the presidential advisor for community outreach, all these reports were brushed aside and blamed on politics. At least the prime minister acknowledged that the government still has a long way to go. “We are trying. It just takes time,” he told me.

The media has done a better job of reporting the plight of the persecuted in Egypt than it has in other parts of the Middle East and surrounding region. On February 22, the Washington Post ran an op-ed co-written by Robert Kagan and Michele Dunne that makes the case for a new U.S. approach in dealing with Egypt. I agree with much of what they said and have shared it with my congressional colleagues.

#### THE PEOPLE, NOT THE REGIME

The U.S. must change how it deals with Egypt. On more than one occasion I was told the perception among many Egyptians is that the United States is supporting the Muslim Brotherhood. “Why hasn’t the State Department issued any statements condemning the lack of certain rights?” one person asked me. “There is a double standard,” another told me. “Human rights and women’s rights mean one thing in the United States and another in Egypt.”

I was told people think the United States is developing relationships with the Muslim Brotherhood because it believes the party is going to remain in power. They went on to say that the feeling is that as long as the brotherhood protects the United States’ interests in the region, it can act with impunity within its borders.

One person pointedly said, “the United States is helping create a state of terrorism that will be exported to Europe. The dogma of religion affecting human rights and women’s rights will be worse than the Wahhabi sect in Saudi Arabia.”

I also was told the United States is losing credibility. When I asked what message I should take back to the West, I was told: “Make sure you support the people of Egypt, not the regime.”

#### RECOMMENDATIONS

In light of the meetings I had and the insights I gained, I came away with a number of broad-based policy recommendations:

#### SYRIA

The situation in Syria is complex and there is no easy solution. Many believe it will take years to resolve. Will Assad continue to cling to power with the help of Tehran? Will Syria fracture? Will the rebels attempt to form a legitimate shadow government in Syria that can garner international support? There are more questions than answers about the future of Syria. But even before the civil war broke out, Assad’s abuses were well-known. Not only was he a brutal, corrupt dictator at home, but Damascus was a lifeline to the terrorist organization Hezbollah. I have seen with my own eyes Hezbollah’s murderous aims having visited the Marine barracks in Lebanon following

their 1983 bombing that killed 241 American servicemen. Fast-forward to earlier this month, as Hezbollah was implicated in the deadly bomb attack on Israeli vacationers in Bulgaria. Clearly Assad has much blood on his hands and the U.S. must work, even at this late date, to bring about an end to Assad’s reign in Syria.

The Obama Administration missed an early opportunity to aid the opposition in Syria at a time when the conflict had not yet devolved into a proxy war and when international jihadists were not as significant of a factor as they are today. An already complex environment has only intensified, and many of Syria’s minorities increasingly wonder what the future holds for them. A January 15, New York Times story said, “Former [State Department] Syria adviser, Frederic C. Hof, wrote last month that although the opposition has offered general assurances to the one-third of Syrians who belong to minority groups, ‘probably no more than a handful’ believe it, especially as jihadist groups grow more prominent on the battlefield. . . .” As the Obama Administration seeks to develop an effective Syria policy, including Secretary Kerry’s latest overture to the Syrian opposition, it must be ever mindful of the very real concerns of Syria’s Christian community. Opposition to Assad should not be enough to garner American support. A common enemy does not our friend make. Any aid to the rebels, non-military or otherwise, must be accompanied by insistence that the opposition respect minority rights and allay the very real fears of these communities. This is especially important given the influx of foreign jihadists and the ambiguity surrounding their influence and numbers among the opposition.

Christian leaders in the West must begin to speak out about what is happening not only in Syria but in the Middle East and other parts of South Central Asia. Christian leaders from the Middle East need to be brought to the United States to meet with church leaders here and make the case for greater engagement from the faith community in the West. (In January, I wrote to more than 300 Protestant and Catholic leaders in the U.S. urging them to use their influence to speak out on behalf of the persecuted church around the globe specifically in the Middle East.)

#### EGYPT

After I returned from Egypt in July 2011, I recommended that the United States seriously consider conditioning U.S. foreign assistance—specifically military assistance—to Egypt. Since the Camp David Peace Accords, Egypt has received over \$60 billion in U.S. foreign assistance, the second largest overall recipient of such funding. Given the Mubarak regime’s human rights and religious freedom abuses, I have long believed this assistance should be conditioned on improvements in these areas. Now with the Muslim Brotherhood at the helm, and the transition to a mature democracy with all that entails, far from certain, I am more convinced than ever that aid to Egypt must be conditioned upon the government respecting and upholding universally recognized human rights norms. We must press President Morsi and the Muslim Brotherhood more broadly to respect and uphold religious freedom, freedom of speech and the press, freedom of assembly and other

basic rights. Police reform, too, must be a priority. Rather than ramming through the constitution, the Muslim Brotherhood must be urged to embrace an inclusive process that takes into account the concerns of the opposition and various minority groups. Clear benchmarks must be set—an agreed upon framework established—that allows policymakers in the U.S. to determine if Egypt is truly on a path to reform. Recognizing that democratic transitions are often long and messy, it is simply unacceptable to blindly give precious aid dollars to a government that is working at cross-purposes with American values. In addition, Congress should seriously consider removing altogether the State Department waiver authority as it relates to aid to Egypt, since the State Department, without fail and irrespective of changes on the ground, uses the waiver.

The United States should press President Morsi to compromise with the opposition on rules for upcoming parliamentary elections, which he scheduled to begin April 22 over opposition objections. There are many legitimate opposition concerns, including gerrymandering to break up districts formerly won by secular parties and use of government ministries to advantage Morsi’s party. As of now, most of the secular opposition parties say they will boycott, which means that the elections cannot produce a truly representative parliament even if they are cleanly run.

The administration must utilize every “tool” in its “toolbox” to influence the Egyptian government. President Morsi’s planned trip to Washington is a significant point of leverage to begin pressing for key reforms. As Morsi and his government seek further international economic relief, the U.S. must make it clear that not only is American foreign assistance contingent upon clear progress in the areas outlined above, but our willingness to galvanize the additional economic assistance needed to stabilize the Egyptian economy is also based on progress in these areas.

The U.S. embassy should actively seek to cultivate relationships with the liberal, democratic Egyptian opposition groups and individuals, human rights groups, Coptic Christians and other key civil society actors. By most accounts, U.S. policy has not evolved to meet the new realities in Egypt. We have embraced the Morsi government the same way we embraced the Mubarak government—to the detriment of other elements of Egyptian civil society—elements with which we have a natural affinity. While such groups may not take the reins of leadership in the near future, they are central to the Egyptian democratic experiment, and we can bolster their standing and effectiveness if we take the long-term view. In this same vein, aid to Egypt should once again benefit Egyptian civil society, not simply the military and economy.

Congressional delegations traveling to Egypt should meet with activists, NGOs and Christian leaders to better understand what is happening on the ground and to hear firsthand the perception of the United States’ support for the Muslim Brotherhood.

#### REGIONAL RECOMMENDATIONS

Special Envoy.—There must be a high level Special Envoy at the State Department with the dedicated mission of protecting and preserving religious minority communities in the

Middle East and South Central Asia. In January 2011, I introduced bipartisan legislation in the House which would do just that. It overwhelmingly passed by a vote of 402–20 in July 2011. The House-passed legislation and companion legislation introduced by Senators CARL LEVIN and ROY BLUNT stalled in the Senate. Despite my repeated appeals, former Senators Jim Webb and John Kerry objected to the legislation moving forward. I have joined with my Democratic colleague Rep. ANNA ESHOO in reintroducing this legislation in the 113th Congress and remain committed to pressing ahead with the envoy despite State Department opposition—opposition which is short-sighted and utterly consistent with the department's posture on similar initiatives over the years having opposed for example the creation of the International Religious Freedom Office. It is worth noting that it is fully within the Secretary of State's authority to appoint an envoy absent legislative action. Based on what I heard on this trip, I am confident that such a move by Secretary Kerry would be warmly embraced by the communities affected in the region and the diaspora communities abroad, including here in the United States.

Persecuted Christians Relief Fund.—In some of the countries where Christians and other religious minorities have faced the most difficulties, severe economic hardship is a consequence of religious persecution, especially when entire communities are displaced. Consider this February 2011 International Organization for Migration (IOM) press report: "The physical instability driving Christian displacement is now leading to financial hardship as well. Some in Baghdad have sought to exploit the situation by publishing rumors of impending violence against Christians in order to drive down prices of Christian homes and to force Christians to flee. Unable to sell their homes for a fair price and quickly in addition to facing difficulties in transferring their jobs or finding new sources of income, many Christians are finding it difficult to support themselves while displaced." It is worth noting that depletion of the Christian community in Iraq happened while America was deeply involved in Iraq and in a position militarily, politically and otherwise to exert tremendous influence. Similar difficulties faced the Syrian Christian refugees with whom I spoke as outlined above. Despite congressional attempts, over multiple years, to target aid toward Iraqi Christians, the State Department resisted these efforts, and once the funding was provided the department and USAID proved ineffectual in ensuring that the communities in question benefited. In fact, a July 2012 Government Accountability Office (GAO) report, "U.S. Assistance to Iraq's Minority Groups in Response to Congressional Directive," found that the agencies could not prove they spent the funds as Congress intended. In fact, it often appears that there is an anti-Christian bias at the State Department. For years the department refused to recognize that Iraqi Christians were being targeted, insisting instead that they were simply victims of generalized violence. In light of these realities, church leaders in the West, especially the leadership of affected communities (Copts, Chaldeans, Assyrians etc.), should consider partnering with other churches in the U.S. in establishing a relief fund to benefit beleaguered Christians in the Middle East.

Champion Human Rights.—Every U.S. government official, from the President, to the Secretary of State, to the young foreign service officer serving in Cairo or Beirut, must champion the cause of human rights, including religious freedom, in their interactions with foreign government officials and civil society actors. Not simply paying lip-service to these foundational American principles but seeing that they are fully integrated into U.S. foreign policy at every turn. In a 1987 Constitution Day speech, President Ronald Reagan described the United States Constitution as "a covenant we have made not only with ourselves, but with all of mankind." We have an obligation to keep that covenant with the fearful Coptic Christian and the displaced Syrian refugee. My conversations abroad revealed that the covenant is in jeopardy.

#### CONCLUSION

In closing, I would like to thank the federal employees—embassy personnel, foreign service officers, Diplomatic Security Officers, FBI, and other government agencies—serving in Lebanon and Egypt. They are extraordinarily dedicated and extremely professional. In Lebanon, the ambassador and embassy staff live in an extremely challenging security environment. Their movement is seriously restricted. In Egypt, too, there are also very real security concerns for U.S. embassy personnel. Protesters scaled the walls of the compound on September 11, 2012 and pulled down the American flag, mere hours before the Benghazi consulate attack. We owe these employees of the U.S. government and their families a debt of gratitude.

Specifically, in Lebanon, I was grateful for Ambassador Connelly's hospitality and for the work of my control officer, Caitlin Spicer, and the embassy's political and economic section chief, Danielle Garbe. All went to great lengths to ensure that our trip was a success and that our time was filled with insightful meetings.

In Egypt, I appreciate Ambassador Patterson and her team's efforts to see that our relatively brief visit was productive. I especially want to thank my control officer Peter Shea (who also assisted with my earlier visit to Egypt). His dedication to human rights and religious freedom is evident and appreciated.

I also would like to thank Speaker JOHN BOEHNER and House Appropriations Committee Chairman HAL ROGERS for approving this trip.

Finally, I would like to thank my staff, particularly Elyse Anderson, my foreign policy director, and Dan Scandling, my chief of staff, who accompanied me on the trip.

IN HONOR OF PATRICIA "PAT"  
DERBY

HON. SAM FARR  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, March 13, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Patricia "Pat" Derby, a world-renowned advocate, champion of animal rights, and a dear friend.

Patricia Bysshe Shelly was born June 7, 1942, in East Sussex, England, the second of

two children born to Charles Boswell Shelley, a Cambridge University professor, and Mary, a homemaker. Pat's father died when she was 12, and at the age of 15 she immigrated by herself to New York City to pursue her dream of theatre and ballet. She enrolled at New York's Columbia University but later dropped out to pursue her Hollywood dreams in California.

While living in San Francisco, she met future husband and animal trainer Ted Derby and began working with him as a team, training animals for television and movies. Throughout the 1960's and 70's, Pat trained many exotic animals for Hollywood TV shows like "Flipper," "Lassie," and "Gunsmoke."

However, after many years of witnessing widespread abuse of exotic and performing animals, Pat quit the business and quickly became one of the most vocal critics of animal abuse in Hollywood.

In 1975, Pat wrote her best-selling book, "The Lady and Her Tiger," which documented her time working with animals in the entertainment industry and brought to light the negative aspects of the industry's practices, which invariably made her an enemy of many Hollywood elite.

In 1984, Mrs. Derby and her lifetime associate, Ed Stewart, founded the Performing Animal Welfare Society (PAWS). Her hope was that this organization would serve to advocate for, and protect, the animals we see on a daily basis in TV shows and movies.

Pat's first, and most important, mission was always to educate others regarding animal rights and how organizations should approach caring for captive wild animals.

Pat also worked closely with government agencies, and kept her USDA and California Fish and Game permits up-to-date as there were few facilities to aid animals when she first started. These permits were initially used to start a sanctuary that has since grown from 30 acres to 2,300 acres in Galt, California which has housed everything from lions and wolves to a sick baby elephant. Each of which lived out the entirety of its life in full health on Pat's sanctuary.

Pat's long time associate Ed Stewart wrote that when some people die they are unduly given "hero" status, and yet that is not Pat. She was a true hero in the animals rights world whose sole crusade was aimed at helping animals that could not protect or advocate for themselves. Pat realized that even wild animals need someone to look out for them, and she dedicated her life to that belief.

Mr. Speaker, I rise today to honor Patricia "Pat" Derby for her lifetime commitment to protecting the welfare of performing animals.

TRIBUTE TO KEITH OLSON

HON. TOM LATHAM  
OF IOWA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, March 13, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Keith Olson for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

At 29 years old, Keith Olson is one of Iowa's premier commercial brokers, utilizing his talents as a commercial associate at NAI Ruhl and Ruhl Commercial Company. Mr. Olson's impact on the Des Moines area has been undeniable after being named Downtown Community Alliances's downtown broker of the year on two separate occasions, as well as being named a Dave Ramsey Commercial Real Estate endorsed local provider. Outside of real estate, Keith is active in his church, Big Brothers Big Sisters of Central Iowa, March of Dimes, and Young Variety, just to name a few. In all facets of his life, Keith is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Keith in the United States Congress and it is with great pride that I recognize and applaud Mr. Olson for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Keith on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### A TRIBUTE TO SUNSET BEACH, NORTH CAROLINA

#### HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. McINTYRE. Mr. Speaker, I rise today to pay special tribute to Sunset Beach, North Carolina as we celebrate the 50th anniversary of its founding.

After Hurricane Hazel struck Southeastern North Carolina in 1954, only a small area called Bald Beach remained unscathed. Mannon C. Gore purchased the small island of Bald Beach and a 500-acre section of the mainland across from the Intracoastal Waterway. In the following years, Mr. Gore built a pontoon swing bridge, a one-of-a-kind bridge that served the town until October, 2010. These areas established the foundation for the future Town of Sunset Beach.

On March 26, 1963, the North Carolina General Assembly ratified the incorporation of the Town of Sunset Beach. From a population of 30 in 1963, Sunset Beach is now home to more than 3400 permanent residents and a booming tourism industry. Unique among Barrier Island communities in North Carolina, Sunset Beach encompasses both a mainland and an island. Nearby Bird Island is a 1300-acre State Preserve barrier island home to unique species of birds and turtles.

From the natural beauty of the Intracoastal Waterway to the pristine beaches, small-town atmosphere, golf courses, and wildlife, Sunset Beach offers a family-friendly destination for thousands of tourists every year. Although Sunset Beach has grown significantly since 1963, it retains the small-town charm that has led thousands of North Carolinians to call it home.

Mr. Speaker, I rise today to recognize the Town of Sunset Beach, North Carolina, as it celebrates 50 years. I am fortunate to represent this beautiful coastal town, to have a place to spend time there with my family, and to enjoy the friendship of its residents.

May God continue to bless this place which is so special not only to its citizens and to families like mine, but also to those who travel to this wonderful destination indeed, a beautiful part of God's creation!

#### HONORING MILJENKO "MIKE" GRGICH

#### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Miljenko "Mike" Grgich on the occasion of his 90th birthday. Born in Croatia, Mr. Grgich studied winemaking and viticulture at the University of Zagreb before he left communist Croatia for the Napa Valley in 1958.

In 1976 the Chardonnay that Mike made won the famed Paris Tasting. This victory shattered the myth that only French soil can produce world-class wines, and the victory pumped new energy into the California wine industry, particularly in the Napa Valley. Following Mike's lead, California vintners redoubled their efforts to make better wines each year.

In honor of his contributions to the industry, Mike was inducted into the Vintners Hall of Fame on March 7, 2008, the same year the California State Fair presented Mike Grgich with its Lifetime Achievement Award.

In 1977 Mr. Grgich launched Grgich Hills Winery, a stunning illustration of innovation in winemaking. The winery converted to solar power in 2006, and today farms all of its 366 acres organically. Each of the wines that the vineyard produces is estate grown.

Today Mr. Grgich is active in Roots of Peace, the international campaign to rid the world of land mines by changing the mines to vines. In 2007, Roots of Peace presented Mike with its Global Citizen Award for his leadership and unique contributions in raising landmine awareness around the globe.

Mr. Grgich's winery donates to a number of organizations and it is a longtime supporter of the Auction Napa Valley, which raises money for local nonprofit organizations.

Mr. Grgich is a legend of the Napa Valley and a champion of our community. Mr. Speaker, it is only appropriate that we honor Miljenko Grgich's profound contributions to Napa Valley and the art of American winemaking.

#### PERSONAL EXPLANATION

#### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. GEORGE MILLER of California. Mr. Speaker, on March 6, 2013, I missed rollcall Nos. 59, 60, 61, and 62 due to upcoming cataract surgery. Had I been present, I would have voted "nay" on rollcall No. 59, "nay" on rollcall No. 60, "yea" on rollcall No. 61, and "nay" on rollcall No. 62.

On March 12, 2013, I was unavoidably detained and missed rollcall No. 63. Had I been present, I would have voted "aye."

#### HONORING THE RETIREMENT OF MR. S. GERALD DAVIDSON

#### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Ms. SLAUGHTER. Mr. Speaker, I rise today to acknowledge and honor the retirement of Mr. S. Gerald Davidson. Mr. Davidson is an accomplished attorney who has dedicated his life to helping his community of Rochester, New York, and making our country a better place to live.

Mr. Davidson was first drawn to our area while attending the University of Rochester, graduating in 1952. After earning his law degree at Cornell, Mr. Davidson moved back to Rochester where he opened his own firm, Davidson Fink LLP in 1968, and focused on practicing matrimonial and family law. Since its inception, Davidson Fink has dedicated itself to tailoring to each client's individual needs, expectations and time constraints. Under Mr. Davidson's tutelage, the firm has become one of the fastest growing business operations over the last four years while attracting some of the best attorneys to Upstate New York.

With 44 years of expertise, Mr. Davidson is very generous in sharing his knowledge through lectures at the Monroe County Bar Association and the New York State Bar Association. By setting this precedent, employees at Davidson Fink LLP are also expected to share their experiences throughout the legal community through publishing, forums, and seminars to meet the challenges of an ever-changing profession.

In addition to fully immersing himself in the legal community through the Collaborative Law Association of the Rochester Area, Inc., and the American Academy of Matrimonial Lawyers, having previously served as the chairman of the Family Law section in New York State Chapter Board of Managers, Mr. Davidson has dedicated himself to upholding the highest level of professionalism. Mr. Davidson clearly enjoys remaining a student of a field he loves where families themselves have grown more diverse.

With all of these remarkable accomplishments, perhaps the most illustrative of Mr. Davidson's commitment to his profession is the prestigious honor of consistently being named one of the Best Lawyers in America,



beginning with their initial rankings in the 1980s. For families facing monumental changes in their future, this experience can be overwhelming, stressful, and confusing. Even if the make-up of these clients' families may be altered, what remains the same is Mr. Davidson's unparalleled abilities to navigate these complex relationships.

His dedication towards others also extends to our community. Mr. Davidson has served on the Board of Directors for the Jewish Home of Rochester and was a member of the Town of Brighton's Board of Appeals for over a decade. Davidson Fink LLP has continued to follow in his footsteps as a staunch supporter of community outreach by participating in events hosted by the Ronald McDonald House, Habitat for Humanity, and the Ibero-American Action League and advocating for others through pro bono work. Mr. Davidson's actions have had long lasting impacts on our community, and we are so fortunate that he has chosen to call Rochester his home.

In tribute to a lifetime of service to community and country, I stand to acknowledge Mr. Davidson. There is no better way to commemorate his retirement than to honor a man who has committed himself to families and upholding the law to the best of his abilities. I am proud to honor one of the finest residents of New York's 25th Congressional District, the incomparable Mr. S. Gerald Davidson.

#### TRIBUTE TO DENNIS McDANIEL

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Dennis McDaniel for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

In 2003, Dennis McDaniel joined the Windsor Heights Police Department as a police officer. Today, he is a law enforcement veteran who has ascended the rank of Windsor Heights' Chief of Police. In this role, which he has held since 2010, Mr. McDaniel has revolutionized his department's operations and actively made his community a safer place, developing a volunteer police reserve program and implementing a variety of technological and goal-based tools in his department's divisions. From serving as chairman for the Central Iowa Traffic Safety Task Force to teaching Rape Aggression Defense programs to the women of Greater Des Moines, Dennis has demonstrated a clear commitment to providing

leadership and marked improvement to his community. In all facets of his life, Dennis is an example of service and hard work that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Dennis in the United States Congress and it is with great pride that I recognize and applaud Mr. McDaniel for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Dennis on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### TRIBUTE ON THE RETIREMENT OF MR. JAMES D. RUTH, GENERAL MANAGER, ORANGE COUNTY SANITATION DISTRICT

#### HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today to note the retirement of Mr. James D. Ruth, the General Manager of the Orange County Sanitation District. I worked with Jim during the past several years when the District was within my congressional district and learned to appreciate the tremendous public servant that Jim embodies. He was appointed interim General Manager of the Orange County Sanitation District in December 2005 and was originally supposed to stay about three to six months. Today, seven years later, Jim has worked with the OCSD Board of Directors to guide the District through some of the most challenging times that any public official could face. Jim's good humor, his expertise in public administration, his commitment to deliver the finest work resulted in successes that others could hope to attain. I must note that Jim also enabled his staff to take risks and make tough decisions that have strengthened the District and will allow it to make the transition with a new General Manager seamless. In his tenure, Jim oversaw a number of significant accomplishments and gaining national and international acclaim for the third largest wastewater treatment plant west of the Mississippi River.

While I no longer serve Orange County, I am proud to have worked hand-in-hand with OCSD and others on some very important issues. Under his watch, Jim Ruth oversaw the relocation of the Santa Ana River Interceptor Line—an important link between the Inland Empire and Orange County—and once completed, will finally remove an environmental threat that has been looming for many, many years.

Jim transformed OCSD and was leader in trimming costs and saving ratepayer dollars. Thanks to his leadership, OCSD was one of the first agencies to implement a lower cost second tier pension system across the board and save millions of dollars with efficiencies and elimination of duplicative services.

With 55 years of public service, Jim Ruth leaves a legacy of transforming public agencies and bringing out the best in the people

around him. Many of us think, Jim really isn't retiring but moving on to something else as those of us who know him well, know he cannot sit still.

Congratulations Jim on a very successful career at OCSD and on serving the people of Orange County for many years. I wish you the best in retirement.

#### TRIBUTE TO RACHEL MCLEAN

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Rachel McLean for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Rachel McLean currently serves as the Vice President and a consultant for Ruan Companies in Des Moines. The daughter of John Ruan III and Janis Ruan, Rachel has found her talents and expertise uniquely suited for leading the family business. Previously the director of communications and ultimately Vice President of Communications at Ruan Transportation Management Systems, Rachel was tasked with managing the communication processes among Ruan's 4,500 employees. Mrs. McLean now hones those experiences as she oversees charitable giving for the Ruan Family Foundation, conducts quantitative research to maximize the company's performance, and manages the customer satisfaction initiative for Ruan Transportation. Outside of work, Rachel is heavily involved in the Des Moines community through her involvement in the Des Moines Founders Garden Club, Linden Heights Neighborhood Association, and Harkin Institute of Public Policy. Mrs. McLean also serves on the Board of Directors for the Des Moines Community Playhouse and Youth Homes of Mid-America. Rachel and her husband Ben are kept busy at home with their son, set to turn two later this year. In all facets of her life, Rachel is a shining example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Rachel in the United States Congress and it is with great pride that I recognize and applaud Mrs. McLean for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Rachel on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.



COMMEMORATING THE LIFE OF  
JOAN MARGARET (KATHAN)  
ZERZAN

**HON. GREG WALDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. WALDEN. Mr. Speaker, I rise today to mark the passing of a great Oregonian whose contribution to my State and our nation bears recognition.

Joan Margaret (Kathan) Zerzan was born in Grants Pass, Oregon on June 26, 1927. A child of the Great Depression, she grew up in a house up Evans Creek Road in Rogue River, Oregon that was for a good part of her youth not wired with electricity. And yet, as she was fond of saying, if her family was poor she didn't know it at the time.

A descendent of pioneers and frontiersmen, throughout her life Joan Zerzan demonstrated the indomitable spirit of her forebears. During World War II she served as a civilian spotter of air traffic while working on her sister's ranch. A musical prodigy, she attended Willamette University at the age of 17 on musical scholarship, having been born with the unique ability to play almost any instrument seemingly just by looking at it.

It was while at Willamette that Joan met the great love of her life and husband of 60 years, Charles Zerzan. Almost exactly 5 years ago I memorialized Charles Zerzan's life on this floor, and recounted his many accomplishments. There is no question that these would not have been possible without his beloved wife Joan.

In Joan Zerzan's life she served in many roles—patron of the arts, poll worker on election day, volunteer at school and church. Yet for all her many endeavors, there was no field in which she excelled so much as in being a mother. Joan Zerzan gave birth to 12 children, 8 sons and 4 daughters, and provided each one with the love and succor that only a mother can provide. As the Psalmist wrote, so Joan Zerzan truly believed, "Behold, children are a heritage from the Lord, the fruit of the womb a reward. Like arrows in the hand of a warrior are the children of one's youth." In not only raising fine children, but in teaching them her core values of faith and hard work, she richly contributed to the ongoing success of our nation in the irreplaceable way upon which all of civilization ultimately rests. She provided an example of the matchless power of these two values throughout her life through her words and her actions—beliefs she instilled not only in her own children but in her 32 grandchildren and 12 great-grandchildren.

Though we mourn the loss of Joan Zerzan, we also celebrate the life of a woman whose contributions to this country leave an enduring legacy and inspiration to others. Joan Zerzan believed nothing was impossible and taught her children and grandchildren that, when faced with uncertainty or given a choice between hope and despair, the only reasonable choice was hope. As recounted in the Gospel of Matthew, "Therefore everyone who hears these words of mine and puts them into practice is like a wise man who built his house on the rock. The rain came down, the streams

rose, and the winds blew and beat against that house; yet it did not fall, because it had its foundation on the rock." The woman who built her own life on solid ground, who grew up in a humble dwelling in southern Oregon, now retires to the mansion that has been promised her. On this solemn but ultimately joyful occasion I know this whole body will join with me in giving thanks for the life of Joan Zerzan.

CONGRATULATING RITA FOLEY  
HALPIN ON HER 92ND BIRTHDAY

**HON. ENI F. H. FALCOMAVAEGA**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. FALCOMAVAEGA. Mr. Speaker, I wish to recognize the 92nd birthday last week on March 5th of Rita Foley Halpin of Glenview, Illinois. Rita is one of the few surviving Americans who can say that her grandfather fought in the Civil War. Captain Patrick Foley, an immigrant from County Kerry, Ireland, served in the 23rd Regiment Illinois Volunteer Infantry ("the Irish Brigade"), fought under General Philip Sheridan in the last major Civil War battle, the siege of Petersburg, and was present at Appomattox Court House for the final surrender.

Rita's father, Dr. Thomas P. Foley, was a past President of the Chicago Medical Society. Following in the footsteps of her mother, Elizabeth Hannon Foley, Rita graduated from Chicago Teachers College in 1943 and started her career as a kindergarten teacher in Chicago public schools.

Rita's husband, the late Thomas J. Halpin, to whom she was married for over sixty-two years, was a captain serving with the 88th Infantry during the liberation of Rome in World War II. Her grandson, Sean R. Halpin, continues the family tradition of military service as a first lieutenant in United States Forces/Korea.

Rita raised four children and then returned to teaching where she was an elementary school teacher at St. Paul of the Cross School in Park Ridge, Illinois for almost two decades. She is still fondly remembered by her many pupils.

For historical purposes, I submit this statement to be made part of the CONGRESSIONAL RECORD in honor of Rita Foley Halpin and the contributions that she and her family have made to this country.

TRIBUTE TO BOY SCOUT TROOP  
ONE'S 100TH ANNIVERSARY

**HON. WILLIAM L. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. OWENS. Mr. Speaker, I rise today to recognize the Boy Scouts of Troop One in Ballston Spa, NY and their 100th anniversary celebration.

On December 27, 1912, the Methodist Episcopal Church in Ballston Spa signed a charter

with the Boy Scouts of America to sponsor Boy Scout Troop One. Troop One formed just three years after the first national chapter of Boy Scouts of America, making it one of New York's oldest Boy Scout Troops.

For the last 100 years, Troop One's young men have demonstrated the Boy Scouts of America's principles of loyalty, leadership, resourcefulness and commitment to community service. Its members have engaged in countless volunteer projects and educational activities that have built a stronger community.

I commend the scout masters, parents and volunteers who have mentored so many of the Capital-Saratoga Region's young men, 58 of whom have risen to the highest level of scouting and become Eagle Scouts. That proud tradition continues today with the 45 scouts currently active in Troop One.

I ask my colleagues to join me in congratulating all current and former members of Boy Scout Troop One of Ballston Spa for this milestone, thanking them for all their contributions to the Capital-Saratoga Region and wishing them all the best in the many years of scouting ahead of them.

HONORING LARRY GOMEZ FOR HIS  
SERVICE TO OMAHA CHAMBER

**HON. LEE TERRY**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. TERRY. Mr. Speaker, I rise today to honor Larry Gomez on his last week as Director of Small Business Services at the Omaha Chamber of Commerce. After 36 years serving small business owners in Omaha, Larry will hang up his Chamber shoes on March 15th and replace them with golf shoes.

A graduate of Bishop-Ryan High School in 1966 and of the University of Nebraska-Omaha in 1971, Larry spent his days as captain of the baseball team. When he wasn't busy with baseball, he earned a speech and communication/business degree from UNO. Upon graduating, he took a job with the City of Omaha in 1972 as the Chief Relocation Officer where he spearheaded the relocation of 52 businesses from the Central Park Mall.

Since he joined the Omaha Chamber in 1976 he hasn't looked back. As Director of the Omaha Regional Minority Purchasing Council, he matched minority businesses with corporate buyers. In 1978, Larry was named Director of Small Business Council and Area Councils. Major milestones during his tenure with the Chamber include: Buy the Big O! Show, Omaha 25 Fastest Growing (now the Big O! Excellence Awards), Business on the Green, and the Area Council Golden Spike Awards. In the last five years, Larry has been an integral part of the membership team and member retention.

Larry has been a tremendously valuable resource for my office. Whether it was setting up a group of business leaders to discuss cyber technology or the hurdles facing owners, Larry was always the first call.

I am going to miss seeing him at the many ribbon cuttings we've attended together through the years. What I do look forward to,

however, is seeing if he puts his band—Larry Gomez and the Brotherhood—back together again.

So I rise today to thank him for his years of service and for his efforts to strengthen our city. May his drives be straight and his putts be few. I speak for all Omahans when I say we'll miss him and the energy he brought to the Chamber.

#### PERSONAL EXPLANATION

##### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. SMITH of Washington. Mr. Speaker, on Monday, March 4, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 56 (on the motion to suspend the rules and pass H.R. 307).

#### TRIBUTE TO EMILY HARRIS

##### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Emily Harris for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Emily Harris is a patent attorney and shareholder at Davis Brown Law Firm. In the firm's intellectual property department, Emily is tasked with obtaining patent, trademark, and copyright protection for clients and supporting the intellectual property litigators. Ms. Harris' role at Davis Brown also allows her passion for science to intersect with her avocation of supporting startup businesses. Emily co-founded the firm's Startup Launchpad website to assist young companies in accessing legal solutions and avoiding legal pitfalls. Outside of work, Emily enjoys reading and has published numerous articles on property law. Ms. Harris is also heavily involved in her community through her service as a member of the Greater Des Moines Partnership's Capital Crossroads Technology Transfer committee, as well as her previous work with the Iowa Organization of Women Attorneys and pro bono work for the former Iowa Biosciences Alliance. In all aspects of her busy life, Emily is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Emily in the United States Congress and it is with great pride that I recognize and applaud Mrs. Harris for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Emily on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

##### IN HONOR OF SERGEANT LORAN LEE "BUTCH" BAKER, JR.

##### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. FARR. Mr. Speaker, I rise today to honor a brave and honorable community hero, the late Sergeant Loran Lee "Butch" Baker, Jr. A Sergeant in the Santa Cruz Police Department, Butch was known not only for his investigative ability and skills in gathering intelligence, but also for his larger-than-life personality, his commitment to his family, his sense of humor, and his continual love for others. An avid sports fan, Butch enjoyed watching NASCAR races, and cheering for his favorite teams, The San Francisco Giants and The San Jose Sharks.

Butch was born in San Francisco, California in 1961, and met his future wife, Kelly, when they were only ten and eleven years old. In 1985, Butch joined the Santa Cruz Police Department, where he displayed an unwavering commitment to protect and defend the citizens of the City of Santa Cruz. In 1989, Butch earned a Medal of Valor in for his heroic actions following the earthquake. Additionally, Butch earned numerous state and federal law enforcement awards throughout his career.

Butch lost his life in a senseless act of violence, but his legacy will never be forgotten within our community, and throughout the extended law enforcement family. My thoughts are with Sergeant Baker's family, including his wife, Kelly, his daughters, Jillian and Ashley, and his son, Adam.

Mr. Speaker, I rise today to honor the memory of Sergeant Loran Lee "Butch" Baker, and to promise that his life and his legacy will never be forgotten.

#### CELEBRATING SLEEP AWARENESS WEEK

##### HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. HONDA. Mr. Speaker, I rise today on behalf of the millions of Americans affected by sleep disorders and insufficient sleep and in observance of National Sleep Awareness Week, which occurred last week from March 3rd through 10th.

Sleep disorders affect every age group from infants to the elderly and are often an indicator of, or a precursor to other major diseases and

disorders, in addition to being a public health and safety issue. According to the Institute of Medicine's report entitled "Sleep Disorder and Sleep Deprivation: An Unmet Public Health Problem" (2006), 50–70 million Americans chronically suffer from sleep or circadian disorders, while 15% of the population suffers from sleep-disordered breathing, including obstructive sleep apnea. Chronic sleep disorders include insomnia, REM sleep behavior disorder, narcolepsy and other forms of hypersomnia, and circadian disruptions. These disorders negatively affect sleep duration, increasing risk of obesity, diabetes, hypertension, cardiovascular disease, stroke, depression, and substance abuse.

Sleep disorders and sleep deprivation cost \$150 billion annually in lost productivity and \$48 billion in medical costs related to motor vehicle accidents involving drowsy drivers. Sleep apnea results in excessive daytime somnolence, poor performance, increased frequency of road traffic accidents, and arterial hypertension. Prior to diagnosis, patients with sleep apnea often incur higher costs in their overall health care. If left untreated, obstructive sleep apnea has significant negative impacts on health, including early mortality. Furthermore, as our troops return home from Afghanistan and Iraq, there will be great need for continuing research concerning the link between sleep apnea and Post Traumatic Stress Disorder. A study including 725 active-duty members of the U.S. Armed Forces found that 85% of them had a sleep disorder. The most common was obstructive sleep apnea (51%), followed by insomnia (25%). Through increased federal commitment we can provide the best care to improve the health of those brave Americans who have served in uniform.

New treatment options, enhanced patient care, and future cures will increase the quality of life and productivity of the workforce. Research funding can also spur local economies through discovery of new technologies that can lead to the creation of new jobs. Federal investment in sleep research at the National Institutes of Health National Center on Sleep Disorders Research, are vital to supporting discoveries in the area of sleep disorders and job creation.

Mr. Speaker, I ask my colleagues to join me in supporting sustained and meaningful improvements in the health and healthcare of the millions of Americans whose health is compromised because of sleep disorders. By increasing awareness of the need for increased research funding, we will be able to continue to examine the links between sleep and health in an effort to improve the health of the population and lower overall healthcare costs.

##### HONORING THE EXEMPLARY LIFE AND CAREER OF SHERIFF MICHAEL McDONALD

##### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to remember and honor the exemplary life and service of Stark County Sheriff Michael

McDonald who sadly passed away on February 22nd, 2013. Sheriff McDonald joined the police force at the young age of 18 and over time proved himself to be an effective and talented officer. He served the county in many capacities over his long and illustrious career, including sheriff, chief deputy and jail administrator. The selfless nature that dedicated public servants like Sheriff McDonald embody is what makes our country great.

Sheriff McDonald was a man who gave himself to his community and the people of Stark County, making the lives of those living in the community safer. His legacy will continue to be felt every day as the people and the department that he cared so deeply about continues to protect and serve.

I would like to extend my deepest and heartfelt sympathies to Sheriff McDonald's family: his wife Judy, his son Bradley; his daughter and son-in-law, Kelly and Gabe Moser; his sisters and brother-in-law, Joanne and James Caplea, Laura McDonald and Mary Lou McDonald; sister-in-law, Kelly McDonald; his father and mother-in-law, Paul and Norma Zwick; his in-laws, Rick and Linda Heithoff, Rose Elmerick and John and Sandy Swigert; and his beloved nieces and nephews. I would also like to extend my sympathies to the Sheriff's second family, the men and women of the Stark County Sheriff's Department. Rest assured that his 32 years of devotion to the people of Stark County will never be forgotten.

#### HONORING DAVID WENDEL'S 25 YEARS OF SERVICE AS A DEACON TO THE CATHOLIC CHURCH

#### HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. ROSS. Mr. Speaker, I rise today to honor the 25 years of service that David Wendel has given to the Catholic Church as a Deacon.

He started as an altar boy at St. Joseph's Catholic Church in Lakeland for Father Bryan Walsh. He continued to serve at St. Joseph's and then also started serving at St. John Neumann Catholic Church in Lakeland in the mid-1980s.

Mr. Wendel became one of the first 500 volunteers to join what is now known as AmeriCorps and assist our country.

His commitment to service led him to believe that if you see a problem, you must get involved in fixing it. He encouraged many members of his family to get involved in their communities. Every Saturday he took his son, Bryan, to visit the elderly and handicapped which helped create a foundation for service in Bryan's life.

Mr. Wendel now serves at a church in Georgia.

I want to thank him for his 25 years of service to our community and country.

#### TRIBUTE TO ANGELA HILBERT

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Angela Hilbert for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Angela Hilbert is the Sales and Marketing Director for Deerfield Retirement Community. An Iowa native and graduate of the University of Northern Iowa, Angela always knew she wanted her work to include assisting and influencing those around her. This passion has led Angela to extensive involvement with nonprofits in Iowa over the last decade, including the YMCA of Greater Des Moines, the Des Moines Community Playhouse, the Juvenile Diabetes Research Foundation, and the Easter Seals of Iowa, just to name a few. Angela married her high school sweetheart Rob, and together they live in Urbandale with their daughters, Samantha and Emerson. Indicative of her character, Angela is honored to be among the 2013 Class of Forty Under 40 and hopes it will serve as another platform to contribute to those around her. In all facets of her life, Angela is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Angela in the United States Congress and it is with great pride that I recognize and applaud Mrs. Hilbert for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Angela on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### RECOGNIZING MARCH AS SOCIAL WORK MONTH

#### HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to call your attention to an entire profession of people dedicated to serving the most vulnerable among us. I am referring, of course, to social workers. Social workers have touched the lives of millions of individuals and families in need of emotional, psychological, economic and physical support. They have in-

tegrated themselves within our nation's social safety net in order to help meet the basic needs of all people.

These hardworking advocates do not simply provide individuals with the resources they need to resolve their life challenges; they also cultivate a sense of self-reliance to encourage individuals to create their own solutions. Social workers help connect service providers to those in need to weave an ever-growing social safety net, and I commend them for their dedication.

March was officially recognized as National Professional Social Work Month in 1984. Since then social workers around the country, in my community and in yours, have worked to spread awareness of this critical profession. They have reached out not only to service providers and those in need, but also to students and others with the potential to join this noble profession.

To those of you who have joined this hardworking, empathetic and resourceful group of people, I thank you for all the time and energy you have invested in helping others in your community. I hope that you will continue to do so, with the knowledge that your efforts have been recognized and appreciated.

#### RECOGNIZING ST. FRANCIS MEDICAL CENTER'S VOLUNTEERS

#### HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. ALEXANDER. Mr. Speaker, I rise today in recognition of the St. Francis's volunteers who have dedicated their time in service and assistance to the patients of the medical center. These men and women have devoted countless hours to help those during times of need and have made a tremendous impact on the Monroe community.

Specifically, I would like to recognize 10 volunteers for contributing over 25 years of service, some of whom have reached the 30 year milestone: Barbara Roberts (25 years), Mabel Sims (25 years), Mary Hart (28 years), Pat Ham (29 years), Lucille Calk (30 years), Sandra Franklin (30 years), Syble Leigh (30 years), Carolyn Roberts (30 years), Patsy Welch (30 years), and last but not least, Angie Bruscatto (38 years).

I would also like to congratulate Ruth Beavers and Talma Turrentine for giving more than 10,000 service hours to St. Francis.

This group is certainly an inspiration to us all as they bring the gift of comfort and hope to countless patients and their families. Mr. Speaker, I ask my colleagues to join me in applauding each volunteer, past and present, for their admirable service and leadership.

#### HARRISBURG HIGH SCHOOL BASKETBALL TEAM

#### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding victory of the

Harrisburg High School Bulldogs at State Champions.

The Bulldog won the Class 2A State Championship in a 50–44 victory. I would like to congratulate Coach Randy Smithpeters, Assistant Coaches Brandon Henshaw, Richard Dwyer, Dr. Robert Hodson and Eric Griffin who have work hard to help the Harrisburg Bulldogs achieve this victory.

Members of the state championship team include: Logan Hartley, Caleb Bartok, Tyler Smithpeters, Justin Younger, Capel Henshaw, Ryne Roper, Jarren Goldman, Bahari Amaya, Anfernee Houston, Snjolfur Bjornsson, Eli Taborn-Scott, Gabe Oglesby, Jake Simerly, Carson Batts and Dakota Upchurch.

I look forward to the continued success of the Harrisburg High School Bulldogs. I extend my best wishes for another outstanding season next year.

#### CONGRATULATING BRURIA FINKEL

##### HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Ms. BROWNLEY of California. Mr. Speaker, today, I pay tribute to Bruria Finkel, an award winning painter, sculptor, and installation artist.

Bruria has participated in over sixty art shows in the United States and Europe.

Bruria was a pioneer of the Los Angeles feminist art movement and helped found the Los Angeles Council of Women Artists (LACWA) to protest gender discrimination at LACMA in 1968.

Bruria served as a founding member and Chair of the Santa Monica Arts Commission from 1982 until 1996. She founded the Arts Foundation in the 1980s, presided as Chair of the City's Rent Control Board from 1995 to 2002, and sat on many civic committees over the years.

Bruria has richly contributed to shaping art in Southern California, and has been a longtime leader in making California's coast a vibrant community for artists as well as the arts.

Mr. Speaker, Bruria's artistic contributions to Southern California have been an inspiration to many. She personifies how artists can shape life in a community. I am proud to have such an accomplished artist in Southern California.

#### IN HONOR OF COLONEL MERLE PETERSON, US ARMY (RET) AND CAPTAIN DONALD PETERSON, US NAVY (RET) REGARDING THEIR DEDICATION TO OUR SERVICE ACADEMIES AND OUR NATION

##### HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. WALZ. Mr. Speaker, I rise to pay tribute to Colonel Merle Peterson, US Army (Ret) and Captain Donald Peterson, US Navy (Ret) for their extraordinary dedication to duty and service to our Nation. These gentlemen served

long honorable careers in the United States Military. Upon retirement, both continued to dedicate their lives to ensuring our nation's premier Service Academies attendees included the most talented nominees from the First Congressional District of Minnesota.

Colonel Peterson joined the US Army as an enlisted Soldier in 1948 and served in the Korean War. When he returned home in 1951, Colonel Peterson joined the Army Reserves, serving with the 419th and 407th Civil Affairs Companies from 1956 until 1969. Colonel Peterson attended Winona State University becoming a schoolteacher. Between St. Charles High School and Rochester Kellogg Middle School, Colonel Peterson taught for 31 years.

In 1971, the United States Military Academy selected Colonel Peterson as Academy Liaison Officer for Minnesota's First Congressional District. For over 41 years, Colonel Peterson worked with five Members of Congress of the First Congressional District; assisting over 100 candidates to attend West Point.

Captain Peterson joined the US Naval Air Reserve in 1953 as an enlisted servicemember. He served in that capacity until 1956 when drafted and inducted into the US Army where he spent the next four years. In 1959, Captain Peterson rejoined the Naval Air Reserve and had over 39 years of total military service until his retirement in 1992.

Captain Peterson attended the University of Minnesota Institute of Technology where he attained a degree in mechanical engineering. He purchased his own business, Mississippi Welder Supply Company currently located in three states with ten different branches.

In 1984, the United States Naval Academy selected Captain Peterson to be a Blue & Gold Officer. He has represented the Naval Academy in Southeastern Minnesota for 29 years. Captain Peterson interviewed countless candidates over the years helping many highly qualified Midshipmen enter the Naval Academy.

Mr. Speaker, I seek to recognize the dedication and selfless service both Colonel and Captain Peterson provided the United States Military, the United States Service Academies, the First Congressional District of Minnesota, and our nation. For combined 70 years, Colonel and Captain Peterson assessed our best and brightest candidates, enabling these young recruits to continue the proud tradition of attending United States Service Academies. Both Colonel and Captain Peterson are patriotic Americans who deserve this nation's thanks and gratitude.

#### AMERICAN LEGION POST 316—94TH NATIONAL AMERICAN LEGION CELEBRATION

##### HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize American Legion Post 316, located in Woodstock, Georgia, which will celebrate 94 years of patriotic service on March 21, 2013.

Since the American Legion received its Congressional Charter in 1919, it has grown to more than 2.4 million members at over 14,000 posts across the world. Mr. Speaker, as the country's largest wartime veteran's organization, the National American Legion has become a leading advocate for devoted veterans, active service members, and strong communities.

In that spirit, American Legion Post 316 will honor local men and women for their exemplary service. Detective Ron Hughes, Lieutenant Matt O'Keefe, Officer Cullen Fitchett, Jenny Banas, Matt Marano, Bobby Brian Dean, James Brennan, and Eagle Scout William Harrison Stepat will receive awards for their accomplishments in Cherokee County law enforcement, firefighting, and Boy Scouts.

To American Legion Post 316, Cherokee County law enforcement, firefighters, and community leaders: On behalf of Georgia's 11th District, my deepest thanks for your service and your commitment.

#### PERSONAL EXPLANATION

##### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2013*

Ms. LEE of California. Mr. Speaker, I was not present for rollcall vote 63. Had I been able to vote, I would have voted "yes."

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 14, 2013 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

MARCH 15

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine JPMorgan Chase whale trades.

SD-G50

## MARCH 18

2 p.m.  
Committee on the Judiciary  
To hold hearings to examine how comprehensive immigration reform should address the needs of women and families.

SD-226

## MARCH 19

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine U.S. European Command, U.S. Northern Command, and U.S. Southern Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.  
Committee on Banking, Housing, and Urban Affairs  
To hold hearings to examine bipartisan solutions for house finance reform.

SD-538

Committee on Energy and Natural Resources  
To hold hearings to examine the options and challenges related to possible reauthorization and reform of two payment programs for local governments, focusing on the recently expired "Secure Rural Schools and Community Self-Determination Act" and the "Payment in Lieu of Taxes".

SD-366

Committee on Foreign Relations  
Subcommittee on Near Eastern and South and Central Asian Affairs  
To hold hearings to examine Syria's humanitarian crisis.

SD-419

Committee on the Judiciary  
Subcommittee on Antitrust, Competition Policy and Consumer Rights  
To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.

SD-226

10:30 a.m.  
Committee on Commerce, Science, and Transportation  
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard  
To hold hearings to examine developments and opportunities in United States fisheries management.

SR-253

Committee on Finance  
To hold hearings to examine the President's 2013 trade agenda.

SD-215

2:30 p.m.  
Committee on Armed Services  
Subcommittee on Emerging Threats and Capabilities  
To receive a briefing on cybersecurity threats in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed briefing in SVC-217.

SR-222

Committee on Health, Education, Labor, and Pensions  
To hold hearings to examine keeping savings in the retirement system.

SD-430

Committee on the Judiciary  
To hold hearings to examine the nominations of Gregory Alan Phillips, of Wyoming, to be United States Circuit

Judge for the Tenth Circuit, and Karol Virginia Mason, of Georgia, to be an Assistant Attorney General, Department of Justice.

SD-226

Select Committee on Intelligence  
To hold closed hearings to examine certain intelligence matters.

SH-219

3 p.m.  
Committee on Banking, Housing, and Urban Affairs  
Subcommittee on Securities, Insurance and Investment  
To hold hearings to examine streamlining regulation, improving consumer protection and increasing competition in insurance markets.

SD-538

Commission on Security and Cooperation in Europe  
To hold hearings to examine the trajectory of democracy in Hungary, focusing on Hungary's constitutional changes with a particular view to the independence of the judiciary, present-day Hungary's relationship to its Holocaust-era past, and the implications of Hungary's sweeping legal changes for civil society, including an independent media and religious organizations.

SVC-210

## MARCH 20

10 a.m.  
Committee on Commerce, Science, and Transportation  
Subcommittee on Science and Space  
To hold hearings to examine assessing the risks, impacts, and solutions for space threats.

SR-253

Committee on Finance  
To hold hearings to examine reforming the delivery system, focusing on the Center for Medicare and Medicaid Innovation.

SD-215

Committee on Health, Education, Labor, and Pensions  
Business meeting to consider an original bill entitled, "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013", and S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

SD-430

Committee on Homeland Security and Governmental Affairs  
To hold hearings to examine Hurricane Sandy, focusing on getting the recovery right and the value of mitigation.

SD-342

Committee on the Judiciary  
To hold hearings to examine the future of drones in America, focusing on law enforcement and privacy considerations.

SD-226

Committee on Veterans' Affairs  
To hold hearings to examine Veterans Affairs mental health care, focusing on ensuring timely access to high-quality care.

SR-418

2 p.m.  
Committee on the Judiciary  
To hold hearings to examine building an immigration system worthy of American values.

SD-226

2:15 p.m.  
Committee on Foreign Relations  
To hold hearings to examine counterterrorism policies and priorities, focusing on addressing the evolving threat.

SD-419

2:30 p.m.  
Committee on Commerce, Science, and Transportation  
To hold hearings to examine aviation safety, focusing on the Federal Aviation Administration's (FAA) progress on key safety initiatives.

SR-253

## MARCH 21

10 a.m.  
Committee on Homeland Security and Governmental Affairs  
To hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management.

SD-342

2:30 p.m.  
Select Committee on Intelligence  
To hold closed hearings to examine certain intelligence matters.

SH-219

## APRIL 9

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

## APRIL 11

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

## APRIL 23

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

## APRIL 25

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

## MAY 8

9:30 a.m.  
Committee on Armed Services  
Subcommittee on Airland  
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

**SENATE—Thursday, March 14, 2013**

The Senate met at 10 a.m. and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, thank You for this opportunity to commune with You. Inspire our lawmakers to daily create time when they can meet with You. Lord, keep them from becoming discouraged by the difficulty of achieving their goals, knowing that You monitor their efforts and will reward their faithfulness.

Help us all to pause and be grateful for all the blessings we receive from You each day. May we never take for granted the blessings of life, salvation, sunshine, flowers, and countless other gifts from You. Alarm us with disappointment in our souls if what we planned is less than Your best. And, Lord, we ask You to bless Francis, the new Pontiff of the Roman Catholic Church.

We pray in Your merciful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable HEIDI HEITKAMP led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 14, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Ms. HEITKAMP thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Madam President, following leader remarks, the Senate will resume consideration of H.R. 933. There will be an hour of debate equally divided and controlled on the Harkin amendment. At 11:15 this morning, or approximately 11:15, there will be a rollcall vote on the Harkin amendment. We will continue to work through the amendments to the bill throughout today's session. Senators will be notified when votes are scheduled.

Last night I filed cloture on the substitute amendment and the bill. As a result, the filing deadline for all first-degree amendments is 1 p.m. today.

**MEASURE PLACED ON THE CALENDAR—S. 558**

Mr. REID. I understand S. 558 is at the desk and due for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 558) to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity outside the United States.

Mr. REID. I object to any further proceedings with respect to this legislation.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. I thank the Chair.

**RECOGNITION OF THE MINORITY LEADER**

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

**THE BUDGET**

Mr. MCCONNELL. Yesterday I asked Senate Democrats to forward a thoughtful budget that Americans of both parties could rally around, one

that controls spending, gets our economy healthy again, and advances the serious reforms necessary to make government programs more efficient, effective, and responsive to the needs of 21st-century Americans. I asked them to please shelve the tax hikes. That is because we understand the negative effect more taxes would have on our fragile economy and the millions of Americans still looking for work. It is also because we know Washington Democrats already got \$600 billion in taxes they demanded earlier this year. Remember, that is in addition to the more than \$1 trillion they got in taxes from ObamaCare as well. So now it is time for the balance they promised. Washington does not need to tax more; it needs to finally figure out how to spend less.

I said that these things were the least Senate Democrats owed the American people, given their lack of responsibility in not producing a budget for the last 4 years. I am sorry to report that the plan they put forward yesterday will do none of these things. Instead of getting Washington spending under control, their proposed budget doubles down on the same wasteful stimulus spending we already know does not work. We have tried that. In fact, at a time when Americans believe that about half of every dollar they send to Washington is wasted, the Democratic budget would increase spending by nearly 62 percent. Their budget will do more to harm the economy than to help it, and it will let Medicare and Social Security drift ever closer to bankruptcy.

Then there is the Democrats' \$1.5 trillion tax hike—that is trillion with a "t." Let me repeat that. Any Senator who votes for that budget is voting for a \$1.5 trillion tax hike—the largest tax hike in America's history. So the Senate Democratic budget is more than just disappointing, it is extreme. It is really one of the most extreme, most leftwing budgets of the modern era.

I think it says something about today's Washington Democrats. There was a time when the Democratic Party cared about fiscal responsibility, when Democrats understood the need to be concerned about the impact their policies would have on hard-working taxpayers, a time when they would have rejected this budget as a joke. But those voices of reason have been mostly chased out of today's DC Democrats. The few who remain have been sidelined and silenced throughout the budget process. Even the chairman of the Finance Committee has been pushed aside so his fellow Democrats

can quickly ram through their massive tax hike.

It will be no surprise to hear that my conference opposes a leftwing manifesto masquerading as a responsible budget, and when Americans get a chance to digest their budget and the one House Republicans put forward earlier this week, they will see some very clear differences between a budget that balances and one that enshrines waste and cronyism; between a budget that helps bring the economy back to health and one that kills jobs; between a budget that measures compassion in how many people it helps and one that counts compassion in how many hard-earned tax dollars are sent to Washington for politicians to waste; between a budget that strengthens Medicare and one that would put Medicare even further out of reach for future generations. In short, they will see a bold, reformist Republican budget centered on their needs and an extreme Democratic budget centered on the needs of Washington bureaucrats and politicians.

I hope Senate Democrats think again before they choose to push such an extreme budget forward because I think they will find that Americans agree with Republicans on the most important point: We need to grow the economy, not the Government.

#### TRIBUTE TO JOHN MCCAIN

MR. MCCONNELL. Madam President, more than four decades ago, millions of people watched in awe as Neil Armstrong took his first steps on the Moon. I remember that day still, and I am sure many of you do. It remains one of our country's proudest moments. But not every American was able to share in the excitement. As the senior Senator from Arizona put it, when the momentous event occurred, I had no idea it was happening. I and several hundred comrades were otherwise engaged. That is because 2 years earlier, on his 23rd bombing run over Vietnam, a missile hit Lieutenant Commander MCCAIN's plane. He ejected, his body spiraling through the air until it hit water thousands of feet below—a lake right in the center of Hanoi.

An angry mob set upon him. They ripped off his clothes; they hit, kicked, and spat upon him. They bayoneted his ankle and his groin. The Senator was left with two broken arms and a broken leg, and he passed sort of in and out of consciousness. But he has never forgotten what came next, when Vietnamese forces gathered him up and took him to the so-called Hanoi Hilton. As the massive steel doors locked shut behind him, Senator MCCAIN said he felt “a deeper dread than [he has] ever felt since.”

He would remain an enemy captive for the next 5½ years, cut off from family and friends, from even the simplest

joys of life, things you and I take for granted: the aromas of Thanksgiving, the far-away thrill of cheering a hometown team on to victory, the sounds that let us know the world around us is alive with action, with movement, with hope. But JOHN MCCAIN never lost hope even when he was locked in solitary confinement and even when he was tortured. His captors poorly cast his broken arms on purpose. They broke an arm again and hung the young captive by his lifeless limbs so they could torture him some more.

Eventually, Vietnamese officials discovered he was the son of a high-ranking Navy officer and offered him a release. He turned their offers down. It was partly because he knew an early release would be used cynically by the Communist propaganda machine but, more importantly, because he refused to skip the line ahead of his fellow POWs.

It is one thing to talk about attributes such as courage and bravery in the abstract, it is quite another to demonstrate those qualities in the most trying of circumstances. It reminds me of an old saying: “The superior man is modest in his speech but exceeds in his actions.” That kind of man—well, that is just who JOHN MCCAIN is.

His campaign motto in 2008 was “Country First.” For some politicians that might have been just a slogan, but for my colleague from Arizona I know it was authentically and truly him. Senator MCCAIN still wears the scars of his long detention. He cannot raise his arms above shoulder level. One of his legs still has not fully healed. I can only imagine the weight of the memories he still must carry with him. Yet he endures—a man who has always seen his life in service, transformed from a captive of the enemy into a servant of the people.

For more than 30 years he has represented Arizona with great distinction, in both the House and Senate. He is a valued member of the Senate Republican Conference, especially when it comes to issues he cares about most passionately—defense being at the top of the list. As someone who experienced the horrors of war in the truest sense, he understands what it means to send young Americans into harm's way, and he never takes those decisions lightly.

Because he knows what it means to be in chains, he also understands what it means to be free. He was able to leave his prison behind, but for millions around the world there is no escape from suffering and despair. That is why Senator MCCAIN has always been so outspoken about his view of the responsibility we, as a free people, have to help others secure their own liberty, whether in Pyongyang, Libya, Damascus, or—a cause close to my own heart as well—Burma.

He has been absolutely unafraid to take unpopular and sometimes solitary stands on issues when he believes in the cause. He never wavered in his support for the surge in Iraq, for instance, even when others said it would take a “willing suspension of disbelief” for the policy to succeed, but it did. That is why when he speaks, others listen—even when they may not agree with him.

Senator MCCAIN provides a unique and much needed perspective in the Senate, and we are fortunate to have him as our colleague. He certainly knows I am grateful for his contributions. Let's take a moment today to mark the 40th anniversary of Senator MCCAIN's release from captivity and to thank him for his sacrifice on behalf of all of us for enduring the unendurable, for keeping faith with his fellow POWs, and for believing in our country when others had given up hope. We honor him for his service, service that began as a plebe so many years ago, and service that continues today as a Member of the Senate.

We thank you, Senator MCCAIN.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

MR. MCCAIN. Madam President, I am grateful for the kind words and sentiment expressed by my leader Senator MCCONNELL, and I appreciate very much his kind remarks. On this anniversary day, I still think the greatest honor of my life was the privilege of serving in the company of heroes who inspired all of us to things that otherwise we may not have been capable of. It has been a great honor for me to serve with Senator MCCONNELL as my leader in the Senate. On this particular day, I appreciate his very kind sentiments.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

MS. MIKULSKI. Madam President, what a wonderful speech. I am proud to serve with Senator MCCAIN. America has so few heroes. America needs all the heroes we can get, and people whom we can identify with—not comic book figures wearing weird costumes. There are men and women who put themselves in harm's way and do daring and dashing things for the good of other people, and it is just an honor. We have our dustups, but that is part of the fun.

I just want to salute Senator MCCAIN in the warmest and most sincere way. God bless Senator MCCAIN, and we wish him good health—and even a good voice and occasionally a good amendment. Again, it is an honor.

If I might speak to the Republican leader, I am so glad Senator MCCONNELL did this today because I think we need to take a pause to understand why we are in it together, why we should respect each other, work with each other, and take a moment or two to recall a great story about a great hero.



The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank the Senator from Maryland. I can assure her that if she and I had served together in that place faraway, she would have been a very tough and courageous resister.

Ms. MIKULSKI. I thank the Senator.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Harkin-Cardin amendment No. 53 (to amendment No. 26), of a perfecting nature.

Inhofe amendment No. 29 (to amendment No. 26), to prohibit the expenditure of Federal funds to enforce the spill prevention, control, and countermeasure rule of the Environmental Protection Agency against farmers.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I have a unanimous consent request that I understand has been cleared on both sides of the aisle.

I ask unanimous consent that it now be in order for Senator COBURN to call up his amendment numbered 66; that there be 60 minutes equally divided in the usual form for debate on the Harkin and Coburn amendments to run concurrently; and that upon the use or yielding back of time, the Senate proceed to vote in relation to the Harkin and Coburn amendments in the order offered; that there be no amendments in order to either amendment prior to the votes; and both amendments to be subject to a 60-affirmative-vote threshold.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I note that the Senator from Oklahoma is on the floor.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

#### AMENDMENT NO. 66 TO AMENDMENT NO. 26

Mr. COBURN. Madam President, I ask that the pending amendment be set aside and amendment No. 66 be called up.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 66.

The amendment is as follows:

(Purpose: To temporarily freeze the hiring of nonessential Federal employees)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ FREEZE ON HIRING OF NONESSENTIAL FEDERAL EMPLOYEES.

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available under division A, B, C, D, E, or F of this Act may be used by any Executive agency (as defined under section 105 of title 5, United States Code, except that such term shall not include the Government Accountability Office) to hire any new employee.

(b) EXCEPTION.—Subsection (a) shall not apply to the hiring of an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

Mr. COBURN. Madam President, this is a fairly straightforward amendment. It actually follows the guidelines of the recommendations of the Office of Management and Budget. The administration claims that during this sequestration period we will have to furlough essential workers, which will negatively impact the daily lives of the American people.

Despite dire warnings to cut TSA agents—by the way, Director Pistole thinks they will be just fine, which is totally opposite of what the rest of the administration has said. Air traffic controllers, food inspectors, and thousands of new Federal jobs have been posted since the sequester went into effect.

Let me spend a minute on this issue. Since the sequester has been in effect, the Department of Treasury is looking to hire a leadership development specialist with a salary of \$182,000. The FDA advertised for a social media management service to streamline management of multiple social media platforms. There are 23 openings on the Federal jobs list for recreation, which includes: recreation aide, recreation specialist, and recreation assistant. The Air Force is looking to hire several full-time painters. There is a search to pay \$165,000 for a director of history and museum policies and programs.

The list continues: The Department of Treasury is currently advertising for an outreach manager. The Department of Labor is looking for a staff assistant at \$81,000 a year to answer the phone. There is a search for a policy coordinator for the Department of Health and Human Services to attend and facilitate meetings at \$81,000 a year. There

is an opening for a director for the Air Force history and museums policies and programs at \$165,000 a year. There is another opening for an analyst for the Legislative Affairs Office at the Marine Corps for \$90,000 a year. The Department of Agriculture is looking for a director of the government employee services at a range of \$179,000 a year.

There is an opening for counsel for the Morris K. Udall Scholarship Foundation at \$155,000 a year, an opening for an executive assistant at the Department of Agriculture Forest Service to prepare itineraries for travel plans, an opening for an executive staff officer for the Air Force to represent the director of staff at meetings to write draft reports and memos at \$93,000.

These are all nonpriority hirings at a time when we are in sequester. What this amendment would do is simply implement OMB's guidance and freeze hiring for nonessential Federal positions during sequestration but still allow hiring of employees defined by the Office of Personnel Management as exempted or emergency personnel.

If this amendment does not freeze hiring of exempted or emergency employees as defined by OPM—and we all know what that means—there is also an exemption in here that gives agencies the flexibility to know which positions are critical to performing duties and allows their progression.

Right now the agencies are not following OMB's guidance. We hear about possible furloughs, but a good portion of those furloughs would never be necessary if, in fact, the agencies would follow OMB's guidance. The government is seeking to hire travel specialists, recreation aides, public affairs specialists, outreach managers, librarians, historians, administrative assistants, and many other nonessential positions.

The Department of Health and Human Services has posted a job opening for a travel specialist with a salary of \$97,000 a year, and the job is to obtain domestic and international travel for HHS officials. It is not essential to their overall mission and actually facilitates more travel, which is one of the things also recommended by OMB in their guidance that they are not to do.

All we are saying is follow the OMB guidance in freezing nonessential new hiring and we could prevent furloughs to the government workers carrying out essential services and mission-critical duties today.

I have no question that some of these positions can be helpful to the agency which they have advertised for, but they are not necessary at this time until we get past this pothole in the road. Canceling job openings at the FAA of two community planners and four management program assistants would spare 1,000 air traffic controllers from furlough. Let me say that again.



Just canceling and not hiring these four people at FAA could affect 1,000 Federal employees. Canceling just one job opening for a librarian at the Department of Agriculture could offset one furlough a day for as many as 750 entry-level workers at the Department of Agriculture.

What we are asking is simply for the agencies to follow the guidance that has already been out there, and we would mandate that as part of this continuing resolution omnibus appropriations bill.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise in opposition to the Coburn amendment. I am not going to go into the process of wanting to keep the bill as free of amendments as possible which has been something the House has requested us to do. This is the continuing resolution. It is not the authorization legislation and so on. We have to get this funded for the rest of the fiscal year 2013.

I wish to comment about the Senator from Oklahoma in that he is often on to something very good. Sometimes we are so worried about clinging to party positions we don't listen to one another. He has been a big help to me on my Commerce-Justice-Science bill, where we uncovered just ridiculous catering situations, and we had a very good amendment one time that addressed an agency paying \$4 for each meatball at some reception. I mean, truly folly, truly stupidity. So at this time, whether it is big government or small government but smart government, we do have to have a sense of frugality.

However, I will come back to this: The Coburn amendment would propose a hiring freeze on all Federal employees except those deemed essential.

In late February, OMB issued guidance instructing agencies to apply increased scrutiny to areas such as new hiring and to ensure that such actions were taken only when vital to carrying out the agency's mission as a result of the uncertainty in terms of agencies facing a possible government shutdown on March 27 and the Draconian sword of sequester that is already underway. The Coburn amendment would force agencies to rely on contracting out functions the Federal Government should be handling or that are more expensive to outsource simply because they are not allowed to hire necessary staff.

We can debate essentials, but we are not going to do that this morning. What is an essential Federal employee? I have close to 300 people working as Federal prison guards in Garrett County this morning. They have increasingly violent prisons. We are increasingly overcrowded because of the skimpy funding that even I and the

Justice Department have to put into the prisons. We had a prison guard killed just a few weeks ago in our neighboring State of Pennsylvania.

In any organization, whether it is a Federal agency or Microsoft, there might be a position we don't want or need or when we hear about it, it seems to have no value. Let's take the travel specialist. I am not standing here with a manual of all the civil service jobs, but here is what I think a travel specialist does.

The Department of HHS has to travel, whether it is the CDC, whether it is NIH. They are involved with other agencies in other parts of the country and they are involved with counterparts in other parts of the world. They have to get the best deal when they travel. How many of us, when we have tried to book an airline—booking an airline is similar to commodity trading; one day it is this, one minute it is that if I call Delta. Maybe American is going the way I want to go, but they only land at 7:17, when I have to be there at 12:14. So it is akin to being a commodity trader. Should Sebelius be doing that on her own? I don't think so. Should the head of CDC be doing that? No. They need a travel specialist who knows how to work it and maybe, in the long run, provide safe travel.

I support the direction the Senator is going in. He told me something I didn't know about, where some of these VA international conferences take over 50 people, for which I don't know what more than 50 people would do. So he is on the right track with many things. I think we have to be very careful when we are dealing with the entire civil service—millions of people, 2 million people who work for the Federal Government—and put a freeze on them. Some Federal agencies have had a hiring freeze for some time. The Department of Defense is already under a civilian hiring freeze.

It is important to recognize a hiring freeze would only have limited savings. A hiring freeze does not solve these problems, and it is just one more blow to a battered civil service. Remember, we have had civil service pay freezes in effect. So we have now frozen their pay for several years. They are facing increased costs in their pension program and now they are going to face furlough, and then we are going to tell them we don't think a lot of you are essential.

I come back to what I said a few days ago. If we are going to have a democratic government, we need to have an independent civil service. We might not always like what they do. We might not like every position that is in an agency. We need a civil service that goes beyond party, goes beyond the administration, and performs their jobs based on educational qualification and a skill set, and one that is meritocracy based. We then can focus on making

sure we have the best civil service in the world so we can point to what a real civil service is; thereby, encouraging new, emerging democracies to be able to follow our lead.

I hope we do not accept the Coburn amendment. I hope if we are going to talk about the size of the government, we should do that next week on the budget bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. First of all, I am so excited with the chairman and ranking member of the Appropriations Committee. I have to say, since I have been in the Senate, I have found these two individuals more than capable to work with and more than willing to work with me and I wish to congratulate them on bringing their bill to the floor.

I have to very adamantly disagree because I think the chairman of the committee has missed my point. Every American family over the last 5 years has been making tough decisions about priorities. By not hiring some of what most Americans—a wall can get painted 6 months later. It doesn't have to be painted today. As a matter of fact, if we go over to all the Senate and House office buildings, we see the Architect of the Capitol repainting all the walls, with wet signs out there, while we can't let the visitors into our buildings. There is something wrong with us in the way we are managing. We are painting walls that don't have to be painted at the same time we make citizens wait in line for an hour and a half to get into our buildings.

It is about priorities. The fact is, if we don't fill some of these superfluous positions that are not absolutely necessary right now, many Federal employees will not get furloughed. That is the point I am making. I can't believe we have to have a research librarian right now at the Air Force at a time when we don't have the money to put our pilots in the air to keep them trained.

So we are not talking about essential employees. By the way, essential and excepted employees are prison guards. Not one of them will be furloughed. So if we care about Federal employees, we do not want to spend money on positions that are truly not necessary right now, given the priorities, so the rest of the Federal workforce can be there.

Let me go back through this list again. Is it important to hire a lawyer for the Morris K. Udall Scholarship Foundation at a salary of \$155,000 right now? Is that important? How many people in the Federal Government would that keep from being furloughed and the services continue if we don't fill that position? How about an executive assistant to the Department of Agriculture Forest Service to prepare itineraries and briefing and information material packages at \$57,000.

What we don't get is all the rest of America is doing this already and now the OMB has recommended we do it and the agencies will not do it. We ought to tell them to do it for the benefit of the Federal employees who are working for us right now because they are the ones who are going to get furloughed. By not hiring these absolutely—I don't doubt they are positions we can use and are effective in many areas, but they are not a priority right now. I would think the priority right now would be having the people we have employed working.

How about a leadership development specialist at Treasury; is that really a priority right now, at \$182,000 a year? That is a priority, while laying off IRS employees so people get their refund back? Tell me which one is more important. I would think the American taxpayers would rather get an answer than a busy signal when they call the IRS versus us hiring a leadership development specialist. There are 23 openings related to recreation at the FDA right now—for recreation. Is that truly a priority for us right now?

We have a 60-vote limit on this. I am fine with a 60-vote threshold. But America is going to vote 80 percent or 90 percent with what I am recommending. We have a 60-vote threshold so we can make sure it doesn't happen, so we don't apply priorities, so we don't apply common sense, and everybody knows that if this was at a 50-vote margin, it would fly through here. The reason it is 60 is so we can protect people politically and not do the best right thing for America.

This bill is going to go through here. We are going to pass it. The government isn't going to be shut down. We are going to conference it and get it worked out. Senator SHELBY and Senator MIKULSKI will get that job done. We have absolute confidence in them.

This isn't a deal killer; this is common sense. This is what every business, every family in America is doing right now. They don't spend money they don't have on things that aren't absolutely necessary, and that is all this amendment does.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COBURN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent I be allowed to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, the first amendment vote today will be on the amendment I laid down yesterday on the Labor-HHS part of this so-called continuing resolution.

As I pointed out yesterday, the amount of money I am dealing with in my amendment is exactly what is in the CR. There is no additional money in there, but you need to understand whoever negotiated this package kept Labor-HHS, NIH, and others in a CR rather than in a bill form.

Interestingly enough, in the package before us Defense receives a full-length appropriations bill, as well as Homeland Security, Agriculture, Military Construction, Commerce-Justice-Science. They receive a full appropriations bill but not Labor, Health and Human Services, Education and Related Agencies. Interesting.

The one bill which speaks to educating our young, ensuring working families have adequate childcare protection, increasing our medical research to NIH, protecting food safety and drug safety through the Centers for Disease Control and Prevention—this must be on autopilot from last year and the year before. Therefore, my amendment costs exactly what is in the underlying CR.

What is in this amendment was agreed upon by the House Democrats and House Republicans, Senate Republicans, Senate Democrats in our negotiations last December in the Appropriations Committee.

There is a lot of talk about being bipartisan around here. We engaged in bipartisan negotiations last fall. It took us months, and we reached an agreement in December. That is bipartisan work. My amendment mirrors exactly what that agreement was. I am told now all Republicans are going to vote no. Why? Why, I ask?

The Individuals with Disabilities Education Act under the CR contains no increase. Under my amendment, there would be a \$125 million increase.

Title I for poor kids in school has a \$107 million increase in my amendment and no increase in the underlying bill.

NIH in the underlying bill contains a \$71 million increase and under my amendment a \$211 million increase.

Childcare in the underlying bill is \$50 million and my amendment is \$107 million.

AIDS drugs, there is no increase in the underlying bill but a \$29 million increase in my amendment.

These are things we hammered out through tough negotiations last December.

I know the Senator from Alabama has said there were some open items we didn't include. No, of course I didn't include open items, because they weren't agreed to. What I have in my amendment is what we agreed to, with one exception. As I said yesterday, there is no additional funding for health care

reform, which Republicans are objecting to. It is not in my amendment, and still they are objecting.

Republicans say this amendment will kill the whole package. I must ask why funding these and keeping within the same dollar level as in the underlying bill kills the bill?

Chairman ROGERS, a Republican on the House side, helped negotiate these numbers last December. I hear a lot of talk on both sides of the aisle about how much they support NIH, how much they support biomedical research. I say to my Republican friends, here is the time to prove it, \$211 million versus \$71 million. There is no increase in my amendment of the underlying bill at all. Because we did a bill rather than a CR, we may move numbers around a little bit.

I want to know, where are the champions of NIH? Where are they? This is the chance to vote on it and not increase spending one single dime.

I would point out a number of medical groups and research groups have endorsed this amendment: the American Cancer Society, the American Dental Association, the American Diabetes Association, the American Heart Association, the Association of American Medical Colleges, BIO, Parkinson's Action Network, and more. Almost 300 patient advocacy groups and scientific societies support this amendment.

I ask unanimous consent a list of these groups be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### GROUPS SUPPORTING HARKIN AMENDMENT

Ad Hoc Group for Medical Research Funding, AIDS Institute, AIDS United, American Association of Community Colleges, American Association of School Administrators, American Cancer Society, American Dental Association, American Diabetes Association, American Federation of Government Employees, AFL-CIO, AFSCME, American Federation of Teachers American Heart Association.

Association of American Medical Colleges, Association of Assistive Technology Act Programs, Association of Community College Trustees, Association of Farmworker Opportunity Programs, BIO, Center for Law and Social Policy, Child Care Aware of America, Coalition on Human Needs, College Board, Committee for Education Funding, Community Action Partnership, Council for Adult and Experiential Learning, Council for Advancement of Adult Literacy.

Corporate Voices for Working Families, Corporation for a Skilled Workforce, Council for Exceptional Children, Council for Opportunity in Education (TRIO), Council of Chief State School Officers, Council of the Great City Schools, Early Care and Education Consortium, First Five Years Fund, Friends of the National Institute of Dental and Craniofacial Research (FNIDCR), Great City Schools, Insight Center for Community Economic Development, Jobs for the Future, National Association of Community Health Centers (NACHC).

National Association of Federally Impacted Schools (NAFIS), National Association of State Alcohol & Drug Abuse Directors, National Association for the Education of Young Children, National Board for Professional Teaching Standards, National Coalition for Literacy, National College Transition Network at World Education, Inc., National Council for Workforce Education, National Education Association, National Head Start Association, National League of Cities, National Network to End Domestic Violence, National PTA.

National School Boards Association, National Skills Coalition, National Title I Association, National Transitions of Care Coalition, National Women's Law Center, Ovarian Cancer National Alliance, Parkinson's Action Network, PACER Center (Minnesota), Sargent Shriver National Center on Poverty Law, Teach for America, The Corps Network, Trust for America's Health, Wider Opportunities for Women, Zero to Three.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, again I say why would this amendment kill the bill? It was agreed to by the distinguished chairman of the House Appropriations Committee, Chairman ROGERS, last December. This is what we agreed to. Why is it the one bill in Appropriations which speaks to the human needs of our country, the educational needs of our kids, the scientific and research needs we need for addressing some of our chronic illnesses in this country—why is this bill singled out? Why is it singled out to not have a full-standing bill but must be in the continuing resolution at the same level on autopilot as last year? I submit we can make these decisions. We can decide we are going to do these kinds of increases, keeping within the same dollar level as we have in the underlying bill.

I don't believe this will kill the bill. I believe those who don't want these increases, who don't want to see an increase in NIH will hold us up and say, yes, it will kill the bill. This is an idle threat. That is what it is, simply an idle threat. This is the third year now where they have put these programs on autopilot.

I daresay if we don't do this, this will be the last, we have seen the last of the Labor-HHS appropriations bills ever passed in this body or the other body for many years into the future. We will still be on autopilot. Now is the time to step up, break that trend of putting us on autopilot every year. Now is the time for us to make these decisions. I hope the champions of NIH, who say they are champions of NIH, will step up and support this amendment.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 53 offered by the Senator from Iowa, Mr. HARKIN.

Mr. HARKIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

VOTE ON AMENDMENT NO. 66

Under the previous order, the question occurs on amendment No. 66, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 37 Leg.]

YEAS—45

Alexander	Fischer	McCaskill
Ayotte	Flake	McConnell
Barrasso	Graham	Moran
Blunt	Grassley	Paul
Boozman	Hagan	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NAYS—54

Baldwin	Gillibrand	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Cowan	Menendez	Udall (NM)
Donnelly	Merkley	Warner
Durbin	Mikulski	Warren
Feinstein	Murkowski	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MIKULSKI. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BROWN. Madam President, I ask unanimous consent to speak for up to 2 minutes. After my remarks, I ask that the senior Senator from Arizona be recognized.

Mr. WHITEHOUSE. Madam President, I ask that I be recognized when the senior Senator from Arizona has finished his remarks.

The PRESIDING OFFICER. Is there objection to the modified request? Without objection, it is so ordered.

Mr. BROWN. Madam President, I don't yet want to call up my amendment—I have been working with Chairman MIKULSKI on this—until they get an agreement. However, I will discuss for a moment amendment No. 83, which I am cosponsoring with Senator ISAKSON of Georgia. It does help us restore what Senator MIKULSKI has been working toward, which is regular order in this Chamber.

This is an amendment having to do with some language dealing with a pilot project with customs and privatization that Senator LANDRIEU has supported. I have spoken to Senator LANDRIEU about this issue, and we need to talk through some other things. If we are going to do regular order the way we need to, this language should come in front of the Finance Committee to

work out these issues, where Senator ISAKSON and I sit. I think we should not succumb to the temptation to legislate through appropriations, and this would be one way of doing that.

Later I will ask my colleagues to support amendment No. 83, sponsored by me and Senator ISAKSON. I appreciate the forbearance of Senator MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. BROWN. I yield the floor.

Mr. MCCAIN. Madam President, I thank the chairwoman, Senator MIKULSKI, for allowing me to speak as if in morning business.

SYRIA

On March 15, 2011, thousands of Syrian men, women, and children in the city of Deraa gathered together in a public square that is known today as Dignity Square. They came together to peacefully protest against the Syrian regime's decision to arrest and torture a group of 15 teenagers whose crime had been exercising their universally recognized rights to free speech. Their crime was speaking truth to those in power in Syria. They sketched on the wall of their school a statement that remains true in Syria today: "The people want the regime to fall."

Since these peaceful calls for change were first heard in Syria 2 years ago, more than 70,000 men, women, and children have been massacred by the Assad regime. More than 1 million refugees have fled their country at a rate of 8,000 people each day as of last month, and 2.5 million people have been displaced within their country. Only the genocide in Rwanda and the first Iraq war have driven more people to refugee status over a similar period of time.

These facts and figures are startling. Behind each statistic is a profound human tragedy to which we cannot grow numb as the conflict in Syria presses on into a third year. I certainly cannot.

Last April Senator Joe Lieberman and I visited a Syrian refugee camp in southern Turkey, and earlier this year I traveled together with Senators WHITEHOUSE, AYOTTE, BLUMENTHAL, and COONS to the Zaatari refugee camp in Jordan. I have seen my share of suffering and death, but the horror I saw in those camps and the stories I heard still haunt me today. There were men who had lost all their children, women and girls who had been gang-raped, children who had been tortured, and none of these were the random acts of cruelty that sadly occur in war. Syrian Army defectors told us that killing, raping, and torture was what they were instructed to do as a tactic of terror and intimidation. So if I get a little emotional when I talk about Syria, that is why.

The cost—both strategic and humanitarian—of this conflict has been and will continue to be devastating. Earlier

this week UNICEF released a report detailing the impact of Syria's 2-year conflict on the children of Syria. The report states:

In Syria, children have been exposed to grave human rights violations, including killing and maiming, sexual violence, torture, arbitrary detention, recruitment and use by armed forces and groups, and exposure to explosive remnants of war. . . . As millions of children inside Syria and across the region witness their past and their future disappear amidst the rubble and destruction of this prolonged conflict, the risk of them becoming a lost generation grows every day.

The conflict in Syria is breeding a lost generation—a whole new generation of extremists. Earlier this year I met a Syrian teacher in the Zaatari refugee camp in Jordan who told me that the generation of young Syrians growing up in these camps and inside Syria will take revenge on those who did nothing to help them in their hour of greatest need. We should be ashamed of our collective failure to come to the aid of the Syrian people. But more than that, we should be deeply concerned. As much as I want to disagree with that Syrian teacher, I am haunted by the belief that she is exactly right.

As the conflict of Syria enters its third year, we cannot lose sight of the clear trend toward escalation both in the nature and quality of the killing. In recent months the use of SCUD missiles against civilians fits into a pattern of forced escalation by the Assad regime over the past year.

In January 2012 the regime began to use artillery as Syrian opposition forces became more capable against regime ground forces. In June 2012 Assad escalated his use of air power because the rebels were gaining control of the countryside. Today the regime is intensifying its air campaign by firing SCUD missiles at civilian populations, which is taking a deadly toll, particularly in the north where thousands of civilians have been killed over the past several weeks.

The regime's escalation to Scud missiles—which can be used as delivery vehicles for chemical weapons—should be alarming to us all. According to a recent report from the Washington Institute for Near East Policy, Scud missiles can deliver a 1,000-pound, high-explosive warhead or a chemical agent and, as the report states:

The rebels have no means of knowing when the missiles have been fired, where they are going, or what kinds of warheads are on board. In fact, even with good intelligence collection, there is no reliable way to know which Scuds have been uploaded with chemical warheads.

Let there be no doubt that the threat of chemical weapons is real. I note this morning's headline from the Associated Press: "Israel's Military Intelligence Chief says Syria's Assad readying to use chemical weapons."

I ask unanimous consent that this article from the Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ISRAEL'S MILITARY INTELLIGENCE CHIEF SAYS SYRIA'S ASSAD READYING TO USE CHEMICAL WEAPONS

(By Associated Press)

[From the Washington Post, Mar. 14, 2013]

JERUSALEM.—Israel's military intelligence chief says Syria's embattled president, Bashar Assad, is preparing to use chemical weapons.

Maj. Gen. Aviv Kochavi told a security conference in the coastal town of Herzliya that Assad is stepping up his offensive against rebels trying to oust him.

Kochavi claims Assad is making advanced preparations to use chemical weapons, but has not yet given the order to deploy them.

He did not disclose information about why he thinks Assad is preparing to use them.

Israel has long expressed concerns that Assad's stockpile of chemical weapons could end up in the hands of groups hostile to Israel like Hezbollah or al-Qaida inspired organizations.

Israel has kept out of Syria's civil war, but it is concerned that violence could spill over the border into northern Israel.

Mr. MCCAIN. This is a dangerous and unfair fight, and the costs to the United States are significant. Russia and Iran are Assad's lifelines in this brutal fight. Iran continues to use Iraqi airspace to fly fighters and large quantities of weapons to Syria to help Assad with the killing. As many as 50,000 Syrians, militiamen, in Syria are being supported by Tehran and Hezbollah, according to a Washington Post report. Meanwhile, Russia continues to ship heavy weapons to Assad—including, as senior Obama administration officials have stated, the very helicopter gunships the regime is currently using to bomb and shatter civilians.

As the United States and the international community stand idle, the consequences are clear. Syria will become a failed State in the heart of the Middle East, threatening both our ally Israel and our NATO ally Turkey. With or without Assad, the country will continue to devolve into a full-scale civil war that is increasingly sectarian, repressive, and unstable. In the meantime, more and more ungoverned space will come under the control of al-Qaida and its allies. Violence and radicalism will spill even more into Lebanon and Iraq, fueling sectarian conflicts that are still burning in both countries. Syria will turn into a battlefield between Sunni and Shia extremists, each backed by foreign powers which will ignite sectarian tensions from North America to the gulf and risk a wider regional conflict. This is the course we are on in Syria, and in the absence of international action, the situation will only get worse.

Although Secretary Kerry and other administration officials have said our goal in Syria is to "change Assad's calculus" and make room for a negotiated transition, the truth is, in the absence

of a shift in the balance of military power on the ground, that is a hopeless goal. What the administration does not seem to realize is what President Bill Clinton came to understand in Bosnia—that a diplomatic resolution in conflict such as this is not possible until the military balance of power changes on the ground. As long as a murderous dictator, be it Slobodan Milosevic or Bashar al-Assad, believes he is winning on the battlefield, he has no incentive to stop fighting and negotiate.

Our European powers—led by the French and British—seem to understand this clearly, which is why they are urgently working to persuade their allies to lift an embargo to supply arms to the Syrian opposition. They understand that only a change in military power will bring this conflict to an end.

The same is true for the regime's foreign supporters. Despite destroying Russia's reputation in the Arab world, the Russian Government has stuck with Assad for nearly 2 years now. What makes us think President Putin is about to change course now, when Assad is still a dominant power on the ground?

The Syrian opposition needs our help to change the balance of power on the ground. I have had the honor of meeting one of the key leaders of the Syrian opposition led by a man named Sheikh al-Khatib, the President of the Syrian National Coalition. Sheikh al-Khatib and the national coalition are doing everything the international community asks of them. They have worked to bring together credible moderate members of the Syrian opposition. They are building institutions, both civilian and military.

While the United States and our partners deserve credit in helping and pushing them to do so, when the opposition coalition asks responsible nations for support—when they ask us to help them in coordinating the distribution of aid, governing the liberated areas, and ultimately forming a transitional government—when they have asked us for this assistance, what have we done for them? Next to nothing.

Sheikh al-Khatib and the other moderate leaders of the Syrian opposition are struggling desperately to be relevant to their fellow citizens who are fighting and dying every day inside the country. I believe most Syrians do not support al-Qaida. But many of us in the West are still mired in our own internal debates about whether to provide nonlethal assistance or whether to continue to provide assistance through international NGOs—many of which, I would add, still function with the permission of the Assad regime and deliver most of their aid in Damascus—the fight in Syria is being won by extremists.

Al-Qaida fighters are showing up in greater numbers in the liberated areas

of Syria with capable fighters and food and medicine and other aid. Is it any wonder, then, that extremists are gaining ground in Syria?

It is this simple: What is left of the moderate Syrian opposition is in a race against time to survive the radicalization of this conflict and, right now, the world is failing them. The longer we fail them, the worse the outcome will be for us all.

The time to act is long overdue, but it is not too late. I know many wish to avoid this reality by telling themselves and others there is nothing we can do in Syria, that our only options are to let the Syrians fight it out alone to the bitter end or to launch a massive and costly military intervention. But the truth is there are many options that we have the capability to undertake that would save lives and protect our important strategic interests in Syria.

First, the fact that the opposition in Syria is doing better militarily thanks to external support seems to validate what many of us have been arguing for months; that opposition forces have enough organization to be supportable and that our support can help them to further improve their organization and command and control. This is an argument for doing more, not less, to aid the rebel fighters in Syria, including providing responsible members of the armed opposition who share our goals and our values with the arms they need to succeed.

In a hearing of the Senate Armed Services Committee last month, I asked Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff Martin Dempsey whether they agreed with a proposal reportedly developed by former Secretary of State Hillary Clinton and former CIA Director David Petraeus last summer to have the United States arm and train members of the Syrian opposition. I was very pleased to hear both Secretary Panetta and Chairman Dempsey state that they supported this proposal which, unfortunately, was refused by the White House. What this means is that the President overruled the senior leaders of his own national security team who were in unanimous agreement that America needs to take greater action to change the military balance of power in Syria.

Beyond providing arms to the opposition, we have other capabilities at our disposal that could make a decisive difference on the ground and save lives. I will give just two examples. NATO has deployed PATRIOT missile batteries in Turkey that are capable of shooting down Syrian aircraft as far south as Aleppo. We could establish a limited no-fly zone using these systems and, believe me, after the first few Syrian aircraft are shot down, I doubt Assad's pilots will be lining up to fly missions anymore. Another option would be to destroy Assad's aircraft on their run-

ways with cruise missiles and other standoff weapons. Either way, we can take Syrian air power off the table.

Once defended, these safe havens could become platforms for increased deliveries of food and medicine, communications equipment, doctors to treat the wounded, and other nonlethal assistance. They could also serve as staging areas for armed opposition groups to receive battlefield intelligence, body armor, and weapons—from small arms and ammunition to antitank rockets—and to train and organize themselves more effectively, perhaps with foreign assistance. The goal would be to expand the reach of these safe havens across more of the country.

Would these actions immediately end the conflict? No. But would they save lives in Syria? Would they give the moderate opposition a better chance to succeed and marginalize the radicals? Would they help the West regain the trust of the Syrian people? Do we have the capability to make a difference? To me, the answer to all these questions is clearly yes. Yes, there are risks to greater involvement in Syria. The opposition is still struggling to get organized. Al-Qaida and the other extremists are working to hijack the revolution, and there are already reports of reprisal killings of Alawites. These risks are real and serious, but the risks of continuing to do nothing are worse.

What is needed is American leadership. What is needed is a reminder of the words Abraham Lincoln spoke in his annual message to Congress in 1862: "We—even we here—hold the power, and bear the responsibility."

As we mark 2 years of this horrific conflict, if there were ever a case that should remind us of this responsibility, it is that of Syria.

A few months ago, The Washington Post interviewed a young Bosnian man who had survived the genocide of Srebrenica in 1995. This is how he sees the ongoing slaughter in Syria:

It's bazaar how "never again" has come to mean "again and again," he said. It's obvious that we live in a world where Srebrenicas are still possible. What's happening in Syria today is almost identical to what happened in Bosnia two decades ago.

He could not be more correct. The conflict in Syria today is nearly indistinguishable from that in Bosnia during the 1990s. As Leon Wieseltier wrote earlier this week in "The New Republic"—I ask unanimous consent that the complete column by Leon Wieseltier be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SYRIA, BOSNIA, AND THE OLD MISTAKES  
(By Leon Wieseltier)

"One could never have supposed that, after passing through so many trials, after being schooled by the skepticism of our times, we had so much left in our souls to be destroyed." Alexander Herzen wrote those

words in 1848, after he witnessed the savage crackdown on the workers' rebellion in Paris. Having been disabused by history of any illusions about the probabilities of justice, the great man was surprised to discover that he had not yet been completely disabused—that his belief in the betterment of human affairs, however mutilated by experience, was still intact; and what appraised him of his irreducible idealism was his broken heart. In 1995, I cited Herzen's pessimistic optimism, or optimistic pessimism, in an angry article about Bosnia and the Western failure there, and glossed the lacerating sentence this way: "They did not suppose that they had so much left in their souls to be destroyed! What basis for bitterness do those words leave us, who have witnessed atrocities of which the nineteenth century only dreamed, who have watched totalitarian slaughter give way to post-totalitarian slaughter, and the racial and tribal wars of empire give way to the racial and tribal wars of empire's aftermath? But bitterness is regularly refreshed . . ." Forgive my quotation of myself, but I have been reading in the old Bosnian materials, in the writings of the reporters and the intellectuals who campaigned for American action to stop a genocide. I have been doing so because my Bosnian bitterness has been refreshed by Syria.

I am finding crushing parallels: a president who is satisfied to be a bystander, and ornaments his prevarications with high moral pronouncements; an extenuation of American passivity by appeals to insurmountable complexities and obscurities on the ground, and to ethnic and religious divisions too deep and too old to be modified by statecraft, and to ominous warnings of unanticipated consequences, as if consequences are ever all anticipated; an arms embargo against the people who require arms most, who are the victims of state power; the use of rape and torture and murder against civilians as open instruments of war; the universal knowledge of crimes against humanity and the failure of that knowledge to affect the policy-making will; the dailiness of the atrocity, its unimpeded progress, the long duration of our shame in doing nothing about it. The parallels are not perfect, of course. Only 70,000 people have been killed in Syria, so what's the rush? Strategically speaking, moreover, the imperative to intervene in Syria is far more considerable than the imperative to intervene in Bosnia was. Assad is the client of Iran and the patron of Hezbollah: his destruction is an American dream. But his replacement by an Al Qaeda regime is an American nightmare, and our incomprehensible refusal to arm the Syrian rebels who oppose Al Qaeda even as they oppose Assad will have the effect of bringing the nightmare to pass. Secretary of State Kerry seems to desire a new Syrian policy, but he is busily giving our side in the conflict—if we are to have a side by the time this is over—everything but what it really needs.

We must mark an anniversary. It has been two years since fifteen teenagers in the town of Dara'a scrawled "the people want the regime to fall" on the wall of a school, and were arrested and then tortured for their temerity. The protest that erupted in Dara'a, in the area in front of a mosque that was dubbed "Dignity Square," was a democratic rebellion, and it swiftly spread. In Dara'a it was met by a crackdown whose brutalities were documented in an unforgettablely chilling report by Human Rights Watch a few months later. Dissolve now to Aleppo in ruins, where the dictator is hurling ballistic missiles at his own population. Two years.

The Obama administration may as well not have existed. Though two years into the Bosnian genocide Bill Clinton was still more than a year away from bestirring himself morally and militarily, so what's the rush? Clinton acted after the massacre at Srebrenica. But Syria has already had its Srebrenicas, and Obama is still elaborate and unmoved. He also worries about a Russian response to American action, when Putin's obstructionism in fact perfectly suits Obama's preference for American inaction. People around the White House tell me that Syria is agonizing for him. So what? It is hard to admire the agony of the bystander, especially if the bystander has the capability to act against the horror. Obama likes to drape himself in Lincoln's language, so he should ponder these words, from the Annual Message to Congress in 1862: "We—even we here—hold the power, and bear the responsibility." Obama wants the power but not the responsibility. Unfortunately for him, the one brings the other.

Not even the advent of Barack Obama can abrogate what was learned in Bosnia in the antiquity of the twentieth century: that in the case of moral emergencies, those with the ability to act have the duty to act; that even justified action is attended by uncertainty; that military force can do good as well as evil, and that war is not the only, or the worst, evil; that the withdrawal of the United States from global leadership is an invitation to tyranny and inhumanity; that American foreign policy must be animated by principle as well by prudence, though there is nothing historically imprudent about setting oneself resolutely on the side of decency and democracy. "How do I weigh tens of thousands who've been killed in Syria versus the tens of thousands who are currently being killed in the Congo?" Obama recently told this magazine, as an example of how he "wrestle[s]" with the problem. Do not be fooled. It is not wrestling. It is casuistry. He has no intention of coming to the assistance of Congo, either. Obama is a strong cosmopolitan but a weak internationalist. And he is, with his inclination to disinvolvement, and his almost clinical confidence in his own sagacity, implicating us in a disgrace, even we here.

Mr. MCCAIN. Again, as Leon Wieseltier wrote earlier this week in the *New Republic*:

I am finding crushing parallels: A President who is satisfied to be a bystander, and ornaments his prevarications with high moral pronouncements; an extenuation of American passivity by appeals to insurmountable complexities and obscurities on the ground, and to ethnic and religious divisions too deep and too old to be modified by statecraft, and to ominous warnings of anticipated consequences, as if consequences are ever all anticipated; an arms embargo against the people who require arms most, who are the victims of state power; the use of rape and torture and murder against civilians as open instruments of war; the universal knowledge of crimes against humanity and the failure of that knowledge to affect the policy-making will; the dailiness of the atrocity, its unimpeded progress, the long duration of our shame in doing nothing about it. The parallels are not perfect, of course. Only 70,000 people have been killed in Syria, so what's the rush?

We must ask ourselves: How many more innocent people must die before we take action?

Amidst these crushing parallels, there is one key difference. In Bosnia,

President Clinton finally summoned the courage to lead the world to intervene and stop the killing. It is worth recalling his words upon ordering military action in Bosnia in 1995:

There are times and places where our leadership can mean the difference between peace and war, and where we can defend our fundamental values as a people and serve our most basic, strategic interests. [T]here are still times when America and America alone can and should make the difference for peace.

Those were the words of a Democratic President who led America to do the right thing in stopping mass atrocities in Bosnia, and I remember working with my Republican colleague Senator Bob Dole to support President Clinton in that endeavor.

The question for another Democratic President today, and for all of us in a position of responsibility, is whether we will again answer the desperate pleas for rescue that are made uniquely to us as the United States of America, and whether we will use our great power, as we have done before at our best, not simply to advance our own interests but to serve a just cause that is greater than our interests alone.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, may I take this opportunity to thank Senator MCCAIN for his call to our consciences on the massacres in Syria by the tyrant Assad. I thank him for his reminder to us all that in the case of moral emergencies, those with the ability to act have the duty to act, and I thank him for his efforts to call us to that duty.

While he is here on the floor, I would like to also take this chance to join in the warm remarks from colleagues on both sides of the aisle on this 40th anniversary of his release from captivity in North Vietnam—an anniversary that could have come a good deal sooner had he not been so courageously stubborn in refusing to leave his comrades in captivity.

#### ORDER OF PROCEDURE

Madam President, I ask unanimous consent that the Senate recess following my statement until 2:15 p.m. and that the first-degree amendment filing deadline be at 3 o'clock today.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE OBSTRUCTIONISM

Mr. WHITEHOUSE. Madam President, I rise today, as I have at least



two dozen times in the past year, to say again that it is time for us to wake up to the stark reality of the climate changes carbon pollution is causing.

Elected officials bear a responsibility every once in a while to escape the grip of the polluting special interests and to act in the interests of regular Americans. We need to wake up and start talking about the negative consequences, the harms of climate change. We need to wake up and mitigate—take steps to protect ourselves—and adapt to the consequences that are already hitting our coasts and our forests, our cities and our farms, our economy and our way of life.

But, of course, the climate deniers and the polluters do not want that. The deniers want to prevent discussion of climate change altogether. In the past few years, in this body, climate science has become a taboo topic.

I watched, when my back was out in the last few days, one of the Harry Potter movies on television. Lord Voldemort was called “He-Who-Shall-Not-Be-Named” in those Harry Potter stories. Well, carbon pollution is the “Pollution Which Shall Not Be Named.” Climate change—the harm that is caused by that pollution—is the “Harm That Shall Not Be Named.”

The obstructionists want to squelch any discussion of the “Pollution Which Shall Not Be Named” so as to let big polluters continue dumping carbon and other greenhouse gas into our oceans and atmosphere.

Take, for instance, the House Select Committee on Energy Independence and Global Warming, created in 2007 as a forum for confronting the economic and security challenges of our dependence on foreign fuels. When Republicans took control of the House of Representatives in 2011, they disbanded that committee. End of discussion.

Between May 2011 and December 2012, our colleagues in the House of Representatives, HENRY WAXMAN and BOBBY RUSH, who were the Democratic ranking members of the Committee on Energy and Commerce and of the Subcommittee on Energy and Power, wrote 21 letters—21 letters—to Chairmen FRED UPTON and ED WHITFIELD requesting hearings on climate change. To date, there has been no response, no hearings. End of discussion.

House Republicans have tried to prevent the Department of the Interior and the Department of Agriculture from funding their climate adaptation plans—commonsense efforts to preserve our resources, protect our farmers, and save taxpayer dollars. But, no, end of discussion.

I am sad to say that it is not just the House of Representatives. In the Senate, in the Environment and Public Works Committee, Democrats have been informed that there will be opposition to any legislation that mentions climate change. It is one thing to want

to oppose any legislation that does anything about climate change. This is a further step. The mere mention of climate change is enough to provoke Republican opposition. End of discussion.

The taboo is being applied elsewhere in this Chamber. Just this week a Republican Senator demanded that the following language be stricken from a noncontroversial Senate resolution. We pass resolutions here in the Senate all the time by unanimous consent. A Republican Senator said: No, I am going to withhold my consent. I am going to deny the ability of the resolution unless this offending language is removed. What was the offending language? I will quote:

[W]omen in developing countries are disproportionately affected by changes in climate because of their need to secure water, food, and fuel for their livelihood.

This body unanimously approved identical language in the last Congress, but today that mention of climate change in an otherwise noncontroversial resolution draws automatic Republican opposition. Again, end of discussion.

And they are not just trying to squelch the legislative branch. In the executive branch, they have tried to defund salaries for White House climate advisers and withhold U.S. funds from the United Nations Intergovernmental Panel on Climate Change. Again, end of discussion.

Now, you might think that in these efforts to attack funding, at least they are motivated by a desire to cut spending. But then what would be the motivation behind House Republicans blocking a no-cost restructuring of the National Oceanic and Atmospheric Administration that would have created a National Climate Service that is akin to the National Weather Service—a simple reorganization that would have centralized information about climate change, information which is in high demand by State and local governments and by the business community? Again, the purpose is obvious: try to end the discussion.

I would remind my colleagues who are trying to silence this discussion with political power that history teaches, quite plainly, that in contests between power and truth, truth always wins in the end. The Inquisition tried to silence Galileo, but the Enlightenment happened anyway, and the Earth does still spin around the Sun.

Chris McEntee, who is the executive director of the American Geophysical Union, said:

Limiting access to this kind of climate information won't make climate change go away.

And shareholders and directors of corporations should consider what it will mean for the corporations that used their power to suppress the truth once that truth becomes inescapable,

once it is undeniable and the denial campaign is seen as a fraud.

This Republican policy of climate change denial is alive and well at the State level too. In 2010 Virginia attorney general Ken Cuccinelli used his powers of office to harass former University of Virginia climatologist Michael Mann and 39 other climate scientists and staff. As a UVA grad, I am proud that the university fought back against this political attack on science and on academic freedom.

Said UVA:

[The attorney general's] action and the potential threat of legal prosecution of scientific endeavor that has satisfied peer-review standards send a chilling message to scientists engaged in basic research involving Earth's climate and indeed to scholars in any discipline. Such actions directly threaten academic freedom and, thus, our ability to generate the knowledge upon which informed public policy relies.

The victim of this harassment, Professor Mann, was more blunt. He called out this witch hunt as “a coordinated assault against the scientific community by powerful vested interests who simply want to stick their heads in the sand and deny the problem of human-caused climate change, rather than engage in the good faith debate about what to do about it.”

I would note that the Virginia Supreme Court ruled Attorney General Cuccinelli's so-called investigation groundless. But that was not enough for obstructionists in Virginia. Last year the Republican Virginia Senate struck from a joint resolution titled “Requesting the Virginia Institute of Marine Science to study strategies for adaptation to relative sea-level rise in Tidewater Virginia localities”—they struck from that title the phrase “sea-level rise” both in the title and again in the text of the resolution. News outlets reported—get this—that this was because “sea-level rise” was believed to be a “left-wing term.” Add “sea-level rise” to the “Harms Which Shall Not Be Named.”

In North Carolina, you can still say “sea-level rise,” but you cannot predict it or plan for it. That is because last year North Carolina's Republican-dominated legislature passed a bill requiring, as a matter of law, that North Carolina coastal policy be based on historic rates of sea-level rise rather than on what North Carolina scientists actually predict. This means that even though North Carolina scientists predict 39 inches of sea-level rise within the century, North Carolina, by its own law, is only allowed to prepare for 8. King Canute would be so proud.

Further down, the South Carolina Department of Natural Resources wrote a report more than a year ago on the risks climate change poses to the Palmetto State, but it was never released to the public. The State newspaper managed to obtain a copy of that study. The report calls for South Carolina to prepare for increases in wildlife

disease, loss of prime hunting habitat, and the invasion of non-native species. But to Republicans, these are more "Problems Which Shall Not Be Named."

In South Dakota, the Republican legislature, in 2010, even passed a non-binding resolution calling for teaching in public schools that relies on a number of common and thoroughly debunked climate denier claims—in short, bringing climate denier propaganda into public high school science classes.

Who might be behind this concerted effort to make climate science and climate change taboo subjects—"Problems Which Shall Not Be Named"? Well, look at ALEC, the conservative American Legislative Exchange Council, which peddles climate denier legislation and undermines local and national efforts to protect against climate change. Look at ALEC's board of directors, comprised of lobbyists from ExxonMobil, Peabody Energy, and Koch Industries. Look at the array of bogus denial organizations propped up to create doubt in this debate.

Against this tide of propaganda and nonsense stands States, including Rhode Island, that already cap and reduce carbon emissions. Nineteen States have climate adaptation plans completed or in progress. Thirty-one States have a renewable and/or alternative energy portfolio standard.

Twenty-three States require State buildings to meet Leadership in Energy and Environmental Design or LEED standards.

The obstructionists may be well funded by the polluting special interests, but the majority of the American people—the vast majority of the American people—understand that climate change is a very real problem. They want their leaders to take action. Americans want their leaders to listen to the climate scientists. They want us to plan and to prepare, to limit, to mitigate, and to adapt to the changes that are coming.

Here in Congress it is long past time to move forward with meaningful action. That is why I am working with several colleagues to establish a fee on carbon pollution. As I said in my remarks last week, the idea is a simple one. It is basic market 101, law 101, and fairness 101. If you are creating a cost that someone else has to bear, that cost should be put back into the price of the product.

The big carbon polluters should pay a fee to the American people to cover the cost of their dumping their waste into our oceans and air. It is a cost they now happily push off onto the rest of us, allowing them an unfair and improper market advantage, in effect to cheat against rival energy sources. The deniers want to make this the problem which shall not be named. But I am here to name it, as are many others. I

am here to shame them if I can, if shame is a feeling a big corporation can even have. I am here to see to it that we wake up and that we get to work.

I yield the floor.

# RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:02 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Acting President pro tempore (Ms. HEITKAMP).

## DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—Resumed

Mr. SHELBY. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### AMENDMENT NO. 29, AS MODIFIED

Mr. INHOFE. Madam President, I have a modification at the desk to amendment No. 29.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, is as follows:

At the end of title VII of division C, insert the following:

SEC. 17\_\_\_\_\_. No funds made available under this Act shall be used for a 180-day period beginning on date of enactment of this Act to enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

Mr. INHOFE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

Ms. MIKULSKI. Madam President, reserving the right to object, I will not, I just want to seek clarification from the Senator from Texas. About how long will the Senator seek recognition?

Mr. CRUZ. I need only 5 minutes.

Ms. MIKULSKI. That is more than agreeable. We know the topic and we are anxious to hear it.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered. The Senator from Texas.

Mr. CRUZ. Madam President, I thank the Senator from Maryland and I ask

unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TRIBUTE TO JOHN MCCAIN

Mr. CRUZ. Madam President, I note that today is the 40th anniversary of the release of JOHN MCCAIN from a prisoner of war camp in Vietnam. I wanted to take a moment in this body to thank Senator MCCAIN for his extraordinary service to our Nation.

On October 26, 1967, JOHN MCCAIN, then a young man, volunteered to serve his country, to put himself in harm's way. He found himself very directly in harm's way, captured and imprisoned in the infamous Hanoi Hilton and subject to unspeakable torture and abuse.

He did so for our country. He did so for every American. When midway through his imprisonment he was offered early release, JOHN MCCAIN showed extraordinary courage and valor, turning that down, believing it inconsistent with his obligations as an officer.

That is the sort of bravery that those of us who have never endured imprisonment and torture can only imagine. Yet he continued to remain in harrowing circumstances, suffering beatings and abuse that to this day limit his mobility. Forty years ago, JOHN MCCAIN was released, able to come home to America and return a hero. Since that time, since being released from Vietnam, he has been a leader on a great many issues. He has been a public servant in this body and he has repeatedly exemplified courage and integrity. I thought it only fitting that we as a body, I have no doubt, would unanimously agree in commending his valor and integrity and sacrifice for his country and recognize this very important milestone, this 40th anniversary.

I yield the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I want to tell my colleagues and anyone watching that just because Senators are not speaking on the Senate floor doesn't mean nothing is going on. I am incredibly impressed by the cooperation on both sides of the aisle as we try to get a finite list of amendments, as well as the proper sequence of those amendments in order to complete the business of moving to the continuing resolution. So there is a lot going on in other offices. These are not back rooms; they are not deal cutting. This is the workman-like way a parliamentary democratic institution does business.



There are Senators who have ideas to improve the bill. Senator SHELBY and I think our bill needs no improvement. We think we ought to just move to it, do it, send it to the House, and avoid any kind of gridlock of a government shutdown. However, Senators do have the right to offer amendments, and they have now offered their amendments. People are scrutinizing the amendments to make sure they understand the policy consequences and also that we don't have unintended consequences. Although it looks as though there is no debate going on here on the floor, there is a lot of discussion going on in Member offices. We hope that in a very short time we will be able to move to amendments so we can discuss and dispose of those amendments in a way that satisfies both parties.

I just wanted people to know that. When we talk to folks back home, they say: I watch C-SPAN, all I hear is Senators' names called out in alphabetical order. They also may know that there might not be an official hearing going on, though we do know some are going on today. I just wanted to talk about some of what is going on and that this is part of the process. This is a big bill, and I hope that a big bill—one that includes every aspect of the Federal funding—is not done this way in fiscal 2014. I want to continue the cooperation that has begun between Senator SHELBY and myself and the mutual leadership. For the funding bills, we wish to move them in a regular order.

For instance, the two biggest departments are the Department of Defense and Labor, Education, Health and Human Services. We want to go through them and look at what is the appropriate funding level and is there any way we are going to achieve more frugality and more value.

The Senator from Oklahoma is on the floor, and he is my red-team guy. He often takes a look at the bill and has pointed out some things that cause heartburn. This is the way a democracy should work. I want to get back to a regular order where we know what we are doing and the American public understands what we are doing.

We are moving expeditiously. I would dearly love to be able to bring this bill to a closure tonight. I am not sure it is possible. That is why we are scrutinizing and scrubbing these amendments now. We cannot proceed to any other amendments until we see the whole package and look at the best way to organize it and sequence it.

I wanted to share this with my colleagues who are watching from their offices and committee rooms.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I want to compliment the chairman of the Appropriations Committee. She has done a good job. She does want to get back to regular order.

As we can see, nothing has happened. There is a reason nothing has happened. It is not in her control. Nothing is happening because there are a lot of amendments and they are not sure they want to take votes. Rather than the regular process of offering amendments that are germane and agreeing to a 60-vote level for their passage—having had that agreement—now we are not allowed to offer amendments because supposedly somebody has to agree with them.

Well, that is not what the Senate is about. The way we decide whether the Senate agrees to it is to offer the amendment, vote on it, and stand up and defend your vote. It is not the chairman who is doing this, and it is not Senator SHELBY who is doing this, it is the leadership. We were criticized because we wanted to read the bill. We now have amendments. We have been waiting to offer amendments. I waited around here an hour last night to offer amendments, and then I had another commitment so I could not do it. I offered to come over here at 9:30 this morning, and could not do it. We have offered one amendment, and we have five other amendments. We could not get a vote. If we stay in a quorum call, people's business will not get done. People will start to be furloughed in the next 2 weeks, and it is because somebody wants to take away the individual right of a Senator to offer an amendment. We are not postclosure, so even amendments that are not germane are adequate to be filed against this bill.

I have no animus at all against the chairman. I am thankful she is the chairman of the Appropriations Committee. I trust her implicitly to move on regular order. This bill is out of her committee and we need to bring amendments to the floor. The idea that we have to have permission from somebody in the Senate to offer an amendment goes totally counter to what the Senate is all about. We have a lot of problems to solve. We could finish this bill. We are sitting here. I could offer all of my amendments in 15 minutes, and we could stack them and vote on them—60 votes, I don't care.

The fact is we cannot offer an amendment. If I ask to bring up an amendment right now, the chairman has been instructed to object to that. I understand. I will not make her go through that exercise.

I think it is important that the American people know what is going on. It is not out in the open; it is behind the scenes. They are negotiating away amendments so we won't know what could have happened or what might happen. Had we been in regular order, we would have been through with this bill. We are wasting time trying to play behind-the-scenes, non-transparent negotiation about a bill that is vitally important to this coun-

try. The process is not working well. I trust the chairman to bring that process back, but she is handicapped by the instructions she has received.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, next week the Senate will for the first time in over 4 years—

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. The CR is on the floor. Does the Senator wish to speak in morning business?

Mr. HATCH. I am sorry, I thought we were in morning business.

Ms. MIKULSKI. How long does the Senator wish to speak?

Mr. HATCH. Approximately 15 minutes. Is that too long?

Ms. MIKULSKI. It could be.

Mr. HATCH. I will withdraw.

Ms. MIKULSKI. Madam President, I note the absence of a quorum so we can discuss how we are going to proceed on the debate.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BUDGET

Mr. HATCH. Madam President, next week the Senate will, for the first time in over 4 years, debate a budget resolution on the Senate floor. While I have many qualms as to the substance of the budget we will be debating, I have to say that in terms of the process, this is a welcome development.

The American people have waited too long for the Senate to fulfill its basic legal obligation to produce a budget every year. Yesterday, with the release of the Democrats' budget plan, that delay officially came to an end.

Of course, now that I have had a chance to look over that budget, my praise for it ends there. The budget we will be debating next week is, to put it bluntly, a cynical political document. It is not designed to address our Nation's pressing fiscal challenges but, rather, it is to provide a Democratic base and have a fresh supply of political talking points.

Rather than addressing our government's problems and runaway entitlements, the Democratic budget contains yet more wasteful spending. In order to pay for that spending, the budget contains what could be around \$1.5 trillion in tax hikes, much of which will necessarily impact the middle class and small businesses. It would hijack the bipartisan tax reform efforts currently underway in both the House and Senate by instructing the Senate Finance

Committee to abandon these efforts in order to scour the Tax Code for additional revenues to the tune of nearly \$1 trillion.

In addition to the reconciliation instructions, the budget includes potentially \$½ trillion in additional tax hikes in order to replace the sequester and to offset more stimulus spending.

Even with all of these new revenues in place, the Democratic budget does not balance—not at any point. Under this budget, the government would be still be spending more than it takes in at the end of the 10-year budget window. By the end of it all, our national debt would be over \$24 trillion, an increase of more than \$7 trillion, with no relief in sight.

Gross debt, relative to the size of our economy, never dips below 94 percent in this budget. As the nonpartisan Congressional Budget Office warns, when the debt is that high, we as a Nation have less flexibility to respond to unexpected challenges. CBO also warns that when the debt is that high, there is increased risk of a fiscal crisis and soaring interest rates. Make no mistake: If interest rates rise even slightly more than assumed in this budget, Federal spending on interest payments would increase substantially, moving us even closer to a fiscal crisis.

One of the most disappointing and disheartening parts of the budget produced by the majority in the Budget Committee is that it makes no attempt whatsoever to address entitlement spending. Instead, it would keep programs such as Medicare, Medicaid, and Social Security on autopilot, making it far more difficult to preserve them for future generations.

Let's take a look at the numbers, because they are astounding. Over the next 10 years, we will spend \$6.8 trillion on Medicare, \$5.9 trillion on Medicaid, and \$11.2 trillion on Social Security, for a combined total of \$24 trillion.

The Democratic budget would reduce that spending by only \$56 billion over 10 years, which amounts to a minuscule 0.2 percent reduction—that is right, 0.2 percent. Let's put that number in perspective.

Despite the acknowledgment of the administration, the nonpartisan Congressional Budget Office, and any sane analyst on the Federal budget that entitlement spending is unsustainable, the Democratic budget proposes to do next to nothing about it. Rather, they settle for spending reductions over a 10-year period that amount to about 5 days' worth of Federal spending.

This lack of attention to entitlements sends a clear message to younger generations. That message, unfortunately, is, we don't care that the social safety net will not be there for you. And it won't be for our young people, especially if we keep going this way. Federal entitlement spending is the biggest driver of our debts and deficits,

and absent real structural reforms, these programs threaten to swallow up our government and take our economy down with it.

This is not rhetoric or supposition. These are cold, hard facts. Yet, with their budget, the Democrats have apparently opted to ignore reality and let these programs continue on their current unsustainable trajectory. On that trajectory, the safety net frays. On that trajectory, disabled American workers face benefit cuts of over 20 percent in 2016. And on that trajectory, trust funds associated with the safety net become exhausted.

The course charted by this budget is simply irresponsible. No one serious about governing would choose to ignore entitlement spending for another 10 years. Even President Obama—hardly a picture of bravery when it comes to taking on entitlements—has proposed as much as \$530 billion in Medicare and Social Security reforms. This budget undercuts the President's proposal by nearly 90 percent.

So once again this budget is not about dealing with reality; it is about politics, pure and simple. Instead of working with Republicans on bipartisan solutions to our Nation's problems, the Democrats have decided to reveal their campaign talking points for next year.

There are some of us here in the Senate who have been looking for opportunities to work with those on the other side to address what are, in the view of many, the defining challenges of our time. For example, on January 1, I came to the floor to propose five bipartisan solutions to reform Medicare and Medicaid and asked my colleagues to work with me on this effort. These proposals are not my ideal solutions to the problems facing these programs. Instead, they are five solid ideas that have all had bipartisan support in the recent past.

For example, I propose raising the Medicare eligibility age—something President Obama and several other Democrats have at one time or another supported. I also suggest limiting Medigap plans from providing first-dollar coverage in order to prevent overutilization of Medicare benefits. This was supported by the Simpson-Bowles Commission and was also included in the Biden-Cantor fiscal negotiations in 2011.

Another one of my proposals is to streamline cost-sharing for Medicare Part A and Part B. Like the Medigap proposal, this idea was also supported by the Simpson-Bowles Commission.

In addition, I propose introducing competitive bidding into Medicare to allow for greater competition in order to reduce costs and improve quality of care. While some have deemed this idea controversial, President Clinton proposed a similar idea in 1999 as part of a major set of Medicare reforms—President Clinton, no less.

Finally, I propose instituting per capita caps on Federal Medicaid spending. This was another Democratic Party idea. It was first proposed by President Clinton in 1995, and at that time all 46 Democratic Senators signed a letter supporting this very policy.

I came to the floor in January in hopes that I could bring some of my Democratic colleagues on board with these proposals so we could at least start a bipartisan conversation on entitlement reform on the floor. My door and my mind remain open to my colleagues across the aisle on these ideas.

Today, as I look at this proposed budget, it is clear I shouldn't be looking to anyone supporting this budget to work on anything resembling a bipartisan approach. Indeed, if this budget passes as is, without any significant changes, I may have to look outside of the Senate entirely.

That is why earlier today I reached out to President Obama and asked him to seriously consider my five bipartisan entitlement reforms. The President talks a lot about grand bargains and balanced approaches, and he has a very winning personality, as was evidenced as he spoke to us Republican Senators today. The budget unveiled yesterday, however, is a step in the wrong direction. I hope he will demonstrate real leadership and engage in these enormous challenges in a meaningful way.

The budget proposed by the Democrats on the Budget Committee is fiscally irresponsible and will be detrimental to the current and future generations of American workers who depend on the social safety net and who want to see it preserved for the future. This budget grows government, not the private economy. This budget taxes too much and spends too much. This budget doesn't balance today, tomorrow, or ever. This budget keeps us at the edge of a fiscal crisis, with no flexibility to respond to future emergencies. That being the case, this budget should be soundly rejected by anyone who cares about our Nation's future and about prosperity and opportunity for America's middle class.

TANF

Now I wish to take a few minutes to talk about the Temporary Assistance for Needy Families, or TANF, Program.

Authority for TANF expired at the end of fiscal year 2010. Since that time, the program has limped along on a series of short-term extensions. President Obama has never submitted a TANF reauthorization to Congress for consideration. Senate Democrats, who have been in the majority since 2007, have never proposed a reauthorization of TANF. Instead of submitting a reauthorization proposal that can be considered in regular order on a bipartisan basis, the Obama administration instead unilaterally granted themselves

the authority to waive critical Federal welfare work requirements. As I have said many times here on the Senate floor, there is no provision in the TANF statute granting this administration this authority.

Aided by Democrats in Congress, the administration has resisted any attempt to replace their waiver scheme with an actual legislative proposal. Rather than trying to explain what specific policy improvements cannot occur under the flexibility States have under current law, the Obama administration and Democrats in Congress have opted to issue a series of platitudes about State flexibility.

In addition, they point to a letter delivered by the Republican Governors Association to Majority Leader Frist in 2005 asking for more flexibility under TANF, ignoring the fact that the main focus of the letter was to urge floor consideration of welfare legislation reported by the Senate Finance Committee. This is hardly adequate justification for an unprecedented power grab by the executive branch.

The Senate Finance Committee needs to act on welfare reform. The TANF Program has languished for nearly a decade without a robust debate on reauthorization. Programs that benefit low-income families have suffered as a result of Congress's inattention to TANF.

The legislation before us contains yet another short-term extension, which would ensure that the program will go through the rest of this year without a reauthorization. This is simply unacceptable. The Senate Finance Committee, which has jurisdiction over TANF, needs to get to work on a full 5-year TANF reauthorization.

Several times over the past few months I have come to the floor to argue in favor of regular order and in support of reinstituting the committee process. For too long now major policy decisions have been made not in the committees of jurisdiction but in the office of the majority leader. As I have said, I think the results speak for themselves.

This shouldn't be the case. If we want bipartisan solutions, we need to restore the deliberative decisions of the Senate and allow the committees to do their work. For this reason I prepared a motion to commit H.R. 933 to the Finance Committee in hopes that, once the bill was moved to the committee, we could roll up our sleeves and work on a bipartisan basis to strengthen the work requirement in TANF and give States the flexibility they claim they need while providing greater transparency, coordination, and accountability.

I understand there is a bipartisan process under way with regard to the continuing resolution, so I won't be seeking a vote on this motion today. And I wish to personally praise the distinguished Senator from Maryland and

the distinguished Senator from Alabama for the work they have done on the Appropriations Committee. I am really impressed. I think they have shown the whole Senate that things can get done if we just work together, and they are two of our great Senators here in the Senate. That doesn't mean I am relenting in my efforts to restore regular order here in the Senate. I hope more of my colleagues will join me in this cause.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COWAN). Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I also ask unanimous consent that the pending Inhofe amendment, No. 29, as modified, be agreed to; and that upon disposition of the Inhofe amendment, Senator TOOMEY or his designee be recognized to call up amendment No. 115.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Amendment No. 29, as modified, was agreed to.

Ms. MIKULSKI. Mr. President, we note the Senator from Pennsylvania is coming to offer his amendment. While we are waiting for him to get ready to proceed, I would like to thank Senator INHOFE, Senator BOXER, and all who worked on a satisfactory resolution of the Inhofe amendment. It shows if the Senate takes a minute or two, keeps its powder dry and sticks to the issues, we can move this bill forward.

We now look forward to a discussion on Toomey No. 115. I note the Senator from Pennsylvania is on the floor to offer his amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 115 TO AMENDMENT NO. 26

Mr. TOOMEY. Mr. President, I call up amendment No. 115, which is at the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 115 to amendment No. 26.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 83.

Ms. MIKULSKI. Mr. President, on behalf of Senator LANDRIEU and myself, I object to the Senator's request.

The PRESIDING OFFICER. Objection is heard.

The amendment (No. 115) is as follows:

(Purpose: To increase by \$60,000,000 the amount appropriated for Operation and Maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset)

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.—The aggregate amount appropriated by title II of this division for operation and maintenance is hereby increased by \$60,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading "PROCUREMENT, DEFENSE-WIDE" is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

(c) For the purposes of section, is determined by the Secretary of Defense means a spend-out rate in compliance with the aggregate outlay levels as set forth in the Budget Control Act of 2011.

Ms. MIKULSKI. Mr. President, before we proceed to debate on the Toomey amendment, I say to my colleague from Ohio that his strong advocacy for working people is appreciated. From the standpoint of discussion, the Senator has some excellent ideas, and I hope he and the Senator who chairs the Homeland Security and Governmental Affairs Committee can talk about how we can reach some type of consensus to generate jobs, retain the integrity of a professional workforce, and keep our economy going. I salute him for the work he does every day in that area.

Mr. BROWN. I would say to Chairwoman MIKULSKI that the amendment I would have offered along with Senator ISAKSON would strike the language on the pilot projects that expire at the end of the year with privatization of customs services. It is something I will work on with Senator LANDRIEU, and I appreciate Senator MIKULSKI's input on that. It is about public services and creating jobs and assisting with imports and exports.

I thank the chairwoman.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, let me just briefly describe my amendment. This will not take very long, but I think it is an important movement in the right direction. It has come to my attention that the CR, probably for a variety of reasons, underfunds the DOD's operations and maintenance account relative to what the Army staff certainly has requested—actually to the tune of \$2 billion relative to what the Army staff would prefer. This affects salaries, vital maintenance, and combat training. It affects certainly skilled defense contractors, employees, at our military facilities.

Obviously, we have very significant maintenance requirements for the very sophisticated equipment on which our troops rely, and so this is a very important account. The operations and maintenance account also includes training exercises that help make sure our forces are the best in the world.

Unfortunately, at the same time that we are underfunding this account, we are also spending money on alternative energy at DOD that is of very dubious value, in my mind. We have much more affordable energy than the kinds of energy we require the DOD to use, in some instances. And what this amendment would do is provide a modest transfer of \$60 million from the DOD's account from the Pentagon biofuels program and allow that money to go over to the operations and maintenance account.

Now, I know there are some people who are big fans of spending money to develop biofuels and build the plants and refineries that create these biofuels. I would point out this is a much more expensive source of fuel than alternatives already readily available, and so I would ask a more basic question: If we believe this is a good and appropriate activity, wouldn't it be better to handle this at the Department of Energy rather than take the precious resources from our Defense Department and have it spent on the construction of plants for biofuel capability?

I think it makes more sense to move this over to the operations and maintenance account, and that is what my amendment does.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in opposition to the amendment offered by the Senator from Pennsylvania, and at the appropriate moment I will offer a budget point of order which will require an extraordinary vote on the floor of the Senate, but I first want to address the merits of Senator TOOMEY's amendment.

Senator TOOMEY's amendment proposes to cut \$60 million from the Advanced Drop-In Biofuels Production Program in the procurement defense fund and move these funds to the operations and maintenance account. The Senator has, unfortunately, an error in his amendment, and he cuts funding from the wrong account. He has rewritten it several times. Unfortunately, he is still cutting funding from the wrong account. That is an error which he may be able to resolve.

The appropriations account that would be cut by this amendment has nothing to do with alternative energy or biofuels. The account provides for funds for Special Operations Command equipment, DOD communications infrastructure, and the Chemical and Biological Defense Program. This is a

very serious mistake in the creation of this amendment.

New language added to this version tries to correct an additional problem with outlays but does not. The amendment still violates the budget cap on outlays and is subject to a point of order, which I will make at a later time.

This amendment, which is being offered by the Senator from Pennsylvania, is opposed not only by me but also by Senator LEVIN, the chairman of the Armed Services Committee, and of course Senator MIKULSKI, chairman of the Senate Appropriations Committee.

Let's address the substance of the amendment if it were drafted properly. The Senate has already made it clear it supports biofuels and ending our Nation's dependence on foreign oil. We look at the challenge of foreign oil every time we drive by a gas station and we think to ourselves: How high can these prices go? They were knocking on the door of \$5 a gallon in Chicago just a couple weeks ago. They have come down a little bit, but they are worse in other parts of the country, and we think to ourselves: When is this country going to reach the point where we are not held captive by OPEC nations and other suppliers of oil? That is the frustration we feel. That is the impact we have as consumers in America.

Now take this into a theater of war. Now it is a different story. We cannot manage and run our professional military without energy and fuel. The price we have paid to transfer fuel to the field of battle is dramatic, hundreds of dollars a gallon—not \$5 a gallon, hundreds of dollars a gallon—because, unfortunately, if we are going to keep our men and women safe, we have to fuel the vehicles, the vehicles they rely on, whether it is the humvees or the tanks, airplanes or whatever they are using, and we have to move the fuel to where they need it and we have to move it now.

Let me also tell you something. Moving that fuel is not without danger. The first National Guard unit I visited in Iraq from my State of Illinois was a transport unit. They were driving these tanker trucks. Well, you think, these are soldiers driving trucks? They risked their lives every time they did it. That is where the roadside bombs were planted.

So when we start talking about moving energy to the military, we are talking about a life-and-death challenge. Unfortunately, many Americans have lost their lives moving that fuel to the field of battle.

So what do the generals and secretaries in the Pentagon tell us? We have to take a look at our energy consumption and find ways to have more fuel-efficient vehicles for our troops to reduce the need to keep moving this fuel, and we have to find better sources for fuel—fuel that might work better in

one theater of battle than in another. That is what they have asked for, and that is what the Senator from Pennsylvania says—no, we can't afford that. We shouldn't do that. We ought to cut the \$60 million involved in this research.

The Senate voted twice on Senator TOOMEY's proposal, and it voted both times in support of the Department of Defense initiative biofuels program. That was during the debate of the Senate Armed Services authorization bill. But no ideas ever go away in the Senate. This one is back again for the third try by Senator TOOMEY. I hope it reaches the same fate as the other two tries.

The conference agreement that was reached after the Department's authorization bill said that the Departments of Energy and Agriculture had to provide matching funds, and due to budget constraints they are not going to go that this year. However, the money that is appropriated for this purpose is going to continue to be able to be spent in other years and the research can continue.

Why would we stop this? Why would we say we are not going to do the research necessary to find more efficient fuels? Why are we going to try to stop the research in more efficient vehicles that keep our troops safe and reduce the likelihood that the men and women in uniform transporting these fuels are risking their lives to do so? Why in the world do we want to subject them to roadside bombs for the transport of fuels if we are told by the military they want to look at other options? Why wouldn't we do that? Sadly, the Senator from Pennsylvania just thinks we shouldn't do it, and that is why he has offered this amendment.

The funds appropriated for this project are available until expended. When other agencies are able to meet their own cost shares, they will certainly be used. The chairman of the Armed Services Committee, Senator CARL LEVIN, agrees with me on this. There is no conflict between the Defense Appropriations and the Defense Authorization committees.

Keeping the funds in this bill supports the Senate's clear position on giving to our military the authority they need to protect our troops and to lessen their need for using these energy sources. Reducing DOD energy costs and reducing the volatility of gasoline supplies is critical—critical to making sure the best military in the world is the safest military in the world.

The Defense Department is the Federal Government's largest energy consumer by far. The events of the Arab Spring and Iran's continued threats to deny access to the Strait of Hormuz demonstrate the security risk of relying on foreign oil sources. That is why this is a critical decision—it is a life-and-death decision—to look to other energy sources.

The Senator may say we can move \$60 million to operations and maintenance. I am sure they need it. But they literally need much more than that. It is better we keep this research moving forward.

A 2012 report from the Congressional Research Service noted that since the early 1990s, the cost of buying fuel has increased faster than any other major Department of Defense budget category. That includes health care and military personnel. Between fiscal years 2005 and 2011, the Department's petroleum use decreased by 4 percent, but the Department's spending on petroleum rose 381 percent over that same period of time. Recall that we paid for our wars under the previous administration on a credit card. Part of that credit card charge related to the cost of fuel—a dramatic cost—which we are still paying off.

The Department of Defense estimates that every 25-cent increase in the price of a gallon of oil means an additional \$1 billion a year in fuel costs. The \$60 million in this bill for biofuels is such a small investment of the Navy's annual cost for petroleum-based fuel, approximately \$4.5 billion in fiscal year 2011, and an even smaller fraction of the Navy's total budget of \$173 billion. Sixty million dollars in research against the Navy's fuel costs of \$4.5 billion—penny wise and pound foolish with this Toomey amendment.

This modest investment is worth the potential of being able to provide a secure alternative to the national security risk of petroleum dependence.

For the sake of reducing the cost of protecting America, for the sake of protecting the lives of men and women who serve our Nation and risk their lives every day and depend on this energy and fuel, for the sake of at least being thoughtful enough to put money into research to find ways for more fuel efficiency and better sources of fuel, please vote no on the Toomey amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I know there are people who are very passionately interested in developing any kind of alternative energy. I would just suggest there are research facilities where that is probably appropriate. I suppose the Department of Energy might be a candidate. But the kind of biofuels that are generated cost far more than conventional fuels. We have a tremendous volume of conventional fuels, and it is a savings to be able to use conventional fuels.

In this case, my suggestion is that this money goes to where it is vitally needed, in the operations and maintenance accounts. But I would like to discuss with the Senator from Illinois the concern he has about a budget point of order, so I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. Mr. President, I would like to speak today on the Toomey amendment, No. 115. I rise to argue against the Toomey amendment.

This is an amendment about energy. As we all know, energy is a strategic resource for us. Every member of our Armed Forces understands this, and they understand it well. Energy is essential to our national security mission. Everybody knows you do not go out there and move in an aggressive way without good, solid energy supplies behind you. Having access to reliable energy supplies to protect our men and women in uniform is absolutely essential. No matter where they may be in the world, it is critical to our Nation that we have these good energy supplies.

Each branch of the Armed Forces recognizes the importance of biofuels as a critical part of its energy needs. Our military faces numerous logistical challenges with its dependence on fossil fuels. Increasing diversification through investment in alternative fuels will help the military carry out its mission safely and without the need to rely exclusively on foreign sources of fuel from countries that do not share our interests overseas.

The amendment offered by Senator TOOMEY, the Senator from Pennsylvania, trades some short-term benefits at the cost of our long-term needs. Reducing the Department of Defense's ability to procure biofuels by \$60 million is a step in the wrong direction. Biofuels are an American industry, growing energy right here in our own backyard—energy at home, made in America.

In my own State, the Los Alamos National Lab is growing the next generation of algae feedstocks for future biofuels. We are doing some great research in this area of biofuels. We also have a biorefinery facility operated by Sapphire Energy near Columbus, NM. This facility is up and running and can produce 1.5 million gallons per year of fuel. That is fuel derived from these advanced-generation algae. This story is not unique to New Mexico. Texas, California, Missouri, and Iowa lead the United States in the number of biorefineries per State.

This amendment limits opportunities for bioenergy companies across the United States. Biofuels are a significant source of energy for the Department of Defense. We should provide as many opportunities as possible to grow

this industry. We should maximize the long-term economic and national security benefits of U.S. biofuels.

It is for those reasons that I urge a "no" vote on the Toomey amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I rise to speak on the Toomey amendment.

I want to reiterate what my colleague from Illinois said about this amendment. Senator DURBIN chairs the Subcommittee on Defense. He recently took this over with the passing of Senator Dan Inouye. Senator DICK DURBIN has now assumed the Chair. It is a committee we are now looking at funding.

I too have met with the Department of Defense—whether it was Secretary Hagel, Deputy Secretary Ash Carter. I have talked things over with General Dempsey. When they talk about what are the big-buck expenditures in defense—is it guns? Is it bullets? Is it body armor? Is it tanks or planes? The exploding costs are in the area of military personnel. We have to pay our people, so we agree with that. Then there is the issue of providing health care. Wow, after a 10-year war where we have asked too much from too few for too long, people are coming back with the permanent wounds of war. All are coming back with the permanent impact of war. Health care problems are showing up among them. But to my surprise—I was not surprised about that—I was surprised that one of the largest expenditures in DOD is energy. I already knew that DOD is the Federal Government's largest energy consumer and that the Congressional Research Service notes that since early 1990, the cost of buying fuel has increased faster than any other DOD budget category. Isn't that a surprise, that it is increasing faster than health care? I actually believed health care would be the fastest because of what our troops and their families have endured. But it is the fastest growing category.

Some numbers. I know a lot of our colleagues are numbers people. Between fiscal years 2005 and 2011, the Department's petroleum use actually went down. Their use of petroleum went down by 4 percent. You would think their costs went down. But guess what. Their spending on petroleum rose 381 percent in that same period. What an amazing number. When your use goes down but your cost goes up 381 percent, it is time to take a new look and begin to find new ways to deal with this challenge. Our Department of Defense went right to work.

DOD tells us that for every 25-cent increase in the price of a gallon of oil, the Federal Government and DOD incur over \$1 billion in additional fuel costs. Every time a gallon of oil goes up 25 cents, the Federal Government ends up spending \$1 billion more at only DOD. That is \$1 billion that could go a long way in either making sure we have modern weapons or for our returning troops—and they are returning—to have the health care they need.

We need to modernize the military. Senator MCCAIN has challenged us. We need to make sure we don't hollow out the military.

We need to make sure we address the new emerging threats not only in geographic areas but in cyber space. I am on the Select Committee on Intelligence. Those cyber threats are eye-popping when you study the issue.

We need to do something about our cost of fuel. The Navy had planned to spend close to \$200 million on advanced biofuels between fiscal year 2009 and 2012. The \$60 million we are talking about is a small fraction of the Navy's annual cost for petroleum-based fuel—approximately \$4.5 billion in fiscal year 2011.

Secretary of the Navy Mabus has talked about how energy security is a growing national security issue not only for our country but also specifically for the DOD. What is the answer to that? We have to be able to look at funding for the advanced biofuel program. As Senator DURBIN said, the Senate has already voted twice in support of DOD's biofuels programs. The Department continues to spend money in fiscal 2012 for biofuels. The fiscal 2013 year will maintain funding to pursue the program in future years.

I hope we understand what are the real costs facing the Department of Defense. Just because you do not like a program—let's look at these programs in terms of the challenges facing our military. We think the challenge facing our military is terrorism, and it is al-Qaida. Gosh, when one thinks about those marines up there, as we speak, in the mountains of Afghanistan, it just gives you chills. When they are up there fighting for us, they need to have resources. They need to have the weapons, they need to have the armor to protect themselves, but they also need to have the fuel to get around. As Senator DURBIN said, they are often incredibly at risk because they are riding over roads loaded with these mines. We have come a long way in learning how to deal with IEDs, but the hurt locker continues to exist. We have to do something to protect our military, protect those in the military who support the frontline troops. That means they need to have the fuel on which the DOD will continue to run.

We need to look for alternative sources. The policy is a good one. I think the amendment of Senator

TOOMEY is well intentioned, to fund operations and maintenance, but operations and maintenance is really also having the right fuel, which means we have to develop alternatives to what we have now.

I wanted to comment on this. As I have taken over the chair of the full committee, I have learned a lot more about the funding of the Department of Defense and the challenges they face. The more we scrutinize it, some of the really big-buck expenditures that support the troops are not visible in the public eye, but they are visible as we look at our expenditures.

We need to support our military, and we need to do it not only in the way we are supporting them today, but to have the new technologies for the kind of support they will need in the future.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, that also takes me to the fact that there are these growing issues in the area of health care that we need to take a look at. There are a variety of challenges facing the Department of Defense that we need to look at and address, but let's do it through the regular order, through our appropriate authorizing committee, and through our appropriate Appropriations Committee.

I yield the floor and note the absence of a quorum.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 123 TO AMENDMENT NO. 115

Mr. DURBIN. Mr. President, I send an amendment in the nature of a second-degree to the desk and ask that it be reported.

The PRESIDING OFFICER. If there is no objection, the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 123 to amendment No. 115.

The amendment is as follows:

At the end, add the following:

(d) This section shall become effective 1 day after the date of enactment.

Mr. DURBIN. This is a second-degree amendment to the Toomey amendment numbered 115.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I rise today in the midst of a profoundly important conversation on the floor of this body about the future of our financial situation with the Federal Government, and I want to thank the Senator from Maryland for her extraordinarily impressive work. I thank her on behalf of myself, Connecticut, and the Nation for her very diligent and dedicated labors to bring us to this conclusion, which all of us hope will take place in the next few hours.

DREAM ACT

I want to deal with a separate issue of equal importance that will be enabled on the floor of the Senate if we are able to overcome our differences on this fiscal issue. The issue I am referring to is comprehensive and accountable immigration reform, which this Nation desperately needs. I am working to achieve it, as I know my colleagues are.

The President of the United States has advanced that agenda very compellingly in his proposals that include a path to earned citizenship for the 11 million or more undocumented people in this country, stronger enforcement at the borders against illegal immigration into this country, and stronger enforcement within our borders against illegal employment of undocumented people already here. Of course, we also need a streamlined and fairer immigration process so we can provide a process that comports not only with our due process obligations, but also with the fundamental concept of fairness.

This is not the first time I have come to the floor to deal with one area of immigration reform that ought to be expedited as part of that agenda. I am here to talk about Connecticut DREAMers and their invaluable contributions to their communities and DREAMers across the United States who make those same kind of contributions to our communities and my colleagues on the Senate floor.

Over the last couple of months a tremendous momentum has developed in favor of comprehensive and accountable immigration reform. I am thrilled by these developments. They are tremendously heartening, and I commend my colleagues for their profoundly significant work. Most importantly, I look forward to seizing this unique and historic moment and the opportunity to reform our broken immigration system.



The DREAM Act would give young immigrants who have been brought to this country as children a chance to earn their citizenship through education or military service. The idea about immigration reform is to achieve earned citizenship. These young people—or DREAMers, as they are often called—are undocumented immigrants who were brought to this country at a young age, as infants, or young children through no fault or choice of their own. America is the only home they have ever known. English is the only language many of them know. Their friends are here, their life is in this country, and they make invaluable contributions to this great Nation.

I thank one of my colleagues and friend, Senator DURBIN, for his championing this cause over many years, and in fact, he introduced the DREAM Act 11 years ago and has tirelessly and relentlessly fought for its passage. He has come close to success, and my hope is that immigration reform will include this vitally important measure.

The immigrants who would benefit from the DREAM Act identify as American. But our immigration system affords them no direct path to achieving legal immigration status, let alone citizenship.

The DREAM Act would give them a chance to earn legal status if they meet several requirements such as having come to America as children, having good moral character, having graduated from high school, and completed 2 years of college or military service.

A DREAMer who meets these requirements can apply for legal permanent residency and pursue a path to citizenship.

DREAMers who live in our communities but fear deportation have been given some relief by the President of the United States, in effect, a temporary reprieve. But they still lack the security and permanency, and they should be given it, even after the President's program. Because just as they were given that reprieve administratively, they can also lose it in the same way at the end of 2 years, which is the limit currently of the reprieve from deportation they have been granted.

Two million immigrants nationwide would benefit from the DREAM Act. There are between 11,000 and 20,000 DREAMers living in Connecticut, and one of them is Vanessa Bautista. I am going to place her photograph on this stand and say to the people of Connecticut, we should be proud of Vanessa. I am proud of Vanessa. She was born in Ecuador and came to America at the age of 10, raised by her grandmother and reunited with her parents here in America. Soon after joining her parents in Connecticut, Vanessa learned English and she began school. She had a dream to go to college and become a nurse. As a teenager, she worked cleaning houses. She

babysat. She saved money as much as she could for college because it was part of her dream of becoming a U.S. citizen and giving back to the greatest Nation in the history of the world.

She was accepted to Southern Connecticut State University, having to pay the entire tuition. During her first year at Southern, she worked full time and went to school full time. She did both full time—had a job and sought an education. She doesn't remember having any rest during that year, not surprisingly. She went to school in the morning and then worked and babysat every night until midnight. Even with this challenge, she achieved a 3.9 GPA that year. She dreams of graduating from college and one day working as a registered nurse. She wants to give back, which she will do, and she will give back to the country she calls home. But she understands these dreams will be out of reach unless this body, this Congress, this Nation, approves the DREAM Act and the rights she is seeking.

I say in conclusion, I urge my colleagues to work hard on the issues at hand, which are fiscal in nature. They are key to our future in this country. But equally important to this great Nation of immigrants is providing a path to earned citizenship for young men and women such as Vanessa, their parents, and the 11 million people in this country who now live in the shadows. Let us enable them to come out of the shadows, pay fines and pay back taxes, show they have no criminal record, and otherwise meet the strong criteria we should establish as part of that pathway to earned citizenship, and truly achieve for Vanessa and the DREAMers what is certainly the American dream: Work hard, play by the rules, and you will be recognized for what you achieve, what you earn, what you give back and contribute to the greatest Nation in the history of the world.

Thank you, Mr. President. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I rise today in strong opposition to amendment No. 115, the Toomey amendment. This amendment would reduce funding for advanced drop in biofuels production.

I strongly oppose this amendment for several reasons. First, this amendment undermines our long-term national security. The 2010 Quadrennial Defense Review outlines several areas where reforms are imperative to improving our

national security. Implementing reforms to strengthen our energy security was one of these areas.

Right now, our military is almost totally dependent on fossil fuels. These resources are finite, priced on a global marketplace, and produced by nations with whom we don't always see eye to eye. There are also new powers rising and new challenges evolving. So to preserve a 21st century force, we need to invest in 21st century priorities. This means we must diversify how we power our military.

The project this amendment seeks to cut is fairly modest in the scheme of the military budget, but the overall benefits to our forces will be well worth it. Our Nation has always invested in technologies that produce long-term benefits and address changing circumstances—from more advanced tanks and aircraft to faster communications and lighter armor. We have to innovate now in order for our military to have the capabilities to protect our Nation. We need to make the same kinds of investments now in our military's long-term energy needs.

Already the research and deployment of alternative energy is benefiting our long-term capabilities, improving troop safety, and making security operations more affordable. In fact, just last summer, at the Rim of the Pacific Exercise—RIMPAC—the U.S. Navy demonstrated its "Great Green Fleet" with surface combatants and aircraft using advanced biofuels for the first time. This exercise—the largest international exercise in the world—proved that our military platforms can use these fuels.

Prior to this exercise, Navy Secretary Ray Mabus said of the biofuels demonstration:

The Navy has always led the nation in transforming the way we use energy, not because it is popular, but because it makes us better war fighters.

Clearly, continuing to support this type of investment will pay additional dividends that will help ensure the United States remains the world's preeminent military and technological power in the 21st century.

However, there is another reason to oppose this amendment and support the military's ongoing efforts to improve its energy security. That reason is that it makes good long-run budgetary sense. Fossil fuels are a finite resource that are priced on a global market. Increasingly, as I mentioned, this fuel is produced by nations with whom we don't see eye to eye. As global competition for fuel resources intensifies, it is vital that we reduce the amount necessary to power our military.

Not only does our reliance on fossil fuels constrain our assets and resources from an operational perspective, it also puts significant strains on already stretched budgets. For example, between fiscal year 2005 and fiscal

year 2011, the Department of Defense spending on petroleum rose from \$4.5 billion to \$17.3 billion. That is a 381-percent increase. While that number is shocking, another shocking fact is that during this time the Department of Defense was actually using 4 percent less petroleum. In other words, we are paying nearly four times more money for less fuel.

In addition, global price spikes make budgeting for our current energy costs extremely challenging. According to the Navy, every time oil prices rise by \$1, their fuel budget inflates by \$30 million. In fiscal year 2012, the U.S. Pacific Command, which is based in Hawaii, faced a \$200 million shortfall in operation and maintenance funds. This is directly related to spiking fuel costs. These unforeseen circumstances reduce our military's capabilities and readiness. It is also unsustainable in today's budget environment.

So while the Senator from Pennsylvania argues that biofuels are too expensive now, new technologies are always more expensive at first. That is exactly why we need to invest in scaling up instead of scaling back. The first fighter jets off the assembly line are always more expensive than the 100th fighter off that line. The fact is that it is the height of irresponsibility for us to rely on fuel sources with such unstable costs.

That is why the military is already working to reduce its fossil fuel usage and to develop and deploy alternatives wherever possible. At the U.S. Pacific Command, investments in renewable energy, energy-efficient buildings, and fuel cell or hybrid vehicles are making installations more cost-effective. In fact, PACOM expects to reduce its reliance on fossil fuels for electricity by 80 percent. That would reduce the total DOD electricity demand in Hawaii by 34 percent and save the DOD \$42 million per year in electricity costs. This \$42 million could be put to better uses.

These are savings that can be replicated on a servicewide scale and will save far more money that could be used to support O&M than the Toomey amendment will. The military recognizes this. This is why GEN James Mattis has stated:

I remain committed to unleash the burden of fuel from our operational and tactical commanders to the greatest extent possible.

These investments are about improving our national security by changing the way we power our military. Advanced biofuels is an investment in that goal and one we should continue.

As U.S. Marine Corps Gen. John Allen has said:

Operational energy equates exactly to operational capability. Let's all work this hard, together!

So I urge my colleagues to vote against the Toomey amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I too rise, as my colleague from Hawaii just did, to speak in support of the Department of Defense and in opposition to the amendment offered by the Senator from Pennsylvania. As has been outlined, this amendment would strike funding for a very important and effective Navy program which now works with private industry along with the Department of Energy and the Department of Agriculture to produce alternative fuels. As we work together to overcome the harm that has been done by sequestration, it is essential we provide the military with the flexibility to overcome current and future threats. That includes allowing the DOD to invest in energy sources and fuel technologies that reduce our dependence on foreign oil.

Unfortunately, the Toomey amendment does the opposite. So accepting it would do real harm to our military. It would cost more money than it would save and it would damage the military's strong and necessary efforts to reduce its dependence on foreign oil.

In carrying out the work of our Nation, the Department of Defense consumes approximately 330,000 barrels of oil every single day. That works out to be 120 million barrels per year. What does that cost us? Last year, the military spent over \$16 billion on fuel. Because of rising global oil prices, that was about \$2.5 billion more than they forecasted. Those rising costs—in dollars and in operational capability—are staggering. I think that is the only word that applies.

If we think about it, we realize that for every 25-percent increase in the price per gallon of oil, the military's fuel costs increase by \$1 billion. In order to make up for that shortfall, the DOD has to pull money from operations and maintenance, which means that rising fuel costs result in less training, deferred maintenance, and reduced operational capability. That is a terrible triad if there ever was one. That means our troops, then, are also less prepared when they go into harm's way. They are less ready to fight when it matters most.

The Toomey amendment would undercut efforts to end that cycle. It would delay the development of technologies that would clearly bring lower costs, more domestic production, and more American jobs. That is why the DOD is investing in these domestic alternatives to foreign oil.

It should tell us something that in an era of reduced Department of Defense budgets our senior leaders remain fully committed to this effort. Even when we have to tighten our belts, they think this is an investment that makes sense.

What are we doing? We are investing in research and development that will develop new fuels that can be made from biologic feedstocks. These are

fuels that can be grown and then refined here at home.

I want to be clear, these are not programs that are being forced on the DOD through earmarks or by environmentalists or other groups that some like to demonize. These are DOD initiatives, undertaken to protect the military from rising fuel costs and an increasingly volatile international marketplace.

So even under the threat of sequestration, investments in new energy technologies and alternative fuels remain a priority.

I would say to my friends who say we cannot afford to spend money on alternative fuels, our uniformed senior leaders tell us we cannot afford not to.

Think about it another way. We send \$300 billion overseas every year for oil. If we could keep about one-twentieth of a percent of that money at home, we would pay for this program.

For about half of what we spend on military bands each year, we could be establishing a domestic energy industry.

For about one-sixth of the cost of this year's funding for the MEADS missile system—a system that the DOD has no intention of putting into operational use—we could diversify our energy portfolio and drive down costs.

We would be taking billions out of the hands of terrorists and reducing the risk, at the same time, to our military personnel.

The proponents for cutting off these investments in alternative fuels would argue that the Defense Department should not be involved in the development of new energy sources. I could not disagree more. Let me tell you why.

These biofuels could not be used as leverage against us. The refineries could not be taken over by al-Qaida-backed extremists or blockaded by Iranian gunboats.

Energy security is national security, and this is exactly the right kind of investment that our military should be making.

Just think historically: Military research and development has sustained the enormous technological advantage we maintain over our adversaries. Our willingness to invest in the future has helped keep us safe.

It has also been said that the DOD should not be spending money on energy development. If that were the case, we would not have a nuclear-powered Navy. Without military investment in emerging technologies, we would not have jet engines, microchips, microwave ovens, radar, or GPS navigation.

Ensuring our energy security ought to be a national priority. Our reliance on foreign oil is a threat to our security and our economy, and I suggest even our very way of life.



We need a whole-of-America solution to this national problem, and the Department of Defense absolutely has a critical role to play in that effort.

If you believe that the DOD has a vested interest in having reliable sources of fuel and energy, then you should agree that they have a role to play in ensuring that new fuels meet their needs.

As I mentioned, we are all concerned about the effect of sequestration on our troops, but we cannot solve our problems with the same kind of short-sighted thinking that got us here in the first place.

Killing the Navy's biofuels program—and make no mistake, that is exactly what this amendment would do—will cost more money than it saves. It will set back an industry that is poised to provide our country with enormous and important benefits. And it will make sure—it will ensure—that we keep pouring money into foreign coffers.

So I urge my colleagues to continue to support smart investments in our future, like the Navy's biofuels initiative. Therefore, I urge my colleagues to oppose the Toomey amendment.

Mr. President, thank you for your attention.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I am here to speak to an amendment that I previously filed, amendment No. 41.

The purpose of this amendment is to help provide the White House with the opportunity to reopen its doors to the American people. It certainly has received a lot of attention, which demonstrates to me—and I am sure to my colleagues—how important a visit to the White House is to so many Americans.

In my view, we can be much smarter, and we must be much smarter, with our spending decisions and make cuts in ways that do not intentionally or unnecessarily inflict hardship or aggravation upon the citizens of our country.

Canceling White House tours is one of those unnecessary and unfair ways for the Department of Homeland Security to meet its budget-cutting obligations—particularly if the necessary savings can be found someplace else within their budget.

The self-guided White House tours were canceled either by the Secret Service or the White House—I have not been able to get a clear answer to actually who made that decision. But, regardless, they were canceled in order to save a minimum of \$2.14 million, according to the Secret Service.

This amendment proposes to transfer \$2.5 million from TSA to the U.S. Secret Service to pay for the security staff necessary for the White House tours to continue for the remainder of fiscal year 2013.

Why go after TSA? In my view, TSA can absorb these costs. Just last week, TSA signed a contract—just last week TSA signed a contract—that would allow it to spend up to \$50 million on uniform-related expenses over the course of the next 2 years. So last week, TSA spends \$50 million for new uniforms, and now we have no money for tours at the White House.

Prior to signing that \$50 million uniform contract, the TSA uniform allowance for security officers had already doubled last November as part of a new TSA collective bargaining agreement to an estimated \$9.57 million annually. This works out to \$443 per TSA employee per year. By comparison, officers in the U.S. Armed Forces receive either no uniform allowance or a one-time \$400 allowance over the lifetime of their service.

There is no reason why American taxpayers should spend more on TSA uniforms every year than a U.S. Marine Corps lieutenant spends in a lifetime. And the same taxpayers who are funding the TSA officers' uniforms are being denied the opportunity to tour the White House—the people's house.

This amendment has been scored by CBO, which found it would result in no net change in budget authority and would result in an estimated decrease in fiscal year 2013 outlays of \$1 million. So it is an amendment that saves money.

These White House tour closings are actually falling on the burden of Members of Congress because it is our responsibility to organize the tours, get the permission, and we are the ones who are now telling our constituents that tours that were previously approved—we have to call and give them the bad news.

In fact, today I had a couple of Kansans and their three young boys on the Capitol steps for a photograph and conversation, and these constituents with their family from Kansas were indicating how sad it was to tell their boys, even though they were here in Washington, DC, they could not see the White House. In fact, they said: We played by the rules. We signed up. We went through the security. For months we were planning to come to Washington, DC, but now that we have arrived, the White House is something that is not available to us and our boys.

It is often that we are the ones now providing that news to families in Kansas and across the country. My office has received lots of e-mails from concerned constituents, including some whose tours are not even scheduled until next May or June, sometime in the summer, asking whether we believe the White House will be reopened to them by that time.

Between March 9 and March 21—just in that short period of time—we have already canceled 16 previously ap-

proved White House tours. Multiply that—assuming we are normal or average—by 100 Senate offices and 435 House Members, and that is a lot of Americans who had hoped or thought they were going to see the White House on their visit to our Nation's Capitol.

I read today that the White House has indicated they are going to try to find ways. I think the President said he is going to try to find ways to get young people, children, into the White House. I certainly express my desire to see that happen. But I was thinking, if we make that the case, then what happens to the Kansan who is the 91-year-old World War II veteran who is back here to see the World War II Memorial and while here wants to see the White House?

Again, the White House should be available to all Americans—in fact, people from around the globe—to see the home of our President.

Shaking up our entire tour scheduling process at a time in which the tourists are soon coming—or coming now with spring break and cherry blossoms—is something, in my view, we can avoid. This amendment would take money that we believe is less wisely spent and reopen the White House to the American people.

So I appreciate the opportunity to explain my amendment and would hope we can find a way, in working with the White House and working with the Secret Service, to make sure that noble building at 1600 Pennsylvania Avenue is something that is available for Americans to see, to view, and to be inspired.

One of those kids, one of those folks who walks through that White House, someday might be the President of the United States. And we do not want to do anything that hinders the opportunity for that inspiration to occur and for Americans to continue to be proud in their Executive Officer—the President—and to be proud of the system of government we have. Let's not lose the inspiration. Let's not deny the American taxpayer, the American family the opportunity to see the White House at 1600 Pennsylvania Avenue.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 115

Mr. WYDEN. Mr. President, I chair the Energy and Natural Resources Committee, and in that capacity, I want to take a couple of minutes to speak against the Toomey amendment. That is amendment No. 115 that would slash, in effect, the biofuels program at the Department of Defense.

Of course, we are going to hear that this will save money, that with the sequester and a very tough set of financial circumstances, which the Presiding Officer knows all too well, the argument will be we cannot afford to have this biofuels program in the Department of Defense.

My argument would be, we cannot afford not to have this program, and I am going to take a couple minutes to try to describe why that is the case.

Right now, the Department of Defense is the single largest user of energy in our country, with annual fuel expenditures in excess of \$16 billion. So you have this massive need for energy at the Pentagon—really a thirst for energy at the Pentagon—and fluctuations in global energy prices have, in effect, enormous effects on defense spending. Every \$10 increase in a barrel of oil costs the American military annually an extra \$1.3 billion.

For some time there has been a recognition among military experts—and some are in the Presiding Officer's home State of Massachusetts, where they have spent a lot of time looking at these issues—there has been a recognition that the military, particularly the Pentagon, is exactly the place where we ought to be looking for fresh innovative approaches in order to cut energy use and find alternative sources.

For the life of me, I cannot figure out how somehow this effort by the Pentagon—let me repeat: by our country's military—has somehow been conflated into some kind of green plot, some kind of plot by those who are obsessed with green energy and are simply interested in promoting programs to satisfy their ideological interests.

I can tell you the reason this is being pursued at the Pentagon is not because this is somehow some sort of green plot, some sort of subversive green plot. This is being pursued at the Pentagon because they have made the judgment that these kinds of alternative fuels and supporting them is a vital national security matter. This is not about some kind of ideological green agenda. This is about national security. Their judgment is we need exactly this kind of effort.

DOD contracts are particularly crucial because they help promote research and development efforts. What we have seen repeatedly is a lot of the most exciting alternative fuels. The biofuels have enormous potential. The challenge is to keep driving down the costs and do it in a cost-effective kind of way. That is exactly what goes on now at the Department of Defense as relates to biofuels. It is exactly what would be undermined if the Toomey amendment, amendment No. 115, was passed and signed into law.

The last point I would make is that Bloomberg, which has a new energy finance unit, a special unit that looks at these issues, their analysts predict that some aviation biofuels are going to be cost competitive with standard jet fuel in just a few years. That will happen if we do not undermine current development rates in this area of biofuels at the Department of Defense.

That is why, colleagues, I feel so strongly about opposing the Toomey

amendment on biofuels at the Pentagon. I hope my colleagues will agree.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I come to the floor this evening to address Senator TOOMEY's amendment, which would remove the provisions around biofuels, amendment No. 115. I think it is important to point out that this is really more than a budget issue. The Presiding Officer understands, as he and I worked together to address this when we passed the Defense authorization bill. This is really a national security issue.

I had the opportunity, as chair of the Water and Power Subcommittee in Energy, to go down to Norfolk to have a hearing aboard the USS *Kearsarge* to talk about exactly what the Navy—and they are reflective of the military—is doing to address energy use. I saw some very amazing progress in terms of their reduction in energy use, their energy efficiency. I saw some of the things they are doing, such as using solar blankets and small, compact batteries out in the field. This allows them to do their mission much better.

They pointed out that our access to energy is complicated by political unrest and by threats to our supply lines around the globe. We spend billions to protect these fragile supply lines.

Oil prices are set on a global market, often driven by speculation and rumor. Our military is too often exposed to price shocks. The military consumes about 300,000 barrels of oil a day, which is about \$30 million a day.

The Federal Government is the largest consumer of energy in the United States, with 93 percent consumed by the military. For every dollar rise in a barrel of oil, the Navy incurs a cost of \$30 million at current prices. Last year the Navy incurred a \$1.1 billion budget shortfall because the cost of a barrel of oil increased by \$38. The commander of the Pacific Fleet was forced to cut \$200 million from its flying and steaming costs because of those cost increases.

In fiscal years 2011 and 2012, the Department of Defense came up \$5.6 billion short for military operations and maintenance because it needed to spend more on fuel than anticipated.

As I saw in Norfolk on the *Kearsarge*, each of our services is making real progress on energy efficiency and moving to alternative fuels. This is not the time to hinder those efforts.

The per-gallon cost of test quantities of advanced biofuels under Navy con-

tracts has declined more than 90 percent over the past 2 years, and it is going to continue to decline. The Navy and the Department of Defense have been on the leading edge of innovation and technological achievements over the last 200 years. This is another example of innovation and technological advancement.

Last year the Chief of Naval Operations, ADM Jonathan Greenert, sent a letter to my office advocating his strong support for the Navy's efforts on biofuels and urging Congress to provide him with the flexibility to continue this effort. He states:

I support the Secretary of the Navy's efforts . . . to accelerate the establishment of a domestic alternative fuels industry through DPA, Title III. This effort will enhance our energy security by diversifying the supply of fuels.

Restricting this biofuel effort will "impede America's energy security."

I applaud my colleague Senator TOOMEY for the efforts he made to look at what we are spending in government to attempt to reduce those costs. He and I are working very closely in an attempt to reduce the cost of sugar subsidies in this country. This is a situation where, for short-term gain, they would risk the long-term benefit.

I would urge my colleagues to oppose the Toomey amendment and ensure our military continues to be on the leading edge of energy security for the world.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN MEMORY OF ANDY ATHENS

Mr. DURBIN. Mr. President, I want to take a moment to remember a friend of mine who passed away last night. Andy Athens was a civic institution in Chicago. He was a brilliant business leader. He was also "the Dean" of the Greek American community—a founder and former president and the co-founder of the National Coordinated Effort of Hellenes.

We are so grateful that when Andy's father left Greece in 1904 he came to Chicago. With his brother Tom, Andy built a business that provided steel to the world and good jobs and dignity for generations of Chicago's American families. But Andy's contributions went far beyond Chicago. Growing up, Andy attended school at St. Constantine and Helen Greek Orthodox Church in Chicago, where he learned the importance of Greek culture and the Greek Orthodox Church.

When World War II came, Andy served as a captain in the U.S. Army in Europe and Africa and was awarded the

Bronze Star. But he brought more than a Bronze Star home from that experience. He stayed on in Belgium after the war ended to run a liberated Ford Motor Company plant that was rebuilding American-made cars and trucks for sale to European governments. Landing that job was the second best thing that happened to him in Belgium. By far, his greatest source of luck was when he met his beautiful wife Louise.

Before Andy retired from the steel business, he used to have to carry two briefcases to keep all his activities straight. In one briefcase were the things he needed for his business. The other briefcase held his blueprints and details for all the extraordinary works of philanthropy and diplomacy by the American Council of Hellenics.

During the tragic invasion of Cyprus by Turkey in 1974, Andy founded the United Hellenic American Congress in Chicago to organize the Greek-American community and press for peace and justice in Cyprus. He served as president or chairman or both over the years, and every Greek-American organization wanted Andy to be part of it.

In 1995, leaders of organizations representing the 7 million Hellenes living outside of Greece met in Greece to create an organization uniting all Greeks around the world. The result was the World Council of Hellenes. Who did the new council choose as its first president? The Dean, Andy Athens.

If it is discovered there are Hellenes living on other planets, I am sure Andy would have organized them and would have been elected first president of their group as well.

Andy Athens was a global ambassador for the shared values on which Hellenism in America is based: freedom, democracy, human rights, human dignity, and service to others. He and the organizations he helped to establish brought hope, opportunity and justice, and the priceless gift of health to millions around the world.

Last year, I traveled to Eastern Europe and met with leaders in several nations who not so long ago were part of the Soviet Union. As so often happens when I visit other lands, I found myself following in Andy's footsteps. I traveled to the Nation of Georgia, where Hellenicare, the medical philanthropy Andy founded, supports a number of health care centers.

I visited the Ukraine, home to Hellenicare's visiting nurses' program. I went to Armenia, where thousands of people each month receive care at a health clinic established by Hellenicare. This was a man whose good works are known throughout the world. As our friend Senator MIKULSKI says, "Andy Athens was a one-man foreign aid program."

Other than faith and family, no cause was dearer to Andy than the cause of freedom and justice for Cyprus. Andy Athens did more than any other Amer-

ican to end the division and occupation of Cyprus and to keep the cause of justice for Cyprus on our Nation's agenda. For his efforts, he received countless honors, including the Grand Cross of the Order of Merit of the Republic of Cyprus and the Hellenic Republic's highest honor, the Gold Cross of the Order of the Phoenix.

Andy was 91 years old when he passed away. Loretta and I want to offer our condolences to Andy's wife Louise, their children and grandchildren, and to Andy's legions of friends. Andy Athens was a hero not only of this Nation but of Greece, Cyprus, and so many other nations. I am proud to say he was my friend, and I will miss him.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, to my colleague and friend from Illinois, through you, I also express my condolences to the Athens family. Andy was a good friend to me. We had such a warm, cordial, affectionate relationship. But he made that easy because of the kind of man he was—a real entrepreneur in that immigrant sense, starting with very little and really creating a business. But along the way, he not only built a business, he raised a family and he built a community. And I enjoyed so much working with him on the issues.

Yes, we did work on Cyprus, the fact that Cyprus is yet to be unified and is still occupied in northern Cyprus. But was the Senator from Illinois aware of his work in creating health services in Russia and in the Orthodox community there—he was like a one-man NGO in what he did. Was the Senator aware of that?

Mr. DURBIN. I tried to read some of them, but I couldn't read the entire list. And I actually quoted the Senator from Maryland, who once referred to him as a one-man foreign aid program.

Ms. MIKULSKI. I am going to put that in neon here this evening, yes.

Mr. DURBIN. He was an extraordinary man. What a legacy he leaves around the world, not just in Chicago and in Washington.

Ms. MIKULSKI. What did he pass away from?

Mr. DURBIN. I was told he passed away peacefully in the night. The last time I saw him was in the Capitol Building about a year ago, and you could tell he was struggling a little bit. But it was a day when he was honored and everyone cheered him on and was happy to be there.

He was such an extraordinarily good man. And when the Senator and I value our own heritage and the fact that so many people from different parts of the world come here, proud to be American but also proud of their roots and try to do something for the country they came from or their family came from—Andy was one of those people.

Ms. MIKULSKI. Absolutely. I am so pleased, if I may comment, that the Senator brought this to the attention of the full Senate. I will submit my own statement. We would welcome to know how to get in touch with the Athens family. But let me say it to the Senator.

Mr. DURBIN. I thank the Senator from Maryland. I might also add that her former colleague Senator Paul Sarbanes was a dear close friend to Andy Athens. Whenever we would have a meeting of the Hellenic group here in the Capitol, you always knew Paul Sarbanes and Andy Athens were going to be right there in front with the Manatos families and others—a wonderful group, both in Chicago and here.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, at the end of a long, hard few days, people probably aren't expecting me to say some positive things about Republicans, but I think it is appropriate to do so.

First of all, the Speaker sent us this bill in a time where we had an opportunity to look at it and work on it. He should be commended, as I do commend him for doing that rather than trying to jam us with something right before the CR expires.

We valiantly tried to make this a better bill, and that has been done because of the outstanding work of Senator MIKULSKI and Senator SHELBY. The product we have is a good product. It funds the government for 6 months, that is all. But it is good because not only does it fund the government for 6 months, it allows us to get back to regular order here, which we have all been talking about doing. Not only is this legislation important but what we are going to do to follow up, to do regular appropriations bills, to fund the government for the fiscal year 2014.

So we have made progress on this bill. We voted on some important matters. But I have to say that I am disappointed in a number of my Democrats and a number of Republicans because we have to compromise and work together to get this done.

As an example, we have five different amendments that have been offered on Egypt. This is a CR for 6 months. We have a functioning Foreign Relations Committee. That is where this should take place. I have spoken with Chairman MENENDEZ. There are people on his committee who are offering various versions of what should happen on Egypt. We all have concerns about Egypt, our funding of Egypt, maintaining stability in the region, supporting Israel. As I have indicated, we have five Senators who have filed five separate, distinct amendments, and, literally, staffs, with Senators, have worked all day coming up with amendments that Democrats and Republicans could agree on. It hasn't been done. That

doesn't mean it can't be done, but it hasn't been done.

I would again remind Senators that this is a continuing resolution. A long-term solution to the situation in the Middle East is not a short-term CR. Whatever we do on this bill would expire in 6 months anyway. The issue should be brought up in committee and worked on there and brought to us. That is what my Republican friends have said they wanted, and that is what my Democratic friends have said they wanted. They want to get back to where we do that kind of work.

I thank very much Senators MENENDEZ, RUBIO, LEAHY, MCCAIN—remember, two and two: two Democrats and two Republicans. I appreciate the work they have done. But we haven't been able to merge these different approaches to get something done.

We are behind the scenes around here. Just because you don't see a lot of talking going on here doesn't mean there isn't a lot of work going on. There have been numerous discussions about how to get the amendments into shape so they can be voted on. We can't even get Senators to agree that we should have votes on amendments, unless, "I want mine." "If he gets his, I want mine." So we have had difficulty on both sides to agree on a path forward.

Now, the Speaker has been pretty clear. He has said that unless we get a bill that doesn't have a lot of junk in it—I am paraphrasing what he said to make the point—he is going to strike everything and send us back a straight CR. He said that publicly, not privately. So we need to move forward, cautiously but quickly.

Next week we have something on which we have had speeches on both sides of the Senate—we need to do a budget. As we speak, the Budget Committee is in session working to get a budget so that we can work on it next week.

Now, the budget is defined, how we do it. There is a statute that says there are no filibusters. There are certain ways you can slow it down a little bit, but there is 50 hours. That is how much time we have on it, plus the vote-athon afterward.

So yesterday I filed a motion on the pending substitute and the underlying bill. What I would request—and I have spoken to the managers of this bill—is that they and their staffs make themselves available to Senators and Senators' staff to try to come up with a finite list of amendments—not hundreds but a finite, small list of amendments that we think would improve this bill and not further develop the ire of the Speaker, who is kind of in charge of a lot of what we do around here even though we are on the other side of the Capitol than he is.

The managers have already agreed to be available and their staffs will be

available to work on a finite list of amendments. Staffs need to be reasonable, and Senators need to be reasonable.

It is doable. We can do this. If we have a finite list of amendments, we will complete work on this matter Monday. If we don't, then there is not much choice we have except to vote on cloture on Monday. One way or the other, we are going to move forward with this bill on Monday. I hope the Senate will be able to come to a resolution on this important appropriations matter on Monday. We need to do that. I hope this Senate can turn immediately after that to the budget resolution.

I can't say enough how much I appreciate the efforts of Senators MIKULSKI and SHELBY. They have had a very difficult time trying to manage people who at times are unmanageable.

So that is it for tonight. Again, we will go out tonight and have people work to try to come up with a list of amendments that will allow us to move forward on this bill.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I know we are going to go out. I thank the majority leader for his kind words. I assure the leader and the Republican leader that the staffs on the Appropriations Committee will be working once again through another weekend to scrutinize these amendments.

We now have 99 amendments pending. In order to properly advise the Senate and to ensure that they would get good scrutiny from both a budgetary standpoint and policy, to be able to consult with one another, it requires us working through the weekend. We are ready to do it. We worked last weekend. Senator SHELBY and I were in frequent contact. We were in frequent contact with our House counterparts, Congressman ROGERS and Congresswoman NITA, who graciously made themselves available to get their view on their lay of the land. So we will do it again.

Every Senator has a right to offer amendments. Every Senator has a right to have his or her day. But I would hope they wouldn't do it all on this amendment or all on this bill.

This is the continuing funding resolution. We have worked with such diligence and such a sense of cooperation and bipartisanship. Our goal is to get the Federal Government funded through the fiscal year October 1 to avoid a government shutdown. This isn't a BARBARA MIKULSKI threat. We have a due date on March 27, when it expires. Congress leaves for the Easter-Passover break next Friday, March 22.

So I would say to my colleagues, now that we have the amendments, we will do our due diligence, and Senators will know our analysis and their own respective staff's analysis.

So on Monday, once again, on the floor will be Shelby-Mikulski, Mikul-

ski-Shelby. We will be ready to move amendments. We need our colleagues ready to move on their own amendments and to cooperate with us on offering them, debating them, and putting them in the sequence that has the greatest leverage to get the job done.

I really can't say enough about the help I have gotten from Senator SHELBY, my vice chairman, the distinguished Senator from Alabama, his staff, and the cooperation we have received from the minority. This is not the usual slamdown party politics. This is a big bill. It is the funding for the government of the United States. There is a lot of pent-up desire to participate in policymaking. Let's keep it not to what we would like to do, but let's keep it to what we must do. What we would like to do can come on the budget next week and can come as we bring up individual bills, where we can really dive deep into the issues and policies and the funding. So let's do what we can.

I would hope that on Monday Senators come ready to really wrap it up because we would have liked to have sent our bill to the House at noon today. Well, it didn't work out that way. So we are ready to do business. We are ready to get the job done. We would love to get this job done Monday night, if we could.

Mr. President, I again thank everyone. I also thank our staffs on both sides of the aisle who have been working so assiduously for the last several weeks to get this bill ready to present to the Senate on the floor and for what they will continue to do to help us do our jobs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I wish to take a few minutes this evening to thank the majority leader, Senator REID, and also the Republican leader, Senator MCCONNELL, for helping us come together, being where we are thus far. I also wish to thank Senator MIKULSKI, the chairperson of the full Committee on Appropriations. We have been working and we have made some progress. We would have liked to have finished this bill tonight. There are a lot of amendments—I think 90-something that Senator MIKULSKI said. I hope people will try to work this weekend and try to get through this.

We need to pass this bill. This is one of the cleanest appropriations bills I have seen since I have been up here. We said no to the Democrats, Senator MIKULSKI has, and I have said no to the Republicans on some things. We have a continuing resolution—I call it a hybrid—with five appropriations bills. We can do this. This would take care of the government—in other words, not go from crisis to crisis—until the end of this fiscal year, September 30, where we can get on the budget and other things.

America is watching us. We are trying to respond in a bipartisan way. I hope we can make a lot of progress this weekend. Our staffs are going to be here working. We are going to be here working. Come Monday, we need to move this bill.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, before he leaves the floor, I apologize for not mentioning Senator MCCONNELL. Senator MCCONNELL, when the bill came from the House, stood up for the prerogatives of the Senate.

Mr. SHELBY. Absolutely.

Mr. REID. He said they have done subcommittees. We are going to do our own. I failed to mention my friend Senator MCCONNELL. I am glad you did. Because we are here today, making as much progress as we have, because of Senator MCCONNELL standing up for the Senate.

Mr. SHELBY. Because of both of them. I thank the Senator.

• Mr. COWAN. Mr. President, Senator ELIZABETH WARREN, the distinguished Senior Senator from Massachusetts and I are cosponsors of the Murkowski amendment to the Continuing Appropriations bill. This amendment would provide \$150 million in disaster assistance for the fishermen and the fishing communities which received a Department of Commerce disaster declaration last year. This amendment is offset by an across-the-board cut to the Department of Commerce budget in Fiscal Year 2013.

While Senator WARREN and I are cosponsors of this bipartisan amendment, we would strongly prefer that this amendment use an emergency funding designation instead of the offset included in this amendment.

In recent years, Massachusetts fishermen and fishing communities have been struggling to survive amid Federal regulations and environmental changes that have limited fishing opportunities. Last year, the Department of Commerce declared a fishery failure for the Northeast multispecies fishery for the 2013 season.

Last year, the Senate included a \$150 million fund in the Senate Hurricane Sandy Supplemental Appropriations bill to assist fisheries disasters, like those in the Northeast using an emergency designation. Unfortunately, this provision was not included in the final Hurricane Sandy Supplemental Appropriations bill due to opposition from Republicans in the House of Representatives.

Senator WARREN and I will continue to do all that we can to provide disaster assistance funding for Massachusetts fishermen and fishing communities. •

Ms. COLLINS. Mr. President, I am pleased to be a cosponsor of the amendment sponsored by my friend from Alaska, Senator MURKOWSKI, which

would provide \$150 million in disaster funding for officially declared fisheries disasters.

The funding for declared fisheries disasters is necessary to address the devastating economic consequences of significant projected reductions in the total allowable catch for critical groundfish stocks. In September of last year, the acting Secretary of Commerce, recognizing the economic difficulty fishing communities have faced and will continue to face, declared a federal fisheries disaster for Maine, Rhode Island, Massachusetts, New Hampshire, New York, and Connecticut for the 2013 fishing year. This authority is provided under the Magnuson-Stevens Fisheries Conservation and Management Act and the Interjurisdictional Fisheries Act.

Fishing is more than just a profession in New England. Fishing is a way of life and a significant part of Maine's heritage. There are 45 vessels based in Maine which are actively fishing with Federal groundfish permits. Last year, more than five million pounds of groundfish, with a dockside value approaching \$5.8 million, were landed in Maine. Despite strict adherence to rigorous management practices by fishermen, the projected reductions, which may be as high as 73 percent, could devastate groundfishing communities.

The requested funding would be used to provide economic relief to the region's struggling groundfish industry and to make targeted investments which will allow the fleet to survive and become more sustainable in the years ahead. These funds could also be used to fully cover the costs of at-sea monitoring and to address long-term overcapacity in the fishing industry. This is critical to rebuilding fish stocks and preserving a thriving fishing industry well into the future.

Slow recovery and declining fish stocks continue to have a negative impact on commercial fishing, which harms local communities and economies. This federal disaster assistance is vital to the long-term success and short-term survival of fishing communities throughout the region.

I urge adoption of the amendment.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent we now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNIZING TONY POMERLEAU'S GENEROSITY

Mr. LEAHY. Mr. President, I have spoken many times on the floor of the Senate about Antonio Pomerleau of Burlington, VT. As my wife, Marcelle, has often said, he is her "favorite

Uncle Tony." Given his extraordinary service and dedication to the people of our state, it is safe to say that he is every Vermonter's "favorite Uncle Tony."

Tony has done so much for so many, from his enormously generous contribution to help the survivors of Hurricane Irene, through his constant and generous support of our Vermont National Guard and their families, to most recently his large donation to the Community Health Centers of Burlington, in memory of his daughter, Anne Marie.

Marcelle and I of course knew her cousin Anne Marie, and we warmly remember her spirit and her life. Even though health problems nearly immobilized her toward the end, the cheer, love and friendship she gave—not only to members of the family but to everyone else—was a treasure in all of our lives. Tony continues to lift Vermonters' spirits and make lives better in so many ways. I have an article from The Burlington Free Press that highlights yet another token of Uncle Tony's generosity.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press,  
Mar. 6, 2013]

#### POMERLEAU GIVES TO HEALTH CENTERS—COMMUNITY HEALTH CENTERS OF BURLINGTON RECEIVE \$200,000 GIFT

"You people deserve the thanks for the outstanding work you do," Burlington businessman Tony Pomerleau told a small crowd Wednesday afternoon at the Riverside Health Center. "I just come up with the money, that's all."

Applause and cheers greeted Pomerleau's announcement of a \$200,000 donation to Community Health Centers of Burlington in memory of his daughter, Anne Marie.

"This is a large gift for us," beamed Jack Donnelly, the executive director of the centers.

He said the sum would be dedicated to the nonprofit's Homeless Health Care Program.

Specifically, Donnelly said, it will fund improvements to the basement at Safe Harbor Health Center at South Winooski Avenue and King Street—one of the Community Health Centers' four facilities in Burlington.

Director of Community Relations Alison Calderara summarized the centers' mission: It provides sliding-scale health, dental and human services; and includes low-cost prescription programs, social work support and interpreters for non-English speaking patients.

Soon after Wednesday's fanfare subsided, it segued into mid-day sandwiches.

The philanthropist made himself comfortable in an armchair and indulged in a little storytelling.

It turns out that Pomerleau has good reason to be grateful for easy access to health care: When he was 2 or 3 years old he tumbled into the basement of his family's summer kitchen.

"I wore a cast iron brace for four years," he said.

His parents regularly took the boy 50 miles north by train to Sherbrooke, Quebec, for treatment.

For Pomerleau, who is in his mid-90s now, the half-dozen years after the accident remain a blank.

"The lights came on when I was seven or eight," he said. "The doctors told my parents I might reach 10, but I'd never reach 12."

"I'd been awake, of course," Pomerleau continued. "I'd learned English in school; I'd grown—but I don't remember anything."

"Now, people say I remember too much," he said.

### SEQUESTER MITIGATION

Mr. UDALL of Colorado. Mr. President, I rise today to talk about the bipartisan Udall-Collins flexibility plan, which is designed to help mitigate the damaging effects of the automatic spending cuts our country now faces, commonly called the sequester. If left unchanged, these indiscriminate sequester cuts will undermine services that hardworking families rely on and harm our economic growth during this fragile recovery.

So what is the sequester and how did our politics deteriorate so badly that we are left to watch as this self-inflicted wound is leveled on our country? It boils down to two problems that both Democrats and Republicans readily acknowledge deserve our attention: our national deficit and debt. In some ways it is just as the President has described it: a matter of pure math. The Federal Government is spending more than it is taking in and that picture is not projected to change in the long run—in fact, it is projected to get worse.

And this has been a long time coming. In 2010, I was part of a core group of Senators who urged the White House to establish a bipartisan fiscal commission that would help us address our debt and deficit. The administration heard our call and established a debt and deficit panel to recommend a balanced and comprehensive way to get our fiscal house in order. Their plan, as you know Mr. President, is now commonly referred to as the Simpson-Bowles plan. Former Republican Wyoming Senator Al Simpson and Former Clinton Chief of Staff Erskine Bowles led the effort and both Democrats and Republicans here in the Senate embraced the framework that pushed for spending cuts, raising revenue and responsibly reforming our entitlements. With bipartisan support for such a balanced plan, it should have been an open-and-shut case, which is why I endorsed the idea and repeatedly encouraged my colleagues to bring it to the floor for a vote.

The problem is that it doesn't just take some bipartisanship to get anything done around here; it takes a lot of bipartisanship—60 votes in the Senate and 218 votes in the House of Representatives. Ideologues on both sides of the aisle and in both chambers have since dug in their heels, totally unwill-

ing to set aside differences to reach a compromise.

So that brings us back to the sequester. Because Congress cannot agree on a balanced and bipartisan plan to reduce the deficit, we are left with these automatic and blunt across-the-board cuts.

There is no doubt that we must reduce the deficit, which is why I have been saying for months that we ought to bring forward the Simpson-Bowles plan and find a way to achieve deficit reduction in a more thoughtful and strategic way. That approach would include additional revenue and shoring up our entitlements. In theory, many of my colleagues on both sides of the aisle agree with this approach. But at the end of the day, there just aren't enough of them with the courage to support a balanced, deficit-reduction plan. We owe it to the American people to be honest. Let's just acknowledge that we have reached an impasse.

And until there are enough Members willing to make the difficult decisions we are left with these terrible and indiscriminate cuts to our Government. Let's get it straight: the sequester is not a solution. It is neither smart, nor strategic—it wasn't designed to be. I firmly believe that the sequester will leave our Government frayed and our economy weakened.

The sheer magnitude of the sequester cuts will not only damage our economy, but will also put our national security at a level of risk that could have been avoided had Congress exercised the courage to pass a bipartisan and balanced plan. We can do better, and the Udall-Collins plans suggests that there are more reasonable ways to find these savings than implementing blunt, thoughtless cuts.

Our plan says, "Wait a minute, if we really have to live with these terrible cuts, shouldn't we at least be strategic about how and where we make them?"

The proposal that Senator COLLINS and I have put forward is not about providing flexibility to choose between cutting children's education funding in New York City versus Kansas City. Our plan simply provides the administration and Congress with the flexibility to look at where our Government's highest-value investments are so we can continue to invest in them, while cutting back in areas that do not provide mission-critical value for Americans.

While there are still difficult decisions to make and tough choices to confront, the best way forward is through a collaborative process between the administration and Congress—as the Udall-Collins plan would provide.

Last week, the Senate voted down a politically motivated flexibility proposal. Senator COLLINS and I are not interested in proposing a partisan plan. Instead, we offer a plan that is both

reasonable and feasible because it calls for strategic decision-making that allows for the least disruption possible for our constituents as the executive branch implements \$85 billion in spending cuts over the next 7 months.

Further underscoring the need for a comprehensive flexibility plan, several members of Congress introduced this week amendments to a funding bill called a continuing resolution that propose flexibility in implementing sequestration for individual agencies or departments that were immediately hit by the effects of the automatic budget cuts. These amendments are mainly focused on providing flexibility for particular agencies, while the bipartisan Udall-Collins approach proactively provides for strategic decision-making and flexibility across all agencies in our Government.

Coloradans know we are all in this together. When the pioneers had a wagon train breakdown, they didn't quibble about who was to blame. They fixed the wheel. When bad weather rolled in while crossing the divide, they didn't argue about who put them in harm's way—they came together and supported each other in order to survive.

In that vein, we ought to continue working on a Simpson-Bowles inspired plan that raises revenue by closing tax loopholes and asks the well-off to do a little more, reforms our entitlements to shore them up over the long term, and finds areas of our budget where we can pare back Government spending. If we can finally agree on a balanced solution like this, we would—in effect—fix the wagon wheel and get us through the storm so that we can move on to the other serious challenges confronting our country, like energy and immigration reform, fighting terrorists and building an economy that is set to lead the global economic race.

At this point, we are left with very few workable options. The sequester will be damaging no matter what, but let's work together to ensure its impact is not unnecessarily debilitating to our Government, our national security, and our economy. Most importantly, let's not do unnecessary harm to hardworking, middle-class families across this Nation.

I urge my colleagues to join Senator COLLINS and me in supporting our amendment to give Congress and the White House the authority to more strategically implement the sequestration cuts. By working together, we can make the best out of a bad situation and agree on a wholesale, balanced and bipartisan plan to address our fiscal imbalances.

### WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION ACT

Mr. COONS. Mr. President, today the Senate Energy and Natural Resources



Committee voted to endorse a bill I introduced that would add approximately 9 miles of White Clay Creek and its tributaries to the existing Wild and Scenic Rivers designation for the waterway. The White Clay Creek Wild and Scenic River Expansion Act of 2013 (S.393) now awaits consideration by the full Senate, which passed this legislation with bipartisan support during the 112th Congress.

Growing up, I spent considerable time in the White Clay Creek watershed and know that it is an important resource for Delaware and the region. Years ago, my grandmother donated some of her land along the banks of White Clay Creek to help protect it. It is up to all of us to fight to protect our natural resources. I look forward to continuing to work with my colleagues to get this legislation passed by the full Senate.

The legislation, which comes at no cost to taxpayers, would expand the original Wild and Scenic Rivers designation to include two small stream sections that were omitted from the original designation, including a 1.6-mile stretch of Lamborn Run in Delaware that was originally omitted due to its consideration as an option for a dam to supply drinking water for northern Delaware. It has since been removed from consideration and New Castle County is supportive of the designation.

The bill also includes a 7.4-mile stretch of stream in Pennsylvania's New Garden Township that was originally omitted due to its consideration for a dam. That consideration has since been withdrawn and the township is now supportive of the designation.

In February, Representative JOSEPH PITTS (R-Pa.) and I reintroduced the White Clay Creek Wild and Scenic River Expansion Act in our respective chambers. Senator TOM CARPER, as well as Rep. JOHN CARNEY are cosponsors.

In 2000, Congress designated a large majority of White Clay Creek and its tributaries as part of the National Wild and Scenic Rivers System. Then-Senator Joe Biden was the lead sponsor for the Senate bill and Representative Mike Castle was the lead sponsor for the House version. This marked the first time a whole watershed, rather than individual river segments, had been designated into the system. The proposal to expand the designation was led by former Senator Ted Kaufman in the Senate and Representative PITTS in the House.

The 69,000-acre White Clay Creek watershed is home to 33 species of mammals, 21 species of fish, 27 species of reptiles and amphibians, and over 90 species of birds. White Clay Creek is also stocked with brown and rainbow trout, and is an important resource for fishermen. Protected land in the watershed also provides recreational oppor-

tunities for hikers, bikers, birders, hunters, and others. White Clay Creek and the Cockeysville aquifer that lies beneath portions of the watershed are important sources of drinking water for over 128,000 citizens in Pennsylvania and Delaware.

The bill is supported by the White Clay Creek Watershed Management Committee, which is comprised of 40 local, State, and Federal agency representatives, as well as organizations and businesses. Among its members are the National Park Service, Delaware Department of Natural Resources and Environmental Control, New Castle County Department of Land Use, London Britain Township, United Water Delaware, White Clay Outfitters, the Brandywine Conservancy, the Delaware Ornithological Society, Stroud Water Research Center, Chester County Planning Division, and SE Regional Office Pennsylvania Department of Conservation & Natural Resources.

The Senate Committee on Energy and Natural Resources also voted to pass the First State National Historical Park Act (S. 347), a bill authored by Senator CARPER, of which I am an original cosponsor. I was proud to lead my colleagues on the Energy and Natural Resources Committee in voting to bring Delaware one step closer to its first national park. For more than a decade, Senator CARPER has worked tirelessly to bring a national park to our State. A national park will preserve and celebrate our State's vibrant history while boosting Delaware's economy and creating jobs. Senator CARPER and I will continue to work together toward passage in the full Senate.

#### TRIBUTE TO NANCY LEE BASS

Mr. CORNYN. Mr. President, with the passing of Nancy Lee Bass, the State of Texas has lost one of its finest citizens. I consider it a great honor to have known Nancy and her husband, Perry, and I join a grateful State in mourning her passing and celebrating the remarkable life she led.

A native daughter of Fort Worth, Nancy dedicated her life to her city. A mother of four, she was a community leader and philanthropist of the highest order, working endlessly for the greater good of her fellow citizens. Nancy's generosity was matched by her hard work and her unyielding support of the arts, health care services, and education. Her good works have touched the lives of countless people, not just in Fort Worth and Texas, but across our country.

Nancy Lee Bass has left a legacy of generosity that epitomizes the highest ideals of our great State. She will be missed, but we will find solace in the notion that her giving spirit will forever live on as both an inspiration and an aspiration for all Texans.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO PRESTON HENNE

• Mr. ISAKSON. Mr. President, I am proud to honor on the floor of the Senate, Mr. Preston "Pres" Henne, for his 44-year career in the aerospace industry as he prepares for his retirement from Gulfstream Aerospace on March 31, 2013, as senior vice president for Programs, Engineering and Test.

During Pres' 19 years with Gulfstream, he was responsible for leading the teams that designed, developed, tested and certified the Gulfstream V and G550 aircraft. This earned him the Robert J. Collier trophies from the National Aeronautics Association in 1997 and 2003, respectively, which are awarded annually for the greatest achievement in aeronautics and astronautics in North America.

Under Pres' direction, Gulfstream developed and certified six new aircraft, the G650, G550, G6V, G450, G280 and G150. In conjunction with these new products, Pres was also responsible for launching a number of industry-leading product enhancements, including the Gulfstream Enhanced Vision System and Synthetic Vision-Primary Flight Display.

Most recently, Pres oversaw the development of the company's much-anticipated G650, one of the world's most sophisticated business-jet aircraft. The G650, which entered service in 2012, was designed with technological advances such as a digital fly-by-wire system, triplex flight management systems, auto emergency descent and enhanced and synthetic vision systems. Pres also supervised the design and development of the G280, an aircraft that has been noted for its best-in-class performance, cabin comfort and technology.

From my conversations with Gulfstream officials and my knowledge of Pres' tremendous accomplishments, I know that the loss will be great. However, with the team Pres has led and his strong vision, I have no doubt the future of Gulfstream is as bright as Pres' own future beyond Gulfstream. Congratulations to Pres on taking the next steps in life. •

#### MESSAGE FROM THE HOUSE

At 1:01 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 890. An act to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 890. An act to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Finance.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 558. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity outside the United States.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 582. A bill to approve the Keystone XL Pipeline.

S. 583. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-812. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tetrachlorvinphos; Extension of Time-Limited Interim Pesticide Tolerances" (FRL No. 9380-9) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-813. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General James N. Mattis, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-814. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Economic Development Conveyances Report to Congress"; to the Committee on Armed Services.

EC-815. A communication from the Secretary of Defense, transmitting, pursuant to law, the Annual Report of the Reserve Forces Policy Board for 2012; to the Committee on Armed Services.

EC-816. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on March 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-817. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule

entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Cleveland-Akron-Lorain and Columbus 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets" (FRL No. 9790-2) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Environment and Public Works.

EC-818. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Control Techniques Guidelines and Reasonably Available Control Technology" (FRL No. 9791-1) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Environment and Public Works.

EC-819. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Idaho" (FRL No. 9791-2) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Environment and Public Works.

EC-820. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Consent Decree Requirements" (FRL No. 9789-9) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Environment and Public Works.

EC-821. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to Ambient Nitrogen Dioxide Monitoring Requirements" (FRL No. 9789-2) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Environment and Public Works.

EC-822. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Work Opportunity Tax Credit Transition Relief" (Notice 2013-14) received in the Office of the President of the Senate on March 11, 2013; to the Committee on Finance.

EC-823. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-011, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-824. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the notification that groups designated by the Secretary of State as Foreign Terrorist Organizations will be published in the Federal Register; to the Committee on Foreign Relations.

EC-825. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC-826. A communication from the Executive Analyst (Political), Department of

Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on March 12, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-827. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-828. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food and Color Additives; Technical Amendments" (Docket No. FDA-2012-N-0010) received in the Office of the President of the Senate on March 11, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-829. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Evaluation Findings—Performance Improvement 2011-2012"; to the Committee on Health, Education, Labor, and Pensions.

EC-830. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the fourth quarter of fiscal year 2012 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 150. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE:

S. 560. A bill to provide that the individual mandate under the Patient Protection and Affordable Care Act shall not be construed as a tax; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Mr. LEVIN, and Mrs. BOXER):

S. 561. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income controlled foreign corporations attributable to imported property; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. BARASSO, and Mr. MERKLEY):

S. 562. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services



under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. CORKER (for himself, Mr. WARNER, Mr. VITTER, and Ms. WARREN):

S. 563. A bill to provide certainty that Congress and the Administration will undertake substantive and structural housing finance reform, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI:

S. 564. A bill to amend the Federal Power Act to remove the authority of the Federal Energy Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 565. A bill to provide for the safe and reliable navigation of the Mississippi River, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 566. A bill to establish a pilot program to evaluate the cost-effectiveness of allowing non-Federal interests to carry out certain water infrastructure projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HARKIN:

S. 567. A bill to improve the retirement of American families by strengthening Social Security; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. RUBIO, Mr. CORNYN, Mr. HELLER, Mr. NELSON, Mr. SCHUMER, Ms. STABENOW, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, and Mrs. FEINSTEIN):

S. 568. A bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes; to the Committee on Rules and Administration.

By Mr. BROWN:

S. 569. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Finance.

By Mr. BENNET:

S. 570. A bill to establish a competitive grant program in the Department of Energy to provide grants to States and units of local government to carry out clean energy and carbon reduction measures, to close big oil company tax loopholes to pay for the competitive grant program and reduce the deficit, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Mr. DURBIN):

S. 571. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself, Mr. BOOZMAN, Mr. WICKER, Mr. RISCH, Mr. MORAN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. THUNE, Mr. ENZI, Mr. VITTER, Mr. CRAPO, and Mr. INHOFE):

S. 572. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain

purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself, Mr. LEAHY, and Mr. CARPER):

S. 573. A bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 574. A bill to modify the project for navigation, Mississippi River Ship Channel, Gulf of Mexico to Baton Rouge, Louisiana, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY:

S. 575. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANNIS (for himself and Mr. TESTER):

S. 576. A bill to reform laws relating to small public housing agencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself, Mr. REID, and Mr. SCHUMER):

S. 577. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Mrs. HAGAN:

S. 578. A bill to improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. INHOFE, and Mr. COATS):

S. 579. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWN:

S. 580. A bill for the relief of Maha Dakar; to the Committee on the Judiciary.

By Mr. COATS (for himself and Mr. DONNELLY):

S. 581. A bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

By Mr. HOEVEN (for himself, Mr. BAUCUS, Mr. ROBERTS, Mr. PRYOR, Mr. VITTER, Ms. HEITKAMP, Mr. CORNYN, Mr. BEGICH, Ms. MURKOWSKI, Ms. LANDRIEU, Mr. RISCH, Mr. MANCHIN, Mr. BARRASSO, Mr. TESTER, Mr. DONNELLY, and Mr. PORTMAN):

S. 582. A bill to approve the Keystone XL Pipeline; read the first time.

By Mr. PAUL (for himself, Mr. WICKER, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COBURN, Mr. ENZI, Mr. FISCHER, Mr. GRASSLEY, Mr. HOEVEN, Mr. INHOFE, Mr. MORAN, Mr. RISCH, Mr. THUNE, and Mr. JOHANNIS):

S. 583. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person; read the first time.

## ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 169

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 214

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 214, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 336

At the request of Mr. ENZI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 369

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 370

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in

the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 413

At the request of Mr. CORNYN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 413, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 482

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 482, a bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates.

S. 511

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 511, a bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes.

S. 545

At the request of Mr. BENNET, his name was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Florida (Mr. NELSON) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 28

At the request of Mr. PAUL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 28 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 29

At the request of Mr. INHOFE, the names of the Senator from West Vir-

ginia (Mr. MANCHIN), the Senator from Arkansas (Mr. PRYOR) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of amendment No. 29 proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 43

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 43 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 47

At the request of Mr. HOEVEN, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of amendment No. 47 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 55

At the request of Mr. MORAN, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from West Virginia (Mr. MANCHIN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Idaho (Mr. RISCH), the Senator from Montana (Mr. BAUCUS) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 55 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 60

At the request of Mr. BEGICH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 60 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 72

At the request of Mr. INHOFE, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Kansas (Mr. MORAN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 72 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other depart-

ments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 74

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 74 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 76

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 76 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 82

At the request of Mr. COONS, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

At the request of Mr. CARPER, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, supra.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. BARRASSO, and Mr. MERKLEY):

S. 562. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, I am honored to join my colleague from Wyoming, Senator JOHN BARRASSO, in introducing a bill essential to enhancing the delivery of mental health services to our senior citizens, The Seniors Mental Health Access Improvement Act.

Currently, there are limitations on the types of mental health practitioners who may be reimbursed for services in the Medicare program. Our legislation permits mental health counselors and marriage and family therapists to bill Medicare for their services, and it pays them at the rate of clinical social workers. With this legislation, seniors will have more opportunities as part of their Medicare benefit to access professional mental health counseling assistance.

Throughout the United States there are approximately 77 million older adults living in 3,000 so-called “mental health profession shortage areas.” Moreover, 50 percent of rural counties have no practicing psychiatrists or psychologists. Seniors living in these areas will be the primary beneficiaries of our efforts.

Mental health counselors and marriage and family therapists are often the only mental health providers in some communities, and yet presently they are not recognized as covered providers within the Medicare program. These therapists have equivalent or greater training, education and practice rights as some existing provider groups that can bill for their services through Medicare.

Additionally, other government agencies, including The National Health Service Corps, the Veteran's Administration and TRICARE, already recognize these mental health professionals and reimburse for their services. We need to utilize the skills of these providers and ensure that seniors have access to them. These professionals play a critical role in the delivery of our Nation's mental health care.

In Oregon, the passage of this legislation will focus the talents of over 2,000 additional qualified providers on the mental health issues of one of our most vulnerable populations. This represents a commonsense approach to relieving a persistent and chronic healthcare workforce shortage.

Finally, I commend our mental health professionals nationwide, for their dedicated work and efforts, and I encourage passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 562

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Seniors Mental Health Access Improvement Act of 2013”.

#### SEC. 2. COVERAGE OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES UNDER PART B OF THE MEDICARE PROGRAM.

##### (a) COVERAGE OF SERVICES.—

(1) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(A) in subparagraph (EE), by striking “and” after the semicolon at the end;

(B) in subparagraph (FF), by inserting “and” after the semicolon at the end; and

(C) by adding at the end the following new subparagraph:

“(GG) marriage and family therapist services (as defined in subsection (iii)(1)) and mental health counselor services (as defined in subsection (iii)(3));”.

(2) DEFINITIONS.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by

adding at the end the following new subsection:

“Marriage and Family Therapist Services; Marriage and Family Therapist; Mental Health Counselor Services; Mental Health Counselor

“(iii)(1) The term ‘marriage and family therapist services’ means services performed by a marriage and family therapist (as defined in paragraph (2)) for the diagnosis and treatment of mental illnesses, which the marriage and family therapist is legally authorized to perform under State law (or the State regulatory mechanism provided by State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as an incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

“(2) The term ‘marriage and family therapist’ means an individual who—

“(A) possesses a master's or doctoral degree which qualifies for licensure or certification as a marriage and family therapist pursuant to State law;

“(B) after obtaining such degree has performed at least 2 years of clinical supervised experience in marriage and family therapy; and

“(C) in the case of an individual performing services in a State that provides for licensure or certification of marriage and family therapists, is licensed or certified as a marriage and family therapist in such State.

“(3) The term ‘mental health counselor services’ means services performed by a mental health counselor (as defined in paragraph (4)) for the diagnosis and treatment of mental illnesses which the mental health counselor is legally authorized to perform under State law (or the State regulatory mechanism provided by the State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

“(4) The term ‘mental health counselor’ means an individual who—

“(A) possesses a master's or doctor's degree in mental health counseling or a related field;

“(B) after obtaining such a degree has performed at least 2 years of supervised mental health counselor practice; and

“(C) in the case of an individual performing services in a State that provides for licensure or certification of mental health counselors or professional counselors, is licensed or certified as a mental health counselor or professional counselor in such State.”.

(3) PROVISION FOR PAYMENT UNDER PART B.—Section 1832(a)(2)(B) of the Social Security Act (42 U.S.C. 1395k(a)(2)(B)) is amended by adding at the end the following new clause:

“(v) marriage and family therapist services (as defined in section 1861(iii)(1)) and mental health counselor services (as defined in section 1861(iii)(3));”.

(4) AMOUNT OF PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395(a)(1)) is amended—

(A) by striking “and (Z)” and inserting “(Z)”; and

(B) by inserting before the semicolon at the end the following: “, and (AA) with respect to marriage and family therapist serv-

ices and mental health counselor services under section 1861(s)(2)(GG), the amounts paid shall be 80 percent of the lesser of the actual charge for the services or 75 percent of the amount determined for payment of a psychologist under subparagraph (L)”.

(5) EXCLUSION OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES FROM SKILLED NURSING FACILITY PROSPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended by inserting “marriage and family therapist services (as defined in section 1861(iii)(1)), mental health counselor services (as defined in section 1861(iii)(3)),” after “qualified psychologist services.”.

(6) INCLUSION OF MARRIAGE AND FAMILY THERAPISTS AND MENTAL HEALTH COUNSELORS AS PRACTITIONERS FOR ASSIGNMENT OF CLAIMS.—Section 1842(b)(18)(C) of the Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is amended by adding at the end the following new clauses:

“(vii) A marriage and family therapist (as defined in section 1861(iii)(2)).

“(viii) A mental health counselor (as defined in section 1861(iii)(4)).”.

(b) COVERAGE OF CERTAIN MENTAL HEALTH SERVICES PROVIDED IN CERTAIN SETTINGS.—

(1) RURAL HEALTH CLINICS AND FEDERALLY QUALIFIED HEALTH CENTERS.—Section 1861(aa)(1)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(1)(B)) is amended by striking “or by a clinical social worker (as defined in subsection (hh)(1))” and inserting “, by a clinical social worker (as defined in subsection (hh)(1)), by a marriage and family therapist (as defined in subsection (iii)(2)), or by a mental health counselor (as defined in subsection (iii)(4))”.

(2) HOSPICE PROGRAMS.—Section 1861(dd)(2)(B)(i)(III) of the Social Security Act (42 U.S.C. 1395x(dd)(2)(B)(i)(III)) is amended by inserting “, marriage and family therapist, or mental health counselor” after “social worker”.

(c) AUTHORIZATION OF MARRIAGE AND FAMILY THERAPISTS AND MENTAL HEALTH COUNSELORS TO DEVELOP DISCHARGE PLANS FOR POST-HOSPITAL SERVICES.—Section 1861(ee)(2)(G) of the Social Security Act (42 U.S.C. 1395x(ee)(2)(G)) is amended by inserting “, including a marriage and family therapist and a mental health counselor who meets qualification standards established by the Secretary” before the period at the end.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to services furnished on or after January 1, 2014

By Ms. MURKOWSKI:

S. 564. A bill to amend the Federal Power Act to remove the authority of the Federal Energy Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, we often hear refrains of the need to make government policies more fair, clear, or simple—especially when these policies involve the collection of fees or taxes. Today I rise to introduce legislation to fix an inherently unfair policy by prohibiting the Federal Energy Regulatory Commission from charging land-use fees for hydropower projects

that are no longer located on Federal land.

FERC is responsible for licensing private, municipal and state hydropower projects. Pursuant to the Federal Power Act, the Commission is authorized to collect fees from project owners for those hydro projects located on Federal lands. The rationale behind these land-use fees is to recompense the United States for the "use, occupancy, or enjoyment" of its Federal lands. The Federal Government is, in some sense, a landlord for these types of projects, and can collect just and reasonable rent from its tenants. The current level of these rents is a separate issue but today I am focused on how a technicality in Federal law allows the government to continue to collect land-use fees even when the land at issue has been transferred out of Federal ownership. Under current law, if the Federal Government sold the land underneath a hydropower project to the operator, or transferred it into state ownership, FERC can continue to assess full land use fees against the operator. This untenable situation is like a landlord continuing to collect rent from a tenant even after the tenant buys the house outright.

While the inherent unfairness of such a scenario is clear, the statutory and regulatory web that has created this snare is extremely complex. In addition to allowing for the collection of Federal land-use fees, the Federal Power Act also contains a section regarding Power Site Classifications, or PSCs. A PSC attaches to the land when a preliminary hydropower license application is made, and entitles the government, or its designees, to enter the associated land and develop a hydropower project if some other person or operation is occupying it. These classifications are similar to easements, in that they permanently attach to the title of the lands. The purpose of PSCs is to make sure that hydropower can be developed in the limited number of areas on Federal land that are suitable, and furthermore that once such an area is identified by a preliminary application, that the site is not then diverted to an alternate use.

However, FERC has interpreted the statutory fee collection provisions to give these PSCs another affect that is not in keeping with this purpose—to charge land-use fees from existing hydropower operators in cases where the Federal Government no longer owns the land. In such a case, there is no need for a PSC to preserve the hydropower value of land as it is already being used for power production. Nor is the Federal Government somehow missing out on other beneficial uses of the land, because it no longer owns the land at issue.

When I first learned of this issue, I asked FERC for a list of the hydropower projects for which it was col-

lecting these PSC-based Federal land-use fees. I also asked the Department of the Interior, which maintains our Federal lands, for assistance. Unfortunately it appears that the government has not been diligent in keeping track of which projects are located on lands that have since been transferred away from Federal ownership as neither agency was able to produce a list of impacted projects.

Consequently, my staff attempted to survey the number of affected projects by consulting with both the National Hydropower Association and the Alaska Power Association. This search identified 15 possible projects subject to these PSC land use fee collections—11 of which are located in my home State of Alaska. While some may dismiss these fees as being relatively minor, I can tell you that these annual Federal fees for land not even owned by the Federal Government can represent a significant hardship for my constituents.

The bill I am introducing today would put a halt to this kind of fee collection. It simply says that when FERC is making fee determinations, it cannot take PSCs into account. Therefore, the only land that the Federal Government will be able to collect "use, occupancy, and enjoyment" fees for is land that it actually owns. I hope all of my colleagues can agree this treatment is a fair resolution of the issue and I ask for their support.

By Mr. DURBIN:

S. 565. A bill to provide for the safe and reliable navigation of the Mississippi River, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. Mr. President, I rise today to discuss two bills I am introducing—one to maintain navigation on the Mississippi River during extreme weather and the second, to improve the Nation's water infrastructure, including locks and dams on the Mississippi and Illinois Rivers.

For many of us, last year's low water event on the Mississippi River is still fresh in our minds. We came close to economic catastrophe when ongoing drought conditions in the Midwest led to the lowest water levels seen on the Mississippi River since World War II and threatened to disrupt the movement of billions of dollars in goods on the river. At the height of the crisis at the end of 2012, Waterways Council and the American Waterways Operators estimated that up to \$7 billion in goods could be effected by a river closure from December to January.

The worst conditions for navigation were near Thebes, IL, in a stretch of river referred to as the Middle Mississippi. It begins at the confluence of the Missouri River and ends at Cairo, IL where the Ohio and Mississippi Rivers merge. The natural bends and

twists of the river here combined with naturally occurring rock formations on the river bed make this stretch particularly difficult to navigate during periods of extreme low water. To pass, barges were forced to carry lighter loads than normal, reducing efficiency and costing them money.

Only through better than expected rainfall, Congress pushing the Army Corps to expedite removal of rock pinnacles at Thebes, and some creative reservoir management was the river able to stay open and the worst case scenarios able to be avoided this time. For the Corps' part, it was an amazing feat and they should be commended for their successful efforts.

But we know from Hurricane Katrina to Sandy, from severe flooding on the Mississippi River in 2011 to the historic low water in 2012, extreme weather seems to be the new normal—becoming more frequent and more severe.

The Mississippi River Navigation Sustainment Act seeks to make government and commercial navigation users better prepared for the next extreme weather event that threatens navigation. I am pleased that Representatives BILL ENYART and RODNEY DAVIS are introducing companion legislation in the House.

The bill authorizes the Corps to conduct a study to better coordinate management of the entire Mississippi River Basin during periods of extreme weather. This will ensure that the U.S. Army Corps of Engineers takes into account the effect the entire basin has on navigation and flood control efforts on the Mississippi River.

The Mississippi River Basin is the third largest watershed in the world and covers more than 40 percent of the contiguous United States. It doesn't take a PhD in hydrology to know that what happens on other systems in the watershed affects the Mississippi River and activities on it.

This bill will also improve river forecasting capabilities through the increased use of tools like sedimentation ranges and the deployment of additional automated river gages on the Mississippi and its tributaries. During the latest low water event, many of the manual gages—sometimes literally lines painted on bridges—became unusable because the water was so low, improving the ability to accurately forecast and provide information on current river conditions will help barge operators and shippers who have to make long term business decisions based on this information. Operators leaving Minnesota need to know that when they get to Thebes, river conditions will allow them to pass.

The bill will also provide flexibility to the Army Corps to conduct certain operations outside of the authorized channel if such action is deemed necessary to maintaining commercial navigation. This authority would be

used to maintain access to loading docks and other critical infrastructure during periods of low water. In addition, it will allow the Corps to better assist the Coast Guard in managing traffic on the river during low water events by providing areas for barge operators to moor their vessels farther away from the navigation channel, leading to increased safety and greater ability to keep the navigation channel clear.

Finally, recognizing that the Mississippi River is a vital natural resource, this bill will create an environmental pilot program in the Middle Mississippi River. This will give the Army Corps the authority to restore and protect fish and wildlife habitat in this portion of the river while conducting activities to maintain navigation.

Also key to maintaining navigation and commerce on the Mississippi and other inland waterways, is continued investment in water infrastructure.

For example, the locks and dams on the upper Mississippi River and Illinois Rivers, built in the 30's and 40's, are aging, making the risk of failure an ever increasing prospect. In addition, the lock chambers are too small to accommodate today's standard barge configuration helping lead to an average delay of more than 4 hours for passing vessels.

That is why I worked with my colleagues in Missouri and Iowa in the 2007 Water Resources and Development Act to authorize the Navigation and Ecosystem Sustainability Program which would expand and modernize these locks while restoring the ecosystem on the Upper Mississippi.

Modernizing these locks means safer, more reliable, and drastically more efficient navigation. Operators and shippers alike would benefit—barge companies could maximize efficiency while Illinois farmers and others could reliably get their products to market.

Unfortunately, under current project delivery processes and Federal fiscal realities, the first benefits of this modernization are not expected to be felt by the navigation industry before 2047. And that was before sequestration. Between sequestration and the continuing resolution being debated on the Senate floor now, the Corps' construction budget for fiscal year 13 would be cut by approximately \$80 million. Even before all of that, the Corps estimated a project backlog of approximately \$60 billion.

It is clear we need a new model—one that speeds up the process of planning and constructing these projects in the face of an often slow bureaucratic process and brings to the table greater private investment while the Federal Government is cutting back.

That is what Senator KIRK and I are proposing with the Water Infrastructure Now Public-Private Partnership

Act. I am proud that Representatives BUSTOS and DAVIS have introduced companion legislation in the House.

The bill will create a pilot program to allow the Army Corps of Engineers to enter into agreements with non-federal partners using new and creative models to finance and construct up to 15 previously-authorized flood damage reduction, hurricane and storm damage reduction, and navigation projects.

I am hopeful that this program will provide a way to maintain our investments in important water infrastructure projects even as we face severe fiscal restraints by creating a greater opportunity for private interests to come to the table.

At the same time, the bill would take care to protect previous taxpayer investments by prohibiting any privatization of Federal assets and requiring a study to show that any proposed agreement would actually provide a public benefit.

For many of these long-stalled, large scale infrastructure projects, like the Locks and Dams on the Mississippi and Illinois Rivers, this common sense bill could provide a way forward.

Together, the Mississippi River Navigation Sustainment Act and the Water Infrastructure Now Public-Private Partnership Act, represent positive steps forward in the effort to maintain the economic viability of the Mississippi River and protect our inland waterway system against threats from extreme weather and aging infrastructure. I hope my colleagues will join me in cosponsoring these common sense measures.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the text of the bills was ordered to be printed in the RECORD, as follows:

S. 565

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mississippi River Navigation Sustainment Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the Mississippi River is the largest, most famous river in the United States and a vital natural resource;

(2) the Mississippi River Basin is the third largest watershed in the world, covering more than 1,000,000 square miles and approximately 40 percent of the continental United States;

(3) the rivers, tributaries, and reservoirs that make up the Mississippi River Basin operate naturally as a system and any attempt to operate projects within the Mississippi River Basin by mankind should take this fact into consideration;

(4) the Mississippi River is the backbone of the inland waterway system of the United States and a crucial artery for the movement of goods;

(5) each year millions of tons of commodities, including grain, coal, petroleum, and

chemicals, representing billions of dollars are transported on the Mississippi River by barge;

(6) the Mississippi River is home to some of the busiest commercial ports in the United States, including the Port of New Orleans and the Port of St. Louis;

(7) safe and reliable navigation of the Mississippi River is vital to the national economy;

(8) extreme weather events pose challenges to navigation and life along the Mississippi River and are likely to become more severe and more frequent in the coming years, as evidenced by the devastating floods along the Mississippi River in 2011 and the near historic low water levels seen on the same stretch of the Mississippi River in the winter of 2012-2013;

(9) the American Waterways Operators and the Waterways Council, Incorporated have estimated that a disruption of navigation on the Mississippi River due to low water levels between December 2012 and January 2013 would have negatively impacted 20,000 jobs and \$7,000,000,000 in cargo;

(10) the Regulating Works Program of the St. Louis District of the Corps of Engineers is critical to maintaining navigation on the middle Mississippi River during extreme weather events and should receive continued Federal financial assistance and support; and

(11) the Federal Government, commercial users, and others have a shared responsibility to take steps to maintain the critical flow of goods on the Mississippi River during extreme weather events.

#### SEC. 3. DEFINITIONS.

(a) EXTREME WEATHER.—The term "extreme weather" means—

(1) severe flooding and drought conditions that lead to above or below average water levels; or

(2) other severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) GREATER MISSISSIPPI RIVER BASIN.—The term "greater Mississippi River Basin" means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(c) LOWER MISSISSIPPI RIVER.—The term "lower Mississippi River" means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(d) MIDDLE MISSISSIPPI RIVER.—The term "middle Mississippi River" means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(e) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

#### SEC. 4. GREATER MISSISSIPPI RIVER BASIN EXTREME WEATHER MANAGEMENT STUDY.

(a) IN GENERAL.—The Secretary shall carry out a study of the Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to extreme weather conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects and develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(b) CONTENTS.—The study shall—

(1) identify any Federal actions necessary to prevent and mitigate the impacts of extreme weather, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the Mississippi River Basin;

(2) evaluate the effect on navigation and flood risk management to the Mississippi River of all upstream rivers and tributaries, especially the confluence of the Illinois River, Missouri River, and Ohio River;

(3) identify and make recommendations to remedy challenges to the Corps of Engineers presented by extreme weather, including river access, in carrying out its mission to maintain safe, reliable navigation; and

(4) identify and locate natural or other potential impediments to maintaining navigation on the middle and lower Mississippi River during periods of low water, including existing industrial pipeline crossings.

(c) **CONSULTATION AND USE OF EXISTING DATA.**—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence on the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past extreme weather events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012-2013.

(d) **COST-SHARING.**—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(e) **REPORT.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

#### **SEC. 5. MISSISSIPPI RIVER FORECASTING IMPROVEMENTS.**

(a) **IN GENERAL.**—The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, the Director of the United States Geological Survey, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Weather Service, as applicable, shall improve forecasting on the Mississippi River by—

(1) updating forecasting technology deployed on the Mississippi River and its tributaries through—

(A) the construction of additional automated river gages;

(B) the rehabilitation of existing automated and manual river gages; and

(C) the replacement of manual river gages with automated gages, as the Secretary determines to be necessary;

(2) constructing additional sedimentation ranges on the Mississippi River and its tributaries; and

(3) deploying additional automatic identification system base stations at river gage sites.

(b) **PRIORITIZATION.**—In carrying out this section, the Secretary shall prioritize the sections of the Mississippi River on which additional and more reliable information would have the greatest impact on maintaining navigation on the Mississippi River.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the activities carried out by the Secretary under this section.

#### **SEC. 6. CORPS OF ENGINEERS FLEXIBILITY IN MAINTAINING NAVIGATION.**

(a) **IN GENERAL.**—If the Secretary determines it to be critical to maintaining safe and reliable navigation, the Secretary—

(1) in consultation with the department in which the Coast Guard is operating, may construct ingress and egress paths to docks, loading facilities, fleeting areas, and other critical locations outside of the authorized navigation channel on the Mississippi River; and

(2) operate and maintain, through dredging and construction of river training structures, ingress and egress paths to loading docks and fleeting areas outside of the authorized navigation channel on the Mississippi River.

(b) **MITIGATION.**—The Secretary may mitigate through dredging any incidental impacts to loading or fleeting areas outside of the authorized navigation channel on the Mississippi River that result from operation and maintenance of the authorized channel.

#### **SEC. 7. MIDDLE MISSISSIPPI RIVER ENVIRONMENTAL PILOT PROGRAM.**

(a) **IN GENERAL.**—In accordance with the project for navigation, Mississippi River between the Ohio and Missouri Rivers (Regulating Works), Missouri and Illinois, authorized by the Act of June 25, 1910 (36 Stat. 631, chapter 382) (commonly known as the “River and Harbor Act of 1910”), the Act of January 1, 1927 (44 Stat. 1010, chapter 47) (commonly known as the “River and Harbor Act of 1927”), and the Act of July 3, 1930 (46 Stat. 918, chapter 847), the Secretary shall carry out for a period of not less than 10 years, a pilot program to restore and protect fish and wildlife habitat in the middle Mississippi River.

(b) **AUTHORIZED ACTIVITIES.**—

(1) **IN GENERAL.**—As part of the pilot program carried out under subsection (a), the Secretary shall conduct any activities that are necessary to improve navigation through the project while restoring and protecting fish and wildlife habitat in the middle Mississippi River.

(2) **INCLUSIONS.**—Activities authorized under paragraph (1) shall include—

(A) the modification of navigation training structures;

(B) the modification and creation of side channels;

(C) the modification and creation of islands;

(D) any studies and analyses necessary to develop adaptive management principles; and

(E) the acquisition from willing sellers of any land associated with a riparian corridor needed to carry out the goals of the pilot program.

(c) **COST-SHARING REQUIREMENT.**—The cost-sharing requirements under the provisions of law described in subsection (a) for the project described in that subsection shall apply to any activities carried out under this section.

#### **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this Act such sums as are necessary.

S. 566

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Water Infrastructure Now Public-Private Partnership Act” or the “WIN P3 Act”.

#### **SEC. 2. FINDINGS.**

Congress finds that—

(1) investment in water infrastructure is critical to protecting property and personal safety through flood, hurricane, and storm damage reduction activities;

(2) investment in infrastructure on the inland waterways of the United States is critical to the economy of the United States through the maintenance of safe, reliable, and efficient navigation for recreation and the movement of billions of dollars in goods each year;

(3) fiscal challenges facing Federal, State, local, and tribal governments require new and innovative financing structures to continue robust investment in public water infrastructure;

(4) under existing fiscal restraints and project delivery processes, large-scale water infrastructure projects like the lock and dam modernization on the upper Mississippi River and Illinois River will take decades to complete, with benefits for the lock modernization not expected to be realized until 2047;

(5) the Corps of Engineers has an estimated backlog of more than \$60,000,000,000 in outstanding projects; and

(6) in developing innovative financing options for water infrastructure projects, any prior public investment in projects must be protected.

#### **SEC. 3. WATER INFRASTRUCTURE NOW PILOT PROGRAM.**

(a) **IN GENERAL.**—The Secretary of the Army, acting through the Chief of Engineers, shall establish a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out authorized flood damage reduction, hurricane and storm damage reduction, and navigation projects.

(b) **PURPOSES.**—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives that reduce the backlog of authorized Corps of Engineers projects;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out the design, execution, management, and construction of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project planning, management, and operational decision-making processes of the Corps of Engineers.

(c) **ADMINISTRATION.**—

(1) **IN GENERAL.**—In carrying out the pilot program, the Secretary shall—

(A) identify a total of not more than 15 flood damage reduction, hurricane and storm damage reduction, and navigation projects, including levees, floodwalls, flood control channels, water control structures, and navigation locks and channels, authorized for construction;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives upon the identification of each project under the pilot program;

(C) in consultation with the non-Federal interest, develop a detailed project management plan for each identified project that outlines the scope, budget, design, and construction resource requirements necessary for the non-Federal interest to execute the project, or a separable element of the project;

(D) on the request of the non-Federal interest, enter into a project partnership agreement with the non-Federal interest for the non-Federal interest to provide full project management control for construction of the



project, or a separable element of the project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the non-Federal interest to carry out construction of the project, or a separable element of the project—

(i) if applicable, the balance of the unobligated amounts appropriated for the project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under section 5, except that the total amount transferred to the non-Federal interest shall not exceed the estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each project being constructed by a non-Federal interest under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) RESTRICTIONS.—Of the projects identified by the Secretary—

(A) not more than 12 projects shall—

(i) have received Federal funds and experienced delays or missed scheduled deadlines in the 5 fiscal years prior to the date of enactment of this Act; or

(ii) for more than 2 consecutive fiscal years, have an unobligated funding balance for that project in the Corps of Engineers construction account; and

(B) not more than 3 projects shall—

(i) have not received Federal funding for recapitalization and modernization in the period beginning on the date on which the project was authorized and ending on the date of enactment of this Act; and

(ii) be, in the determination of the Secretary, significant to the national economy as a result of the impact the project would have on the national transportation of goods.

(3) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance, relating to—

(A) any study, engineering activity, and design activity for construction carried out by the non-Federal interest under this section; and

(B) obtaining any permits necessary for the project.

(4) WAIVERS.—

(A) IN GENERAL.—For any project included in the pilot program, the Secretary may waive or modify any applicable Federal regulations for that project if the Secretary determines that such a waiver would provide public and financial benefits, including expediting project delivery and enhancing efficiency while maintaining safety.

(B) NOTIFICATION.—The Secretary shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives each time the Secretary issues a waiver or modification under subparagraph (A).

(5) PUBLIC BENEFIT STUDY.—

(1) IN GENERAL.—Before entering into a project partnership agreement under this section, the Secretary shall enter into an ar-

angement with an independent third party to conduct an assessment of whether, and provide justification that, the proposed partnership agreement would represent a better public and financial benefit than a similar transaction using public funding or financing.

(2) CONTENTS.—The study under paragraph (1) shall—

(A) be completed by the third party in a timely manner and in a period of not more than 90 days;

(B) take into consideration any supporting materials and data submitted by the Secretary, the nongovernmental party to the proposed project partnership agreement, and other stakeholders; and

(C) recommend whether the project partnership agreement will be in the public interest by determining whether the agreement will provide public and financial benefits, including expedited project delivery and savings to taxpayers.

(e) COST SHARE.—Nothing in this Act affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a project carried out under this Act.

(f) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(g) ADMINISTRATION.—All laws (including regulations) that would apply to the Secretary if the Secretary were carrying out the project shall apply to a non-Federal interest carrying out a project under this Act.

(h) TERMINATION OF AUTHORITY.—The authority to commence a project under this Act terminates on the date that is 5 years after the date of enactment of this Act.

#### SEC. 4. APPLICABILITY.

Nothing in this Act authorizes or permits the privatization of any Federal asset.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this Act such sums as are necessary.

By Mr. KIRK (for himself and Mr. DURBIN):

S. 571. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Environment and Public Works.

Mr. KIRK. Mr. President, today I rise to join with Senator DURBIN to introduce the Great Lakes Water Protection Act. This bipartisan legislation would set a date certain to end sewage dumping in the Great Lakes, America's larg-

est source of surface fresh water. The Great Lakes are home to more than 3,500 species of plants and animals and are the source of drinking water for more than 30 million Americans. It is time that we put a stop to the poisoning of our water supply. Cities along the Great Lakes must become environmental stewards of our country's most precious freshwater ecosystem and take action to reverse the trend of discharging sewage into the Great Lakes.

The Great Lakes Water Protection Act gives cities until 2033 to build the necessary infrastructure to prevent sewage dumping in the Great Lakes. Those who violate the EPA's sewage dumping regulations after this deadline will be subject to fines up to \$100,000 for every day they are in violation. These fines would be directed into a Great Lakes Clean-Up Fund within the Clean Water State Revolving Fund to be used for wastewater treatment options, with a special focus on greener solutions such as habitat protection and wetland restoration.

Many cities along the Great Lakes Basin lack the critical infrastructure needed to divert sewage overflows during times of heavy rainfall. Some reports estimate that as much as 24 billion gallons of combined sewage and storm water runoff are dumped into the Great Lakes every year. Loaded with a mix of bacteria and other pathogens, untreated sewage poses a serious threat to public health and safety and is one of the leading causes of beach closings and contamination advisories at Great Lakes beaches.

According to data collected over the past 5 years by the Illinois Department of Public Health, it is not uncommon to see the total number of beach closures and contamination advisories across the Lake Michigan beaches in our State exceed 500 in a single swim season. These events threaten the health of our children and families and cost local economies millions. A University of Chicago study concluded the closings due to high levels of harmful pathogens like *E. coli* cost the local economy about \$2.4 million each year in lost revenue.

Protecting the Great Lakes is one of my top priorities in Congress. As an original cosponsor of the Great Lakes Restoration Act, I support a broad approach to address some of the greatest challenges to the Great Lakes ecosystem and the economic growth of the region. However, while we continue to push for comprehensive Great Lakes restoration, we must also move forward with tailored approaches to tackle specific problems.

I am proud to introduce this important legislation to end the disastrous practice of releasing billions of gallons of untreated sewage into our Nation's most abundant source of freshwater. It is my hope that my colleagues will

work with me to preserve the Great Lakes and ensure this source of safe drinking water is safeguarded for future generations.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 571

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Great Lakes Water Protection Act”.

#### SEC. 2. PROHIBITION ON SEWAGE DUMPING INTO THE GREAT LAKES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) PROHIBITION ON SEWAGE DUMPING INTO THE GREAT LAKES.—

“(1) DEFINITIONS.—In this subsection:

“(A) BYPASS.—The term ‘bypass’ means an intentional diversion of waste streams to bypass any portion of a treatment facility which results in a discharge into the Great Lakes.

“(B) DISCHARGE.—

“(i) IN GENERAL.—The term ‘discharge’ means a direct or indirect discharge of untreated sewage or partially treated sewage from a treatment works into the Great Lakes.

“(ii) INCLUSIONS.—The term ‘discharge’ includes a bypass and a combined sewer overflow.

“(C) GREAT LAKES.—The term ‘Great Lakes’ has the meaning given the term in section 118(a)(3).

“(D) PARTIALLY TREATED SEWAGE.—The term ‘partially treated sewage’ means any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that—

“(i) is not treated to national secondary treatment standards for wastewater; or

“(ii) is treated to a level less than the level required by the applicable national pollutant discharge elimination system permit.

“(E) TREATMENT FACILITY.—The term ‘treatment facility’ includes all wastewater treatment units used by a publicly owned treatment works to meet secondary treatment standards or higher, as required to attain water quality standards, under any operating conditions.

“(F) TREATMENT WORKS.—The term ‘treatment works’ has the meaning given the term in section 212.

“(2) PROHIBITION.—A publicly owned treatment works is prohibited from performing a bypass unless—

“(A)(i) the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;

“(ii) there is not a feasible alternative to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime; and

“(iii) the treatment works provides notice of the bypass in accordance with this subsection; or

“(B) the bypass does not cause effluent limitations to be exceeded, and the bypass is for essential maintenance to ensure efficient operation of the treatment facility.

“(3) LIMITATION.—The requirement of paragraph (2)(A)(ii) is not satisfied if—

“(A) adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent the bypass; and

“(B) the bypass occurred during normal periods of equipment downtime or preventive maintenance.

“(4) IMMEDIATE NOTICE REQUIREMENTS.—

“(A) IN GENERAL.—A publicly owned treatment works shall provide to the entities described in subparagraph (B)—

“(i) for any anticipated discharge, prior notice of that discharge; and

“(ii) for any unanticipated discharge, as soon as practicable, but not later than—

“(I) for a treatment works with an automated detection system, 2 hours after the discharge begins; and

“(II) for a treatment works without an automated detection system, 12 hours after the discharge begins.

“(B) NOTICE.—The entities referred to in subparagraph (A) are—

“(i) the Administrator or, in the case of a State that has a permit program approved under this section, the State;

“(ii) each local health department or, if a local health department does not exist, the State health department;

“(iii) the municipality in which the discharge occurred and each municipality with jurisdiction over waters that may be affected by the discharge;

“(iv) a daily newspaper of general circulation in each county in which a municipality described in clause (iii) is located; and

“(v) the general public through a prominent announcement on a publicly accessible Internet site of the treatment works.

“(C) CONTENTS.—The notice under subparagraph (A) shall include a description of—

“(i) the volume and state of treatment of the discharge;

“(ii) the date and time of the discharge;

“(iii) the expected duration of the discharge;

“(iv) the steps being taken to contain the discharge, except for a discharge that is a wet weather combined sewer overflow discharge;

“(v) the location of the discharge, with the maximum level of specificity practicable; and

“(vi) the cause for the discharge.

“(5) FOLLOW-UP NOTICE REQUIREMENTS.—Each publicly owned treatment works that provides notice under paragraph (4)(B) shall provide to the Administrator (or to the State in the case of a State that has a permit program approved under this section), not later than 5 days after the date on which the publicly owned treatment works provides initial notice, a follow-up notice containing—

“(A) a more full description of the cause of the discharge;

“(B) the reason for the discharge;

“(C) the period of discharge, including the exact dates and times;

“(D) if the discharge has not been corrected, the anticipated time the discharge is expected to continue;

“(E) the volume of the discharge resulting from the bypass;

“(F) a description of any public access areas that has or may be impacted by the bypass; and

“(G) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the discharge.

“(6) PUBLIC AVAILABILITY OF NOTICES.—

“(A) IN GENERAL.—Not later than 48 hours after providing or receiving a follow-up notice under paragraph (5), as applicable, a publicly owned treatment works and the Ad-

ministrator (or the State, in the case of a State that has a permit program approved under this section) shall each post the follow-up notice on a publicly accessible, searchable database on the Internet.

“(B) ANNUAL PUBLICATION.—The Administrator (or the State, in the case of a State that has a permit program approved under this section) shall annually publish and make available to the public a list of each of the treatment works from which the Administrator or the State, as applicable, received a follow-up notice under paragraph (5).

“(7) SEWAGE BLENDING.—Bypasses prohibited by this section include bypasses resulting in discharges from a publicly owned treatment works that consist of effluent routed around treatment units and thereafter blended together with effluent from treatment units prior to discharge.

“(8) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall establish procedures to ensure that permits issued under this section (or under a State permit program approved under this section) to a publicly owned treatment works include requirements to implement this subsection.

“(9) INCREASE IN MAXIMUM CIVIL PENALTY FOR VIOLATIONS OCCURRING AFTER JANUARY 1, 2033.—Notwithstanding section 309, in the case of a violation of this subsection occurring on or after January 1, 2033, or any violation of a permit limitation or condition implementing this subsection occurring after that date, the maximum civil penalty that shall be assessed for the violation shall be \$100,000 per day for each day the violation occurs.

“(10) APPLICABILITY.—This subsection shall apply to a bypass occurring after the last day of the 1-year period beginning on the date of enactment of this subsection.”.

#### SEC. 3. ESTABLISHMENT OF GREAT LAKES CLEANUP FUND.

(a) IN GENERAL.—Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

#### “SEC. 519. ESTABLISHMENT OF GREAT LAKES CLEANUP FUND.

“(a) DEFINITIONS.—In this section:

“(1) FUND.—The term ‘Fund’ means the Great Lakes Cleanup Fund established by subsection (b).

“(2) GREAT LAKES; GREAT LAKES STATES.—The terms ‘Great Lakes’ and ‘Great Lakes States’ have the meanings given the terms in section 118(a)(3).

“(b) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘Great Lakes Cleanup Fund’ (referred to in this section as the ‘Fund’).

“(c) TRANSFERS TO FUND.—Effective January 1, 2033, there are authorized to be appropriated to the Fund amounts equivalent to the penalties collected for violations of section 402(s).

“(d) ADMINISTRATION OF FUND.—The Administrator shall administer the Fund.

“(e) USE OF FUNDS.—The Administrator shall—

(1) make the amounts in the Fund available to the Great Lakes States for use in carrying out programs and activities for improving wastewater discharges into the Great Lakes, including habitat protection and wetland restoration; and

(2) allocate those amounts among the Great Lakes States based on the proportion that—



“(A) the amount attributable to a Great Lakes State for penalties collected for violations of section 402(s); bears to

“(B) the total amount of those penalties attributable to all Great Lakes States.

“(f) PRIORITY.—In selecting programs and activities to be funded using amounts made available under this section, a Great Lakes State shall give priority consideration to programs and activities that address violations of section 402(s) resulting in the collection of penalties.”.

(b) CONFORMING AMENDMENT TO STATE REVOLVING FUND PROGRAM.—Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended—

(1) by striking “There is” and inserting “(a) IN GENERAL.—There is”; and

(2) by adding at the end the following:

“(b) TREATMENT OF GREAT LAKES CLEANUP FUND.—For purposes of this title, amounts made available from the Great Lakes Cleanup Fund under section 519 shall be treated as funds authorized to be appropriated to carry out this title and as funds made available under this title, except that the funds shall be made available to the Great Lakes States in accordance with section 519.”.

Mr. DURBIN. Mr. President, among Chicago's most treasured assets is Lake Michigan. The Great Lakes are among this country's most valuable natural resources, but the lakes face many natural and man-made threats. I'm pleased to join my Illinois colleague, Senator MARK KIRK, in introducing today the Great Lakes Water Protection Act to address one of those threats—municipal sewage.

A recent report found that from January 2010 through January 2011, 7 U.S. cities dumped a combined 18.7 billion gallons of waste water into the Great Lakes. Sewage and storm water discharges have been associated with elevated levels of bacterial pollutants. For the 40 million people who depend on the Great Lakes for their drinking water, that is no small matter.

When bacterial counts go too high, beaches have to be closed. In Illinois, we have 52 public beaches along the Lake Michigan shoreline. People use these beaches for swimming, boating, fishing and many communities generate revenue from the public beaches. Every lost visitor to a public beach costs the local economy between \$20 and \$36 in revenue.

Our legislation would quadruple fines for municipalities that dump raw sewage in the Great Lakes and direct the revenue from these penalties to projects that improve water quality. The bill also includes new reporting requirements to provide a more complete understanding of the frequency and impact of sewage dumping on this critical water system.

The Great Lakes are a national treasure. Illinoisans know that. They want to protect Lake Michigan and they are willing to fight for the Lake. Three and a half years ago, when we learned that BP was planning to increase the pollutants it puts into Lake Michigan—the people of Illinois stood up and said no. Polluting our lake further is not an option.

Senator KIRK and I agree. Protecting the Great Lakes is not a partisan issue, and this is not a partisan bill. We will work together to ensure that this national treasure is around for generations, providing drinking water, recreation and commerce for Illinois and other Great Lakes States.

By Ms. COLLINS (for herself, Mr. LEAHY, and Mr. CARPER):

S. 573. A bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce the Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013, also known as the FOR VETS Act of 2013. I am pleased that Senators LEAHY and CARPER have joined me in cosponsoring this bill. This bill is necessary to ensure that veterans' service organizations are provided access to federal surplus personal property as the Senate intended when it passed the FOR VETS Act of 2010. The FOR VETS Act of 2010 provides that veterans' service organizations should be categorized as eligible nonprofit, tax-exempt organizations that may acquire surplus personal property for the purposes of education or public health.

Unfortunately, the General Services Administration, or GSA, has interpreted this law in the strictest of terms. In its published guidelines, veterans' service organizations may acquire the surplus property for the purposes of education or public health, but with minimal flexibility in what an educational or public health service may be. For example, acquiring a van to transport a disabled veteran to a doctor's appointment may not be considered an eligible use for a veterans' organization under current guidelines.

The bill that we are introducing today makes the legislative modification necessary for GSA to carry out the original intent of the FOR VETS Act of 2010.

The National Association of State Agencies for Surplus Property, NASASP, has identified the need for this legislation to ensure that veterans' service organizations are able to receive surplus equipment to enable them to improve their provision of critical services to our nation's veterans. The American Legion has said that this bill would enable them to better serve our veterans, their families, and the communities in which they live.

Veterans' groups—whose work enhances the lives of countless veterans every day—should benefit from access to these goods just as other service organizations do. Many veterans' organizations offer career development and job training assistance to our nation's

veterans, yet often lack the computer equipment needed to assist our veterans in the often difficult transition from military service to the civilian work force.

These are just a couple of examples of the needs of veterans' service organizations. This bill is one way to say “thank you” to those Americans who have worn the uniform and to the families that supported them. In these challenging fiscal times, the need for excess federal property to be used for job training, rehabilitation, and other important assistance to our veterans is greater now than ever. I am proud to introduce this legislation with Senators LEAHY and CARPER, and I look forward to working with my colleagues to pass this bill through the Senate and into law.

By Mr. GRASSLEY:

S. 575. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Judicial Transparency and Ethics Enhancement Act, a bill that would establish within the judicial branch an Office of Inspector General to assist the Judiciary with its ethical obligations as well as to ensure taxpayer dollars are not lost to waste, fraud, or abuse. Representative SENSENBRENNER is introducing the companion bill in the House. This bill will help make sure that our Federal judicial system remains free of corruption, bias, and hypocrisy.

The facts demonstrate that the institution of the Inspector General has been crucial in detecting, exposing and deterring problems within our government. The job of the Inspector General is to be the first line of defense against fraud, waste and abuse. In collaboration with whistleblowers, Inspectors General have been extremely effective in their efforts to expose and help correct these wrongs.

That is why, during my 30 years in Congress I have worked hard to strengthen the oversight role of Inspectors General throughout the Federal Government. I have come to rely on IGs and whistleblowers to ensure that our tax dollars are spent according to the letter and spirit of the law. When that doesn't happen, we in Congress need to know about it and take corrective action.

During the past fiscal year, Congress appropriated nearly \$7 billion in taxpayer money to the Federal judiciary. To put this in context, the National Science Foundation, the Small Business Administration, and the Corporation for National and Community Service each received a similar or less amount than the judiciary. Yet all three of these entities have an Office of Inspector General. If we in Congress believed that these entities could use an

Inspector General, I cannot see why the Judiciary wouldn't deserve the same assistance.

But there is an additional reason why the Judiciary needs an Inspector General. The fact remains that the current practice of self-regulation of judges with respect to ethics and the judicial code of conduct has time and time again proven inadequate. I would point out to my colleagues two recent events here in the Senate that support this conclusion.

In the past 5 years, the Senate received articles of impeachment for not one but two Federal judges. In the first case, former Judge Samuel B. Kent, although charged with multiple counts of sexual assault, pled guilty to obstruction of justice. Who did he obstruct? Who did he lie to? He did this to his fellow judges, who were assembled to investigate the allegations of his obscene and criminal behavior. But it took a criminal investigation by the Department of Justice to uncover his false statements to his colleagues as well as substantiate the horrendous claims made against him.

In the second case, the Senate found that former Judge G. Thomas Porteous, Jr. was guilty of a number of things, including accepting money from attorneys who had a case pending before him in his court and committing perjury by falsifying his name on bankruptcy filings. Once again, this Judge's misbehavior came to light through a Federal criminal investigation, after which another judicial committee had to be organized to investigate their fellow judge.

What's more, in each case the disgraced judge tried to game the system in order to retain his \$174,000 salary. Rather than resign their commissions, each first tried to claim disability status what would allow each to continue to receive payment, even if in prison. Then both played chicken with Congress daring us to strip them of their pay by impeaching and convicting them. I am pleased that we put our foot down and said "No."

The judicial misconduct committees are simply inadequate for investigating claims of misconduct. These judges are not given the resources necessary nor do they have the expertise in conducting a complete investigation. They cannot, despite their best intentions, remove the inherent biases that develop from working closely with other judges. This duty would be better suited to an independent entity within the Judiciary.

The Judicial Transparency and Ethics Enhancement Act is the answer. This bill would establish an Office of Inspector General for the judicial branch. The IG's responsibilities would include conducting investigations of possible judicial misconduct, investigating waste fraud and abuse, and recommending changes in laws and reg-

ulations governing the Federal judiciary. The bill would require the IG to provide the Chief Justice and Congress with an annual report on its activities, as well as refer matters that may constitute a criminal violation to the Department of Justice. In addition, the bill establishes whistleblower protections for judicial branch employees.

Ensuring a fair and independent judiciary is critical to our Constitutional system of checks and balances. Judges are supposed to maintain impartiality. They are supposed to be free from conflicts of interest. An independent watchdog for the Federal judiciary will help its members comply with the ethics rules and promote credibility within the judicial branch of government. Whistleblower protections for judiciary branch employees will help keep the judiciary accountable. The Judicial Transparency and Ethics Enhancement Act will not only ensure continued public confidence in our Federal courts and keep them beyond reproach, it will strengthen our judicial branch.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 575

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Judicial Transparency and Ethics Enhancement Act of 2013".

#### SEC. 2. INSPECTOR GENERAL FOR THE JUDICIAL BRANCH.

(a) ESTABLISHMENT AND DUTIES.—Part III of title 28, United States Code, is amended by adding at the end the following:

##### "CHAPTER 60—INSPECTOR GENERAL FOR THE JUDICIAL BRANCH

"Sec.

"1021. Establishment.

"1022. Appointment, term, and removal of Inspector General.

"1023. Duties.

"1024. Powers.

"1025. Reports.

"1026. Whistleblower protection.

##### "§ 1021. Establishment

"There is established for the judicial branch of the Government the Office of Inspector General for the Judicial Branch (in this chapter referred to as the 'Office').

##### "§ 1022. Appointment, term, and removal of Inspector General

"(a) APPOINTMENT.—The head of the Office shall be the Inspector General, who shall be appointed by the Chief Justice of the United States after consultation with the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives.

"(b) TERM.—The Inspector General shall serve for a term of 4 years and may be reappointed by the Chief Justice of the United States for any number of additional terms.

"(c) REMOVAL.—The Inspector General may be removed from office by the Chief Justice of the United States. The Chief Justice shall communicate the reasons for any such removal to both Houses of Congress.

##### "§ 1023. Duties

"With respect to the judicial branch, the Office shall—

"(1) conduct investigations of alleged misconduct in the judicial branch (other than the United States Supreme Court) under chapter 16 that may require oversight or other action within the judicial branch or by Congress;

"(2) conduct investigations of alleged misconduct in the United States Supreme Court that may require oversight or other action within the judicial branch or by Congress;

"(3) conduct and supervise audits and investigations;

"(4) prevent and detect waste, fraud, and abuse; and

"(5) recommend changes in laws or regulations governing the judicial branch.

##### "§ 1024. Powers

"(a) POWERS.—In carrying out the duties of the Office, the Inspector General shall have the power to—

"(1) make investigations and reports;

"(2) obtain information or assistance from any Federal, State, or local governmental agency, or other entity, or unit thereof, including all information kept in the course of business by the Judicial Conference of the United States, the judicial councils of circuits, the Administrative Office of the United States Courts, and the United States Sentencing Commission;

"(3) require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by civil action;

"(4) administer to or take from any person an oath, affirmation, or affidavit;

"(5) employ such officers and employees, subject to the provisions of title 5, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

"(6) obtain services as authorized by section 3109 of title 5 at daily rates not to exceed the equivalent rate for a position at level IV of the Executive Schedule under section 5315 of such title; and

"(7) the extent and in such amounts as may be provided in advance by appropriations Acts, to enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make such payments as may be necessary to carry out the duties of the Office.

"(b) CHAPTER 16 MATTERS.—The Inspector General shall not commence an investigation under section 1023(1) until the denial of a petition for review by the judicial council of the circuit under section 352(c) of this title or upon referral or certification to the Judicial Conference of the United States of any matter under section 354(b) of this title.

"(c) LIMITATION.—The Inspector General shall not have the authority to—

"(1) investigate or review any matter that is directly related to the merits of a decision or procedural ruling by any judge, justice, or court; or

"(2) punish or discipline any judge, justice, or court.

##### "§ 1025. Reports

"(a) WHEN TO BE MADE.—The Inspector General shall—

"(1) make an annual report to the Chief Justice and to Congress relating to the activities of the Office; and

“(2) make prompt reports to the Chief Justice and to Congress on matters that may require action by the Chief Justice or Congress.

“(b) SENSITIVE MATTER.—If a report contains sensitive matter, the Inspector General may so indicate and Congress may receive that report in closed session.

“(c) DUTY TO INFORM ATTORNEY GENERAL.—In carrying out the duties of the Office, the Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law.

#### “§ 1026. Whistleblower protection

“(a) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor in the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist the Inspector General in the performance of duties under this chapter.

“(b) CIVIL ACTION.—An employee injured by a violation of subsection (a) may, in a civil action, obtain appropriate relief.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 28, United States Code, is amended by adding at the end the following:

“60. Inspector General for the judicial branch ..... 1021”.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 88. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 89. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 90. Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 91. Mr. VITTER (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 92. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 93. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 94. Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 95. Mr. NELSON submitted an amendment intended to be proposed to amendment

SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 96. Mr. BROWN (for himself, Mr. JOHANNIS, Mr. GRASSLEY, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. TESTER, and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 97. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 98. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 99. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 100. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 101. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 102. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 103. Mr. WHITEHOUSE (for himself, Mr. COWAN, Mr. CARDIN, Mr. SCHATZ, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 104. Mr. MANCHIN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 105. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 106. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 107. Mr. FRANKEN (for himself, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 108. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 109. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 110. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 111. Mr. BAUCUS (for himself, Mr. TESTER, Mr. BEGICH, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms.

MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 112. Mr. UDALL of Colorado submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 113. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 114. Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 115. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 116. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 117. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 118. Mr. BARRASSO (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 119. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 120. Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mr. BEGICH, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 121. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 122. Ms. MURKOWSKI (for herself, Mr. COCHRAN, Ms. COLLINS, Mr. KING, Ms. WARREN, Mrs. SHAHEEN, Mr. COWAN, and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 123. Mr. DURBIN proposed an amendment to amendment SA 115 submitted by Mr. TOOMEY to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 124. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 84 submitted by Ms. AYOTTE (for herself and Mr. CHAMBLISS) and intended to be proposed to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 125. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 88.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M, DEFENSE-WIDE, FOR ACTIVITIES IN CONUS.—The amount appropriated by title II of this division under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE” is hereby increased by \$60,000,000, with the amount to be available for operation and maintenance expenses in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

**SA 89.** Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 30. None of the funds made available by this Act or any other Act may be used to carry out the order of the Secretary of the Interior numbered 3321 and dated May 24, 2012 (regarding the establishment of a National Blueways System).

**SA 90.** Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74. (a) Notwithstanding any other provision of this Act, during fiscal year 2013, the Secretary of Agriculture may transfer any amounts appropriated for the Department of Agriculture, made available for that fiscal year, and subject to reduction under a sequestration order under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), among accounts of the Department of Agriculture so as to prevent disruption in the inspection services of the Food Safety and Inspection Service.

(b) Prior to, or as soon as practicable after, transferring amounts under subsection (a), the Secretary of Agriculture shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of

the House of Representatives a report that describes the transfers.

**SA 91.** Mr. VITTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.**

(a) IN GENERAL.—Paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 601(a)(1) of such Act is amended—

(1) by striking “(a)(1)” and inserting “(a)”;

(2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and adjusting the margins accordingly; and

(3) by striking “as adjusted by paragraph (2) of this subsection” and inserting “adjusted as provided by law”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on February 1, 2015.

**SA 92.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

SEC. 543. (a) INCREASE IN AMOUNT FOR NASA FOR CROSS AGENCY SUPPORT.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CROSS AGENCY SUPPORT” is hereby increased by \$123,000,000.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION” is hereby decreased by \$265,710,000, with the amount of the reduction to be allocated to amounts available under that heading for Exploration Construction of Facilities (CoF).

**SA 93.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 542, strike lines 3 through 21 and insert the following:

**REOPENING THE WHITE HOUSE FOR PUBLIC TOURS AND PRESERVING OUR NATIONAL TREASURES**

SEC. 1404. Notwithstanding section 1101—

(1) the amount appropriated for the National Recreation and Preservation account shall be reduced by \$8,100,000, which shall be taken from the National Heritage Partnership Program; and

(2) the amount appropriated under section 1401(e) for “National Park Service, Operation of the National Park System” shall be increased by \$6,000,000, which shall be used for expenses related to visitor services and maintenance of national parks, monuments, sites, national memorials, and battlefields, including the White House, Grand Canyon National Park, the Washington Monument, Yellowstone National Park, and the Flight 93 National Memorial.

**SA 94.** Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. ABLE ACT OF 2013.**

(a) SHORT TITLE.—This section may be cited as the “Achieving a Better Life Experience Act of 2013” or the “ABLE Act of 2013”.

(b) PURPOSES.—The purposes of this section are as follows:

(1) To encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence, and quality of life.

(2) To provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under title XIX of the Social Security Act, the supplemental security income program under title XVI of such Act, the beneficiary’s employment, and other sources.

(c) ABLE ACCOUNTS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Section 529 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) ABLE ACCOUNTS.—

“(1) GENERAL RULES.—For purposes of any other provision of law with respect to a qualified ABLE program and an ABLE account, except as otherwise provided in this subsection—

“(A) a qualified ABLE program and an ABLE account shall be treated in the same manner as a qualified tuition program and an account described in subsection (b)(1)(A)(ii), respectively, are treated,

“(B) qualified disability expenses with respect to a program or account described in subparagraph (A) shall be treated in the same manner as qualified higher education expenses are treated, and

“(C) maximum contributions shall be no higher than the limit established by the State for their regular 529 account.

“(2) QUALIFIED ABLE PROGRAM.—For purposes of this subsection, the term ‘qualified ABLE program’ means a program established and maintained by a State or agency or instrumentality thereof—

“(A) under which a person may make contributions to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account,

“(B) which meets the requirements of the preceding subsections of this section (as modified by this subsection), determined by substituting—

“(i) ‘qualified ABLE program’ for ‘qualified tuition program’, and

“(ii) ‘ABLE account’ for ‘account’, and

“(C) which meets the other requirements of this subsection.

“(3) QUALIFIED DISABILITY EXPENSES.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘qualified disability expenses’ means any expenses which are made for the benefit of an individual with a disability who is a designated beneficiary.

“(B) EXPENSES INCLUDED.—The following expenses shall be qualified disability expenses if such expenses are made for the benefit of an individual with a disability who is a designated beneficiary and are related to such disability:

“(i) EDUCATION.—Expenses for education, including tuition for preschool thru post-secondary education, which shall include higher education expenses (as defined by subsection (e)(3)) and expenses for books, supplies, and educational materials related to preschool and secondary education, tutors, and special education services.

“(ii) HOUSING.—Expenses for a primary residence, including rent, purchase of a primary residence or an interest in a primary residence, mortgage payments, real property taxes, and utility charges.

“(iii) TRANSPORTATION.—Expenses for transportation, including the use of mass transit, the purchase or modification of vehicles, and moving expenses.

“(iv) EMPLOYMENT SUPPORT.—Expenses related to obtaining and maintaining employment, including job-related training, assistive technology, and personal assistance supports.

“(v) HEALTH, PREVENTION, AND WELLNESS.—Expenses for health and wellness, including premiums for health insurance, mental health, medical, vision, and dental expenses, habilitation and rehabilitation services, durable medical equipment, therapy, respite care, long-term services and supports, nutritional management, communication services and devices, adaptive equipment, assistive technology, and personal assistance.

“(vi) MISCELLANEOUS EXPENSES.—Financial management and administrative services; legal fees; expenses for oversight; monitoring; home improvements, and modifications, maintenance and repairs, at primary residence; or funeral and burial expenses.

“(vii) ASSISTIVE TECHNOLOGY AND PERSONAL SUPPORT SERVICES.—Expenses for assistive technology and personal support with respect to any item described in clauses (i) through (vi).

“(viii) OTHER APPROVED EXPENSES.—Any other expenses which are approved by the Secretary under regulations and consistent with the purposes of this section.

“(C) INDIVIDUAL WITH A DISABILITY.—

“(i) IN GENERAL.—Except as provided in clause (ii), an individual is an individual with a disability for a year if the individual (regardless of age)—

“(I) has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to

last for a continuous period of not less than 12 months, or

“(II) is blind.

“(ii) DISABILITY CERTIFICATION REQUIRED.—An individual shall not be treated as an individual with a disability for a year unless the individual—

“(I) is receiving (or, for purposes of title XIX of the Social Security Act, is deemed to be, or treated as, receiving by the State Medicaid Agency) benefits under the supplemental security income program under title XVI of such Act, or whose benefits under such program are suspended other than by reason of misconduct,

“(II) is receiving disability benefits under title II of such Act, or

“(III) files a disability certification with the Secretary for such year.

“(iii) DISABILITY CERTIFICATION DEFINED.—The term ‘disability certification’ means, with respect to an individual, a certification to the satisfaction of the Secretary by the designated beneficiary or the parent or guardian of the designated beneficiary that—

“(I) the individual meets the criteria described in clause (i), and

“(II) includes a copy of the designated beneficiary’s diagnosis, signed by a physician meeting the criteria of section 1861(r)(1) of the Social Security Act.

“(iv) RESTRICTION ON USE OF CERTIFICATION.—No inference may be drawn from a disability certification for purposes of establishing eligibility for benefits under title II, XVI, or XIX of the Social Security Act.

“(4) ROLLOVERS FROM ABLE ACCOUNTS.—Subsection (c)(3)(A) shall not apply to any amount paid or distributed from an ABLE account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into—

“(A) another ABLE account for the benefit of—

“(i) the same beneficiary, or

“(ii) an individual with a disability who is a family member of the beneficiary,

“(B) any trust which is described in subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act and which is for the benefit of an individual described in clause (i) or (ii) of subparagraph (A), or

“(C) a qualified tuition program—

“(i) for the benefit of the designated beneficiary, or

“(ii) to the credit of another designated beneficiary under a qualified tuition program who is a member of the family of the designated beneficiary with respect to which the distribution was made.

The preceding sentence shall not apply to any payment or distribution if it applied to any prior payment or distribution during the 12-month period ending on the date of the payment or distribution.

“(5) TRANSFER TO STATE.—Subject to any outstanding payments due for qualified disability expenses, in the case that the designated beneficiary dies or ceases to be an individual with a disability, all amounts remaining in the qualified ABLE account not in excess of the amount equal to the total medical assistance paid for the designated beneficiary after the establishment of the account, net of any premiums paid from the account or paid by or on behalf of the beneficiary to a Medicaid Buy-In program, under any State Medicaid plan established under title XIX of the Social Security Act shall be distributed to such State upon filing of a claim for payment by such State. For purposes of this paragraph, the State shall be a creditor of an ABLE account and not a bene-

ficiary. Subsection (c)(3) shall not apply to a distribution under the preceding sentence.

“(6) REGULATIONS.—Not later than 6 months after the date of the enactment of this subsection, the Secretary may prescribe such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this subsection, including regulations to prevent fraud and abuse with respect to amounts claimed as qualified disability expenses.”

(B) CONFORMING AMENDMENT.—Paragraph (2) of section 6693(a) of the Internal Revenue Code of 1986 such Code is amended by striking “and” at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting “and”, and by inserting after subparagraph (E) the following new subparagraph:

“(F) section 529(d) by reason of 529(f) (relating to ABLE accounts).”

(2) ANNUAL REPORTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall report annually to Congress on the usage of ABLE accounts under section 529(f) of the Internal Revenue Code of 1986.

(B) CONTENTS OF REPORT.—Any report under subparagraph (A) may include—

(i) the number of people with an ABLE account,

(ii) the total amount of contributions to such accounts,

(iii) the total amount and nature of distributions from such accounts,

(iv) issues relating to the abuse of such accounts, if any, and

(v) the amounts repaid from such accounts to State Medicaid programs established under title XIX of the Social Security Act.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(d) TREATMENT OF ABLE ACCOUNTS UNDER CERTAIN FEDERAL PROGRAMS.—

(1) ACCOUNT FUNDS DISREGARDED FOR PURPOSES OF CERTAIN OTHER MEANS-TESTED FEDERAL PROGRAMS.—Notwithstanding any other provision of Federal law that requires consideration of 1 or more financial circumstances of an individual, for the purpose of determining eligibility to receive, or the amount of, any assistance or benefit authorized by such provision to be provided to or for the benefit of such individual, any amount (including earnings thereon) in any ABLE account (as defined in section 529(f) of the Internal Revenue Code of 1986) of such individual, and any distribution for qualified disability expenses (as defined in paragraph (3) of such section) shall be disregarded for such purpose with respect to any period during which such individual maintains, makes contributions to, or receives distributions from such ABLE account, except that, in the case of the supplemental security income program under title XVI of the Social Security Act, a distribution for housing expenses (as defined in subparagraph (B)(ii) of such paragraph) shall not be so disregarded, and in the case of such program, only the 1st \$100,000 of the amount (including such earnings) in such ABLE account shall be so disregarded.

(2) SUSPENSION OF SSI BENEFITS DURING PERIODS OF EXCESSIVE ACCOUNT FUNDS.—

(A) IN GENERAL.—The benefits of an individual under the supplemental security income program under title XVI of the Social Security Act shall not be terminated, but shall be suspended, by reason of excess resources of the individual attributable to an amount in the ABLE account (as defined in section 529(f) of the Internal Revenue Code of

1986) of the individual not disregarded under paragraph (1) of this subsection.

(B) **NO IMPACT ON MEDICAID ELIGIBILITY.**—An individual who would be receiving payment of such supplemental security income benefits but for the application of subparagraph (A) shall be treated for purposes of title XIX of the Social Security Act as if the individual continued to be receiving payment of such benefits.

**SA 95.** Mr. NELSON submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division F, add the following:

**SEC. 12.** (a) Section 1001(17)(A) of the Water Resources Development Act of 2007 (121 Stat. 1052) is amended—

(1) by striking “\$125,270,000” and inserting “\$152,510,000”;

(2) by striking “\$75,140,000” and inserting “\$92,007,000”; and

(3) by striking “\$50,130,000” and inserting “\$60,503,000”.

(b) The amendments made by subsection (a) take effect on November 8, 2007.

**SA 96.** Mr. BROWN (for himself, Mr. JOHANNES, Mr. GRASSLEY, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. TESTER, and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 14, strike “\$1,500,000,000” and insert “\$2,000,000,000”.

**SA 97.** Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division F, add the following:

**SEC. 12.** (a) Section 999A(b) of the Energy Policy Act of 2005 (42 U.S.C. 16371(b)) is amended—

(1) in paragraph (1), by inserting “, and for research and development, including on technologies and processes to improve safety and well integrity and reduce environmental impacts” after “feet”;

(2) in paragraph (2), by inserting “, and for research and development, including on technologies and processes to improve safe-

ty, improve well integrity, improve water management, improve understanding of fluid flow and storage, and reduce the surface footprint” after “technology”; and

(3) in paragraph (3), by inserting “, and for research and development, including on technology and processes for reducing the environmental impacts and improving well integrity” after “producers”.

(b) Section 999B of the Energy Policy Act of 2005 (42 U.S.C. 16372) is amended—

(1) in subsection (a), by striking “, to maximize” and all that follows through the period at the end and inserting “to ensure the safe and environmentally responsible production of natural gas and other petroleum resources of the United States.”; and

(2) by adding at the end the following:

“(k) **STUDY; REPORT.**—

“(1) **STUDY.**—As soon as practicable after the date of enactment of this subsection, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to determine—

“(A) whether the benefits provided through each award under this subsection during calendar year 2013 have been maximized; and

“(B) any new areas of research that, if carried out, would meet the overall objectives of the program.

“(2) **REPORT.**—Not later than January 1, 2014, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under paragraph (1).

“(3) **OPTIONAL UPDATES.**—The Secretary may update the report described in paragraph (2) for the 5-year period beginning on the date that is described in that subparagraph and each 5-year period thereafter.”

(c) Section 999F of the Energy Policy Act of 2005 (42 U.S.C. 16376) is amended by striking “2014” and inserting “2017”.

(d) Section 999H(d) of the Energy Policy Act of 2005 (42 U.S.C. 16378(d)) is amended—

(1) in paragraph (1), by striking “35” and inserting “31.25”;

(2) in paragraph (2), by striking “32.5” and inserting “28.75”; and

(3) in paragraph (3), by striking “7.5” and inserting “15”.

**SA 98.** Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 378, line 3, strike “a grant for”.

On page 585, line 11, strike “through C” and insert “through F”.

On page 586, line 16, strike “division C” and insert “division F”.

**SA 99.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

## **SEC. \_\_\_\_ TECHNICAL AMENDMENTS TO THE COMMISSION ON LONG-TERM CARE.**

(a) **IN GENERAL.**—Section 643 of the American Taxpayer Relief Act of 2012 (Public Law 112-240) is amended—

(1) in subsection (a), by inserting “within the Legislative Branch” after “is established”;

(2) in subsection (c)—

(A) in paragraph (2)(A)(vii), by inserting “and employees” after “employers”;

(B) in paragraph (3), by adding after the period at the end the following: “The chairman and vice chairman, who shall be elected from the individuals appointed by members of Congress (as described in subparagraphs (B) through (E) of paragraph (1)), shall not both be individuals who were appointed by members of Congress from the same political party.”; and

(C) in paragraph (7)(A), by striking “and vice chairman” and inserting “, with timely notice to the vice chairman”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “jointly”; and

(B) in paragraph (2)—

(i) by striking “and staff of the Commission” and inserting “, and, except as provided in subsection (e)(4), any employee or staff of the Commission (including any individual described in subsection (e)(9)).”; and

(ii) by adding after the period at the end the following: “Members of the Commission who serve in an office or agency of the Executive Branch shall abide by the ethics rules applicable to such office or agency.”;

(4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

“(1) **HEARINGS AND OTHER ACTIVITIES.**—

“(A) **IN GENERAL.**—For the purpose of carrying out its duties, the Commission may hold such hearings, sit and act at such times and places, take testimony of witnesses (and may reimburse witnesses for their attendance), receive evidence, travel, and undertake such other activities as the Commission determines to be necessary to carry out its duties.

“(B) **ANNOUNCEMENT.**—The chairman of the Commission, with timely notice to the vice chairman, shall make a public announcement of the date, place, time, and subject matter of any public hearing to be conducted, not less than 7 days in advance of such hearing, unless the chairman determines that there is good cause to begin such hearing at an earlier date.”;

(B) in paragraph (2), in the heading, by striking “GENERAL ACCOUNTING OFFICE” and inserting “GOVERNMENT ACCOUNTABILITY OFFICE”;

(C) in paragraph (4)—

(i) by inserting “and subject to approval by the Committee on Rules and Administration of the Senate” after “request of the Commission”; and

(ii) by adding after the period at the end the following: “Any Federal employee detailed to the Commission shall abide by the ethics rules applicable to their employing agency and act in accordance with the rules governing detailees in the United States Senate.”;

(D) by striking paragraph (6) and inserting the following:

“(6) **USE OF MAILS; DENIAL OF USE OF FRANK.**—The Commission—

“(A) may use the United States mails in the same manner and under the same conditions as Federal agencies; and

“(B) for purposes of franking, shall not be considered to be a commission of Congress as



described in section 3215 of title 39, United States Code.”; and

(E) by adding at the end the following new paragraphs:

“(9) EXPERTS AND CONSULTANTS.—The Commission may, subject to approval by the Committee on Rules and Administration of the Senate, procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

“(10) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

“(11) FUNDING.—Funding for the Commission shall be derived in equal portions from—

“(A) the applicable accounts from the House of Representatives; and

“(B) the contingent fund of the Senate from the appropriations account ‘Miscellaneous Items’, or such other accounts as deemed appropriate, subject to the rules and regulations of the Senate.”;

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking “6 months after the appointment of the members” and inserting “24 months after the appointment of all of the members”; and

(B) in paragraph (2)(A), by striking “on Congress” and inserting “of Congress”; and

(6) in subsection (g)—

(A) by striking “30 days” and inserting “60 days”; and

(B) by adding after the period at the end the following: “Prior to the date of termination of the Commission, all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 643 of the American Taxpayer Relief Act of 2012.

**SA 100.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74 \_\_\_\_\_. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or successor regulation).

**SA 101.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.—The aggregate

amount appropriated by title II of this division for operation and maintenance is hereby increased by \$60,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

**SA 102.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to carry out Executive Order No. 13547, relating to Stewardship of the Ocean, Our Coasts, and the Great Lakes.

**SA 103.** Mr. WHITEHOUSE (for himself, Mr. COWAN, Mr. CARDIN, Mr. SCHATZ, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

SEC. \_\_\_\_\_. **SENSE OF THE SENATE RELATING TO LIMITING FEDERAL FISCAL EXPOSURE RESULTING FROM CLIMATE CHANGE.**

(a) FINDINGS.—The Senate finds that—

(1) the Government Accountability Office has reported that the fiscal exposure of the Federal Government to climate change poses a high risk to many Federal functions, including as—

(A) the owner or operator of extensive defense facilities;

(B) the owner or operator of Federal property, including 650,000,000 acres of Federal land, hundreds of thousands of buildings, and infrastructure property, such as highways, bridges, irrigations systems, and power development and distribution infrastructure;

(C) the administrator of the National Flood Insurance Program;

(D) the administrator of the Federal Crop Insurance Corporation;

(E) the provider of aid in response to disasters through the Federal Emergency Management Agency and supplemental Federal disaster aid appropriations; and

(F) the provider of technical assistance and information for adaptation and preparedness to State and local governments that plan and implement adaptation;

(2) the Comptroller General of the United States has testified before Congress that it is the opinion of the Government Account-

ability Office that the Federal Government should take immediate action to mitigate the risk posed by climate change; and

(3) the Government Accountability Office has concluded that “[t]he Federal government needs a strategic approach with strong leadership and the authority to manage climate change risks that encompasses the entire range of related Federal activities and addresses all key elements of strategic planning”.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Federal agencies should take all actions possible under existing law—

(1) to limit Federal fiscal exposure to climate change;

(2) to maximize investments;

(3) to achieve efficiencies; and

(4) to better position the Federal Government for success in addressing the issues raised in the report of the Government Accountability Office entitled “Limiting the Federal Government’s Fiscal Exposure by Better Managing Climate Change Risks”.

**SA 104.** Mr. MANCHIN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

SEC. 8131. (a) The purpose of this section is to implement common sense limits on defense contractor salaries, reduce spending, and better safeguard valuable taxpayer dollars.

(b) Section 2324(e)(1)(P) of title 10, United States Code, is amended—

(1) by striking “the benchmark” and all that follows through “section 1127 of title 41” and inserting “the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”;

(2) by striking “and engineers” and inserting “, engineers, and cyber security experts”; and

(3) by inserting before the period at the end the following: “, including for purposes of supporting personnel in hostile fire zones”.

(c) The amendments made by subsection (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

**SA 105.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

SEC. 8131. (a) REQUIREMENT TO CONTINUE TUITION ASSISTANCE PROGRAMS.—Subject to the provisions of this section, the Secretary of Defense and the Secretaries of the military departments shall, using funds appropriated or otherwise made available by this

division, continue to provide tuition assistance during fiscal year 2013 under the provisions of sections 1784a and 2007 of title 10, United States Code, in accordance with the provisions of such sections.

(b) **AMOUNT AVAILABLE.**—The amount available under this division for tuition assistance pursuant to this section is—

(1) the aggregate amount used by the Department of Defense in fiscal year 2012 for tuition assistance under the provisions of law referred to in subsection (a), minus

(2) an amount equal to 6.5 percent of the amount specified in paragraph (1).

(c) **PRIORITY FOR ASSISTANCE FOR CERTAIN MEMBERS.**—In providing tuition assistance pursuant to this section, the Secretaries of the military departments shall afford a priority to the following:

(1) Members of the Armed Forces in pay grade E-5 or below.

(2) Wounded warriors.

(d) **DISCRETIONARY AUTHORITY TO CONTINUE ASSISTANCE FOR PRIORITY MEMBERS AFTER EXCEEDING FUNDING LIMITATION.**—

(1) **IN GENERAL.**—In the event amounts cease to be available to the Secretary of a military department for tuition assistance in fiscal year 2013 by reason of equaling the amount available to the Secretary for that purpose under subsection (b), the Secretary may continue to provide tuition assistance pursuant to this section to members of the Armed Forces described in subsection (c) using amounts transferred pursuant to paragraph (2).

(2) **TRANSFER AUTHORITY.**—The Secretary of a military department may transfer amounts appropriated or otherwise made available to the military department by this division to accounts of the military department providing funds for tuition assistance for members of the Armed Forces for purposes of providing tuition assistance pursuant to paragraph (1). The transfer authority in this paragraph is in addition to any other transfer authority by law.

(e) **WOUNDED WARRIOR DEFINED.**—In this section, the term “wounded warrior” means a member of the Armed Forces with a serious injury or illness (as that term is defined in section 1601(8) of the Wounded Warrior Act (10 U.S.C. 1071 note)).

(f) **EFFECTIVE DATE.**—This section shall take effect on the date that is three days after the date of the enactment of this Act.

**SA 106.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 533, line 4, insert “‘Department of Energy, Fossil Energy Research and Development’, \$660,000,000” after “‘follows’:”.

On page 563, line 22, strike “\$129,400,000” and insert “\$0”.

**SA 107.** Mr. FRANKEN (for himself, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense,

the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 540, strike lines 13 and 14, and insert the following:

(g) \$123,000,000 for “Bureau of Indian Affairs, Construction”, of which \$17,000,000 shall be made available for replacement school construction that replaces the entirety or majority of a school campus or replacement facility construction that replaces individual buildings that are beyond cost-effective repair measures: *Provided*, That \$17,000,000 of any unobligated funds made available to the Secretary of the Interior to pay for administrative expenses (except funds that are made available from emergency accounts) are rescinded;

**SA 108.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX of division C, insert the following:

(b) **LIMITATION.**—No funds appropriated or otherwise made available by title IX of this division under the heading “AFGHANISTAN INFRASTRUCTURE FUND” may be obligated or expended until the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the certifications as follows:

(1) That transfers to the Government of Afghanistan of Afghan nationals detained by United States Armed Forces in Afghanistan territory do not present a significant threat to United States or coalition forces based upon the likelihood that the detainee to be transferred will engage in continuing hostile acts against the United States or its coalition allies.

(2) That the Government of Afghanistan is in compliance with international humanitarian law, including Additional Protocol II of 1977 to the Geneva Convention of 1949, with respect to preventing detainee abuse.

(3) That the Government of Afghanistan has implemented an administrative detention regime under its domestic law as an alternative to criminal prosecution, which regime is—

(A) consistent with international humanitarian law, including the Additional Protocol II of 1977 to the Geneva Convention of 1949, Afghanistan domestic law, and all of the international obligations of Afghanistan;

(B) in compliance with the international obligations of Afghanistan with respect to humane treatment and applicable due process; and

(C) based on sustainable arrangements, including housing.

(4) That there exists a continuing capability of both the United States and Afghanistan to gather intelligence from detainees transferred to the Government of Afghanistan for the mutual benefit of both nations.

(5) That, as part of the intelligence gathering described in paragraph (4), the United States is granted regular, direct access to detainees held by the Government of Afghanistan for the purpose of interrogation or any other lawful purpose.

(6) That the Government of Afghanistan is consulting, and will continue to consult, the United States before the release, including release prior to indictment, of any detainee transferred to the Government of Afghanistan, and, if the United States provides its assessment that continued detention is necessary to prevent such a detainee from engaging in or facilitating terrorist activity, the Government of Afghanistan will consider favorably such assessment.

(7) That additional processes will be in place in any case where the United States considers a detainee held by Afghanistan an enduring security threat (or its equivalent) to ensure that the detainee will not present a security threat once released.

(c) **CONTINGENT REQUIREMENT FOR EXPLANATORY REPORT.**—If the report described by subsection (b) has not been submitted to Congress by 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress on such date a report setting forth an explanation why the report described by subsection (b) has not been so submitted.

(d) **COMPTROLLER GENERAL REPORT.**—Not later than 45 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report setting forth an assessment by the Comptroller General of the the ability of the Government of Afghanistan to sustain costs associated with securing detainees in Afghanistan.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 109.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **TITLE —SEQUESTER REPLACEMENT SEC. —01. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) sequestration is not the most efficient, effective, or responsible mechanism to address the debt problems facing the United States;

(2) providing flexibility to the Office of Management and Budget is an improvement over harmful across-the-board sequestration of security, nonsecurity, and direct spending;

(3) the only meaningful way to permanently address the debt problem of the United States is to implement a comprehensive plan for significant deficit reduction; and

(4) Congress and the President should act immediately to enact large-scale spending reform legislation.

#### **SEC. —02. SEQUESTER REPLACEMENT.**

(a) **DEFINITIONS.**—In this section—

(1) the terms “account”, “budgetary resources”, “discretionary appropriations”, “direct spending” and related terms have the



meaning given such terms in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c));

(2) the term “joint resolution” means only a joint resolution on the matter after the resolving clause of which is as follows: “That Congress disapproves the cancellation of budgetary resources identified in the qualifying sequester replacement plan submitted by the President on \_\_\_\_\_.” (the blank space being appropriately filled in); and

(3) the term “qualifying sequester replacement plan” means a plan submitted by the President—

(A) not later than 14 calendar days after the date of enactment of this Act; and

(B) that proposes to permanently cancel budgetary resources available for fiscal year 2013 from any discretionary appropriations or direct spending account in the amount of the budgetary resources required to be cancelled under section 251 and 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a) for fiscal year 2013, as determined after the enactment of this Act, provided—

(i) 50 percent of the proposed cancellation of budgetary resources shall be cancelled from defense spending (budget function 050);

(ii) any cancellation of budgetary resources from budget function 050 shall be consistent with amounts authorized in the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239);

(iii) the cancellation of budgetary resources may not be implemented through changes to programs or activities contained in the Internal Revenue Code, or increase governmental receipts, offsetting collections, or offsetting receipts;

(iv) any change to Medicare must be consistent with section 256(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(d));

(v) any cancellation of budgetary resources in an account that is not defense spending may not be offset against an increase in another such account;

(vi) the proposed cancellation of budgetary resources shall reduce outlays by not less than the amount of budgetary resources required to be cancelled under section 251 and 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a) for fiscal year 2013, as determined after the enactment of this Act, by the end of fiscal year 2018; and

(vii) except as provided in clauses (i) through (vi), shall be consistent with sections 255 and 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905 and 906).

(b) PROPOSAL.—Not later than 14 calendar days after the date of enactment of this Act, the President shall submit to Congress a qualifying sequester replacement plan.

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) NO REFERRAL.—A joint resolution shall not be referred to a committee in either the House of Representatives or the Senate and shall immediately be placed on the calendar.

(2) MOTION TO PROCEED.—A motion to proceed to a joint resolution is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to a motion to postpone and all points of order against the motion are waived. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of a joint resolution is agreed to, the joint resolution shall remain the unfinished business of the respective House until disposed of.

(3) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, a joint resolution shall be considered as read. All points of order against a joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) EXPEDITED PROCEDURE IN SENATE.—

(A) CONSIDERATION.—In the Senate, consideration of a joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(B) VOTE ON PASSAGE.—If the Senate has proceeded to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(C) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

(5) AMENDMENT NOT IN ORDER.—A joint resolution considered under this subsection shall not be subject to amendment in either the House of Representatives or the Senate.

(6) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before passing a joint resolution, one House receives from the other House a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House, except that the vote on final passage shall be on the joint resolution of the other House.

(7) PERIOD.—Subject to subsection (d), Congress may not consider a joint resolution under this subsection after the date that is 21 calendar days after the date of enactment of this Act.

(8) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) CONSIDERATION AFTER PASSAGE.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President signs, allows to become law without his signature, or vetoes and returns the joint resolution (but exclud-

ing days when either House is not in session) shall be disregarded in computing the calendar day period described in subsection (c)(7).

(e) DISAPPROVAL.—If a joint resolution is enacted under this section—

(1) the President may not carry out the proposed cancellation of budgetary resources in the qualifying sequester replacement plan submitted under subsection (b); and

(2) sequestration shall continue in accordance with the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(f) FAILURE TO ENACT DISAPPROVAL.—Effective on the day after the end of the calendar day period under subsection (c)(7) (as determined in accordance with subsection (d)), if the President has submitted a qualifying sequester replacement plan in accordance with subsection (b) and a joint resolution of disapproval has not been enacted under this section, the President shall—

(1) cancel any sequestration order issued under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a); and

(2) cancel budgetary resources in accordance with the qualifying sequester replacement plan submitted under subsection (b).

### SEC. 3. LIMITATION.

Nothing in this title grants authority to cut additional direct spending beyond the scope of the 2013 sequester.

**SA 110.** Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title VII of division F, insert after section 1708 the following:

SEC. 1709. Notwithstanding section 1101, subsection (a) of section 7041 of division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting at the end of such subsection the following new paragraph:

“(4)(A)(i) None of the amounts appropriated or otherwise made available under the heading ‘Foreign Military Financing Program’ that is available for assistance for Egypt may be used to enter into a contract on or after the date of enactment of this Act with the Government of Egypt for the sale or transfer of major defense equipment, such as F-16 attack aircraft and M1 tanks, until 15 days after the Secretary of State submits to Congress the strategy required under subparagraph (B).

“(ii) Clause (i) shall not apply to defense articles related to counterterrorism, border security, or special operations capabilities, and nothing in this section shall be construed to require the violation of an existing defense agreement or contract with the Government or Armed Forces of Egypt or to prevent or disrupt the production, transfer, or delivery of any defense article or service to the Government or Armed Services of Egypt, as required by a contract concluded by the United States Government or a United States person prior to the date of the enactment of this Act.

“(B)(i) The strategy referred to in subparagraph (A) is a comprehensive strategy for modernizing and improving United States security cooperation with, and assistance to,

Egypt in order to prioritize and advance the following national security objectives:

“(I) The strategy shall seek to enhance the ability of the Government of Egypt to detect, disrupt, dismantle, and defeat al Qaeda, affiliated groups, and other terrorist organizations, whether based in and operating from Egyptian territory or elsewhere, and to counter terrorist ideology and radicalization within Egypt.

“(II) The strategy shall seek to improve and increase the capacity of the Government of Egypt to prevent human trafficking and the illicit movement of terrorists, criminals, weapons, and other dangerous material across Egypt’s borders or administrative boundaries, especially through tunnels and other illicit points of entry into Gaza.

“(III) The strategy shall seek to improve the ability of the Government of Egypt to conduct counterinsurgency and counterterrorism operations in the Sinai.

“(IV) The strategy shall seek to enhance the capacity of the Government of Egypt to gather, integrate, analyze, and share intelligence, especially with regard to the threat posed by terrorism and other illicit criminal activity, while ensuring a proper respect and protection for the human rights and civil liberties of Egypt’s citizens.

“(V) Any other objective that the President determines necessary.

“(ii) The strategy shall also include an assessment of the extent to which the Government of Egypt is—

“(I) implementing policies to protect, and not to restrict, the political, economic, and religious freedoms and human rights of all citizens and residents in Egypt;

“(II) continuing to demonstrate a commitment to free and fair elections and is not interfering with such elections;

“(III) implementing the Egypt-Israel Peace Treaty;

“(IV) addressing restrictions in law and practice on Egyptian and international nongovernmental organizations, particularly those promoting human rights and democracy;

“(V) taking effective steps to combat terrorism in the Sinai;

“(VI) taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and Gaza; and

“(VII) implementing an agreement with the International Monetary Fund to promote necessary economic reforms.

“(C) Of the funds appropriated under the heading ‘Economic Support Fund’ that is available for assistance for Egypt, not less than \$25,000,000 should be made available for democracy and education programs, including support for civil society organizations, and for programs to promote the rule of law and human rights.”.

**SA 111.** Mr. BAUCUS (for himself, Mr. TESTER, Mr. BEGICH, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8119 and insert the following:

SEC. 8119. None of the funds made available by this Act may be used to retire, divest, re-

align, or transfer aircraft of the Air National Guard or Air Force Reserve, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve until each of the following occurs:

(1) The Comptroller General of the United States completes a study assessing such action, including an assessment of each of the following:

(A) The costs of infrastructure in connection with such action.

(B) The costs of any recruiting and training required in connection with such action.

(C) The effects of such action on local communities, including economic effects and any jobs to be gained or lost in connection with such action.

(2) The Inspector General of the Department of Defense completes a feasibility study on such section to determine and assess each of the following:

(A) The costs of infrastructure in connection with such action.

(B) The costs of any recruiting and training required in connection with such action.

(C) The environmental impact of such action.

**SA 112.** Mr. UDALL of Colorado submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8119, relating to a limitation on certain actions with respect to Air Force aircraft.

**SA 113.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 580, between lines 4 and 5, insert the following:

SEC. 1811. Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended—

(1) in subsection (d)(8)—

(A) by inserting “property maintenance,” before “insurance”; and

(B) by inserting “, including matters that set forth terms and provisions for establishing escrow accounts, performing financial assessments, or limiting the amount of any payment made available under the mortgage” before the semicolon; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) in paragraph (2), by striking the period and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(3) by notice or mortgagee letter, establish any additional or alternative requirements that the Secretary, in his or her discretion, determines necessary to more effectively carry out the provisions of this sec-

tion, and any such notice or mortgagee letter shall take effect upon issuance.”.

**SA 114.** Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 579, line 2, after “Public Law 112-55” insert the following: “*Provided further*, That a public housing agency that does not receive from the Secretary of Housing and Urban Development an allocation sufficient to pay the full amount determined in the first proviso of such paragraph (3) under such heading in such Public Law may utilize unobligated balances remaining from housing assistance payment funds allocated to the public housing agency during a previous year, to the extent necessary to effect payment to the public housing agency of an amount not exceeding 90 percent of the full administrative fees and expenses payable to the public housing agency with respect to authorized vouchers under lease.”

**SA 115.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.—The aggregate amount appropriated by title II of this division for operation and maintenance is hereby increased by \$60,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

(c) For the purposes of section, as determined by the Secretary of Defense means a spend-out rate in compliance with the aggregate outlay levels as set forth in the Budget Control Act of 2011.

**SA 116.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by division A, B, C, D, or E of this Act may be made used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person, unless pursuant to a bona fide criminal investigation.

**SA 117.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. (a)(1) Notwithstanding section 1101, section 7041 of division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting this subsection and subsections (b) and (c) of this section for paragraph (1) of subsection (a) of such section 7041.

(2)(A) Except as provided under paragraph (4), none of the amounts appropriated or otherwise made available by this Act under the heading "Economic Support Fund" may be made available as direct budget support to the Government of Egypt unless a certification under subsection (b)(2) is in effect.

(B) Except as provided under paragraph (4), none of the amounts appropriated or otherwise made available by this Act under the heading "Foreign Military Financing Program" may be obligated for contracts with the Government of Egypt entered into on or after the date of the enactment of this Act unless a certification under subsection (b)(1) is in effect.

(C)(i) The limitation under subparagraph (B) shall not apply to defense articles related to counterterrorism, border security, or special operations capabilities.

(ii) Nothing in this subsection shall be construed to require the violation of an existing defense contract with the Government or Armed Forces of Egypt or to prevent or disrupt the production, transfer, or delivery of any defense article or service to the Government or Armed Services of Egypt, as required by a contract concluded by the United States Government or a United States person prior to the date of the enactment of this Act.

(3) Not later than 90 days after the date on which the Secretary of State transmits to the appropriate congressional committees an initial certification under paragraph (1) or (2) of subsection (b), and 180 days thereafter, the Secretary shall transmit to the appropriate congressional committees—

(A) a recertification that the requirements contained in such paragraph are continuing to be met; or

(B) a statement that the Secretary is unable to make such a recertification and that the certification is no longer in effect.

(4) The Secretary of State may waive the requirements of subparagraphs (A) and (B) of paragraph (2) if the Secretary certifies to the appropriate congressional committees that it is in the national security interest of the United States to do so and submits to such committees a report with the reasons for the certification.

(b)(1) A certification described in this paragraph is a certification submitted by the

Secretary of State to the appropriate congressional committees that the following conditions have been met:

(A) The Government of Egypt has adopted and is implementing policies to protect, and is not restricting, the political, economic, and religious freedoms and human rights of all citizens and residents of Egypt.

(B) The Government of Egypt is continuing to demonstrate a commitment to free and fair elections and is not taking any steps to interfere with or undermine the credibility of such elections.

(C) Egypt is implementing the Egypt-Israel Peace Treaty.

(D) The Government of Egypt is taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(E) The Government of Egypt is taking effective steps to combat terrorism in the Sinai, and an appropriate portion of funds made available under the heading "Foreign Military Financing Program" for assistance for Egypt is being used for counterterrorism purposes, including equipment and training related to border security.

(F) The Government of Egypt has addressed restrictions in law and practice on the work, funding, and ability to operate of Egyptian and international nongovernmental organizations, particularly those promoting human rights and democracy, including the International Republican Institute, the National Democratic Institute, and Freedom House.

(2) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that—

(A) the conditions set forth in paragraph (1) have been met; and

(B) the Government of Egypt has signed and submitted to the International Monetary Fund a Letter of Intent and Memorandum of Economic and Financial Policies designed to promote critical economic reforms and has begun to implement such measures.

(c) Of the funds appropriated under the heading "Economic Support Fund", not less than \$25,000,000 should be for democracy and governance programs for Egypt, including direct support for secular, democratic nongovernmental organizations, as well as programming and support for rule of law and human rights, good governance, political competition and consensus-building, and civil society.

(d) Not later than 180 days after the date of the enactment of this Act, the President shall, after consultation with the Government of Egypt and representatives of civil society in Egypt, submit to the appropriate congressional committees a report—

(1) describing the results of a policy review on Egypt on how to rebalance United States military and economic assistance to Egypt;

(2) analyzing the current security needs in Egypt; and

(3) summarizing all of the Foreign Military Financing contracts for the Government of Egypt carried out over the previous 10 years and describing plans for such contracts over the next 5 years.

(e) In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SA 118.** Mr. BARRASSO (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 544, strike line 23 and all that follows through page 545, line 4, and insert the following:

(a) \$1,556,596,000 for "Forest Service, National Forest System";

(b) \$372,321,000 for "Forest Service, Capital Improvement and Maintenance";

(c) \$28,000,000 for "Forest Service, Land Acquisition"; and

(d) \$1,971,390,000 for "Forest Service, Wildland Fire Management".

SEC. 1409. Notwithstanding section 1101, the levels of the following appropriations of the Department of the Interior shall be:

(a) \$51,897,000 for "National Park Service, National Park Land Acquisition";

(b) \$2,264,202,000 for "National Park Service, Operation of the National Park System";

(c) \$12,344,000 for "Bureau of Land Management, Land Acquisition"; and

(d) \$960,757,000 for "Bureau of Land Management, Management of Lands and Resources".

**SA 119.** Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 544, strike line 23 and all that follows through page 545, line 2, and insert the following:

(a) \$1,556,596,000 for "Forest Service, National Forest System";

(b) \$372,321,000 for "Forest Service, Capital Improvement and Maintenance";

(c) \$28,000,000 for "Forest Service, Land Acquisition"; and

**SA 120.** Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mr. BEGICH, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 16 strike "and (10)" and insert "(10) not less than \$150,000 shall be used to implement a requirement that genetically engineered salmon be labeled clearly as such on packaging for sale to consumers; and (11)".

**SA 121.** Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed to

amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. None of the funds appropriated or otherwise made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft assigned to the 18th Aggressor Squadron, Eielson Air Force Base, Alaska, or to disestablish or convert units associated with such aircraft, until the National Commission on the Structure of the Air Force submits to Congress the report required by section 363(b) of the National Defense Authorization Act for 2013 (Public Law 112-239).

**SA 122.** Ms. MURKOWSKI (for herself, Mr. COCHRAN, Ms. COLLINS, Mr. KING, Ms. WARREN, Mrs. SHAHEEN, Mr. COWAN, and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 9 and 10, insert the following:

SEC. 111. (a) In addition to any other amount made available, \$150,000,000 shall be made available for fisheries disasters as declared by the Secretary of Commerce in the year beginning January 1, 2012.

(b) Amounts made available in this title, other than the amount made available in subsection (a), shall be reduced on a pro rata basis by \$150,000,000.

**SA 123.** Mr. DURBIN, proposed an amendment to amendment SA 115 submitted by Mr. TOOMEY to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

At the end, add the following:

(d) This section shall become effective 1 day after the date of enactment.

**SA 124.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 84 submitted by Ms. AYOTTE (for herself and Mr. CHAMBLISS) and intended to be proposed to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 13, strike the period and insert “; and

(7) to affirm that the Authorization for Use of Military Force (Public Law 107-40) and the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) do not authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

**SA 125.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY” is hereby decreased by \$380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by \$380,861,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

(c) For the purpose of this section, as “in a manner determined appropriate by the Secretary of Defense” means a spend-cut rate in compliance with the aggregate outlay levels as set forth in the Budget Control Act of 2011.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENERGY AND NATIONAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and National Resources be authorized to meet during the session of the Senate on March 14, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Keeping up with a Changing Economy: Indexing the Minimum Wage” on March 14, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Com-

mittee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 14, 2013, at 10 a.m. to conduct a hearing entitled “Border Security: Measuring the Progress and Addressing the Challenges.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee of the Judiciary be authorized to meet during the session of the Senate, on March 14, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 14, 2013, at 10:30 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled “Helping Small Businesses Weather Economic Challenges & Natural Disasters: Review of Legislative Proposals on Access to Capital and Disaster Recovery.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 14, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that MAJ Steve Warren, a U.S. Army officer who is currently serving as a defense legislative fellow in my office, be granted floor privileges for the duration of consideration of H.R. 933.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INSTRUCTION MODIFICATION TO AMENDMENT NO. 29, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Inhofe amendment No. 29, as modified, the instruction line on the amendment be modified with the changes that are at the desk. This is to make sure it is placed in the proper location of the substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The modification is as follows:

At the end of title IV of division F, insert the following:

BUDGET COMMITTEE REPORTING  
AUTHORIZATION

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the adjournment or recess of the Senate, the Budget Committee be authorized to report legislative matters on Friday, March 15, from 11 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES READ THE FIRST  
TIME—S. 582 AND S. 583

Mr. REID. Mr. President, there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time en bloc.

The assistant legislative clerk read as follows:

A bill (S. 582) to approve the Keystone XL Pipeline.

A bill (S. 583) to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

Mr. REID. Mr. President, I object to both bills at this time.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time during the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112-272, appoints the following individuals to be members of the World War I Centennial Commission: Philip Peckman of Nevada and James Nutter, Sr., of Missouri.

ORDERS FOR MONDAY, MARCH 18,  
2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, March 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of H.R. 933; further, that

the second-degree amendment filing deadline be 4:30 p.m. on Monday; finally, that notwithstanding rule XXII, the cloture vote on the Mikulski-Shelby substitute amendment be at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the managers of the bill will work on a finite list, as we have announced, of amendments to the CR over the weekend. Senators should expect a rollcall vote at 5:30 p.m. on Monday—either a cloture vote or votes in relation to amendments.

ADJOURNMENT UNTIL MONDAY,  
MARCH 18, 2013, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:37 p.m., adjourned until Monday, March 18, 2013, at 2 p.m.

## HOUSE OF REPRESENTATIVES—Thursday, March 14, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MCCLINTOCK).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 14, 2013.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### SAFE CLIMATE CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise today to call attention to the looming crisis of climate change. The effects of climate change are diverse, but they all impact American lives and livelihoods, and we are realizing and witnessing these occurrences in real-time.

Extreme weather events like Hurricane Sandy, severe drought, and major flooding are becoming more frequent and growing more intense. Sandy alone caused at least \$50 billion in damages, killed dozens of Americans, and upended the lives of millions more. But Sandy was only one of 11 separate billion-dollar extreme weather events last year.

And not only are things getting worse each time, but these events are occurring more frequently now than they were even a decade ago. And of course, the cost of all these catastrophes—cost which is borne by the taxpayer—is also escalating.

One of the first actions of this Congress was to enact over \$60 billion in emergency aid for all those impacted

by Sandy. Who knows how much the next catastrophe will cost?

Mr. Speaker, we cannot afford to sit back and wait for the next Hurricane Sandy to devastate American lives and property. Especially in these tight economic times, I think we can all agree that reducing the cost of extreme weather events is a good idea. And one of the most effective ways to reduce these costs is to plan ahead. Regardless of what you think about its causes, extreme weather is happening, and because we cannot guarantee that these events will not happen in the future, we can and we must do more to prepare. Imagine the lives, infrastructure, homes, and businesses that could have been saved if we'd better anticipated and prepared for the impacts of these events before they occurred.

By smarter planning and building more resilient infrastructure, we can reduce storm damages, we can lessen economic impacts, and we can save lives. And these mitigation and adaptation measures also create good quality American jobs that can help to grow our economy for the future. It's a win-win that we should all support.

That's why last month I reintroduced two bills that would help our local communities implement these cost-saving measures. One is the Coastal States Climate Change Planning Act, which would provide help for coastal States who wish to carry out adaptation projects in order to prepare for the impacts of climate change. Another bill is the Water Infrastructure Resiliency and Sustainability Act, supporting States wishing to update their aging storm, waste, and drinking water systems in order to adapt for climate change. These bills would help our local communities to plan and prepare for the impacts of climate change and increased extreme weather. Our communities deserve protections from these potentially devastating events and we have a responsibility to help.

Mr. Speaker, we have a choice. We can continue to spend tens of billions of dollars annually on emergency aid packages that will only grow in size and quantity, or we can spend a fraction of that on planning smarter and building more resilient infrastructure that creates jobs and strengthens our economy for years to come.

I think the choice is clear. Let's choose to protect our coastlines and to fortify our infrastructure. Let's choose to create good American jobs and strengthen our economy. Let's choose to plan ahead to protect lives, to pro-

tect property, and the Federal Government itself from the impacts of extreme weather.

I urge my colleagues to join me in taking action on this critical issue and to help our communities to prepare for the impacts of climate change.

### TAKE THE PADLOCKS OFF THE WHITE HOUSE DOORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, Saturday was the day that Lanier Middle School students from Houston, Texas, had been looking forward to for a long time. They were going to get to see where the President of the United States lived. This was even more exciting because it was the first time in 5 years that Lanier had been successful in scheduling a tour of the White House. Then last week, 2 days before they were set to go on their tour, they got the bad news. They were no longer welcome in the people's house.

Mr. Speaker, I know one of the parents of the kids at Lanier Middle School. Here's what she said:

It's disappointing. But it is particularly disappointing to me because I think it teaches the kids a bad lesson of not keeping your word. I think that's bad for the kids.

Harvin Moore, a trustee from the Houston Independent School District, wrote the White House when he got the bad news, and here's what he said:

Next week, 80 students from Lanier Middle School will be spending their spring break touring our Nation's capital.

They have been planning the trip for a year. They have completed background checks and received confirmation that they would be welcomed to the White House and, as you can imagine, were very excited about that.

Now we find ourselves in the position of having to explain to them that their plans have been abruptly canceled and they will not be welcome at the White House after all.

Frankly, that's a hard thing to do as we don't understand the reason ourselves.

We don't understand why, out of a \$1.6 billion Secret Service budget, the administration believes that 1/20th of 1 percent that is required to fund the White House tours is one of the first things to go.

We don't understand why the administration would choose to cancel the program that touches the public the most, in return for a truly minuscule budget savings.

We don't understand, Mr. President, why you have chosen to disinvite schoolchildren from their White House.

The First Lady has referred to the White House as the "People's House." I agree with her. It is the "People's House—it is our house."

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Moore continued in his letter:

One Lanier parent described having to tell her son he was no longer welcome at the White House: The word "sequester" doesn't mean anything to this student. First Lady Michelle Obama said that the White House is our house. Well, it doesn't feel like it anymore.

Mr. Speaker, Lanier students from Texas are not alone. Thousands of students nationwide are gearing up for spring break, and the cherry blossom festival is just a few weeks away. These trips require planning, time, and, yes, even money. Bake sales, car washes, parents taking time off of work were all involved so kids could come to Washington to tour the White House.

But the President, unfortunately, has punished the people for the sake of a few nickels. Perhaps the White House forgot what the First Lady has said, which is posted on the home page of [whitehouse.gov](http://whitehouse.gov):

This is really what the White House is all about. It's the "People's House."

Well, Mr. Speaker, if this is true, the President should take the padlocks off the White House doors, put the welcome mat back on the front porch, because America's kids should not be evicted from their White House.

Mr. Speaker, the open-door philosophy of the White House is a uniquely American idea where the people of the country can come see where the President of the United States, the most powerful person in the world, actually lives.

□ 1010

This is uniquely American. You go to other countries and, whether they're democracies or not, they don't let you near the home of where the head leader lives. But only in America have we done this.

So, Mr. Speaker, I would encourage the President to keep his word. Let the people back in. And as students come to Washington, D.C., they should know that the U.S. Capitol is open for business and that Members of Congress, their staff, and the tour guides at the Capitol Visitor Center will be glad to take them through the Capitol. In fact, earlier this morning, there were about 70 kids from Westchester, New York, seated here before we opened for business, getting a history lesson from one of our Parliamentarians.

Mr. Speaker, the Capitol is open, but neither the White House nor the U.S. Capitol should ever close its doors and ban the people from the people's houses.

And that's just the way it is.

#### IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. BARLETTA) for 5 minutes.

Mr. BARLETTA. Mr. Speaker, I rise to talk about the important, compelling issue of illegal immigration.

We've heard from the Gang of Eight in the Senate and now the Gang of Eight in the House. When we talk about illegal immigration, as a mayor I know what it did to my city. Aside from the crime and violence, it took a great toll on the economic vitality of the population. Our population grew by 50 percent but our tax base stayed the same. People who are here legally, especially the new American citizens, are looking for jobs. And they are scarce. Twenty-two million Americans are out of work. And now the proposal is to wave the carrot of citizenship to millions more? And when we are talking about giving amnesty to millions—maybe 20 million illegal aliens—how much more scarce will those jobs become?

Mr. Speaker, we have heard these proposals before. In 1986, we said that if we granted amnesty, there would only be about 1.5 million people who would be included. In truth, it turned out to be twice that amount. We were also told that it would never happen again. Our borders would be secure and this problem would never occur again. In truth, it was not true.

So now, 27 years later, our borders still aren't secure and here we are doing this all over again. Well, we got fooled once. By news reports, we are told that there are 11 million illegal immigrants in this Nation right now. By using 1986 as a yardstick, we can guess that by offering amnesty there might be twice that many.

Mr. Speaker, we were told in 1986 that none of this would happen. But it did. Now we're talking about brand new expenses at a time when we really have no money to spare. This means Social Security, Medicare, unemployment compensation, ObamaCare, welfare, food stamps, you name it. The Heritage Foundation projects that currently illegal immigration today costs us \$55 billion a year, or \$550 billion over 10 years. Illegal immigrants today receive \$55 billion more in government benefits than they pay in taxes, based on the 2010 census. Worse, after so-called "amnesty," the net deficit resulting from illegal immigrants will be \$75 billion a year, or three-quarters of a trillion over 10 years.

We have no guarantee that these new millions of legalized aliens will not be on the public social programs. Nothing in any of these proposals from these "Gangs" or the White House can convince me otherwise. All told, The Heritage Foundation projects that if that's true, it will mean \$2.5 trillion in new costs to the taxpayers over the next 20 years.

Mr. Speaker, I submit that in this time when we are looking for every dollar to save, we should not be giving away the bank at the same time that our borders are not secure and 22 million Americans are out of work. We should be talking about border security

first. There should not and cannot be a discussion of amnesty until we secure our borders first.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 15 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Dr. Ezekiel Pipher, Heartland Evangelical Free Church, Central City, Nebraska, offered the following prayer:

Our Father in Heaven, by Your sovereign hand, You make all nations, kingdoms, and empires. You raise up their leaders and ordain the rules by which they govern. You alone are righteous in all Your judgments, so it is You that we trust and desire to imitate.

Lord, help the honorable men and women of the House of Representatives lead by persuasion, kindness, and reason according to Your Scriptures. Equip and guide them to craft laws, resolutions, and amendments that will accomplish Your will for our Nation. By Your Spirit, help them carry out these noble responsibilities with wisdom and integrity. I also ask that You would encourage their families this day.

Our Savior, we eagerly await Your return and Your perfect justice and mercy. Until that moment, grant us patience, and help us be of good courage and strong heart.

We pray in Jesus' name.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. ELLISON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ELLISON. Mr. Speaker, I object to the vote on the ground that a



quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. ELLISON) come forward and lead the House in the Pledge of Allegiance.

Mr. ELLISON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING REVEREND DR. EZEKIEL PIPHER

The SPEAKER. Without objection, the gentleman from Nebraska (Mr. SMITH) is recognized for 1 minute.

There was no objection.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to introduce Dr. Zeke Pipher, who will serve as our guest chaplain today. Zeke earned his Master of Divinity from Talbot School of Theology and his Doctor of Ministry from Gordon-Conwell Theological Seminary. He is the senior pastor at Heartland Evangelical Free Church in Central City, Nebraska.

In addition to his work in the ministry, he is an avid outdoorsman and author. His first book, "Man on the Run: Helping Hyper-Hobbiied Men Recognize the Best Things," was released last year; and he is a regular contributor to several national outdoor magazines. He and his wife, Jamie, have three children and live in central Nebraska.

And, importantly, his favorite football team is the Nebraska Cornhuskers. It is my honor to welcome Dr. Pipher.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MEADOWS). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

#### EPA RELEASES PRODUCERS' INFORMATION TO ENVIRONMENTAL GROUPS

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, I rise today to bring attention to the EPA's recent disregard for our Nation's food safety.

Two weeks ago, I learned the EPA released phone numbers, addresses, and

even geographic coordinates that were collected from livestock producers. This information was requested by extremist groups, including Earth Justice and the Natural Resources Defense Council, through a Freedom of Information Act request. The EPA handed over the very personal information.

I have serious concerns about the potential threat these actions pose to the privacy of American farm families, as well as the safety and security of our Nation's food supply. This is yet another example of the EPA's overreach into the lives of hardworking individuals in rural America.

As chairman of the Agricultural Subcommittee on Livestock, Rural Development, and Credit, I'm leading a group of 40 House Members in writing a letter to the acting director of the EPA expressing our concern and asking the acting director to ensure the released information is not improperly used.

Mr. Speaker, it is unacceptable for the EPA to do anything that could jeopardize our Nation's food security or threaten our Nation's farm operations.

#### SEQUESTRATION

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, the other day, it became public that Valerie Harper, the star of "Rhoda," was diagnosed with terminal brain cancer. She publicly went forward with that, and it was very touching. I saw her on the morning news when she talked about it. She said that she's doing chemotherapy, she has maybe 3 months—she doesn't know how much—to live, and she said her husband says that if we can slow this thing down, more stuff may come up.

They're working fast and furiously for all of us. They're not working for Valerie Harper because she played Rhoda, but they're doing this for all cancer patients. And the people that are doing this for all cancer patients—the doctors, the universities, and the scientists—are funded by the National Institutes of Health, all of which will get a 5½ percent cut in their budget because of the sequestration.

This is another example of why it was wrong for us to let the sequestration go into effect and why it's wrong for us not to make cuts that make sense. We need to put more and more dollars for cancer patients, for people with diabetes, people with Alzheimer's, people with AIDS, and people with illnesses that can and will be cured. If they can stay around for a little longer, they can come up with a cure and save people's lives. We don't need to defund or reduce the funding for the National Institutes of Health.

#### CONGRATULATING DR. MARK EDWARDS, NATIONAL SUPERINTENDENT OF THE YEAR

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. North Carolina's Ninth District is blessed with many wonderful, hardworking educators. Today, I'd like to introduce you to one of them, Dr. Mark Edwards, who was recently named National Superintendent of the Year. Since becoming superintendent of the Mooresville Graded School District in 2007, end-of-grade test scores have soared to the second highest in all of North Carolina, the graduation rate is now the third highest in the State, and Mooresville has become a nationally recognized model for integrating technology into the classroom.

These achievements are even more impressive when you consider that Mooresville has one of the smallest budgets out of the 115 school districts in North Carolina.

Dr. Edwards' work should be a reminder that strong leadership, dedicated teachers, and proactive community involvement are the most important factors in the success of our students, not Washington bureaucrats or programs.

Dr. Edwards, on behalf of the people of North Carolina's Ninth District, congratulations on your national award. May God continue to bless you and your work in Mooresville.

□ 1210

#### THE REPUBLICAN BUDGET

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, Congressman RYAN's current budget proposal is a harsh austerity program that seeks to reduce the deficit on the backs of our Nation's most vulnerable while only benefiting the special interests and the Nation's ultrawealthy.

Under this plan, more than 30 million Americans now covered by the Affordable Care Act, including more than 70,000 residents of my district, would be at risk of losing their coverage.

Medicare as we know would cease to exist for more than 5 million future seniors, and over 3.5 million seniors today would lose Medicare preventative care coverage.

This plan also jeopardizes our Nation's economic recovery. The Economic Policy Institute estimates the plan will cost more than 2 million jobs in the next year, reduce the GDP by 1.7 percent, and literally stall the economy through 2017. This is neither the balanced nor rational approach that we need.



I want to work with my colleagues here in the Congress to pass a budget that creates jobs, grows the economy, strengthens the middle class, and responsibly reduces the deficit.

Sadly, this is not that plan.

#### A CALL FOR JOHN MORTON TO RESIGN

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Mr. Speaker, we recently learned that Immigration and Customs Enforcement, also known as ICE, released thousands of illegal immigrants out of our detention facilities across the country in anticipation of the sequester cuts. This was done not after the sequester became law or the cuts became reality, but in anticipation.

This is the latest in a string of lapses in judgment by ICE Director John Morton. Because of his repeated questionable actions, I've called on Mr. Morton to resign.

Rather than making commonsense cuts like reducing administrative staffing, cutting overhead, or taking other action, ICE chose to release thousands of known criminals directly onto our streets and into our communities. ICE's justification for this plan is that those individuals will remain in a monitoring program while deportation proceedings are ongoing. Really?

It baffles me that ICE officials continue to insist that someone who has already committed a crime by entering this country illegally would willingly participate in a monitored self-deportation program.

The sequester has started and across-the-board cuts will affect us all, but we cannot stand by while ICE makes irresponsible decisions. I call on John Morton to resign and make a full accounting of this debacle to the American people.

#### CONGRATULATING EMMANUEL AVILES

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise in honor of a very special guest of mine today, Emmanuel Aviles from Taunton, Massachusetts, who is visiting Washington with his family.

At just 10 years old, Emmanuel was selected as the grand-prize winner in Scholastic's national Picture a President art contest. His charcoal sketch of Abraham Lincoln earned him that distinguished honor, as well as a 50-book library for his classroom at Parker Middle School and a trip to Washington, D.C.

Emmanuel's teacher back home calls him, "a great role model," who is

"eager to learn and help other kids." He practices art drawing every day and hopes to some day pursue a career in art.

Today, Emmanuel is joined in the Capitol by his father, Emmanuel, Sr., his mother, Karen, and his brother, Diego.

I would like to welcome them to Washington and congratulate Emmanuel on making his school, his city, and his State incredibly proud.

Congratulations, Emmanuel.

#### OPEN THE PEOPLE'S HOUSE

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, it was just over a week ago that we learned that the White House is being closed to public tours.

Now the President attempts to justify this decision saying it's a Secret Service decision. I find this disturbingly ironic, coming from a President whose own Web site says that it is his mission to "open up the House to as many people as possible," that he is accepting without objection the decision to prevent the American people from accessing the White House, their house, the people's house.

Even during some of the darkest days of America's history, our 16th President, Abraham Lincoln, championed the policy of true open doors to the White House and governmental transparency. Contrast that with President Obama who is acquiescing to the exact opposite, closing the White House doors to the public.

If the President is unable to help the Secret Service manage an 8.2 percent budget cut and still keep the people's house open, then the American people are entitled to some answers from their Chief Executive.

#### THE REPUBLICAN BUDGET

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the Republican budget released earlier this week will move us in the wrong direction. It promises us growth through austerity, cutting \$943 billion in discretionary spending, but history has proven that it just won't work.

Time and again, we see when an economy is recovering from a recession and it embraces austerity, the economy tumbles. That's what happened in Europe over the past 2 years, that's what happened in Japan in the 1990s, and that's what happened in this country in 1937. We must learn from this lesson.

In fact, experts say that the Republican budget will result in 2 million fewer American jobs and will decrease economic growth by 1.7 percent.

Mr. Speaker, what we have to do is invest in our economy, nation-build here at home in America and in Americans. This is a vehicle for growth. We should not be cutting those kinds of investments.

Austerity is shortsighted, and we should reject it.

#### STANDING FIRM AGAINST THREATS TO SECOND AMENDMENT RIGHTS

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, one of the best parts of my job is hearing from the people I serve in the great State of Montana. And while 1 million Montanans offer a lot of different ideas and a lot of different perspectives, there is one concern I hear about every day.

Thousands of Montanans have reached out to my office because they are concerned about recent threats to their Second Amendment rights. Let me be clear: I do not support any efforts that infringe upon Montanans' rights to keep and bear arms. I will continue to stand firm against any proposals that would threaten those rights.

That's why I'm joining Congressman STEVE STOCKMAN and many of my other colleagues in the House in signing a letter to Speaker BOEHNER that makes it clear that we—and the people we represent—are strongly opposed to any efforts that would violate the rights protected by the Second Amendment, and we will reflect that commitment in any vote on legislation that comes before us.

Whether it's so-called "universal background checks" or sweeping bans of firearms owned by thousands of law-abiding Montanans, I will stand firm against any proposal that would threaten Montanans' rights to keep and bear arms.

#### IN MEMORY OF JUDGE LEONARD WILLIAMS

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, I rise today to remember Judge Leonard Williams, who died recently at age 78.

Judge Williams was one of Delaware's most prominent civil rights leaders and a successful lawyer and judge in Wilmington. Judge Williams spent his life breaking barriers and paving the way for others. Judge Williams was one of the first African American students to integrate the University of Delaware and was the first African American on its football team.

Judge Williams was the longtime law partner of Louis Redding, the Wilmington lawyer who argued Delaware's

Brown v. Board of Education case before the Supreme Court.

He was a friend and mentor to countless members of our community. Judge Williams was part of the Greatest Generation of African Americans, those who fought the often lonely fight for civil rights and justice, enduring struggle and hardship to make our State and our country a better place for everyone. His presence in the State of Delaware, and particularly in my home city of Wilmington, will be sorely missed.

My thoughts and prayers go out to his family and friends.

□ 1220

#### A BALANCED BUDGET MEANS JOBS

(Mr. RADEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RADEL. Mr. Speaker, as a freshman, I am the first to make fun of myself and, quite frankly, of both parties. It seems that last session's budget negotiations consisted of Democrats making videos of Republicans throwing your grandmother off a cliff while wonky Republicans would be in the corner, talking about the debt-to-GDP ratio and other things that most hard-working Americans don't have time to think about or understand. But let me tell you what we can all understand: Republicans are doing what Senate Democrats have not done in years—we will pass another budget.

So why does this matter to you?

It matters because a balanced budget means jobs, opportunity and, ultimately, more money in your pocket. More money in Washington means less money for you—less money for your gas, your groceries, your rent, your mortgage, and maybe your next vacation to Florida. Now, being bipartisan, do you know who understood that more than anyone? President Bill Clinton. With a Republican House, the budget was balanced.

We conservatives are working hard to balance that budget today for your opportunity and your job. We are here working for you.

#### THE RYAN BUDGET

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, the Republican budget, sometimes called the "Ryan budget," also called the "path to prosperity," is really more of the same, more of the same that we've seen for the past 3 years. The only difference is it's worse. The budget is supposed to be the blueprint and is supposed to set forth the philosophy and the policy of the majority; but look at some of the problems. There are many

of them, but let's concentrate on seniors. Let's see how it affects them.

The voucher is back. It means Medicare costs are going to rise. There is no closing of the doughnut hole anymore for your prescription drugs because ObamaCare is repealed, and we're going to lose \$810 billion in Medicaid, which is a cut of one-third, two-thirds of which go to the disabled and seniors. The irony is that the majority says it repeals ObamaCare; yet it keeps \$716 billion in Medicare savings and all revenues from ObamaCare for a total of \$1 trillion. So \$2 trillion of its balancing the so-called budget is on the backs of ObamaCare—the ObamaCare that it says it repeals.

This cannot be what this body wants to be identified with—a path to nowhere.

#### SUPPORTING THE REPUBLICAN BUDGET

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. It's hard for President Obama to find a solution when he doesn't understand the problem.

This week, he told ABC News that he doesn't believe that our country faces a debt crisis. Yesterday, Senate Democrats outlined a budget that never balances but that sinks us further and further into debt year after year.

The American people understand that nearly \$17 trillion of debt is no way to run a country. Hoosiers know that every penny Washington borrows today will be taken from taxpayer pockets tomorrow. Folks back home know this, and so do House Republicans. That's why I am proud to support the budget my friend and colleague Chairman RYAN introduced this week.

Mr. Speaker, this budget actually balances in 10 years—something our Democrat colleagues' budget in the Senate never does. It never balances. Our budget encourages economic growth and promotes opportunity for all Americans. By simplifying the Tax Code, scaling back government overreach and strengthening the promises made to seniors, our budget puts this country on a responsible, balanced path.

I commend Chairman RYAN and the House Budget Committee for their work.

#### BUDGET PRIORITIES

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, it is time to debate the budget again, but despite the differences in this Chamber, we could come together

and choose to invest in our middle class. We could compromise and responsibly reduce spending while protecting the most vulnerable. We could reach across the aisle and protect the jobs of our teachers and police officers while ending the ludicrous tax loopholes for oil companies.

Instead, we see another case of political gamesmanship. Instead of providing targeted tax cuts to working class families, the Republican budget increases tax breaks for the wealthiest in the country at the expense of middle-income taxpayers, who will pay an average of \$2,000 per family. Instead of solidifying the safety net for our seniors, the Republican budget guts it by turning Medicare into a voucher program. Instead of healing our still fragile housing market, the Republican budget refuses to protect the mortgage interest deduction that our middle class families depend upon.

What we should be doing is working together to put the American Dream back within the reach of our middle class.

#### IN SUPPORT OF THE SKILLS ACT

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I have made it a priority since day one to support pro-growth, pro-jobs legislation that encourages entrepreneurship and supports innovation—all in the name of strengthening our economy and making certain the United States remains globally competitive and is the place where the hardest working and best minds exist.

To remain competitive, we must continue to have the best trained workforce in the world. Quite often, programs in Washington, D.C., are cumbersome and difficult to use. We must all endeavor to make the Federal Government more efficient and effective.

That's why, today, I rise in approval of the SKILLS Act, and encourage my colleagues on both sides of the aisle to support this commonsense legislation that will eliminate burdensome and frustrating roadblocks that prevent out-of-work Americans from accessing beneficial workforce development programs and job skills training efforts that will only help our national economy.

Mr. Speaker, everyone must have a chance to succeed in our current economy, a chance to realize the American Dream. Let's pass the SKILLS Act so we continue working together in a competitive and thriving economy.

#### RYAN BUDGET

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WILSON of Florida. Mr. Speaker, Mr. RYAN's budget would cause millions of people to lose access to health care and tens of millions more to lose their jobs.

My question is simple: Why?

I've been here 802 days, and we have not considered a serious jobs bill yet. There are approximately 12 million people unemployed. It's unemployment, not debt, that's at an emergency level. When people lose their jobs, they lose their dignity; they lose their health care and eventually lose their homes.

Shame, shame, shame.

There is only one responsible way to reduce the deficit—get everyone trained, get everyone working, and get everyone contributing to the tax base. People are hurting. People are suffering. They want opportunities. Mr. Speaker, our mantra should be “jobs, jobs, jobs.”

#### RYAN BUDGET

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, I rise today in opposition to the Republican budget proposal that's soon to be considered by the House.

The policies therein were debated and soundly rejected in the last election. In Las Vegas and across the country, Americans made it clear that our budget should be a path forward for a strong middle class and should be a serious investment in the next generation.

Instead, the Republican budget shrinks investment in infrastructure and education, cuts funding to research and development, eliminates the safety net for our most vulnerable, and ends the Medicare guarantee. Furthermore, it should include a question mark or a giant asterisk because so many aspects of it are vague and so many details are missing. This budget isn't a path to prosperity. It's a collection of inconsistent assumptions and mathematical gimmicks. It's full of phantom revenue and undelineated cuts.

People in my district, District One of Nevada, want Congress to pass a budget that represents a balanced approach, not one based on partisan ideology that's out of touch with their priorities. So I say let's get to work on that.

#### COMPREHENSIVE IMMIGRATION REFORM

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. I rise today to highlight some of the unique immigration challenges that we face. The good news is that Washington is finally focused on fixing this very complex issue. Comprehensive reform is crucial to our

families, young people, and our economy.

In Hawaii, for example, Filipino families often wait up to 24 years to reunite with their loved ones. We are a community of immigrants—immigrants who came to Hawaii who were seeking greater opportunity, who toiled day in and day out working in our pineapple fields and on our sugar plantations; yet many are still waiting to be reunited with their loved ones. This is unacceptable and unnecessary. It also hurts our economy when small businesses face unnecessary, draconian audits and automatic labeling as fraudulent businesses simply due to their sizes, stifling their ability to grow and create jobs.

We must address these unique immigration issues in Hawaii, across the Pacific, and across the country as part of our national reform legislation in order to reunite families and grow our economy.

□ 1230

#### REPUBLICAN BUDGET HURTS WOMEN

(Ms. HAHN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HAHN. Mr. Speaker, March is Women's History Month, and so I would like to point out that this week the Republicans and Chairman PAUL RYAN once again put forth a budget that hurts women and fails to meet the moral code of our Nation. There is no morality in a budget that takes food from the mouths of struggling women and children while slashing taxes for millionaires and billionaires. These attacks on breast cancer research, on child care, on affordable health insurance for families, on maternal health and education are not what we owe our mothers, our sisters, and our daughters. Make no mistake: women, especially poor women, will shoulder the burden of these cuts.

At a time when so many Americans are struggling just to make ends meet, we must do more, not less, to provide a strong safety net for all Americans. I call on my colleagues to support a budget that provides compassion of the government to help American women in need and invests in the future that they deserve.

#### REPUBLICAN BUDGET IS CYNICAL DOCUMENT

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute.)

Mr. HINOJOSA. Mr. Speaker, while I recognize that this Republican budget is just a political document that will never become law, I am still disappointed at what a cynical, cruel, and

dishonest document it is. It is cynical because it repeals the protections and benefits of the Affordable Care Act while keeping in place all of the cost savings in order to pay for another tax cut for millionaires. It's cruel because it would gut Medicaid, a program designed to protect our most vulnerable seniors from sickness and death, by over \$800 billion. This budget would slash Pell Grants for students, food assistance for needy families, and the Head Start school program for children.

Most of all, it's simply a dishonest document. My Republican friends claim that their budget will cut taxes and balance the budget. They say they will pay for all of it with trillions of dollars in savings from closing tax loopholes, but the budget conveniently refuses to name any of them.

Mr. Speaker, we should reject this budget and its displaced priorities. I urge my colleagues to support the Democratic alternative, which presents a balanced way to bringing down our deficit that doesn't leave our seniors at risk.

#### OPPOSING THE REPUBLICAN BUDGET

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today in strong opposition to the Republican budget proposal. This plan hurts the middle class, repeals health care for millions of Americans, and does nothing to guarantee seniors the benefits they earned and have been promised.

The Republican budget plan introduced this week offers no new, real solutions. This is the third time this plan has been introduced, even though the country clearly rejected it this past November. Congress needs to listen to the American people and work together on responsible, long-term solutions.

The House Republican plan has devastating consequences for seniors, our parents, and our grandparents. The Republican budget turns Medicare into an extensive private insurance program for seniors. Our country made a commitment to care for our parents and grandparents, and it's important that we uphold that commitment. Let's not forget that one day our kids will grow older and will depend on these vital programs. We need to balance our budget and reduce the deficit, but we must not do so on the backs of our middle class and our seniors.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess.

□ 1545

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 45 minutes p.m.

COMMUNICATION FROM THE  
DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 14, 2013.

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER. Pursuant to clause 5(a)(4)(A) of Rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve on Investigative Subcommittees of the Committee on Ethics during the 113th Congress:

John C. Carney of Delaware, Gerald E. Connolly of Virginia, Janice Hahn of California, Brian Higgins of New York, Hakeem S. Jeffries of New York, William R. Keating of Massachusetts, Ed Perlmutter of Colorado, Terri A. Sewell of Alabama, Jackie Speier of California, Dina Titus of Nevada.

Best regards,

NANCY PELOSI,  
*Democratic Leader.*

PROVIDING FOR CONSIDERATION  
OF H.R. 803, SUPPORTING KNOWLEDGE  
AND INVESTING IN LIFE-  
LONG SKILLS ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 113 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 113

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-4. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No

amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 1 hour.

□ 1550

Ms. FOXX. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

## GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Ms. FOXX. House Resolution 113 provides for a structured rule providing for the consideration of H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, also known simply as the SKILLS Act.

Mr. Speaker, today, the House will consider the SKILLS Act, which reauthorizes the Workforce Investment Act, WIA, of 1998. While these programs have continued to receive funding through the appropriations process, the WIA authorization expired in 2003.

WIA seeks to coordinate local employment services through a unified workforce development service and a one-stop career center delivery system. Reforming the Nation's workforce development system is critical, and in these difficult economic times, when roughly 20 million Americans are struggling to find adequate work, we cannot afford to delay action any longer. Delay is costly for those seeking to find work. Today, many unemployed and underemployed Americans have turned to Federal workforce edu-

cation programs to develop the skills they need to be competitive for jobs, but instead of an easy-to-navigate, responsive system, many have found a complex bureaucracy unresponsive to their needs and concerns.

In January 2011, the Government Accountability Office, the GAO, identified 47 separate and distinct workforce development programs across nine different Federal agencies that cost taxpayers approximately \$18 billion annually. The GAO report found that almost all of these programs were duplicative and overlapping, that only five of these programs had had any type of evaluation, and that those evaluations had not been very effective ones.

Through the Education and the Workforce Committee's oversight of the WIA system, even more programs have been identified, and the true number of Federal workforce development programs is greater than 50. We know this is a problem, and we all agree this needs to change. President Obama recognized the challenge of the current bureaucratic system in his 2012 State of the Union address. Let me quote the President directly:

I want to cut through the maze of confusing training programs so that, from now on, people have one program, one place to go, for all the information and help that they need.

These are among the many reasons I introduced the SKILLS Act earlier this year. This legislation streamlines 35 duplicative Federal workforce development programs, and it creates a single workforce investment fund to serve employers, workers, and job seekers.

The SKILLS Act establishes a dynamic, employer-driven workforce development system by ensuring that two-thirds of the State and local Workforce Investment Boards' members are employers, and it repeals 19 federally mandated board positions. This legislation expands decisionmaking at State and local levels so that these individuals can make the best decisions to meet the needs of their communities.

The bill also addresses the administrative bloat in Washington by requiring the Office of Management and Budget to identify and reduce the number of Federal staff working on employment workforce development programs that will be consolidated under this bill. The SKILLS Act holds these programs accountable for taxpayer dollars spent by requiring annual performance evaluations and by establishing common performance metrics.

The bill also allows States to determine eligible training providers, simplifying the bureaucratic process that has forced many community colleges and other providers out of the system, and it gives local boards the flexibility to work directly with community colleges to educate large groups of participants. Additionally, the SKILLS Act encourages these programs to

focus on in-demand jobs and industries so that participants will be able to succeed in the workplace upon completion, and it ensures that funds are spent directly on services rather than on administration and bureaucrats. This bill improves transparency by requiring States and local areas to report annually on administrative costs.

Each day we delay is another day employers are not hiring the workers they need, another day unemployed workers are not receiving the best technical education and another day taxpayer dollars are wasted on red tape and well-intentioned but broken programs. We have a responsibility to move this process forward. The time to act is now.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. I thank the gentlelady for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Today, Mr. Speaker, I rise in opposition to the rule and the underlying bill, the Supporting Knowledge and Investing in Lifelong Skills, or SKILLS Act.

For the last 40 years, the reauthorization of the Federal job training legislation has had the support of Democrats and Republicans. Members on both sides of the aisle know that the passage of this bill is critical to our Nation's recovery and future competitiveness.

I served on the State Board of Education in Colorado from 2000 to 2006, and I recall the prior authorization of the Workforce Investment Act that we're still operating under. It dates to 1998. It came up after 5 years, which was in 2003, and I remember being on the State board. In our State, like in many States, jurisdiction goes between both the Department of Labor and the State Department of Education. Under the State Department of Education, we have some of the adult literacy components and adult education components of workforce investment, and under the Department of Labor, we have other areas of responsibility.

We said, well, hopefully, Congress will act. That was in 2003–2004, but that Congress didn't act. We said, well, hopefully, Congress will act in 2005–2006. We still need a reauthorization, so let's hope Congress will act. Then I ran for Congress. I was in the next Congress from 2009–2010 with a Democratic majority. It didn't pass. In 2011–2012, with a Republican majority, there was no WIA reauthorization.

So here we are now in the 113th Congress, and, unfortunately, we have a bill that lacks bipartisan support. Unfortunately, the Republicans have departed from the long history of bipartisanship in common areas of agreement, some of which were talked about by Dr. Foxx in her opening remarks: streamlining programs; reducing the number of programs that have been shown to

be ineffective by the GAO; having a workforce investment system that's more nimble and able to react to changes in the economy, to changes in the employment sector, to changes in the types of skills that people need to succeed in the 21st century workforce. Unfortunately, we have a bill today which falls short in that regard.

Even though this bill gives great authority to Governors, I have word from my own home State's Department of Labor and Unemployment of its opposition to this bill. We have statements from many other disability advocates, youth groups, civil rights groups that are opposed to this bill. Workers with disabilities, disadvantaged youth, returning veterans, low-income adults, migrant workers, and minorities are all underserved populations that a workforce investment system is designed to serve, yet these are the very populations that stand to lose the most under the current bill.

Instead of encouraging collaboration between these programs and streamlining these programs and rewarding what works and stopping what doesn't work, this bill forces effective programs to compete with one another for State funding, putting an additional burden on State and local budgets in the process. Instead of prioritizing incentives for business, which could potentially leverage our Federal investment for colleges and local governments and workforce organizations to collaborate, this bill requires that only employers be represented on Workforce Investment Boards, leaving many other stakeholders on the sidelines.

Of course, meeting the needs of employers is the goal of the Workforce Investment Act, but when you look at the stakeholders that will deliver on that and match the people to the skills, you need to include businesses, colleges, local governments, and others who work in partnership with needs assessment, driven by the employment needs of the private sector, to help determine the outputs that are important for workforce training systems so that our economy can continue to grow and succeed.

Mr. Speaker, this bill hands a blank check to Governors with a message that says to go ahead and use Federal tax dollars however you like, you can eliminate services for the underserved, and yet we, the American taxpayers, are continuing to pay for it.

Look, we are custodians of taxpayer trust here in this body. Frequently, this body doesn't do a very good job of that with the deficits that we have, with the lack of any comprehensive way of reining in Federal spending and even with regard to the sequester, which, while it makes progress on reining in Federal spending, it does so in a non-discriminate way rather than with a thoughtful approach that would be in the interest of our country. Here we

are just passing out dollar bills, throwing dollar bills to the States. Here comes Uncle Sam, ready to bail out Governors. They're playing the walnut game—moving it over to this account and moving it to this account.

□ 1600

This is essentially a slush fund for State Governors, as it's currently constructed, at the expense of groups that traditionally have high unemployment, including veterans who so capably served our country, particularly during our two most recent wars—the Iraq War, which has wound down, and the Afghanistan war, which we hope winds down over the next couple of years—as well as the many veterans of prior conflicts, including the first Gulf War and the Vietnam conflict, who continue to suffer from unemployment at above average levels to this day.

In addition, this bill decreases the WIA State set-aside funding that facilitates targeted innovation and encourages interstate partnerships. My home State of Colorado has used this funding for a State energy sector partnership, provided scholarships to train over 20 Coloradans. It led to full-time employment, even leading to the creation of a new company.

This funding also allowed Colorado to form 10 strategy sector partnerships, which have leveraged more than three-quarters of a million in private financing and public financing towards incentives that will train over 1,200 Colorado job seekers in high-demand occupations. This vital funding would be slashed from 15 percent to 5 percent. I would add that, under the Democratic substitute, which we are grateful that this rule allows for, WIA State set-aside would be restored at the full 15 percent.

In addition, this bill would freeze authorized funding levels for WIA over the next 7 years. This freeze comes on top of the fact that WIA funding has already been cut in half since 2001. Let me say that again. WIA funding has been cut in half since 2001, at the very time when the changing needs of the global economy need to be matched so that Americans can keep up with the skills they need to compete in the 21st century economy. And while making a cut there could save a few dollars now, if we fail to invest in the future of bringing Americans along to ensure that they can have good jobs that our Nation depends on, this would have a profound negative impact on our budget and economy over time.

There are many ideas that a number of us have had to make this bill better. Many of them are included in the Democratic substitute, which is allowed under this rule and will be debated with extended debate time and discussed. However, many of us would have preferred an open rule. We proposed an open rule yesterday in the

Rules Committee. Had an open rule been offered, I would have loved to bring forth a number of amendments, including one that is a bill I cosponsor with Representative ROSA DELAURO of Connecticut that would make it easier for women to get training in jobs that they are capable of doing in fields that they are traditionally underrepresented in. There are many fields, while women have made great progress across the economy, where women only have a 2 or 3 or 4 percent presence that are high-paying jobs. We need to match women to the skills so they can fulfill those opportunities.

I also would like to see, if there had been an open process here on the floor of the House of Representatives, a requirement that State and local workforce organizations both give some of their time and effort on promoting training to empower people to start their own companies through entrepreneurship and innovation. In addition to creating access to entrepreneurship training, we can focus on reducing the skills gap in computer science and information technology, fast-growing occupations, by providing education and training for the jobs of their future.

Democrats have introduced their own workforce reauthorization bill, the Workforce Investment Act of 2013, which would streamline programs, maintain strong protections for veterans and other vulnerable populations, and create stronger accountability for employment outcomes while recognizing and expanding the central role community colleges play in job training.

Again, I'm pleased that this rule makes the Democratic substitute in order. I wish that it was an open rule that allowed for a full discussion of the many ideas that come from the entire body of membership.

It will take both sides working together on this bill, with Dr. FOXX's effort, Ranking Member MILLER's effort, Chairman KLINE's effort, Ranking Member HINOJOSA's effort, to create a reauthorization that will stand the test of time, replacing the 1998 law that we all continue to operate under in a world that has changed significantly since then.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments of my colleague from Colorado, as he's on the Education Committee. And I certainly wish that he and his colleagues had stayed in the Education Committee markup on this bill and offered the many ideas he said that they had to make it better; but, unfortunately, they walked out and did not take the opportunity to offer those amendments in the committee.

I would now like to yield 3 minutes to my distinguished colleague from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I stand here today to show my support in favor of the workforce initiative bill presented by the gentlewoman from North Carolina (Ms. FOXX).

This bill is not restrictive to any group, be it gender or race, but is for all Americans. This bill will allow people to find gainful employment in the marketplace. This is what America is in dire need of right now, and that is jobs.

By helping people acquire the skills needed to find employment, we also give them the ability to help themselves in their ability to change their lifestyle as they pursue their American Dream.

The SKILLS Act will help the economy in several ways:

One, by creating a more qualified workforce to fill the needs of today's industries. Thus, it will bring more certainty to the marketplace. Therefore, employers, knowing that there is a more readily available trained workforce, will be more likely to expand their business.

Another way is it will create higher paying jobs.

A third way is it reduces the number of administrative agencies that oversee and run these programs by more than half, thereby causing government to be more streamlined, operate more efficiently, and save the taxpayers money.

The end result, we help people get back to work sooner; and by doing so, we make a stronger America. So many of our policies of the past, although well-intentioned, have held people back and kept them out of the workforce by not promoting the learning or the advanced job skills needed in today's work environment. I believe we all would prefer to see people independent and self-sufficient versus dependent upon government.

America is known as a generous country, and let's work to keep her that way; but America is also known as the land of opportunity for those that choose to seize that opportunity. This SKILLS Act will help ensure people acquire the skills, and if they desire to take advantage of the opportunity, to succeed in America. Again, everyone wins and America is stronger.

For these reasons, we should move forward with this legislation; and I urge my colleagues, both Republicans and Democrats, to vote in favor of the rule.

Mr. POLIS. Mr. Speaker, it is my honor to yield 4 minutes to the gentleman from Massachusetts, a colleague on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. Mr. Speaker, the ongoing problem with this Republican majority is their insistence on partisan political ploys at the expense of sound policy. It's their way or the highway, and this is a good example. This bill should be a bipartisan bill. This bill

should have brought both sides together for the common goal of putting people back to work.

The bill we are considering today, the so-called SKILLS Act, doesn't in any way, shape, or form reflect bipartisanship. Instead of bringing a bill to the floor that will help our economy prosper and grow jobs, instead of bringing a bill to the floor where there's bipartisanship, this majority has given us a bill that, quite frankly, will gut job training programs.

This is not a good bill. In fact, it does real harm to job training programs that will help put Americans back to work. And I'm particularly alarmed by the bill's egregious cuts to the SNAP Education and Training program.

The SKILLS Act would destroy the SNAP Education and Training program as we know it. It would kill a program that provides low-income individuals with the training they need to get jobs, jobs that pay enough to get them off of public assistance. And here is the deal: the SNAP Education and Training program works; it actually works.

The author of this bill, my colleague on the Rules Committee, Dr. FOXX, does not take a meat-ax to this program but, instead, cleverly reworks it in a way so that, while it will exist in name, it will not be able to carry out its mission. Rather than going directly at the program and reducing or zeroing out the program funding, the bill instead eliminates the role of the SNAP agency in determining what kinds of services are provided to SNAP participants.

Under the SKILLS Act, the WIA board is authorized to serve "eligible SNAP participants." The way this would appear to work is that the State SNAP agency would still assign some group of participants to SNAP Education and Training programs, but only to those programs as provided through WIA.

□ 1610

And here's the concern: the concern is that a good number of States, including my home State of Massachusetts, have found the WIA services to be inappropriate for SNAP recipients.

The fact is, Mr. Speaker, childless, unemployed adults generally cannot participate in SNAP for more than 3 months out of every 3 years unless they are enrolled in certain types of training programs for 20 hours per week.

In this legislation, workforce investment boards are not required to provide work slots that meet these conditions, and State SNAP agencies are no longer able to provide additional services. As a result, if jobs are not available, some poor individuals who are willing to work could lose their SNAP benefits. They could lose their food benefits.

According to the Government Accountability Office:

Many SNAP participants are not ready for many program services such as training classes offered by programs at the WIA one-stops because they lack basic skills, such as reading and computer literacy, that would allow them to use their services successfully.

At best, Mr. Speaker, low-income individuals on SNAP who are lacking job skills that will help them get off public assistance will be denied access to job-training programs. But here's the kicker: at worst, low-income individuals who rely on SNAP to put food on their table will either see part or all of their benefit cut.

Yes, Mr. Speaker, just when you think things couldn't get worse for poor people in this country, this new legislation could actually make hunger worse.

Mr. Speaker, this is a bad bill that does nothing to help the American economy or the unemployed or the untrained in this country. We should be focusing on jobs, not partisan legislation.

This is an area where we should be able to come together, as my colleague, Mr. POLIS, said. This is yet another attack on poor people. We should be working to end hunger now and not passing bills that make hunger worse.

I'll conclude as I began, Mr. Speaker, by saying that this is one of those opportunities that I think the American people believe that we could come together. Unfortunately, this has become a partisan ploy, another partisan press release.

This bill is going nowhere, and I regret that very much because unemployed people need help.

Ms. FOXX. Mr. Speaker, I am used to hyperbole on this floor. I'm used to hyperbole from my colleague from Massachusetts, but I really think this one was a little over the top.

This bill does not kill the employment program with SNAP, and only 6.8 percent of the recipients of food stamps even participate in that program. So to say that this bill is going to create additional hunger in this country is really over the top a little bit.

The best way we can help people who are hungry in this country is to help them get a good-paying job, and that's what we need to be doing.

With that, I yield 2 minutes to my colleague from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Speaker, I'd like to thank the gentlewoman from North Carolina for yielding, as well as her sponsorship of this important bill.

You know, job creation and getting Americans back to work is the number one priority facing this country. And in talking to people from my district, talking to people who are unemployed, people who are underemployed, they tell me that they need skills to get back to work.

We need workforce development programs that work. We need to train people for jobs that are here today and jobs that are going to be here tomorrow.

One step we can take is to reform our workforce development program. Our system currently isn't flexible. It has too much red tape, and we need to make sure it works for people who are looking for jobs and connects people who are looking for jobs with employers that have open positions.

We need a nimble system that can respond to our changing economy, and we have to streamline our current system. Today we have at least 47 duplicative or ineffective programs. We need a simpler, more comprehensive system, a system that employers and job seekers can navigate and successfully complete.

The SKILLS Act will address these issues and set up a workforce development program that will train people looking for jobs to get them back to work. That's why I look forward to voting in favor of the SKILLS Act.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT), a member of the Committee on Education and the Workforce.

Mr. HOLT. Mr. Speaker, I thank my friend from Colorado, and I rise in opposition to the rule and the underlying bill of the so-called SKILLS Act.

Fifteen years ago, before I was in Congress, I watched with great interest as Congress, House and Senate, Democrat and Republican, worked on worker training and produced the Workforce Investment Act. I was impressed. This was the kind of thing that Congress should be doing. It was the kind of thing that made me look forward to the prospect of maybe going to Congress some day.

I remember David Broder, then the dean of Washington journalists, wrote a column saying this is exactly the kind of thing that Congress should be doing—and they were doing it in a bipartisan way.

And here we are today, 15 years later, with an ideological, partisan dead end.

Now, let me make it clear: workforce investment is what Congress needs to do. The government plays an important role in training and fostering a strong and capable workforce.

The so-called SKILLS Act does not invest in the workforce. Rather, it seeks to combine and reduce vital programs that workers need.

As a member of the Committee on Education and the Workforce, I, along with others, sought to help to develop and update an efficient, fair program that would help eager workers get the right training and get the right jobs. We had some good ideas to contribute. Some of them had been tested in my home State of New Jersey.

We had some strong evidence that some of the programs that Representative FOXX's version had canceled, or sought to cancel, should be improved and retained. We had good legislative language for the majority party to con-

sider, and we were rebuffed. Our efforts were in vain.

American workers are now caught in the middle of this partisan, ideological effort. Individuals with disabilities, the disadvantaged, high-risk youth, veterans cannot afford to be abandoned by the majority party's proposal.

It was interesting that the author of this bill said, well, only 6.8 percent of the SNAP participants use the workforce training. Oh, so 3 million people we can forget about. Is that the implication of that?

No, I think the implication should be we should expand it to even more. We need to work together to provide our Nation's job seekers with the resources and the training they need to obtain and maintain quality employment. The underlying partisan "consolidate it and then cut it bill" will keep people out of work, not put them back to work.

I urge the defeat of the rule so that we can have something more bipartisan, and I urge defeat of the bill.

Ms. FOXX. Mr. Speaker, I am reminded of a line from "The Canterbury Tales": The gentleman doth protest too much.

We're told that this is a partisan bill, that the efforts of the other side were in vain.

Well, let me remind my colleague, he's one of the members of the committee that walked out of the committee meeting. When there was the opportunity for the Democrats to offer amendments, they did not do it. However, some amendments were offered before the Rules Committee, and we have all of the amendments that were submitted by the Democrats and not withdrawn that are going to be considered today.

The Democrat substitute amendment was made in order, and I appreciate Mr. POLIS acknowledging that. And we've given them extended debate time. So it's not exactly as though we are shutting them out of this process.

With that, Mr. Speaker, I yield 3 minutes to my distinguished colleague from North Carolina, Congresswoman ELLMERS.

Mrs. ELLMERS. Mr. Speaker, thank you to my distinguished colleague from North Carolina, whose passion and longstanding experience in this area have brought this great piece of legislation for us to be able to vote on today.

And I would just like to rise and say that I am in support of the rule and the underlying bill to the SKILLS Act.

□ 1620

Here in Congress we frequently hear from our constituents back home that we need to work with the President on many issues, and this is a perfect example of a piece of legislation that we are working on with President Barack Obama. The SKILLS Act directly addresses what the President recently



called “a maze of confusing training programs.”

This is our chance to come together and create meaningful, commonsense reform that will help struggling Americans pull themselves up out of unemployment and empower them to better provide for their families. It would also create a single Workforce Investment Fund. It basically streamlines numerous ineffective, redundant programs, and it allows for every American to better themselves.

I can only think of whom this bill actually helps. I can think of the single mother who is working every day and wants to better help her family and have the flexibility to go back to school to our good community colleges in this country, to our technical schools. This bill cuts the red tape that our community colleges and our technical schools now face. And now we can help them. There are so many out there that need this help.

Mr. Speaker, this idea is not Republican and it is not Democrat. It is common sense. In fact, this bill is largely the same bill that came out of the Education and Workforce Committee last Congress, and most of the Democratic provisions have been retained.

I am also hearing from constituents back home. For instance, Dr. Larry Keen, president of Fayetteville Technical Community College, recently told my office:

I am in favor of the SKILLS Act and the purposes for which it was created. Anything that contributes to the simplification of a very complex system is of value.

Again, I rise today in support of this. I agree with Dr. Keen. I am here to say that I am calling on my colleagues to step away from this partisan attack and help us pass this bill. Additionally, I hope the Senate will do the same.

Mr. POLIS. I have to take a moment to correct the gentlelady from North Carolina, my colleague, Dr. FOXX, who quoted, “The lady doth protest too much,” saying it was from *Canterbury Tales*. It is actually from Shakespeare’s *Hamlet*. I’m sure the gentlelady, upon further reflection, will concur.

I will add this bill, like *Hamlet*, is indeed a tragedy.

Mr. Speaker, I yield 2 minutes to gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to the rule and the underlying bill, H.R. 803, the SKILLS Act.

Mr. Speaker, this is the time to be investing in workforce development programs, not slashing them. I especially want to point out that unemployment in Rhode Island remains unacceptably high, yet the skills gap is an employment obstacle we can overcome with the right resources. Workers need proper training to succeed in a

global economy, and the Workforce Investment Act programs have helped to do just that.

So it saddens me that the bill before us today cuts so many vital programs just when we need them the most. It freezes investments in job training. It cuts or consolidates 35 critical programs and limits access to services for youth, minorities, older workers, people with disabilities, and veterans—the vulnerable populations that this law was designed to serve.

This bill could also imperil the efforts of organizations making positive strides also in my home State. A prime example of this is the Genesis Adult Education Center in Providence, which receives 20 percent of its total budget from WIA sources and helps some of the most disadvantaged people in our State through job training, child care, and support services. Under the SKILLS Act, the Genesis Center could face a reduction of funding and would be forced to serve fewer Rhode Islanders.

At the Job Corps centers nationwide, enrollment of new students has been suspended, and this bill does nothing to address this problem. For almost 3 years, the Job Corps center in Rhode Island has been unable to enroll new students in job training classes. We should be considering legislation that addresses this challenge and invests in job creation, and this bill falls far short on both counts.

I urge my colleagues to oppose this rule and reject this bill so that we can come together in a bipartisan manner that properly addresses our workforce issues.

Ms. FOXX. I yield 2 minutes to the distinguished gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentlelady for yielding, and I thank her for her leadership on this very, very important issue.

As I travel across Virginia’s Fifth District, it is clear that years of failed policies—like the President’s health care law, higher taxes, and stimulus spending—have impacted the people that I represent. Main Streets all across our rural district have seen our small businesses struggle. Families across our district have felt the pain as neighbors, friends, and family members have lost their jobs and tried to find work.

As our economy struggles, ensuring our unemployed and underemployed have access to the skills training that they need to improve their careers is as important as ever. However, the Federal Government workforce training programs, while well intended, are cluttered with bureaucracy, waste, and inefficiency. They’re not helping those they were intended to help. Americans will not benefit from these programs until we ensure that they are both efficient and effective.

At a time when the national debt is skyrocketing, a 2011 study from the GAO found that taxpayers are spending \$18 billion on 47 duplicative job training programs across nine Federal agencies. Our top priority in the House of Representatives over the last 2 years has been getting Americans out of the unemployment lines and into good-paying jobs. And today we are standing up to make those critical reforms.

By adopting the SKILLS Act, Congress will put words into action and take a critical step toward getting our communities back to work. This legislation will eliminate red tape that prevents workers from accessing job training, and it will ensure that support is tailored to the specific needs of individual workers.

A strong workforce is critical to this Nation. I remain committed to getting Virginia’s Fifth District back to work. I urge my colleagues to support me in supporting the rule and the underlying legislation.

Mr. POLIS. I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague from Colorado for yielding.

I rise in opposition to the rule and to the underlying bill. At a time when more and more people are starting their own businesses, we should be doing everything we can to encourage entrepreneurship. Unfortunately, current rules make it difficult for Workforce Investment Boards, or WIBs as we call them, to provide entrepreneurial training services or to count the successes of those programs in their outcome measures, the very thing that we ought to be doing through these Workforce Investment Boards. As a result, very few WIBs even offer these programs, depriving aspiring entrepreneurs of valuable resources to help them thrive.

That’s why in the last Congress I introduced legislation to fix the guidelines for self-employment training. Our goal would make it easier for Workforce Investment Boards to offer these programs in the local community and expand access to training for aspiring entrepreneurs.

I would like to thank Mr. TIERNEY, Mr. HINOJOSA, and Mr. MILLER for including my legislation in their amendment that will be considered tomorrow. Job training and reemployment issues always have been, and always should be, bipartisan. So it’s very sad that this rule and the underlying bill have come to the floor under a strictly partisan process and that they will actually harm the very programs that they’re designed to support.

I urge my colleagues to vote “no.”

Ms. FOXX. I yield 3 minutes to the distinguished gentlewoman from Indiana, a member of the Education and Workforce Committee, Mrs. BROOKS.

Mrs. BROOKS of Indiana. I would first like to thank the leadership of Congresswoman FOXX.



I stand here today not just as a Member of Congress but as a former community college administrator. As senior vice president and general counsel for Indiana's largest public college system, I led statewide workforce education and training efforts aimed at putting thousands of Hoosiers back to work. I also served on Indiana's State Workforce Board, which administers the funds set forth in the SKILLS Act.

My experience in the workforce development arena taught me a very important lesson: Americans of all ages and backgrounds have the ability to be anything they want to be, but they need a flexible support system that prioritizes people and not bureaucracy.

This is bureaucracy and this is what our current system looks like. That's why Congress must pass the SKILLS Act. We have a chance to empower millions of individuals to lead more fulfilling lives by finding meaningful work, and we must take that chance now. This is the time to choose people over paperwork and workers over waste.

□ 1630

My own district is home to several global manufacturing and life science leaders. I recently sat down with employees from Dow AgroSciences, headquartered in Zionsville, Indiana. One by one, its employees told me we have to make better, smarter investment decisions in workforce development and education for our Nation to succeed and for our companies to succeed.

How can we be a Nation that spends over \$18 billion a year on job training programs—over 47 job training programs—and yet have almost 3.6 million jobs going unfilled? So we have jobs that are unfilled because we have a system that doesn't work. This isn't good enough for America. We can do better, and the SKILLS Act can take us on that path.

The SKILLS Act can and will put people back to work. It is leaner. It provides a roadmap for success that can fuel a 21st century workforce. It removes roadblocks that prevent workers from receiving in-demand training, and it gives local leaders the flexibility to provide more funding to high-performing programs. Every step of the way, it ensures more of every dollar we spend goes to training people rather than to the government bureaucracy administering all of the 47 different programs today.

House Republicans are ready to show we can put skilled American workers over government bureaucracy by passing the SKILLS Act. I support passage of this rule and the underlying bill.

Mr. POLIS. I'd like to inquire of the gentlelady from North Carolina if she has any remaining speakers.

Ms. FOXX. Mr. Speaker, we do have additional speakers.

Mr. POLIS. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I'd like to now yield 3 minutes to another distinguished colleague from Indiana (Mr. MESSER).

Mr. MESSER. I thank the gentlelady from North Carolina. Thank you for your hard work on this very important bill.

I rise today in support of the rule to H.R. 803, the SKILLS Act. This critically important legislation, introduced by Dr. Foxx, will reform and strengthen our Nation's workforce investment system.

Back where I come from in Indiana's Sixth Congressional District, the number one issue is jobs. Though there are 12 million Americans looking for work, most folks would be surprised to know that 3.6 million jobs are unfilled simply because prospective employees lack the necessary knowledge and training needed for that job. The SKILLS Act works to address this problem.

Folks in my district are tired of the failed Obama economy. Too many times parents have had to come home and tell their children that they've lost their job and they don't know how they're going to pay their bills, or send them to college, or get their car fixed. Too many times in recent years young people have been unable to find a job—or at least find a good-paying job that lets them start their journey of life.

Unfortunately, our Nation's job-training system has been failing these hardworking taxpayers. The more than 50 separate programs offered under the current system costs taxpayers \$18 billion annually. Most of these programs are duplicative and not as effective as they should be. This has led to taxpayer dollars being wasted, employers being unable to hire adequately trained workers, and workers not getting the skills they need to succeed.

We must do better. The SKILLS Act will eliminate and streamline 35 ineffective and redundant programs to ensure workers are getting the skills they need to fill available jobs. The SKILLS Act will eliminate wasteful duplication and empower State leaders, local elected officials, and job creators to make the necessary decisions to ensure workers receive training for jobs in high demand. This bill will guarantee job creators a stronger role in workforce development decisions and ensure taxpayer dollars aren't wasted on broken bureaucracies. Most importantly, these changes will help workers find good-paying jobs.

Mr. Speaker, the SKILLS Act strengthens our workforce investment system, provides smart stewardship of taxpayer dollars, and gives us the opportunity to do better right now. I urge my colleagues to support this rule and the underlying bill.

Mr. POLIS. I'd like to inquire of the gentlelady from North Carolina if she has any remaining speakers.

Ms. FOXX. Yes, we do, Mr. Speaker.

Mr. POLIS. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, my colleagues on the other side of the aisle have continued to malign what they call a "political process." Regular order, Mr. Speaker, is not political process.

The SKILLS Act has been posted online for nearly a month. The Higher Education and Workforce Training Subcommittee held a legislative hearing on this bill on February 26, and a full committee markup last Thursday. Unfortunately, the Democrats opposed the open transparent process of markup and instead requested that members of the committee hold closed-door negotiations. During the markup, the Democrats ultimately walked out and refused even to offer amendments. This is not what the American people asked for in the 2012 elections. They asked us to work together in a transparent, bipartisan way to address our country's challenges, and we gave our colleagues that opportunity. They refused it.

Last year, the committee accepted four Democrat amendments during consideration of the Workforce Investment Improvement Act, the predecessor of the SKILLS Act. These four amendments are retained in the base text of the SKILLS Act, hardly a partisan approach.

My Republican colleagues and I on the Education Committee have shown we're willing and ready to work with our Democrat colleagues, and it's unfortunate that they instead chose a partisan walkout.

In contrast, under Democrat control in the 110th and 111th Congresses, the House considered 66 bills that were referred to the Education and Workforce Committee, but received no committee consideration before being brought to the House floor.

The SKILLS Act has gone through an open and transparent process, and it is unfortunate that Democrats have been unwilling to participate in regular committee process.

Additionally, the rule before us today provides consideration of six amendments, including all amendments submitted to the Rules Committee by Democrats that were not withdrawn before the Rules Committee hearing. As I stated before, the Democrat substitute amendment was made in order with extended debate time. This exceedingly fair rule is a culmination of a transparent, regular order which allows my colleagues across the aisle multiple opportunities to argue for their approach.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Again, I'd like to inquire of the gentlelady if she has any remaining speakers.

Ms. FOXX. Mr. Speaker, it appears now that we do not have any additional

speakers, and if the gentleman from Colorado is prepared to close, I will also be prepared.

Mr. POLIS. I yield myself the balance of the time.

Mr. Speaker, particularly at a time of economic stagnation, recovery from a recession, skills are a more important piece than ever to ensure that Americans can compete in the 21st century workforce.

We all know that many of the jobs that helped Americans earn a solid place in the middle class in the 20th century are not necessarily going to be the same jobs that will allow Americans to live in upwardly mobile middle class lifestyle in the 21st century. There are new growth sectors, new opportunities, and yes, new challenges as well.

One of the keys to both our prosperity as a Nation as well as the prosperity and growth of the middle class is to make sure that Americans have the skills they need to compete in the 21st century economy. When we match those skills to the people who need to have them to support their families, we're talking about all American families. We're talking about veterans. We're talking about the disabled. We're talking about those who don't have a high school diploma. We're talking about immigrants.

□ 1640

We need to make sure that each of these groups that traditionally has had and does have a higher unemployment rate than Americans as a whole can receive the type of training, education, and skills that they need to support their families and give back to the rest of us—a hand up, rather than a hand out. That is what workforce investment is all about.

Both Democrats and Republicans agree it's long overdue for us to update and strengthen the Workforce Investment Act. It was written in 1998. The world was different in 1998. I don't think any of us saw the degree with which the economy would change. We've, since 1998, had many new technology jobs, the Internet has grown to a mainstream phenomenon, we've had a banking crisis, we've had two wars, and we're on our third President since 1998. Things have changed a lot. Things have changed a lot.

I'm amazed, Mr. Speaker, when I meet people now that were born in the 1990s and they're in the workforce. It's absolutely incredible to think about. And, yet, we're still operating under a law that doesn't reflect the changing needs of the American workforce. It is time for Democrats and Republicans to work together—to work together—to reauthorize the Workforce Investment Act.

The President has stated that he doesn't support this bill, he wouldn't sign this bill. We need to work to-

gether, Democrats and Republicans, to come up with a framework that works. Yes, we all know that a committee markup process is part of that process; but so, too, is establishing the base bill, a process from which Democrats were excluded.

Former Education and Workforce Committee Chairman BUCK McKEON said that he "would like to see us work in that same mode where we really try to work together. I don't think it is the Republican bill or the Democratic bill, but it should be all of our bill."

Unfortunately, with regards to where this bill is today, Republicans did not choose to regard this wise advice of the former chairman in how this bill was formed and brought to the floor. Now, again, while neither House Democrats or committee Democrats or the President support the underlying bill, I'm hopeful that the Republican leadership's desire to move this bill to the floor indicates the start of a process to finally reauthorize the Workforce Investment Act.

It's not an issue of left or right. It's an issue of updating the Workforce Investment Act to reflect the changing needs of our economy and the changing set of skills that Americans need to support themselves.

I'm hopeful that with the continued work of Dr. FOXX, Chairman KLINE, Ranking Member MILLER, Ranking Member HINOJOSA, and other esteemed Members of this body that Republicans and Democrats will work together both making concessions to improve the Nation's workforce investment system and improve the route to the middle class for working families across our country.

Workforce investment and training to address the skills gap are critical to this economy as a whole. We have a long way to go to strengthen and, yes, streamline our workforce training and investment programs. There are some good ideas with regards to streamlining workforce investment that are contained in this bill that can form a basis for bipartisan support, but we still have a long way to go. We need to work across the aisle to invest in our future and take care of fellow citizens to make sure that they have the ability to support themselves.

I look forward to continuing this process with Members on both sides of the aisle, with members of the committee and Members of the House at large. Yet the process and bill before us currently is flawed.

Therefore, I urge a "no" vote on this rule and the underlying bill. I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

The world has changed greatly since 1998 when this legislation was first authorized and even since 2003 when this legislation was last reauthorized.

I'm very concerned that my colleague has said that this legislation is

flawed and that we did not participate or provide a bipartisan process. This is an example of Democrats blaming Republicans for what they themselves do. We gave our colleagues every opportunity to come help fix the flaws in this legislation through regular order. They chose not to do it.

The President said in his 2012 State of the Union Address:

It is time to turn our employment system into a reemployment system that puts people to work.

With 12 million Americans looking for work, the SKILLS Act makes commonsense reforms to a broken workforce development system to remove inefficiencies and ensure that individuals are able to get the education skills they need to find a job.

Now the President is saying that he will veto this legislation, and yet it does exactly what he asked us to do. This is another example of the President saying one thing and doing another.

The SKILLS Act takes a crucial step forward in the fight to eliminate red tape and create a more effective system to better serve and prepare Americans to compete in the 21st-century workforce. I hope the legislation will see swift approval in the House and Senate and the SKILLS Act will be on the President's desk in the coming weeks to see if he, indeed, will veto the bill that he asked for.

Mr. Speaker, the SKILLS Act will build a more dynamic and responsive workforce development system, give priority to well-paying, in-demand industries, expand opportunities at community colleges, and—most importantly—treat all job seekers as individuals. These changes are critical at a time when the Bureau of Labor Statistics estimates that more than 3.6 million open jobs are going unfilled because there aren't enough skilled candidates. Let's reform these programs to serve employers and individuals in an effective and efficient manner.

I urge my colleagues to vote in favor of this rule and the underlying bill. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 15, as follows:

[Roll No. 70]

## YEAS—225

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barton  
Benishek  
Bentivolio  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)

Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry

Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NAYS—191

Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)

Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay

Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney

DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin

Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascarella  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley

Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—15

Bilirakis  
Broun (GA)  
Castor (FL)  
Conyers  
Costa

Culberson  
Gardner  
Hanna  
Himes  
Lynch

Markey  
McHenry  
Napolitano  
Smith (WA)  
Westmoreland

□ 1712

So the previous question was ordered.  
The result of the vote was announced  
as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, March 14, 2013, I was absent during roll-call vote No. 70 due to being sick. Had I been present, I would have voted “nay” on ordering the previous question on H. Res. 113—“Providing for consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 191, not voting 14, as follows:

[Roll No. 71]

## AYES—226

Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce

Perry  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NOES—191

Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)

Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay

Cleaver  
Clyburn  
Connolly  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro

DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)

Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe y  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley

Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—14

Broun (GA)  
Castor (FL)  
Cohen  
Conyers  
Costa

Culberson  
Gardner  
Hanna  
Himes  
Lynch

McHenry  
Napolitano  
Smith (WA)  
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1719

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, March 14, 2013, I was absent during roll-call vote No. 71 due to being sick. Had I been present, I would have voted “nay” on H. Res. 113—“Providing for consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.”

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 289, noes 125, answered “present” 1, not voting 16, as follows:

[Roll No. 72]

## AYES—289

Aderholt  
Alexander  
Amodei  
Bachmann  
Bachus  
Barber  
Barletta  
Barrow (GA)  
Barton  
Beatty  
Becerra  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonamici  
Bonner  
Boustany  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bucshon  
Bustos  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Capps  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castro (TX)  
Chabot  
Cicilline  
Clay  
Cleaver  
Coble  
Cole  
Collins (NY)  
Conaway  
Connolly  
Cook  
Cooper  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Cummings  
Daines  
Davis (CA)  
Davis, Danny  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Doggett  
Doyle

Duckworth  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Engel  
Enyart  
Eshoo  
Farenthold  
Fattah  
Fincher  
Fleischmann  
Fleming  
Fortenberry  
Foster  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Gabbard  
Gallego  
Garamendi  
Garrett  
Gibbs  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Grayson  
Griffith (VA)  
Grimm  
Guthrie  
Hahn  
Hall  
Hanabusa  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Heck (WA)  
Hensarling  
Higgins  
Hinojosa  
Holt  
Horsford  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Johnson (GA)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kaptur  
Kelly  
Kennedy  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kline  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lankford  
Larsen (WA)  
Larsen (CT)  
Latta  
Levin

Lipinski  
Loeb sack  
Lofgren  
Long  
Lowenthal  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Maffei  
Maloney, Sean  
Marino  
Markey  
Massie  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McIntyre  
McKeon  
McMorris  
McRogers  
McNerney  
Meadows  
Meeks  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Palazzo  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Perry  
Petri  
Pingree (ME)  
Pitts  
Pocan  
Polis  
Pompeo  
Posey  
Price (NC)  
Quigley  
Reichert  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher

Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (WI)  
Salmon  
Sanchez, Loretta  
Scalise  
Schiff  
Schneider  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner

Serrano  
Sessions  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Speier  
Stewart  
Stockman  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (PA)  
Thornberry  
Tierney  
Titus  
Tonko  
Tsongas  
Upton

Van Hollen  
Vargas  
Wagner  
Walden  
Walorski  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Welch  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wolf  
Womack  
Yarmuth  
Yoho  
Young (FL)  
Young (IN)

## NOES—125

Amash  
Andrews  
Barr  
Bass  
Benishek  
Bishop (NY)  
Brady (PA)  
Brooks (IN)  
Burgess  
Butterfield  
Capuano  
Chaffetz  
Chu  
Clarke  
Clyburn  
Coffman  
Cohen  
Collins (GA)  
Conyers  
Cotton  
Courtney  
Crowley  
Davis, Rodney  
DeFazio  
Denham  
Dent  
Dingell  
Duffy  
Edwards  
Ellison  
Esty  
Farr  
Fitzpatrick  
Flores  
Forbes  
Fox  
Fudge  
Garcia  
Gerlach  
Graves (GA)  
Graves (MO)  
Green, Al  
Green, Gene

Griffin (AR)  
Grijalva  
Gutierrez  
Heck (NV)  
Herrera Beutler  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Israel  
Jackson Lee  
Jeffries  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Keating  
Kilmer  
Kind  
Kinzinger (IL)  
Kirkpatrick  
Lance  
Langevin  
Latham  
Lee (CA)  
Lewis  
LoBiondo  
Lowe y  
Maloney,  
Carolyn  
Marchant  
Matheson  
McDermott  
McGovern  
McKinley  
Meehan  
Meng  
Miller, George  
Moore  
Negrete McLeod  
Nolan  
Nugent  
Pallone

Pastor (AZ)  
Paulsen  
Pearce  
Peters (CA)  
Peters (MI)  
Peterson  
Pittenger  
Poe (TX)  
Price (GA)  
Radel  
Rahall  
Rangel  
Reed  
Renacci  
Ribble  
Rigell  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Sewell (AL)  
Slaughter  
Stivers  
Terry  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Tipton  
Turner  
Valadao  
Veasey  
Vela  
Velázquez  
Visclosky  
Wenstrup  
Wittman  
Woodall  
Yoder  
Young (AK)

## ANSWERED “PRESENT”—1

Owens

## NOT VOTING—16

Broun (GA)  
Castor (FL)  
Costa  
Culberson  
Gardner  
Gibson

Gohmert  
Hanna  
Himes  
Lynch  
McHenry  
Napolitano

Sires  
Smith (WA)  
Walberg  
Westmoreland

□ 1724

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. HIMES. Mr. Speaker, I was unable to be present for rollcall vote 70 on H.R. 803. Had I been present, I would have voted “nay.”

Mr. Speaker, I was unable to be present for rollcall vote 71 on H.R. 803. Had I been present, I would have voted “nay.”

Mr. Speaker, I was unable to be present for rollcall vote 72 on Approving the Journal. I would have voted "yea."

#### BUDGET GAMES IN WASHINGTON

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise on behalf of Georgians and folks all over our Nation who are sick and tired of the budget games in Washington.

Ask almost any American what happens if someone spends substantially more money than they take in, and they'll tell you that that individual will be plagued with debt and face limited economic opportunity.

But this commonsense reality seems to evade many of my friends in the other body. As evidenced by the recently proposed budget, this so-called plan increases taxes by \$1 trillion, proposes \$100 billion in new stimulus spending, and will never balance.

This mentality is exactly what got our Nation into this fiscal mess in the first place. However, I must commend my friends for at least finally putting down a budget on paper. It took them 4 years, and their plan certainly doesn't propose any new ideas, but at least they've articulated where they stand.

However, this administration remains delinquent in their duty to send a budget to Congress. The administration's budget is more than a month overdue, and news reports indicate it may come in April, if at all. They have complained that the delay is the result of Congressional debate surrounding the fiscal cliff and sequester.

Someone should tell this administration that using uncertainty created by their own policies to buck their responsibility to craft a budget is unconscionable. Attacking this body's balanced budget approach, when they haven't produced their own plan, unfortunately reveals their willingness to put partisan politics ahead of our Nation's fiscal future.

If this administration is truly concerned about the uncertainty, they should send to Congress a responsible balanced budget. This will put our Nation on the path to true fiscal responsibility.

#### MEDICARE AND THE RYAN BUDGET

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, the latest Ryan budget is déjà vu all over again, only this time it's worse for our parents and grandparents. It will turn Medicare into a voucher system, and leave millions without the health care they need and deserve.

As a doctor, I've sat with these seniors when they're trying to choose between one medication or another, one treatment or another, and they can't afford it. This is just wrong. It's bad medicine.

Our parents and grandparents did not work their whole lives paying into a system only to be handed a voucher that doesn't even cover the cost of needed care.

If we work together, we can do better. We can lower the cost of health care. We must honor the promises that we've made to them, and make sure Medicare is secure and strengthened for the next generation.

Mr. RYAN, don't pull the plug on Medicare.

□ 1730

#### SKILLS ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, tomorrow the House will vote on the Supporting Knowledge and Investing in Lifelong Skills Act, or SKILLS Act. With 12 million Americans out of work and 3.6 million job openings unfilled, the SKILLS Act will modernize and reform our Federal workforce development programs and reauthorize the Workforce Investment Act.

As a former volunteer member of a Workforce Investment Board who had the responsibility for administering these training opportunities, I witnessed firsthand the difficulty and expense these duplicative and overlapping programs create. The SKILLS Act consolidates current programs efficiently so that individuals seeking training will be able to navigate the system with greater success and greater access. The SKILLS Act also refocuses the accountability and control at the local level rather than Washington.

Mr. Speaker, America's competitiveness depends on having a qualified and trained workforce. The SKILLS Act offers just that. President Obama called on Congress in 2012 to work with him to develop a skills training program that is more efficient and effective. The SKILLS Act does just that. Let's take action to put Americans back to work and make America more competitive.

#### INTRODUCTION OF THE WATER INFRASTRUCTURE NOW PUBLIC-PRIVATE PARTNERSHIP ACT

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to talk about a bill I introduced earlier

today. It's called the Water Infrastructure Now Public-Private Partnership Act. Senator DURBIN and Senator KIRK from Illinois introduced the Senate version as well today.

My bill would improve the Nation's water infrastructure, including the aging locks and dams along the Mississippi and Illinois Rivers, through public-private partnerships that would expedite projects and save taxpayer money.

My bill would help clear a \$60 billion backlog of U.S. Army Corps projects that will take decades to complete without the help of private investment. It does this by creating a pilot program to explore agreements between the Army Corps of Engineers and private entities as alternatives to traditional financing, planning, design, and construction methods.

Mr. Speaker, the Mississippi and Illinois Rivers are absolutely critical to the economic well-being of not just my region, but also to the entire Midwest, the Nation, and even to the world. Many of these locks and dams were built during the administration of Franklin Roosevelt and are now more than 80 years old. That is why action must be taken to expand and modernize the locks and dams that help transport our goods and products worldwide.

#### HONORING WOMEN'S HISTORY MONTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Every March we commemorate National Women's History Month, a time in which we highlight the many contributions of women who have shaped our great Nation. While we celebrate the tremendous achievements of pioneers who have paved the way, it is important to remember the young girls who need an encouraging environment so that they can grow up to become strong women of character. Education is key to make this happen.

Education is not simply a means to an end but, rather, a vital tool that can help overcome poverty, ignorance, and so much more. However, one in four girls in America does not finish high school, and the dropout rate is even higher for Hispanic teens. Nearly four in ten Hispanic girls will drop out of high school this year. This is alarming.

Mr. Speaker, let's stop this high school dropout rate for all teen girls, and I ask that we renew our commitment to put literacy on our national agenda. Literacy is paramount in the struggle for self-empowerment and education.

### HONORING THE McDONNELL FAMILY

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute.)

Ms. FRANKEL of Florida. Mr. Speaker, the last memory that Lynn McDonnell has of her 7-year-old daughter, Grace, is of a beaming, beautiful girl blowing kisses to her from a bus as she went on her way to Sandy Hook Elementary School. Soon thereafter, tragedy struck. Grace and 19 of her classmates and six teachers were gunned down by a madman with a semiautomatic rifle.

Our country came together. We mourned together. And now, Mr. Speaker, I'm asking this Congress, come together and do something so no other family knows the sadness of the McDonnells.

Too many lives have been lost and too many communities have been torn apart by violence. Too many families have mourned the loss of their brothers and sisters. Too many people have endured unimaginable pain and grief caused by gun violence. When Lynn McDonnell and her husband, Chris, came to Washington for the State of the Union last month, she said Congress must choose "action over inaction." And I agree.

It's been exactly 3 months now since the Newtown massacre. For the McDonnells and the families in Newtown, Aurora, and my hometown of West Palm Beach, I say let's come together and pass responsible gun safety legislation.

### THE HOMES OF CHRISTIANS ARE BURNED IN PAKISTAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Christians are under attack in the Muslim nation of Pakistan. Christians live in fear of being persecuted because of their faith. They also can face life in prison or even death if convicted of insulting Islam.

Some say that the religious laws are used as a tool to deal with personal vendettas. A Christian man living in Pakistan last week was accused of committing blasphemy. Suddenly, a large group of men—a mob from a nearby mosque—stormed his home Friday night. The man was arrested. Fearing for their safety, hundreds of other Christian families fled in the dark of the night. On Saturday morning, the mob, as shown in this photograph, returned and began ransacking more Christian homes and setting them ablaze. According to Human Rights activists, more than 100 Christian homes were burned.

Mr. Speaker, Pakistan takes our money but they do not respect the

human rights of religious minorities. Some radical Muslims believe that other religions should be tolerant of their faith, but they are not tolerant of Christians and other Muslim sects. This ought not to be.

But that's just the way it is.

### TRIBUTE TO THE LIFE AND LEGACY OF JEAN T. MARTIN

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Mrs. Jean T. Martin, a beloved Alabamian who passed away March 11 in Selma, Alabama, at the age of 89. As a dedicated public servant, Jean Martin was known in our local community as a long-serving Selma city councilwoman, an avid local historian, and a gifted journalist.

Personally, Jean was a close friend and trusted mentor. I am deeply saddened by her passing, but I am comforted in knowing that her legacy will live on through the countless life lessons she taught to so many of us.

Jean Martin worked tirelessly as a community editor for the Selma Times Journal. For more than 30 years, she served in various capacities at the newspaper.

She was also an exemplary public servant. She served on the Selma City Council from 1996 to 2008, representing Ward 3, and eventually became the council's president pro tem. During her tenure, she was an exceptional public servant who passionately represented Selma.

On a personal note, Jean Martin served with my mother, Nancy Gardner Sewell, on the Selma City Council and was a beloved colleague and close family friend. My brothers and I affectionately called her "T Jean." She was an amazing mentor and role model to me, and I credit my love of community to her extraordinary example. I am now in Congress and I stand on her shoulders because of the many glass ceilings of this strong woman who died at 89. She was a wonderful public servant.

I ask my colleagues in the House to join me in paying tribute to the life and legacy of Jean Martin.

□ 1740

### CONGRATULATING HAYWARD HIGH SCHOOL'S LADY 'CANES

(Mr. DUFFY asked and was given permission to address the House for 1 minute.)

Mr. DUFFY. Mr. Speaker, I rise today to congratulate Hayward High School's Lady 'Canes for winning the WIAA State Hockey Championship. In only their sixth year of playing varsity-level hockey, the Lady 'Canes de-

feated the Onalaska Hilltoppers in a thrilling 5-2 match. The Lady 'Canes out-skated their top-ranked opponent for three periods and took home Hayward High School's first hockey championship. Let me tell you what, as a Hurricane, it has been way too long.

With great leadership from their coaches, combined with the perseverance of the players, they showed the true spirit Wisconsinites have for sports and competition. These ladies would get up at 6:45 in the morning before school, training 5 to 6 days a week, participating in community service, and never losing sight of the importance of education.

So, today, I stand before you with a pink tie saying congratulations to Hayward High School's Lady 'Canes for a job well done. Congratulations.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Members are reminded not to traffic the well while other Members are under recognition.

### REPUBLICAN HOUSE BUDGET

(Mrs. LOWEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY. The House Republican budget resolution is a blueprint for stalled growth, joblessness, and abandonment of American families.

Since 2010, Congress has cut services and investments critical to American families by \$1.5 trillion. Sequestration slashed an additional \$68 billion, which will cost 750,000 jobs this year alone.

This budget resolution will exacerbate this damage by cutting an additional \$1 trillion over 10 years from funding levels agreed to in the Budget Control Act. It would have a severe impact on critical services and investments like veterans' benefits, homeland security, schools, medical research, law enforcement, and Pell Grants.

It is time to stop the mindless cuts to critical services and investments and support job growth and middle class families.

### OPEN THE PEOPLE'S HOUSE

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, today I rise in defense of the common people of America—people who don't have annual vacations to Hawaii, people who don't fly to their vacations on private jets. Many of these families save for months or even years in order to visit Washington, D.C., and one of the things they expect to do when they come here is to be able to visit the White House, which is the people's House. And now

this President has closed it in order to make a political point. Now that that decision has proven unpopular, he has done something that he has frequently done before and that is to blame someone else. He says it wasn't my decision; it was the Secret Service who made the decision to close the White House.

It only costs the White House \$3.7 million to keep it open to tourists for an entire year. That's much less than this President will spend on any single vacation that he takes, which is why I introduced a resolution in the House yesterday asking the President to forego any more taxpayer-funded vacations until he opens the people's House once again.

Mr. Speaker, I ask the President to consider this request. Open the people's House, Mr. President. Open it up for the people of America.

#### IMPACTS OF SEQUESTRATION

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Mr. Speaker, sequestration has been in effect for just 2 weeks, and the impacts of these mandatory, across-the-board cuts already are deeply affecting the lives of my constituents in southern Arizona.

Cuts to the Border Patrol are not only among the most devastating cuts caused by sequestration; they will seriously erode the progress we've made toward securing our border. Border Patrol agents have been told that they will be furloughed without pay for 1 day per pay period, and much of their overtime will be eliminated.

Taken together, these actions will greatly reduce the pay of these Border Patrol agents by between 20 and 40 percent. We must work together to immediately come to grips with this problem to restore these cuts so the border can once again be safe and secure.

#### SECOND TIME IS A CHARM FOR TRAVIS TIGERS

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, my own district, Texas 22, is where Texas high school basketball champions reside.

B.F. Terry High School in Rosenberg won the 4A State Championship last Saturday. Right after that game, the Travis Tigers took the court to chase after the Texas 5A title. Travis had lost in the State championship game last year. They were determined to bring the trophy home this year, and they did just that by defeating South Grand Prairie 46-38. Led by the Harrison twins, Aaron and Andrew, the Travis defense smothered Grand Prairie from the start by allowing two baskets in 20 attempts.

Congratulations to Coach Brownson and the whole team. Find a spot in the school's trophy case because the Travis Tigers are the champs.

#### SETTING PRIORITIES AND BALANCING THE BUDGET

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, this week, I had the opportunity to hold a Congress on Your Corner event with my constituents in Bloomington, Minnesota. During one-on-one conversations, I was able to discuss the issues that my neighbors feel are important in Congress.

The number one issue that did come up, Mr. Speaker, was the awareness that for far too long Americans have been tightening their belts only to watch as Washington's addiction to spending continues to grow along with our Nation's debt.

This week, the House Budget Committee passed a budget that the House will vote on next week. This is important, Mr. Speaker, because it is a budget that addresses the serious fiscal challenges that are facing our Nation.

First, it outlines tax reform so that it is simpler, fair, and more competitive to grow our economy. Secondly, it actually produces a balanced budget. Why is this important? A balanced budget will give young people more opportunity; a balanced budget will protect programs and preserve programs that are essential for seniors; and most importantly, Mr. Speaker, a balanced budget will encourage and promote a healthier economy.

Mr. Speaker, it's time for Washington to take a lesson from Minnesota families and deliver on a balanced budget.

#### CONGRESSIONAL PROGRESSIVE CAUCUS UNVEILS THE BACK TO WORK BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I rise today on behalf of the Congressional Progressive Caucus to repeat and enhance our calls made by our colleagues today to talk about the budget introduced by the House Republicans.

We have a number of members of the Progressive Caucus who will be addressing various components of the budget. I will start out with one of the freshman Members from the great State of California (Mr. TAKANO).

I yield to the gentleman from California.

Mr. TAKANO. I'd like to thank my friend, the gentleman from Wisconsin, for yielding the time this evening.

Earlier today, I was joined by 22 of my fellow freshman Democrats in sending a letter to the distinguished gentleman from Wisconsin (Mr. RYAN) requesting specifics for his 2014 budget.

□ 1750

As freshman Members, we had hoped Mr. RYAN's budget provided areas where both parties, Democrats and Republicans, could find common ground. Instead, what was presented was a document that was vague. How can we begin to negotiate when we don't even know what we're negotiating? And where Mr. RYAN is specific, it's in areas that he knows that Democrats won't agree.

Ezra Klein of The Washington Post described Mr. RYAN's so-called "Path to Prosperity" in the following ways:

He cuts deep into spending on health care for the poor and some combination of education, infrastructure, research, public safety and low-income families. The Affordable Care Act's Medicare cuts remain, but the military is spared, as is Social Security. There's a vague individual tax reform plan that leaves only two brackets—10 percent and 25 percent—and will require either huge, deficit busting tax cuts or increasing taxes on poor and middle class households, as well as a vague corporate tax reform plan that lowers the rate from 35 to 25 percent.

After reading Mr. RYAN's budget, I find this document bears a striking resemblance to the tactics used by the Romney campaign: Promise massive tax cuts but don't provide any specifics on how to pay for them. This is surprising since Mr. RYAN is considered a "serious" policy maker.

My colleagues who joined me today don't expect to agree with everything in Mr. RYAN's budget. But as we detailed in our letter today, we hope to find areas of common ground so that our country can move forward. Only then can we begin to tackle the fiscal challenges facing our Nation.

Mr. POCAN. I would like to thank the gentleman from California. As a member of the Budget Committee that marked up the bill yesterday, we had spent the entire day considering the budget proposal that was introduced by our Republican colleagues. From the beginning, it was clear that the budget represented little more than recycled policies that have already been rejected by the American people and unrealistic proposals that will never occur.

We had an opportunity in committee to focus on areas where Democrats and Republicans could come together to grow our economy and responsibly reduce our deficit. Instead, we were given a budget that is based on math gimmicks and absurd assumptions, assumptions like trying to keep the savings from the Affordable Care Act while repealing its benefits. Well, that has about as much credibility as if we had said in the budget we should hire leprechauns to grab pots of gold at the



end of rainbows and count that as revenue. It is simply not realistic.

As a small business owner and as a former cochair of the Wisconsin joint committee on finance, I've worked on budgets for years and years. We used to spend 8 hours a day, 3 days a week for 4 months making sure that each and every detail meant something in a budget because a budget is a statement of our values, where do we stand as a country, or, in that case, as the State of Wisconsin.

Unfortunately, we didn't take the time to make those tough choices with the budget that was presented to us. Instead, we were given a budget that balances the budget on the backs of seniors and working class families. It's not a tough choice. It's a reckless and irresponsible choice.

Our budget should reflect our values, and the GOP budget does not reflect Wisconsin's values. And I don't believe it reflects the values of middle class families across the country.

Mr. Speaker, the type of choices that we were given from the Republicans in presenting their budget included things from keeping the sequester in place that you heard earlier have had terrible effects across the country and will continue to in the coming months of this current budget, like turning Medicare into a voucher system, a system that breaks the promise to the American people that we've had about Medicare for so long.

It includes trillions in undisclosed spending cuts with absolutely no information on where they'll come from other than eventually they're going to come from the middle class through losing some of the current proposals that we have in place in the law. Ultimately, all these will harm our economic growth and stunt the positive gains we've made in the economy just as recently as last month.

In fact, the Economic Policy Institute has found that the GOP Ryan budget released yesterday would result in 2 million fewer jobs next year alone. It would decrease our gross domestic product by 1.7 percent and stall our Nation's economic recovery.

What the budget does, and we can tell this in my State of Wisconsin and across the country, is, one, it keeps the sequester in place. And we've already been told that could cost 750,000 jobs nationwide, including 36,000 in my State of Wisconsin. The budget would turn the Medicare program into a voucher program, forcing 873,753 Wisconsin seniors out of the traditional Medicare plan when the conversion happens and breaking the promise that kept the link to increasing costs and having increasing funds that go with it. Finally, it would increase tax breaks for the very wealthy and big businesses but cost middle class families \$2,000 annually in new taxes.

We must remember the biggest threat to our long-term economic secu-

rity at this time is not the deficit; it's our economy. It's about jobs. It's the 12 million people that are unemployed in this country. We need to be making investments in American workers, in American ingenuity, in education, research and development, and infrastructure, and that's what will get the people of America back to work.

We have a budget that does just that, and I'm proud to support the Congressional Progressive Caucus' Back to Work Budget. The Back to Work Budget invests in America's future because the best way to reduce our long-term deficit is to put America back to work, get people back working and get people into jobs.

Just last week, the Congressional Budget Office released a report finding that half of the deficit in 2013 and three-quarters of the deficit in 2014 will be due to economic weakness. That means people being unemployed or underemployed and paying less in revenue rather than structural budget policies like defense spending, entitlement spending, or overall tax policy.

So the very problem we're facing is that people aren't working and aren't able to pay taxes and guide the economy like we need to. If they're doing that, we would make up three-quarters of the deficit in the next budget year alone.

Plain and simple, we need to get the American people back to work, and the Back to Work Budget does that by targeting a goal of 5 percent unemployment through investments in infrastructure, education, hiring back laid-off teachers, aid to States, rehiring police, firefighters, and other public employees, investing in a public works jobs program, and giving tax credits to companies that create jobs in America instead of the tax breaks that are still under the Republican budget that help companies that send jobs overseas.

So I'm hopeful that as this budget process moves forward, we can turn our attention back to job growth as our budget does and not backwards to the rejected policies of the past.

I would like to share a few stories that I've collected from my district from constituents who have written us about the budget, about the sequester that continues in the Republican budget, as well as the budget proposals in front of us. Let me read one from a reverend in Beloit, Wisconsin. Beloit, Wisconsin, is in Rock County, and the chairman of the Budget Committee, Representative RYAN, and I split Rock County right down the middle. So these are people that we both talk to on a regular basis.

This is a reverend in Beloit who had been diagnosed with lung cancer. This is what he writes:

This morning, I was reading more about the cuts coming on March 1. One of the areas that could be cut is cancer research, to the tune of \$250 million. This is frightening to

me. I'm married with two girls, ages 8 and 4. Three years ago, I was diagnosed with a rare form of nonsmoker's lung cancer. I went through chemo and radiation, and we thought we got it all. Last year, we discovered the cancer was back and in my bones. So I started a new pill. Within 2 months, all of the spots are gone, and I'm in remission. It is because of the funding for cancer research that I am alive today and my girls have their father. I have been told that the cancer will eventually build an immunity to my pill, so there are a number of other medications in trial now. If the funding is cut, my next miracle pill may not be there. I heard that these cuts could set back cancer research 5 years. Please, do what you can to make sure these cuts don't happen and people like me can beat back this nasty disease.

That's just from one constituent in my district from a county that just happens to be shared by the person who authored the budget that keeps these sequester cuts and these cuts to research in place.

□ 1800

Let me read one more, and then I'm going to introduce one of my colleagues, the cochair of the Progressive Caucus.

This is from a mother in Evansville, Wisconsin, also in Rock County, the county that I share with the chairman of the Budget Committee, Mr. RYAN. This was received back at the end of February:

My son-in-law will be laid off next week due to the sequester. This is extremely difficult for his family.

My daughter works for the State and has not had a raise in years, and pays more for her health insurance and retirement since all the State's woes are blamed on State employees and teachers. Her cut in pay is deep.

Our family will not be buying a house or a car, going out to dinner or purchasing anything from any local entrepreneur due to these issues. Does this help the economy? Nope. It's time to fix this so that the little people are not being harmed the most.

Now I'd like to yield some time to my colleague from Minneapolis, the co-chair of the Progressive Caucus and one of the authors of our budget plan for the Progressive Caucus, Representative KEITH ELLISON.

Mr. ELLISON. Let me thank you, Congressman POCAN.

One of the great things about this 113th Congress is that you and a number of other awesome new Members have joined us to really lend your creativity or expertise to advocating for the American people, the American working man and woman. You hail from the great State of Wisconsin, which is where I think collective bargaining began.

Am I right about that?

Mr. POCAN. Absolutely, Representative ELLISON. We are very proud to be not only the creator of collective bargaining, but I believe also unemployment compensation and other great provisions for workers across America.

Mr. ELLISON. Congressman, you come from a State, "Fighting Bob" La



Follette. We all know about his wonderful legacy.

And we all love TAMMY BALDWIN. When she told us she was running for the Senate, we didn't know how anybody could fulfill her tremendous legacy, but you've walked into this building, and you have stepped up right away. So I just want to say thank you for the work that you're doing.

Just if I may take a few moments to talk about the Back to Work Budget.

There will be all kinds of budgets being discussed. The Republican budget authored by Congressman RYAN has already been the subject of a lot of conversation.

I would submit, Mr. Speaker, that the real criteria that we should use to evaluate a budget is how well it puts people back to work, and that's why we have the Back to Work Budget. The Back to Work Budget is about—guess what—putting people back to work.

Our budget is not an austerity budget. In our budget, we don't try to compete with how many people we can lay off and how many programs we can shut down. We say to the American people, We don't have a debt crisis. We have a debt problem in the out-years, but we don't have a debt crisis. Do you know what kind of crisis we've got? A job crisis. You know what? We've got to fix it.

In 1976 when we passed the Humphrey-Hawkins Full Employment Act, Americans regarded it as a national outrage that we had 6.3 percent unemployment. We have 7.7 percent now. That's way better than at the height of the recession. I remember in January of 2009, we were losing 700,000 jobs a month, and we're now adding them. But we are not adding them nearly fast enough.

I think that a lot of credit goes around due to the fact that we've had 36 months of positive job growth, but we don't have enough yet. So I think we need a budget that reflects the national priority of putting people back to work.

Mr. Speaker, as the people will stand back and say, well, is this budget good or is this budget bad? I'm hearing so much from the talking heads on television. I think, Mr. Speaker, the people need to ask themselves a very simple question: Does this budget put people back to work or not?

Congressman RYAN's budget, the Republican budget, according to the Congressional Budget Office, is going to lay off a lot of people. According to the Economic Policy Institute, it would be 2 million people in 2014. That's a lot of people. We don't need to be laying people off. We need to be hiring them.

So I want to turn back to you, Mr. POCAN, because I don't want to just talk the whole time. But I do want to say, the Back to Work Budget is a budget that puts Americans back to work, and I think that's a good thing.

In a moment, we can talk about one of my constituents.

Mr. POCAN. Thank you, Representative ELLISON.

When you talked about the 2 million jobs that we'll lose in 2014 alone and the loss of the gross domestic product, there is no question that these are the challenges we're facing with the budget before us.

What we didn't mention is that the only folks who are really going to benefit are the most wealthy. Under the plan that's been released by the Republicans, they're changing the tax rates and lowering it for those who make the most money; and the trillions that it's going to cost to make up for that is going to have to come from somewhere, but it's not outlined in the budget.

What does that mean they're going to have to go after? They're going to have to go after the very tax breaks that the middle class rely on. That means your mortgage interest tax deduction could be on the chopping line under the Republican version of the budget. The largest investment that the middle class ever make in their lifetime is their home, and the fact that we help incentivize that investment so that people live in strong neighborhoods and safe communities could be on the chopping line. The very fact that you could take away the employer's ability to deduct some of their health care costs could be on the chopping line. The child tax credit, for people who have children who have an opportunity to get back to work but need to have their children cared for, helps 25 million people across the country, including military families, that could be on the chopping line.

What they're silent about in the Republican budget is that they keep the deduction for corporate jets and they keep the subsidy to oil companies and they keep a number of deductions that do not benefit the middle class.

It's not just the jobs, Mr. Speaker, that are costs in the version of the budget, the 2 million jobs next year alone on top of the jobs we are losing through the sequester that we are facing right now, but it's this inequity in the tax system that is once again going to benefit the most wealthy at the expense of the many.

Another thing that I think is worthwhile mentioning as we are talking about middle class families is what is going to happen to Medicare.

My mother is 84 years old. In fact, she lives in the district in Wisconsin of the chairman of the committee. She is one of those countless seniors that cut pills in half because they couldn't afford to be able to afford medication at the time when she was trying to get by at 84 with a limited income.

It's those sorts of things, if we change that into a voucher program and we don't keep up that Medicare promise that people will have money to

keep up with health care costs, that go away. Seniors will pay thousands more in the future because of the change by breaking that Medicare promise. That's not even talking about the Medicaid changes, Mr. Speaker.

There are so many changes that will cost middle class families that we need to make sure we have a more sound version, and that more sound version that the Progressive Caucus puts forward is the Back to Work Budget.

The Back to Work Budget will invest right now on getting people back into the marketplace and able to have a living and able to work and be able to pay taxes. When you have more people paying taxes, as we have already shown, three-quarters of the deficit in the next year will be due to unemployment and underemployment. By getting people back to work, that is the single best way to address the deficit.

With that, I'd like to yield a little time back to my colleague from Minneapolis, Mr. ELLISON.

Mr. ELLISON. Again, Congressman POCAN, thank you for your truly spoken words.

I just want to tell a few folks a couple of things. One is there is an alternative to Congressman RYAN's budget and that of the Republicans, and it's called the Back to Work Budget. There's going to be a Democratic Caucus budget, which I'm sure will put Americans back to work, too. But so far, in terms of the ones that have been released, the Back to Work Budget is the right budget. Ezra Klein says so. If folks want to look at Ezra Klein's recent column today, he says this is the right budget. Look at Jared Bernstein. He's thumbs-up on the Back to Work Budget. If you want to see economists and noted journalists who really scrutinize this stuff, evaluate the budgets, they'll tell you about the Back to Work Budget.

What I'd like to do for a moment, though, is to tell you about a constituent, Mr. Mark Krey. Mark Krey asked me to share his story. It goes like this:

I'm a special education paraprofessional at Heritage Middle School. I live in St. Paul, Minnesota.

That's Mark right there.

Last year, we had an average of 28 kids per class in middle school. This year, it's up to 35 kids.

□ 1810

That is like a big jump.

If a class has special education students, the teacher gets a special education paraprofessional like me to help, so then you have 35 students with two adults in the classroom. That's just not the way to educate our future Americans. Our class sizes keep going up, and the services are going down. More budget cuts would be devastating to my school district and to schools across the country. My coworkers and I would face furloughs and layoffs, and the kids we serve would lose out on the quality education they need to be future leaders.

I want to thank Mark Krey for caring about kids with special education needs and also for caring, not just about the individual kid, but about the system in which the kid's going to school. We can't just keep on dis-investing in kids like this, Mr. Speaker. We've got to throw the shoulder behind these kids, not abandon them.

One of the fundamental differences between Republicans and Democrats and the Back to Work Budget versus the Ryan budget is that, look, the Republicans, I don't doubt their compassion. They care about people, and they donate to charities; but it seems like they don't believe that government can help anyone. They think, oh, government can't do any good. Just cut it and cut it because it can't do any good.

That's absolutely wrong. All you've got to do is ask a teacher like Mark Krey, who every day teaches kids who have learning disabilities and who could be awesome, but if their budgets are cut and if there are tons of kids in the classroom, they really can't.

The Back to Work Budget recognizes a central truth, which is that, yes, it's the private sector that is a very important part of our American culture and part of our American way of life, but it's also the public sector and the mixed economy working together that helps Americans succeed.

The Back to Work Budget says we're going to rebuild infrastructure, get rid of those crumbling bridges and roads, put in some energy grids, fix our wastewater treatment, put in some transit, put in some high-speed rail. We're going to do that. Then we're also going to engage the private sector with the Make Work Pay credit. Then we're going to do things like help support local heroes like Mark Krey, who is a paraprofessional in the education sector, but also cops. In my home State of Minnesota, we're going to have a cut, because of the sequester, of \$200,000. This is money that we use to train police officers to be better and more effective and to serve the public better, and we're not going to have that.

I'm not here to put my friends on the other side of the aisle down. I'm here to say they've got another vision of America, and that vision of America is that government can't help people and that government can't do anything right. They're wrong. The interstate highway system, hey, that's government. The interstate highway is government. There are police who walk the beat and make sure that the shopkeeper's stuff is not ripped off. That's government. So this whole thing about, oh, government is always wrong is wrong, and it's time for the American people to say responsive government does great things for the American people, along with the private sector, and we need to stop this free market extremism.

With that, I'm going to yield back to the gentleman from Wisconsin. I'm

going to be around a little more. I know we've been joined by the gentleman from Florida. I am very happy to have him back in Congress after a 2-year hiatus. He was awesome then and he is awesome now, so I'll be listening carefully.

Mr. POCAN. I would like to thank the gentleman from Minnesota.

As you said, we've heard from Representative TAKANO from California, from yourself and myself from the heartland, and now we have one of the most solid Progressives in the U.S. House, a Representative from the Orlando, Florida, area, Representative ALAN GRAYSON, to whom I yield my time.

Mr. GRAYSON. Thank you very much. I appreciate that. I want to share something with the Representative from Wisconsin and with the Chair.

We labor here under an awful barrier, and that barrier is this: we are required to actually be original. I sometimes am unable to carry that burden, and I found something this Saturday that I think was so important, so well written, so profound that I am going to yield to an article that I read on Saturday in the Huffington Post, written by Jason Linkins and Zach Carter, called "Dow Jones Hits 'Record High' Thanks to Strong Performances from Smoke, Mirrors Sectors." I'd like to share that with the gentleman from Wisconsin, the Chair, and with anyone else who just might happen to be listening right now.

The article reads as follows:

This week, amid the hullabaloo over President Barack Obama's Deficit Dinner Diplomacy and Senator Rand Paul's 13-hour filibuster-cum-dissertation on drone strikes and civil liberties, financial news-watchers touted a milestone in their lives of Market Worship. We speak, of course, of the Dow Jones Industrial Average, which on Tuesday hit an "all-time high" of 14,253. The good times rolled steadily on through the week, and the Dow closed Friday at 14,397.

Of course, the notion that these were "record" highs was not, strictly speaking, true. As Jeff Cox at CNBC pointed out, "In inflation-adjusted dollars, the Dow would need to hit 15,731 to break the record." Nevertheless, the exciting new ordinal number sitting on the stock market index set off a chorus of hallelujahs. After all, this was the highest mark it had hit since October 2007. (Of course, if we recall correctly, that was right around the time that all of our more recent tragic economic events began to occur.)

The fluctuations of the Dow are typically pored over by the media in the same way that ancient oracles pieced through the entrails of birds, seeking for whatever path might lead to the most prosperity. And in the world of politics, partisans on both sides are quick to point to the Dow as generic confirmation that their policies are working as long as the story suits their narrative anyway.

And these narratives can get wild and weird and woolly quickly. Seemingly within moments of the Dow's peak, "Dow 36,000" author James Glassman was on the pages of

Bloomberg View, taking credit for this and crowing about how his old, failed predictions were well on the way to coming true.

Of course, as Jonathan Chait points out, Glassman has to toss out the entire underlying thesis of "Dow 36,000." (He and co-author Kevin Hassett theorized that the stock market, circa 1999, was being so undervalued that it would have been at 36,000 in the days ahead of the massive tech-bubble burst as opposed to theorizing that "some day, maybe the Dow would hit 36,000. Probably. You know, just watch") in order to claim vindication now.

Former Reagan domestic policy adviser Bruce Bartlett just called Glassman a "nitwit" and left it at that.

All of which leads to an obvious point: although we recognize that the long-term trend of the stock market is that it has an overall upward trajectory—punctuated in snapshots by the susurrations of the greed/fear cycle—it is nevertheless catnip for a lot of wild-eyed prognosticators, and the overreliance of using the stock market as evidence of economic recovery, or the proof of economic fundamentals, is acute.

So what does it say about the Dow that it could hit this dizzying new height—impressive by any measure in any era, post-crash or otherwise—at a time when the overall global economic outlook is so dismal and the domestic recovery is barely felt by the citizens who sacrificed their capital to save the world from calamity?

It says that we should be gravely concerned. It says that we have a two-tiered economy, one where profits flow and another where risks lurk. It says that a lot of people are being left behind, and if October 2007 is any guide, it says that this display of prosperity may simply be an illusion.

The distribution of the stock market's largesse has been the most unegalitarian aspect of American economics for years. A full 50 percent of all capital gains go not to the richest 1 percent of Americans, but to the richest 0.1 percent, according to The Washington Post.

But the stock market's persistent upward climb since the spring of 2009 has revealed another massive disparity: the multinational corporate machinery that generates stock gains has become unmoored from the economic reality in which the majority of Americans live and die.

The Dow hit its peak this week amid a host of gloomy global economic forecasts. Back in January, the World Bank "sharply reduced its estimate of global economic growth in 2013, projecting that the downturn in Europe and the United States' fiscal problems will continue to weigh on investment and spending." The World Bank's take on U.S. growth was similarly dismal—its 1.9 percent forecast for the coming year was less than the most pessimistic estimates of our own Federal Reserve.

□ 1820

There's no end in sight for the austerity orgy that's exacerbating Eurozone pain, despite the fact that the EU projects that their economy, "which generates nearly a fifth of global output, will shrink 0.3 percent in 2013." (Analysts are currently divided on whether or not China is also experiencing a slowdown at the moment as well.)

Closer to home, we received a gentle boost from this month's employment numbers: 236,000 jobs were created this past month, pending after-the-fact revisions in the months to come, which is closer to the ideal in terms of keeping ahead of labor market

growth and finally digging out of the post-crash hole. The overall unemployment rate has subsequently dropped to 7.7 percent. But these numbers can mask a bevy of problems. As Matt Yglesias points out, the situation for the long-term unemployed is becoming a bona fide crisis that calls for “targeted interventions.”

And even if the unemployment number continues to drop, there's a real concern over what sort of jobs are being added back to the economy. Will they be the quality jobs that put those entering those jobs and reentering those jobs into the labor force on a sustainable path to household prosperity? Or is everyone heading to a future of toil in Amazon shipping warehouses? It's worth being fretful, because many of those who will be entering the job market for the first time will be carrying student loans out of a period of sky-high college tuition, which taken as a whole may form the backbone of the next great financial crisis.

Even as the economy has tipped and trended in the direction of what we might normally call—nominally call—“recovery,” the answer to the question “Who has recovered?” reveals some stark contrast.

As the University of California, Berkeley economics professor Emmanuel Saez calculated, losses in average family income during the Great Recession were felt across the board. Average real income per family declined by 17 percent. And the top income earners took it on the chin a little harder. As the bottom 99 percent experienced a 12 percent drop in average income, the uppermost percentile's income fell by 36 percent. As Saez reports, “The sharp fall in top incomes is explained primarily by the collapse of realized capital gains due to the stock market crash.”

Of course, the top 1 percent, nevertheless, were largely sheltered from the stresses that afflicted the most vulnerable, as you would expect. What you, perhaps, didn't expect was how the recovery distributed itself across the same groups.

From 2009 to 2011, average real income per family grew modestly by 1.7 percent, but the gains were very uneven. Top 1 percent incomes grew by 11.2 percent while bottom 99 percent incomes shrunk by 0.4 percent. Hence, the top 1 percent captured not 100 percent, but 121 percent of the income gains in the first 2 years of the recovery. From 2009 to 2010, the top 1 percent grew fast and then stagnated from 2010 to 2011. The bottom 99 percent stagnated both from 2009 to 2010 and from 2010 to 2011. In 2012, the top 1 percent income will likely surge due to booming stock prices, as well as the re-timing of income to avoid the higher 2013 top tax rates. The bottom 99 percent will likely grow much more modestly than top incomes from 2011 to 2012.

This suggests that the Great Recession has only depressed top income shares temporarily and will not undo any of the dramatic increase in top income shares that has taken place since the 1970s.

Much of the economic recovery is simply an increase in the value of financial assets—stocks and bonds. And most people just don't own stocks. In 2011, only 21 percent of American adults even had a 401(k) retirement account, according to a HuffPost analysis of data from the Investment Company Institute. Only 52 percent of all adults older than 65 receive money from financial assets at all, with half of that set receiving less than \$1,260 a year, according to the Pension Rights Center.

Growth that everyone relies on, like that of home values and wages, has been sluggish.

At the end of 2012, the S&P/Case-Shiller Home Price Indices were roughly where they were at the beginning of 2009 (which was roughly where they were in the fall of 2003).

And even as the stock market hits this celebrated peak, the wages that average Americans are bringing home to, you know, “put food on their family,” as George W. Bush famously said, those are plunging into a trough, despite measurable gains in overall productivity.

In fact, as Robert Reich points out, the way those productivity gains are being achieved leaves out workers altogether, and they are coming about as a result of actions taken by policymakers:

“Corporations have been investing in technology rather than their workers. They get tax credits and deductions for such investments. They get no such tax benefits for improving the skills of their employees. As a result, corporations can now do more with fewer people on their payrolls. That means higher profits.”

Reich adds:

“Joblessness all but eliminates the bargaining power of most workers, allowing corporations to keep wages low. Public policies that might otherwise reduce unemployment, a new WPA or CCC to hire the long-term unemployed, major investments in the Nation's crumbling infrastructure, have been rejected in favor of austerity economics. This also means higher profits, at least in the short run.”

In other words, the labor force is being squeezed for the very last drop of productivity, because employers know that they're holding all the cards. If the economy were approaching full employment, discontented or overworked employees would have options and leverage. Right now, they don't. If you've got a job, you need to hang on to it for dear life. That's an environment for scraping out survival, not the economic mobility we rightly celebrate during boom years.

Another thing to keep in mind is that the Dow is hitting this peak at a time when everyone in the world knows that the debate over sequestration—whose cuts have awesome recession-generating powers—has gone into vapor-lock, with the GOP refusing to compromise on raising revenues, through the very tax reform proposals that formed the basis of the party's recent Presidential campaign.

Everyone has been warned about the consequences of sequestration. It's just that corporate America currently has the fortunate position of being able to greet the news with a shrug, as The New York Times reported this week:

“With \$85 billion in automatic cuts taking effect between now and September 30 as part of the so-called Federal budget sequestration, some experts warn that economic growth will be reduced by at least half a percentage point. But although experts estimate that sequestration could cost the country about 700,000 jobs, Wall Street does not expect the cuts to substantially reduce corporate profits, or seriously threaten the recent rally in the stock markets.”

“It's minimal,” said Savita Subramanian, head of United States equity and quantitative strategy at Bank of America Merrill Lynch. Overall, the sequester could reduce earnings at the biggest companies by just over 1 percent, she said, adding, “the market wants more austerity.”

Well, if that's true, the market is going to love the dire, short-term consequences that the sequestration is going to bring to many

Americans closer to the ground level of the economy. Reich rounds up those who will be hit hardest and most immediately. One hundred and twenty-five thousand people are going to lose their rental subsidies. Ten thousand more will be cut off from similar subsidies intended to assist Americans living in rural areas. One hundred thousand people face getting kicked out of emergency homeless shelters, and cuts are coming to unemployment insurance, title I education programs, Head Start, and antihunger subsidies.

It's not like those who bid on the stock market can't grasp the looming disaster. They're just completely unconcerned. As you may recall, the market didn't exactly take to its fainting couch as the so-called “fiscal cliff” loomed, either, despite dire warnings of a market spasm.

□ 1830

That's what carting off 121 percent of an economic recovery will do for a person safely ensconced atop the income ladder.

Fittingly, even as the sequestration's hammer is poised to come down, The Wall Street Journal reports that the market for luxury goods is booming. The newspaper characterizes this as evidence of economic robustness, connecting “the economy has bounced back from recession” to “as a result, wealthy Americans are spending freely on expensive clothing, accessories, jewelry and beauty products.”

The Wall Street Journal quotes HSBC luxury-goods analyst Antoine Belge thusly: “Trends in luxury consumption in the United States have continued to outperform overall consumer trends.” This is actually evidence that you and most people you know are getting left far behind in the post-crash economy.

The average participant in the overall American economy isn't fooled by any of this. They well know what Matt Phillips pointed out at Quartz, that household incomes “haven't gone anywhere but down.” As Phillips relates, “Real median U.S. household income—that's ‘real’ as in ‘adjusted for inflation’—was \$50,054 in 2011, the most recent data available from the U.S. Census Bureau. That's 8 percent lower than the 2007 peak of \$54,489.”

He goes on to show that consumer expectations strike a serious contrast from the mood within the Dow Jones revival tent.

We are led then, inevitably, to a conclusion that we all feel but no one says aloud.

And, by the way, that's my job, to say all the things that we all feel but no one says aloud.

The American middle class, in other words, no longer lives in a financial economy. But the gold-standard economic metrics that we hold out as the key measurements of prosperity, the economy of Wall Street, of gross domestic product figures, of the Dow Jones Industrial Average, is purely, purely financial.

For the time being, you can assume that you and everyone you care about is screwed. Congratulations.

Mr. POCAN. Thank you to the gentleman from Florida. Thank you for so eloquently talking about the problems of austerity and this budget that is the path to austerity, to continued austerity in this country.

One of the statistics I think that's really worth mentioning, and this is from the Congressional Budget Office, is that from 1979 to 2007, the top 1 percent of income earners grew 278 percent, or about \$973,000 per household. In

contrast, the middle 20 percent grew 25 percent, and the poorest 20 percent grew 16 percent.

So the very things that we just heard the gentleman from Florida talking about are very real; and that's why the Democrats on the committee, when we had a chance to try to amend the Republican path to austerity, instead we put out a budget amendment that said we would cap no family making \$250,000 or less, covering the vast, vast majority of Americans, would be held harmless under the proposals presented by the Republican budget.

They would not go along with that amendment because they had to protect the tax breaks for corporate jets, and they had to protect the tax breaks for oil companies, and they had to protect the other tax breaks that they had.

Now, we brought up that during the Clinton administration the top tax rate was at 39 percent, but the economy added 20 million jobs. So at 39 percent top tax rate, we added 20 million jobs.

During the Bush administration, we reduced that top rate down to 35 percent, and yet we lost a half a million jobs. So the argument that somehow having a lower top tax rate is going to create jobs is simply a myth. We saw that when the Bush tax cuts for the wealthiest were passed and we saw no economic recovery. And then when they were reauthorized, we still saw no economic recovery.

But where we did see an economic recovery was when we had the stimulus and recovery dollars that came through. And in my State of Wisconsin, I was on the Committee on Finance during that time. We had to authorize every single dollar that came through in recovery dollars in my State. And when we put forward the programs that went and built the roads and rebuilt the bridges and built schools, did repairs to schools, we had a report by the road building industry and the vertical construction industry, not exactly your most progressive organizations, that said that 54,000 jobs were saved or created in the State of Wisconsin because of those recovery dollars.

And at the Federal level, in the Budget Committee, the head of the Congressional Budget Office, Dr. Elmendorf, I asked him point blank, were there jobs created by the recovery, because the same day the President gave the State of the Union, the Speaker of this House said that no jobs were created from the past recovery. And yet we were told by Dr. Elmendorf, from the nonpartisan Congressional Budget Office, that up to 3.3 million jobs were saved or created.

So, again, part of what the Democrats talked about is how could we help provide some additional recovery dollars in the Back to Work Budget, which would specifically invest in those infrastructure projects into our schools,

into our police and fire services. So that's a little bit about what we talked about down there.

But one last thing I would like to bring up and talk about that happens in the Republican version of the budget that does not happen in our version, the Back to Work Budget, the Progressive Caucus Budget, is the effect on Medicare.

Right now, half the people who receive Medicare make \$22,000 a year, and yet their health care costs are three times that of the average person. So some of our folks who are the most low-income seniors, who've been relying on the promise that they've paid into their entire lives for Medicare, are now having three times the costs of the average person, are going to see this new voucher program that, down the road, will eventually make them pay more and more immediately, but down the road, not keep up with inflation and cause people to make those tough choices in a lose-lose proposition, receive less health care or pay more for it when you can least afford to.

That's not fair. That promise that we've had as a Nation through Medicare, it's simply not fair to voucherize that program.

And then when you take the \$800 billion in cuts to the Medicaid budget, again, that largely goes to seniors in our States, you are going to see the access and the ability for senior citizens, especially people of modest and middle incomes, diminish because of this budget.

Now, we agree that the real culprit out there is rising health care costs. We have to, in a bipartisan way, address those. But you don't address them by balancing the budget on the backs of the people who can least afford it, and that's the middle class and the seniors of America.

So when you look at this budget from the Republicans in totality, and you look at the cuts to Medicare and the cuts to Medicaid, the protection of tax breaks for the most wealthy, for the special interests, for companies that outsource jobs overseas, the lack of any investment in infrastructure or education, or research and development, when you listen to the stories that I've talked about from people from my district, from the very same county that Chairman RYAN and I share, who talk about devastating impacts of these cuts, we have a budget that is misplaced and will affect real people in the middle class.

I would just like to talk about one final part of the budget that really makes it really hard to, on top of all these cuts, think that a lot of serious thought went into it, and that's the fact that the Republican version of the budget repeals the Affordable Care Act, all of the benefits to the public, the millions of people who will gain access to health care, but it still takes the

revenues brought in by the program. And we were told that when we asked questions in committee.

So, on one hand, to take away the program and say you're going to get rid of it, and on the other hand, to still take the revenues that are brought in by the program makes the budget not a very credible budget. And as I've said in committee, and I'll say again, if you're going to take those sort of false assumptions and put a budget together, you might as well say that we're going to hire leprechauns to take the pots of gold at the end of rainbows and count that as revenue, because it's about as realistic.

In the end, the Progressive Caucus is very proud of our Back to Work Budget. We are going to invest in infrastructure, we're going to invest in public workers, we're going to make sure that we're getting our fair share of resources that we need so that government can function to take care of the middle class and the people who need it the most. It will create 7 million American jobs, reduce unemployment to 5 percent, and yet still reduce our deficit by \$4.4 trillion.

□ 1840

It will strengthen Medicare and Medicaid and provide high-quality, low-cost medical coverage to millions of Americans. That's what the people of the country voted for in November. That's the budget we should be putting forward in this country, and that's the budget the Progressive Caucus puts out today.

With that, Mr. Speaker, I yield back the balance of my time.

#### RECOGNIZING THE CENTENNIAL OF THE ADVENT CHRISTIAN VILLAGE AT DOWLING PARK, FLORIDA

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise to recognize a wonderful and unique community in my district, the Advent Christian Village at Dowling Park, Florida, which is now in its 100th year.

Scripture advises us that, to whom much has been given, much is required. Thomas Dowling of Suwannee County, Florida, had this in mind a century ago when he set out to turn his thriving lumber business into a vision for the community. Mr. Dowling set aside some of his property that he was developing around Live Oak for the Advent Christian Church to use for ministry. Before long, a family of five orphaned siblings had come to live at Dowling Park. The Setzer children became the first residents of Advent Christian Church's Home and Orphanage, which also opened its doors to the elderly.

Today, Advent Christian Village is a leading-edge retirement community of

more than 800 dynamic, welcoming members of America's Greatest Generation. While children no longer live at Advent Christian Village, they are an integral part of the ministry carried out by today's residents who, a century later, still take Thomas Dowling's vision to heart.

The story of the Advent Christian Village is one of Americans coming together, expressing generosity and kindness to one another and helping those in need. Dowling Park is one of the brightest spots in Suwannee County and the Third District, and I congratulate them on 100 years of ministry.

#### FORT REPORT: SEQUESTRATION, THE WASHINGTON WORD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, I would like to speak today about the sequestration and fiscal affairs facing our country.

Earlier this month, I was back home in Lincoln, and I went to one of the local diners and saw my friend Norm, and Norm asked me a question. He said: JEFF, what are they doing about that word they keep using in Washington?

Well, Norm was referring to "sequestration," which took effect March 1. "Sequestration" is that inside-the-Beltway term for automatic spending reductions to the Federal budget. These reductions will be \$85 billion in the first year, with roughly half applied to military programs and half applied basically to everything else the government does, with the exception of retirement, health care, and other income support programs.

Mr. Speaker, I think it might help everyone if we had a little bit of history to clarify how we got to this moment.

A year-and-a-half ago, there were negotiations in Washington over what we call the debt ceiling. The debt ceiling must be lifted by us in Congress if the Federal Government cannot pay its bills and we must borrow more. We give that authority to the administration. The negotiation ended with three outcomes:

First, Congress would cut spending by an amount greater than the rise in the debt ceiling;

Second, a supercommittee would be formed to negotiate the right type of tax reform and the right type of spending reductions;

Third, automatic spending cuts, now known as the sequester, would take place—this was proposed by the President and agreed upon by us in Congress—if this supercommittee failed.

These automatic cuts to the budget, the sequestration, were supposed to be

so distasteful to everyone that it was going to motivate us all to find creative and reasonable solutions to fix the budget crisis. But the supercommittee failed; now the sequester has kicked in.

Mr. Speaker, 70 percent of Americans want this deficit reduced. I imagine those numbers are probably higher in Nebraska, where I live, where fiscal responsibility is a core characteristic of family life, business ethics, as well as good governance. People know economically, mathematically, or intuitively that you can't spend more than you have. Citizens also want to see their government act in a reasonable fashion.

Mr. Speaker, the Federal budget deficit has been running more than \$1 trillion in the last few years, and our cumulative debt will top \$17 trillion this year, the size of our overall economic output in the country. The overspending and debt are serious impediments to economic recovery, and they also create national security problems.

Some in Washington want to halt any spending reductions at all. I don't believe this is an option. Washington must begin living in the real world. Something must be done. Two principles should be at work here: there must be reasonable budgetary reductions, while at the same time there must be deliberate delivery of smart and effective government services. While the sequester serves as a trigger for the first principle, it does not balance it with the second. Automatic cuts do not allow for discretion in determining which programs should stay or expand and which should be revised or eliminated due to ineffectiveness.

The sequestration also hits our military in a disproportionate manner and disrupts procurement and planning decisions that cannot operate on a short-term budgetary horizon. Mr. Speaker, we should keep the spirit of the sequestration—and preserve the fullness of these reductions—but continue to revise its implementation with the flexibility to make more precise cutbacks. The House recently passed a funding bill for the remainder of the fiscal year which gives the military this needed flexibility.

Mr. Speaker, as well, the Appropriations Committee recently held a hearing with the head of the Government Accountability Office, known as the GAO. I raised the issue of GAO findings that cited 132 areas within the Federal Government with duplicative missions, with about 300 potential areas of action items that could be undertaken to tackle this redundancy problem. Consolidation of programs could officially save tens of billions of dollars, and unofficial estimates put that number in the hundreds of billions of dollars. Further questioning revealed that there is approximately \$385 billion of uncollected Federal revenue. The GAO re-

port could serve as a guidepost on how we might achieve the right balance between reductions and more effective service delivery.

All in all, the fiscal disorder in Washington, Mr. Speaker, and the inability to budget in a responsible manner is undermining the ability of our economy to turn around. The careening from one governmental drama to another is undermining confidence in the institutions of government. While it is painful, the sequestration is serving as a call to all of us to promptly budget with propriety and boldness to get America's fiscal house in order.

With that, Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today on account of illness.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mr. GARDNER (at the request of Mr. CANTOR) for today and the balance of the week on account of attending a family funeral.

#### ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Friday, March 15, 2013, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

691. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-66; Introduction [Docket: FAR 2013-0076, Sequence 2] received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

692. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items [FAC 2005-66; FAR Case 2013-007; Item III; Docket 2013-0007, Sequence 13 (RIN: 9000-AM47)] received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

693. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical

Amendments [FAC 2005-66; Item IV; Docket 2013-0080, Sequence 2] received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

694. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-66; Small Entity Compliance Guide [Docket: FAR 2013-0078, Sequence 2] received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

695. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Changes to Time-and-Materials and Labor-Hour Contracts and Orders [FAC 2005-66; FAR Case 2011-025; Item II; Docket 2011-0025, Sequence 1] (RIN: 9000-AM28) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

696. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Definition of Contingency Operation [FAC 2005-66; FAR Case 2013-003; Item I; Docket 2013-0003, Sequence 13 (RIN: 9000-AM48) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

697. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines [Docket No.: FAA-2012-1055; Directorate Identifier 2012-NE-33-AD; Amendment 39-17351; AD 2013-03-17] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

698. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. [Docket No.: FAA-2012-0731; Directorate Identifier 2012-CE-020-AD; Amendment 39-17334; AD 2013-02-13] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

699. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc., Helicopters [Docket No.: FAA-2012-0082; Directorate Identifier 2012-SW-036-AD; Amendment 39-1731; AD 2013-01-04] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

700. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0639; Directorate Identifier 2012-NM-005-AD; Amendment 39-17329; AD 2013-02-08] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

701. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0794; Directorate

Identifier 2006-SW-04-AD; Amendment 39-17319; AD 2013-01-05] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

702. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. Turbofan Engines [Docket No.: FAA-2012-0942; Directorate Identifier 2012-NE-24-AD; Amendment 39-17355; AD 2013-03-21] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

703. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes [Docket No.: FAA-2012-0732; Directorate Identifier 2012-CE-022-AD; Amendment 39-17311; AD 2012-26-16] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

704. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turbofan Engines [Docket No.: FAA-2012-0940; Directorate Identifier 2012-NE-26-AD; Amendment 39-17321; AD-2013-01-07] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

705. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes [Docket No. FAA-2012-0986; Directorate Identifier 2012-NM-077-AD; Amendment 39-17357; AD 2013-03-23] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

706. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2013-0030; Directorate Identifier 2012-NE-42-AD; Amendment 39-17325; AD 2013-02-04] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

707. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30886; Amdt. No. 505] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

708. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30886; Amdt. No. 505] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

709. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30884; Amdt. No. 3519] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

710. A letter from the Paralegal Specialist, Department of Transportation, transmitting

the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30885; Amdt. No. 3520] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REICHERT (for himself, Mr. MATHESON, Mr. OLSON, and Mr. PASCRELL):

H.R. 1148. A bill to amend title XVIII of the Social Security Act to provide for payment for services of qualified radiologist assistants under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself, Mr. LIPINSKI, Mr. CASSIDY, Mr. OLSON, and Mr. BACHUS):

H.R. 1149. A bill to provide for funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER:

H.R. 1150. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases; to the Committee on Energy and Commerce.

By Mr. ROYCE (for himself and Mr. ENGEL):

H.R. 1151. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ENYART (for himself and Mr. RODNEY DAVIS of Illinois):

H.R. 1152. A bill to provide for the safe and reliable navigation of the Mississippi River, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BUSTOS (for herself and Mr. RODNEY DAVIS of Illinois):

H.R. 1153. A bill to establish a pilot program to evaluate the cost-effectiveness of allowing non-Federal interests to carry out certain water infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIS (for himself, Mr. CART-

WRIGHT, Mr. HOLT, Mr. BLUMENAUER, Mr. CAPUANO, Ms. CHU, Mr. CONNOLLY, Mr. ELLISON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HONDA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Mr. McDERMOTT, Ms. MENG, Mr. MORAN, Mr. NADLER, Ms. NORTON, Mr. PETERS of Michigan, Ms.



PINGREE of Maine, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. TONKO, Ms. TSONGAS, Mr. FARR, Mr. VAN HOLLEN, and Ms. EDWARDS):

H.R. 1154. A bill to amend the Clean Air Act to eliminate the exemption for aggregation of emissions from oil and gas sources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NEUGEBAUER (for himself, Mr. DAVID SCOTT of Georgia, Mr. LUETKEMEYER, Mr. COTTON, Mr. STIVERS, Mr. GARRETT, Mr. LUCAS, Mr. ROSS, Mr. RENACCI, Mr. LATTA, Mr. MARCHANT, Mrs. CAPITO, Mrs. WAGNER, Mr. BACHUS, Mr. PITTENGER, Mr. GRIFFIN of Arkansas, Mr. MCHENRY, Mrs. BACHMANN, Mr. POSEY, Mr. STUTZMAN, Mr. BARR, Mr. CRAMER, Mr. DUFFY, Mr. HULTGREN, Mr. MULVANEY, Mr. BRALEY of Iowa, Mr. PETERS of Michigan, Mr. LOEBSACK, Mr. SHERMAN, Mr. LARSON of Connecticut, Ms. MOORE, Mrs. MCCARTHY of New York, Mr. PERLMUTTER, Mr. CAPUANO, Mrs. CAROLYN B. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Mr. SCHRADER, Mr. MATHESSON, Mr. LANCE, Mr. KINZINGER of Illinois, Mr. AL GREEN of Texas, Mr. GARY G. MILLER of California, and Mr. HUIZENGA of Michigan):

H.R. 1155. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Financial Services.

By Mr. HASTINGS of Washington:

H.R. 1156. A bill to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington:

H.R. 1157. A bill to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington:

H.R. 1158. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington (for himself, Mr. BISHOP of Utah, Mr. SIMPSON, and Mr. DAINES):

H.R. 1159. A bill to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Natural Resources.

By Mrs. LUMMIS (for herself, Mr. HARRIS, and Mr. LAMALFA):

H.R. 1160. A bill to amend title II of the Social Security Act to set the retirement benefits age for today's six-year-olds at age 70; to the Committee on Ways and Means.

By Mr. RICHMOND:

H.R. 1161. A bill to modify the project for navigation, Mississippi River Ship Channel, Gulf of Mexico to Baton Rouge, Louisiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ISSA (for himself and Mr. CUMMINGS):

H.R. 1162. A bill to amend title 31, United States Code, to make improvements in the Government Accountability Office; to the Committee on Oversight and Government Reform.

By Mr. ISSA (for himself, Mr. CUMMINGS, Mr. MICA, and Mr. CONNOLLY):

H.R. 1163. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. LANKFORD (for himself, Mr. HENSARLING, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. RIBBLE, Mrs. LUMMIS, Mr. BUCSHON, Mr. MULLIN, Mr. DUNCAN of South Carolina, Mr. HUIZENGA of Michigan, Mr. DAINES, and Mr. WESTMORELAND):

H.R. 1164. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. CALVERT (for himself, Mr. LATTA, Mr. NUNES, Mr. GARY G. MILLER of California, Mr. MCKEON, and Mr. CARTER):

H.R. 1165. A bill to greatly enhance the Nation's environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 1166. A bill to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the "Edwin L. Mechem United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. AMODEI:

H.R. 1167. A bill to quitclaim surface rights to certain Federal land under the jurisdiction of the Bureau of Land Management in Virginia City, Nevada, to Storey County, Nevada, to resolve conflicting ownership and title claims, and for other purposes; to the Committee on Natural Resources.

By Mr. AMODEI:

H.R. 1168. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of that agency, and for other purposes; to the Committee on Natural Resources.

By Mr. AMODEI:

H.R. 1169. A bill to direct the Secretary of the Interior to transfer to the Secretary of the Navy certain Federal land in Churchill County, Nevada; to the Committee on Natural Resources.

By Mr. AMODEI:

H.R. 1170. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management and the Bureau of Reclamation, to convey, by quitclaim deed, to the City of Fernley, Nevada, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of either of those agencies; to the Committee on Natural Resources.

By Mr. BENISHEK (for himself, Ms. BROWNLEY of California, Mr. ROE of Tennessee, and Mr. O'ROURKE):

H.R. 1171. A bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself, Mr. MULVANEY, and Mr. STIVERS):

H.R. 1172. A bill to amend the Internal Revenue Code of 1986 to prevent the payment of unemployment compensation to individuals discharged for drug or alcohol use; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Mr. HANNA, Mr. ROE of Tennessee, Mr. REED, Ms. SCHWARTZ, Mr. KIND, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. BERA of California, Ms. SCHAKOWSKY, and Mrs. CAPPS):

H.R. 1173. A bill to amend the Social Security Act to provide for coverage of voluntary advance care planning consultation under Medicare and Medicaid, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mrs. BACHMANN, Mr. BENTIVOLIO, Mrs. BLACKBURN, Mr. BONNER, Mr. BRIDENESTINE, Mr. BROUN of Georgia, Mr. BURGESS, Mr. COLE, Mr. CONAWAY, Mr. DUFFY, Mr. DUNCAN of South Carolina, Mr. FLORES, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. GOWDY, Mr. GRAVES of Missouri, Mr. HUIZENGA of Michigan, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JORDAN, Mr. KINGSTON, Mr. LABRADOR, Mr. LAMALFA, Mr. LAMBORN, Mr. LANCE, Mr. LANKFORD, Mr. LONG, Mr. LUCAS, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MARCHANT, Mr. MCCLINTOCK, Mr. MILLER of Florida, Mr. MULLIN, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. PEARCE, Mr. PETRI, Mr. PITTS, Mr. RIBBLE, Mr. ROKITA, Mr. SCALISE, Mr. SMITH of Texas, Mr. STUTZMAN, Mr. THORNBERRY, Mr. WALBERG, Mr. WEBER of Texas, and Mr. WOODALL):

H.R. 1174. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Financial Services.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CONNOLLY, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRAYSON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE of California, Ms. LOFGREN, Mrs. LOWEY, Ms. MCCOLLUM, Ms. MENG, Mr. MORAN, Mr. NADLER, Ms. NORTON, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Ms. SLAUGHTER, Mr. SMITH of Nebraska, Mr. TONKO, Ms. TSONGAS, Mr. SARBANES, Mr. TAKANO, Mr. YARMUTH, Mr. PETERS of Michigan, Mr. LOWENTHAL, Mr. COHEN, Ms. PINGREE of Maine, Ms. CHU, Mr. VAN HOLLEN, and Ms. EDWARDS):

H.R. 1175. A bill to amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. HARRIS, Mr. HUIZENGA of Michigan, Mr. JORDAN, Mr. KINGSTON, Mr. LAMALFA, and Mrs. LUMMIS):

H.R. 1176. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Financial Services.

By Mrs. CAPPS:

H.R. 1177. A bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. CASTOR of Florida:

H.R. 1178. A bill to amend the Public Health Service Act to authorize grants for graduate medical education partnerships in States with a low physician-resident-to-general-population ratio; to the Committee on Energy and Commerce.

By Mr. COURTNEY (for himself and Mr. LATHAM):

H.R. 1179. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself and Mr. GRIMM):

H.R. 1180. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS (for himself, Mr. BERA of California, Mr. SALMON, Mr. AMASH, and Mr. PITTENGER):

H.R. 1181. A bill to reduce the annual rate of pay of Members of Congress by 8.2 percent; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself, Mrs. HARTZLER, Mr. FLEISCHMANN, Mrs. BLACKBURN, Mr. KINGSTON, Mr. ROE of Tennessee, Mr. CONAWAY, Mr. FINCHER, Mr. AUSTIN SCOTT of Georgia, Mr. WESTMORELAND, Mrs. LUMMIS, Mr. NUNNELEE, Mr. GRAVES of Georgia, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. GOWDY, Mrs. ELLMERS, Mr. LUCAS, Mr. FARENTHOLD, Mr. ISSA, Mr. DUNCAN of

Tennessee, Mr. PRICE of Georgia, Mr. GOHMERT, Mr. ROSS, Mr. GOODLATTE, Mrs. NOEM, Mr. REED, Mr. HARRIS, Mr. SALMON, Mr. WALBERG, Mr. THOMPSON of Pennsylvania, Mr. SAM JOHNSON of Texas, and Mrs. ROBY):

H.R. 1182. A bill to amend the Food and Nutrition Act of 2008 to repeal the authority to make performance-based bonus payments to States; to the Committee on Agriculture.

By Mr. GRIJALVA:

H.R. 1183. A bill to withdraw certain Federal lands and interests located in Pima and Santa Cruz counties, Arizona, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. HARRIS:

H.R. 1184. A bill to amend title 31, United States Code, to provide for lessened penalties for certain violations of the anti-structuring laws when violations are with respect to certain domestic financial institutions and are not taken in connection with another crime, and for other purposes; to the Committee on Financial Services.

By Mr. HULTGREN (for himself and Mr. LIPINSKI):

H.R. 1185. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself, Mr. JOHNSON of Ohio, Mr. KING of Iowa, Mr. GOHMERT, Mr. WILSON of South Carolina, Mr. WOLF, Mr. WEBER of Texas, Mr. JORDAN, Mr. WITTMAN, and Mr. BROUN of Georgia):

H.R. 1186. A bill to posthumously award the Congressional Gold Medal to each of Glen Doherty and Tyrone Woods in recognition of their contributions to the Nation; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GRIJALVA, Mr. MARKEY, Mrs. CAPPS, and Mr. NADLER):

H.R. 1187. A bill to designate certain National Forest System lands and public lands under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness and wild and scenic rivers, to provide for the establishment of a Northern Rockies Wildlife Habitat and Corridors Information System and Program, and for other purposes; to the Committee on Natural Resources.

By Mr. MARINO (for himself and Ms. CHU):

H.R. 1188. A bill to ensure and foster continued safety and quality of care and a competitive marketplace by exempting independent pharmacies from the antitrust laws in their negotiations with health plans and health insurance insurers; to the Committee on the Judiciary.

By Mr. MARKEY (for himself and Mr. HOLT):

H.R. 1189. A bill to amend the Natural Gas Act with respect to the exportation of natural gas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself and Mr. HOLT):

H.R. 1190. A bill to provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all oil produced pursuant to such leases, and all refined petroleum prod-

ucts produced from such oil, shall be offered for sale only in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. MARKEY (for himself and Mr. HOLT):

H.R. 1191. A bill to provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all natural gas produced pursuant to such leases shall be offered for sale only in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCLINTOCK:

H.R. 1192. A bill to redesignate Mammoth Peak in Yosemite National Park as "Mount Jessie Benton Fremont"; to the Committee on Natural Resources.

By Mr. MEEHAN (for himself, Mr. BARLETTA, Mr. GERLACH, Mr. NUGENT, Mr. TIBERI, and Mr. MURPHY of Pennsylvania):

H.R. 1193. A bill to require each owner of a dwelling unit assisted under the section 8 rental assistance voucher program to remain current with respect to local property and school taxes and to authorize a public housing agency to use such rental assistance amounts to pay such tax debt of such an owner, and for other purposes; to the Committee on Financial Services.

By Mrs. MILLER of Michigan:

H.R. 1194. A bill to terminate the National Flood Insurance Program and related mandatory purchase and compliance requirements, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself and Mr. CRENSHAW):

H.R. 1195. A bill to establish a program to provide grants to nonprofit organizations to enable such organizations to assign and support volunteers to assist foreign countries in the administration of their natural resources in an environmentally sustainable manner; to the Committee on Foreign Affairs.

By Ms. NORTON:

H.R. 1196. A bill to amend the District of Columbia Home Rule Act to make local funds of the District of Columbia for a fiscal year available for use by the District at the beginning of the fiscal year at the rate of operations provided under the local budget act for the fiscal year if the regular District of Columbia appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year; to the Committee on Oversight and Government Reform.

By Mr. ROSS:

H.R. 1197. A bill to waive the arbitrage rules for certain bonds issued in 1990 and partially defeased in 1996; to the Committee on Ways and Means.

By Mr. SABLAN (for himself and Mr. FALOMAVAEGA):

H.R. 1198. A bill to provide for American Samoa and the Commonwealth of the Northern Mariana Islands to be treated as States for certain criminal justice programs; to the Committee on the Judiciary.

By Ms. LINDA T. SANCHEZ of California (for herself, Ms. BASS, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPS, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr.



CONYERS, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. DELAULO, Mr. DEUTCH, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HANNA, Mr. HASTINGS of Florida, Mr. HIMES, Mr. HORSFORD, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Mr. MATHESON, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Ms. NORTON, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Ms. ROS-LEHTINEN, Mr. RYAN of Ohio, Mr. SCHIFF, Ms. SEWELL of Alabama, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, and Mr. YARMUTH):

H.R. 1199. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Education and the Workforce.

By Mr. McDERMOTT:

H.R. 1200. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHOCK (for himself and Ms. SCHWARTZ):

H.R. 1201. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. DUNCAN of South Carolina, and Mr. WESTMORELAND):

H.R. 1202. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 1203. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi (for himself, Mr. RICHMOND, Ms. JACKSON LEE, and Mr. SWALWELL of California):

H.R. 1204. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee,

and for other purposes; to the Committee on Homeland Security.

By Mr. WALDEN:

H.R. 1205. A bill to amend title XXVII of the Public Health Service Act to require health insurance issuers and group health plans to disclose information regarding how certain taxes and fees impact the amount of premiums, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WITTMAN (for himself and Mr. KIND):

H.R. 1206. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Natural Resources.

By Mr. BROWN of Georgia (for himself, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. BRIDENSTINE, Mr. LAMALFA, Mr. WESTMORELAND, Mr. JONES, Mr. MULVANEY, Mr. DUNCAN of Tennessee, Mr. STOCKMAN, Mr. GOODLATTE, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. ROKITA, Mr. SOUTHERLAND, Mr. LAMBORN, and Mr. GRAVES of Missouri):

H.J. Res. 35. A joint resolution proposing an amendment to the Constitution of the United States to balance the Federal budget; to the Committee on the Judiciary.

By Mr. PERRY (for himself, Mr. PITTS, Mr. LAMALFA, Mr. ROSS, Mr. SALMON, and Mr. MCKINLEY):

H.J. Res. 36. A joint resolution proposing a balanced budget amendment to the Constitution requiring that each agency and department's funding is justified; to the Committee on the Judiciary.

By Mr. SCALISE (for himself, Mr. ADERHOLT, Mrs. BACHMANN, Mr. BACHUS, Mr. BARR, Mr. BARTON, Mr. BENTIVOLIO, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BRIDENSTINE, Mr. BROWN of Georgia, Mr. BUCHANAN, Mr. BUCSHON, Mr. CAMPBELL, Mr. CARTER, Mr. CASSIDY, Mr. CHABOT, Mr. CHAFFETZ, Mr. COLLINS of Georgia, Mr. COTTON, Mr. CRAMER, Mr. CRAWFORD, Mr. CULBERSON, Mr. DENHAM, Mr. DESJARLAIS, Mr. DESANTIS, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLEISCHMANN, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. GARRETT, Mr. GIBBS, Mr. GINGREY of Georgia, Mr. GOMMERT, Mr. GOSAR, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. HALL, Mr. HANNA, Mr. HENSARLING, Mr. HOLDING, Mr. HUDSON, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. ISSA, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. JORDAN, Mr. KELLY, Mr. KING of Iowa, Mr. KLINE, Mr. LAMALFA, Mr. LAMBORN, Mr. LANKFORD, Mr. LATTI, Mr. LONG, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MASSIE, Mr. MCCLINTOCK, Mr. MEADOWS, Mr. MILLER of Florida, Mr. MULLIN, Mr. MULVANEY, Mrs. NOEM, Mr. NEUGEBAUER, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. PITTENGGER, Mr. PITTS, Mr. POMPEO, Mr. POSEY, Mr. PRICE of Georgia, Mr. RADEL, Mr. RENACCI, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. ROKITA, Mr. ROTHFUS, Mr. SALMON, Mr. SESSIONS, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. STEWART, Mr. STIVERS, Mr. STOCKMAN, Mr. WALBERG, Mr. WEBER of Texas, Mr.

WENSTRUP, Mr. WESTMORELAND, Mr. WILLIAMS, Mr. WILSON of South Carolina, Mr. WOODALL, Mr. YODER, and Mr. YOUNG of Indiana):

H. Con. Res. 24. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; to the Committee on Ways and Means.

By Mr. CHAFFETZ:

H. Res. 117. A resolution expressing the sense of the House of Representatives that the Federal Government should not bail out State and local government employee pension plans or other plans that provide post-employment benefits to State and local government retirees; to the Committee on Education and the Workforce.

By Ms. LEE of California (for herself, Mrs. CHRISTENSEN, Ms. MCCOLLUM, Mr. SABLAN, Mr. NADLER, Ms. CLARKE, Mr. BRALEY of Iowa, Mr. BISHOP of Georgia, Mr. CONYERS, Ms. BASS, Mr. CARSON of Indiana, Ms. NORTON, Mr. LEWIS, Mr. HASTINGS of Florida, Mrs. DAVIS of California, Mr. LOEBSACK, Mrs. NAPOLITANO, Mr. CONNOLLY, Mr. CLAY, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Ms. SCHWARTZ, Mr. RUSH, Ms. SHEA-PORTER, Mr. MCGOVERN, Mr. GRIJALVA, Mr. RANGEL, Mr. BUTTERFIELD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DOGETT, and Mr. HOLT):

H. Res. 118. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and the Workforce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WAXMAN introduced a bill (H.R. 1207) for the relief of Allan Bolor Kelley; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. REICHERT:

H.R. 1148.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. WHITFIELD:

H.R. 1149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations,

and among the several States, and with the Indian Tribes.

By Ms. SLAUGHTER:

H.R. 1150.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of Section 8 of Article I of the Constitution

By Mr. ROYCE:

H.R. 1151.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. ENYART:

H.R. 1152.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution.

By Mrs. BUSTOS:

H.R. 1153.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. POLIS:

H.R. 1154.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes).

By Mr. NEUGEBAUER:

H.R. 1155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HASTINGS of Washington:

H.R. 1156.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3

By Mr. HASTINGS of Washington:

H.R. 1157.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3

By Mr. HASTINGS of Washington:

H.R. 1158.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3

By Mr. HASTINGS of Washington:

H.R. 1159.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3

By Mrs. LUMMIS:

H.R. 1160.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Mr. RICHMOND:

H.R. 1161.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the

Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. ISSA:

H.R. 1162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ISSA:

H.R. 1163.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. LANKFORD:

H.R. 1164.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7.

By Mr. CALVERT:

H.R. 1165.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3 of the United States Constitution, specifically clause 2 (empowering Congress to make rules and regulations respecting property belonging to the people of the United States), Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress). Furthermore, this bill amends the Outer Continental Shelf Lands Act (43 U.S.C. 1331), which Congress previously enacted pursuant to similar authority.

By Mr. PEARCE:

H.R. 1166.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. AMODEI:

H.R. 1167.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. AMODEI:

H.R. 1168.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the

United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. AMODEI:

H.R. 1169.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. AMODEI:

H.R. 1170.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BENISHEK:

H.R. 1171.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;”

By Mr. BILIRAKIS:

H.R. 1172.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, which grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States.

By Mr. BLUMENAUER:

H.R. 1173.

Congress has the power to enact this legislation pursuant to the following:

This bill modifies the Social Security Act, which Congress enacted pursuant to its powers under the commerce clause of the U.S. Constitution, as well as its powers to tax and spend for the general welfare. Congress has the power under those provisions to enact this legislation as well.

By Mr. BRADY of Texas:

H.R. 1174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5, “The Congress shall have the Power . . . To coin Money, regulate the Value thereof . . .”

By Mr. CARTWRIGHT:

H.R. 1175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce

with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. BRADY of Texas:

H.R. 1176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5, "The Congress shall have the Power . . . To coin Money, regulate the Value thereof . . ."

By Mrs. CAPPS:

H.R. 1177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. CASTOR of Florida:

H.R. 1178.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution

By Mr. COURTNEY:

H.R. 1179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CROWLEY:

H.R. 1180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DESANTIS:

H.R. 1181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1 and Article I, Section 8, Clause 1

By Mr. DESJARLAIS:

H.R. 1182.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1183.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. HARRIS:

H.R. 1184.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HULTGREN:

H.R. 1185.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3; and Article 1, Section 8, Clause 18, giving Congress the power to enact necessary and proper regulations for interstate commerce.

By Mr. HUNTER:

H.R. 1186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1187.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. MARINO:

H.R. 1188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (Relating to Commercial Activity Regulation)

By Mr. MARKEY:

H.R. 1189.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARKEY:

H.R. 1190.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARKEY:

H.R. 1191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MCCLINTOCK:

H.R. 1192.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.

By Mr. MEEHAN:

H.R. 1193.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1.

By Mrs. MILLER of Michigan:

H.R. 1194.

Congress has the power to enact this legislation pursuant to the following:

The bill accompanying this statement delivers powers back to the states, pursuant to the Tenth Amendment to the United States Constitution.

By Mr. MORAN:

H.R. 1195.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this legislation.

By Ms. NORTON:

H.R. 1196.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. ROSS:

H.R. 1197.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of the Constitution

By Mr. SABLAN:

H.R. 1198.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 1199.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. McDERMOTT:

H.R. 1200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1.

By Mr. SCHOCK:

H.R. 1201.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 1202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SENSENBRENNER:

H.R. 1203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, and Article III, Section 1 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 1204.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article 1, Section 8.

By Mr. WALDEN:

H.R. 1205.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is pursuant to the following:

1) Article I, Section 1 "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

2) Article I, Section 8: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States . . .

. . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. WITTMAN:

H.R. 1206.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

Mr. WAXMAN:

H.R. 1207.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization". The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in *Kleindienst v. Mandel*, 408

U.S. 753, 766 (1972) (quoting *Boutillier v. INS*, 387 U.S. 118, 123 (1967)), “[t]he Court without exception has sustained Congress’ ‘plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden.’”

By Mr. BROUN of Georgia:

H.J. Res. 35.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States, which states “The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . .”

By Mr. PERRY:

H.J. Res. 36.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 55: Ms. SEWELL of Alabama.  
 H.R. 148: Mr. LIPINSKI.  
 H.R. 164: Mr. ENYART and Mr. LANGEVIN.  
 H.R. 180: Mr. KING of New York.  
 H.R. 181: Mr. PETERS of California.  
 H.R. 183: Ms. CHU and Mr. LIPINSKI.  
 H.R. 222: Mr. HUIZENGA of Michigan.  
 H.R. 258: Mr. LANKFORD, Mr. RUNYAN, and Ms. SEWELL of Alabama.  
 H.R. 269: Mr. SWALWELL of California and Mr. LIPINSKI.  
 H.R. 274: Ms. ESTY, Mr. YOUNG of Alaska, Mr. MCGOVERN, and Mr. POLIS.  
 H.R. 279: Ms. MOORE and Mr. BENISHEK.  
 H.R. 282: Mr. HUIZENGA of Michigan.  
 H.R. 283: Mr. KINGSTON.  
 H.R. 285: Ms. CHU.  
 H.R. 300: Mr. DOYLE.  
 H.R. 303: Mr. DUNCAN of South Carolina and Mr. AMODEI.  
 H.R. 309: Mr. HUNTER and Mr. PITTENGER.  
 H.R. 318: Mr. MARINO.  
 H.R. 322: Mr. RODNEY DAVIS of Illinois.  
 H.R. 324: Ms. BASS, Mrs. BEATTY, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHIFF, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. PAYNE, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WATERS, Mr. WATT, and Ms. WILSON of Florida.  
 H.R. 327: Mr. BENTIVOLIO.  
 H.R. 330: Mr. VALADAO.  
 H.R. 332: Ms. ESTY, Mr. LEVIN, and Mr. HASTINGS of Florida.  
 H.R. 342: Mr. SOUTHERLAND, Mr. MARINO, and Mr. JORDAN.  
 H.R. 357: Ms. SHEA-PORTER, Ms. TITUS, Mr. YOUNG of Alaska, and Ms. SEWELL of Alabama.  
 H.R. 360: Mr. THOMPSON of California, Mr. YARMUTH, Mr. SERRANO, Mr. CARTWRIGHT, Mr. ROTHFUS, Ms. LINDA T. SANCHEZ of California, Ms. BONAMICI, Mrs. BUSTOS, Mr. CARNEY, Ms. DELBENE, Mr. DINGELL, Mr. DOYLE, Ms. GABBARD, Mr. GARCIA, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. VARGAS, Mr. KING of New York, Ms. ESTY, Mr. HINOJOSA, Mr. KEATING, Ms. KUSTER, Mr. LOEBSACK, Ms. MICHELLE LUJAN

GRISHAM of New Mexico, Mr. BEN RAY LUJAN of New Mexico, Mr. MCINTYRE, Ms. MENG, Mr. NOLAN, Mr. PALLONE, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. RUIZ, Mr. SARBANES, Mr. SMITH of Washington, Mr. TAKANO, Mr. TIERNEY, Mr. BRALEY of Iowa, Mr. GARAMENDI, Mr. MARKEY, Mr. GRIMM, Mr. CARDENAS, Mr. SABLAN, Mr. KINGSTON, Mr. CAPUANO, Mr. O’ROURKE, Mr. SCHIFF, and Mr. LYNCH.

H.R. 366: Mr. WOLF and Ms. FRANKEL of Florida.

H.R. 367: Mr. LANKFORD.

H.R. 377: Mr. LIPINSKI and Mr. PETERS of California.

H.R. 404: Ms. ESTY and Ms. SHEA-PORTER.

H.R. 445: Mr. PASTOR of Arizona and Mr. OWENS.

H.R. 452: Mr. PETERS of California and Ms. JACKSON LEE.

H.R. 474: Mr. MORAN, Mr. TONKO, Mr. CARTWRIGHT, Mr. HOLT, and Mr. GEORGE MILLER of California.

H.R. 482: Ms. SPEIER and Mr. BLUMENAUER.  
 H.R. 486: Mr. KINGSTON, Mr. KENNEDY, and Mr. ROONEY.

H.R. 497: Mr. LIPINSKI, Mrs. CAPITO, and Ms. BROWNLEY of California.

H.R. 521: Ms. BORDALLO, Mr. GENE GREEN of Texas, Mr. SABLAN, Mr. PETERS of California, and Ms. BROWNLEY of California.

H.R. 525: Mr. DAINES and Mr. BENTIVOLIO.

H.R. 541: Mr. LIPINSKI.

H.R. 543: Ms. KUSTER, Ms. MENG, Ms. LEE of California, and Mr. DAINES.

H.R. 556: Mr. AUSTIN SCOTT of Georgia and Mr. LANCE.

H.R. 573: Ms. SHEA-PORTER.

H.R. 574: Mr. BISHOP of Georgia, Mr. MAF-FEI, Mr. RUIZ, Mr. RUSH, Mr. BERA of California, Mrs. KIRKPATRICK, and Mr. CONNOLLY.

H.R. 578: Mr. CRAWFORD and Mr. ISSA.

H.R. 580: Mr. ISSA.

H.R. 582: Mr. MCKINLEY, Mr. BENTIVOLIO, and Mr. ROTHFUS.

H.R. 597: Ms. SCHAKOWSKY, Mr. MCGOVERN, Mrs. CHRISTENSEN, and Mr. CARSON of Indiana.

H.R. 599: Mr. PAYNE.

H.R. 601: Ms. CHU, Ms. TSONGAS, Mr. KEATING, Mr. CONYERS, and Mr. ELLISON.

H.R. 627: Mr. TURNER, Ms. BROWNLEY of California, and Mr. GOODLATTE.

H.R. 633: Mrs. CAROLYN B. MALONEY of New York.

H.R. 635: Mr. HASTINGS of Washington.

H.R. 636: Mr. SEAN PATRICK MALONEY of New York and Mr. ENYART.

H.R. 637: Mr. YOHO.

H.R. 654: Mr. HANNA and Mr. LOEBSACK.

H.R. 677: Mr. VARGAS, Mr. DAVID SCOTT of Georgia, and Mr. GIBBS.

H.R. 684: Mr. GRIFFITH of Virginia, Mr. SMITH of Washington, Mr. RIGELL, Mr. LARSEN of Washington, Mr. BACHUS, and Mr. HORSFORD.

H.R. 685: Mr. STOCKMAN, Mr. LOEBSACK, and Ms. GRANGER.

H.R. 688: Mr. CLAY, Mr. HORSFORD, Mr. ISSA, and Mr. LIPINSKI.

H.R. 715: Mr. HANNA and Mr. LEWIS.

H.R. 718: Mr. FLEMING and Mr. PITTS.

H.R. 741: Mr. PETRI and Mr. MICHAUD.

H.R. 755: Mr. CAPUANO, Mr. FOSTER, Mr. GARDNER, Mr. COBLE, Mr. PETERSON, and Mr. HORSFORD.

H.R. 763: Mr. ROSKAM, Ms. HERRERA BEUTLER, Mr. MESSER, Mr. MULLIN, and Mr. BILIRAKIS.

H.R. 779: Mr. BENTIVOLIO.

H.R. 792: Mr. ROE of Tennessee, Mr. MICA, Mr. SENSENBRENNER, Mr. DIAZ-BALART, Mr. YODER, Mr. MEADOWS, Mr. GARDNER, and Ms. BORDALLO.

H.R. 795: Mr. KING of Iowa.

H.R. 797: Ms. JENKINS.

H.R. 812: Mr. OWENS, Ms. WATERS, Mr. SWALWELL of California, Ms. LEE of California, and Mr. PRICE of North Carolina.

H.R. 824: Mr. ROKITA and Mr. BENTIVOLIO.

H.R. 833: Mr. CAMPBELL, Mr. LAMALFA, Mr. BENTIVOLIO, Mr. ROE of Tennessee, Mr. STOCKMAN, Mr. YODER, Mr. PEARCE, Mr. KINGSTON, and Mr. RAHALL.

H.R. 839: Mr. MCNERNEY, Mr. HECK of Nevada, Mr. CRENSHAW, and Mr. RUSH.

H.R. 842: Ms. MOORE and Mr. RUSH.

H.R. 847: Ms. CASTOR of Florida, Mr. PAULSEN, Mr. MURPHY of Pennsylvania, Mr. WHITFIELD, Ms. KUSTER, Mr. CARTWRIGHT, and Ms. TITUS.

H.R. 850: Mr. CRAWFORD, Mr. HARRIS, Mr. TIBERI, Mr. PETERS of California, Ms. FOXX, Ms. CHU, Mr. BENTIVOLIO, Mr. CASSIDY, and Mr. DAINES.

H.R. 851: Mr. MICHAUD, Mr. LANGEVIN, and Mr. RAHALL.

H.R. 858: Mr. FARR, Mr. HARPER, Mr. JONES, Mr. DENHAM, Mr. LANGEVIN, Mr. YOUNG of Alaska, Mr. NEAL, Ms. CAPPS, Mr. MCINTYRE, Mr. GRIFFIN of Arkansas, Mr. LARSEN of Washington, Mr. PIERLUISI, Mr. LONG, Mr. VALADAO, Mr. MICHAUD, Mr. NUNES, Mr. PASTOR of Arizona, Mr. ENYART, Mr. WELCH, Mr. VARGAS, Mr. GOSAR, Mr. LOBIONDO, Mr. GRJALVA, Mr. MCNERNEY, Mr. PEARCE, Mrs. NOEM, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. KEATING, and Mr. LOEBSACK.

H.R. 863: Ms. CASTOR of Florida, Ms. LEE of California, and Mr. CLAY.

H.R. 880: Ms. SHEA-PORTER.

H.R. 893: Mr. WEBER of Texas, Mr. SCHWEIKERT, Mr. ROSKAM, Mr. BILIRAKIS, and Mr. MEEHAN.

H.R. 903: Mr. ROTHFUS.

H.R. 913: Mr. YOUNG of Florida.

H.R. 922: Ms. KUSTER.

H.R. 924: Mr. MICHAUD, Mr. HONDA, Mr. SCOTT of Virginia, Mr. LANGEVIN, Ms. CLARKE, Ms. LEE of California, Mr. PRICE of North Carolina, Ms. MOORE, and Ms. CHU.

H.R. 938: Mr. UPTON, Mr. MCKEON, Mr. GOSAR, Mr. MICA, Mr. MATHESON, Mr. HASTINGS of Florida, Mr. MCHENRY, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, Mr. MCNERNEY, Mr. PETERS of Michigan, Mr. CROWLEY, Mr. RAHALL, Mr. SENSENBRENNER, Ms. DELBENE, Mr. TIBERI, Mr. LANKFORD, Mrs. MILLER of Michigan, Ms. CHU, Mr. PAULSEN, Mr. BENTIVOLIO, Mr. HOLT, Mr. YOUNG of Alaska, and Mr. PETERS of California.

H.R. 946: Mr. YODER.

H.R. 955: Mr. LIPINSKI.

H.R. 958: Ms. SEWELL of Alabama, Mr. RUSH, and Ms. KUSTER.

H.R. 961: Ms. BROWN of Florida.

H.R. 974: Mr. COHEN and Mr. NADLER.

H.R. 976: Mr. MEADOWS, Mr. YODER, Mr. PITTS, Mr. LAMBORN, Mr. PITTENGER, Mr. PALAZZO, Mr. DUNCAN of South Carolina, and Mr. GOWDY.

H.R. 990: Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, and Mr. ENYART.

H.R. 996: Mr. KILDEE and Mr. THOMPSON of California.

H.R. 1005: Mr. WITTMAN, Mr. SCALISE, Mr. CHABOT, Mr. PALAZZO, Mr. LAMALFA, Mr. WENSTRUP, Mr. LAMBORN, Mr. OLSON, and Mr. WOODALL.

H.R. 1014: Mr. STIVERS.

H.R. 1024: Mr. CONNOLLY.

H.R. 1029: Mr. ELLISON, Ms. PINGREE of Maine, and Mr. HASTINGS of Florida.

H.R. 1039: Mr. RODNEY DAVIS of Illinois, Mr. MULLIN, Mr. GRIFFIN of Arkansas, Mr. LUETKEMEYER, Mr. COBLE, Mr. DEFAZIO, Mr. WALDEN, Mr. RIGELL, and Mr. LOBIONDO.

H.R. 1072: Mr. YOUNG of Alaska, Mr. YODER, and Mr. STEWART.

H.R. 1102: Mr. GRIJALVA, Mr. TAKANO, Mr. SCOTT of Virginia, Mr. OWENS, Mr. ANDREWS, Mr. LIPINSKI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. HASTINGS of Florida.

H.R. 1106: Mr. LUETKEMEYER and Ms. MENG.

H.R. 1108: Mr. HINOJOSA.

H.R. 1110: Mr. MARKEY and Mr. SABLAN.

H.R. 1120: Mr. MARCHANT, Mr. KELLY, Mr. WALBERG, and Mr. CASSIDY.

H.R. 1124: Mr. CARTWRIGHT, Mr. COHEN, and Ms. CASTOR of Florida.

H.R. 1126: Mr. HUIZENGA of Michigan.

H.R. 1128: Mr. BONNER and Mr. CULBERSON.

H.R. 1133: Mr. CUMMINGS.

H.J. Res. 21: Ms. SLAUGHTER.

H.J. Res. 25: Mr. LYNCH, Mr. HASTINGS of Florida, and Ms. BROWNLEY of California.

H.J. Res. 28: Mr. BRIDENSTINE, Mr. LAMALFA, Mr. PITTS, and Mr. YODER.

H.J. Res. 33: Mr. LOEBACK, Mr. MAFFEI, and Mr. ISRAEL.

H. Con. Res. 4: Mr. DENHAM.

H. Con. Res. 16: Mr. POSEY, Mr. OWENS, Mr. MEEHAN, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. BARROW of Georgia, Mr.

CUELLAR, Mr. GARDNER, Mr. GOSAR, Mr. MARCHANT, Mr. MASSIE, Mr. MATHESON, Mrs. NOEM, Mr. RIGELL, Mr. SCHOCK, Mr. MULLIN, Mr. BENISHEK, Mr. LATTI, Mr. ROKITA, and Mr. LOBIONDO.

H. Res. 19: Mr. SWALWELL of California and Mr. HUFFMAN.

H. Res. 24: Mr. MILLER of Florida.

H. Res. 36: Mr. LUCAS, Mr. BURGESS, and Mr. YOUNG of Florida.

H. Res. 60: Mr. HONDA.

H. Res. 72: Ms. SHEA-PORTER.

H. Res. 89: Mr. SCHOCK.

H. Res. 90: Mr. CONYERS, Mr. GRIJALVA, Mr. KENNEDY, Mr. LYNCH, Mr. VEASEY, Mr. HASTINGS of Florida, Ms. PINGREE of Maine, and Mr. SIRES.

H. Res. 97: Mr. BONNER and Mr. FLEMING.

H. Res. 100: Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. SCOTT of Virginia, and Mr. TAKANO.

H. Res. 114: Mr. HALL.

## EXTENSIONS OF REMARKS

TRIBUTE TO THE LIFE AND  
LEGACY OF JEAN T. MARTIN

## HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Mrs. Jean T. Martin, a beloved Alabamian who passed away on March 11 in Selma, Alabama at the age of 89. As a dedicated public servant, Jean Martin was known in our local community as the long-serving Selma City Councilwoman, an avid local historian, and a gifted journalist. Gracious and proud of her Selma roots, Jean was the personification of a southern belle. Personally, Jean Martin was a close family friend and a trusted mentor. I am deeply saddened by her passing but I am comforted in knowing that her legacy will live on through the countless life lessons she taught me and so many others.

Mrs. Jean Martin was born in Selma on September 9, 1923. She attended Dallas Academy and was a graduate of Albert G. Parrish High School. Jean later met and married army serviceman Phillip David Martin. While the young couple would live many places both home and abroad, Jean and her husband would soon find their way back to her beloved Selma.

Upon her return to Selma, Jean worked at Craig Air Force base in accounting, finance and personnel. She would remain at Craig Field until its closing. Her next career move would catapult Jean to her status as a gifted writer and journalist. She began working as a community editor for the Selma Times Journal. Jean had a special way of writing that brought to life the sights, sounds, and people that she covered in Selma, Dallas County and surrounding areas. Jean Martin would continue to work for the Selma Times Journal for the rest of her life. For more than 30 years, she served in various capacities at the newspaper and was Life & Style editor emeritus at the time of her death.

Jean Martin was also an exemplary public servant. She served on the Selma City Council from 1996–2008, representing Ward 3 and eventually becoming the Council's President pro tem. During her tenure, she was an exceptional servant leader who passionately advocated for her constituents making an indelible mark on our community.

Jean Martin will also be remembered for her wealth of knowledge about Alabama history and friendly disposition as the long-serving curator and founding board member of the Old Depot Museum. Through her efforts at the museum, Jean became a trusted historian, steadfastly preserving the rich history of her beloved city of Selma. Jean was involved in numerous community organizations—a founding

member of Cahaba Concern; an active member and officer of the Selma-Dallas County Historic Preservation Society; Chair of Selma's annual Pilgrimage; a board member of the Cahaba Center for Mental Health and Mental Retardation; and a board member for the State advisory board for the Alabama Bureau of Tourism and Travel. Jean also served on various advisory committees for the Alabama Historical Commission.

On a personal note, Jean Martin served with my mother Nancy Gardner Sewell on the Selma City Council and was a beloved colleague and close family friend. My brothers and I affectionately called her "T Jean." She was an amazing mentor and role model to me and I credit my love of community to her extraordinary example. I know that in Congress I stand on her shoulders because Jean Martin broke so many glass ceilings as a strong woman who gave generously and led nobly. I will miss her wise counsel and advice dearly. While we grieve the loss of this beloved member of our community, let us strive to emulate her example of public service and carry on her efforts to make the Selma and Dallas County a better community.

Jean Martin was a phenomenal woman who used her substantial talents and abilities to better the lives of those she served. On behalf of the 7th Congressional District, the State of Alabama, and this Nation, I ask my colleagues to join me in honoring the life and legacy of my beloved mentor Mrs. Jean T. Martin.

## RECOGNIZING MONIQUE TRUDNOWSKI'S COMMITMENT AND SERVICE TO THE GREATER TACOMA AREA OF WASHINGTON STATE

## HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. KILMER. Mr. Speaker, I rise today to honor long-time businesswoman and community advocate Monique Trudnowski for her dedicated commitment and years of community service to the growth and prosperity of the Greater Tacoma area of Washington State.

Today, Ms. Trudnowski is a partner and hospitality manager of the Adriatic Grill in Tacoma, Washington. Recently, Ms. Trudnowski won the National Restaurant Association's Faces of Diversity Award, which recognizes the diversity of the restaurant industry and the role it plays in helping individuals achieve professional and personal success. Three individuals, who through hard work and determination have realized their dreams, are selected each year as the national winners. Monique Trudnowski is one of this year's prestigious recipients.

In 2010, Ms. Trudnowski was recognized as one of the top 40 Under 40 businesspersons

in the South Puget Sound community. She has also gained local accolades as a passionate spokesperson for small business owners, and spoken extensively about the importance of bringing destination businesses to her community.

Prior to joining the Adriatic Grill as a partner in 2007, Ms. Trudnowski excelled as a Lancôme Regional Education Executive for Macy's stores in Washington, Oregon, Idaho, Montana, and Alaska. In this capacity she was responsible for the training of more than 250 Beauty Advisors in the regional area. Through hands on coaching, seminars, and presentations on both a regional and national scale, she was voted "Executive of the Year."

Mr. Speaker, if all this wasn't enough, it should be noted that every year on the anniversary of their opening in 2007, Ms. Trudnowski and her husband Chef Bill Trudnowski, hold a community party at their restaurant, giving the proceeds of event to the Chef Bill-Adriatic Grill Culinary Scholarship program the couple sponsors at local Clover Park Technical College. This is just one more way that Ms. Trudnowski and her husband give back to their community.

As I close, I can say with confidence that our community is a better place thanks to the ongoing, selfless service of people like Monique Trudnowski. Her leadership in the local community through a vibrant small business has set her apart, and she has earned the appreciation of her colleagues and neighbors in the Greater Tacoma Region. I am pleased to recognize that leadership today in the United States Congress.

## RECOGNIZING KEITH JAFFEE AND KATHRYN BUFANO FOR THEIR COMMITMENT TO PHILANTHROPY

## HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the deep commitment to charity exhibited by Kathryn Bufano and my good friend Keith Jaffee, this year's recipients of the Housewares Charity Foundation Lifetime Humanitarian Award and Humanitarian of the Year Award.

Since 1998, the Housewares Charity Foundation has raised more than \$20 million, including \$12 million for breast cancer research. This year's gala was an outstanding success and benefitted the Breast Cancer Research Foundation and Hurricane Sandy relief efforts. It truly takes a full community approach to tackle the issues before us, and organizations like the Housewares Charity Foundation are what help keep us strong and safe.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In recognition of her long history of philanthropic endeavors, Kathryn Bufano is well deserving of the HCF Lifetime Humanitarian Award. Her own charitable work and the work of Belk and the Belk Foundation have accomplished incredible good over the years.

I am thrilled to congratulate my good friend Keith Jaffee on receiving this year's Humanitarian of the Year Award. His huge heart and lifelong commitment to helping others are an inspiration to those of us who know him. Since he first became a member of the board of the Housewares Charity Foundation, he has worked tirelessly to help them make a difference. Through these difficult times, HCF has consistently raised more than \$2 million each year—a testament to Keith's dedication and the entire organization's commitment to helping others.

I wish both honorees only the best and look forward to following their charitable work in the future.

IN HONOR OF THE CENTENNIAL  
CELEBRATION OF THE TAZE-  
WELL COUNTY FARM BUREAU

**HON. AARON SCHOCK**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. SCHOCK. Mr. Speaker, I rise today in honor of the centennial anniversary of the Tazewell County Farm Bureau. Agriculture is a thriving industry and a way of life for many in Central Illinois, and the Tazewell County Farm Bureau continues to cultivate the traditional values of hard work and community involvement cherished by farmers for the past 100 years.

Much has changed since 1913 when the Tazewell County Farm Bureau was founded as the first organization in Illinois to use "farm bureau" in its name. Woodrow Wilson had just been elected president, and American agriculture was in the midst of a Golden Age with demand for farm commodities and land values both at high levels. While steam tractors were used by some more affluent farmers, horse- and oxen-drawn plows were still common on most farms, and would remain the dominant tools of the trade until the 1950s. The Future Farmers of America would not be founded for another 15 years.

Fast forward to today, 100 years later, and agriculture in Tazewell County is still thriving, led by the Tazewell County Farm Bureau. Tazewell County farmers have more than 166,000 acres of farmland in production, producing corn, soybeans, wheat, and alfalfa. The Farm Bureau provides support services to farmers, including starting the organization that today is the Pekin Insurance Company, which provides farmers' insurance for producers across the area. The Farm Bureau also works to carry on the traditions and values of farming to future generations, as well as to ensure that older members of the agriculture community continue to have a voice, through their Young Leaders and Prime-Timers programs. Both programs have been recognized as among the best in Illinois.

The celebration of the centennial for the Tazewell County Farm Bureau is a time to re-

flect on the triumphs and hardships that agriculture in Central Illinois has seen over the last 100 years, but it is also a time to look forward. American farmers continue to feed the world, and the Tazewell County Farm Bureau ensures that they have a local partner in that effort. For all of the technological advances made in agriculture, nothing can replace the resilient spirit and strong community fostered by the Farm Bureau. I wish them fair weather and sustained success over the next 100 years.

CELEBRATING THE LIFE OF  
GERALD VIRGIL MYERS

**HON. DENNIS A. ROSS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. ROSS. Mr. Speaker, I rise today to honor a good friend and an American hero, Gerald Virgil Myers.

Virgil passed away on Sunday, March 10, at 94 years old.

He served our country in the Army during WWII, having fought in the Battle of the Bulge. Three American G.I.s discovered the Buchenwald Concentration camp from entering the west gate; Virgil was one of them. At the time when he entered there were 26,000 inmates in the camp.

He earned many honors including the Silver Star medal, the Bronze Star medal with Valor, the Purple Heart medal, the Infantry Combat Badge medal, the Good Conduct medal, the Victory Medal WWII, received the Medal of Honor from Luxembourg Government, the Mairie Medal by French Government, was declared an Honorary Citizen of Luxembourg in 2004, and an Honorary Citizen of France in 2005.

When he returned home from the war in January 1946, he was discharged from the Army. He went back to work for Quaker Oats Co. in Kansas and attended night classes at Johnson Business College. Virgil and his wife, Emma "Bobbie" Tracy Myers, retired to Lakeland, Fla. Bobbie and Virgil had celebrated their 70th anniversary before Bobbie's passing.

He loved golfing and traveling and was very involved in the community, as a member of the Polk Co. Veterans Association and a President of Central Florida Veterans of the Battle of the Bulge.

We in central Florida and all across America owe a debt of gratitude to this great man and his service to our country and community.

IN HONOR OF THE 100TH ANNIVER-  
SARY OF THE TOWN OF  
PROCTORVILLE, NC

**HON. RICHARD HUDSON**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. HUDSON. Mr. Speaker, I rise today to honor the Town of Proctorville, North Carolina, as it celebrated its centennial on Friday March

8th. While Congress was not in session on its centennial, I want to take this opportunity to pay homage to this small town in rural North Carolina today.

Proctorville's history dates back to 1859. The fifty acres the town was founded on was originally owned by Calvin Graham. Mr. Graham gave the land the town was to be settled on to a slave by the name of Dennis Graham.

On July 20th, 1899, Augustus Mellier purchased a portion of the original fifty acres for the construction of the Carolina and Northern railroad. Mellier developed the land surrounding the tracks into four blocks for development. This was the beginning of the new town of Proctorville, named after Edward Knox Proctor Jr., a Lumberton lawyer and promoter of the Carolina and Northern Railroad.

Mr. Proctor purchased the town from Mellier and planned to develop it into an ideal town, but his plans were cut short due to illness. He contracted typhoid fever and died prematurely in December of 1907.

This setback was overcome and the town charter was written by E.J. Britt of Lumberton, North Carolina and incorporated by the North Carolina General Assembly in 1913. At the time, George B. McLeod, brother-in-law of Edward K. Proctor, was serving in the Assembly and was a proponent of incorporation.

Proctorville always produced the major regional crops of North Carolina: tobacco, cotton, and corn. Expectation in production grew as the railroad expanded through the state and the town eventually became a major trading hub for farmers and even outlasted the railroad.

Proctorville has the honor of being the smallest town in the United States to have its own public library. It was established by W.R. Surles and continues to be used to this day.

The Town's most recognized citizen is State Senator Michael Walters who has represented Proctorville and the surrounding community since 2009.

Mr. Speaker, I urge my colleagues to join me in congratulating the Town of Proctorville as it celebrates its 100th anniversary.

HAPPY 100TH, PROCTORVILLE!

[From the Fayetteville Observer,  
Mar. 7, 2013]

(By Ali Rockett)

The tiny town in southeastern Robeson County is celebrating a big birthday today.

But Mayor Allen Fowler said the real party begins on Saturday with the town first-ever parade—or at least the first in modern memory, Fowler said.

The parade starts at 11 a.m. on Main Street from Spruce Street to the town's community center. Following the parade, the town will hold a ceremony in Proctorville Baptist Church with keynote speaker and Proctorville native N.C. Rep. Michael Walters.

The .3-mile parade route nearly stretches the width of the entire town, which encompasses about 260 acres.

Proctorville was established in the early 1900s as the crossroads of two major railroads—the Atlantic Coast Railroad running north and south, and the Raleigh-Charleston Railroad running east and west.

While the town's incorporation is only 100 years old, it started much earlier than that, according to Fowler.

In 1866, a plantation owner Calvin Graham deeded 200 acres to a slave, Dennis Graham,

for \$60. It had taken Dennis Graham nearly 20 years to make the \$60.

Then in the early 1900s, a railroad worker Augustus Miller bought part of Graham's land as right-of-way for the railroad. Miller named the area after Lumberton lawyer Edward Knox Proctor Jr, who worked to get the railroad laid through the county.

Proctor later bought the land from Miller, but died before he could build up the town.

Proctorville was relatively dormant through 1940 when the railroad tracks were taken up.

The town's claim to fame is its library.

In 2009, the W.R. Surlles Memorial Library—rumored to have once been named the world's smallest in the "Guinness Book of World Records"—was listed in the National Register of Historic Places.

With about 2,800 books, the library's circulation is nearly 23 times that of the population it serves.

About 117 people call Proctorville home.

Fowler said it's a simple, quiet life in town.

"We're just a small, rural town," Fowler said. "The average age is probably sixty. What I enjoy the most about it, we have very, very, very little crime."

Walters said he remembers riding to church as a young boy, but always had to behave.

"Everyone in town was your mother or dad because we all knew each other," Walters said. "If there has ever been a Mayberry in North Carolina, it could be Proctorville."

#### CONGRATULATING HAYWARD HIGH SCHOOL LADY 'CANES HOCKEY TEAM FOR WINNING THE WIAA STATE CHAMPIONSHIP

#### HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. DUFFY. Mr. Speaker, I rise today to congratulate the Hayward High School's Lady Hurricanes Hockey Team for winning the Wisconsin Interscholastic Athletic Association State Championship (WIAA) State Championship.

In only their sixth year playing at the varsity level, the Lady 'Canes defeated the Onalaska Hilltoppers in a thrilling 5–2 match. The Lady 'Canes out-skated their top-ranked opponent for three periods to take home Hayward High School's first state hockey championship.

The exemplary leadership set forth by the coaches combined with the perseverance of the players shows the true spirit Wisconsinites have for sports and competition. These student athletes proved their dedication to the team—starting practice at 6:45 AM, training 5–6 days per week, participating in community service, while never losing sight of academic importance.

Furthermore, the fans from Hayward and surrounding areas (affectionately known as Hurricane Nation), came out in full form to support their team, setting a record for the largest crowd in tournament history. The co-op team consists of players from Hayward, Spooner, Northwestern, and Phillips High Schools.

As a former hockey player myself, and a huge fan of the game, I am thrilled to call my

hometown Lady 'Canes—State Champs for 2013. Congratulations ladies! You have earned it!

#### IN RECOGNITION OF THE 95TH BIRTHDAY OF BLONDELL HOLLINGSWORTH

#### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Mrs. Blondell Hollingsworth, who is turning 95 on April 7th, 2013.

Mrs. Hollingsworth was born on April 7th, 1918 in Burwell, GA. Later in her life, she attended Garner School of Nursing and then worked at Garner Hospital as a nurse. In 1939, she married Mr. Ralph Hollingsworth. After that, she worked at Hollingsworth jewelry.

The Hollingsworths were blessed with one daughter, Sylvia Sue Hollingsworth, who was born in 1941. Mrs. Hollingsworth has three grandchildren, Angela, Tracey, and Holli, and she has six great-grandchildren. Their names are Ashley, Laura, Cierra, Pierre, Leigh, and Lindsay.

Mrs. Hollingsworth is a member of Central Presbyterian Church in Anniston, Alabama, where she currently resides. Her family is planning on having a quiet party to celebrate this milestone.

Mr. Speaker, I would like to join Mrs. Hollingsworth's family and friends in wishing her a very happy 95th birthday.

#### INTRODUCING THE CROSS-BORDER TRADE ENHANCEMENT ACT

#### HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. O'ROURKE. Mr. Speaker, I rise today to help introduce the Cross-Border Trade Enhancement Act (H.R. 1108), a bill that will create jobs and facilitate trade at no cost to the Federal Government. I am proud to join Congressman CUELLAR and MCCAUL in moving forward with this bipartisan bill.

El Paso, the city I represent, and other border communities rely on cross border trade for their economic vitality. Each year, \$80 billion in trade flows through El Paso's ports of entry. Residents of our sister city, Ciudad Juarez, annually contribute \$2 billion to El Paso's economy. In the El Paso region alone, this trade supports 100,000 jobs. Nationally, 6 million jobs are a direct product of bi-lateral trade between the U.S. and Mexico. Since 1990 this trade has grown by 600 percent and continues to increase each year. Unfortunately, capacity at our ports of entry has not kept pace. Despite increased staffing and use of technology, waits at our ports of entry are often unpredictable and unacceptably long. This harms our economy and our way of life along the border. We have friends and family and sometimes

jobs on the other side and we need to be able to cross in a timely manner.

The Cross-Border Trade Enhancement Act is a proactive first step to finding a solution to this problem. By authorizing public-private partnerships, this legislation would provide The Customs and Border Patrol (CBP) with effective new tools to improve infrastructure, expand capacity, and increase staffing at our ports of entry without creating new costs for taxpayers. For example, under this bill, the City of El Paso would have the ability to raise funds and enter into a partnership with CBP to cooperatively help fund increased staffing at our ports of entry. This could help keep all the lanes on one of our local bridges open for a longer period of time.

As Washington operates under serious fiscal constraints, we need this legislation more than ever. Earlier this month, as a result of sequestration, CBP officers along our border received furlough notices of 14 days. Secretary of Homeland Security, Janet Napolitano, has warned that failing to undo sequestration cuts could lead to 4 or 5 hour wait times at our ports of entry. The reality is clear—Congress is unlikely to provide the resources we need to facilitate the legal and efficient flow of goods and people across our borders. We need innovative policies that allow communities who depend on cross-border trade to find creative solutions to our fiscal problems. The Cross-Border Trade Enhancement Act is such a solution. At a time of heightened partisanship, this legislation is proof that when Democrats and Republicans work together, we can advance common sense ideas.

We need a 21st Century border policy that not only secures our border, but also recognizes the significance the border and our partnership with Mexico represent for our country and the economy. The Cross-Border Trade Enhancement Act is an important part of that policy. I urge all of my colleagues to join with me in supporting this critical legislation.

#### THE INTRODUCTION OF THE DISTRICT OF COLUMBIA LOCAL FUNDS CONTINUATION ACT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Ms. NORTON. Mr. Speaker, I rise today to offer the District of Columbia Local Funds Continuation Act, to permanently protect both the more than 600,000 residents of the District of Columbia and the federal government from an unintended catastrophe in any future federal government shutdown. The bill would allow the District government to spend its local funds at the start of a fiscal year if Congress has not approved the District's local budget by such time, thereby avoiding a District government shutdown if the federal government shuts down. Although the District government raises and manages an \$8 billion local budget, Congress technically appropriates these local funds back to the District government, a hold-over and throwback to the pre-home-rule period. Several years ago, Republican appropriators and I reached a bipartisan agreement to



approve the District government's local budget in continuing resolutions (CRs), allowing the District government to spend at next year's level, if the District government's regular appropriations bill has not been signed into law by the start of a fiscal year. We are grateful that this agreement has held through Democratic and Republican congresses and administrations. This agreement has enabled District officials to operate complex, big-city functions more effectively than during the many years when the city's local budget was only approved by Congress months after the start of a fiscal year.

However, last Congress, we saw the limits of even this helpful agreement when the federal government almost shut down on multiple occasions. While Congress appears poised to pass legislation to keep the federal government open for the remainder of fiscal year 2013 by acting before the expiration on March 27 of the CR that is keeping the federal government (and therefore the District government) open, the D.C. government should never have to wonder whether it will be shut down. If the District government shuts down, it could default under certain financing agreements and leases. When Congress cannot reach agreement on regular appropriations bills, it often operates under successive CRs to avoid a federal government shutdown. However, successive CRs greatly hinder the operations of the District government. Not only do they make it difficult for the city to plan its activities for the year, successive CRs greatly increase the city's costs of doing business. The city's partners, from Wall Street to small vendors, may charge it a risk premium due to the uncertainty created by successive CRs.

Disputes over the federal budget have nothing to do with the District government's local funds. I do not believe that any member of Congress wants to shut down the D.C. government and bring a large, complicated city to its knees due to a purely federal matter. Moreover, D.C. residents are not alone in relying on vital District government services. Federal officials, including the President, federal buildings, foreign embassies and dignitaries, and businesses rely daily on the city's services, as well.

A bipartisan consensus on preventing D.C. government shutdowns emerged last Congress. President Obama included a provision in his fiscal year 2013 budget that would permanently authorize D.C. to spend its local funds if the federal government shut down. The Senate Appropriations Committee-approved fiscal year 2013 Financial Services and General Government Appropriations bill included the shutdown-avoidance provision. Although the House bill did not include the provision, the Republican-led committee's report accompanying the bill acknowledged that the District government would face considerable hardships if it had to shut down due to a federal government shutdown, and encouraged the passage of legislation to avoid D.C. government shutdowns.

We continue to work to pass a budget autonomy bill, which would free the District government's local budget from congressional approval, and is, of course, the best long-term solution. There is also increasing bipartisan support for budget autonomy. President

Obama has indicated his support for budget autonomy, as have House Majority Leader ERIC CANTOR, Representative DARRELL ISSA, Chairman of the Oversight and Government Reform Committee, which has jurisdiction over D.C., Senator SUSAN COLLINS and Virginia Governor Bob McDonnell.

It is time we remove the District government and the multiple, unintended consequences of a District government shutdown from federal government shutdown fights. I urge my colleagues to support the bill.

#### HONORING FREDERICK KARL

#### HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 14, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the life and accomplishments of Mr. Frederick Karl. His extensive contributions to numerous private and public agencies, including all levels of government in Florida, have left an unforgettable legacy for community leaders across the country to learn from and follow.

Mr. Karl was born in Daytona, Florida, where he attended high school and was voted "Most Personal" by his senior class. He was born into the Great Depression, but also born into a family of public service; his mother, Mary, was a public school teacher who later founded a vocational school, now Daytona State College. She was inducted into the Florida Women's Hall of Fame in 2011.

The attack on Pearl Harbor compelled Mr. Karl to join the U.S. Army in 1942 and he was commissioned as a lieutenant at age 18. After fighting throughout Europe, he came home at the end of World War II, bearing the silver and bronze stars for valor and a Purple Heart for injuries he sustained from German shrapnel during the Battle of the Bulge. Upon his return, he pursued higher education and earned a law degree from Stetson University. He started a distinguished career practicing law.

By 1956, Mr. Karl's calling for public service steered him towards politics. He was elected to the Florida House of Representatives, where he served for eight years. His devotion to fairness and high ethical standards earned him the reputation as "Conscience of the House"—this would become his legacy.

Serving as a state representative was the beginning of a long career in public service for Mr. Karl. After a run for the Governor's office, beginning in 1968, he spent four years in the state Senate. He presided over the trials of 52 officials suspended by the Governor, establishing a Rules for Suspension and Removal of Public Service from Office. In 1974, he was named Florida's first public counsel, a lawyer who argues for citizens on utility rate cases before the Florida Public Service Commission. In 1976, he became the last state Supreme Court Justice to be elected by Florida voters.

In between service at the state level, Mr. Karl also contributed to his local community, as attorney for the Volusia County School District, and the Cities of Daytona Beach and Ormand Beach.

In 1984, Mr. Karl's stature was called upon after ethics and credibility rocked

Hillsborough County government following the arrest of several commissioners on bribery charges. Mr. Karl soon became Hillsborough County administrator, where he was known for his keen balance of thoughtfulness and decisiveness. He helped establish a new health care plan that integrated social services to provide a link to the various problems and challenges faced by indigent residents. The program has since been acclaimed nationally and served as a model for communities across the country. As a proponent of fairness, he took the lead on establishing diversity within county government, naming special officers that would ensure inclusion at all levels of government, from hiring, to procurement to leadership.

Today, a 28-story building where most Hillsborough County government business is conducted bears Mr. Karl's name. Capitalizing on the real estate recession of the early 1990s, he engineered the purchase of the building to bring together more than 1,700 employees and more than 30 county departments and agencies under one roof, saving taxpayers money and increasing customer convenience for those seeking multiple services from their county government.

Even after more than 50 years of dedication, Mr. Karl left Hillsborough County and continued sharing his wisdom and leadership. He served as president of Tampa General Hospital, lead attorney for the City of Tampa and a consultant for Poe Financial Group in Tampa as well as the Tampa-Hillsborough County Expressway Authority.

Mr. Karl passed away March 7, 2013, at age 88. He was a true professional who provided his tremendous legal skills, service and talent to our community, as well as to so many communities throughout Florida. We were fortunate to benefit from his commitment to fairness, diplomacy and fortitude, and we should forever be grateful for his contributions.

#### INTRODUCTION OF THE PRESERVATION OF ANTIBIOTICS FOR MEDICAL TREATMENT ACT OF 2013

#### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 14, 2013

Ms. SLAUGHTER. Mr. Speaker, I rise today to introduce the Preservation of Antibiotics for Medical Treatment Act of 2013. We are on the verge of losing one of the greatest medical advancements in history, the development of antibiotics, by wasting them on healthy animals.

Antibiotic resistance is a major public health crisis. Every year, two million Americans acquire bacterial infections during a stay in a hospital or long-term care facility. In the past, these infections were easily cleared with antibiotics. Now, as many as 100,000 people will die each year from these infections because 70 percent of them are resistant to one or more of the drugs commonly used to treat them. Alarming, multidrug-resistant bacteria, called CRE, have recently been found in 1 in 20 American hospitals and 1 in 6 long-term

care facilities. These "nightmare bacteria," so termed by Centers for Disease Control Director Dr. Thomas Frieden, are resistant to all antibiotics, including our antibiotics of last resort. A full 50 percent of patients who get sick with these infections will die.

As Dr. Frieden recently warned, "we have a limited window of opportunity" to fix this problem. In many cases, even "our strongest antibiotics don't work and patients are left with potentially untreatable infections." We must act now to ensure that antibiotics are not being made obsolete.

Yet, in a time when our most important medicines should be preserved and protected, they are routinely used in massive and indiscriminant quantities in agriculture, with little oversight. These precious resources are used at sub-therapeutic levels on healthy animals as a way to compensate for crowded and unsanitary living conditions or to promote growth. According to an analysis by the Food and Drug Administration, 13.5 million kilograms of antibiotics were sold for use in livestock and poultry in 2010, compared to 3.3 million kilograms sold for use in humans. It is unacceptable that 80 percent of the antibiotics sold in this country are used in agriculture on otherwise healthy animals, rather than being preserved for the treatment of critical human illnesses.

The overuse of antibiotics in agriculture has been conclusively shown to harm human health. A 2002 publication in the *Clinical Infectious Diseases* journal analyzing more than 500 scientific articles concluded that "many lines of evidence link antimicrobial resistant human infections to food-borne pathogens of animal origin." In fact, the Food and Drug Administration acknowledged the threat of antibiotic resistant disease and called for a reduction in the use of antibiotics in agriculture, in 1977. Yet, despite nearly 40 years of evidence, there has still not been any substantive action to halt the abuse of antibiotics.

For this reason, I am again introducing the Preservation of Antibiotics for Medical Treatment Act. This legislation would phase out the use of the eight classes of medically important antibiotics that are currently approved for non-therapeutic use in animal agriculture. The bill clearly defines the term "non-therapeutic use" to ensure that sick animals may be appropriately treated, but that any use of medically important antibiotics outside of treatment of a sick animal is not permitted.

Penicillins are commonly used to treat illnesses from routine cases of strep throat to highly dangerous and infectious meningitis. Tetracyclines are used to treat people exposed to anthrax. Macrolides and sulfonamides are used to treat pneumonia in HIV-infected patients. We must maintain these weapons in our arsenal against illness, or we will soon find ourselves in circumstances such as those described when World Health Organization Director-General Dr. Margaret Chan warned that "Things as common as strep throat or a child's scratched knee could once again kill."

When we go to the grocery store to pick up dinner, we should be able to buy our food without the worry that eating it will expose our family to potentially deadly bacteria that will no longer respond to our medical treatments. Un-

less we act now, we will unwittingly be permitting animals to serve as incubators for resistant bacteria.

It is time for Congress to stand with scientists, the World Health Organization, the American Medical Association, and the National Academy of Sciences to do something to stop the spread of antibiotic resistant bacteria. Protecting the public's health is one of the greatest responsibilities of this body. I urge my colleagues to stand with me to support The Preservation of Antibiotics for Medical Treatment Act.

#### TRIBUTE TO INTERNATIONAL ASSOCIATION OF WORKFORCE PROFESSIONALS

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a professional organization that is celebrating its 100th anniversary this year. The International Association of Workforce Professionals (IAWP) is dedicated to developing our global workforce through education, research, legislative action and international networking. I applaud their efforts and join with them in celebrating this centennial milestone.

IAWP was founded in 1913 in Chicago by W.M. Leiserson, who was the Superintendent of Wisconsin Employment Offices. He brought together professionals working in public and private workforce development programs to form a non-profit educational association. Its mission remains as it has been from the beginning to "develop professionals for today and tomorrow."

Since its founding, IAWP has consistently worked to uphold the founding principles; to provide members with education, leadership opportunities, information exchange and recognition of excellence in the workforce development field.

The members of this organization have provided a plethora of services to millions of American workers, including new entrants, unemployed and employed by providing job placement assistance, training or retraining, career information, intensive services to dislocated workers, unemployment insurance benefits and disaster unemployment benefits, youth training opportunities such as job corps and summer jobs, trade act adjustment payments and training, counseling, veterans placement and training services, on the job training contracts, job analysis, recruitment, rapid response team for large layoffs, assistance to disabled workers, labor market and career services and administrative support to the workforce system.

In this global economy, I am pleased to see IAWP working across borders to ensure that the professionals of tomorrow are prepared both in the United States and abroad. The organization has members from many other countries who attend their conferences and contribute information to their publications providing a forum to broaden the discussion of and insight into workforce issues. The IAWP has held international conferences, chapter

and district conferences and institutes to provide training and networking opportunities. The organization also publishes an informative newsletter to keep members informed of issues related to workforce development and education materials.

Mr. Speaker, I ask you and our colleagues to join me in commemorating the 100th anniversary of the International Association of Workforce Professionals. This organization has provided tremendous guidance and support to its members throughout its long history. It is my hope that IAWP continues its good work for another century and beyond.

#### HONORING THE PHILANTHROPY OF RALPH AND JOY ELLIS

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. MARCHANT. Mr. Speaker, I am proud to recognize Ralph and Joy Ellis as one of the most caring and giving couples in North Texas, and it is my distinct honor to highlight their significant contributions to the Lyric Stage of Irving, Texas. Furthermore, I would like to congratulate them for receiving the prestigious Lyric Stage Spotlight Award for philanthropic contributions to the arts at the Lyric Stage 20th Anniversary Gala on March 22, 2013.

Irving Lyric was founded in 1993 by Irving native Steven Jones to preserve and develop American musical theater. In 2007, the National Endowment for the Arts recognized Lyric Stage by awarding a grant to the theater to host Rodgers and Hammerstein's *Carousel* with a 40-piece orchestra. Ralph and Joy Ellis were so impressed with the performance that they have personally contributed the resources necessary for Lyric Stage to continue featuring a full orchestra at each production playing the original Broadway orchestrations.

Ralph and Joy's support has helped Lyric Stage provide the City of Irving and all of North Texas access to amazing original Broadway musical productions. In fact, in the 2012 season, audience members from 20 states and 347 zip codes traveled to Irving to attend productions at Lyric Stage. Irving is proud to say that 90 shows have been produced locally, including 20 world premieres, several of which have gone on to theaters in New York and London.

Lyric Stage is not the only program that Ralph and Joy Ellis have influenced through their generosity. They have made numerous contributions to local charities including the Salvation Army, Irving Cares, Brighter Tomorrows, Irving Symphony Orchestra, Irving Healthcare Foundation, Irving Family Advocacy, The North Hills School, and Crossroads Interfaith Clinic. The majority of their philanthropy, however, has been to endow several student scholarships at Texas A&M University, Southern Methodist University, and to graduates from the Irving Independent School System and Carrollton-Farmers Branch School System.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking

Ralph and Joy Ellis for their charitable contributions to North Texas programs. Their influence in the community has enhanced the quality of life for many Texans, and we are extremely grateful for this caring couple.

INTRODUCTION OF THE  
PERSONALIZE YOUR CARE ACT

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. BLUMENAUER. Mr. Speaker, advances in health care have led to increasingly complex health care decisions and more treatment options than we have ever before had the benefit—or the burden—of choosing between. Both Democrats and Republicans agree that individuals should be fully involved in decisions related to their own health care and should be able to make informed decisions about that care reflecting their values and their needs. We also agree that when people have expressed their wishes, particularly in a formal and legally binding manner, those wishes should be known and respected.

While there is widespread agreement regarding these principles, too often this is not the reality. Most adults have not completed an advance directive; if documents are completed, they are not regularly revisited and can be difficult to locate. Because these issues are difficult to discuss, surrogates often feel ill-prepared to interpret their loved ones' written wishes.

It is for these reasons that I am introducing the bipartisan Personalize Your Care Act, legislation that would support individuals and their doctors having voluntary conversations about patients' wishes and health care decisions.

Failing to have conversations about these decisions ahead of time can leave families and health care proxies faced with the burden of determining their loved ones' wishes in the midst of crisis, sometimes with little or no information about how best to direct care. This adds not only stress and anxiety to an already difficult situation, but studies show that lack of advance care planning actually prolongs the grieving process after losing a loved one.

One of the greatest misconceptions about advance care planning is that it is a one-time event. Attempting to plan for all possibilities in a single document or within a single conversation is overwhelming and, quite likely, impossible. Where possible, this should be an ongoing conversation. Careful, early advance care planning is important because a person's ability to make decisions may diminish over time and he or she may suddenly lose the capability to participate in his or her health care decisions.

Successful advance care planning is less about legal documentation and more about facilitating ongoing communication about future care wishes among individuals, their health care providers, and surrogates. The Personalize Your Care Act recognizes that documents like advance directives and physician orders for life-sustaining treatment are not "ends" but "means"—the tools individuals can use to document their care preferences based

on informed decisions incorporating their own values and current circumstances. It is important that individuals work with their care providers to update these documents as treatment options and personal preferences change.

This process not only provides higher quality care, but personalized care.

The Personalize Your Care Act aims to support advance care planning by providing Medicare and Medicaid coverage for voluntary consultations about advance care planning every 5 years or in the event of a change in health status. This periodic revisiting of advance care documents and goals of care recognizes that an individual's preferences can change over time. It also recognizes that the advance care plan should be updated if an individual develops a serious or chronic illness, if additional curative and palliative treatment options become available, and to consistently reflect the individual's current circumstances and preferences.

Honoring the expressed wishes of individuals must also be a priority. For this to occur, advance care planning documents must be accessible wherever care is provided. The legislation ensures that an individual's electronic health record is able to display his or her current advance directive and/or physician orders for life sustaining treatment (POLST), so that his or her wishes are easily accessible and respected. Furthermore, under the legislation, advance directives would be portable, ensuring that advance directives completed in one state are honored in another state, in the event care is needed to be provided there.

The legislation also provides grants to states to establish or expand physician orders for life sustaining treatment programs. For instance, the National POLST Paradigm Program Task Force provides consultation, guidance and mentorship to developing states for program and form development, recognizing the uniqueness of each state. These programs have a track record of promoting patient autonomy through documenting and coordinating a person's treatment preferences, clarifying treatment intentions and minimizing confusion, reducing repetitive activities in complying with the Patient Self Determination Act, and facilitating appropriate treatment by emergency personnel.

These investments in advance care planning will reinforce patient-centered care—engaging individuals in planning and decision-making about their future care and ensuring that those preferences are documented, accessible, and can be honored in any state and in any care setting. The Personalize Your Care Act is supported by members of Congress on both sides of the political aisle and by patient advocates, physicians, nurses, and the faith community who see every day how advance care planning improves individuals' and families' peace of mind and the quality of their care.

HONORING LORI BELL

**HON. CORY GARDNER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. GARDNER. Mr. Speaker, I rise today to honor Lori Bell, a forest ranger with a strong dedication to her community and to the preservation of the grasslands. As the district ranger of the Pawnee National Grassland, Lori has established lasting relationships with the Weld County Commissioners and grazing associations.

Growing up in northern Wisconsin, Lori developed a love of the forest and joined the United States Forest Service as a forest ranger. She has worked in South Dakota, Idaho, California, Florida, Wyoming, and Alaska before settling in eastern Colorado.

As the district ranger, Lori has focused on building relationships with officials in Weld County. Her passion for her work and dedication to continuously improving relationships with the various organizations in Weld County have earned her praise from those who work with her. She was recently profiled in the Greeley Tribune for her efforts to balance the needs of the many groups that make use of the land.

Good stewardship of our lands is everyone's duty. Lori's leadership has provided an excellent example for all of us.

I am pleased to recognize Lori Bell for her hard work and dedication. I wish her continued success as district ranger of Pawnee National Grassland.

HAPPY 100TH BIRTHDAY TO JOHN  
CROW

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. STIVERS. Mr. Speaker, I rise today to wish Vinton County resident, Mr. John Crow, a very happy 100th birthday.

Mr. Crow was born in Eagle Township on March 4, 1913. His family moved to Trumbull County briefly when his father went to work in the mines. After returning to Vinton County, Crow decided to enter politics and was elected mayor of McArthur at age 23. He was the youngest mayor of a county seat in Ohio at the time, and he served for 12 years. He then worked in the treasurer's office for four years, eventually serving in the state auditor's office and spending a total of 49 years in public service.

Crow was also a longtime businessman, having owned a Firestone tire store and a Marathon service station in McArthur. He also operated a star mail route, a rural delivery service contracted out by the U.S. Postal Service.

Mr. Crow has led an incredible life of public service. His genuine love of helping people has served him well, and he continues to bring joy to those around him with his handmade rocking horses that he gives to children throughout the community.

I would again like to wish John Crow a happy 100th birthday. He is a great example of the remarkable, hardworking people of Ohio's 15th district who I am proud to represent, and I am thankful for his many years of public service to Vinton County and to the state of Ohio.

#### INTRODUCTION OF NORTHERN ROCKIES ECOSYSTEM PROTECTION ACT

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the destruction caused by natural disasters across the country affirms the need to address climate change. Conservation efforts that protect wildlife ecosystems help to mitigate these climate concerns as well as provide lands for all Americans to enjoy.

Today, I am proud to introduce legislation that helps preserve the northern Rockies—one of our country's vital environmental regions. The Northern Rockies Ecosystem Protection Act will safeguard 23 million acres by establishing a system to connect biological corridors on public lands in Idaho, Montana, Wyoming, Oregon, and Washington. It prioritizes the health of whole ecosystems by designating all of the inventoried roadless areas as wilderness, including wild and scenic rivers. This designation helps ensure the preservation of native plants and animals.

It's our responsibility to preserve our country's natural treasures for our own and future generations. I thank my colleagues Reps. MARKEY, GRIJALVA, CAPPs, and NADLER for their support, and I urge others to join us in helping to protect these lands.

#### H.R. 803, "THE SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS ACT"

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. CONYERS. Mr. Speaker, I rise today in strong opposition to H.R. 803, "The Supporting Knowledge And Investing in Lifelong Skills Act."

I join with the National Skills Coalition, a national network of business leaders, union affiliates, community colleges, community-based organizations, and public workforce agencies who oppose H.R. 803. This bill eliminates more than thirty-five federal job programs. H.R. 803 gives states too much discretion to decide who would receive jobs services, and what kinds of programs would be offered. I also agree with the National Skills Coalition that consolidation, in and of itself, will not produce reform.

Block granting 35 programs, including those designed to serve adults, youth farmworkers, dislocated workers, and other disadvantaged populations without any independent evalua-

tions of whether or not these programs would benefit from consolidation is bad public policy.

I am particularly concerned that H.R. 803 would have a harmful impact on job and training opportunities for our most vulnerable citizens, including the long-term unemployed, veterans, individuals with disabilities, low-income youth, and adults from underserved communities.

H.R. 803 eliminates the Disabled Veterans Outreach Program, and other supported employment programs that benefit people with disabilities.

We must ensure that every veteran who has served our nation with distinction can return home and be able to quickly find a good job at a livable wage. Therefore, we in Congress, in good conscience, should do everything in our power to strengthen funding for WIA programs that help veterans find jobs—not eliminate them.

Clearly, at risk youth and adults lead more productive and law-abiding lives, when they have the dignity and hope that comes with being employed. H.R. 803 also completely eliminates the priority of service delivery for low-income adults and youth. Youth will now have to compete against adults for Workforce Investment Fund funding. This is not the time to eliminate training opportunities for low-income adults and youth, especially during one of the worst economic downturns since the Great Depression.

I must respectfully ask the following question: what job programs have my friends on the other side of the aisle put forward to create jobs for our nation's veterans, and the millions of Americans who are currently out of work? I have not seen one direct job-creation program being proposed by conservative lawmakers, and I continue to see fierce opposition to any direct job creation programs proposed by President Obama and my other colleagues in the House of Representatives.

H.R. 803 is simply another example of "you're on your own," "fend-for-yourself" public policy that is bad for business, bad for the economy, and harmful to the unemployed.

Respectfully, I would request that Congress give serious consideration to legislation that would create millions of "fast track" jobs for unemployed veterans, youth, and adults. We can put America back to work now rebuilding our nation's infrastructure, schools, housing, and communities. I therefore urge Congress to pass a comprehensive direct job creation bill now, like the program I have proposed in H.R. 1000, "The Humphrey-Hawkins Full Employment And Training Act."

I urge this body to vote "no" on H.R. 803.

#### TRIBUTE TO THE CITY OF LAKE ELSINORE ON ITS 125TH ANNIVERSARY

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. CALVERT. Mr. Speaker, I rise today to honor the City of Lake Elsinore, the second oldest city in Riverside County. On April 9, 2013, the City will celebrate its 125th anniversary.

Lake Elsinore has a rich and colorful past, and will continue to contribute to the landscape, diversity and history of our county and the state of California.

Settlers came to Lake Elsinore in the early 1800s for the natural springs which were said to have healing qualities. Rich and fertile farm lands and natural resources such as clay, coal, sand and gravel, kept the early settlers here. The birth of these industries brought the Butterfield stagecoach line through town. In 1858 a stop was established at the Juan Machado Adobe along Grand Avenue, part of which can still be seen today. In 1882 a rail line was extended through town and soon the Santa Fe train station was constructed one block off Main Street. Today, that station serves as the home of the Lake Elsinore Chamber of Commerce.

These early settlers established a town site around the lake, which they named Elsinore, after the town of Elsinore in Denmark immortalized by Shakespeare in his play Hamlet. On April 9, 1888 the town was incorporated, five years before the County of Riverside even existed.

In the 1920s and 1930s, Lake Elsinore was a weekend getaway for some of Hollywood's best-known stars. Famous residents included actor Bela Lugosi and founder of the Four-square Church and radio personality Aimee Semple McPherson. According to local legend, some of the grand homes on the hills surrounding Lake Elsinore were also allegedly used as speakeasies and gambling dens during Prohibition. Their high perch above the valley floor afforded the occupants the opportunity to see the headlights of the County Sheriff from miles away.

In 1971, the Elsinore Grand Prix launched Lake Elsinore into the national spotlight when Bruce Brown released his movie "On Any Sunday" featuring Baja Champion Malcolm Smith and Steve McQueen. Today, the last race of the Grand Prix is called the Harvey Mushman, an alias McQueen often used when riding.

In 1972, citizens approved Lake Elsinore as a new name for the city to promote it as a prime destination for tourists. The city offers venues for professional baseball, Motocross, skydiving, sail planes, bowling, golf, water skiing, jet boats, fishing and even bow fishing. I encourage tourists from all over to come and enjoy southern California's only natural lake and the recreational paradise that is Lake Elsinore. I am honored to represent Lake Elsinore once again in the House and look forward to serving its residents as the Member of Congress for the 42nd District of California.

#### FY2014 BUDGET RESOLUTION

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mrs. LOWEY. Mr. Speaker, by re-affirming this year's across-the-board cuts and slashing even more deeply into critical priorities like schools, roads and bridges, and medical research, the House budget resolution is a blueprint for stalled growth, joblessness, and abandonment of American families.

Since 2010, Congress has cut discretionary spending by \$1.5 trillion over ten years. The Fiscal Year 2011 Appropriations bills lowered Congressional Budget Office (CBO)-projected spending by \$550 billion over 10 years, and the Budget Control Act (BCA) of 2011 lowered future spending by an additional \$900 billion over 10 years.

Congress' failure to replace this year's across-the-board budget cuts mandated through sequestration with a balanced alternative slashed an additional \$68 billion in discretionary services and investments in Fiscal Year 2013. The nonpartisan, independent Congressional Budget Office (CBO) reported this will result in 750,000 fewer American jobs this year alone.

The Republican budget resolution would further exacerbate these dangerous cuts. Under the caps already in place, spending on non-defense discretionary services and investments, relative to the size of the economy, will fall to the lowest level on record—and records go back to 1962. Nevertheless, the Ryan budget would cut an additional \$1 trillion over 10 years from funding levels agreed to by Democrats and Republicans through the Budget Control Act.

With proposed funding levels this irresponsible and dangerous, it is not surprising that Republicans failed to identify the services they would cut. This budget presents a false choice between services and assistance that Americans rely on, like veterans' benefits, homeland security, schools, medical research, law enforcement, and Pell Grants.

Despite unprecedented discretionary spending cuts since 2010, the Republican budget proposal would continue to inflict wounds on our economy by deepening cuts to initiatives that support job growth and help middle class families.

#### IN RECOGNITION OF WHTB RADIO

### HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize WHTB Radio. For the past twenty five years, WHTB has provided a vibrant forum for the Portuguese-speaking community in Southeastern Massachusetts.

WHTB has its roots in a weekend radio program on Portuguese topics, and has been broadcast from sister station WSAR in Fall River. Mr. Frank Baptista was at the microphone for that first broadcast on March 17, 1988. Mr. Baptista's program allowed residents of Portuguese heritage to connect with one another and discuss politics, culture, and neighborhood matters. He has guided the station through the years and still provides a lively voice as WHTB works to expand its programming. One of WHTB's programs, Radio Voz Do Emigrante (or "Voice of the Immigrant") is widely recognized as a premier ambassador of Portuguese culture in the region. WHTB's efforts truly enrich the lives of its listeners and provide a link home for Fall River's latest residents hailing from Brazil, the Azores, Cape Verde, Madeira, and beyond.

Mr. Speaker, it brings me great pride to congratulate WHTB's dedicated staff, passionate volunteers, and gracious community supporters for a quarter century of broadcasting excellence. I ask that my colleagues join me in honoring this greatly admired radio station.

#### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,700,634,854,470.52. We've added \$6,073,757,805,557.44 dollars to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### IN RECOGNITION OF THE BETHLEHEM LUTHERAN CHURCH'S 50TH ANNIVERSARY

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my sincere congratulations to the congregation of the Bethlehem Lutheran Church in Columbus, Georgia, as the church's membership and leadership celebrates 50 years of providing spiritual guidance and moral counseling to the residents of Muscogee County, Georgia. The congregation of Bethlehem Lutheran Church will celebrate their 50th anniversary on Saturday, March 16, 2013, at the Columbus Convention and Trade Center.

This upcoming anniversary ceremony will enable church members, local religious leaders, elected officials and other individuals throughout the Columbus, Georgia, metropolitan area to pay tribute to the members of Bethlehem Lutheran Church who have positively contributed to the spiritual maturation and personal development of those in the Columbus, Georgia, metropolitan area and beyond.

The Bethlehem Lutheran Church traces its historical roots back to 1963. It was founded by the Reverend Robert Collins, who canvassed the entire city in search of members for his new congregation and conducted Confirmation classes in his home as the church was being built. The first Confirmation class consisted of Henry and Lydia McCullough, Joann Doleman, Thomas Mathis and Robert Sherald. Sadly, Mr. McCullough, Ms. Doleman, and Mr. Sherald have passed away but Mrs. McCullough and Mr. Mathis remain faithful to the congregation today.

Over the years, Bethlehem Lutheran Church has seen many great spiritual leaders come and go, each having a lasting impact in their

own way. In 2001, the Reverend Bradley Arnholt answered the calling to minister to the good people of Bethlehem Lutheran Church, and he still serves as pastor today.

Also in 2001, the church was blessed to remodel the multi-purpose room and significantly increase their outreach programs. Today, the church continues to support the community and leans on the declaration in 1 Corinthians 2:9 that, "No eye has seen, no ear has heard, no mind has conceived what God has prepared for those who love Him."

The story of Bethlehem Lutheran Church is a truly inspiring one of the dedication and perseverance of a faithful congregation of people who put all their love and trust in the Lord. They have put to practice the Word of Hebrews 10:24: "And let us consider how to stir up one another to love and good works, not neglecting to meet together, as is the habit of some, but encouraging one another, and all the more as you see the Day drawing near."

Mr. Speaker, today I ask my colleagues to join me in paying tribute to the Bethlehem Lutheran Church in Columbus, Georgia, for all the many things this church's members have done and will continue to do to positively impact the lives of those seeking spiritual guidance and in need of charitable assistance.

#### HONORING THE LIFE OF DR. JIRO JERRY KANEKO

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. GARAMENDI. Mr. Speaker, I rise today to honor the life of Dr. Jiro Jerry Kaneko, who passed away on January 18th, 2013 at the age of 88. I ask my colleagues to join me in recognizing the service and contributions of Dr. Kaneko to his country, his immediate community and the field of veterinary medicine.

Jerry Kaneko led a life of service and dedication that has made him an inspiring role model in our community. Dr. Kaneko was the son of Japanese immigrants who operated a family farm in French Camp, CA. Shortly after Jerry completed high school, the family was ordered to a World War II internment camp in Arizona. Even when faced with the injustice and humiliation of internment and loss of the Kaneko family farm, Jerry Kaneko joined the United States Army and at the end of the war served in occupied Japan.

After returning from the war, Dr. Kaneko entered UC Davis where he graduated with a doctorate in veterinary medicine and an another doctorate in comparative biochemistry. Dr. Kaneko was invited to join the faculty of the UC Davis School of Veterinary Medicine where he co-authored a seminal textbook that is now in its sixth edition, has been translated into several languages and serves as a standard reference in the field. Dr. Kaneko's research and instruction has reached institutions of veterinary science around the world. Even as an Emeritus Professor, he remained active in international veterinary research, writing, speaking and consulting in international scientific societies.

In retirement Dr. Kaneko became active in public service. In 1994 he was elected to the

Davis City Council for a term of four years. He served on the Area Four Agency on Aging Advisory Board and the Board of Directors for Davis Community Meals & Shelter, among a number of organizations, representing his community on the local and state levels. Shortly before his passing Dr. Kaneko received a Board of Directors Recognition Award from the Yolo County Mexican-American Concilio, an organization that provides educational scholarships and grants to students in need. In every endeavor Jerry Kaneko was revered for his generosity, quick smile and infectious enthusiasm.

Mr. Speaker, I am honored to recognize a man who had a powerful positive impact on his profession and his community. I ask my colleagues to join me in recognizing Dr. Kaneko's life and many achievements.

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HAPPY 100TH BIRTHDAY WISHES  
TO ANNA HUBBARD

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**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. STIVERS. Mr. Speaker, I rise to wish a very special constituent, Anna Hubbard, a happy 100th birthday.

Hubbard was born March 13, 1913, to Jordan Hager and Malinda Arizona Coleman in Jamboree, Kentucky. She was one of ten children, nine of whom survived, living in a three-room house with no living room. Her family used any means at their disposal to put food on the table, such as selling the excess vegetables from their garden.

After eighth grade graduation, Anna took a couple years off before moving on to Phelps High School, where she cooked, cleaned, and laundered bed clothes to earn her \$12 monthly room and board fee. She graduated in three years.

Anna raised her four children by herself after she was widowed when her husband, Pike County Deputy Sheriff Home Wolford, was shot and killed in the line of duty. To help support her family, she opened up a lunch room called Cozy Corner.

In 1944, Anna married Dewey Hubbard. He worked in the mines for the next 20 years, and they were able to buy a nice home. She moved to London, Ohio, two years ago to be closer to her son, Bill.

Anna's hard work and perseverance serve as a lesson to us all. Despite her hardships, she always provided for her children and, above all, valued family and education. I would again like to congratulate Anna Hubbard on her 100th birthday, and I ask that all Members of Congress stand with me to congratulate her for her hard work and exceptional life. She is an outstanding example of the accomplished people who make Ohio's 15th Congressional District truly exceptional.

TRIBUTE TO WARREN COUNTY'S  
BICENTENNIAL

**HON. WILLIAM L. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. OWENS. Mr. Speaker, I rise today to recognize the Bicentennial Celebration of Warren County, NY.

Established on March 12, 1813, by the New York State Legislature, Warren County was named in honor of General Joseph Warren, an American Revolutionary war hero at the Battle of Bunker Hill.

The county's history includes many periods in our nation's history—such as the French-Indian War, the American Revolution, the Civil War (nearly 20,000 people from the county served), the coming of the industrial age and the construction of the transcontinental railroad. In 1901, it was then Vice President Theodore Roosevelt, commuting from the summit of Mount Marcy to Buffalo to see President William McKinley, who received news of the President's death at the North Creek Train Station, leading to his becoming our nation's youngest president. Now, Warren County lives on in the 21st century, amidst globalization and the information age.

In its time, Warren County has successfully grown, balancing progress and modernization while cherishing and preserving its natural beauty and heritage. Today, the county boasts four mountain ranges and seven major lakes, drawing visitors and tourists from all over the world to the fresh mountain air for boating, camping, hiking and other recreational activities. The county has grown to contain 11 towns, one village, and one city, with vibrant cultural, educational, social, and historic offerings and attractions.

I ask my colleagues to join me in congratulating the people of Warren County on this remarkable milestone in their community's proud history, and wishing them all the best in the many years ahead.

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RECOGNIZING PAT MOODY

**HON. FRED UPTON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. UPTON. Mr. Speaker, I rise today to recognize a legend in Michigan broadcasting, Pat Moody, on forty remarkable years of service to the greater Michiana area.

A native of Grand Rapids, Michigan, Pat came to Berrien County in 1973 as news director of WSJM Radio. We didn't let him get away. Now four decades later, Pat is the area's most well-recognized on-air personality and host of the popular "Moody in the Morning" radio show.

Thousands of households and commuters tune in every morning as Pat informs, enlightens, and entertains. Like that first cup of coffee or newspaper over breakfast, Pat has become a morning staple for folks in Michigan's Great Southwest.

While perhaps best known as the area's favorite radio personality, Pat is also widely rec-

ognized as a passionate and engaged member of his community and an outspoken champion of all things Michigan.

Pat has served as Executive Vice President of the Cornerstone Chamber of Commerce for nearly two decades; authors a weekly business column, "Moody on the Market;" and has participated in a diverse array of civic organizations and boards, including Lake Michigan College, the Lakeland Regional Health Foundation, Michiana public broadcasting, and the Berrien Community Foundation, just to name a few.

Pat's hard work and selfless commitment to make Southwest Michigan a better place to live, work, and play has rightfully earned him the respect and admiration of the entire region.

It is truly an honor to recognize Pat Moody on reaching this tremendous milestone; to have worked alongside him on so many issues and to call him friend for so many years. Well done and congratulations! He is a local treasure, and we look forward to many, many more years of waking up to his welcoming voice.

But, he's more than just a voice . . . he's a Friend.

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INTERNATIONAL CONSERVATION  
CORPS ACT OF 2013

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. MORAN. Mr. Speaker, today I join Representative ANDER CRENSHAW in introducing the "International Conservation Corps Act of 2013" (ICCA), legislation that will mobilize our large and growing community of retired conservation experts, in a voluntary capacity, to support the efforts of developing countries to sustainably manage their natural resources.

There is a significant deficit in the capability of most developing countries to successfully manage their natural resources, which is fundamental to sustainable development, poverty alleviation, conflict avoidance, good governance, and regional security. Countries with a great wealth of natural resources are often cursed with devastating poverty, corruption and civil war arising from disputes over control and distribution of these resources.

The International Conservation Corps Act will harness the vast experience of the United States in natural resource management and direct it to developing countries to help them operate and develop more sustainable programs. Modeled after the Peace Corps, the ICCA program would offer retired land managers, geologists, biologists, and park rangers the opportunity to volunteer their services to the foreign country. The ICCA would cover the expenses necessary to deploy volunteers in other countries such as airfare, food, and lodging. The program will utilize volunteers who have long practical experience and are respected in their fields, and who are enthusiastic about opportunities to apply their knowledge and skills to assist other countries.

Under this proposal, the State Department would screen foreign government requests for

assistance. Cleared requests would be forwarded to the Interior Department which would craft a prospectus that awards competitive grants to the nonprofit that assemble the best volunteer teams and most meritorious applications. Federal administrative costs would be minimal, ensuring tax payer funds are spent almost exclusively on "boots on the ground."

This modest proposal offers a highly effective way to stretch our limited foreign aid dollars to advance our national security interests, promote better environmental stewardship, avoid conflicts, encourage sustainable development and alleviate poverty.

I urge my colleagues to support this important legislation. Let's take advantage of this unique opportunity presented by a highly qualified corps of U.S. professionals to help developing countries establish good governance.

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AVIATION SECURITY STAKE-  
HOLDER PARTICIPATION ACT OF  
2013

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, today, I am introducing legislation that strengthens our transportation security.

The 9/11 Commission identified key vulnerabilities that existed across our transportation security and how they were exploited by the 9/11 hijackers.

Soon after 9/11, industry representatives across the transportation sector, including labor, cargo and aviation representatives came together to support the Transportation Security Administration in developing a robust and layered security program that addressed threats and vulnerabilities across the aviation security.

The Aviation Security Advisory Committee, first established in 1989 after the Pan American World Airways Flight 103, has played a critical role in the development of transportation security policies and protocols.

However, under TSA, the ASAC remained inactive for several years and reportedly reorganized in 2008 and renewed with a charter in 2011 after receiving pressure from Congress to reconstitute this group.

This was done after stakeholders expressed ongoing frustrations to Congress about the lack in dialog between them and TSA in developing transportation security policies.

This legislation will establish the Aviation Security Advisory Committee (ASAC) into law and will ensure that TSA engages with critical stakeholders prior and throughout the modification of critical policy changes such as the one announced last week.

Specifically, my legislation authorizes the ASAC and requires the establishment of targeted working groups on air cargo, general aviation, perimeter security and risk based security, which will allow the ASAC to address security issues that require effective collaboration between the government and the private sector.

One glaring example that underscores the need for this legislation is TSA's recent deci-

sion to modify its prohibited items list and allow knives and sporting equipment that could be used as weapons through checkpoint security without a robust and formal engagement with stakeholders.

TSA decided that passengers would be allowed to bring knives with blades as long as 2.36 inches on airplanes. Further, TSA adjusted its "Prohibited Items List" to allow passengers to bring up to one hockey stick, one lacrosse stick, two golf clubs, and small souvenir bats as carry on items.

Not surprising, this announcement immediately received significant criticism from industry representatives, air carriers, passenger groups, flight attendants, pilots, law enforcement groups and even the representative for TSA's frontline screener workforce.

I too have expressed my deepest concerns with this policy, not just because TSA is allowing certain questionable items aboard a plane without a justification for its decision, but because TSA decided not to consult with stakeholder representatives prior to announcing changes to this policy.

The general public and stakeholders such as flight attendants, pilots, airlines, and air marshals are the most affected by this decision.

By authorizing the ASAC into law, we can ensure that TSA will not dismantle the important advisory committee and be required to utilize this valuable mechanism when developing policies that impact millions of passengers and critical stakeholders.

I want to also recognize my colleagues Congressman RICHMOND, Ranking Member of the Subcommittee on Transportation Security, and all other members of the Subcommittee, including Congresswoman JACKSON LEE and Congressman SWALWELL, as original cosponsors to this legislation.

Enactment of my legislation will increase security in the aviation system and mitigate ever-present terrorist threats.

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HONORING JOHN J. SERPA

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved leader in the San Joaquin Valley, John J. Serpa. Patriarch of the Serpa family, John passed away due to heart failure on March 5, 2013.

John was born in 1925 at the family's ranch house in the wilds of Siskiyou County. The first son of immigrants Joseph Cardoza Serpa and Luduvina Texeira, John attended school in Etna at Mound School, one of California's disappearing one-room schools in the Scarface Hamlin Gulch area of the Scott Mountain Range. Even as a young boy, John's concern was always the welfare of this family. The Great Depression had swept through the country like wildfire, causing the family to lose its ranch, its livestock and its way of life. John's sense of family responsibility sent him to work driving a derrick for more fortunate neighboring ranchers. He

earned 75 cents a day, which he gave his mother for groceries, although he himself was without shoes.

The family moved to Stockton in 1936, when John's father learned of an opportunity to obtain ranching property there. John soon became his father's right-hand man in managing the family's holdings. He graduated from Stockton High School, where he excelled in sports and business curriculum. He enrolled at College of the Pacific (now University of the Pacific), and quickly became a member of the university's renowned football team under the guidance of its famed coach, Amos Alonzo Stagg.

When the Japanese bombed Pearl Harbor, John's classmates were drafted into the military to serve their country in World War II. Although he was a principal in running his father's ranch and qualified for exemption from the draft, John interrupted his education to enlist in the United States Marines. He was sent to boot training at the Marine Corps Depot in San Diego, California. After completing basic training, John was transferred from San Diego to the Asiatic Pacific Theatre, seeing action in the Philippines and Okinawa, where he was severely injured.

When he returned home, John invested his military savings in ranch property that his father wanted to buy on Corral Hollow Road in Tracy. John loved law enforcement and soon left ranching to join the Tracy Police Department, where he quickly rose to the rank of Captain. He was an accomplished marksman, gun enthusiast, hunter and outdoorsman and spent his off-hours hunting elk with his brothers in the wilds of Idaho.

In January of 1952, he married Dolores Azevedo, the mother of his children, whom he met when they both were members of St. Bernard's Catholic Church. She preceded him in death on March 17, 2007.

A graduate of Delta College with emphasis on Police Science, John continued his law enforcement studies at San Jose State, UC Davis, Chabot College, Modesto Junior College, and Contra Costa Junior College. He also held an advanced certificate from California Peace Officers Standards and Training, as well as an NRA Lifetime Masters Shooters Certificate in the police combat category, under which he created and trained a police combat shooting team, winning many state championships.

John retired from the Tracy Police Department after 20 years of dedicated service, during which he greatly advanced the department's training program. After retirement, John's interest in business and community service moved him to the city of Lathrop, where he invested in real estate and became a leader in civic activities. He served two terms on the San Joaquin County Grand Jury, one term as its Vice Chairman; served on the County Board of Zoning Adjustments and the Lathrop Planning Commission; served two terms on the board of the Lathrop County Water District; served on the Lathrop Advisory Committee and Lathrop City Incorporation Committee; and was a powerful voice in numerous municipal legislative hearings. He was a past president of the Interstate 5 Association and a past president of a number of community service clubs, including the Rotary, the Kiwanis, and the Lions Clubs.



John received numerous honors and national recognition for his continuing involvement over three decades with the United States Marine Corps League. He was named Honorary National Past Commandant of the League at its national convention in Rochester, Minnesota—only the fourth time in the history of the Marine Corps League that a member has been granted that title.

John is survived by his current wife of 27 years, Linda “Lyn” Ann-Marie Serpa; his children Gaylene Serpa of Tracy, Michael Serpa of Galt, Paul Serpa of Manteca, and John Thomas Serpa of Lathrop; and stepchildren Scott Rosenquist, Kristen Wight, Wendy Frink, and Susan Rosenquist. Other survivors included grandchildren Nicole Vertar, Gregory Serpa, Marissa Serpa, Nicholas Serpa, Anthony Serpa, and Matthew Serpa; one great-granddaughter, Aria Serpa; 11 step-grandchildren and two step great-grandchildren; sisters Alma Carroll of San Francisco, Mary Compton of Fair Oaks and Margaret Buckingham of Cambria; and brother Edwin Serpa of Tracy.

Mr. Speaker, please join me in honoring John Serpa for his unwavering leadership, and recognizing his accomplishments and contributions. He will be remembered as a highly respected Tracy businessman, deeply involved in community and civic affairs, and well known for his efforts in bettering and developing services for veterans under the auspices of his beloved Marine Corps League.

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LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO PREVENT THE PAYMENT OF UNEMPLOYMENT COMPENSATION TO INDIVIDUALS DISCHARGED FOR DRUG OR ALCOHOL USE

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**HON. GUS M. BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. BILIRAKIS. Mr. Speaker, I introduced today legislation that would prevent the payment of unemployment compensation to individuals fired for drug or alcohol use. Under current federal law, employees who are terminated by their employer for “misconduct” cannot collect unemployment compensation. However, since federal law does not clearly define misconduct, each state must develop its own

definition. Consequently, more than one-third of states do not currently have a provision to prevent these individuals from receiving benefits, which are funded using scarce taxpayer dollars. These differing standards allow for lax treatment of these individuals when they apply for unemployment insurance benefits.

We must take steps to ensure that a fair and equitable standard is in place for unemployment insurance eligibility. This common-sense legislation would strengthen the unemployment compensation system; ensuring benefits go to those who have lost their job for reasons outside their control. Under this legislation, individuals fired for drug or alcohol use in connection with work would also be required to secure new employment and meet state criteria before becoming eligible for unemployment compensation again. However, it would not require the recipient to undergo drug testing to receive unemployment compensation benefits.

At a time when state and federal resources are strained, rewarding individuals who willfully violate the law and workplace policies is fiscally irresponsible and unfair to law-abiding citizens.

In short, this legislation would create a fair and equitable standard, which not only protects the taxpayer, but also ensures displaced employees who do follow the law and workplace policies can continue to receive this assistance. I look forward to working with my colleagues to move this legislation through Congress.

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NATIONAL SOCIAL WORK MONTH

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**HON. BILL FOSTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 14, 2013*

Mr. FOSTER. Mr. Speaker, I rise today on behalf of the thousands of Americans who benefit from the work of social workers in observance of March being National Social Work Month. Social work has been identified as the profession charged with serving as the safety net of our society, thus serving and advocating for society’s most vulnerable groups including children, the elderly, veterans, mentally ill, and so on. From its start in the 1960s, Social Work Month has been a nationwide effort. According to Social Work Pioneer Robert Cohen, “The initial idea of Social Work Month was to try to

combat the widespread notion that social work was something anyone can do; or that it just involved people who were good Samaritans trying to help others. The profession has taken a long time to demonstrate and explain the professional nature of social work.”

While many Americans recognize the work of social workers in the community, many Americans are not aware of the noteworthy roles social workers have historically played in shaping our social policies. In fact, social work pioneer Frances Perkins, the first woman to serve in a presidential cabinet as Secretary of Labor, drafted a significant portion of the New Deal legislation related to the Social Security Act, labor laws including a minimum wage, child labor protections, worker’s compensation, safety standards developed through OSHA, unemployment compensation, and so on. Through the decades, Social Work Month themes have evolved along with the profession. From “Doing Good Isn’t Bad—It Isn’t Easy Either” (March 1973) to the latest theme of 2013, “Weaving Threads of Resilience and Advocacy,” this important month continues to celebrate the profession, and be a voice for all social workers.

I am proud to represent the state of Illinois which is home to a mega chapter of the National Association of Social Workers. NASW is a professional association of social workers that advocates for resources to meet the needs of clients, allocation of resources that is open, fair, and nondiscriminatory, and promotes social justice. Currently, NASW Illinois has 7000 members in eight districts throughout the state. Additionally, there are hundreds of social workers in my district providing supports to families, including a member of my staff. For instance, Big Brothers Big Sisters, an organization that has been helping change the lives of kids for over a century, is located in my district. Through mentoring, coaching, fundraising, and other activities, BBBS has consistently reported positive outcomes for youth including children that participate in BBBS are 46 percent less likely to use illegal drugs and 52 percent less likely to skip school.

I urge my colleagues to reflect on the valuable contributions of social workers in their respective districts and I acknowledge my social work colleagues serving in Congress with me today. I urge my colleagues to stand with me and recognize National Social Work Month.



## HOUSE OF REPRESENTATIVES—*Friday, March 15, 2013*

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, through Whom we see what we could be and what we can become, thank You for giving us another day.

Send Your Spirit among the Members of this people's House to encourage them in their official tasks. Be with them and with all who labor here to serve this great Nation and its people.

Assure them that whatever their responsibilities, You provide the grace to enable them to be faithful in their duties and the wisdom to be conscious of their obligations and fulfill them with integrity.

Remind us all of the dignity of work and teach us to use our talents and abilities in ways that are honorable and just and are of benefit to those we serve.

May all that is done this day be done for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. FITZPATRICK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FITZPATRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. FITZPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mr. FITZPATRICK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

### HONORING THE LIFE OF HARRY W. FAWKES

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. I rise to honor the lifetime of service of Harry W. Fawkes, who passed away in Pennsylvania this week.

I am fortunate and honored to have known Harry Fawkes and benefited from his leadership. On a personal level, his friendship and advice made me a stronger public servant and a better person. In his role as Republican chairman, Harry was selfless and magnanimous. Everything he did was to the benefit of Bucks County, where he was born, married, raised his family, started his business, and served his community in elected office.

Harry was recognized as an effective leader and decisionmaker because he led the party based on principles and worked tirelessly to find common ground. His only request of me as a public servant was to take care of Bucks County. We will never see another like Harry again. Our community has lost a giant of a man—strong in stature, in principle, and humility and graciousness.

May he be granted the eternal peace he so rightly earned.

### HONORING THE LIFE OF JACK CONNELL

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Madam Speaker, it's with great sadness that I rise to honor the life of Jack Connell, who passed away last month at the age of 93.

For 34 years, Jack Connell represented Augusta, Georgia, as a member of the Georgia House of Representatives. For 26 of those years, Jack had the distinction of serving as the speaker pro tempore of the Georgia House. A representative of the Greatest Genera-

tion, Jack served in the Army Air Force as a bombardier navigator during World War II. He then worked as a traveling salesman, went on to own several businesses, and began a long career of public service.

Someone once said that it's easier to fight for your country than it is to live for your country. Jack Connell did both, for which we can all be grateful.

### SKILLS ACT

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Madam Speaker, the 113th Congress was elected to tackle the "big problems"—and there is no bigger problem facing our country right now than getting hardworking Americans back to work with the skills they need to compete in a very tough economy.

Today, the Federal Government currently operates more than 50 different job training programs, many of which are duplicative, at a cost of \$18 million annually to taxpayers. With nearly 20 million Americans unemployed or underemployed, it's time to cut through the red tape and start training individuals with the skills they need to find high-paying middle class jobs.

That's why the House will take up the SKILLS Act, which streamlines 35 overlapping job training programs, including many identified by the non-partisan GAO, and eliminates unnecessary red tape so that State and local resources go directly to job seekers.

According to a report released by St. Louis Community College, 76 percent of employers found that workers lacked the proper training to contribute right away, and the most in-demand certificates for job openings were for registered nurses. The SKILLS Act addresses those needs.

It's time we start investing in nurses, medical assistants, and manufacturing technicians, and be sure to cut the ineffective government programs that do little to train individuals with skills they need.

### UNEMPLOYMENT IS A PRIORITY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Madam Speaker, it's now been 803 days since I arrived in Congress and the Republican leadership has still not allowed a single vote on serious legislation to address

our unemployment crisis. My question is simple: Why then are we here?

In poll after poll, election after election, unemployment ranks as our constituents' number one priority. And for good reason. Unemployment deprives people of their basic dignity, their health care, their homes, and their self worth. High levels of unemployment deprive the government of the tax revenue needed to overcome our fiscal challenge. President Obama has proposed the comprehensive American Jobs Act to get people trained, get people working, and get people contributing to the tax base.

Madam Speaker, it's time to bring this bill to the floor. Our mantra should be simple: jobs, jobs, jobs. People are suffering. People are hurting for jobs, jobs, jobs.

#### PRESENTING A TIMELY BUDGET

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Madam Speaker, today I speak of the importance of working together to adopt a budget on time in the 113th Congress. For the last few years, the House has passed a responsible budget that would rein in spending and debt without raising taxes while protecting the vital safety nets of Medicare and Social Security—only to see the Senate fail to pass any budget at all. This is irresponsible and cannot happen again this year.

The American people and families back home in my district in Illinois cannot afford a government that does not meet its basic responsibility to adopt a budget on time each and every year. The very first bill I introduced as a Member of Congress was the Constitutional Congressional Pay Accountability Act in 2011, legislation that said if Congress failed to meet its statutory deadline to pass appropriations bills on time, then Members of Congress should not get paid. This simple and straightforward concept defines what every American family and job creator understands: that you cannot spend more than you take in.

Let's act responsibly to pass a budget and work with our colleagues in the Senate to ensure we get the job done this year.

#### HONORING SERGEANT MAJOR ANDREA FARMER

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Madam Speaker, I rise to honor and congratulate Sergeant Major Andrea Farmer, who will soon retire from the United States Army after 30 years of service.

A native of North Carolina's First District, Sergeant Major Farmer's work ethic has allowed her to success-

fully hold a variety of positions, including Chief Career Management NCO. Sergeant Major Farmer's abilities resulted in her being awarded a master's degree in Human Relations and Interdisciplinary Studies and receiving the Army Women's Legacy Scholarship Award. Sergeant Major Farmer will retire as program manager for the 23rd Quartermaster, Sexual Harassment Assault Response Prevention Program, where she works very hard to aid victims of sexual assault.

It is with great pleasure that I congratulate her upon her retirement, and also to recognize Andrea's parents, Bobby and Mildred Farmer of Nash County, North Carolina, who instilled high values in their daughter many years ago.

I ask my colleagues to join me in thanking Sergeant Major Farmer for 30 years of service to our country.

□ 0910

#### REFORM ENTITLEMENTS

(Mr. PITTENGER asked and was given permission to address the House for 1 minute.)

Mr. PITTENGER. Madam Speaker, for too many years our leaders have irresponsibly put off the tough decisions necessary to place our country on sound financial footing. President Obama seems to not be focused on the problem, as he never even mentioned our nearly \$17 trillion debt during his inaugural address and State of the Union speech.

Yet Peter Orszag, former Budget Director for President Obama, recently told a bipartisan group of freshman Representatives:

Unless you deal with the debt, you're playing games with our economic future. Unless you find savings with entitlements, you're playing games with the debt. You better go fix it.

American taxpayers deserve and expect an accountable government, not a bloated bureaucracy in need of credit counseling. Each passing year makes the decision more difficult and the changes more painful. Medicare will be insolvent by 2024, which means we are rapidly squandering any chance to fix the problem.

Our \$17 trillion debt, which currently results in \$220 billion in annual interest payments, is a drag on our economy, deterring our ability to create jobs for American families. Reforming entitlements must be done to help our economy grow today and provide for the future.

Any plan to reform entitlements must preserve the current benefits promised to this generation while providing guaranteed options for future generations; however, we must be strong and take action. We must enact a responsible plan to preserve these important safety nets for future genera-

tions; for if we do nothing, we will watch as American families suffer even more after Medicare and Social Security collapse while our Nation faces economic collapse.

#### HONORING MEDAL OF HONOR RECIPIENT RICHARD PITTMAN

(Mr. McNERNEY asked and was given permission to address the House for 1 minute.)

Mr. McNERNEY. Madam Speaker, I ask my colleagues to join me today in recognizing the Medal of Honor Day, as well as honoring Master Sergeant Richard Pittman, a veteran who served more than 20 years in the Marines. Mr. Pittman earned the Medal of Honor, the Defense Distinguished Service Medal, the Vietnam Service Medal, and the Republic of Vietnam Campaign Medal, along with others.

Mr. Pittman was born in Stockton, California, and attended local schools. After graduating from Franklin High School in Stockton, he enlisted in the United States Marine Corps. During the Vietnam war, he was assigned as a rifleman to the First Platoon, Company I, Third Battalion, Fifth Marines, and would later become squad leader.

While on assignment near the demilitarized zone, his leading company came under enemy fire at close range. Mr. Pittman risked his life to save many of his comrades while he exchanged fire and destroyed many enemy forces.

I've been fortunate to get to know Mr. Pittman over the last several years and know that he cares deeply for this country. I ask my colleagues to join me in honoring Master Sergeant Richard Pittman and all the Nation's other veterans for their bravery and service to the United States.

#### HEALTH CARE CONSCIENCE RIGHTS ACT

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Madam Speaker, the Obama administration's assault on religious freedom must stop. The so-called HHS mandate established under ObamaCare forces individuals, charities, and businesses to buy health insurance that includes coverage for drugs which may destroy human life.

This week a Federal judge stopped the enforcement of the HHS mandate against the founder of Domino's Pizza, the former founder. Like many other companies, Domino's Farms Corporation, the company which was granted this injunction, offers health insurance to its employees, but not coverage for drugs that could destroy human life. To do so would violate the religious rights and beliefs of the company's owners.

That injunction is a victory, but no one should have to battle the Federal

Government in court to stop it from infringing on religious values. That's why I am proud to introduce with my colleagues, DIANE BLACK and JEFF FORTENBERRY, the Health Care Conscience Rights Act, a bill that rests on the bedrock principle that our government must not force people to violate their religious and moral beliefs.

I ask everyone to sign on today and support this bill.

#### HONORING YOANI SANCHEZ

(Mr. GARCIA asked and was given permission to address the House for 1 minute.)

Mr. GARCIA. Madam Speaker, I rise to recognize a courageous woman whose work on behalf of the advancement of human rights has inspired millions throughout the world and continues to shine a light on the cause of freedom just 90 miles away.

For over 10 years, Yoani Sanchez has documented the realities of life in Cuba through her blog, Generation Y, and drawn worldwide attention to Cuba's civil society. Her riveting accounts detailing human rights violations and other injustices have earned her praise and recognition throughout the world. Yoani stands as a beacon of hope for Cuba's future, and her strength in the face of incredible odds has earned our community's profound admiration and respect.

If my colleagues would indulge me, I would like to say a few words in Spanish:

Es un gran honor reconocer la valentía de Yoani Sánchez quien es una fuente de inspiración para los millones alrededor del mundo que buscan la libertad y los derechos humanos.

(English translation of the above statement is as follows:)

It's a great honor to recognize the courage of Yoani Sanchez who serves as a source of inspiration for the millions around the world who seek freedom and human rights.

Yoani will be here next week. I invite my colleagues to take the opportunity to meet this very courageous woman.

The SPEAKER pro tempore (Mr. FLEMING). The gentleman will provide a translation to the Official Reporters.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

#### SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS ACT

##### GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 803.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 113 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 803.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 0917

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Madam Chair, I rise in strong support of H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, the SKILLS Act, and yield myself as much time as I may consume.

Despite an increase in hiring last month, our Nation is still experiencing a jobs crisis. Twelve million Americans are searching for work. Nearly 5 million of these unemployed workers have been without a job for 6 months or longer. For many Americans, the hope of a new job grows more desperate the longer they are unemployed.

Jack Walerius has not had full-time work for more than 3 years and has lost count of the number of times he has applied for a job. He recently told CBS News:

From my perspective, from my eyes, I still see that we're in a deep recession.

Today, we have an opportunity to advance reforms that will give workers like Jack a better chance to succeed. Our economy is extremely competitive and constantly changing. Unfortunately, the workforce training system has failed to keep up. It's not surprising when you consider the size of the bureaucracy that now exists.

This chart is a snapshot of the current job training system. It includes more than 50 programs spread across nine Federal agencies. President Obama described it as a "maze of confusing training programs." I completely agree.

□ 0920

The current system is inefficient and ineffective. For individuals served through the Workforce Investment Act, less than one in five completed training. Fewer than half of those who received employment assistance such as job searches and resume writing were able to find work.

To make matters worse, Federal mandates stifle the engagement and innovation of employers and State and local leaders. Onerous rules prevent workers from accessing the training they need when they need it. And taxpayer dollars are being spent with little accountability.

A bloated bureaucracy is standing between workers and the support they need. We've tried the Washington-knows-best approach, and it isn't working. It's time to move in a new direction. It is time for a workforce training system that empowers job creators to meet the demands of a dynamic economy. It is time to give State and local leaders greater freedom to serve their communities. It is time for a workforce training system that spends taxpayer money wisely. It is time to invest less in bureaucracy and more in workers and training.

The SKILLS Act will help us reach these goals. The legislation replaces 35 ineffective and duplicative programs with a new Workforce Investment Fund. No more maze of programs. Instead, workers will get help through one simple and flexible source of employment support.

The bill strengthens the role of job creators, as well as State and local leaders, who know best the needs of their workforce. Doing so will ensure the skills workers receive can be applied to the jobs of today and the future, not the past.

The legislation also makes sure our most vulnerable workers—including veterans, disadvantaged youth and individuals with disabilities—are being served. Finally, the SKILLS Act provides accountability over the use of taxpayer dollars. If a program demonstrates a pattern of failure, then taxpayers will know about it.

Madam Chair, for 10 years, Congress has talked about job training reform but has failed to make reform a reality. It is time to fix the broken job training system and help put more Americans back to work.

I urge my colleagues to support the SKILLS Act, and I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 4 minutes.

Madam Chair, the House today is considering Republican legislation that reauthorizes the Workforce Investment Act. Rewriting the Workforce Investment Act is an important task, and it should be taken seriously. It should be

an opportunity to address some significant challenges in our economy, including how to educate and train a diverse workforce with the skills required to compete in a global market.

For 40 years, this task has been taken seriously by Members of both parties. Job training legislation was generally bipartisan. So I wish we were here to present a bipartisan bill on the floor. I wish we were here to discuss the product of months of bipartisan negotiations. I wish we were here to consider getting something done for the American people.

But that's not the point of today's exercise. Today, we are here to meet a deadline set by the majority leader as part of a rebranding strategy. This bill is a political product. It puts ideology over practical solutions and evidence-based reforms. It fails to take a thoughtful approach to what our workers and businesses need. It decisively walks away from the program's mission of helping our most disadvantaged workers. That is why I oppose this bill.

First, the bill eliminates and consolidates programs simply for the sake of elimination and consolidation. The populations served by these programs often face daunting challenges in the job market. Youth, older workers, farm workers, workers with disabilities, English-language learners, veterans and low-income workers are among those who face the greatest barriers to employment. Yet, programs that serve these populations are the very programs targeted by the Republicans.

Even worse, the bill eliminates the directive requiring these poorest workers to be given priority of service. With limited money, hard-to-serve populations will be left out in the cold. And we have yet to hear any credible evidence that eliminating these programs will save taxpayer money. We have yet to hear any credible evidence that these programs are duplicative, nor have we heard credible evidence that this approach will make the system work better.

In fact, the Government Accountability Office warned that this one-size-fits-all approach may make services less accessible to the many groups considered hard to serve. Second, the bill restructures the workforce system in a way that locks out key stakeholders and leaves the system vulnerable to favoritism.

The legislation arbitrarily mandates that workforce boards increase business participation of the board from 51 percent to 67 percent. This will allow people in power to lock out key stakeholders, including labor, community-based organizations, community colleges, or people who work with youth or workers with disabilities. These stakeholders know how to get training to the people. And they provide a voice for the very people who need training and the very people looking for work.

The Republican bill will also allow Governors to remove local control so that local communities won't be able to direct their own workforce systems. Yet local communities working with local businesses, workers, and other organizations know best how to respond to their economic needs.

Finally, the Republican bill essentially turns funding into a block grant and freezes authorization levels for 6 years. We all know that this is a code word for cutting funding. That's what the Republicans have been doing in the CR, and that's what the Republicans have been doing in sequestration.

The Democrats have a different version. We agree that the current system is in need of significant reform. So don't believe the other side who falsely say that we want the status quo. The system should be improved in ways to maintain our Nation's commitment to expand opportunity for all Americans. We want to make job training programs more efficient and more effective. This can be accomplished by requiring unified plans that streamline and coordinate these services. Democrats want to ensure real accountability so everyone knows which programs work and which programs don't work.

Finally, we want to promote innovation in the workforce system by fully engaging community colleges. This can be done by ensuring that there are resources for community colleges to effectively respond to economic challenges and to meet future industry needs.

This should be Congress' way forward to strengthen the workforce investment system. Congress should not be dismantling the system and leaving those who need help the most at the back of the line. I'm disappointed that we have reached this point on this very important topic. For months, the Democrats have extended a hand to work together with the Republican majority.

I reserve the balance of my time.

Mr. KLINE. Madam Chair, I'm very pleased now to yield 3 minutes to the gentleman from Tennessee, the chairman of the Health Subcommittee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman.

Madam Chair, today, there are more than 12 million Americans who are out of work. These lives are on hold until the economy gets better—provided that we here in Washington can stop ourselves from taxing, borrowing, spending, and regulating it to a standstill. But even in this time of economic uncertainty, there are 3.6 million job openings in this country that remain unfilled—unbelievable when you have 12 million people out of work.

I support the bill on the floor today, H.R. 803, the SKILLS Act, because it will help give some of our neighbors

the sense of dignity and satisfaction that only comes from a hard day's work done well.

This legislation will help to bridge the gap between unemployment and work in three significant ways. First, the SKILLS Act will ensure that workers can access job training programs immediately, eliminating the need to navigate a complicated bureaucracy. By cutting through the red tape, we can get workers trained and back into the workforce more quickly.

At the same time, this bill removes some of the burdens on State and local officials by repealing 19 mandates that impact who can serve on workforce training boards, the entities that oversee local job training programs.

Second, the SKILLS Act will require State and local leaders to use common performance measures to measure the quality of services offered to workers. This will ensure that there's accountability in workforce training programs, ensuring a good return on taxpayer dollars.

The bill also empowers job creators by requiring that two-thirds of workforce board members are from the business community. Giving more say to the people who know the needs of their businesses and the local economy is just plain good common sense.

Finally, the SKILLS Act will ensure that taxpayers are seeing a good return on investment by eliminating or streamlining 35 ineffective or duplicative Federal programs. It also gives Governors additional flexibility to further consolidate any additional employment and job training programs at the State and local level to ensure efficiency and cut waste.

Let me just, Madam Chair, go through a few of these. We talk about duplicative programs. This will help consolidate some of these. These are the names of the programs: Reintegration of Ex Offenders; Grants to States for Training for Incarcerated Individuals; Second Chance Act Prisoner Reentry Initiative. It looks to me like we could have one program for all of these.

Let me read a few more: Refugee and Entrant Assistance—Targeted Assistance Grants; Refugee and Entrant Assistance—Social Services Program; Refugee and Entrant Assistance—Targeted Assistance. And I could go on and on with 35 programs. We heard our chairman speak that one in five actually completes one of these programs here.

Let me just tell you what happens in our State of Tennessee. Every Tennessean is within 1 hour of a technology center. These are all across our State. Even in today's economy, with the economy being what it is and hard to find a job, 90 percent of these people get a job, are hired right now today, not one in five.

The CHAIR. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. ROE of Tennessee. I thank the chairman for yielding.

I wanted to finish by saying there are things that work today out here—today—that we can emulate. And we need to streamline this. You should read all these 35. I agree with Ranking Member MILLER. We do need to reform these, and that's what this is an attempt to do. I want to commend Dr. FOXX and Chairman KLINE for the leadership on this issue, and I encourage my colleagues to support this bill.

□ 0930

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), the ranking member on a subcommittee of the Education and the Workforce Committee.

Mr. HINOJOSA. Madam Chair, I rise today to oppose H.R. 803, a fatally flawed and highly partisan bill that would weaken our Nation's current public workforce training and adult education system at a time when millions of Americans continue to struggle to find good, family-sustaining jobs in our Nation's economy.

Simply put, H.R. 803 would take our Nation in the wrong direction, making it more difficult for individuals with barriers to employment to receive the education and training services they need to get back on track.

The SKILLS Act repeals and consolidates 35 WIA programs that provide invaluable training to adults, youth, veterans, farm workers, dislocated workers, and many others.

This fatally flawed bill eliminates the priority of service delivery for low-income adults and out-of-school youth, despite the high levels of unemployment rates for youth of color and low-skilled workers.

This fatally flawed legislation strikes State and local board representation for unions, community colleges, and community-based organizations, moving away from some of the key tenets of WIA. It was set up so that 51 percent of the seats on that board of directors would be represented for the business community and 49 percent for those who are not the employers and businesses, but those that I mentioned. That type of diversity is very necessary, such as collaboration, inclusion, strategic partnerships that work to improve people's lives.

Finally, this fatally flawed bill freezes program funding authorization for fiscal years 2014–2020. I must underscore that job training and unemployment services for WIA have already been cut 50 percent since 2011.

How can Congress freeze funding for WIA the next 6 years when we have millions of men and women year after year who need training? How can WIA boards do their job if the inflation

costs and the increase of operating costs like utilities, wages, insurance of properties and for health insurance continue to increase?

For these reasons, it is no surprise that at least 50 organizations strongly oppose or have concerns about this misguided legislation, including the U.S. Conference of Mayors, the National League of Cities, the National Council of La Raza, the Leadership Conference on Civil and Human Rights, the National Skills Coalition, the Association of Farmworker Opportunity Programs, the Consortium for Citizens with Disabilities, Easter Seals, the AFL-CIO, the National Coalition for Literacy, National Youth Employment. They go on and on.

I urge my colleagues on both sides of the aisle to vote against H.R. 803.

Mr. KLINE. Madam Chair, I'm pleased to yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chair, I thank the gentleman.

I rise today in support of H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, of which I'm a proud cosponsor.

This bill reforms and streamlines our Nation's critical job-training programs.

Currently, over 30 different agencies are involved in workforce development or unemployment services. Why? Because Washington loves creating a bureaucracy, but rarely ever ends one.

The SKILLS Act changes that by consolidating these myriad departments into one workforce development platform tasked with equipping unemployed or underemployed workers with the skills that they need to land a good job.

This bill also enhances flexibility by giving States more authority to direct resources based on their individual needs. It empowers State workforce development agencies to collaborate more with community colleges by removing bureaucratic red tape. In addition, it repeals 19 Federal mandates that previously dictated who was even able to serve on these State workforce boards.

Also, I'm pleased that the legislation that we're debating today also reflects an amendment that I offered in the markup last week to strengthen the underlying bill. My colleagues accepted my amendment that prohibits any State or local agency from using Federal workforce funds authorized by the SKILLS Act to turn around and lobby for more funding or to engage in political activities.

We can all agree that Federal funds provided to State and local areas should be used to provide workers the training and support they need to find a job, especially when there are 12 million Americans searching for work.

Workforce development agencies need to be using precious Federal re-

sources to help their unemployed workers land jobs, not to lobby Congress for more funds and certainly not to advance political beliefs.

I am proud to vote in favor of H.R. 803. I encourage my colleagues on both sides of the aisle to support this bill so we can streamline government spending, eliminate duplication, and allow States to build more effective workforce development programs.

Mr. GEORGE MILLER of California. I now yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for giving me the time.

It is a vexing problem that at a time of high unemployment we have a lot of jobs unfilled in our country because we don't have sufficient training for our people to fill those jobs. This is not a partisan problem; it's a commonsense problem.

I believe it's a commonsense problem we could have solved if the parties had worked together here, but Mr. MILLER, Mr. HINOJOSA, Mr. TIERNEY, and many others on our side reached out to negotiate a consensus on this bill, and those negotiations never happened. I believe they should happen in the future and will happen in the future to give us a better work product.

Here's what I think is wrong with the bill that's before us today. We absolutely have to do a better job at training our own people to fill the jobs that are vacant in this economy, but if you leave that decision as to how to do that up to State politics and State capitals, I think the evidence is pretty clear that people get left out of that job-training situation.

Let's take a worker who's worked in an oil refinery or a factory and his or her job has been outsourced to another country and at the age of 50 or 55 they have to start all over again. If you leave the decision up to State politics as to whether or not that worker gets training, I think it's pretty likely that he or she won't get the training because people like that don't have a whole lot of clout in State legislatures as far as I know.

We have teenagers, 17-, 18-, 19-years-old, that dropped out of high school for reasons of having a child or having some criminal problem, and they need to get back on their feet and back into the workforce. They need a youth job-training program. These are people who don't have lobbyists in the State legislature or much political clout at State capitals, and they could be forgotten.

You have women that are the victims of domestic violence who are nearly beaten to death by their husbands or boyfriends, and they need to get back into the workforce so they can be self-supporting and self-sustaining for themselves and their children.

But if you leave it to the State legislature, I'm not sure that those citizens

will get the job training that they need because they don't have a whole lot of clout in the State legislatures across our country.

We should be sure that that displaced worker has the funds to get the training for a new job. We should be sure that that teenager who needs to be trained to lift himself or herself up has training for that new job. We should be sure that the person who's a victim of domestic violence has that kind of training that is needed to lift themselves and their families up.

The fundamental division here is whether we guarantee that funds will be available for the people I just described or whether we do not.

The right thing to do is to negotiate those kinds of guarantees into this bill. When we do, I believe that we will go forward with a bill that reforms and improves our job-training system.

Let's not waste any more time. Let's vote "no," but then start the negotiation today.

Mr. KLINE. Madam Chair, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE).

□ 0940

Mr. GOODLATTE. I want to thank the gentleman from Minnesota, the chairman of the Education and the Workforce Committee, for his outstanding work on this.

I want to say to all of us that we should be sure that the people who are needing job training in this country are being trained and prepared for the jobs of the future, the jobs of opportunity, the jobs that are being created in the communities; and whether people are teenagers or women who have been the victims of domestic violence or anyone else, they can be sure that, with the kind of flexibility and creativity in this legislation, they will have the best opportunity to be trained for those jobs.

As we stand here today, there are approximately 12 million Americans without jobs. The numbers get worse the closer you look at them. Over 40 percent of these Americans have been unemployed for more than 6 months, and the percentage of Americans participating in the workforce has recently fallen to under 64 percent, which is the lowest number since 1981. The situation is even bleaker for America's youth, who should be at the dawn of their careers. For people between the ages of 18 and 29, the unemployment rate is a shocking 12.5 percent. This is simply unconscionable.

It is time for Congress and the President to take steps to address both the high unemployment and unsustainable debt that is shackling this country. The SKILLS Act is an important first step. This bill streamlines duplicative Federal programs related to job training, and it reduces bureaucracy so that more funds and support can go to the

people who need it—and not to Washington bureaucrats.

Specifically, the bill requires increased coordination among Federal, State, local, and tribal agencies to ensure that money is well spent, including on the Federal reentry programs that are focused on helping prisoners reintegrate back into society. Also, within the Judiciary Committee's jurisdiction, the bill ensures that employment and training services for refugees are provided through the streamlined system set up in the Workforce Investment Act as opposed to through several different systems.

I would like to thank the gentleman from Minnesota again for working with the Judiciary Committee on these provisions; and I support this common-sense legislation that seeks to solve a serious problem by making better use of the limited resources that we have, an approach that I hope can be applied more broadly.

I commend the gentlewoman from North Carolina (Ms. FOXX) as well as Chairman KLINE for their leadership on this issue, and I urge my colleagues to support the bill.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), one of the primary cosponsors of the Democratic alternative.

Mr. TIERNEY. I thank the gentleman for yielding.

We could have had a bipartisan bill, and that seems to be the real shame here. This has been historically a bill that has not been hyperpartisan as the one that's before us today, the one by which the parties have generally sat down together and considered each other's opinions in order to come to the best solution, but it didn't happen.

The underlying bill arbitrarily eliminates and consolidates all the programs and collapses them into one. It tries to substitute that, I guess, for an analysis of what ought to be done. It relies on the comments of a GAO report that said some of the programs may have overlapped somewhat, but it did not reach the conclusion that they were duplicative or that they didn't serve necessary and unique populations.

Instead, the majority has seized on that to collapse all of the programs together and to freeze the funding instead of doing what our bill would do, which is to provide for data and analysis in consideration of what programs ought to be sustained; to make them justify how they're improving and serving the populations; and to determine whether or not there need to be changes or whether some do, in fact, need to be terminated or consolidated. That process has been avoided and ignored throughout.

It's interesting to note that the administration is invoked from time to time as being opposed not just to this

year's version but to last year's version, which was fairly identical and that it indicates that it doesn't meet the administration's goals set out for training in this country.

The underlying bill would dissolve youth training programs. I've heard comments about the seriousness of being involved with youths who are out of work, but the underlying bill dissolves youth training dedicated funds and other service delivery priorities, like to veterans and the disabled. It also has virtually no support amongst all of the people who are really involved in workforce development in this country. There was very little, if any, consideration of their views and their input into that despite the labor they put in and the policy decisions that they help make day in and day out. The substitute has broad support. It did go out and listen to the stakeholders on that, and it did get their opinions and incorporated them, and that's why a bipartisan discussion amongst Members would have benefited the bills on that.

We have better accountability. The main bill abdicates to the Governors who have taken Federal policy responsibility here where it's deserved. There are many, many, many other reasons to oppose this bill that we will get into when we talk about the substitute.

Mr. KLINE. I now yield 2 minutes to the chairman of the Workforce Protections Subcommittee, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the chairman.

Madam Chair, our country's job training program often stands, sadly, as a barrier between workers and the employers who want to hire them. In December 2012, employers reported 3.6 million job openings all across our country despite the 12 million Americans searching for work. The challenge is that today's job hunters are getting increasingly frustrated by bureaucratic inefficiencies in their getting the specific skills they need to fill many of these jobs.

The SKILLS Act would reform the Nation's workforce development system and better equip job seekers with the abilities they need for today's economy. It just makes good sense that reducing the size, cost, and scope of Big Government expands the greatness and success of America's industry and workforce.

H.R. 803 ensures that local employers are given more of a say in these programs, helping to ensure that they are qualified and recognized for today's most in-demand jobs. It also includes reforms that allow States to determine what standards will be required for providers, which will streamline the bureaucracy that has limited many workforce development providers, such as community colleges, in their goals to succeed.

My congressional district is fortunate enough to have a number of talented, hardworking individuals and community colleges that are committed to helping reinvent Michigan and its workers through these programs. It's time to give both workers and employers more ability in providing smart, commonsense solutions and tools to strengthen our workforce and to put Americans back to work.

For, really, isn't that the reason that our government is set in place—to ensure the opportunity for life, liberty and the pursuit of happiness, and to ensure that that liberty will allow people choices that only Americans really can make. Please join me in passing H.R. 803.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT), a member of the committee.

Mr. HOLT. Madam Chair, I thank the ranking member, my friend from California, and I rise in opposition to the SKILLS Act.

Workforce investment has an important role in Congress, and it could and should be done in a bipartisan way. The government has a role to play in setting standards to preserve fairness and to expand access. The so-called SKILLS Act seeks to combine and reduce vital programs. It takes 35 programs and identifies them for elimination, and it says the Federal Government will leave a bushel basket full of money on the steps of each State capitol. This is an abdication of our responsibility to think hard, to work hard, to set standards.

What some on the other side might call "red tape" or "overregulation" I would call "standards" in order to see that the workforce investment programs really address the needs of individuals with disabilities or the needs of identifiable groups, such as veterans and youth, who deserve our help, and that it will provide good services for those who need the help most, not the easiest cases: say, single parents, whose daily struggles with food and housing and transportation and child care make job training difficult.

We had good ideas, the Democrats, ideas that were similar to what went into the original Workforce Investment Act—ways to improve these programs and make them serve all of these Americans. H.R. 803, for example, does not support library resource centers. It ignores individuals with disabilities and incumbent workers. The bill doesn't allow libraries to partner fully in the workforce investment programs.

Last year, I introduced an amendment to authorize libraries to engage in statewide employment and training activities. No such this year. Many low-wage workers, often single mothers, struggling, need special help. My home State of New Jersey had online learning for low-income workers. By

creating grants for online learning, such as laptops at home, we could provide many of these workers who have to stay at home and raise families the opportunity to improve their skills and enter the new economy. Yes, that should be in this program for the Nation.

□ 0950

The Rehabilitation Act is intended to aid individuals with disabilities. The amendments to the Rehabilitation Act in this bill before us today would reduce significantly the services for individuals with disabilities by eliminating programs and eliminating those dedicated funding streams, and saying instead: Well, you can do it if you want to.

Incumbent workers do not get the help they need here. This act does nothing to improve those people in low-level positions who have the opportunity, with help, to move upward.

We need to work together to provide our Nation's job seekers the resources and training they need. And we here in the Federal Government have a responsibility to set the standards to see that people of all sorts who need the help have the access.

Mr. KLINE. Madam Chair, I yield 3 minutes to the gentleman from Nevada, a member of the committee, Dr. HECK.

Mr. HECK of Nevada. Madam Chair, I thank my colleague, Ms. FOXX, for her leadership in bringing this important bill to the floor. I was pleased to work with Ms. FOXX and Mr. McKEON in the last Congress on similar legislation, and I've enjoyed working with my colleagues on this bill.

I rise in support of the SKILLS Act because back in my district, the biggest concerns of my constituents are still jobs and the economy. Southern Nevada was hit hard by the recession due to our economy relying heavily on the travel and tourism industries and the construction industry. We lost a lot of jobs in those sectors, and, in fact, unemployment is just under 10 percent in our State today.

Madam Chair, the SKILLS Act is exactly what southern Nevada needs to foster our recovery. Our State is identifying and attracting new, in-demand industries that will come to Nevada and create jobs and economic opportunities. Now we need to train our workers to do these jobs, the jobs that do and will exist, not the jobs that did exist. The SKILLS Act will help us do that because it strengthens the role of employers in workforce development decisions by requiring that two-thirds of the workforce board members be local employers, and focuses training on in-demand occupations.

The SKILLS Act will also improve job-training programs by eliminating and streamlining 35 ineffective and duplicative programs, and creating a

flexible workforce investment fund to serve as a single source of support for workers, employers, and job seekers. To think that our State and local elected leaders are not concerned with helping all of their unemployed, whether they be victims of domestic violence, veterans, those unable to complete high school, or the single mom, is a slap in the face to those local elected leaders, elected by their constituents.

Finally, the SKILLS Act increases accountability and transparency for workforce investment boards and their performance measures, ensuring taxpayer dollars are spent responsibly. The SKILLS Act will certainly improve workforce development efforts across the country, getting more Nevadans and more Americans connected with the jobs of today and the jobs of tomorrow, not the jobs of yesterday. I urge my colleagues to support this important legislation.

Mr. GEORGE MILLER of California. Madam Chair, I yield 3 minutes to the gentlewoman from Oregon (Ms. BONAMICI), a member of the committee.

Ms. BONAMICI. Madam Chair, I thank Ranking Member MILLER for yielding me this time.

Today I rise in opposition to the SKILLS Act. This partisan bill, unfortunately, takes a one-size-fits-all approach, freezing funding, eliminating programs that help veterans, the disabled, young workers, and older Americans find work, and ending the requirement that community colleges serve on workforce investment boards. As a graduate of a community college, I take that very seriously.

This bill also fails to address the skills gap issue. When I'm out in my district talking to businesses large and small, especially in the high-tech sector in Oregon's Silicon Forest, they often say there are job openings but not enough qualified workers.

There's a substitute bill, the Workforce Investment Act, sponsored by Mr. MILLER, Mr. HINOJOSA, and Mr. TIERNEY. Unlike the substitute bill, the SKILLS Act doesn't include the WISE Investment Act language that I authored to address the skills gap problem. The WISE Investment Act helps connect the needs of small businesses and other stakeholders with the training programs available through community colleges and elsewhere.

It's time to set ideology aside and work together so that the best ideas rise to the top. Unfortunately, this bill does the opposite. I urge my colleagues to oppose this bill, and let's start working together to get a bill with broad support. I urge my colleagues to support real workforce reforms that we need, that are bipartisan, and that address the skills gap issue as well as the other important issues that are included in the Workforce Investment Act, but unfortunately not in the partisan SKILLS Act.



Mr. KLINE. Madam Chair, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), the chairman of the Early Childhood, Elementary, and Secondary Education Subcommittee on the committee.

Mr. ROKITA. Madam Chair, I thank Chairman KLINE and Representative FOXX for their work and their leadership on this bill.

The Workforce Investment Act is long overdue for reauthorization, especially given the monumental changes to our economy over the past 10 years since the law was last authorized. There are many important reasons to do so, including cutting waste and improving efficiency, but the most important reason to me is the moral one. Quite simply, the existing maze of Federal workforce training programs is failing those whom it is intended to be serving. By trying to be all things to all people, the Federal workforce training program is serving no one well, and that's a problem.

The Federal Government's footprint has gotten far too large, and our national debt has grown with it. As a result, it is failing to serve the workforce of today, and it's piling up ever-larger bills for the children of tomorrow, people who don't even exist yet.

What the SKILLS Act does is to consolidate and eliminate many unnecessary and duplicative programs, not simply for the sake of downsizing, but to improve the quality of the workforce training, and that's what we all should be about, Republicans and Democrats alike.

Business owners understand this. They understand the importance of streamlining and efficiency. They also understand the importance of getting a good return on their investment, and we aren't getting that right now. We have to make sure that the Federal Government abides by those same principles. In addition to consolidating existing programs, which the SKILLS Act does, it's important for us to make sure that we are actually recovering savings and reducing the deficit as well. We can do both things at once, my friends.

I'm thankful for the opportunity to work with Ms. FOXX and the chairman to include an important provision that will take the next step and reduce the amount of employees at the Department of Labor in line with reducing the programs.

The bill gives the director of OMB 60 days to identify how many full-time equivalent employees work on or administer programs that have been eliminated or consolidated. The director would then have a year to reduce the Federal Government's workforce by that same number.

Jobs that have the most value are jobs in the private sector, the productive sector, and to the extent we need jobs in the public sector, they should

be to truly support and grow the private sector in a responsible way.

Quite simply, if the programs no longer exist, then there is no reason for extra Federal Government bureaucrats. While many of these Federal employees are no doubt very committed to their work, it is immoral for us to borrow more money from our children and grandchildren to pay for unnecessary expenses today. The Department of Labor may exist to serve our workforce, but it is not supposed to be a jobs program in and of itself. The legislation before us is a strong step in the right direction and will not only shrink the Federal Government and reduce our debt, but will ensure that we are delivering better results for America's workforce. By actually reducing the Federal Government's employment rolls, we will be restoring more local control. And, perhaps more importantly, will be making smarter use of America's tax dollars. So I encourage my colleagues to support this legislation for that, and also the common performance measures that are included in this.

One of my constituents, a small business owner, Jim Cramp, serves on one of the workforce investment boards.

The CHAIR. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. ROKITA. He says that these common performance measures are absolutely critical. Even the simple difference of committing someone to a job for, and measuring their performance in that job, from 6 months to a year makes all the difference in how we really gauge whether or not these programs are successful and whether or not our economy is really growing.

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Mr. GEORGE MILLER of California. Madam Chair, I yield 2 minutes to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Thank you to the ranking member for his leadership and the committee members, as well, for working so hard to try to find a balanced approach and a bipartisan approach to a very important bill, which is job training and developing America's workforce.

The latest employment report for Nevada came out this morning, and while we added 6,600 seasonally adjusted jobs, and are on the right path, we cannot shortchange our workers at this critical time. I've heard from my local elected officials who serve on workforce boards, and they don't support the approach of H.R. 803, and that's why I strongly oppose the bill as well.

Before coming to Congress, I ran a joint labor management training academy in Las Vegas that helped train thousands of Nevadans—youth, adults and dislocated workers—to find careers

in the hospitality industry each and every year, so I know the value of quality training for prospective workers.

I'm opposing the so-called SKILLS Act because it's a partisan bill that's dressed up as a workforce investment act legislation. It would block-grant 35 work programs, pitting youth, older workers, and workers with disabilities against each other for funding, and it would freeze job-training investment for 7 years, even though funding for workforce programs has already been cut in half since 2001, this at a time when there's a growing demand for training and placement of workers.

The Democratic alternative to this bill builds partnerships with the private sector, with labor, with community colleges. It evaluates the efficiency of workforce programs, and it expands the use of on-the-job training and incumbent worker training.

The CHAIR. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 1 minute.

Mr. HORSFORD. I will work with anyone from any party who has a good idea for how we can get the American people back to work. Unfortunately, H.R. 803 is not that bill.

Mr. KLINE. Madam Chair, at this time I'm very pleased and honored to yield 1 minute to the distinguished House majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Madam Chair, I want to thank the gentleman from Minnesota, the chairman of the Education and Workforce Committee, for bringing this bill forward, and his leadership on so many issues affecting working families across this country.

Madam Chair, I rise this morning to speak in favor of the SKILLS Act. Today, there are 20 million Americans unemployed or underemployed. And I want to take a moment and speak about the individual that's looking for their next job and explain how the SKILLS Act will actually help them.

First of all, the SKILLS Act streamlines the complicated maze of existing Federal programs. Rather than spending time figuring out which one of 30 different programs you're supposed to go to, this bill creates a one-stop shop and creates a one-stop workforce investment fund.

Second, if you need job training, the SKILLS Act eliminates bureaucratic hurdles, such as first requiring you to work on your resume and develop an individual employment plan so that you can access the training that you need right away.

Third, by emphasizing the role of local employers on your local workforce training board, the SKILLS Act helps ensure that the training you receive is related to the jobs actually available in your area.

And, finally, the SKILLS Act makes sure that you receive quality training



by making it easier for community colleges and technical schools to actually participate in these workforce training programs.

What does all this mean? Better, more accessible job training to help more people who are unemployed find jobs faster.

Yesterday, I had the opportunity to tour an automotive workshop at the Northern Virginia Community College and saw firsthand the need to train skilled workers.

I want to thank Chairman KLINE, who went with me to that community college, Congresswoman VIRGINIA FOXX, and Congresswoman SUSAN BROOKS, for their leadership on this important issue.

The SKILLS Act has been endorsed by numerous employers, community colleges, and community college systems, and a number of Governors because they all recognize that a broken workforce training system hurts those in need of assistance. We have a chance to fix that broken system with this bill, and I urge my colleagues to support the SKILLS Act.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I want to thank the gentleman for yielding time and thank him for his leadership on the committee and what he has done for education in this country.

Madam Chair, never have job-training and educational opportunities been so crucial for so many people as they are during this challenging economic time. Our country's economic situation is getting better. Last month we added 236,000 jobs, and the unemployment rate fell to 7.7 percent, the lowest rate in 4 years.

But the unemployment rate in my home State of North Carolina is 9.4 percent; and in my First District, one in four people is below the poverty level.

The SKILLS Act, Madam Chair, will stall our delicate economic recovery at a time when we must invest in our workforce to ensure hardworking people are able to access the training they need to achieve the American Dream.

The SKILLS Act kills workforce development as we know it. It would turn 35 important workforce development programs into a block-grant system and force effective programs targeted to help disadvantaged populations to compete against each other for funding.

The bill would subject workforce development programs to partisan politics by putting funding in the hands of Governors and would remove seats reserved for community interest groups and community colleges on local workforce investment boards and, instead, leave the decision of where to invest the money in the hands of who? Big business.

H.R. 803 would devastate the innovative partnerships the Workforce Investment Act has created in my district. The bill would jeopardize the partnership between Lenoir Community College and Spirit Aerosystems in Kinston, where students gain technical experience for careers in aerospace.

It would endanger YouthBuild, which helps disadvantaged youth find employment in Goldsboro and Wilson and Elizabeth City, and a workforce development and training center run by Edgecombe Community College, which helps retrain dislocated workers in Rocky Mount, North Carolina.

For these reasons, Madam Chair, and more, I urge my colleagues to oppose H.R. 803 and support the Democratic alternative.

Mr. KLINE. Madam Chair, can I inquire as to the time remaining on each side.

The CHAIR. The gentleman from Minnesota has 9½ minutes remaining, and the gentleman from California has 8¾ minutes remaining.

Mr. KLINE. Madam Chair, I am pleased to yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), a member of the committee.

Mr. GUTHRIE. Madam Chair, I thank the gentleman for yielding.

I rise today in support of the SKILLS Act. This legislation is a key tool to improve employee skills, and, in turn, strengthen our Nation's workforce.

Jobs and growing our Nation's economy must be our top priority. There has never been a more critical time to make sure that our workforce has the opportunity to find new jobs or receive additional education.

The bill includes a number of positive changes to the workforce system. Creating a flexible workforce investment fund to give local workforce investment boards additional flexibility is an important step to get more workers through the system.

This bill also does away with the antiquated sequence of services which delays access to training. In addition, the bill enhances adult literacy, a cause that is particularly important to me.

Today, approximately 12 million Americans are without work; yet jobs are open in many industries, especially in manufacturing. When I travel around my district, I continue to hear that employers are actively looking for workers but have difficulty finding the skilled workforce they need.

Technology will always be advancing. We must ensure our workforce is armed with the skillset to perform the tasks that are required today and tomorrow. This bill will address this problem head-on and allow for the education these individuals need.

These high-skilled, high-wage, and high-demand jobs are the pathways to the American Dream. I've seen firsthand, at my family's manufacturing fa-

cility, how lives can be transformed through additional skills and investing in our workforce.

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There are countless benefits to better educating our workforce as our economy continues to rebuild from the recession. We must do everything we can to put Americans back to work. I hope my colleagues will join me in supporting this effort for our Nation's workforce.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman from California for yielding.

I rise today in strong opposition to the so-called SKILLS Act, H.R. 803, a bill that would fail to live up to our responsibility to job seekers, businesses, and working men and women across our country. I served as mayor of the city of Providence for 8 years and saw closely what excellent workforce boards do in my home State.

Right now, we should be doing everything we can to put our Nation back to work and offer assistance to folks who are struggling to find employment; but, unfortunately, this highly partisan bill does just the opposite. It would block-grant and effectively eliminate 35 programs, including programs that help dislocated workers, veterans, disabled workers, and other disadvantaged populations, putting these individuals at high risk of losing access to services. And even though funding for the Workforce Investment Act has been cut in half since 2001, this radical proposal would freeze investments in job training and other workforce investment services for 7 years.

Mr. HINOJOSA, Mr. MILLER, and Mr. TIERNEY have offered a commonsense alternative that will create strategic partnerships with employers, community colleges, labor unions, and nonprofits to find new jobs and careers for working families. The Democratic alternative would expand the central role of community colleges in job training by authorizing \$8 billion for President Obama's Community College to Career Fund to help community colleges recognize credentials so that students will graduate with job training that meets the needs of employers. It would also better serve high-poverty areas with effective services by creating innovation funds to expand the use of promising strategies for adults and young people.

Ladies and gentlemen, our country is facing serious economic challenges, and we need a serious solution like that offered in the Workforce Investment Act. I urge my colleagues to oppose H.R. 803 and support the Democratic alternative to enact real workforce reform that will put Americans back to work.

Mr. KLINE. I see our last speaker hasn't arrived on the floor, and I don't

know that he will. So in the interest of keeping this moving, I'll reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 30 seconds.

In closing, I think what's clear from the speakers on the Democratic side who spoke this morning is that it was really quite possible to have a bipartisan bill come to the floor of the House out of our committee. We offered to enter into Member-to-Member negotiations. That offer was not taken up.

This bill was introduced 1 week in a hearing and reported the next. And the fact of the matter is I think there's a great desire on both sides of the aisle to make this a well-run, well-functioning program for the people who need it so they can get back into the workforce in the American economy. But, unfortunately, that didn't happen, and we're now left with a partisan bill, much like we were last year. I think, unfortunately, it's going to make it very difficult to get a good job-training bill to the President's desk for his signature.

I yield back the balance of my time.

Mr. KLINE. I yield myself such time as I may consume.

We believe that the SKILLS Act is genuine, commonsense reform addressing a real problem that our Nation has faced for years. This authorization expired in 2003; and so under Republicans and Democrats, we've been unable to get legislation passed into law through the committee, through the House, and move it forward. There have been all sorts of reasons for this. Sometimes it was just recognized that it's too hard; but in any case, we haven't been able to move it. And that includes, frankly, under 4 years when the other side had the majority, chaired this committee, and in fact had a majority in the House and the Senate and the White House and were unable to move legislation forward.

So I appreciate the calls for bipartisanship. I'm not entirely sure why walking out of a markup engenders further bipartisan support. Nevertheless, that's what we're faced with.

This legislation was thoughtfully developed after the committee convened multiple hearings over the last 3 years, examined the testimony of dozens of witnesses, including Governors and State and local workforce investment leaders. This ongoing debate has been open and fair.

When we had this bill in the committee last year, amendments were offered by Republicans and Democrats. Amendments passed, as offered by Republicans and Democrats. We have to move this legislation forward. We can no longer afford the failed status quo that wastes taxpayer dollars and prevents people from getting the skills they need to get the jobs that are available today.

The SKILLS Act will strengthen the workforce training system, make our

Nation more competitive in the 21st century, and help put Americans back to work.

I urge my colleagues to vote "yes" on H.R. 803, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Chair, the demand for employment services and skills training continues to grow. In my Northern Virginia district, the local Workforce Investment Board fielded nearly 90,000 requests for job search assistance last year, and those requests have increased 170% since 2007. During my tenure as Chairman of the Fairfax County Board of Supervisors, I served as the Chief Local Elected Official on the Workforce Investment Board and witnessed firsthand the collaboration among local businesses, community colleges, universities, nonprofits, governments and other community organizations to offer valuable skills training and workforce support in our community.

The federal Workforce Investment Act was enacted 15 years ago, and its authorization expired 10 years ago. Thankfully Congress has continued to fund these vital services to help job-seekers access the training they need to find work and help employers find the skilled workers they need to operate. While the Workforce Investment Act is long overdue for modernization, the bill before the House today, H.R. 803, falls short of the mark. Under the guise of efficiency, it eliminates 35 workforce programs currently serving low-income adults, seniors, veterans, individuals with disabilities, and youth. By converting to block grant funding, it shifts too much authority to the states at the expense of local jurisdictions. That is why organizations like the U.S. Conference of Mayors, the National Association of Counties, the National League of Cities, and the National Association of Workforce Boards oppose H.R. 803. In fact, my local workforce board estimates that local governments will face an additional financial burden under this legislation at a time when their budgets can least afford it. In addition, this bill sets an arbitrarily low level of funding and freezes it for the next six years. These investments are creating a more skilled and productive workforce. We ought to be investing more not less in this effort, yet workforce funding has been cut in half over the past decade. And lastly, this bill unnecessarily changes the makeup of local workforce board membership at the expense of local community organizations, which is why groups like the Easter Seals, Goodwill, the National Disability Rights Network, the National Coalition for Literacy, the United Way, and others oppose it.

The Workforce Investment Act has until recently been a bipartisan effort, and I urge my colleagues to pursue reforms that will renew that tradition to better serve those seeking work assistance in our communities.

Mr. BUCSHON. Madam Chair, we are here today to discuss the positive reforms within the SKILLS Act. Our Nation's current job training system is broken. The SKILLS Act will give state and local governments more flexibility by consolidating 35 existing federal employment and training programs into a single Workforce Investment Fund. This will end the long line of bureaucratic red tape, lower costs, and increase the representation of employers on local workforce boards.

I have received numerous letters from Hoosier small business owners asking me to support the SKILLS Act. The reason? This bill unites the local small business community by enhancing their involvement in career development programs, closing the skills gap, and providing more job opportunities in this struggling economy, which saw the GDP decline in the fourth quarter of 2012.

Our founding fathers believed that reducing the size and scope of the federal government and restoring power back to the states and this bill matches that theme.

The Indiana Department of Workforce Development echoes our message that states need the flexibility to rein in bureaucracy and provide our workers with a more dynamic, flexible, and efficient network of job training services. Currently, Indiana uses their funds on programs like: A youth summer program that combines in-the-class training and internships, or the state funded Western Governors University . . . Indiana's nursing program. These programs apply funding where it is needed most—helping Hoosiers find jobs.

These are just a few, in a long line, of positive impacts upon which the SKILLS Act could improve. Empowering state governors to consolidate additional employment and training programs and services at the state level provides the flexibility that governors need to distinguish well planned and broad reaching initiatives that are best for their states.

The SKILLS Act helps put Americans back to work. I, and the majority of the members of the Education and Workforce committee, stand committed to advance job training reforms that are fiscally responsible and produce a positive "return on investment" of taxpayer dollars. Walking out, as the minority chose to do during our committee markup, simply casts a cold shoulder on much needed reform in our workforce training programs. I urge my colleagues to support the SKILLS Act, to give hardworking Americans the training and education they so badly need.

Ms. JACKSON LEE. Madam Chair, I rise today in opposition to H.R. 803, the "Supporting Knowledge and Investing in Lifelong Skills Act, or SKILLS Act."

While H.R. 803 rightfully reauthorizes the Work Force Investment Act (WIA), it does so while adding destructive provisions that undermine the very core goals of the legislation. As an alternative, we ought to consider H.R. 798.

Moreover, despite some of the rhetoric coming from the proponents of H.R. 803, one need only read the Congressional Budget Office (CBO) Report to know that this bill does not save the American taxpayers anything.

The Workforce Investment Act was signed into law by President Clinton in 1998, and provides a framework for our nation's workforce preparation and employment system. It was designed to help American workers advance their careers while satisfying the needs of U.S. businesses. The idea was a simple yet effective one: to train American workers for the jobs that businesses demand.

Despite partisan resistance nearly every step of the way, our current economic policies have put us on the right path toward economic growth, with 260,000 jobs added and unemployment falling to 7.7% during the month of February.

Today, while the American people are demanding that Congress act to facilitate the creation of even more new jobs, H.R. 803 would take us in the opposite direction by freezing investment in job training and other WIA programs for seven years, from Fiscal Year 2014 through Fiscal Year 2020.

It is inconceivable that at a time when millions of Americans are looking for work, this bill proposes to cut funding from the very programs that would help give the Americans the skills they need to secure jobs in our changing economy.

Moreover, WIA funding has already been cut in half since 2001. After more than a decade of placing funding for WIA on the backburner, now more than ever is the time to invest in American workers to assist them in securing their economic futures.

Worse still, H.R. 803 effectively consolidates 35 programs under the WIA into a single block grant, despite the lack of any independent evaluation of whether such a consolidation would be beneficial. Currently, the programs are individually tailored to meet the needs of different types of workers, including adults, youth, farmworkers, dislocated workers, and other disadvantaged populations.

However, by consolidating these programs into one lump sum block grant, diverse groups of workers with different skills and different needs would be forced to compete with one another for the same resources.

The youth employment rate remains unacceptably high, and the SKILLS Act would force young aspiring workers to compete with adults for the resources of a single fund focused on serving the needs of adults.

If enacted, H.R. 803 would allow state officials to choose to reduce or eliminate programs that support some of our nation's most vulnerable populations who derive the most benefit from the programs.

H.R. 803, if enacted would have a disparate impact on youth, persons living in high-poverty communities, minorities, women, seniors, persons with disabilities, those recently incarcerated, single parents, veterans, those who lack English proficiency or do not have a high school diploma or GED.

Perhaps the most appalling part of H.R. 803 is that it eliminates the Disabled Veterans Outreach Program, which is specifically tailored to help disabled veterans.

Veterans who return home to the country that they sacrificed for deserve to have a program dedicated to helping them overcome their challenges in obtaining employment as a result of injuries sustained while serving.

Eliminating the program without providing disabled veterans with an alternative that contains accountability measures that preserve their unique interests is categorically unacceptable.

I urge Members to alternatively consider H.R. 798, the "Workforce Investment Act of 2013," which modernizes the Workforce Investment Act to improve the nation's workforce investment infrastructure.

H.R. 798 is focused on focusing on finding workers jobs and careers via strategic partnerships with in-demand sector employers, community colleges, labor organizations, and non-profits.

The American people want tangible solutions; not another ideologically partisan bill

that harms the very people who can least afford it during an economic recovery.

Mr. BLUMENAUER. Madam Chair, I am voting against H.R. 803, "The SKILLS Act," because it significantly limits the important role that community colleges, labor unions, and local community leaders play in assessing workforce needs and delivering important workforce development resources. It also ignores the unique needs of many individuals who are disadvantaged in the workforce and represents a step backward from current policy.

Effectively investing in workforce development programs that train workers to compete in an ever changing and increasingly technology-based job market is essential to improving quality of life, rebuilding our fragile economy, and bolstering our competitiveness over the long-term. Decisions about the best way to channel resources to ensure success should represent a wide variety of perspectives. While industry and local elected officials have an essential role to play in these conversations, this legislation favors the private sector while unnecessarily limiting the participation of institutions that offer workforce training programs, of groups representing workers rights, and of organizations advocating for minority and underrepresented groups.

The legislation also consolidates workforce and training programs into state-level block grants designed to serve everyone. There are many groups that face unique challenges to obtaining employment, such as veterans, minorities, workers with disabilities, and young people. It is important that we ensure these groups have access to Workforce Investment Act programs, and consolidating programs into a block grant runs the risk of overlooking these unique needs.

Many of my colleagues on both sides of the aisle agree that the Workforce Investment Act needs reform. This is why I support H.R. 798, which would reauthorize the Workforce Investment Act while strengthening partnerships between employers, community colleges, labor unions, and other stakeholder groups. It also streamlines and coordinates workforce programs without eliminating the important focus on disadvantaged groups.

Unemployment remains stubbornly high across the country. As we slowly continue to recover from the economic recession, it is essential that we make smart investments in workforce development. In Portland, Oregon, our region saw 155,900 people use workforce services in 2012, with 68,000 completing workforce programs, and 35,400 being placed for work. Under the guise of streamlining programs, H.R. 803 runs the risk of reducing these numbers, limiting access and limiting the effectiveness of our investments in Oregon and around the country at the exact time we should be increasing access to and enrollment in workforce training programs.

Mr. DINGELL. Madam Chair, I rise in strong opposition to H.R. 803, the SKILLS Act.

What we have before us today is another sorry excuse at legislating dressed up as compassionate conservatism. The SKILLS Act will ensure that disadvantaged populations, like youth, minorities, older workers, and the disabled, continue to suffer disproportionately in hard economic times. These are precisely the

jobseekers whom the workforce investment system was designed to serve, but the practical effect of the SKILLS Act would be to reduce their access to programs meant to help them find meaningful employment.

Madam Chair, the SKILLS Act's justification as a rationalization of worker training programs is nothing more than lip service to the real needs of chronically unemployed Americans. It consolidates 35 separate programs into block grants and attaches few, if any, strings to their use by state governors. In point of fact, the SKILLS Act is an extension of House Republicans' plans for Medicare and Medicaid, which would amount to a decrease in disadvantaged Americans' access to important services. Moreover, the SKILLS Act freezes the Workforce Investment Act's authorization level through 2020, an amount already demonstrated to be woefully inadequate to the needs of the unemployed.

It also grieves me that H.R. 803 eliminates separate training funds for youth programs, eliminates the Disabled Veterans Outreach Program, and eliminates the priority of service delivery for low-income adults or out-of-school youth. These people should be at the front of the line, yet the SKILLS Act cuts them out completely.

Finally, the SKILLS Act severely restricts the participation of unions, community-based organizations, and community colleges on state and local workforce investment boards. Collectively, these organizations have nearly unparalleled experience in proper workforce development and must be a part of any worker training plan.

Madam Chair, H.R. 803 is a dangerous step in the wrong direction. It will not prevent the further erosion of our labor force. The SKILLS Act is another expression of Republican indifference to the crumbling infrastructure that once made this country great. Some things are worth substantial investment, and that includes our workforce. If we don't heed this call, our country will become a second-rate economic power at best.

I urge my colleagues to vote down the SKILLS Act. I further encourage my colleagues to support the Democratic alternative to this bill, the Workforce Investment Act of 2013, and in so doing demonstrate a clear commitment to getting our workforce in shape for the 21st century.

Mr. GINGREY of Georgia. Madam Chair, I rise today in support of H.R. 803, the SKILLS Act, and urge my colleagues to support its passage.

Our current workforce development system is broken. Each year, the federal government spends billions on job training programs, but only a fraction of workers receive and complete the training necessary to get a job. Roughly 12 million Americans are unemployed and looking for work, yet the Bureau of Labor Statistics reports millions of job openings are unfilled, with a large number of people giving up the search for employment completely.

Madam Chair, the SKILLS Act works to correct these problems. This bill eliminates and streamlines 35 ineffective and duplicative programs and gives state and local governments more flexibility to consolidate employment and training programs at the state level. Additionally, H.R. 803 increases employer involvement

in local training boards, which ensures that training can be adapted to local demands.

Madam Chair, the SKILLS Act protects taxpayer dollars and provides workers with more effective job training services, while further empowering state and local governments. I urge my colleagues to join me in supporting H.R. 803.

Ms. KAPTUR. Madam Chair, I rise in opposition to H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act. This bill does not position our workers to compete in the new economy.

Despite what Wall Street and some economists think, America is still in a recession and plowing our way forward to full recovery. This nation has a jobs crisis that should be the number one priority for this Congress.

According to the U.S. Bureau of Labor Statistics, when you consider persons marginally attached to the workforce, the real unemployment rate is over 14 percent, not 7.7 percent.

The unemployment rate for construction workers is 15.7 percent, for teenagers it is 25.1 percent, and for transportation and production the unemployment rate is 10 percent.

There are over 12 million people unemployed in this country with 4.8 million considered long-term unemployed. That means over 40 percent of the unemployed individuals in the United States have been jobless for 27 weeks or more.

Madam Chair, I agree with my Republican colleagues that we need to reform our Workforce Investment Act (WIA) job training programs to meet the challenges of today's labor market. However, the bill before us fails to make the needed reforms to help the 12 million unemployed individuals in this country.

The underlying bill creates a one-size-fits-all Workforce Investment Fund that will ultimately disadvantage workers with disabilities, youth, older workers, women and disabled veterans.

H.R. 803 freezes job training funding levels through fiscal year 2020. These programs have been cut in half already and this bill makes those cuts permanent. We should be closing corporate tax loopholes to invest in our workers, not penalizing workers even more. One balances budgets when people go back to work. This bill should be written to that end.

I'm also particularly concerned that the bill eliminates the requirements that community colleges and non-profits be represented on local Workforce Investment Boards. What is stopping local Boards from being dominated by some business interests and turning into another form of corporate welfare? Education and training are the roads forward to the future. America cannot afford to ignore those most able to teach and train to the future.

I urge my colleagues to join me in opposing this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, I rise today in opposition to H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act. H.R. 803 is a poor alternative to the critical reauthorization of the Workforce Investment Act (WIA), and would ultimately limit access to employment resources and occupational training for the most vulnerable segments of the population.

Numerous organizations, as well as Members of Congress, have come out in over-

whelming opposition to H.R. 803 for its unsystematic approach to consolidate government programs and reduce costs. This legislation would collapse 35 federal job training programs and convert these targeted programs into a single indiscriminate fund administered through the states. H.R. 803 works counter to the original intent of the law, which was specifically tailored to support America's veterans, youth, seniors, disabled, and underprivileged workers.

Instead of H.R. 803, I support H.R. 798, proposed by Representative John TIERNEY. H.R. 798 would preserve these important programs for workers, while taking reasonable and deliberate steps to streamline government operations without ignoring the original intent behind WIA. I am a proud cosponsor of this bill, and will only support legislation that is genuine in its intent, and does not discriminate in terms of how it apportions benefits.

Madam Chair, H.R. 803 would dismantle critical support structures that have helped develop the U.S. workforce since WIA's inception in 1998. Despite steady progress, our economy remains fragile, and we must do everything within our power to ensure that workers have the resources and support they need to excel in an increasingly competitive environment. I urge my colleagues to oppose H.R. 803 in favor of a balanced approach that keeps the best interests of the American worker at its core focus.

Mr. McKEON. Madam Chair, I rise today to speak briefly about one of the programs that is being consolidated in the SKILLS Act: YouthBuild. While I support the overall bill on the floor today and look forward to an eventual reauthorization of WIA, I am concerned about the fate of YouthBuild. Let there be no doubt that with the GAO findings on our workforce training system there needed to be some consolidation, but not all programs are created equal. Some work better than others. Some work well in some districts while not so well in others.

Madam Chair, I had the great privilege of visiting the local YouthBuild center in my congressional district just a couple weeks ago. The Antelope Valley YouthBuild center is molding teens and young adults into model citizens. The staff works with youth ages 16–24 to help them build the confidence and skills needed to thrive in their communities. Participants work toward acquiring marketable skills to launch them into their careers while ensuring they complete their high school education. Participants give back to their community by building affordable housing in the Antelope Valley.

YouthBuild leverages public dollars as well as private dollars. Community and faith-based non-profit organizations sponsor most of the programs and the staff work tirelessly to make the program well-rounded for the participants and respected in the community.

I spoke to several young people during my visit whose lives had been completely transformed by the program. Instead of dreaming for even a sub-par life, these young people now have the confidence to not just survive in our world, but to thrive. The skills they learned, the bonds they made, and the good they did in their communities is shown through their great pride in what they have accom-

plished. They are finally feeling hopeful for the future.

I do not want the rug to be pulled out from under them by consolidating this program. At least in my district, this program has a significant impact on many lives and the community at large. I understand that not all programs are best run from Washington. Bureaucrats often don't understand what local communities need and how they operate, so operating every program at the national level is bad policy. But Madam Chair, some programs deserve a second look and I believe YouthBuild is one of those programs.

In 2011 alone, nearly 18,000 young people were turned away due to a lack of funds. The program has served over 110,000 young people since 1992 and since 2006 the Department of Labor has had twice as many applicants than it can fund.

Madam Chair, this is a popular program that has proven results. It is a program that has changed lives for the better in my district and many other districts across our country. I would urge Chairman KLINE and Subcommittee Chairman Foxx to reconsider consolidation of YouthBuild if WIA gets to a conference committee.

Mr. VAN HOLLEN. Madam Chair, today's legislation is a missed opportunity. As our economy recovers, job training services are more essential than ever, and we should be reauthorizing the Workforce Investment Act to ensure that these services are delivered efficiently and effectively. Unfortunately, H.R. 803 will not do that.

This bill establishes a single block grant for Workforce Investment Act funds, creating a one-size-fits-all model and jeopardizing services for the most at-risk populations, including workers with disabilities, older workers, disabled veterans, and youth. It also weakens Workforce Investment Boards by eliminating representation requirements for community-based organizations, community colleges, and labor. Without these important stakeholders, Boards will lose vital expertise in training and placement.

While Democrats believe the Workforce Investment Act needs to be updated to meet today's job training needs, H.R. 803 is not the way to do it. I support the substitute offered by Mr. TIERNEY, Mr. HINOJOSA, and Mr. MILLER that would streamline programs and improve accountability without threatening services for underserved populations. It would authorize the President's Community College Fund to expand the role of community colleges in job training and allow them to offer specialized skills and recognized credentials. It would increase access for work experience programs, including summer employment, internships, and pre-apprenticeship programs, so workers can receive training on the job. And it would establish common reporting and performance measures across all programs so we can better assess what is working. It is a better approach and I regret that the Republican Majority did not work with us to incorporate these ideas into the final bill.

Unfortunately, H.R. 803 on the floor today is a step backwards, dismantling protections and access for underserved populations and weakening community involvement in job training and placement. I urge my colleagues to vote

against this legislation and to come together in a bipartisan way to responsibly reform our workforce development programs.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-4. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 803

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Supporting Knowledge and Investing in Lifelong Skills Act” or the “SKILLS Act”.*

#### SEC. 2. TABLE OF CONTENTS.

*The table of contents for this Act is as follows:*

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Effective date.

#### TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

##### Subtitle A—Workforce Investment Definitions

#### Sec. 101. Definitions.

##### Subtitle B—Statewide and Local Workforce Investment Systems

- Sec. 102. Purpose.
- Sec. 103. State workforce investment boards.
- Sec. 104. State plan.
- Sec. 105. Local workforce investment areas.
- Sec. 106. Local workforce investment boards.
- Sec. 107. Local plan.
- Sec. 108. Establishment of one-stop delivery system.
- Sec. 109. Identification of eligible providers of training services.
- Sec. 110. General authorization.
- Sec. 111. State allotments.
- Sec. 112. Within State allocations.
- Sec. 113. Use of funds for employment and training activities.
- Sec. 114. Performance accountability system.
- Sec. 115. Authorization of appropriations.

##### Subtitle C—Job Corps

- Sec. 116. Job Corps purposes.
- Sec. 117. Job Corps definitions.
- Sec. 118. Individuals eligible for the Job Corps.
- Sec. 119. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 120. Job Corps centers.
- Sec. 121. Program activities.
- Sec. 122. Counseling and job placement.
- Sec. 123. Support.
- Sec. 124. Operations.
- Sec. 125. Community participation.
- Sec. 126. Workforce councils.
- Sec. 127. Technical assistance.
- Sec. 128. Special provisions.
- Sec. 129. Performance accountability management.

##### Subtitle D—National Programs

- Sec. 130. Technical assistance.
- Sec. 131. Evaluations.

##### Subtitle E—Administration

- Sec. 132. Requirements and restrictions.
- Sec. 133. Prompt allocation of funds.
- Sec. 134. Fiscal controls; sanctions.
- Sec. 135. Reports to Congress.
- Sec. 136. Administrative provisions.
- Sec. 137. State legislative authority.
- Sec. 138. General program requirements.
- Sec. 139. Federal agency staff.

##### Subtitle F—State Unified Plan

- Sec. 140. State unified plan.

#### TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

- Sec. 201. Amendment.

#### TITLE III—AMENDMENTS TO THE WAGNER-PEYSEY ACT

- Sec. 301. Amendments to the Wagner-Peyser Act.

#### TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.
- Sec. 402. Amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
- Sec. 403. Amendments to the Food and Nutrition Act of 2008.
- Sec. 404. Amendments to section 412 of the Immigration and Nationality Act.
- Sec. 405. Amendments relating to the Second Chance Act of 2007.
- Sec. 406. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 407. Conforming amendments to the United States Code.
- Sec. 408. Conforming amendment to table of contents.

#### TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 501. Findings.
- Sec. 502. Rehabilitation services administration.
- Sec. 503. Definitions.
- Sec. 504. State plan.
- Sec. 505. Scope of services.
- Sec. 506. Standards and indicators.
- Sec. 507. Collaboration with industry.
- Sec. 508. Reservation for expanded transition services.
- Sec. 509. Client assistance program.
- Sec. 510. Title III amendments.
- Sec. 511. Repeal of title VI.
- Sec. 512. Chairperson.
- Sec. 513. Authorizations of appropriations.
- Sec. 514. Conforming amendments.

#### SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (29 U.S.C. 9201 et seq.).

#### SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall be effective with respect to fiscal year 2014 and succeeding fiscal years.

#### TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

##### Subtitle A—Workforce Investment Definitions

#### SEC. 101. DEFINITIONS.

Section 101 (29 U.S.C. 2801) is amended—

- (1) by striking paragraphs (13) and (24);
- (2) by redesignating paragraphs (1) through (12) as paragraphs (3) through (14), and paragraphs (14) through (23) as paragraphs (15) through (24), respectively;
- (3) by striking paragraphs (52) and (53);
- (4) by inserting after “In this title:” the following new paragraphs:

“(1) ACCRUED EXPENDITURES.—The term ‘accrued expenditures’ means charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received; services performed by employees, contractors, subgrantees, subcontractors, and other payees; and other amounts becoming owed under programs assisted under this title for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

“(2) ADMINISTRATIVE COSTS.—The term ‘administrative costs’ means expenditures incurred by State and local workforce investment boards, direct recipients (including State grant recipients under subtitle B and recipients of awards under subtitles C and D), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under this title which are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and non-personnel and both direct and indirect.”;

(5) in paragraph (3) (as so redesignated), by striking “Except in sections 127 and 132, the” and inserting “The”;

(6) by amending paragraph (5) (as so redesignated) to read as follows:

“(5) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ‘area career and technical education school’ has the meaning given the term in section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3)).”;

(7) in paragraph (6) (as so redesignated), by inserting “(or such other level as the Governor may establish)” after “8th grade level”;

(8) in paragraph (10)(C) (as so redesignated), by striking “not less than 50 percent of the cost of the training” and inserting “a significant portion of the cost of training, as determined by the local board (or, in the case of an employer in multiple local areas in the State, as determined by the Governor), taking into account the size of the employer and such other factors as the local board determines to be appropriate”;

(9) in paragraph (11) (as so redesignated)—

(A) in subparagraph (A)(ii)(II), by striking “section 134(c)” and inserting “section 121(e)”;

(B) in subparagraph (B)(iii)—

(i) by striking “134(d)(4)” and inserting “134(c)(4)”;

(ii) by striking “intensive services described in section 134(d)(3)” and inserting “work ready services described in section 117(d)(5)(C)”;

(C) in subparagraph (C), by striking “or” after the semicolon;

(D) in subparagraph (D), by striking the period and inserting “; or”;

(E) by adding at the end the following:

“(E)(i) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

“(ii) is the spouse of a member of the Armed Forces on active duty who meets the criteria described in paragraph (12)(B).”;

(10) in paragraph (12)(A) (as redesignated)—

(A) by striking “and” after the semicolon and inserting “or”;

(B) by striking “(A)” and inserting “(A)(i)”;

and

(C) by adding at the end the following:

“(ii) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) whose family income is

significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and”;

(11) in paragraph (13) (as so redesignated), by inserting “or regional” after “local” each place it appears;

(12) in paragraph (14) (as so redesignated)—

(A) in subparagraph (A), by striking “section 122(e)(3)” and inserting “section 122”;

(B) by striking subparagraph (B), and inserting the following:

“(B) *work ready services*, means a provider who is identified or awarded a contract as described in section 117(d)(5)(C); or”;

(C) by striking subparagraph (C); and

(D) by redesignating subparagraph (D) as subparagraph (C).

(13) in paragraph (15) (as so redesignated), by striking “adult or dislocated worker” and inserting “individual”;

(14) in paragraph (25)—

(A) in subparagraph (B), by striking “higher of—” and all that follows through clause (ii) and inserting “poverty line for an equivalent period;”;

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) receives or is eligible to receive free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);”;

(15) in paragraph (32), by striking “the Republic of the Marshall Islands, the Federated States of Micronesia,”;

(16) by amending paragraph (33) to read as follows:

“(33) *OUT-OF-SCHOOL YOUTH*.—The term ‘out-of-school youth’ means—

“(A) an at-risk youth who is a school dropout; or

“(B) an at-risk youth who has received a secondary school diploma or its recognized equivalent but is basic skills deficient, unemployed, or underemployed.”.

(17) in paragraph (38), by striking “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

(18) by amending paragraph (49) to read as follows:

“(49) *VETERAN*.—The term ‘veteran’ has the same meaning given the term in section 2108(1) of title 5, United States Code.”;

(19) by amending paragraph (50) to read as follows:

“(50) *CAREER AND TECHNICAL EDUCATION*.—The term ‘career and technical education’ has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).”;

(20) in paragraph (51) by striking “, and a youth activity”;

(21) by adding at the end the following:

“(52) *AT-RISK YOUTH*.—Except as provided in subtitle C, the term ‘at-risk youth’ means an individual who—

“(A) is not less than age 16 and not more than age 24;

“(B) is a low-income individual; and

“(C) is an individual who is one or more of the following:

“(i) a secondary school dropout;

“(ii) a youth in foster care (including youth aging out of foster care);

“(iii) a youth offender;

“(iv) a youth who is an individual with a disability; or

“(v) a migrant youth.”.

“(53) *INDUSTRY OR SECTOR PARTNERSHIP*.—The term ‘industry or sector partnership’ means a partnership of a State or local board and one or more industries and other entities that have the capability to help the State or local board determine the immediate and long term skilled workforce needs of in-demand industries and other occupations important to the State or local economy, respectively.

“(54) *INDUSTRY-RECOGNIZED CREDENTIAL*.—The term ‘industry-recognized credential’ means a credential that is sought or accepted by companies within the industry sector involved, across multiple States, as recognized, preferred, or required for recruitment, screening, or hiring.

“(55) *RECOGNIZED POSTSECONDARY CREDENTIAL*.—The term ‘recognized postsecondary credential’ means a credential awarded by a training provider or postsecondary educational institution based on completion of all requirements for a program of study, including coursework or tests or other performance evaluations. The term includes an industry-recognized credential, a certificate of completion of an apprenticeship, or an associate or baccalaureate degree.

“(56) *PAY-FOR-PERFORMANCE CONTRACT STRATEGY*.—The term ‘pay-for-performance contract strategy’ means a strategy in which a contract to provide a program of employment and training activities incorporates—

“(A) the performance outcome described in subclauses (I) through (IV) of section 136(b)(2)(A)(i);

“(B) a fixed amount that will be paid to a provider of such employment and training activities for each program participant who achieves the agreed to levels of performance based upon the outcome measures described in subparagraph (A), within a defined timetable, and may include a bonus payment to such provider which may be used to expand the capacity of such provider;

“(C) the ability for a provider to recoup the costs of training a participant who has not met such outcome measures, but for whom the provider is able to demonstrate that such participant gained specific competencies required for education and career advancement that are, where feasible, tied to industry-recognized credentials and related standards, or State licensing requirements; and

“(D) the ability for a provider that does not meet the requirements under section 122(a)(2) to participate in such pay-for-performance contract and to not be required to report on the performance and cost information required under section 122(d).”.

#### **Subtitle B—Statewide and Local Workforce Investment Systems**

##### **SEC. 102. PURPOSE.**

Section 106 (29 U.S.C. 2811) is amended by adding at the end the following: “It is also the purpose of this subtitle to provide workforce investment activities in a manner that enhances employer engagement, promotes customer choices in the selection of training services, and ensures accountability in the use of the taxpayer funds.”.

##### **SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.**

Section 111 (29 U.S.C. 2821) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B) (as so redesignated)—

(I) by amending clause (i)(I), by striking “section 117(b)(2)(A)(i)” and inserting “section 117(b)(2)(A)”;

(II) by amending clause (i)(II) to read as follows:

“(II) represent businesses, including large and small businesses, with immediate and long-term employment opportunities in in-demand industries and other occupations important to the State economy; and”;

(III) by striking clause (iii) and inserting the following:

“(iii) a State agency official responsible for economic development; and”;

(IV) by striking clauses (iv) through (vi);

(V) by amending clause (vii) to read as follows:

“(vii) such other representatives and State agency officials as the Governor may designate, including—

“(I) members of the State legislature;

“(II) representatives of individuals and organizations that have experience with respect to youth activities;

“(III) representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of community colleges and community-based organizations within the State;

“(IV) representatives of the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners; or

“(V) representatives of veterans service organizations.”; and

(VI) by redesignating clause (vii) (as so amended) as clause (iv); and

(B) by amending paragraph (3) to read as follows:

“(3) *MAJORITY*.—A  $\frac{2}{3}$  majority of the members of the board shall be representatives described in paragraph (1)(B)(i).”;

(2) in subsection (c), by striking “(b)(1)(C)(i)” and inserting “(b)(1)(B)(i)”;

(3) by amending subsection (d) to read as follows:

“(d) *FUNCTIONS*.—The State board shall assist the Governor of the State as follows:

“(1) *STATE PLAN*.—Consistent with section 112, develop a State plan.

“(2) *STATEWIDE WORKFORCE DEVELOPMENT SYSTEM*.—Review and develop statewide policies and programs in the State in a manner that supports a comprehensive statewide workforce development system that will result in meeting the workforce needs of the State and its local areas. Such review shall include determining whether the State should consolidate additional programs into the Workforce Investment Fund in accordance with section 501(e).

“(3) *WORKFORCE AND LABOR MARKET INFORMATION SYSTEM*.—Develop a statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act, which may include using existing information conducted by the State economic development entity or related entity in developing such system.

“(4) *EMPLOYER ENGAGEMENT*.—Develop strategies across local areas that meet the needs of employers and support economic growth in the State by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

“(5) *DESIGNATION OF LOCAL AREAS*.—Designate local areas as required under section 116.

“(6) *ONE-STOP DELIVERY SYSTEM*.—Identify and disseminate information on best practices for effective operation of one-stop centers, including use of innovative business outreach, partnerships, and service delivery strategies.

“(7) *PROGRAM OVERSIGHT*.—Conduct the following program oversight:

“(A) Reviewing and approving local plans under section 118.

“(B) Ensuring the appropriate use and management of the funds provided for State employment and training activities authorized under section 134.



“(C) Preparing an annual report to the Secretary described in section 136(d).”

“(8) DEVELOPMENT OF PERFORMANCE MEASURES.—Develop and ensure continuous improvement of comprehensive State performance measures, including State adjusted levels of performance, as described under section 136(b).”;

(4) by striking subsection (e) and redesignating subsection (f) as subsection (e);

(5) in subsection (e) (as so redesignated), by inserting “or participate in any action taken” after “vote”;

(6) by inserting after subsection (e) (as so redesignated), the following:

“(f) STAFF.—The State board may employ staff to assist in carrying out the functions described in subsection (d).”;

(7) in subsection (g), by inserting “electronic means and” after “on a regular basis through”.

#### SEC. 104. STATE PLAN.

Section 112 (29 U.S.C. 2822)—

(1) in subsection (a)—

(A) by striking “127 or”; and

(B) by striking “5-year strategy” and inserting “3-year strategy”;

(2) in subsection (b)—

(A) by amending paragraph (4) to read as follows:

“(4) information describing—

“(A) the economic conditions in the State;

“(B) the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the State economy;

“(C) the knowledge and skills of the workforce in the State; and

“(D) workforce development activities (including education and training) in the State.”;

(B) by amending paragraph (7) to read as follows:

“(7) a description of the State criteria for determining the eligibility of training providers in accordance with section 122, including how the State will take into account the performance of providers and whether the training programs relate to occupations that are in-demand.”;

(C) by amending paragraph (8) to read as follows:

“(8)(A) a description of the procedures that will be taken by the State to assure coordination of, and avoid duplication among, the programs and activities identified under section 501(b)(2); and

“(B) a description of common data collection and reporting processes used for the programs and activities described in subparagraph (A), which are carried out by one-stop partners, including—

“(i) assurances that such processes use quarterly wage records for performance measures described in section 136(b)(2)(A) that are applicable to such programs or activities; or

“(ii) if such wage records are not being used for the performance measures, an identification of the barriers to using such wage records and a description of how the State will address such barriers within one year of the approval of the plan.”;

(D) in paragraph (9), by striking “, including comment by representatives of businesses and representatives of labor organizations.”;

(E) in paragraph (11), by striking “under sections 127 and 132” and inserting “under section 132”;

(F) by striking paragraph (12);

(G) by redesignating paragraphs (13) through (18) as paragraphs (12) through (17), respectively;

(H) in paragraph (12) (as so redesignated), by striking “111(f)” and inserting “111(e)”;

(I) in paragraph (13) (as so redesignated), by striking “134(c)” and inserting “121(e)”;

(J) in paragraph (14) (as so redesignated), by striking “116(a)(5)” and inserting “116(a)(4)”;

(K) in paragraph (16) (as so redesignated)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “to dislocated workers”;

(II) in clause (iii), by striking “134(d)(4)” and inserting “134(c)(4)”;

(III) by striking “and” at the end of clause (iii);

(IV) by amending clause (iv) to read as follows:

“(iv) how the State will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as supplemental nutrition assistance program benefits pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled and homeless veterans), and Native Americans; and”;

(V) by adding at the end the following new clause:

“(v) how the State will—

“(I) consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

“(II) consistent with sections 504 and 508 of the Rehabilitation Act of 1973, include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to programs and services under this subtitle.”;

(ii) in subparagraph (B), by striking “to the extent practicable” and inserting “in accordance with the requirements of the Jobs for Veterans Act (Public Law 107–288) and the amendments made by such Act”;

(L) by striking paragraph (17) (as so redesignated) and inserting the following:

“(17) a description of the strategies and services that will be used in the State—

“(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the State economy;

“(B) to meet the needs of employers in the State; and

“(C) to better coordinate workforce development programs with economic development activities;

“(18) a description of how the State board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across multiple firms for a range of workers employed or potentially employed by a targeted industry cluster—

“(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in targeted industry clusters;

“(B) to address the immediate and long-term skilled workforce needs of in-demand industries and other occupations important to the State economy; and

“(C) to address critical skill gaps within and across industries;

“(19) a description of how the State will utilize technology to facilitate access to services in remote areas, which may be used throughout the State;

“(20) a description of the State strategy and assistance to be provided for encouraging regional cooperation within the State and across State borders, as appropriate;

“(21) a description of the actions that will be taken by the State to foster communication, coordination, and partnerships with non-profit organizations (including public libraries, community, faith-based, and philanthropic organizations) that provide employment-related, training, and complementary services, to enhance the quality and comprehensiveness of services available to participants under this title;

“(22) a description of the process and methodology for determining—

“(A) one-stop partner program contributions for the cost of the infrastructure of one-stop centers under section 121(h)(1); and

“(B) the formula for allocating such infrastructure funds to local areas under section 121(h)(3);

“(23) a description of the strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials and industry-recognized credentials), and employment experience to succeed in the labor market, including—

“(A) training and internships in in-demand industries or occupations important to the State and local economy;

“(B) dropout recovery activities that are designed to lead to the attainment of a regular secondary school diploma or its recognized equivalent, or other State recognized equivalent (including recognized alternative standards for individuals with disabilities); and

“(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment; and

“(24) a description of—

“(A) how the State will furnish employment, training, supportive, and placement services to veterans, including disabled and homeless veterans;

“(B) the strategies and services that will be used in the State to assist and expedite reintegration of homeless veterans into the labor force; and

“(C) the veteran population to be served in the State.”;

(3) in subsection (c), by striking “period, that—” all that follows through paragraph (2) and inserting “period, that the plan is inconsistent with the provisions of this title.”;

(4) in subsection (d), by striking “5-year” and inserting “3-year”.

#### SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.

Section 116 (29 U.S.C. 2831) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “Except as provided in subsection (b), and consistent with paragraphs (2), (3), and (4), in” and inserting “In”; and

(II) by striking “127 or”; and

(ii) by amending subparagraph (B) to read as follows:

“(B) CONSIDERATIONS.—In making the designation of local areas, the Governor shall take into consideration the following:

“(i) The extent to which such local areas are consistent with labor market areas.

“(ii) The extent to which labor market areas align with economic development regions.

“(iii) Whether such local areas have the appropriate education and training providers to meet the needs of the local workforce.

“(iv) The distance that individuals will need to travel to receive services provided in such local areas.”;

(B) by amending paragraph (2) to read as follows:

“(2) TECHNICAL ASSISTANCE.—The Secretary shall, if requested by the Governor of a State,

provide the State with technical assistance in making the determinations required under paragraph (1). The Secretary shall not issue regulations governing determinations to be made under paragraph (1).";

(C) by striking paragraph (3) and inserting the following:

"(3) DESIGNATION ON RECOMMENDATION OF STATE BOARD.—The Governor may approve a request from any unit of general local government (including a combination of such units) for designation as a local area under paragraph (1) if the State board determines, taking into account the factors described in clauses (i) through (iv) of paragraph (1)(B), and recommends to the Governor, that such area shall be so designated.";

(D) by striking paragraph (4); and

(E) by redesignating paragraph (5) as paragraph (4);

(2) by amending subsection (b) to read as follows:

"(b) SINGLE STATES.—Consistent with subsection (a)(1)(B), the Governor may designate a State as a single State local area for the purposes of this title.";

(3) in subsection (c):

(A) in paragraph (1), by adding at the end the following: "The State may require the local boards for the designated region to prepare a single regional plan that incorporates the elements of the local plan under section 118 and that is submitted and approved in lieu of separate local plans under such section.";

(B) in paragraph (2), by striking "employment statistics" and inserting "workforce and labor market information".

#### SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.

Section 117 (29 U.S.C. 2832) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "include—" and all that follows through "representatives" and inserting "include representatives";

(II) by striking clauses (ii) through (vi);

(III) by redesignating subclauses (I) through (III) as clauses (i) through (iii), respectively (and by moving the margins of such clauses 2 ems to the left);

(IV) by striking clause (ii) (as so redesignated) and inserting the following:

"(ii) represent businesses, including large and small businesses, with immediate and long-term employment opportunities in in-demand industries and other occupations important to the local economy; and"; and

(V) by striking the semicolon at the end of clause (iii) (as so redesignated) and inserting "; and"; and

(ii) by amending subparagraph (B) to read as follows:

"(B) may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate, including—

"(i) a superintendent of the local secondary school system, the president or chief executive officer of a postsecondary educational institution (including a community college, where such an entity exists), or an administrator of local entities providing adult education and literacy activities;

"(ii) representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present); or

"(iii) representatives of veterans service organizations.";

(B) in paragraph (4)—

(i) by striking "A majority" and inserting "A  $\frac{2}{3}$  majority"; and

(ii) by striking "(2)(A)(i)" and inserting "(2)(A)"; and

(C) in paragraph (5) by striking "(2)(A)(i)" and inserting "(2)(A)";

(2) by striking subsection (c)(1)(C);

(3) by amending subsection (d) to read as follows:

"(d) FUNCTIONS OF LOCAL BOARD.—The functions of the local board shall include the following:

"(I) LOCAL PLAN.—Consistent with section 118, each local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor.

"(2) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—

"(A) IN GENERAL.—The local board shall—

"(i) conduct, and regularly update, an analysis of—

"(I) the economic conditions in the local area;

"(II) the immediate and long-term skilled workforce needs of in-demand industries and other occupations important to the local economy;

"(III) the knowledge and skills of the workforce in the local area; and

"(IV) workforce development activities (including education and training) in the local area; and

"(ii) assist the Governor in developing the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act.

"(B) EXISTING ANALYSIS.—A local board shall use existing analysis by the local economic development entity or related entity in order to carry out requirements of subparagraph (A)(i).

"(3) EMPLOYER ENGAGEMENT.—The local Board shall meet the needs of employers and support economic growth in the local area by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

"(4) BUDGET AND ADMINISTRATION.—

"(A) BUDGET.—

"(i) IN GENERAL.—The local board shall develop a budget for the activities of the local board in the local area, consistent with the requirements of this subsection.

"(ii) TRAINING RESERVATION.—In developing a budget under clause (i), the local board shall reserve a percentage of funds to carry out the activities specified in section 134(c)(4). The local board shall use the analysis conducted under paragraph (2)(A)(i) to determine the appropriate percentage of funds to reserve under this clause.

"(B) ADMINISTRATION.—

"(i) GRANT RECIPIENT.—

"(I) IN GENERAL.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under section 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

"(II) DESIGNATION.—In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

"(III) DISBURSAL.—The local grant recipient or an entity designated under subclause (II) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds im-

mediately on receiving such direction from the local board.

"(ii) STAFF.—The local board may employ staff to assist in carrying out the functions described in this subsection.

"(iii) GRANTS AND DONATIONS.—The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

"(5) SELECTION OF OPERATORS AND PROVIDERS.—

"(A) SELECTION OF ONE-STOP OPERATORS.—Consistent with section 121(d), the local board, with the agreement of the chief elected official—

"(i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and

"(ii) may terminate for cause the eligibility of such operators.

"(B) IDENTIFICATION OF ELIGIBLE TRAINING SERVICE PROVIDERS.—Consistent with this subtitle, the local board shall identify eligible providers of training services described in section 134(c)(4) in the local area, annually review the outcome of individual training providers using the criteria under section 122(b)(2), and designate providers in the local area who have demonstrated the highest level of success with respect to such indicators as priority providers for the following program year.

"(C) IDENTIFICATION OF ELIGIBLE PROVIDERS OF WORK READY SERVICES.—If the one-stop operator does not provide the services described in section 134(c)(2) in the local area, the local board shall identify eligible providers of such services in the local area by awarding contracts.

"(6) PROGRAM OVERSIGHT.—The local board, in partnership with the chief elected official, shall be responsible for—

"(A) ensuring the appropriate use and management of the funds provided for local employment and training activities authorized under section 134(b); and

"(B) conducting oversight of the one-stop delivery system in the local area authorized under section 121.

"(7) NEGOTIATION OF LOCAL PERFORMANCE MEASURES.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c).

"(8) TECHNOLOGY IMPROVEMENTS.—The local board shall develop strategies for technology improvements to facilitate access to services authorized under this subtitle and carried out in the local area, including in remote areas.";

(4) in subsection (e)—

(A) by inserting "electronic means and" after "regular basis through"; and

(B) by striking "and the award of grants or contracts to eligible providers of youth activities";

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking "section 134(d)(4)" and inserting "section 134(c)(4)"; and

(B) by striking paragraph (2) and inserting the following:

"(2) WORK READY SERVICES, DESIGNATION, OR CERTIFICATION AS ONE-STOP OPERATORS.—A local board may provide work ready services described in section 134(c)(2) through a one-stop delivery system described in section 121 or be designated or certified as a one-stop operator only with the agreement of the chief elected official and the Governor.";

(6) in subsection (g)(1), by inserting "or participate in any action taken" after "vote"; and

(7) by striking subsections (h) and (i).

#### SEC. 107. LOCAL PLAN.

Section 118 (29 U.S.C. 2833) is amended—

(1) in subsection (a), by striking "5-year" and inserting "3-year";

(2) by amending subsection (b) to read as follows:

"(b) CONTENTS.—The local plan shall include—



“(1) a description of the analysis of the local area’s economic and workforce conditions conducted under section 117(d)(2)(A)(i), and an assurance that the local board will use such analysis to carry out the activities under this subtitle;

“(2) a description of the one-stop delivery system in the local area, including—

“(A) a description of how the local board will ensure—

“(i) the continuous improvement of eligible providers of services through the system; and

“(ii) that such providers meet the employment needs of local businesses and participants; and

“(B) a description of how the local board will facilitate access to services provided through the one-stop delivery system consistent with section 117(d)(8);

“(3) a description of the strategies and services that will be used in the local area—

“(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the local economy;

“(B) to meet the needs of employers in the local area;

“(C) to better coordinate workforce development programs with economic development activities; and

“(D) to better coordinate workforce development programs with employment, training, and literacy services carried out by nonprofit organizations, including public libraries, as appropriate;

“(4) a description of how the local board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across multiple firms for a range of workers employed or potentially employed by a targeted industry cluster—

“(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in targeted industry clusters;

“(B) to address the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the local economy; and

“(C) to address critical skill gaps within and across industries;

“(5) a description of how the funds reserved under section 117(d)(4)(A)(ii) will be used to carry out activities described in section 134(c)(4);

“(6) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide activities, as appropriate;

“(7) a description of how the local area will—

“(A) coordinate activities with the local area’s disability community and with services provided under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)) by local educational agencies serving such local area to make available comprehensive, high-quality services to individuals with disabilities;

“(B) consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

“(C) consistent with sections 504 and 508 of the Rehabilitation Act of 1973, include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to programs and services under this subtitle;

“(8) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 136(c), to be—

“(A) used to measure the performance of the local area; and

“(B) used by the local board for measuring performance of the local fiscal agent (where appropriate), eligible providers, and the one-stop delivery system, in the local area;

“(9) a description of the process used by the local board, consistent with subsection (c), to provide an opportunity for public comment prior to submission of the plan;

“(10) a description of how the local area will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as the Supplemental Nutrition Assistance Program), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled veterans and homeless veterans), and Native Americans;

“(11) an identification of the entity responsible for the disbursement of grant funds described in subclause (III) of section 117(d)(4)(B)(i), as determined by the chief elected official or the Governor under such section;

“(12) a description of the strategies and services that will be used in the local area to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials and industry-recognized credentials), and employment experience to succeed in the labor market, including—

“(A) training and internships in in-demand industries or occupations important to the local economy;

“(B) dropout recovery activities that are designed to lead to the attainment of a regular secondary school diploma or its recognized equivalent, or other State recognized equivalent (including recognized alternative standards for individuals with disabilities); and

“(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment;

“(13) a description of—

“(A) how the local area will furnish employment, training, supportive, and placement services to veterans, including disabled and homeless veterans;

“(B) the strategies and services that will be used in the local area to assist and expedite reintegration of homeless veterans into the labor force; and

“(C) the veteran population to be served in the local area;

“(14) a description of—

“(A) the duties assigned to the veteran employment specialist consistent with the requirements of section 134(f);

“(B) the manner in which the veteran employment specialist is integrated into the One-Stop Career System described in section 121;

“(C) the date on which the veteran employment specialist was assigned; and

“(D) whether the veteran employment specialist has satisfactorily competed such training by the National Veterans’ Employment and Training Services Institute; and

“(15) such other information as the Governor may require.”;

(3) in subsection (c)(1), by striking “such means” and inserting “electronic means such”; and

(4) in subsection (c)(2), by striking “, including representatives of business and representatives of labor organizations.”.

#### SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.

Section 121 (29 U.S.C. 2841) is amended—

(1) in subsection (b)—

(A) by striking subparagraph (A) of paragraph (1) and inserting the following:

“(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) shall—

“(i) provide access through the one-stop delivery system to the program and activities carried out by the entity, including making the work ready services described in section 134(c)(2) that are applicable to the program of the entity available at one-stop centers (in addition to any other appropriate locations);

“(ii) use a portion of the funds available to the program of the entity to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers in accordance with subsection (h);

“(iii) enter into a local memorandum of understanding with the local board relating to the operation of the one-stop delivery system that meets the requirements of subsection (c); and

“(iv) participate in the operation of the one-stop delivery system consistent with the terms of the memorandum of understanding, the requirements of this title, and the requirements of the Federal laws authorizing the programs carried out by the entity.”;

(B) in paragraph (1)(B)—

(i) by striking clauses (ii), (v), and (vi);

(ii) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively;

(iii) by redesignating clauses (vii) through (xii) as clauses (iv) through (ix), respectively;

(iv) in clause (viii), as so redesignated, by striking “and” at the end;

(v) in clause (ix), as so redesignated, by striking the period and inserting “; and”; and

(vi) by adding at the end the following:

“(x) subject to subparagraph (C), programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).”;

(C) by inserting after paragraph (1)(B) the following:

“(C) DETERMINATION BY THE GOVERNOR.—Each entity carrying out a program described in subparagraph (B)(x) shall carry out the required partner activities described in subparagraph (A) unless the Governor of the State in which the local area is located provides the Secretary and Secretary of Health and Human Services written notice of a determination by the Governor that such entities shall not carry out such required partner activities.”; and

(D) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “section 134(d)(2)” and inserting “section 134(c)(2)”; and

(ii) in subparagraph (B)—

(I) by striking clauses (i), (ii), and (v);

(II) in clause (iv), by striking “and” at the end;

(III) by redesignating clauses (iii) and (iv) as clauses (i) and (ii), respectively; and

(IV) by adding at the end the following:

“(iii) employment and training programs administered by the Commissioner of the Social Security Administration;

“(iv) employment and training programs carried out by the Administrator of the Small Business Administration;

“(v) employment, training, and literacy services carried out by public libraries; and

“(vi) other appropriate Federal, State, or local programs, including programs in the private sector.”;

(2) in subsection (c)(2), by amending subparagraph (A) to read as follows:

“(A) provisions describing—

“(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated through such system;

“(ii) how the costs of such services and the operating costs of such system will be funded, through cash and in-kind contributions, to provide a stable and equitable funding stream for ongoing one-stop system operations, including the funding of the infrastructure costs of one-stop centers in accordance with subsection (h);

“(iii) methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities, including referrals for nontraditional employment; and

“(iv) the duration of the memorandum of understanding and the procedures for amending the memorandum during the term of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services; and”;

(3) in subsection (d)—

(A) in the heading for paragraph (1), by striking “DESIGNATION AND CERTIFICATION” and inserting “LOCAL DESIGNATION AND CERTIFICATION”;

(B) in paragraph (2)—

(i) by striking “section 134(c)” and inserting “subsection (e)”;

(ii) by amending subparagraph (A) to read as follows:

“(A) shall be designated or certified as a one-stop operator through a competitive process; and”;

(iii) in subparagraph (B), by striking clause (ii) and redesignating clauses (iii) through (vi) as clauses (ii) through (v), respectively; and

(C) in paragraph (3), by striking “vocational” and inserting “career and technical”;

(4) by amending subsection (e) to read as follows:

“(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.—

“(1) IN GENERAL.—There shall be established in a State that receives an allotment under section 132(b) a one-stop delivery system, which shall—

“(A) provide the work ready services described in section 134(c)(2);

“(B) provide access to training services as described in section 134(c)(4), including serving as the point of access to career enhancement accounts for training services to participants in accordance with paragraph (4)(F) of such section; and

“(C) provide access to the activities carried out under section 134(d), if any;

“(D) provide access to programs and activities carried out by one-stop partners that are described in subsection (b) of this section; and

“(E) provide access to the information described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)).

“(2) ONE-STOP DELIVERY.—At a minimum, the one-stop delivery system—

“(A) shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than one physical center in each local area of the State; and

“(B) may also make programs, services, and activities described in paragraph (1) available—

“(i) through a network of affiliated sites that can provide one or more of the programs, services, and activities to individuals; and

“(ii) through a network of eligible one-stop partners—

“(I) in which each partner provides one or more of the programs, services, and activities to such individuals and is accessible at an affiliated site that consists of a physical location or an electronically- or technologically-linked access point; and

“(II) that assures individuals that information on the availability of the work ready services will be available regardless of where the individuals initially enter the statewide workforce

investment system, including information made available through an access point described in subclause (I).

“(3) SPECIALIZED CENTERS.—The centers and sites described in paragraph (2) may have a specialization in addressing special needs.”; and

(5) by adding at the end the following:

“(g) CERTIFICATION OF ONE-STOP CENTERS.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—The State board shall establish objective procedures and criteria for certifying, at least once every 3 years, one-stop centers for the purpose of awarding the one-stop infrastructure funding described in subsection (h).

“(B) CRITERIA.—The criteria for certification under this subsection shall include—

“(i) meeting all of the expected levels of performance for each of the core indicators of performance as outlined in the State plan under section 112;

“(ii) meeting minimum standards relating to the scope and degree of service integration achieved by the centers involving the programs provided by the one-stop partners; and

“(iii) meeting minimum standards relating to how the centers ensure that eligible providers meet the employment needs of local employers and participants.

“(C) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure grants authorized under subsection (h).

“(2) LOCAL BOARDS.—Consistent with the criteria developed by the State, the local board may develop additional criteria of higher standards to respond to local labor market and demographic conditions and trends.

“(h) ONE-STOP INFRASTRUCTURE FUNDING.—

“(1) PARTNER CONTRIBUTIONS.—

“(A) PROVISION OF FUNDS.—Notwithstanding any other provision of law, as determined under subparagraph (B), a portion of the Federal funds provided to the State and areas within the State under the Federal laws authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in (b)(2)(B) for a fiscal year shall be provided to the Governor by such programs to carry out this subsection.

“(B) DETERMINATION OF GOVERNOR.—

“(i) IN GENERAL.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and other relevant factors described in paragraph (3).

“(ii) SPECIAL RULE.—In those States where the State constitution places policy-making authority that is independent of the authority of the Governor in an entity or official with respect to the funds provided for adult education and literacy activities authorized under title II of this Act and for postsecondary career education activities authorized under the Carl D. Perkins Career and Technical Education Act, the determination described in clause (i) with respect to such programs shall be made by the Governor with the appropriate entity or official with such independent policy-making authority.

“(iii) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a procedure for the one-stop partner administering a program described in subsection (b) to appeal a determination regarding the portion of funds to be contributed under this paragraph on the basis that such determination is inconsistent with the criteria described in the State plan or with the requirements of this paragraph. Such procedure shall ensure prompt resolution of the appeal.

“(C) LIMITATIONS.—

“(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such programs that may be used for administration.

“(ii) FEDERAL DIRECT SPENDING PROGRAMS.—Programs that are Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an amount in excess of the amount determined to be equivalent to the proportionate use of the one-stop centers by such programs in the State.

“(2) ALLOCATION BY GOVERNOR.—From the funds provided under paragraph (1), the Governor shall allocate funds to local areas in accordance with the formula established under paragraph (3) for the purposes of assisting in paying the costs of the infrastructure of one-stop centers certified under subsection (g).

“(3) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds described in paragraph (1). The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

“(4) COSTS OF INFRASTRUCTURE.—For purposes of this subsection, the term ‘costs of infrastructure’ means the nonpersonnel costs that are necessary for the general operation of a one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, and equipment (including assistive technology for individuals with disabilities).

“(i) OTHER FUNDS.—

“(1) IN GENERAL.—In addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in subsection (b)(2)(B), or the noncash resources available under such programs shall be used to pay the costs relating to the operation of the one-stop delivery system that are not paid for from the funds provided under subsection (h), to the extent not inconsistent with the Federal law involved including—

“(A) infrastructure costs that are in excess of the funds provided under subsection (h);

“(B) common costs that are in addition to the costs of infrastructure; and

“(C) the costs of the provision of work ready services applicable to each program.

“(2) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by each program under paragraph (1) shall be determined as part of the memorandum of understanding under subsection (c). The State board shall provide guidance to facilitate the determination of appropriate allocation of the funds and noncash resources in local areas.”.

#### SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

Section 122 (29 U.S.C. 2842) is amended to read as follows:

#### “SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

“(a) ELIGIBILITY.—

“(1) IN GENERAL.—The Governor, after consultation with the State board, shall establish criteria and procedures regarding the eligibility of providers of training services described in section 134(c)(4) to receive funds provided under

section 133(b) for the provision of such training services.

“(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive the funds provided under section 133(b) for the provision of training services, the provider shall be—

“(A) a postsecondary educational institution that—

“(i) is eligible to receive Federal funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

“(ii) provides a program that leads to a recognized postsecondary credential;

“(B) an entity that carries out programs under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

“(C) another public or private provider of a program of training services.

“(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria and procedures established under this section to be included on the list of eligible providers of training services described in subsection (d). A provider described in paragraph (2)(B) shall be included on the list of eligible providers of training services described in subsection (d) for so long as the provider remains certified by the Secretary of Labor to carry out the programs described in paragraph (2)(B).

“(b) CRITERIA.—

“(1) IN GENERAL.—The criteria established pursuant to subsection (a) shall take into account—

“(A) the performance of providers of training services with respect to the performance measures described in section 136 and other matters for which information is required under paragraph (2) and other appropriate measures of performance outcomes for those participants receiving training services under this subtitle;

“(B) whether the training programs of such providers relate to occupations that are in demand;

“(C) the need to ensure access to training services throughout the State, including in rural areas;

“(D) the ability of providers to offer programs that lead to a recognized postsecondary credential;

“(E) the information such providers are required to report to State agencies with respect to other Federal and State programs (other than the program carried out under this subtitle), including one-stop partner programs; and

“(F) such other factors as the Governor determines are appropriate.

“(2) INFORMATION.—The criteria established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State for purposes of carrying out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

“(A) information on recognized postsecondary credentials received by such participants;

“(B) information on costs of attendance for such participants;

“(C) information on the program completion rate for such participants; and

“(D) information on the performance of the provider with respect to the performance measures described in section 136 for such participants.

“(3) RENEWAL.—The criteria established by the Governor shall also provide for a review every 3 years and renewal of eligibility under this section for providers of training services.

“(4) LOCAL CRITERIA.—A local board in the State may establish criteria in addition to the criteria established by the Governor, or may require higher levels of performance than required

under the criteria established by the Governor, for purposes of determining the eligibility of providers of training services to receive funds described in subsection (a) to provide the services in the local area involved.

“(5) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including Social Security number, student identification number, or other identifier, may be disclosed without the prior written consent of the parent or eligible student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(c) PROCEDURES.—The procedures established under subsection (a) shall—

“(1) identify—

“(A) the application process for a provider of training services to become eligible to receive funds under section 133(b) for the provision of training services; and

“(B) the respective roles of the State and local areas in receiving and reviewing applications and in making determinations of eligibility based on the criteria established under this section; and

“(2) establish a process for a provider of training services to appeal a denial or termination of eligibility under this section that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

“(d) INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—In order to facilitate and assist participants under chapter 5 in choosing providers of training services, the Governor shall ensure that an appropriate list or lists of providers determined eligible under this section in the State, including information provided under subsection (b)(2) with respect to such providers, is provided to the local boards in the State and is made available to such participants and to members of the public through the one-stop delivery system in the State.

“(e) ENFORCEMENT.—

“(1) IN GENERAL.—The criteria and procedures established under this section shall provide the following:

“(A) INTENTIONALLY SUPPLYING INACCURATE INFORMATION.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services, or individual providing information on behalf of the provider, intentionally supplied inaccurate information under this section, the eligibility of such provider to receive funds under chapter 5 shall be terminated for a period of time that is not less than 2 years.

“(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services substantially violated any requirement under this title, the eligibility of such provider to receive funds under the program involved shall be terminated for a period of time that is not less than 10 years.

“(C) REPAYMENT.—A provider of training services whose eligibility is terminated under subparagraph (A) or (B) shall be liable for the repayment of funds received under chapter 5 during a period of noncompliance described in such subparagraph.

“(2) CONSTRUCTION.—Paragraph (1) shall be construed to provide remedies and penalties that supplement, but do not supplant, other civil and criminal remedies and penalties.

“(f) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept career enhancement accounts provided in another State.

“(g) RECOMMENDATIONS.—In developing the criteria, procedures, and information required under this section, the Governor shall solicit

and take into consideration the recommendations of local boards and providers of training services within the State.

“(h) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria, procedures, requirements for information, and the list of eligible providers required under this section, the Governor shall provide an opportunity for interested members of the public to submit comments regarding such criteria, procedures, and information.

“(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAINING EXCEPTION.—

“(1) IN GENERAL.—Providers of on-the-job training or customized training shall not be subject to the requirements of subsections (a) through (d).

“(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from on-the-job training and customized training providers as the Governor may require, determine whether the providers meet such performance criteria as the Governor may require, and disseminate information identifying providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services.”

#### SEC. 110. GENERAL AUTHORIZATION.

Chapter 5 of subtitle B of title I is amended—

(1) by striking the heading for chapter 5 and inserting the following: “**EMPLOYMENT AND TRAINING ACTIVITIES**”; and

(2) in section 131 (29 U.S.C. 2861)—

(A) by striking “paragraphs (1)(B) and (2)(B) of”; and

(B) by striking “adults, and dislocated workers,” and inserting “individuals”.

#### SEC. 111. STATE ALLOTMENTS.

Section 132 (29 U.S.C. 2862) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—The Secretary shall—

“(1) reserve ½ of 1 percent of the total amount appropriated under section 137 for a fiscal year, of which—

“(A) 50 percent shall be used to provide technical assistance under section 170; and

“(B) 50 percent shall be used for evaluations under section 172;

“(2) reserve not more than 1 percent of the total amount appropriated under section 137 for a fiscal year to make grants to, and enter into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska-Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out employment and training activities;

“(3) reserve not more than 25 percent of the total amount appropriated under section 137 for a fiscal year to carry out the Jobs Corps program under subtitle C;

“(4) reserve not more than 3.5 percent of the total amount appropriated under section 137 for a fiscal year to—

“(A) make grants to State or local boards to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or closures and realignments of military installations; and

“(B) provide assistance to Governors of States with an area that has suffered an emergency or a major disaster (as such terms are defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) to provide disaster relief employment in the area.

“(5) from the remaining amount appropriated under section 137 for a fiscal year (after reserving funds under paragraphs (1) through (4)), make allotments in accordance with subsection (b) of this section.”; and

(2) by amending subsection (b) to read as follows:

“(b) **WORKFORCE INVESTMENT FUND.**—

“(1) **RESERVATION FOR OUTLYING AREAS.**—

“(A) **IN GENERAL.**—From the amount made available under subsection (a)(5) for a fiscal year, the Secretary shall reserve not more than  $\frac{1}{4}$  of 1 percent to provide assistance to the outlying areas.

“(B) **RESTRICTION.**—The Republic of Palau shall cease to be eligible to receive funding under this subparagraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 99-658)) after the date of enactment of the SKILLS Act.

“(2) **STATES.**—

“(A) **IN GENERAL.**—After determining the amount to be reserved under paragraph (1), the Secretary shall allot the remainder of the amount referred to in subsection (a)(5) for a fiscal year to the States pursuant to subparagraph (B) for employment and training activities and statewide workforce investment activities.

“(B) **FORMULA.**—Subject to subparagraphs (C) and (D), of the remainder—

“(i) 25 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

“(ii) 25 percent shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of such individuals in all States;

“(iii) 25 percent shall be allotted on the basis of the relative number of individuals in each State who have been unemployed for 15 weeks or more, compared to the total number of individuals in all States who have been unemployed for 15 weeks or more; and

“(iv) 25 percent shall be allotted on the basis of the relative number of disadvantaged youth in each State, compared to the total number of disadvantaged youth in all States.

“(C) **MINIMUM AND MAXIMUM PERCENTAGES.**—

“(i) **MINIMUM PERCENTAGE.**—The Secretary shall ensure that no State shall receive an allotment under this paragraph for—

“(I) each of fiscal years 2014 through 2016, that is less than 100 percent of the allotment percentage of the State for fiscal year 2012; and

“(II) fiscal year 2017 and each succeeding fiscal year, that is less than 90 percent of the allotment percentage of the State for the preceding fiscal year.

“(ii) **MAXIMUM PERCENTAGE.**—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment under this paragraph for—

“(I) each of fiscal years 2014 through 2016, that is more than 130 percent of the allotment percentage of the State for fiscal year 2012; and

“(II) fiscal year 2017 and each succeeding fiscal year, that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

“(D) **SMALL STATE MINIMUM ALLOTMENT.**—Subject to subparagraph (C), the Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than  $\frac{1}{5}$  of 1 percent of the remainder described in subparagraph (A) for the fiscal year.

“(E) **DEFINITIONS.**—For the purpose of the formula specified in this paragraph:

“(i) **ALLOTMENT PERCENTAGE.**—The term ‘allotment percentage’—

“(I) used with respect to fiscal year 2012, means the percentage of the amounts allotted to States under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et

seq.), the Women in Apprenticeship and Non-traditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2012, that is received under such provisions by the State involved for fiscal year 2012; and

“(II) used with respect to fiscal year 2016 or a succeeding fiscal year, means the percentage of the amounts allotted to States under this paragraph for the fiscal year that is received under this paragraph by the State involved for the fiscal year.

“(ii) **DISADVANTAGED YOUTH.**—The term ‘disadvantaged youth’ means an individual who is not less than age 16 and not more than age 24 who receives an income, or is a member of a family that received a total family income, that in relation to family size, does not exceed the higher of—

“(I) the poverty line; or

“(II) 70 percent of the lower living standard income level.

“(iii) **INDIVIDUAL.**—The term ‘individual’ means an individual who is age 16 or older.”.

#### **SEC. 112. WITHIN STATE ALLOCATIONS.**

Section 133 is amended—

(1) by amending subsection (a) to read as follows:

“(a) **RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.**—

“(1) **STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.**—The Governor of a State shall reserve up to 15 percent of the total amount allotted to the State under section 132(b)(2) for a fiscal year to carry out the statewide activities described in section 134(a).

“(2) **STATEWIDE RAPID RESPONSE ACTIVITIES.**—Of the amount reserved under paragraph (1) for a fiscal year, the Governor of the State shall reserve not more than 25 percent for statewide rapid response activities described in section 134(a)(4).

“(3) **STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.**—Of the amount reserved under paragraph (1) for a fiscal year, the Governor of a State shall reserve 15 percent to carry out statewide activities described in section 134(a)(5).

“(4) **STATE ADMINISTRATIVE COST LIMIT.**—Not more than 5 percent of the funds reserved under paragraph (1) may be used by the Governor of a State for administrative costs of carrying out the statewide activities described in section 134(a).”.

(2) by amending subsection (b) to read as follows:

“(b) **WITHIN STATE ALLOCATION.**—

“(1) **METHODS.**—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials in the local areas, shall—

“(A) allocate the funds that are allotted to the State for employment and training activities and not reserved under subsection (a), in accordance with paragraph (2)(A); and

“(B) award the funds that are reserved by the State under subsection (a)(3) through competitive grants to eligible entities, in accordance with section 134(a)(1)(C).

“(2) **FORMULA ALLOCATIONS FOR THE WORKFORCE INVESTMENT FUND.**—

“(A) **ALLOCATION.**—In allocating the funds described in paragraph (1)(A) to local areas, a State shall allocate—

“(i) 25 percent on the basis described in section 132(b)(2)(B)(i);

“(ii) 25 percent on the basis described in section 132(b)(2)(B)(ii);

“(iii) 25 percent on the basis described in section 132(b)(2)(B)(iii); and

“(iv) 25 percent on the basis described in section 132(b)(2)(B)(iv).

“(B) **MINIMUM AND MAXIMUM PERCENTAGES.**—

“(i) **MINIMUM PERCENTAGE.**—The State shall ensure that no local area shall receive an allocation under this paragraph for—

“(I) each of fiscal years 2014 through 2016, that is less than 100 percent of the allocation percentage of the local area for fiscal year 2012; and

“(II) fiscal year 2017 and each succeeding fiscal year, that is less than 90 percent of the allocation percentage of the local area for the preceding fiscal year.

“(ii) **MAXIMUM PERCENTAGE.**—Subject to clause (i), the State shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph for—

“(I) each of fiscal years 2014 through 2016, that is more than 130 percent of the allocation percentage of the local area for fiscal year 2012; and

“(II) fiscal year 2017 and each succeeding fiscal year, that is more than 130 percent of the allocation percentage of the local area for the preceding fiscal year.

“(C) **DEFINITIONS.**—For the purpose of the formula specified in this paragraph, the term ‘allocation percentage’—

“(i) used with respect to fiscal year 2012, means the percentage of the amounts allocated to local areas under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Women in Apprenticeship and Non-traditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2012, that is received under such provisions by the local area involved for fiscal year 2012; and

“(ii) used with respect to fiscal year 2016 or a succeeding fiscal year, means the percentage of the amounts allocated to local areas for the fiscal year under this paragraph that is received under this paragraph by the local area involved for the fiscal year.”.

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

“(1) **IN GENERAL.**—The Governor, may in accordance with this subsection, reallocate to eligible local areas within the State amounts that are allocated under subsection (b) for employment and training activities and that are available for reallocation.”.

(B) in paragraph (2), by striking “paragraph (2)(A) or (3) of subsection (b) for such activities” and inserting “subsection (b) for such activities”;

(C) by amending paragraph (3) to read as follows:

“(3) **REALLOCATIONS.**—In making reallocations to eligible local areas of amounts available pursuant to paragraph (2) for a program year, the Governor shall allocate to each eligible local area within the State an amount based on the relative amount allocated to such local area under subsection (b)(2) for such activities for such prior program year, as compared to the total amount allocated to all eligible local areas in the State under subsection (b)(2) for such activities for such prior program year.”; and

(D) in paragraph (4), by striking “paragraph (2)(A) or (3) of”;

(4) by adding at the end the following new subsection:

“(d) **LOCAL ADMINISTRATIVE COST LIMIT.**—Of the amounts allocated to a local area under this section for a fiscal year, not more than 10 percent of the amount may be used by the local board involved for the administrative costs of carrying out local workforce investment activities in the local area under this chapter.”.

#### **SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.**

Section 134 is amended—

(1) by amending subsection (a) to read as follows:

“(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

“(1) IN GENERAL.—

“(A) DISTRIBUTION OF STATEWIDE ACTIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(1)—

“(i) shall be used to carry out the statewide employment and training activities described in paragraph (2); and

“(ii) may be used to carry out any of the statewide employment and training activities described in paragraph (3).

“(B) STATEWIDE RAPID RESPONSE ACTIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(2) shall be used to carry out the statewide rapid response activities described in paragraph (4).

“(C) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—Funds reserved by a Governor for a State as described in section 133(a)(3) shall be used to carry out the Statewide Grants for Individuals with Barriers to Employment competition described in paragraph (5).

“(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State shall use funds reserved as described in section 133(a)(1) to carry out statewide employment and training activities, which shall include—

“(A) disseminating the State list of eligible providers of training described in section 122(d), information identifying eligible providers of on-the-job training and customized training described in section 122(i), and performance information and program cost information described in section 122(b)(2);

“(B) supporting the provision of work ready services described in subsection (c)(2) in the one-stop delivery system;

“(C) implementing strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, recognized postsecondary credentials, and employment experience to succeed in the labor market;

“(D) conducting evaluations under section 136(e) of activities authorized under this chapter in coordination with evaluations carried out by the Secretary under section 172;

“(E) providing technical assistance to local areas that fail to meet local performance measures;

“(F) operating a fiscal and management accountability system under section 136(f); and

“(G) carrying out monitoring and oversight of activities carried out under this chapter.

“(3) ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State may use funds reserved as described in section 133(a)(1) to carry out statewide employment and training activities which may include—

“(A) implementing innovative programs and strategies designed to meet the needs of all employers in the State, including small employers, which may include incumbent worker training programs, sectoral and industry cluster strategies and partnerships, career ladder programs, micro-enterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce investment system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

“(B) providing incentive grants to local areas for regional cooperation among local boards (including local boards in a designated region as described in section 116(c)), for local coordina-

tion of activities carried out under this Act, and for exemplary performance by local areas on the local performance measures;

“(C) developing strategies for effectively integrating programs and services among one-stop partners;

“(D) carrying out activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;

“(E) incorporating pay-for-performance contracting strategies, as defined in section 101(56), as an element in funding activities under this section and providing technical support to local areas and providers in order to carry out such strategy, which may provide assistance with data collection and data entry requirements;

“(F) carrying out the State option under subsection (f)(8); and

“(G) carrying out other activities authorized under this section that the State determines to be necessary to assist local areas in carrying out activities described in subsection (c) or (d) through the statewide workforce investment system.

“(4) STATEWIDE RAPID RESPONSE ACTIVITIES.—A State shall use funds reserved as described in section 133(a)(2) to carry out statewide rapid response activities, which shall include—

“(A) provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas; and

“(B) provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas.

“(5) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—

“(A) IN GENERAL.—Of the funds reserved as described in section 133(a)(3), the Governor of a State—

“(i) may reserve up to 5 percent to provide technical assistance to, and conduct evaluations as described in section 136(e), of the programs and activities carried out under this paragraph; and

“(ii) using the remainder, shall award grants on a competitive basis to eligible entities described in subparagraph (B) to carry out employment and training programs authorized under this paragraph for individuals with barriers to employment that meet specific performance outcomes and criteria established by the Governor.

“(B) ELIGIBLE ENTITY DEFINED.—For purposes of this paragraph, the term ‘eligible entity’ means an entity that—

“(i) is a—

“(I) local board or a consortium of local boards;

“(II) nonprofit entity, for-profit entity, or a consortium of nonprofit or for-profit entities; or

“(III) consortium of the entities described in subclauses (I) and (II);

“(ii) has a demonstrated record of placing individuals into unsubsidized employment and serving hard to serve individuals; and

“(iii) agrees to be reimbursed primarily on the basis of achievement of specified performance outcomes and criteria established by the Governor.

“(C) GRANT PERIOD.—

“(i) IN GENERAL.—A grant under this paragraph shall be awarded for a period of 1 year.

“(ii) GRANT RENEWAL.—A Governor of a State may renew, for up to 4 additional 1-year periods, a grant awarded under this paragraph.

“(D) ELIGIBLE PARTICIPANTS.—To be eligible to participate in activities under this paragraph, an individual shall be a low-income individual age 16 or older or a member of a low-income family.

“(E) USE OF FUNDS.—An eligible entity receiving a grant under this paragraph shall use such funds for activities that are designed to assist eligible participants in obtaining employment and acquiring the education and skills necessary to succeed in the labor market.

“(F) APPLICATIONS.—To be eligible to receive a grant under this paragraph, an eligible entity shall submit an application to a State at such time, in such manner, and containing such information as the State may require, including—

“(i) a description of how the strategies and activities will be aligned with the State plan submitted under section 112 and the local plan submitted under section 118 with respect to the areas of the State that will be the focus of grant activities under this paragraph;

“(ii) a description of the educational and skills training programs and activities the eligible entity will provide to eligible participants under this paragraph;

“(iii) how the eligible entity will collaborate with State and local workforce investment systems established under this title in the provision of such programs and activities;

“(iv) a description of the programs of demonstrated effectiveness on which the provision of such educational and skills training programs and activities are based, and a description of how such programs and activities will improve the education and skills training for eligible participants;

“(v) a description of the populations to be served and the skill needs of those populations, and the manner in which eligible participants will be recruited and selected as participants;

“(vi) a description of the private, public, local, and State resources that will be leveraged, in addition to the grant funds provided for the programs and activities under this paragraph, and how the entity will ensure the sustainability of such programs and activities after grant funds are no longer available;

“(vii) a description of the extent of the involvement of employers in such programs and activities;

“(viii) a description of the levels of performance the eligible entity expects to achieve with respect to the indicators of performance for all individuals specified in section 136(b)(2);

“(ix) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures that will be used to ensure fiscal soundness for the programs and activities provided under this paragraph; and

“(x) any other criteria the Governor may require.”;

(2) by amending subsection (b) to read as follows:

“(b) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Funds allocated to a local area under section 133(b)—

“(1) shall be used to carry out employment and training activities described in subsection (c); and

“(2) may be used to carry out employment and training activities described in subsection (d).”;

(3) by striking subsection (c);

(4) by redesignating subsections (d) and (e), as subsections (c) and (d), respectively;

(5) in subsection (c) (as so redesignated)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Funds allocated to a local area under section 133(b) shall be used—

“(A) to establish a one-stop delivery system as described in section 121(e);

“(B) to provide the work ready services described in paragraph (2) through the one-stop

delivery system in accordance with such paragraph; and

“(C) to provide training services described in paragraph (4) in accordance with such paragraph.”;

(B) in paragraph (2)—

(i) in the heading, by striking “CORE SERVICES” and inserting “WORK READY SERVICES”;

(ii) in the matter preceding subparagraph (A)—

(I) by striking “(I)(A)” and inserting “(I)(B)”;

(II) by striking “core services” and inserting “work ready services”;

(III) by striking “who are adults or dislocated workers”;

(iii) by redesignating subparagraph (K) as subparagraph (V);

(iv) by redesignating subparagraphs (B) through (J) as subparagraphs (C) through (K), respectively;

(v) by inserting after subparagraph (A) the following:

“(B) assistance in obtaining eligibility determinations under the other one-stop partner programs through activities, where appropriate and consistent with the authorizing statute of the one-stop partner program, such as assisting in the submission of applications, the provision of information on the results of such applications, and the provision of intake services and information.”;

(vi) by amending subparagraph (E), as so redesignated, to read as follows:

“(E) labor exchange services, including—  
“(i) job search and placement assistance, and where appropriate, career counseling;

“(ii) appropriate recruitment services for employers, including small employers, in the local area, which may include services described in this subsection, including information and referral to specialized business services not traditionally offered through the one-stop delivery system; and

“(iii) reemployment services provided to unemployment claimants, including claimants identified as in need of such services under the worker profiling system established under section 303(j) of the Social Security Act (42 U.S.C. 503(j));”;

(vii) in subparagraph (F), as so redesignated, by striking “employment statistics” and inserting “workforce and labor market”;

(viii) in subparagraph (G), as so redesignated, by striking “and eligible providers of youth activities described in section 123.”;

(ix) in subparagraph (H), as so redesignated, by inserting “under section 136” after “local performance measures”;

(x) in subparagraph (J), as so redesignated, by inserting “and the administration of the work test for the unemployment compensation system” after “compensation”;

(xi) by amending subparagraph (K), as so redesignated, to read as follows:

“(K) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area.”; and

(xii) by inserting the following new subparagraphs after subparagraph (K), as so redesignated:

“(L) the provision of information from official publications of the Internal Revenue Service regarding Federal tax credits available to individuals relating to education, job training and employment;

“(M) comprehensive and specialized assessments of the skill levels and service needs of workers, which may include—

“(i) diagnostic testing and use of other assessment tools; and

“(ii) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

“(N) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant;

“(O) group counseling;

“(P) individual counseling and career planning;

“(Q) case management;

“(R) short-term pre-career services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

“(S) internships and work experience;

“(T) literacy activities relating to basic work readiness, information and communication technology literacy activities, and financial literacy activities, if such activities are not available to participants in the local area under programs administered under the Adult Education and Family Literacy Act (20 U.S.C. 2901 et seq.);

“(U) out-of-area job search assistance and relocation assistance; and”;

(C) by amending paragraph (3) to read as follows:

“(3) DELIVERY OF SERVICES.—The work ready services described in paragraph (2) shall be provided through the one-stop delivery system and may be provided through contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.”;

(D) in paragraph (4)—

(i) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—Funds described in paragraph (1)(C) shall be used to provide training services to individuals who—

“(i) after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

“(I) be in need of training services to obtain or retain employment; and

“(II) have the skills and qualifications to successfully participate in the selected program of training services;

“(ii) select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the individual receiving such services are willing to commute or relocate; and

“(iii) who meet the requirements of subparagraph (B);”;

(ii) in subparagraph (B)(i), by striking “Except” and inserting “Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except”;

(iii) by amending subparagraph (D) to read as follows:

“(D) TRAINING SERVICES.—Training services authorized under this paragraph may include—

“(i) occupational skills training;

“(ii) on-the-job training;

“(iii) skill upgrading and retraining;

“(iv) entrepreneurial training;

“(v) education activities leading to a regular secondary school diploma or its recognized equivalent in combination with, concurrently or subsequently, occupational skills training;

“(vi) adult education and literacy activities provided in conjunction with other training authorized under this subparagraph;

“(vii) workplace training combined with related instruction;

“(viii) occupational skills training that incorporates English language acquisition;

“(ix) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training; and

“(x) training programs operated by the private sector.”;

(iv) by striking subparagraph (E) and redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively; and

(v) in subparagraph (E) (as so redesignated)—

(I) in clause (ii)—

(aa) in the matter preceding subclause (I), by striking “subsection (c)” and inserting “section 121”;

(bb) in subclause (I), by striking “section 122(e)” and inserting “section 122(d)” and by striking “section 122(h)” and inserting “section 122(i)”;

(cc) in subclause (II), by striking “subsections (e) and (h)” and inserting “subsection (i)”;

and (II) by striking clause (iii) and inserting the following:

“(iii) CAREER ENHANCEMENT ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a case manager, select an eligible provider of training services from the list or identifying information for providers described in clause (ii)(I). Upon such selection, the one-stop operator involved shall, to the extent practicable, refer such individual to the eligible provider of training services, and arrange for payment for such services through a career enhancement account.

“(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate career enhancement accounts with other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

“(v) ASSISTANCE.—Each local board may, through one-stop centers, assist individuals receiving career enhancement accounts in obtaining funds (in addition to the funds provided under this section) from other programs and sources that will assist the individual in obtaining training services.”;

(vi) in subparagraph (F) (as so redesignated)—

(I) in the subparagraph heading, by striking “INDIVIDUAL TRAINING ACCOUNTS” and inserting “CAREER ENHANCEMENT ACCOUNTS”;

(II) in clause (i) by striking “individual training accounts” and inserting “career enhancement accounts”;

(III) in clause (ii)—

(aa) by striking “an individual training account” and inserting “a career enhancement account”;

(bb) by striking “subparagraph (F)” and inserting “subparagraph (E)”;

(cc) in subclause (II), by striking “individual training accounts” and inserting “career enhancement accounts”;

(dd) in subclause (II) by striking “or” after the semicolon;

(ee) in subclause (III) by striking the period and inserting “; or”;

(ff) by adding at the end the following:

“(IV) the local board determines that it would be most appropriate to award a contract to an institution of higher education that has been identified as a priority provider under section 117(d)(5)(B) in order to facilitate the training of multiple individuals in in-demand sectors or occupations, and which may be used to enable the expansion of programs provided by a priority provider, if such contract does not limit customer choice.”;

(IV) in clause (iii), by striking “adult or dislocated worker” and inserting “individual”;

and (V) in clause (iv)—

(aa) by redesignating subclause (IV) as subclause (V) and inserting after subclause (III) the following:

“(IV) Individuals with disabilities.”;

(6) in subsection (d) (as so redesignated)—

(A) by amending paragraph (I) to read as follows:



“(1) DISCRETIONARY ONE-STOP DELIVERY ACTIVITIES.—

“(A) IN GENERAL.—Funds allocated to a local area under section 133(b)(2) may be used to provide, through the one-stop delivery system—

“(i) customized screening and referral of qualified participants in training services to employers;

“(ii) customized employment-related services to employers on a fee-for-service basis;

“(iii) customer supports, including transportation and childcare, to navigate among multiple services and activities for special participant populations that face multiple barriers to employment, including individuals with disabilities;

“(iv) employment and training assistance provided in coordination with child support enforcement activities of the State agency carrying out subtitle D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

“(v) incorporating pay-for-performance contract strategies, as defined in section 101(56), as an element in funding activities under this section;

“(vi) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology; and

“(vii) activities to carry out business services and strategies that meet the workforce investment needs of local area employers, as determined by the local board, consistent with the local plan under section 118.”

(B) by striking paragraphs (2) and (3); and

(C) by adding at the end the following:

“(2) INCUMBENT WORKER TRAINING PROGRAMS.—

“(A) IN GENERAL.—The local board may use funds allocated to a local area under section 133(b)(2) to carry out incumbent worker training programs in accordance with this paragraph.

“(B) TRAINING ACTIVITIES.—The training programs for incumbent workers under this paragraph shall be carried out by the local area in conjunction with the employers of such workers for the purpose of assisting such workers in obtaining the skills necessary to retain employment and avert layoffs.

“(C) EMPLOYER MATCH REQUIRED.—

“(i) IN GENERAL.—Employers participating in programs under this paragraph shall be required to pay a proportion of the costs of providing the training to the incumbent workers of the employers. The local board shall establish the required portion of such costs, which may include in-kind contributions.

“(ii) CALCULATION OF MATCH.—The wages paid by an employer to a worker while they are attending training may be included as part of the required payment of the employer.”; and

(7) by adding at the end the following:

“(e) PRIORITY FOR PLACEMENT IN PRIVATE SECTOR JOBS.—In providing employment and training activities authorized under this section, the State and local board shall give priority to placing participants in jobs in the private sector.

“(f) VETERAN EMPLOYMENT SPECIALIST.—

“(1) IN GENERAL.—Subject to paragraph (8), a local board shall hire and employ one or more veteran employment specialist to carry out employment, training, and placement services under this subsection in the local area served by the local board.

“(2) PRINCIPAL DUTIES.—A veteran employment specialist in a local area shall—

“(A) conduct outreach to employers in the local area to assist veterans, including disabled veterans, in gaining employment, including—

“(i) conducting seminars for employers; and

“(ii) in conjunction with employers, conducting job search workshops, and establishing job search groups; and

“(B) facilitate employment, training, supportive, and placement services furnished to veterans, including disabled and homeless veterans, in the local area.

“(3) HIRING PREFERENCE FOR VETERANS AND INDIVIDUALS WITH EXPERTISE IN SERVING VETERANS.—Subject to paragraph (8), a local board shall, to the maximum extent practicable, employ veterans or individuals with expertise in serving veterans to carry out the services described in paragraph (2) in the local area served by the local board. In hiring an individual to serve as a veteran employment specialist, a local board shall give preference to veterans and other individuals in the following order:

“(A) To service-connected disabled veterans.

“(B) If no veteran described in subparagraph (A) is available, to veterans.

“(C) If no veteran described in subparagraph (A) or (B) is available, to any member of the Armed Forces transitioning out of military service.

“(D) If no veteran described in subparagraph (A), (B), or (C) is available, to any spouse of a veteran or a spouse of a member of the Armed Forces transitioning out of military service.

“(E) If no veteran described in subparagraph (A), (B), or (C) is available and no spouse described in paragraph (D) is available, to any other individuals with expertise in serving veterans.

“(4) ADMINISTRATION AND REPORTING.—

“(A) IN GENERAL.—Each veteran employment specialist shall be administratively responsible to the manager of the one-stop delivery center in the local area and shall provide, at a minimum, quarterly reports to the manager of such center and to the Director for Veterans' Employment and Training for the State on the performance and compliance by the specialist with Federal law and regulations with respect to the—

“(i) principal duties and special services for veterans described in paragraph (2); and

“(ii) hiring preferences described in paragraph (3) for veterans and individuals with expertise in serving veterans.

“(B) REPORT TO SECRETARY.—Each State shall submit to the Secretary an annual report on the qualifications used by the local board in making hiring determinations for a veteran employment specialist and the salary structure under which such specialist is compensated.

“(C) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Education and the Workforce and the Committee on Veterans' Affairs of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs of the Senate an annual report summarizing the reports submitted under subparagraph (B), including summaries of outcomes achieved by participating veterans disaggregated by local areas.

“(5) PART-TIME EMPLOYEES.—A part-time veteran employment specialist shall perform the functions of a veteran employment specialist under this subsection on a half-time basis.

“(6) TRAINING REQUIREMENTS.—Each veteran employment specialist described in paragraph (2) shall satisfactorily complete training provided by the National Veterans' Employment and Training Institute during the three-year period that begins on the date on which the employee is so assigned.

“(7) SPECIALIST'S DUTIES.—A full-time veteran employment specialist shall perform only duties related to the employment, training, supportive, and placement services under this subsection, and shall not perform other non-veteran-related duties if such duties detract from the specialist's ability to perform the specialist's duties related to employment, training, and placement services under this subsection.

“(8) STATE OPTION.—At the request of a local board, a State may assume the duties assigned

to the local board under paragraphs (1) and (3), including the hiring and employment of one or more veteran employment specialist for placement in the local area served by the local board.”

#### SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 136 (29 U.S.C. 2871) is amended—

(1) in subsection (b)—

(A) by amending paragraphs (1) and (2) to read as follows:

“(1) IN GENERAL.—For each State, the State performance measures shall consist of—

“(A)(i) the core indicators of performance described in paragraph (2)(A); and

“(ii) additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

“(B) a State adjusted level of performance for each indicator described in subparagraph (A).

“(2) INDICATORS OF PERFORMANCE.—

“(A) CORE INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—The core indicators of performance for the program of employment and training activities authorized under sections 132(a)(2) and 134, the program of adult education and literacy activities authorized under title II, and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of the following indicators of performance, each disaggregated by the populations identified in the State and local plans:

“(I) The percentage and number of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program.

“(II) The percentage and number of program participants who are in unsubsidized employment during the fourth full calendar quarter after exit from the program.

“(III) The median earnings of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program compared to the median earnings of such participants prior to the training received under such program.

“(IV) The percentage and number of program participants who obtain a recognized postsecondary credential, a registered apprenticeship, an industry-recognized credential, or a regular secondary school diploma or its recognized equivalent (subject to clause (ii)), during participation in or within 1 year after exit from program.

“(V) The percentage and number of program participants who, during a program year—

“(aa) are in an education or training program that leads to a recognized postsecondary credential, a registered apprenticeship or on-the-job training program, an industry-recognized credential, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment; and

“(bb) are achieving measurable basic skill gains toward such a credential or employment.

“(VI) The percentage and number of program participants who obtain unsubsidized employment in the field relating to the training services described in section 134(c)(4) that such participants received.

“(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), program participants who obtain a regular secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have, within 1 year after exit from the program, obtained or retained employment, have been removed from public assistance, or are in an education or training program leading to a recognized postsecondary credential.

“(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional indicators for workforce investment activities authorized under this subtitle.”; and

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the heading, by striking “AND CUSTOMER SATISFACTION INDICATOR”;

(II) in clause (i), by striking “and the customer satisfaction indicator described in paragraph (2)(B)”;

(III) in clause (ii), by striking “and the customer satisfaction indicator of performance, for the first 3” and inserting “, for all 3”;

(IV) in clause (iii)—

(aa) in the heading, by striking “FOR FIRST 3 YEARS”;

(bb) by striking “and the customer satisfaction indicator of performance, for the first 3 program years” and inserting “for all 3 program years”;

(V) in clause (iv)—

(aa) by striking “or (v)”;

(bb) by striking subclause (I) and redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(cc) in subclause (I) (as so redesignated)—

(AA) by striking “taking into account” and inserting “which shall be adjusted based on”;

(BB) by inserting “, such as unemployment rates and job losses or gains in particular industries” after “economic conditions”; and

(CC) by inserting “, such as indicators of poor work experience, dislocation from high-wage employment, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency” after “program”;

(VI) by striking clause (v) and redesignating clause (vi) as clause (v); and

(VII) in clause (v) (as so redesignated),

(aa) by striking “described in clause (iv)(II)” and inserting “described in clause (iv)(I)”;

(bb) by striking “or (v)”;

(ii) in subparagraph (B), by striking “paragraph (2)(C)” and inserting “paragraph (2)(B)”;

(2) in subsection (c)(1)(A)—

(A) by amending clause (i) to read as follows: “(i) the core indicators of performance described in subsection (b)(2)(A) for activities described in such subsections, other than statewide workforce investment activities; and”;

(B) in clause (ii), by striking “(b)(2)(C)” and inserting “(b)(2)(B)”;

(C) by amending paragraph (3) to read as follows:

“(3) DETERMINATIONS.—In determining such local levels of performance, the local board, the chief elected official, and the Governor shall ensure such levels are adjusted based on the specific economic characteristics (such as unemployment rates and job losses or gains in particular industries), demographic characteristics, or other characteristics of the population to be served in the local area.”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “127 or”;

(ii) by striking “and the customer satisfaction indicator” each place it appears; and

(iii) in the last sentence, by inserting before the period the following: “, and on the amount and percentage of the State’s annual allotment under section 132 the State spends on administrative costs and on the amount and percentage of its annual allocation under section 133 each local area in the State spends on administrative costs”;

(B) in paragraph (2)—

(i) by striking subparagraphs (A), (B), and (D);

(ii) by redesignating subparagraph (C) as subparagraph (A);

(iii) by redesignating subparagraph (E) as subparagraph (B);

(iv) in subparagraph (B), as so redesignated—

(I) by striking “(excluding participants who received only self-service and informational activities)”;

(II) by striking “and” at the end;

(v) by striking subparagraph (F);

(vi) by adding at the end the following:

“(C) with respect to each local area in the State—

“(i) the number of individuals who received work ready services described under section 134(c)(2) and the number of individuals who received training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, where the individuals received the training, disaggregated by the type of entity that provided the training, and the amount of funds spent on each type of service;

“(ii) the number of individuals who successfully exited out of work ready services described under section 134(c)(2) and the number of individuals who exited out of training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, and where the individuals received the training, disaggregated by the type of entity that provided the training; and

“(iii) the average cost per participant of those individuals who received work ready services described under section 134(c)(2) and the average cost per participant of those individuals who received training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, and where the individuals received the training, disaggregated by the type of entity that provided the training; and

“(E) the amount of funds spent on training services and discretionary one-stop delivery activities, disaggregated by the populations identified in the State and local plans.”;

(C) in paragraph (3)(A), by striking “through publication” and inserting “through electronic means”;

(D) by adding at the end the following:

“(4) DATA VALIDATION.—In preparing the reports described in this subsection, each State shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.

“(5) STATE AND LOCAL POLICIES.—

“(A) STATE POLICIES.—Each State that receives an allotment under section 132 shall maintain a central repository of policies related to access, eligibility, availability of services, and other matters and plans approved by the State board and make such repository available to the public, including by electronic means.

“(B) LOCAL POLICIES.—Each local area that receives an allotment under section 133 shall maintain a central repository of policies related to access, eligibility, availability of services, and other matters and plans approved by the local board and make such repository available to the public, including by electronic means.”;

(4) in subsection (g)—

(A) in paragraph (1)(A), by striking “or (B)”;

(B) in paragraph (1)(B), by striking “may reduce by not more than 5 percent,” and inserting “shall reduce”;

(C) by striking paragraph (2) and inserting the following:

“(2) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary shall return to the Treasury the amount retained, as a result of a reduction in an allotment to a State made under paragraph (1)(B).”;

(5) in subsection (h)(1), by striking “or (B)”;

(6) in subsection (h)(2)—

(A) in subparagraph (A), by amending the matter preceding clause (i) to read as follows:

“(A) IN GENERAL.—If such failure continues for a second consecutive year, the Governor shall take corrective actions, including the development of a reorganization plan. Such plan shall—”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(C) by inserting after subparagraph (A), the following:

“(B) REDUCTION IN THE AMOUNT OF GRANT.—If such failure continues for a third consecutive year, the Governor of a State shall reduce the amount of the grant that would (in the absence of this subparagraph) be payable to the local area under such program for the program year after such third consecutive year. Such penalty shall be based on the degree of failure to meet local levels of performance.”;

(D) in subparagraph (C)(i) (as so redesignated), by striking “a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan” and inserting “corrective actions under subparagraphs (A) and (B) may, not later than 30 days after receiving notice of the actions, appeal to the Governor to rescind or revise such actions”;

(E) in subparagraph (D) (as so redesignated), by striking “subparagraph (B)” each place it appears and inserting “subparagraph (C)”;

(7) in subsection (i)(1)(B), by striking “subsection (b)(2)(C)” and inserting “subsection (b)(2)(B)”;

(8) in subsection (i)(1)(C), by striking “(b)(3)(A)(vi)” and inserting “(b)(3)(A)(v)”;

(9) in subsection (i)(2), by striking “the activities described in section 502 concerning”;

(10) in subsection (i)(3), by striking “described in paragraph (1) and in the activities described in section 502” and inserting “and activities described in this subsection”;

(11) by adding at the end the following new subsections:

“(j) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—In addition to the programs carried out under chapter 5, and consistent with the requirements of the applicable authorizing laws, the Secretary shall use the core indicators of performance described in subsection (b)(2)(A) to assess the effectiveness of the programs described under section 121(b)(1)(B) that are carried out by the Secretary.

“(k) ESTABLISHING PAY-FOR-PERFORMANCE INCENTIVES.—

“(1) IN GENERAL.—At the discretion of the Governor of a State, a State may establish an incentive system for local boards to implement pay-for-performance contract strategies for the delivery of employment and training services in the local areas served by the local boards.

“(2) IMPLEMENTATION.—A State that establishes a pay-for-performance incentive system shall reserve not more than 10 percent of the total amount allotted to the State under section 132(b)(2) for a fiscal year to provide funds to local areas in the State whose local boards have implemented a pay-for-performance contract strategy.

“(3) EVALUATIONS.—A State described in paragraph (2) shall use funds reserved by the State under section 133(a)(1) to evaluate the return on investment of pay-for-performance contract strategies implemented by local boards in the State.”.

#### SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

Section 137 (29 U.S.C. 2872) is amended to read as follows:

#### “SEC. 137. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out the activities described in section 132, \$6,245,318,000 for fiscal year 2014 and each of the 6 succeeding fiscal years.”.



**Subtitle C—Job Corps****SEC. 116. JOB CORPS PURPOSES.**

Paragraph (1) of section 141 (29 U.S.C. 2881(1)) is amended to read as follows:

“(1) to maintain a national Job Corps program for at-risk youth, carried out in partnership with States and communities, to assist eligible youth to connect to the workforce by providing them with intensive academic, career and technical education, and service-learning opportunities, in residential and nonresidential centers, in order for such youth to obtain regular secondary school diplomas and recognized postsecondary credentials leading to successful careers in in-demand industries that will result in opportunities for advancement.”.

**SEC. 117. JOB CORPS DEFINITIONS.**

Section 142 (29 U.S.C. 2882) is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by striking “APPLICABLE ONE-STOP” and inserting “ONE-STOP”;

(B) by striking “applicable”;

(C) by striking “customer service”; and

(D) by striking “intake” and inserting “assessment”;

(2) in paragraph (4), by striking “before completing the requirements” and all that follows and inserting “prior to becoming a graduate.”; and

(3) in paragraph (5), by striking “has completed the requirements” and all that follows and inserting the following: “who, as a result of participation in the Job Corps program, has received a regular secondary school diploma, completed the requirements of a career and technical education and training program, or received, or is making satisfactory progress (as defined under section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)) toward receiving, a recognized postsecondary credential, including an industry-recognized credential that prepares individuals for employment leading to economic self-sufficiency.”.

**SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

Section 144 (29 U.S.C. 2884) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) not less than age 16 and not more than age 24 on the date of enrollment;”;

(2) in paragraph (3)(B), by inserting “secondary” before “school”; and

(3) in paragraph (3)(E), by striking “vocational” and inserting “career and technical education and”.

**SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.**

Section 145 (29 U.S.C. 2885) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(C)(i) by striking “vocational” and inserting “career and technical education and training”; and

(B) in paragraph (3)—

(i) by striking “To the extent practicable, the” and inserting “The”;

(ii) in subparagraph (A)—

(I) by striking “applicable”; and

(II) by inserting “and” after the semicolon;

(iii) by striking subparagraphs (B) and (C); and

(iv) by adding at the end the following:

“(B) organizations that have a demonstrated record of effectiveness in placing at-risk youth into employment.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “and agrees to such rules” after “failure to observe the rules”; and

(ii) by amending subparagraph (C) to read as follows:

“(C) the individual has passed a background check conducted in accordance with procedures

established by the Secretary, which shall include—

“(i) a search of the State criminal registry or repository in the State where the individual resides and each State where the individual previously resided;

“(ii) a search of State-based child abuse and neglect registries and databases in the State where the individual resides and each State where the individual previously resided;

“(iii) a search of the National Crime Information Center;

“(iv) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(v) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).”;

(B) by adding at the end the following new paragraph:

“(3) INDIVIDUALS CONVICTED OF A CRIME.—An individual shall be ineligible for enrollment if the individual—

“(A) makes a false statement in connection with the criminal background check described in paragraph (1)(C);

“(B) is registered or is required to be registered on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

“(C) has been convicted of a felony consisting of—

“(i) homicide;

“(ii) child abuse or neglect;

“(iii) a crime against children, including child pornography;

“(iv) a crime involving rape or sexual assault; or

“(v) physical assault, battery, or a drug-related offense, committed within the past 5 years.”;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “2 years” and inserting “year”; and

(ii) by striking “an assignment” and inserting “a”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “, every 2 years.”;

(ii) in subparagraph (B), by striking “and” at the end; and

(iii) in subparagraph (C)—

(I) by inserting “the education and training” after “including”; and

(II) by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) the performance of the Job Corps center relating to the indicators described in paragraphs (1) and (2) in section 159(c), and whether any actions have been taken with respect to such center pursuant to section 159(f).”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “is closest to the home of the enrollee, except that the” and inserting “offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The”;

(ii) by striking subparagraph (A); and

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2), by inserting “that offers the career and technical education and training desired by” after “home of the enrollee”.

**SEC. 120. JOB CORPS CENTERS.**

Section 147 (29 U.S.C. 2887) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking “vocational” both places it appears and inserting “career and technical”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)” and inserting “subsections (a) and (b) of section 3304 of title 41, United States Code”; and

(II) by striking “industry council” and inserting “workforce council”;

(ii) in subparagraph (B)(i)—

(I) by amending subclause (II) to read as follows:

“(II) the ability of the entity to offer career and technical education and training that the workforce council proposes under section 154(c).”;

(II) in subclause (III), by striking “is familiar with the surrounding communities, applicable” and inserting “demonstrates relationships with the surrounding communities, employers, workforce boards,” and by striking “and” at the end;

(III) by amending subclause (IV) to read as follows:

“(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including the entity’s demonstrated effectiveness in assisting individuals in achieving the primary and secondary indicators of performance described in paragraphs (1) and (2) of section 159(c); and”;

(IV) by adding at the end the following new subclause:

“(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including by providing them with intensive academic, career and technical education and training.”;

(iii) in subparagraph (B)(ii), by striking “, as appropriate”;

(2) in subsection (b), by striking “In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.”;

(3) by amending subsection (c) to read as follows:

“(c) CIVILIAN CONSERVATION CENTERS.—

“(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall adhere to all the provisions of this subtitle, and shall provide, in addition to education, career and technical education and training, and workforce preparation skills training described in section 148, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

“(2) SELECTION PROCESS.—The Secretary shall select an entity that submits an application under subsection (d) to operate a Civilian Conservation Center on a competitive basis, as provided in subsection (a).”;

(4) by striking subsection (d) and inserting the following:

“(d) APPLICATION.—To be eligible to operate a Job Corps center under this subtitle, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a description of the program activities that will be offered at the center, including how the career and technical education and training reflect State and local employment opportunities, including in in-demand industries;

“(2) a description of the counseling, placement, and support activities that will be offered

at the center, including a description of the strategies and procedures the entity will use to place graduates into unsubsidized employment upon completion of the program;

“(3) a description of the demonstrated record of effectiveness that the entity has in placing at-risk youth into employment, including past performance of operating a Job Corps center under this subtitle;

“(4) a description of the relationships that the entity has developed with State and local workforce boards, employers, State and local educational agencies, and the surrounding communities in an effort to promote a comprehensive statewide workforce investment system;

“(5) a description of the strong fiscal controls the entity has in place to ensure proper accounting of Federal funds, and a description of how the entity will meet the requirements of section 159(a);

“(6) a description of the strategies and policies the entity will utilize to reduce participant costs;

“(7) a description of the steps taken to control costs in accordance with section 159(a)(3);

“(8) a detailed budget of the activities that will be supported using funds under this subtitle;

“(9) a detailed budget of the activities that will be supported using funds from non-Federal resources;

“(10) an assurance the entity will comply with the administrative cost limitation included in section 151(c);

“(11) an assurance the entity is licensed to operate in the State in which the center is located; and

“(12) an assurance the entity will comply with and meet basic health and safety codes, including those measures described in section 152(b).

“(e) **LENGTH OF AGREEMENT.**—The agreement described in subsection (a)(1)(A) shall be for not longer than a 2-year period. The Secretary may renew the agreement for 3 one-year periods if the entity meets the requirements of subsection (f).

“(f) **RENEWAL.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may renew the terms of an agreement described in subsection (a)(1)(A) for an entity to operate a Job Corps center if the center meets or exceeds each of the indicators of performance described in section 159(c)(1).

“(2) **RECOMPETITION.**—

“(A) **IN GENERAL.**—Notwithstanding paragraph (1), the Secretary shall not renew the terms of the agreement for an entity to operate a Job Corps center if such center is ranked in the bottom quintile of centers described in section 159(f)(2) for any program year. Such entity may submit a new application under subsection (d) only if such center has shown significant improvement on the indicators of performance described in section 159(c)(1) over the last program year.

“(B) **VIOLATIONS.**—The Secretary shall not select an entity to operate a Job Corps center if such entity or such center has been found to have a systemic or substantial material failure that involves—

“(i) a threat to the health, safety, or civil rights of program participants or staff;

“(ii) the misuse of funds received under this subtitle;

“(iii) loss of legal status or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds;

“(iv) failure to meet any other Federal or State requirement that the entity has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; or

“(v) an unresolved area of noncompliance.

“(g) **CURRENT GRANTEES.**—Not later than 60 days after the date of enactment of the *SKILLS Act* and notwithstanding any previous grant award or renewals of such award under this subtitle, the Secretary shall require all entities operating a Job Corps center under this subtitle to submit an application under subsection (d) to carry out the requirements of this section.”

#### **SEC. 121. PROGRAM ACTIVITIES.**

Section 148 (29 U.S.C. 2888) is amended—

(1) by amending subsection (a) to read as follows:

“(a) **ACTIVITIES PROVIDED THROUGH JOB CORPS CENTERS.**—

“(1) **IN GENERAL.**—Each Job Corps center shall provide enrollees with an intensive, well-organized, and supervised program of education, career, and technical education and training, work experience, recreational activities, physical rehabilitation and development, and counseling. Each Job Corps center shall provide enrollees assigned to the center with access to work-ready services described in section 134(c)(2).

“(2) **RELATIONSHIP TO OPPORTUNITIES.**—

“(A) **IN GENERAL.**—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

“(i) secure and maintain meaningful unsubsidized employment;

“(ii) complete secondary education and obtain a regular secondary school diploma;

“(iii) enroll in and complete postsecondary education or training programs, including obtaining recognized postsecondary credentials, industry-recognized credentials, and registered apprenticeships; or

“(iv) satisfy Armed Forces requirements.

“(B) **LINK TO EMPLOYMENT OPPORTUNITIES.**—The career and technical education and training provided shall be linked to the employment opportunities in in-demand industries in the State in which the Job Corps center is located.”; and

(2) in subsection (b)—

(A) in the subsection heading, by striking “**EDUCATION AND VOCATIONAL**” and inserting “**ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND**”;

(B) by striking “may” after “The Secretary” and inserting “shall”; and

(C) by striking “vocational” each place it appears and inserting “career and technical”; and

(3) by amending paragraph (3) of subsection (c) to read as follows:

“(3) **DEMONSTRATION.**—Each year, any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate, before the operator may carry out such additional enrollment, that—

“(A) participants in such program have achieved a satisfactory rate of completion and placement in training-related jobs; and

“(B) such operator has met or exceeded the indicators of performance described in paragraphs (1) and (2) of section 159(c) for the previous year.”

#### **SEC. 122. COUNSELING AND JOB PLACEMENT.**

Section 149 (29 U.S.C. 2889) is amended—

(1) in subsection (a), by striking “vocational” and inserting “career and technical education and”; and

(2) in subsection (b), by striking “make every effort to arrange to”; and

(3) by striking subsection (d).

#### **SEC. 123. SUPPORT.**

Subsection (b) of section 150 (29 U.S.C. 2890) is amended to read as follows:

“(b) **TRANSITION ALLOWANCES AND SUPPORT FOR GRADUATES.**—The Secretary shall arrange for a transition allowance to be paid to graduates. The transition allowance shall be incentive-based to reflect a graduate's completion of

academic, career and technical education or training, and attainment of a recognized postsecondary credential, including an industry-recognized credential.”

#### **SEC. 124. OPERATIONS.**

Section 151 (29 U.S.C. 2891) is amended—

(1) in the header, by striking “**OPERATING PLAN**” and inserting “**OPERATIONS**.”;

(2) in subsection (a), by striking “**IN GENERAL**” and inserting “**OPERATING PLAN**.”;

(3) by striking subsection (b) and redesignating subsection (c) as subsection (b);

(4) by amending subsection (b) (as so redesignated)—

(A) in the heading by inserting “**OF OPERATING PLAN**” after “**AVAILABILITY**”; and

(B) by striking “subsections (a) and (b)” and inserting “subsection (a)”; and

(5) by adding at the end the following new subsection:

“(c) **ADMINISTRATIVE COSTS.**—Not more than 10 percent of the funds allotted under section 147 to an entity selected to operate a Job Corps center may be used by the entity for administrative costs under this subtitle.”

#### **SEC. 125. COMMUNITY PARTICIPATION.**

Section 153 (29 U.S.C. 2893) is amended to read as follows:

##### **“SEC. 153. COMMUNITY PARTICIPATION.**

“The director of each Job Corps center shall encourage and cooperate in activities to establish a mutually beneficial relationship between Job Corps centers in the State and nearby communities. Such activities may include the use of any local workforce development boards established under section 117 to provide a mechanism for joint discussion of common problems and for planning programs of mutual interest.”

#### **SEC. 126. WORKFORCE COUNCILS.**

Section 154 (29 U.S.C. 2894) is amended to read as follows:

##### **“SEC. 154. WORKFORCE COUNCILS.**

“(a) **IN GENERAL.**—Each Job Corps center shall have a workforce council appointed by the Governor of the State in which the Job Corps center is located.

“(b) **WORKFORCE COUNCIL COMPOSITION.**—

“(1) **IN GENERAL.**—A workforce council shall be comprised of—

“(A) business members of the State board described in section 111(b)(1)(B)(i);

“(B) business members of the local boards described in section 117(b)(2)(A) located in the State;

“(C) a representative of the State board described in section 111(f); and

“(D) such other representatives and State agency officials as the Governor may designate.

“(2) **MAJORITY.**—A ¾ majority of the members of the workforce council shall be representatives described in paragraph (1)(A).

“(c) **RESPONSIBILITIES.**—The responsibilities of the workforce council shall be—

“(1) to review all the relevant labor market information, including related information in the State plan described in section 112, to—

“(A) determine the in-demand industries in the State in which enrollees intend to seek employment after graduation;

“(B) determine the skills and education that are necessary to obtain the employment opportunities described in subparagraph (A); and

“(C) determine the type or types of career and technical education and training that will be implemented at the center to enable the enrollees to obtain the employment opportunities; and

“(2) to meet at least once a year to reevaluate the labor market information, and other relevant information, to determine any necessary changes in the career and technical education and training provided at the center.”

#### **SEC. 127. TECHNICAL ASSISTANCE.**

Section 156 (29 U.S.C. 2896) is amended to read as follows:

**“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

“(a) IN GENERAL.—From the funds reserved under section 132(a)(3), the Secretary shall provide, directly or through grants, contracts, or other agreements or arrangements as the Secretary considers appropriate, technical assistance and training for the Job Corps program for the purposes of improving program quality.

“(b) ACTIVITIES.—In providing training and technical assistance and for allocating resources for such assistance, the Secretary shall—

“(1) assist entities, including those entities not currently operating a Job Corps center, in developing the application described in section 147(d);

“(2) assist Job Corps centers and programs in correcting deficiencies and violations under this subtitle;

“(3) assist Job Corps centers and programs in meeting or exceeding the indicators of performance described in paragraph (1) and (2) of section 159(c); and

“(4) assist Job Corps centers and programs in the development of sound management practices, including financial management procedures.”

**SEC. 128. SPECIAL PROVISIONS.**

Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended by striking “title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)” and inserting “chapter of 5 title 40, United States Code.”

**SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

Section 159 (29 U.S.C. 2899) is amended—  
(1) in the section heading, by striking “**MANAGEMENT INFORMATION**” and inserting “**PERFORMANCE ACCOUNTABILITY AND MANAGEMENT**”;  
(2) in subsection (a)(3), by inserting before the period at the end the following: “, or operating costs for such centers result in a budgetary shortfall”;

(3) by striking subsections (c) through (g); and  
(4) by inserting after subsection (b) the following:

“(c) INDICATORS OF PERFORMANCE.—

“(1) PRIMARY INDICATORS.—The annual primary indicators of performance for Job Corps centers shall include—

“(A) the percentage and number of enrollees who graduate from the Job Corps center;

“(B) the percentage and number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps center, except that such calculation shall not include enrollment in education, the military or volunteer service;

“(C) the percentage and number of graduates who obtained a recognized postsecondary credential, including an industry-recognized credential or a registered apprenticeship; and

“(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsubsidized employment or obtained a recognized credential, including an industry-recognized credential, to total program costs, including all operations, construction, and administration costs at each Job Corps center.

“(2) SECONDARY INDICATORS.—The annual secondary indicators of performance for Job Corps centers shall include—

“(A) the percentage and number of graduates who entered unsubsidized employment not related to the career and technical education and training received through the Job Corps center;

“(B) the percentage and number of graduates who entered into postsecondary education;

“(C) the percentage and number of graduates who entered into the military;

“(D) the average wage of graduates who are in unsubsidized employment—

“(i) on the first day of employment; and

“(ii) 6 months after the first day;

“(E) the number and percentage of graduates who entered unsubsidized employment and were retained in the unsubsidized employment—

“(i) 6 months after the first day of employment; and

“(ii) 12 months after the first day of employment;

“(F) the percentage and number of enrollees compared to the percentage and number of enrollees the Secretary has established targets in section 145(c)(1);

“(G) the cost per training slot, which is calculated by comparing the program’s maximum number of students that can be enrolled in a Job Corps center at any given time during the program year to the number of enrollees in the same program year; and

“(H) the number and percentage of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b).

“(3) INDICATORS OF PERFORMANCE FOR RECRUITERS.—The annual indicators of performance for recruiters shall include the measurements described in subparagraph (A) of paragraph (1) and subparagraphs (F), (G), and (H) of paragraph (2).

“(4) INDICATORS OF PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The annual indicators of performance of career transition service providers shall include the measurements described in subparagraphs (B) and (C) of paragraph (1) and subparagraphs, (B), (C), (D), and (E) of paragraph (2).

“(d) ADDITIONAL INFORMATION.—The Secretary shall collect, and submit in the report described in subsection (f), information on the performance of each Job Corps center, and the Job Corps program, regarding—

“(1) the number and percentage of former enrollees who obtained a regular secondary school diploma;

“(2) the number and percentage of former enrollees who entered unsubsidized employment;

“(3) the number and percentage of former enrollees who obtained a recognized postsecondary credential, including an industry-recognized credential;

“(4) the number and percentage of former enrollees who entered into military service; and

“(5) any additional information required by the Secretary.

“(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 136(i)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

“(f) TRANSPARENCY AND ACCOUNTABILITY.—

“(1) REPORT.—The Secretary shall collect and annually submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, as well as make available to the public by electronic means, a report containing—

“(A) information on the performance of each Job Corps center, and the Job Corps program, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

“(B) a comparison of each Job Corps center, by rank, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

“(C) a comparison of each Job Corps center, by rank, on the average performance of all primary indicators described in paragraph (1) of subsection (c);

“(D) information on the performance of the service providers described in paragraphs (3) and (4) of subsection (c) on the performance in-

dicators established under such paragraphs; and

“(E) a comparison of each service provider, by rank, on the performance of all service providers described in paragraphs (3) and (4) of subsection (c) on the performance indicators established under such paragraphs.

“(2) ASSESSMENT.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center which shall include information on the Job Corps centers that—

“(A) are ranked in the bottom 10 percent on the performance indicator described in paragraph (1)(C); or

“(B) have failed a safety and health code review described in subsection (g).

“(3) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that is identified under paragraph (2) or reports less than 50 percent on the performance indicators described in subparagraphs (A), (B), or (C) of subsection (c)(1), the Secretary shall develop and implement a 1 year performance improvement plan. Such a plan shall require action including—

“(A) providing technical assistance to the center;

“(B) changing the management staff of the center;

“(C) replacing the operator of the center;

“(D) reducing the capacity of the center; or

“(E) closing the center.

“(4) CLOSURE OF JOB CORPS CENTERS.—Job Corps centers that have been identified under paragraph (2) for more than 4 consecutive years shall be closed. The Secretary shall ensure—

“(A) that the proposed decision to close the center is announced in advance to the general public through publication in the Federal Register and other appropriate means; and

“(B) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary.

“(g) PARTICIPANT HEALTH AND SAFETY.—The Secretary shall enter into an agreement with the General Services Administration or the appropriate State agency responsible for inspecting public buildings and safeguarding the health of disadvantaged students, to conduct an in-person review of the physical condition and health-related activities of each Job Corps center annually. Such review shall include a passing rate of occupancy under Federal and State ordinances.”

**Subtitle D—National Programs****SEC. 130. TECHNICAL ASSISTANCE.**

Section 170 (29 U.S.C. 2915) is amended—

(1) by striking subsection (b);

(2) by striking:

“(a) GENERAL TECHNICAL ASSISTANCE.—”; and

(3) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c) respectively, and moving such subsections 2 ems to the left;

(4) in subsection (a) (as so redesignated)—

(A) by inserting “the training of staff providing rapid response services, the training of other staff of recipients of funds under this title, assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State), technical assistance to States that do not meet State performance measures described in section 136,” after “localities,”; and

(B) by striking “from carrying out activities” and all that follows up to the period and inserting “to implement the amendments made by the SKILLS Act”;

(5) in subsection (b) (as so redesignated)—

(A) by striking “paragraph (1)” and inserting “subsection (a)”;

(B) by striking “, or recipient of financial assistance under any of sections 166 through 169,”; and

(C) by striking “or grant recipient”;

(6) in subsection (c) (as so redesignated), by striking “paragraph (1)” and inserting “subsection (a)”; and

(7) by inserting, after subsection (c) (as so redesignated), the following:

“(d) **BEST PRACTICES COORDINATION.**—The Secretary shall—

“(1) establish a system through which States may share information regarding best practices with regard to the operation of workforce investment activities under this Act; and

“(2) evaluate and disseminate information regarding best practices and identify knowledge gaps.”.

#### SEC. 131. EVALUATIONS.

Section 172 (29 U.S.C. 2917) is amended—

(1) in subsection (a), by striking “the Secretary shall provide for the continuing evaluation of the programs and activities, including those programs and activities carried out under section 171” and inserting “the Secretary, through grants, contracts, or cooperative agreements, shall conduct, at least once every 5 years, an independent evaluation of the programs and activities funded under this Act”; and

(2) in subsection (a)(4) is amended to read as follows:

“(4) the impact of receiving services and not receiving services under such programs and activities on the community, businesses, and individuals;”;

(3) in subsection (c) is amended to read as follows:

“(c) **TECHNIQUES.**—Evaluations conducted under this section shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant program under subtitle B not later than 2015, and thereafter shall conduct such an analysis not less than once every four years.”;

(4) in subsection (e) is amended by striking “the Committee on Labor and Human Resources of the Senate” and inserting “the Committee on Health, Education, Labor, and Pensions of the Senate”; and

(5) by adding at the end, the following:

“(g) **PUBLIC AVAILABILITY.**—The results of the evaluations conducted under this section shall be made publicly available, including by posting such results on the Department’s website.”.

#### Subtitle E—Administration

#### SEC. 132. REQUIREMENTS AND RESTRICTIONS.

Section 181 (29 U.S.C. 2931) is amended—

(1) in subsection (b)(6), by striking “, including representatives of businesses and of labor organizations”;

(2) in subsection (c)(2)(A), in the matter preceding clause (i), by striking “shall” and inserting “may”;

(3) in subsection (e)—

(A) by striking “training for” and inserting “the entry into employment, retention in employment, or increases in earnings of”; and

(B) by striking “subtitle B” and inserting “this Act”;

(4) in subsection (f)(4), by striking “134(a)(3)(B)” and inserting “134(a)(6)”; and

(5) by adding at the end the following:

“(g) **SALARY AND BONUS LIMITATION.**—No funds provided under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Level II of the Federal Executive Pay Schedule (5 U.S.C. 5313). This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses

of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the programs.

“(h) **GENERAL AUTHORITY.**—

“(1) **IN GENERAL.**—The Employment and Training Administration of the U.S. Department of Labor (hereinafter in this Act referred to as the ‘Administration’) shall administer all programs authorized under title I and III of this Act. The Administration shall be headed by an Assistant Secretary appointed by the President by and with the advice and consent of the Senate. Except for titles II and IV, the Administration shall be the principal agency, and the Assistant Secretary shall be the principal officer, of such Department for carrying out this Act.

“(2) **QUALIFICATIONS.**—The Assistant Secretary shall be an individual with substantial experience in workforce development and in workforce development management. The Assistant Secretary shall also, to the maximum extent possible, possess knowledge and have worked in or with the State or local workforce investment system or have been a member of the business community. In the performance of the functions of the office, the Assistant Secretary shall be directly responsible to the Secretary or the Under Secretary as designed by the Secretary. The functions of the Assistant Secretary shall not be delegated to any officer not directly responsible, both with respect to program operation and administration, to the Assistant Secretary. Any reference in this Act to duties to be carried out by the Assistant Secretary shall be considered to be a reference to duties to be carried out by the Secretary acting through the Assistant Secretary.”.

#### SEC. 133. PROMPT ALLOCATION OF FUNDS.

Section 182 (29 U.S.C. 2932) is amended—

(1) in subsection (c), by striking “127 or”; and

(2) in subsection (e)—

(A) by striking “sections 128 and 133” and inserting “section 133”; and

(B) by striking “127 or”.

#### SEC. 134. FISCAL CONTROLS; SANCTIONS.

Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amended—

(1) by striking “(A)” and all that follows through “Each” and inserting “Each”; and

(2) by striking subparagraph (B).

#### SEC. 135. REPORTS TO CONGRESS.

Section 185 (29 U.S.C. 2935) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) shall have the option to submit or disseminate electronically any reports, records, plans, or any other data that are required to be collected or disseminated under this title.”; and

(2) in subsection (e)(2), by inserting “and the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate,” after “Secretary.”.

#### SEC. 136. ADMINISTRATIVE PROVISIONS.

Section 189 (29 U.S.C. 2939) is amended—

(1) in subsection (g)—

(A) by amending paragraph (1) to read as follows:

“(1) **IN GENERAL.**—Appropriations for any fiscal year for programs and activities carried out under this title shall be available for obligation only on the basis of a program year. The program year shall begin on October 1 in the fiscal year for which the appropriation is made.”; and

(B) in paragraph (2)—

(i) by striking “each State” and inserting “each recipient”; and

(ii) by striking “171 or”;

(2) in subsection (i)—

(A) by striking paragraphs (2) and (3);

(B) by redesignating paragraph (4) as paragraph (2);

(C) by amending paragraph (2)(A), as so redesignated—

(i) by striking “requirements of subparagraph (B)” and all that follows through “any of the statutory or regulatory requirements of subtitle B” and inserting “requirements of subparagraph (B) or (D), any of the statutory or regulatory requirements of subtitle B”;

(ii) by striking clause (ii); and

(iii) in clause (i), by striking “; and” and inserting a period at the end; and

(D) by adding at the end the following:

“(D) **EXPEDITED PROCESS FOR EXTENDING APPROVED WAIVERS TO ADDITIONAL STATES.**—In lieu of the requirements of subparagraphs (B) and (C), the Secretary may establish an expedited procedure for the purpose of extending to additional States the waiver of statutory or regulatory requirements that have been approved for a State pursuant to a request under subparagraph (B). Such procedure shall ensure that the extension of such waivers to additional States are accompanied by appropriate conditions relating the implementation of such waivers.

“(E) **EXTERNAL CONDITIONS.**—The Secretary shall not require or impose new or additional requirements, which are not specified under this Act, on a State in exchange for providing a waiver to the State or a local area in the State under this paragraph.”.

#### SEC. 137. STATE LEGISLATIVE AUTHORITY.

Section 191(a) (29 U.S.C. 2941(a)) is amended—

(1) by striking “consistent with the provisions of this title” and inserting “consistent with State law and the provisions of this title”; and

(2) by striking “consistent with the terms and conditions required under this title” and inserting “consistent with State law and the terms and conditions required under this title”.

#### SEC. 138. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended—

(1) in paragraph (7), by inserting at the end the following:

“(D) Funds received by a public or private nonprofit entity that are not described in paragraph (B), such as funds privately raised from philanthropic foundations, businesses, or other private entities, shall not be considered to be income under this title and shall not be subject to the requirements of this section.”; and

(2) by adding at the end the following new paragraphs:

“(14) Funds provided under this title shall not be used to establish or operate stand-alone fee-for-service enterprises that compete with private sector employment agencies within the meaning of section 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(c)), except that for purposes of this paragraph, such an enterprise does not include one-stop centers.

“(15) Any report required to be submitted to Congress, or to a Committee of Congress, under this title shall be submitted to both the chairmen and ranking minority members of the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.”.

#### SEC. 139. FEDERAL AGENCY STAFF.

Subtitle E of title I (29 U.S.C. 2931 et seq.) is amended by adding at the end the following new sections:

#### “SEC. 196. FEDERAL AGENCY STAFF.

“The Director of the Office of Management and Budget shall—

“(1) not later than 60 days after the date of the enactment of the SKILLS Act—

“(A) identify the number of Federal government employees who work on or administer each of the programs authorized under this Act or repealed under section 401 of the SKILLS Act, as such programs were in effect on the day before such date of enactment; and

“(B) identify the number of full-time equivalent employees who work on or administer each of the programs authorized under this Act or repealed under section 401 of the SKILLS Act, as such programs were in effect on the day before such date of enactment, and that have been eliminated or consolidated on or after such date of enactment;

“(2) not later than 90 after such date of enactment, publish the information described in paragraph (1) on the Office of Management and Budget website;

“(3) not later than 1 year after such date of enactment—

“(A) reduce the workforce of the Federal Government by the number of full-time equivalent employees identified under paragraph (1)(B); and

“(B) submit to Congress a report on how the Director carried out the requirements of subparagraph (A).

#### **“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL ACTIVITIES.**

“(a) LOBBYING RESTRICTIONS.—

“(1) PUBLICITY RESTRICTIONS.—

“(A) IN GENERAL.—Subject to subparagraph (B), no funds provided under this Act shall be used or proposed for use, for—

“(i) publicity or propaganda purposes; or

“(ii) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to—

“(i) normal and recognized executive-legislative relationships;

“(ii) the preparation, distribution, or use of the materials described in subparagraph (A)(ii) in presentation to the Congress or any State or local legislature (except that this subparagraph does not apply with respect to such preparation, distribution, or use in presentation to the executive branch of any State or local government); or

“(iii) if such materials are designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

“(2) SALARY PAYMENT RESTRICTION.—No funds provided under this Act shall be used, or proposed for use, to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulations, administrative action, or executive order proposed or pending before the Congress or any State government, or State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

“(b) POLITICAL RESTRICTIONS.—

“(1) IN GENERAL.—No funds received by a participant of a program or an activity under this Act shall be used for—

“(A) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or

“(B) any activity to provide voters with transportation to the polls or similar assistance in connection with any such election.

“(2) DEFINITION.—For the purposes of this subsection, the term ‘participant’ includes any State, local area, or governmental, nonprofit, or for-profit entity receiving funds under this Act.

“(3) RESTRICTION ON VOTER REGISTRATION ACTIVITIES.—No funds under this Act shall be used to conduct voter registration activities.”.

#### **Subtitle F—State Unified Plan**

#### **SEC. 140. STATE UNIFIED PLAN.**

Section 501 (20 U.S.C. 9271) is amended—

(1) by amending subsection (a) to read as follows:

“(a) GENERAL AUTHORITY.—The Secretary shall receive and approve State unified plans developed and submitted under this section.”;

(2) by amending subsection (b) to read as follows:

“(b) STATE UNIFIED PLAN.—

“(1) IN GENERAL.—A State may develop and submit to the Secretary a State unified plan for 2 or more of the activities or programs set forth in paragraph (2). The State unified plan shall cover one or more of the activities set forth in subparagraphs (A) and (B) of paragraph (2) and may cover one or more of the activities set forth in subparagraphs (C) through (N) of paragraph (2). For purposes of this paragraph, the activities and programs described in subparagraphs (A) and (B) of paragraph (2) shall not be considered to be 2 or more activities or programs for purposes of the unified plan. Such activities or programs shall be considered to be 1 activity or program.

“(2) ACTIVITIES AND PROGRAMS.—The activities and programs referred to in paragraph (1) are as follows:

“(A) Programs and activities authorized under title I.

“(B) Programs and activities authorized under title II.

“(C) Programs authorized under the Rehabilitation Act of 1973.

“(D) Secondary career education programs authorized under the Carl D. Perkins Career and Applied Technology Education Act.

“(E) Postsecondary career education programs authorized under the Carl D. Perkins Career and Applied Technology Education Act.

“(F) Programs and activities authorized under title II of the Trade Act of 1974.

“(G) National Apprenticeship Act of 1937.

“(H) Programs authorized under the Community Services Block Grant Act.

“(I) Programs authorized under the part A of title IV of the Social Security Act.

“(J) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

“(K) Work programs authorized under section 6(o) of the Food Stamp Act of 1977.

“(L) Programs and activities authorized title I of the Housing and Community Development Act of 1974.

“(M) Programs and activities authorized under the Public Workers and Economic Development Act of 1965.

“(N) Activities as defined under chapter 41 of title 38, United States Code.”;

(3) by amending subsection (d) to read as follows:

“(d) APPROVAL.—

“(1) JURISDICTION.—In approving a State unified plan under this section, the Secretary shall—

“(A) submit the portion of the State unified plan covering an activity or program described in subsection (b)(2) to the head of the Federal agency who exercises administrative authority over the activity or program for the approval of such portion by such Federal agency head; or

“(B) coordinate approval of the portion of the State unified plan covering an activity or pro-

gram described in subsection (b)(2) with the head of the Federal agency who exercises administrative authority over the activity or program.

“(2) TIMELINE.—A State unified plan shall be considered to be approved by the Secretary at the end of the 90-day period beginning on the day the Secretary receives the plan, unless the Secretary makes a written determination, during the 90-day period, that details how the plan is not consistent with the requirements of the Federal statute authorizing an activity or program described in subsection (b)(2) and covered under the plan or how the plan is not consistent with the requirements of subsection (c)(3).”; and

(4) by adding at the end the following:

“(e) ADDITIONAL EMPLOYMENT AND TRAINING FUNDS.—

“(1) PURPOSE.—It is the purpose of this subsection to reduce inefficiencies in the administration of federally-funded State and local employment and training programs.

“(2) IN GENERAL.—In developing a State unified plan for the activities or programs described in subsection (b)(2) and subject to paragraph (4) and the State plan approval process under subsection (d), a State may propose to consolidate the amount, in whole or part, provided for the activities or programs dedicated to employment and training into the Workforce Investment Fund under section 132(b) to improve the administration of State and local employment and training programs.

“(3) REQUIREMENTS.—A State with a State unified plan approved under subsection (d) for purposes of consolidation under paragraph (2) and that is carrying out such consolidation shall—

“(A) continue to meet the program requirements, limitations, and prohibitions of any Federal statute authorizing the activity or program consolidated into the Workforce Investment Fund;

“(B) meet the intent and purpose of the activity or program consolidated into the Workforce Investment Fund; and

“(C) continue to make reservations and allotments under subsections (a) and (b) of section 133.

“(4) EXCEPTIONS.—A State may not consolidate funds under paragraph (2) that are allocated to the State under—

“(A) the Carl D. Perkins Career and Technical Education Act of 2006; or

“(B) the Rehabilitation Act of 1973.”.

#### **TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION**

#### **SEC. 201. AMENDMENT.**

Title II (20 U.S.C. 2901 et seq.) is amended to read as follows:

#### **“TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION**

#### **“SEC. 201. SHORT TITLE.**

“This title may be cited as the ‘Adult Education and Family Literacy Education Act’.

#### **“SEC. 202. PURPOSE.**

“It is the purpose of this title to provide instructional opportunities for adults seeking to improve their literacy skills, including their basic reading, writing, speaking, and math skills, and support States and local communities in providing, on a voluntary basis, adult education and family literacy education programs, in order to—

“(1) increase the literacy of adults, including the basic reading, writing, speaking, and math skills, to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

“(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;

“(3) assist adults who are parents to enable them to support the educational development of their children and make informed choices regarding their children’s education including, through instruction in basic reading, writing, speaking, and math skills; and

“(4) assist adults who are not proficient in English in improving their reading, writing, speaking, listening, comprehension, and math skills.

#### “SEC. 203. DEFINITIONS.

“In this title:

“(1) **ADULT EDUCATION AND FAMILY LITERACY EDUCATION PROGRAMS.**—The term ‘adult education and family literacy education programs’ means a sequence of academic instruction and educational services below the postsecondary level that increase an individual’s ability to read, write, and speak English and perform mathematical computations leading to a level of proficiency equivalent to at least a secondary school completion that is provided for individuals—

“(A) who are at least 16 years of age;

“(B) who are not enrolled or required to be enrolled in secondary school under State law; and

“(C) who—

“(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;

“(ii) do not have a secondary school diploma or its equivalent and have not achieved an equivalent level of education; or

“(iii) are English learners.

“(2) **ELIGIBLE AGENCY.**—The term ‘eligible agency’—

“(A) means the primary entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and

“(B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.

“(3) **ELIGIBLE PROVIDER.**—The term ‘eligible provider’ means an organization of demonstrated effectiveness which is—

“(A) a local educational agency;

“(B) a community-based or faith-based organization;

“(C) a volunteer literacy organization;

“(D) an institution of higher education;

“(E) a public or private educational agency;

“(F) a library;

“(G) a public housing authority;

“(H) an institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education, basic skills, and family literacy education programs to adults and families; or

“(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).

“(4) **ENGLISH LANGUAGE ACQUISITION PROGRAM.**—The term ‘English language acquisition program’ means a program of instruction—

“(A) designed to help English learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

“(B) that may lead to—

“(i) attainment of a secondary school diploma or its recognized equivalent;

“(ii) transition to success in postsecondary education and training; and

“(iii) employment or career advancement.

“(5) **FAMILY LITERACY EDUCATION PROGRAM.**—The term ‘family literacy education program’ means an educational program that—

“(A) assists parents and students, on a voluntary basis, in achieving the purposes of this title as described in section 202; and

“(B) is of sufficient intensity in terms of hours and of sufficient quality to make sustainable changes in a family, is evidence-based, and, for the purpose of substantially increasing the ability of parents and children to read, write, and speak English, integrates—

“(i) interactive literacy activities between parents and their children;

“(ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children;

“(iii) parent literacy training that leads to economic self-sufficiency; and

“(iv) an age-appropriate education to prepare children for success in school and life experiences.

“(6) **GOVERNOR.**—The term ‘Governor’ means the chief executive officer of a State or outlying area.

“(7) **INDIVIDUAL WITH A DISABILITY.**—

“(A) **IN GENERAL.**—The term ‘individual with a disability’ means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990).

“(B) **INDIVIDUALS WITH DISABILITIES.**—The term ‘individuals with disabilities’ means more than one individual with a disability.

“(8) **ENGLISH LEARNER.**—The term ‘English learner’ means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and—

“(A) whose native language is a language other than English; or

“(B) who lives in a family or community environment where a language other than English is the dominant language.

“(9) **INTEGRATED EDUCATION AND TRAINING.**—The term ‘integrated education and training’ means services that provide adult education and literacy activities contextually and concurrently with workforce preparation activities and workforce training for a specific occupation or occupational cluster. Such services may include offering adult education services concurrent with postsecondary education and training, including through co-instruction.

“(10) **INSTITUTION OF HIGHER EDUCATION.**—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965.

“(11) **LITERACY.**—The term ‘literacy’ means an individual’s ability to read, write, and speak in English, compute, and solve problems at a level of proficiency necessary to obtain employment and to successfully make the transition to postsecondary education.

“(12) **LOCAL EDUCATIONAL AGENCY.**—The term ‘local educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

“(13) **OUTLYING AREA.**—The term ‘outlying area’ has the meaning given the term in section 101 of this Act.

“(14) **POSTSECONDARY EDUCATIONAL INSTITUTION.**—The term ‘postsecondary educational institution’ means—

“(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor’s degree;

“(B) a tribally controlled community college; or

“(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

“(15) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Education.

“(16) **STATE.**—The term ‘State’ means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(17) **STATE EDUCATIONAL AGENCY.**—The term ‘State educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

“(18) **WORKPLACE LITERACY PROGRAM.**—The term ‘workplace literacy program’ means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and math skills.

#### “SEC. 204. HOME SCHOOLS.

“Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in adult education and family literacy education activities under this title.

#### “SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title, \$606,294,933 for fiscal years 2014 and for each of the 6 succeeding fiscal years.

#### “Subtitle A—Federal Provisions

#### “SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

“(a) **RESERVATION OF FUNDS.**—From the sums appropriated under section 205 for a fiscal year, the Secretary shall reserve 2.0 percent to carry out section 242.

“(b) **GRANTS TO ELIGIBLE AGENCIES.**—

“(1) **IN GENERAL.**—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).

“(2) **PURPOSE OF GRANTS.**—The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to expend the grant in accordance with the provisions of this title.

“(c) **ALLOTMENTS.**—

“(1) **INITIAL ALLOTMENTS.**—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224—

“(A) \$100,000, in the case of an eligible agency serving an outlying area; and

“(B) \$250,000, in the case of any other eligible agency.

“(2) **ADDITIONAL ALLOTMENTS.**—From the sums appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sums as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

“(d) **QUALIFYING ADULT.**—For the purpose of subsection (c)(2), the term ‘qualifying adult’ means an adult who—

“(1) is at least 16 years of age;

“(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

“(3) does not have a secondary school diploma or its recognized equivalent; and

“(4) is not enrolled in secondary school.

“(e) **SPECIAL RULE.**—

“(1) **IN GENERAL.**—From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to



Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary.

“(2) **TERMINATION OF ELIGIBILITY.**—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for the Republic of Palau becomes effective.

“(f) **HOLD-HARMLESS PROVISIONS.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (c) and subject to paragraph (2), for—

“(A) fiscal year 2014, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for fiscal year 2012 under this title; and

“(B) fiscal year 2015 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.

“(2) **RATABLE REDUCTION.**—If, for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratable reduce the payments to all eligible agencies, as necessary.

“(g) **REALLOTMENT.**—The portion of any eligible agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallocation from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

#### “SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

“Programs and activities authorized under this title are subject to the performance accountability provisions described in paragraph (2)(A) and (3) of section 136(b) and may, at a State's discretion, include additional indicators identified in the State plan approved under section 224.

#### “Subtitle B—State Provisions

#### “SEC. 221. STATE ADMINISTRATION.

“Each eligible agency shall be responsible for the following activities under this title:

“(1) The development, submission, implementation, and monitoring of the State plan.

“(2) Consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title.

“(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.

#### “SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

“(a) **STATE DISTRIBUTION OF FUNDS.**—Each eligible agency receiving a grant under this title for a fiscal year—

“(1) shall use an amount not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of such amount shall be available to carry out section 225;

“(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

“(3) shall use not more than 5 percent of the grant funds, or \$65,000, whichever is greater, for the administrative expenses of the eligible agency.

“(b) **MATCHING REQUIREMENT.**—

“(1) **IN GENERAL.**—In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and family literacy education programs for which the grant is awarded, a non-Federal contribution in an amount that is not less than—

“(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and family literacy education programs in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

“(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and family literacy education programs in the State.

“(2) **NON-FEDERAL CONTRIBUTION.**—An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and family literacy education programs in a manner that is consistent with the purpose of this title.

#### “SEC. 223. STATE LEADERSHIP ACTIVITIES.

“(a) **IN GENERAL.**—Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult education and family literacy education programs:

“(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

“(2) The provision of technical assistance to eligible providers of adult education and family literacy education programs, including for the development and dissemination of evidence based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

“(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.

“(4) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.

“(5) The provision of technology assistance, including staff training, to eligible providers of adult education and family literacy education programs, including distance education activities, to enable the eligible providers to improve the quality of such activities.

“(6) The development and implementation of technology applications or distance education, including professional development to support the use of instructional technology.

“(7) Coordination with other public programs, including programs under title I of this Act, and other welfare-to-work, workforce development, and job training programs.

“(8) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and family literacy education programs, for adults enrolled in such activities.

“(9) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.

“(10) Activities to promote workplace literacy programs.

“(11) Other activities of statewide significance, including assisting eligible providers in achieving progress in improving the skill levels of adults who participate in programs under this title.

“(12) Integration of literacy, instructional, and occupational skill training and promotion of linkages with employees.

“(b) **COORDINATION.**—In carrying out this section, eligible agencies shall coordinate where

possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

“(c) **STATE-IMPOSED REQUIREMENTS.**—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

#### “SEC. 224. STATE PLAN.

“(a) **3-YEAR PLANS.**—

“(1) **IN GENERAL.**—Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 3-year State plan.

“(2) **STATE UNIFIED PLAN.**—The eligible agency may submit the State plan as part of a State unified plan described in section 501.

“(b) **PLAN CONTENTS.**—The eligible agency shall include in the State plan or any revisions to the State plan—

“(1) an objective assessment of the needs of individuals in the State or outlying area for adult education and family literacy education programs, including individuals most in need or hardest to serve;

“(2) a description of the adult education and family literacy education programs that will be carried out with funds received under this title;

“(3) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;

“(4) a description of how the eligible agency will annually evaluate and measure the effectiveness and improvement of the adult education and family literacy education programs funded under this title using the indicators of performance described in section 136, including how the eligible agency will conduct such annual evaluations and measures for each grant received under this title;

“(5) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);

“(6) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;

“(7) a description of the process that will be used for public participation and comment with respect to the State plan, which—

“(A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, and other State agencies that promote the improvement of adult education and family literacy education programs, and direct providers of such programs; and

“(B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult education and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;

“(8) a description of the eligible agency's strategies for serving populations that include, at a minimum—

“(A) low-income individuals;

“(B) individuals with disabilities;

“(C) the unemployed;

“(D) the underemployed; and

“(E) individuals with multiple barriers to educational enhancement, including English learners;

“(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

“(10) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including—

“(A) how the State will build the capacity of community-based and faith-based organizations to provide adult education and family literacy education programs; and

“(B) how the State will increase the participation of business and industry in adult education and family literacy education programs;

“(11) an assessment of the adequacy of the system of the State or outlying area to ensure teacher quality and a description of how the State or outlying area will use funds received under this subtitle to improve teacher quality, including evidence-based professional development to improve instruction; and

“(12) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

“(c) PLAN REVISIONS.—When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

“(d) CONSULTATION.—The eligible agency shall—

“(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and

“(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.

“(e) PLAN APPROVAL.—The Secretary shall—

“(1) approve a State plan within 90 days after receiving the plan unless the Secretary makes a written determination within 30 days after receiving the plan that the plan does not meet the requirements of this section or is inconsistent with specific provisions of this subtitle; and

“(2) not finally disapprove of a State plan before offering the eligible agency the opportunity, prior to the expiration of the 30-day period beginning on the date on which the eligible agency received the written determination described in paragraph (3), to review the plan and providing technical assistance in order to assist the eligible agency in meeting the requirements of this subtitle.

#### **“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.**

“(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

“(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

“(1) basic skills education;

“(2) special education programs as determined by the eligible agency;

“(3) reading, writing, speaking, and math programs;

“(4) secondary school credit or diploma programs or their recognized equivalent; and

“(5) integrated education and training.

“(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

“(d) DEFINITIONS.—For purposes of this section:

“(1) CORRECTIONAL INSTITUTION.—The term ‘correctional institution’ means any—

“(A) prison;

“(B) jail;

“(C) reformatory;

“(D) work farm;

“(E) detention center; or

“(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

“(2) CRIMINAL OFFENDER.—The term ‘criminal offender’ means any individual who is charged with, or convicted of, any criminal offense.

#### **“Subtitle C—Local Provisions**

#### **“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.**

“(a) GRANTS AND CONTRACTS.—From grant funds made available under section 222(a)(1), each eligible agency shall award multi-year grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult education and family literacy education programs within the State.

“(b) LOCAL ACTIVITIES.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate—

“(1) programs that provide adult education and literacy activities;

“(2) programs that provide integrated employment and training activities; or

“(3) credit-bearing postsecondary coursework.

“(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS.—Each eligible agency receiving funds under this title shall ensure that—

“(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and

“(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

“(d) MEASURABLE GOALS.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—

“(1) the eligible provider’s measurable goals for participant outcomes to be achieved annually on the core indicators of performance described in section 136(b)(2)(A);

“(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

“(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals with disabilities and individuals who are low-income or have minimal reading, writing, speaking, and math skills, or are English learners;

“(4) the program is of sufficient intensity and quality for participants to achieve substantial learning gains;

“(5) educational practices are evidence-based;

“(6) the activities of the eligible provider effectively employ advances in technology, and delivery systems including distance education;

“(7) the activities provide instruction in real-life contexts, including integrated education and training when appropriate, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

“(8) the activities are staffed by well-trained instructors, counselors, and administrators who meet minimum qualifications established by the State;

“(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, local workforce investment boards, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;

“(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

“(11) the activities include a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with section 136) and to monitor program performance;

“(12) the local communities have a demonstrated need for additional English language acquisition programs, and integrated education and training programs;

“(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;

“(14) adult education and family literacy education programs offer rigorous reading, writing, speaking, and math content that are evidence based; and

“(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.

“(e) SPECIAL RULE.—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

#### **“SEC. 232. LOCAL APPLICATION.**

“Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

“(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

“(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and family literacy education programs; and

“(3) each of the demonstrations required by section 231(d).

#### **“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.**

“(a) IN GENERAL.—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

“(1) at least 95 percent shall be expended for carrying out adult education and family literacy education programs; and

“(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable



goals in reading, writing, speaking, and math, and interagency coordination.

“(b) **SPECIAL RULE.**—In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for non-instructional purposes.

**“Subtitle D—General Provisions**

**“SEC. 241. ADMINISTRATIVE PROVISIONS.**

“Funds made available for adult education and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult education and family literacy education programs.

**“SEC. 242. NATIONAL ACTIVITIES.**

“The Secretary shall establish and carry out a program of national activities that may include the following:

“(1) Providing technical assistance to eligible entities, on request, to—

“(A) improve their fiscal management, research-based instruction, and reporting requirements to carry out the requirements of this title;

“(B) improve its performance on the core indicators of performance described in section 136;

“(C) provide adult education professional development; and

“(D) use distance education and improve the application of technology in the classroom, including instruction in English language acquisition for English learners.

“(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of adult English learners functioning at different levels of reading proficiency.

“(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, State, and local levels.

“(4) Determining how participation in adult education, English language acquisition, and family literacy education programs prepares individuals for entry into and success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.

“(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education, English language acquisition, and family literacy education programs.

“(6) Identifying model integrated basic and workplace skills education programs, including programs for English learners coordinated literacy and employment services, and effective strategies for serving adults with disabilities.

“(7) Initiating other activities designed to improve the measurable quality and effectiveness of adult education, English language acquisition, and family literacy education programs nationwide.”

**TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT**

**SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is amended by amending section 15 to read as follows:

**“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.**

“(a) **SYSTEM CONTENT.**—

“(1) **IN GENERAL.**—The Secretary of Labor, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide workforce and labor market information system that includes—

“(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—

“(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;

“(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions;

“(iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and

“(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;

“(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

“(i) shall be current and comprehensive;

“(ii) shall meet the needs identified through the consultations described in subparagraphs (A) and (B) of subsection (e)(2); and

“(iii) shall meet the needs for the information identified in section 121;

“(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

“(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

“(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;

“(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—

“(i) national, State, and local policymaking;

“(ii) implementation of Federal policies (including allocation formulas);

“(iii) program planning and evaluation; and

“(iv) researching labor market dynamics;

“(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and

“(H) programs of—

“(i) training for effective data dissemination;

“(ii) research and demonstration; and

“(iii) programs and technical assistance.

“(2) **INFORMATION TO BE CONFIDENTIAL.**—

“(A) **IN GENERAL.**—No officer or employee of the Federal Government or agent of the Federal Government may—

“(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;

“(ii) disclose to the public any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning an individual subject to be reasonably inferred by either direct or indirect means; or

“(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i),

without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

“(B) **IMMUNITY FROM LEGAL PROCESS.**—Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

“(C) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

“(b) **SYSTEM RESPONSIBILITIES.**—

“(1) **IN GENERAL.**—The workforce and labor market information system described in subsection (a) shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

“(2) **DUTIES.**—The Secretary, with respect to data collection, analysis, and dissemination of workforce and labor market information for the system, shall carry out the following duties:

“(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions.

“(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

“(C) Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority.

“(D) In collaboration with the Bureau of Labor Statistics and States, develop and maintain the elements of the workforce and labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

“(E) Establish procedures for the system to ensure that—

“(i) such data and information are timely;

“(ii) paperwork and reporting for the system are reduced to a minimum; and

“(iii) States and localities are fully involved in the development and continuous improvement of the system at all levels.

“(c) **NATIONAL ELECTRONIC TOOLS TO PROVIDE SERVICES.**—The Secretary is authorized to assist in the development of national electronic tools that may be used to facilitate the delivery of work ready services described in section 134(c)(2) and to provide workforce information to individuals through the one-stop delivery systems described in section 121 and through other appropriate delivery systems.

“(d) **COORDINATION WITH THE STATES.**—

“(1) **IN GENERAL.**—The Secretary, working through the Bureau of Labor Statistics and the Employment and Training Administration, shall

regularly consult with representatives of State agencies carrying out workforce information activities regarding strategies for improving the workforce and labor market information system.

“(2) FORMAL CONSULTATIONS.—At least twice each year, the Secretary, working through the Bureau of Labor Statistics, shall conduct formal consultations regarding programs carried out by the Bureau of Labor Statistics with representatives of each of the Federal regions of the Bureau of Labor Statistics, elected (pursuant to a process established by the Secretary) from the State directors affiliated with State agencies that perform the duties described in subsection (e)(2).

“(e) STATE RESPONSIBILITIES.—

“(1) IN GENERAL.—In order to receive Federal financial assistance under this section, the Governor of a State shall—

“(A) be responsible for the management of the portions of the workforce and labor market information system described in subsection (a) that comprise a statewide workforce and labor market information system and for the State's participation in the development of the annual plan;

“(B) establish a process for the oversight of such system;

“(C) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through the statewide workforce and labor market information system;

“(D) consult with State educational agencies and local educational agencies concerning the provision of employment statistics in order to meet the needs of secondary school and postsecondary school students who seek such information;

“(E) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1);

“(F) maintain and continuously improve the statewide workforce and labor market information system in accordance with this section;

“(G) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;

“(H) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide workforce and labor market information system;

“(I) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;

“(J) participate in the development of the annual plan described in subsection (c); and

“(K) utilize the quarterly records described in section 136(f)(2) to assist the State and other States in measuring State progress on State performance measures.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a Governor to conduct additional data collection, analysis, and dissemination activities with State funds or with Federal funds from sources other than this section.

“(f) NONDUPLICATION REQUIREMENT.—None of the functions and activities carried out pursuant to this section shall duplicate the functions and activities carried out under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$63,473,000 for fiscal year 2014 and each of the 6 succeeding fiscal years.

“(h) DEFINITION.—In this section, the term ‘local area’ means the smallest geographical area for which data can be produced with statistical reliability.”.

## TITLE IV—REPEALS AND CONFORMING AMENDMENTS

### SEC. 401. REPEALS.

The following provisions are repealed:

(1) Chapter 4 of subtitle B of title I, and sections 123, 155, 166, 167, 168, 169, 171, 173, 173A, 174, 192, 194, 502, 503, and 506 of the Workforce Investment Act of 1998.

(2) Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(3) Sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(4) Twenty-First Century Workforce Commission Act (29 U.S.C. 2701 note).

(5) Youth Conservation Corps Act of 1970 (16 U.S.C. 1701 et seq.).

(6) Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) (Grants to States for workplace and community transition training for incarcerated individuals).

(7) The Women in Apprenticeship and Non-traditional Occupations Act (29 U.S.C. 2501 et seq.).

(8) Sections 4103A and 4104 of title 38, United States Code.

### SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980.

Section 104(k)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604) is amended by striking “, training.”.

### SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT OF 2008.

(a) DEFINITION.—Section 3(t) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(t)) is amended—

(1) by striking “and (2)” and inserting “(2)”, and

(2) by inserting before the period at the end the following:

“, and (3) when referencing employment and training activities under section 6(d)(4), a State board as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)”.

(b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(14) by striking “section 6(d)(4)(I)” and inserting “section 6(d)(4)(C)”, and

(2) in subsection (g)(3) by striking “constitutes adequate participation in an employment and training program under section 6(d)” and inserting “allows the individual to participate in employment and training activities under section 6(d)(4)”.

(c) ELIGIBILITY DISQUALIFICATIONS.—Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended to read as follows:

“(4) EMPLOYMENT AND TRAINING.—

“(A) IMPLEMENTATION.—Each State agency shall provide employment and training services authorized under section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) to eligible members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment.

“(B) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—Consistent with subparagraph (A), employment and training services shall be provided through the statewide workforce development system, including the One-Stop delivery system, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

“(C) REIMBURSEMENTS.—

“(i) ACTUAL COSTS.—The State agency shall provide payments or reimbursement to participants served under this paragraph for—

“(I) the actual costs of transportation and other actual costs (other than dependent care

costs) that are reasonably necessary and directly related to the individual participating in employment and training activities; and

“(II) the actual costs of such dependent care expenses that are determined by the State agency to be necessary for the individual to participate in employment and training activities (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) in a local area where an employment, training, or education program under title IV of such Act is in operation), except that no such payment or reimbursement shall exceed the applicable local market rate.

“(ii) SERVICE CONTRACTS AND VOUCHERS.—In lieu of providing reimbursements or payments for dependent care expenses under clause (i), a State agency may, at its option, arrange for dependent care through providers by the use of purchase of service contracts or vouchers or by providing vouchers to the household.

“(iii) VALUE OF REIMBURSEMENTS.—The value of any dependent care services provided for or arranged under clause (ii), or any amount received as a payment or reimbursement under clause (i), shall—

“(I) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

“(II) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986 (26 U.S.C. 21).”.

(d) ADMINISTRATION.—Section 11(e)(19) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11)) is amended to read as follows:

“(19) the plans of the State agency for providing employment and training services under section 6(d)(4);”.

(e) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking “carry out employment and training programs” and inserting “provide employment and training services to eligible households under section 6(d)(4)”, and

(B) in subparagraph (D) by striking “operating an employment and training program” and inserting “providing employment and training services consistent with section 6(d)(4)”.

(2) in paragraph (3) by striking “related to participation in an employment and training program” and inserting “the individual participating in employment and training activities”.

(3) in paragraph (4) by striking “for operating an employment and training program” and inserting “to provide employment and training services”, and

(4) by amending paragraph (5) to read as follows:

“(5) MONITORING.—The Secretary, in conjunction with the Secretary of Labor, shall monitor each State agency responsible for administering employment and training services under section 6(d)(4) to ensure funds are being spent effectively and efficiently. Each program of employment and training receiving funds under section 6(d)(4) shall be subject to the requirements of the performance accountability system, including having to meet the state performance measures included in section 136 of the Workforce Investment Act (29 U.S.C. 2871).”.

(f) RESEARCH, DEMONSTRATION, AND EVALUATIONS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(1) in subsection (b) by striking paragraph (3), and

(2) in subsection (g)—

(A) by inserting “, in conjunction with the Secretary of Labor,” after “Secretary”; and  
(B) by striking “programs established” and inserting “activities provided to eligible households”.

(g) MINNESOTA FAMILY INVESTMENT PROJECT.—Section 22(b)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(4)) is amended by striking “equivalent to those offered under the employment and training program”.

**SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRATION AND NATIONALITY ACT.**

(a) CONDITIONS AND CONSIDERATIONS.—Section 412(a) of the Immigration and Nationality Act (8 U.S.C. 1522(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking “make available sufficient resources for employment training and placement” and inserting “provide refugees with the opportunity to access employment and training services, including job placement,”; and

(B) in subparagraph (B)(ii), by striking “services;” and inserting “services provided through the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);”;

(2) in paragraph (2)(C)(iii)(II), by inserting “and training” after “employment”;

(3) in paragraph (6)(A)(ii)—

(A) by striking “insure” and inserting “ensure”;

(B) by inserting “and training” after “employment”;

(C) by inserting after “available” the following: “through the one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841);” and

(4) in paragraph (9), by inserting “the Secretary of Labor,” after “Education.”.

(b) PROGRAM OF INITIAL RESETTLEMENT.—Section 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amended—

(1) by striking “orientation, instruction” and inserting “orientation and instruction”; and

(2) by striking “, and job training for refugees, and such other education and training of refugees, as facilitates” and inserting “for refugees to facilitate”.

(c) PROJECT GRANTS AND CONTRACTS FOR SERVICES FOR REFUGEES.—Section 412(c) of such Act (8 U.S.C. 1522(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by inserting “and training” after “employment”; and

(B) by striking subparagraph (C);

(2) in paragraph (2)(B), by striking “paragraph—” through “in a manner” and inserting “paragraph in a manner”; and

(3) by adding at the end the following:

“(3) In carrying out this section, the Director shall ensure that employment and training services are provided through the statewide workforce development system, as appropriate, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.). Such action may include—

“(A) making employment and training services as described under section 134 of such Act (29 U.S.C. 2864) available to refugees; and

“(B) providing refugees with access to a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841).”.

(d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO REFUGEES.—Section 412(e) of such Act (8 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)(A)(i), by inserting “and training” after “providing employment”; and

(2) in paragraph (3), by striking “The” and inserting “Consistent with subsection (c)(3), the”.

**SEC. 405. AMENDMENTS RELATING TO THE SECOND CHANCE ACT OF 2007.**

(a) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (a)(1)(E)—

(A) by inserting “the Department of Labor and” before “other Federal agencies”; and

(B) by inserting “State and local workforce investment boards,” after “community-based organizations,”;

(2) in subsection (c)—

(A) in paragraph (2), by striking at the end “and”;

(B) in paragraph (3), by striking at the end the period and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(4) to coordinate reentry programs with the employment and training services provided through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.); and

(3) in subsection (d), by adding at the end the following new paragraph:

“(6) INTERACTION WITH THE WORKFORCE INVESTMENT SYSTEM.—

“(A) IN GENERAL.—In carrying out this section, the Director shall ensure that employment and training services, including such employment and services offered through reentry programs, are provided, as appropriate, through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.). Such action may include—

“(i) making employment and training services available to prisoners prior to and immediately following the release of such prisoners; or

“(ii) providing prisoners with access by remote means to a one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841) in the State in which the prison involved is located.

“(B) SERVICE DEFINED.—In this paragraph, the term ‘employment and training services’ means those services described in section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) offered by the Bureau of Prisons, including—

“(i) the skills assessment described in subsection (a)(1)(A);

“(ii) the skills development plan described in subsection (a)(1)(B); and

“(iii) the enhancement, development, and implementation of reentry and skills development programs.”.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a)(5)(E) of title 18, United States Code, is amended—

(1) in clause (ii), by striking “Employment” and inserting “Employment and training services (as defined in paragraph (6) of section 231(d) of the Second Chance Act of 2007), including basic skills attainment, consistent with such paragraph”; and

(2) by striking clause (iii); and

(3) by redesignating clauses (iv), (v), (vi), and (vii) as clauses (iii), (iv), (v), and (vi), respectively.

**SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.**

Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “vocational” and inserting “career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and training”; and

(B) by redesignating each of paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(4) coordinating employment and training services provided through the statewide work-

force investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841), for offenders upon release from prison, jail, or a juvenile facility, as appropriate;”;

(2) in subsection (d)(2), by inserting “, including local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832),” after “non-profit organizations”;

(3) in subsection (e)—

(A) in paragraph (3), by striking “victim services, and employment services” and inserting “and victim services”;

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(4) provides employment and training services through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841); and”;

(4) in subsection (k)—

(A) in paragraph (1)(A), by inserting “, in accordance with paragraph (2)” after “under this section”; and

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) EMPLOYMENT AND TRAINING.—The Attorney General shall require each grantee under this section to measure the core indicators of performance as described in section 136(b)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)) with respect to the program of such grantee funded with a grant under this section.”.

**SEC. 407. CONFORMING AMENDMENTS TO THE UNITED STATES CODE.**

Title 38, United States Code, is amended—

(1) by striking the item relating to section 4103A and section 4104 in the table of sections at the beginning of chapter 41 of such title;

(2) in section 4102A—

(A) in subsection (b)—

(i) by striking paragraphs (5), (6), and (7);

(ii) by redesignating paragraph (8) as paragraph (5);

(B) by striking subsections (c) and (h);

(C) by redesignating subsection (d), (e), (f), and (g) as subsection (c), (d), (e), and (f);

(D) in subsection (e)(1) (as so redesignated)—  
(i) by striking “, including disabled veterans’ outreach program specialists and local veterans’ employment representatives providing employment, training, and placement services under this chapter in a State”; and

(ii) by striking “for purposes of subsection (c)”.

(3) in section 4109(a), by striking “disabled veterans’ outreach program specialists and local veterans’ employment representative” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”;

(4) in section 4109(d)(1), by striking “disabled veterans’ outreach program specialists and local veterans’ employment representatives” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”;

(5) in section 4112(d)—

(A) in paragraph (1), by striking “disabled veterans’ outreach program specialist” and inserting “veteran employment specialist appointed under section 134(f) of the Workforce Investment Act of 1998”; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(6) in section 3672(d)(1), by striking “disabled veterans’ outreach program specialists under section 4103A” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”; and

(7) in section 4104A—

(A) in subsection (b)(1), by striking subparagraph (A) and inserting the following:

“(A) the appropriate veteran employment specialist (in carrying out the functions described in section 134(f) of the Workforce Investment Act of 1998);” and

(B) in subsection (c)(1), by striking subparagraph (A) and inserting the following:

“(A) collaborate with the appropriate veteran employment specialist (as described in section 134(f)) and the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));”.

#### **SEC. 408. CONFORMING AMENDMENT TO TABLE OF CONTENTS.**

The table of contents in section 1(b) is amended to read as follows:

“Sec. 1. Short title; table of contents.

#### **“TITLE I—WORKFORCE INVESTMENT SYSTEMS**

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

#### **“CHAPTER 1—STATE PROVISIONS**

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

#### **“CHAPTER 2—LOCAL PROVISIONS**

“Sec. 116. Local workforce investment areas.

“Sec. 117. Local workforce investment boards.

“Sec. 118. Local plan.

#### **“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS**

“Sec. 121. Establishment of one-stop delivery systems.

“Sec. 122. Identification of eligible providers of training services.

“Sec. 123. [Repealed].

#### **“CHAPTER 4—[REPEALED]**

#### **“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES**

“Sec. 131. General authorization.

“Sec. 132. State allotments.

“Sec. 133. Within State allocations.

“Sec. 134. Use of funds for employment and training activities.

#### **“CHAPTER 6—GENERAL PROVISIONS**

“Sec. 136. Performance accountability system.

“Sec. 137. Authorization of appropriations.

#### **“Subtitle C—Job Corps**

“Sec. 141. Purposes.

“Sec. 142. Definitions.

“Sec. 143. Establishment.

“Sec. 144. Individuals eligible for the Job Corps.

“Sec. 145. Recruitment, screening, selection, and assignment of enrollees.

“Sec. 146. Enrollment.

“Sec. 147. Job Corps centers.

“Sec. 148. Program activities.

“Sec. 149. Counseling and job placement.

“Sec. 150. Support.

“Sec. 151. Operations.

“Sec. 152. Standards of conduct.

“Sec. 153. Community participation.

“Sec. 154. Workforce councils.

“Sec. 155. [Repealed].

“Sec. 156. Technical assistance to centers.

“Sec. 157. Application of provisions of Federal law.

“Sec. 158. Special provisions.

“Sec. 159. Performance accountability and management.

“Sec. 160. General provisions.

“Sec. 161. Authorization of appropriations.

#### **“Subtitle D—National Programs**

“Sec. 166. [Repealed].

“Sec. 167. [Repealed].

“Sec. 168. [Repealed].

“Sec. 169. [Repealed].

“Sec. 170. Technical assistance.

“Sec. 171. [Repealed].

“Sec. 172. Evaluations.

“Sec. 173. [Repealed].

“Sec. 173A. [Repealed].

“Sec. 174. [Repealed].

#### **“Subtitle E—Administration**

“Sec. 181. Requirements and restrictions.

“Sec. 182. Prompt allocation of funds.

“Sec. 183. Monitoring.

“Sec. 184. Fiscal controls; sanctions.

“Sec. 185. Reports; recordkeeping; investigations.

“Sec. 186. Administrative adjudication.

“Sec. 187. Judicial review.

“Sec. 188. Nondiscrimination.

“Sec. 189. Administrative provisions.

“Sec. 190. References.

“Sec. 191. State legislative authority.

“Sec. 192. [Repealed].

“Sec. 193. Transfer of Federal equity in State employment security real property to the States.

“Sec. 194. [Repealed].

“Sec. 195. General program requirements.

“Sec. 196. Federal agency staff.

#### **“Subtitle F—Repeals and Conforming Amendments**

“Sec. 199. Repeals.

“Sec. 199A. Conforming amendments.

#### **“TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION**

“Sec. 201. Short title.

“Sec. 202. Purpose.

“Sec. 203. Definitions.

“Sec. 204. Home schools.

“Sec. 205. Authorization of appropriations.

#### **“Subtitle A—Federal Provisions**

“Sec. 211. Reservation of funds; grants to eligible agencies; allotments.

“Sec. 212. Performance accountability system.

#### **“Subtitle B—State Provisions**

“Sec. 221. State administration.

“Sec. 222. State distribution of funds; matching requirement.

“Sec. 223. State leadership activities.

“Sec. 224. State plan.

“Sec. 225. Programs for corrections education and other institutionalized individuals.

#### **“Subtitle C—Local Provisions**

“Sec. 231. Grants and contracts for eligible providers.

“Sec. 232. Local application.

“Sec. 233. Local administrative cost limits.

#### **“Subtitle D—General Provisions**

“Sec. 241. Administrative provisions.

“Sec. 242. National activities.

#### **“TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES**

#### **“Subtitle A—Wagner-Peyser Act**

“Sec. 301. Definitions.

“Sec. 302. Functions.

“Sec. 303. Designation of State agencies.

“Sec. 304. Appropriations.

“Sec. 305. Disposition of allotted funds.

“Sec. 306. State plans.

“Sec. 307. Repeal of Federal advisory council.

“Sec. 308. Regulations.

“Sec. 309. Employment statistics.

“Sec. 310. Technical amendments.

“Sec. 311. Effective date.

#### **“Subtitle B—Linkages With Other Programs**

“Sec. 321. Trade Act of 1974.

“Sec. 322. Veterans’ employment programs.

“Sec. 323. Older Americans Act of 1965.

#### **“Subtitle C—[Repealed]**

“Subtitle D—Application of Civil Rights and Labor-Management Laws to the Smithsonian Institution

“Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.

#### **“TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998**

“Sec. 401. Short title.

“Sec. 402. Title.

“Sec. 403. General provisions.

“Sec. 404. Vocational rehabilitation services.

“Sec. 405. Research and training.

“Sec. 406. Professional development and special projects and demonstrations.

“Sec. 407. National Council on Disability.

“Sec. 408. Rights and advocacy.

“Sec. 409. Employment opportunities for individuals with disabilities.

“Sec. 410. Independent living services and centers for independent living.

“Sec. 411. [Repealed].

“Sec. 412. Helen Keller National Center Act.

“Sec. 413. President’s Committee on Employment of People With Disabilities.

“Sec. 414. Conforming amendments.

#### **“TITLE V—GENERAL PROVISIONS**

“Sec. 501. State unified plan.

“Sec. 502. [Repealed].

“Sec. 503. [Repealed].

“Sec. 504. Privacy.

“Sec. 505. Buy-American requirements.

“Sec. 506. [Repealed].

“Sec. 507. Effective date.”.

#### **TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973**

#### **SEC. 501. FINDINGS.**

Section 2(a) of the Rehabilitation Act of 1973 (29 U.S.C. 701(a)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(7) there is a substantial need to improve and expand services for students with disabilities under this Act.”.

#### **SEC. 502. REHABILITATION SERVICES ADMINISTRATION.**

(a) REHABILITATION SERVICES ADMINISTRATION.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) in section 3(a) (29 U.S.C. 702(a))—

(A) by striking “Office of the Secretary” and inserting “Department of Education”; and

(B) by striking “President by and with the advice and consent of the Senate” and inserting “Secretary”; and

(C) by striking “, and the Commissioner shall be the principal officer,”;

(2) by striking “Commissioner” each place it appears (except in section 21) and inserting “Director”;

(3) in section 12(c) (29 U.S.C. 709), by striking “Commissioner’s” and inserting “Director’s”;

(4) in the heading for subparagraph (B) of section 100(d)(2), by striking “COMMISSIONER” and inserting “DIRECTOR”;

(5) in the heading for section 706, by striking “COMMISSIONER” and inserting “DIRECTOR”;

(6) in the heading for paragraph (3) of section 723(a), by striking “COMMISSIONER” and inserting “DIRECTOR”; and

(7) in section 21 (29 U.S.C. 718)—

(A) in subsection (b)(1)—

(i) by striking “Commissioner” the first place it appears and inserting “Director of the Rehabilitation Services Administration”;

(ii) by striking “(referred to in this subsection as the ‘Director’)”; and

(iii) by striking “The Commissioner and the Director” and inserting “Both such Directors”; and

(B) by striking “the Commissioner and the Director” each place it appears and inserting “both such Directors”.

(b) **EFFECTIVE DATE; APPLICATION.**—The amendments made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to the appointments of Directors of the Rehabilitation Services Administration made on or after the date of enactment of this Act, and the Directors so appointed.

#### SEC. 503. DEFINITIONS.

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) is amended—

(1) by redesignating paragraphs (35) through (39) as paragraphs (36) through (40), respectively;

(2) in subparagraph (A)(ii) of paragraph (36) (as redesignated by paragraph (1)), by striking “paragraph (36)(C)” and inserting “paragraph (37)(C)”; and

(3) by inserting after paragraph (34) the following:

“(35)(A) The term ‘student with a disability’ means an individual with a disability who—

“(i) is not younger than 16 and not older than 21;

“(ii) has been determined to be eligible under section 102(a) for assistance under this title; and

“(iii)(I) is eligible for, and is receiving, special education under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

“(II) is an individual with a disability, for purposes of section 504.

“(B) The term ‘students with disabilities’ means more than 1 student with a disability.”.

#### SEC. 504. STATE PLAN.

Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is amended—

(1) in paragraph (10)(B) by striking “on the eligible individuals” and all that follows through “section 136(d)(2)” and inserting “of information necessary to assess the State’s performance on the core indicators of performance described in section 136(b)(2)(A)”; and

(2) in paragraph (11)—

(A) in subparagraph (D)(i), by inserting before the semicolon the following: “, which may be provided using alternative means of meeting participation (such as video conferences and conference calls)”; and

(B) by adding at the end the following:

“(G) **COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.**—The State plan shall include an assurance that the designated State unit and the lead agency or implementing entity responsible for carrying out duties under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) have developed working relationships and coordinate their activities.”;

(3) in paragraph (15)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (II), by striking “and” at the end;

(II) in subclause (III), by adding “and” at the end; and

(III) by adding at the end the following:

“(IV) students with disabilities, including their need for transition services.”;

(ii) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(iii) by inserting after clause (i) the following:

“(ii) include an assessment of the transition services provided under this Act, and coordinated with transition services under the Individuals with Disabilities Education Act, as to those services meeting the needs of individuals with disabilities.”; and

(B) in subparagraph (D)—

(i) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively; and

(ii) by inserting after clause (ii) the following:

“(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to the receipt of vocational rehabilitation services under this title or to postsecondary education or employment.”;

(4) in paragraph (22)—

(A) by striking “carrying out part B of title VI, including”; and

(B) by striking “that part to supplement funds made available under part B of”;

(5) in paragraph (24)(A), by striking “part A of title VI” and inserting “section 109A”; and

(6) by adding at the end the following:

“(25) **COLLABORATION WITH INDUSTRY.**—The State plan shall describe how the designated State agency will carry out the provisions of section 109A, including—

“(A) the criteria such agency will use to award grants under such section; and

“(B) how the activities carried out under such grants will be coordinated with other services provided under this title.

“(26) **SERVICES FOR STUDENTS WITH DISABILITIES.**—The State plan shall provide an assurance satisfactory to the Secretary that the State—

“(A) has developed and implemented strategies to address the needs identified in the assessment described in paragraph (15), and achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis in accordance with paragraph (15); and

“(B) from funds reserved under section 110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities that—

“(i) facilitate the transition of students with disabilities from the receipt of educational services in school, to the receipt of vocational rehabilitation services under this title, including, at a minimum, those services specified in the inter-agency agreement required in paragraph (11)(D);

“(ii) improve the achievement of post-school goals of students with disabilities, including improving the achievement through participation (as appropriate when career goals are discussed) in meetings regarding individualized education programs developed under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

“(iii) provide career guidance, career exploration services, job search skills and strategies, and technical assistance to students with disabilities; and

“(iv) support the provision of training and technical assistance to State and local educational agencies and designated State agency personnel responsible for the planning and provision of services to students with disabilities; and

“(v) support outreach activities to students with disabilities who are eligible for, and need, services under this title.”.

#### SEC. 505. SCOPE OF SERVICES.

Section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723) is amended—

(1) in subsection (a), by striking paragraph (15) and inserting the following:

“(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment, including services described in clauses (i) through (iii) of section 101(a)(26)(B).”;

(2) in subsection (b), by striking paragraph (6) and inserting the following:

“(6)(A)(i) Consultation and technical assistance services to assist State and local educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

“(ii) Training and technical assistance described in section 101(a)(26)(B)(iv).

“(B) Services for groups of individuals with disabilities who meet the requirements of clauses (i) and (iii) of section 7(35)(A), including services described in clauses (i), (ii), (iii), and (v) of section 101(a)(26)(B), to assist in the transition from school to post-school activities.”; and

(3) in subsection (b) by inserting at the end, the following:

“(7) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29 U.S.C. 3001) to promote access to assistive technology for individuals with disabilities and employers.”.

#### SEC. 506. STANDARDS AND INDICATORS.

Section 106 of the Rehabilitation Act of 1973 (29 U.S.C. 726(a)) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **STANDARDS AND INDICATORS.**—The performance standards and indicators for the vocational rehabilitation program carried out under this title—

“(1) shall be subject to paragraphs (2)(A) and (3) of section 136(b) of the Workforce Investment Act of 1998; and

“(2) may, at a State’s discretion, include additional indicators identified in the State plan submitted under section 101.”; and

(2) in subsection (b)(2)(B), by striking clause (i) and inserting the following:

“(i) on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Director, direct the State to make revisions to the plan to improve performance; and”.

#### SEC. 507. COLLABORATION WITH INDUSTRY.

The Rehabilitation Act of 1973 is amended by inserting after section 109 (29 U.S.C. 729) the following:

##### “SEC. 109A. COLLABORATION WITH INDUSTRY.

“(a) **AUTHORITY.**—A State shall use not less than one-half of one percent of the payment the State receives under section 111 for a fiscal year to award grants to eligible entities to create practical job and career readiness and training programs, and to provide job placements and career advancement.

“(b) **APPLICATION.**—To receive a grant under this section, an eligible entity shall submit an application to a designated State agency at such time, in such manner, and containing such information as such agency shall require. Such application shall include, at a minimum—

“(1) a plan for evaluating the effectiveness of the program;

“(2) a plan for collecting and reporting the data and information described under subparagraphs (A) through (C) of section 101(a)(10), as determined appropriate by the designated State agency; and

“(3) a plan for providing for the non-Federal share of the costs of the program.

“(c) **ACTIVITIES.**—An eligible entity receiving a grant under this section shall use the grant funds to carry out a program that provides one or more of the following:

“(1) Job development, job placement, and career advancement services for individuals with disabilities.

“(2) Training in realistic work settings in order to prepare individuals with disabilities for

employment and career advancement in the competitive market.

“(3) Providing individuals with disabilities with such support services as may be required in order to maintain the employment and career advancement for which the individuals have received training.

“(d) AWARDS.—Grants under this section shall—

“(1) be awarded for a period not to exceed 5 years; and

“(2) be awarded competitively.

“(e) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term ‘eligible entity’ means a for-profit business, alone or in partnership with one or more of the following:

“(1) Community rehabilitation program providers.

“(2) Indian tribes.

“(3) Tribal organizations.

“(f) FEDERAL SHARE.—The Federal share of a program under this section shall not exceed 80 percent of the costs of the program.

“(g) ELIGIBILITY FOR SERVICES.—An individual shall be eligible for services provided under a program under this section if the individual is determined under section 102(a)(1) to be eligible for assistance under this title.”.

#### SEC. 508. RESERVATION FOR EXPANDED TRANSITION SERVICES.

The Rehabilitation Act of 1973 is amended by inserting after section 110 (29 U.S.C. 730) the following:

##### “SEC. 110A. RESERVATION FOR EXPANDED TRANSITION SERVICES.

“Each State shall reserve not less than 10 percent of the funds allotted to the State under section 110(a) to carry out programs and activities under sections 101(a)(26)(B) and 103(b)(6).”.

#### SEC. 509. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 732(e)(1)) is amended by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

“(D) The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such grants shall be the same as provided to territories under this subsection.”.

#### SEC. 510. TITLE III AMENDMENTS.

Title III of the Rehabilitation Act of 1973 (29 U.S.C. 771 et seq.) is amended—

(1) in section 301(a)—

(A) in paragraph (2), by inserting “and” at the end;

(B) by striking paragraphs (3) and (4); and

(C) by redesignating paragraph (5) as paragraph (3);

(2) in section 302(g)—

(A) in the heading, by striking “AND IN-SERVICE TRAINING”; and

(B) by striking paragraph (3);

(3) in section 303(c)—

(A) in paragraph (4)—

(i) by amending subparagraph (A)(ii) to read as follows:

“(ii) to coordinate and work closely with the parent training and information centers established pursuant to section 671 of the Individuals with Disabilities Education Act, the community parent resource centers established pursuant to section 672 of such Act, and the eligible entities receiving awards under section 673 of such Act; and”;

(ii) in subparagraph (C), by inserting “, and demonstrate the capacity for serving,” after “serve”; and

(B) by adding at the end the following:

“(8) RESERVATION.—From the amount appropriated to carry out this subsection for a fiscal year, 20 percent of such amount or \$500,000, whichever is less, shall be reserved to carry out paragraph (6).”;

(4) by striking sections 304 and 305; and  
(5) by redesignating section 306 as section 304.

#### SEC. 511. REPEAL OF TITLE VI.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended by repealing title VI.

#### SEC. 512. CHAIRPERSON.

Section 705(b)(5) of the Rehabilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

“(5) CHAIRPERSON.—The Council shall select a chairperson from among the voting membership of the Council.”.

#### SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is further amended—

(1) in section 100(b)(1) (29 U.S.C. 720(b)(1)), by striking “such sums as may be necessary for fiscal years 1999 through 2003” and inserting “\$3,121,712,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(2) in section 110(c) (29 U.S.C. 730(c)), by amending paragraph (2) to read as follows:

“(2) The sum referred to in paragraph (1) shall be, as determined by the Secretary, not less than 1 percent and not more than 1.5 percent of the amount referred to in paragraph (1) for each of fiscal years 2014 through 2020.”;

(3) in section 112(h) (29 U.S.C. 732(h)) by striking “such sums as may be necessary for fiscal years 1999 through 2003” and inserting “\$12,240,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(4) by amending subsection (a) of section 201 (29 U.S.C. 761(a)) to read as follows: “(a) There are authorized to be appropriated \$108,817,000 for fiscal year 2014 and each of the 6 succeeding fiscal years to carry out this title.”;

(5) in section 302(i) (29 U.S.C. 772(i)) by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$35,515,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(6) in section 303(e) (29 U.S.C. 773(e)) by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$5,325,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(7) in section 405 (29 U.S.C. 785) by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$3,258,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(8) in section 502(j) (29 U.S.C. 792(j)) by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$7,400,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(9) in section 509(l) (29 U.S.C. 794e(l)) by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$18,031,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(10) in section 714 (29 U.S.C. 796e-3), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$23,359,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”;

(11) in section 727 (29 U.S.C. 796f-6), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$79,953,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”; and

(12) in section 753 (29 U.S.C. 796i), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$34,018,000 for fiscal year 2014 and each of the 6 succeeding fiscal years”.

#### SEC. 514. CONFORMING AMENDMENTS.

Section 1(b) of the Rehabilitation Act of 1973 is amended—

(1) by inserting after the item relating to section 109 the following:

“Sec. 109A. Collaboration with industry.”;

(2) by inserting after the item relating to section 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

(3) by striking the item related to section 304 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

(4) by striking the items related to sections 305 and 306; and

(5) by striking the items related to title VI.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113-16. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. FOXX

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-16.

Ms. FOXX. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the table of contents in section 2, strike the item relating to section 139 and insert the following:

Sec. 139. Federal agency staff and restrictions on political and lobbying activities.

In the table of contents in section 2, add at the end the following:

#### TITLE VI—STUDIES BY THE COMPTROLLER GENERAL

Sec. 601. Study by the Comptroller General on exhausting Federal Pell Grants before accessing WIA funds.

Sec. 602. Study by the Comptroller General on administrative cost savings.

Page 12, line 8, insert “pay-for-performance” before “contract”.

Page 12, line 11, strike “performance outcome” and insert “core indicators of performance”.

Page 12, beginning line 14, strike “a provider” and insert “an eligible provider”.

Page 12, line 16, insert after “who” the following: “, within a defined timetable.”.

Page 12, line 18, strike “outcome measures” and insert “core indicators of performance”.

Page 12, line 19, strike “, within a defined timetable”.

Page 12, line 23, strike “a provider” and insert “an eligible provider”.

Page 12, line 24, insert “program” before “participant”.

Page 12, line 25, strike “outcome measures” and insert “core indicators of performance”.

Page 13, line 7, strike “a provider” and insert “an eligible provider”.

Page 27, line 6, insert “and” before “all that follows”.

Page 27, beginning line 14, amend subparagraph (A) to read as follows:

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—



“(A) PROCESS.—In order to receive an allotment under section 132, a State, through the State board, shall establish a process to designate local workforce investment areas within the State. Such process shall—

“(i) support the statewide workforce investment system developed under section 111(d)(2) that will meet the workforce needs of the State and its local areas;

“(ii) include prior consultation with chief elected officials;

“(iii) consider comments received through the public comment process as described in section 112(b)(9); and

“(iv) require the submission of an approved application under subparagraph (B).

“(B) APPLICATION.—To be designated as a local area under this paragraph, a local or regional board (or consortiums of local or regional boards) shall submit an application to a State board at such time, in such manner, and containing such information as the State board may require, including—

“(i) a description of the local area, including the population that will be served by the local area, and the education and training needs of its employers and workers;

“(ii) a description of how the local area is consistent or aligned with—

“(I) service delivery areas;

“(II) labor market areas; and

“(III) economic development regions;

“(iii) a description of the eligible providers of education and training, including postsecondary educational institutions such as community colleges, located in the local area available to meet the needs of the local workforce;

“(iv) a description of the distance that individuals will need to travel to receive services provided in such local area; and

“(v) any other criteria that the State board may require.

“(C) PRIORITY.—In designating local areas under this paragraph, a State board shall give priority consideration to applicants demonstrating that a designation as a local area under this paragraph will result in the reduction of overlapping service delivery areas, local market areas, or economic development regions.

“(D) ALIGNMENT WITH LOCAL PLAN.—A State may designate an applicant as a local area under this paragraph for a period not to exceed 3 years.”

Page 28, beginning line 22, strike “and inserting the following:”

Page 28, line 24, through page 29, line 7, strike paragraph (3).

Page 29, line 8, strike “and”.

Page 29, beginning line 9, amend subparagraph (E) to read as follows:

“(E) by redesignating paragraph (5) as paragraph (3); and”

Page 29, after line 10, insert the following:

(F) in paragraph (3) (as so redesignated), by striking “(2) or (3)” both places it appears and inserting “(1)”;

Page 29, line 14, strike “(a)(1)(B), the Governor may designate a State” and insert “(a), the State board of a State may designate the State”.

Page 36, line 25, strike “individual training providers” and insert “each such eligible provider”.

Page 37, line 2, insert “eligible” before “providers”.

Page 37, line 4, strike “indicators as priority” and insert “criteria as priority eligible”.

Page 42, line 9, insert “, with a focus on employment that fosters independence and integration” after “disabilities”.

Page 55, line 23, insert “subsection” before “(b)(2)(B)”.

Page 70, line 24, strike the period and insert “; and”.

Page 86, beginning line 12, strike “, as defined in section 101(56),”

Page 86, line 15, insert “eligible” before “providers”.

Page 99, line 12, strike “(B);” and insert “(B).”

Page 104, beginning line 3, strike “an institution of higher education” and insert “a postsecondary educational institution”.

Page 104, line 5, insert “eligible” before “provider”.

Page 104, line 9, strike “and which” and insert “such contract”.

Page 104, line 11, insert “eligible” before “provider”.

Page 104, line 11, strike “if” and insert “and”.

Page 106, beginning line 4, strike “, as defined in section 101(56),”

Page 118, line 24, strike “(1)(A).”

Page 119, line 1, insert “of paragraph (1)(A)” after “clause (i)”.

Page 119, line 6, insert “of paragraph (1)(A)” after “clause (ii)”.

Page 122, line 10, strike “(E)” and insert “(D)”.

Page 128, line 25, strike “1091(c))” and insert “1091(c)))”.

Page 154, line 2, strike “Education.” and insert “Education.”

Page 154, line 3, strike “as well as” and insert “and”.

Page 157, line 9, insert before the semicolon the following: “, and conforming the casing style of the headings of such subsections to the casing style of the heading of subsection (d), as added by paragraph (7) of this section”.

Page 166, line 18, strike “paragraph” and insert “subparagraph”.

Page 167, line 16, insert after “STAFF” the following: “AND RESTRICTIONS ON POLITICAL AND LOBBYING ACTIVITIES”.

Page 168, line 11, strike “eliminated” and insert “repealed”.

Page 168, line 16, insert “and” at the end.

Page 221, line 11, insert before the period the following: “, as in effect on the day before the date of enactment of the SKILLS Act”.

Page 221, beginning line 18, amend paragraph (5) to read as follows:

(5) Public Law 91-378, 16 U.S.C. 1701 et seq. (popularly known as the “Youth Conservation Corps Act of 1970”).

Page 222, beginning line 21, move the quoted matter so that it appears in-line with “following:” on line 20 of such page.

Page 230, line 11, insert “and all that follows” before “through”.

Page 235, line 7, strike “victim” and insert “victims”.

Page 236, line 23, strike “subsection” and insert “subsections”.

Page 236, line 24, strike “subsection” and insert “subsections”.

Page 240, after the item relating to section 196, insert the following:

“Sec. 197. Restrictions on lobbying and political activities.”.

Add at the end of the bill, the following new title:

#### TITLE VI—STUDIES BY THE COMPTROLLER GENERAL

##### SEC. 601. STUDY BY THE COMPTROLLER GENERAL ON EXHAUSTING FEDERAL PELL GRANTS BEFORE ACCESSING WIA FUNDS.

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and

the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) evaluates the effectiveness of subparagraph (B) of section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as such subparagraph was in effect on the day before the date of enactment of this Act), including—

(A) a review of the regulations and guidance issued by the Secretary of Labor to State and local areas on how to comply with such subparagraph;

(B) a review of State policies to determine how local areas are required to comply with such subparagraph;

(C) a review of local area policies to determine how one-stop operators are required to comply with such subparagraph; and

(D) a review of a sampling of individuals receiving training services under section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)) to determine if, before receiving such training services, such individuals have exhausted funds received through the Federal Pell Grant program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(2) makes appropriate recommendations with respect to the matters evaluated under paragraph (1).

##### SEC. 602. STUDY BY THE COMPTROLLER GENERAL ON ADMINISTRATIVE COST SAVINGS.

(a) STUDY.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) determines the amount of administrative costs at the Federal and State levels for the most recent fiscal year for which satisfactory data are available for—

(A) each of the programs authorized under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) or repealed under section 401 of this Act, as such programs were in effect for such fiscal year; and

(B) each of the programs described in subparagraph (A) that have been repealed or consolidated on or after the date of enactment of this Act;

(2) determines the amount of administrative cost savings at the Federal and State levels as a result of repealing and consolidating programs by calculating the differences in the amount of administrative costs between subparagraph (A) and subparagraph (B) of paragraph (1); and

(3) estimates the administrative costs savings at the Federal and State levels for a fiscal year as a result of States consolidating funds under section 501(e) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(e)) to reduce inefficiencies in the administration of federally-funded State and local employment and training programs.

(b) DEFINITION.—For purposes of this section, the term “administrative cost” has the meaning given the term in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

The CHAIR. Pursuant to House Resolution 113, the gentlewoman from North Carolina (Ms. Foxx) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. I rise in support of the manager's amendment for H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, and I yield myself such time as I may consume.

The issue before us can no longer be ignored. Last week, we received encouraging news as the Nation's unemployment rate dropped to 7.7 percent; but the reality remains that millions of Americans are still searching for work, and too often they cannot access the support they need to compete for in-demand jobs.

Each year, hardworking taxpayers spend \$18 billion to fund more than 50 Federal workforce development programs administered by nine different agencies. Many of the programs overlap or are duplicative and few have ever been evaluated for efficacy. Our Nation's economy is only as strong as its workforce. Right now, the need to reform our broken workforce development system could not be more critical. As Friday's job report illustrated, 12 million Americans are still searching for full-time work; yet employers reported another month with more than 3 million unfilled job openings, in part because there aren't enough qualified workers to fill them.

We know the jumbled state of today's workforce development system is unimaginable, as well as the ineffective maze of programs each of today's workers has to navigate in order to receive assistance or education to help in their job hunt. I have a chart that shows this. Americans deserve a system that is more efficient, more accountable, and more responsive than that. What we propose today will take care of that, and this is the chart that shows where we will go with this system.

Today, many of my colleagues have discussed how the SKILLS Act would foster an employer-driven system that prepares job seekers for a successful career in the 21st-century economy. I would like to highlight a few technical changes included in the manager's amendment that will enhance efforts to eliminate waste, safeguard taxpayer dollars, and provide education and support to American workers.

□ 1020

First, the manager's amendment will improve accountability and ensure officials aren't wasting taxpayer dollars by requiring the Government Accountability Office to evaluate the administrative savings that will occur at the Federal and State levels due to the streamlining of workforce development programs.

Second, we recognize that local leaders are much better informed and equipped to serve the needs of local job seekers than we are in Washington. That is why our approach relies on a bottom-up approach when designating local workforce investment areas. Local leaders will submit applications

for designation and establish the processes needed to align their areas with other service delivery and labor market areas in their region. In doing so, the designation process will be more effective and transparent, and will naturally serve the priorities of local communities.

Finally, the manager's amendment requires State and local workforce development leaders, when serving individuals with disabilities, to detail how they will focus on employment opportunities that foster independence and integration. These commonsense changes help build a more dynamic and inclusive system that will provide maximum support for workers and employers.

In his 2012 State of the Union address, President Obama urged Congress to cut "through the maze of confusing training programs." Today we have the opportunity to do just that.

We cannot encourage economic growth or put Americans back to work without reforming an antiquated system that fails to meet the fundamental needs of today's job creators and workers. We cannot continue to defend the outdated policies of the past. It is time we reform these programs to create an efficient and effective system that supports the true backbone of our economy: the American people.

Madam Chairman, I strongly urge my colleagues to support the SKILLS Act, and I reserve the balance of my time.

Mr. TIERNEY. Madam Chairwoman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Thank you very much.

I understand that much in the manager's amendment is technical and clarifying corrections, but it does make one notable substantive change to the underlying bill as it pertains to the designation of local workforce investment areas.

Current law calls for automatic designation of a local workforce area with a population of 500,000 or more. It also ensures that the voices of local elected officials, businesses, and workforce development officials, among others, are heard. That's a good thing.

Now, the underlying bill—the so-called SKILLS Act—radically changed this. It repealed the automatic designation that I just mentioned, and it essentially empowered the Governor to designate an entire State as one local workforce area if that Governor chose to do so. This is not viewed as sound policy.

Two days ago, the Conference of Mayors, the National Association of Counties, the National League of Cities, and the National Association of Workforce Boards sent a letter to the House leadership that expressed con-

cerns with this particular provision. Specifically, they wrote:

H.R. 803 undermines existing governance structures by virtually eliminating the input of local elected officials in the decision-making process.

They also said:

H.R. 803 fails to promote intergovernmental collaboration between State and local officials by eliminating prior provisions relating to automatic designation of local workforce development areas, effectively allowing State boards to designate local areas in consultation with the Governor, without considering input from local stakeholders.

Now, I think this mistake has been recognized, and we can see that by this manager's amendment where there is an attempt to try and address this situation. But it is further evidence of the deficiencies of a hyperpartisan bill that neglects the opportunity to sit down with others and work through these issues so that we can come up with the best solution on that. Now they're trying to get out of this hole they created by proposing a sort of solution in the manager's amendment that is still inadequate and certainly is worse than current law.

The manager's amendment provides an application process for local boards. So instead of being automatically designated if there are 500,000 in the population or more, they have to apply to be designated as a local workforce area. But that application still has to be approved by the State, which could totally reject it. And that's only for a period of 3 years, so they have to keep going through this process periodically. If I were a mayor or a business person who is chairing a local board, I don't think I would be very pleased with this provision—and in fact they're not.

I'm not sure how creating an unnecessary and bureaucratic process where locals would have to reapply continuously for their designation every 3 years squares with my Republican colleagues' supposed concern about duplication in the workforce.

Later this morning, we will be offering a substitute amendment that retains current law and protects the local individuals' role in the workforce system. Certainly, if we had the opportunity for a bipartisan bill, we could have worked through this issue and come up with what would be the best solution. This is just one example of the important policy provisions in this bill that could have been addressed in that way. This could have been a bipartisan bill, and we could have got the best product, and we didn't.

I reserve the balance of my time.

Ms. FOXX. Madam Chairman, I appreciate my colleague reading the letter that he read. But as he well knows, that letter was written before the manager's amendment came out, and the manager's amendment actually corrects what the letter was talking about.



We are making the system better. Current law allows the Governor of the State to designate local areas in consultation, and our colleagues are advocating to keep the status quo. My amendment makes it a better situation, and I appreciate his acknowledging that the manager's amendment does do that.

I reserve the balance of my time.

Mr. TIERNEY. I yield myself such time as I may consume.

This is an attempt to deal with the problem that was in the underlying bill, as pointed out by that letter, but an attempt that mirrors the process for the last session and this session. They didn't consult anybody. They didn't talk to anybody. They didn't say what would be the solution. They just went out and arbitrarily decided that, again, having once messed up, they thought they were the repository for all knowledge on this subject and went about setting on a course that still falls short.

Yes, current law allows for Governors to work with the consultation of others to set local designated areas, but areas of 500,000 population or more are already designated, and that's the point at issue here.

I think we've seen an example of the process—just deciding that all knowledge is repositied in one section; not wanting to discuss with others. We understand.

This could have been a good bill. This could have been a bill that went through the House, was taken up by the Senate, and then went on to the President's desk—a bill that the public could have been proud of, a bill that everybody could have got behind, but we didn't. We see a failed process, so we end up with a failed part of the provision of the original bill, and another failed attempt to fix it because there's no reaching out and no attempt.

Last time we had some hearings, very brief. Then we had a vote where partisan votes went all the way down the line. This time we have one hearing the day that the bill was filed, two out of three witnesses say they didn't read the bill, an immediate markup, where we chose not to go through the same faux hearing process of having all of the amendments just shot down on a partisan vote.

We're here. We always have been here. We want to work this through. This was not a hyperpartisan issue—it's just been made to be one.

I reserve the balance of my time.

The CHAIR. The gentlewoman from North Carolina has 30 seconds remaining, and the gentleman from Massachusetts has 15 seconds remaining.

Ms. FOXX. Madam Chair, a failed process is when you're in control of the House, the Senate, and the Presidency and you do nothing to fix the situation.

We offered our colleagues on the other side of the aisle the opportunity

to offer amendments; they walked out of the meeting. Their substitute does not fix the situation in the way that they say they want it fixed. Madam Chairman, we have allowed them to offer amendments; they walked away. We've given them extra time today to discuss their substitute. Even their substitute does not take care of the problem.

I yield back the balance of my time.

Mr. TIERNEY. No normal person would confuse being given an opportunity to have your amendment shot down on a party-line vote as a bipartisan process.

I remind the gentlewoman that it was her party, Mr. McKEON, who correctly stated it's the majority's obligation to reach across the aisle and seek compromise on that because they're the ones with the gavel on that.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GALLEG0

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-16.

Mr. GALLEG0. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, line 20, insert "including training in advanced manufacturing," after "training,".

Page 44, line 24, insert "including training in advanced manufacturing," after "training,".

The CHAIR. Pursuant to House Resolution 113, the gentleman from Texas (Mr. GALLEG0) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GALLEG0. Madam Chairman, I would like to thank Chairman KLINE and the ranking member, Mr. MILLER, for their work on the Education and Workforce Committee, as well as for consideration of my amendment today.

My amendment is very simple and common sense. It accelerates job training skills for veterans. Specifically, the amendment would promote advanced manufacturing within State and local plans for veterans.

□ 1030

Assisting veterans and employers in translating their military skills into advanced manufacturing does two things:

First, it addresses 600,000 advanced manufacturing jobs that remain open in our Nation. More than 82 percent of manufacturers report that they cannot find people to fill their skilled jobs.

Second, over the next 4 years, 1 million veterans—1 million veterans—are

expected to exit the Armed Forces and transition into our workforce. This amendment creates cohesion between filling our advanced manufacturing jobs, such as technology, aerospace, pharmaceutical, and other cutting-edge products with capable, talented veterans.

There are close to 900,000 veterans who are unemployed in our Nation. Often these veterans obtain advanced manufacturing skills while they're serving our country. Unfortunately, they have a hard time obtaining employment once they leave their service.

Although unemployment for veterans has fallen from 12.1 percent to 9.9 percent in the last year, it still outpaces the Nation's overall rate. Today, there are more than 1.6 million veterans who live in my home State of Texas. In the reaches of the southwest Texas congressional district that I represent, some 64,000 veterans reside there.

So this amendment is for America's heroes who return from their service to afford them training in advanced manufacturing jobs, a sector that has added 500,000 jobs in the past 26 months.

Lastly, this amendment doesn't present any budgetary issues. It doesn't impact direct spending, so there are no CutGo violations. It doesn't impact discretionary authorization, so it doesn't run afoul of any of the House protocols.

I would ask your support of a very commonsense amendment. Let's all work together to get our veterans back to work.

Thank you, Madam Chair, and I yield back the balance of my time.

Mr. KLINE. Madam Chair, I rise to claim time in opposition, but I do not intend to oppose the amendment.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Thank you, Madam Chair. I appreciate the involvement of the gentleman. He's brought forward a good amendment. It will help veterans translate and hone their wartime skills to civilian use in an important and growing sector. A focus on advanced manufacturing training for veterans will allow our Nation's heroes to get relevant and important training while increasing their earnings potential, so we support this amendment.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GALLEG0).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-16.

Mr. YOUNG of Alaska. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 69, line 21, strike "not more than".

The CHAIR. Pursuant to House Resolution 113, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Madam Chair, I rise today to offer an amendment to H.R. 803, which would ensure vital funding for workforce training programs utilized by Alaska Natives, Native Americans, and Native Hawaiians.

H.R. 803, as reported, contains a provision which establishes a 1 percent cap on the amount that each State can designate for Native employment and training grants out of their total funding allotment.

My amendment would instead require that each State provide exactly 1 percent for each program. This change is important because H.R. 803, as it currently stands, gives States the discretion to drastically reduce or virtually eliminate Native work-training funds.

Alaska Native, American Indian, and Native Hawaiian populations often rank at the bottom of labor-related categories like income, education, and unemployment rate. Since 1998, America's Native peoples have relied crucially on funding from the Workforce Investment Act to provide the necessary resources to educate their workforce to help reverse these trends. My amendment would guarantee that tribal funding continues.

I urge a "yes" vote on the amendment and reserve the balance of my time.

Mr. TIERNEY. Madam Chair, I rise to claim time in opposition, but will not be opposing the amendment.

The CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. TIERNEY. Thank you, Madam Chair.

Essentially, I would like to reserve some time for someone we are expecting down to talk on that. But I do make note that in the gentleman, Mr. YOUNG's, Dear Colleague letter regarding this particular matter, he makes note that the underlying bill does not accommodate the needs of this particular population, and that's why the necessity existed for him to bring this amendment that we support to the floor. But it's another example of how the process should have improved this bill all along had it been done in a bipartisan, consultative manner, as we had all hoped it would be.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Chair, at this time, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman.

Madam Chair, I want to thank my good friend, Mr. YOUNG, for bringing

this amendment. Nobody has worked harder or worked longer for Native peoples in this Chamber than my good friend from Alaska. And the fact that we would guarantee this, I think, is an important recognition of how difficult the circumstances are for much of the Native population in the country.

The Bureau of Labor Statistics does not actually keep statistics on Native American unemployment, but anybody that has ever been to a reservation knows that we have plenty of them in the middle of States with very low unemployment rates where the unemployment rate on a reservation will be 75 percent or more.

So, again, I want to thank my friend for making sure that important resources are directed toward an often neglected population. I want to thank him for his many years of work in this area and look forward to working with him as we move forward.

Mr. TIERNEY. Madam Chairman, I yield myself 30 seconds.

I would like to make the point that obviously there are certain populations within our society that deserve particular attention because they have unique needs. You don't accomplish that by arbitrarily taking all the programs and lumping them together without a full analysis and determination of which ones would be better served on that basis and which ones wouldn't. I think it further establishes our point that we made throughout.

I congratulate the gentleman on his amendment and support it fully.

With that, I yield back the balance of my time.

Mr. YOUNG of Alaska. At this time, I would like to yield 1½ minutes to my good friend from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding and for his work on this particular issue.

Madam Chair, we face some specific challenges in Indian Country in South Dakota, and this amendment ensures that 1 percent of the funds within the Workforce Investment Fund would be dedicated towards meeting those needs.

Madam Chair, the three most impoverished counties in the Nation are located in South Dakota. Each of these counties is located on or near reservations, and the poverty rate in these counties hovers around 50 percent.

Life in Indian Country certainly has its challenges, and among those is chronically high unemployment. While some of our tribes face an unemployment rate of around 10 percent, we have one of them, the Rosebud Reservation in Todd County, and the Pine Ridge Reservation in Shannon County, which face almost 80 percent unemployment. Again, this is challenging for Indian Country and needs to be dealt with.

It is very clear that we can and must do better for Indian Country, and mak-

ing our job-training programs work better through legislation like the SKILLS Act is an effective way to do that. Guaranteeing the set-aside money for Native Americans with this amendment is going to make sure that that is available to them.

I've toured Lakota Foods on the Lower Brule Reservation where they make some of the world's best popcorn. Lakota Foods has around 12 full-time and part-time employees right now. With the right training, they could employ around 50 people.

Also, there is a similar success story in Pine Ridge, where Native American Natural Foods produces Tanka Bars. It is a healthy snack made out of buffalo meat and cranberries inspired by traditional Lakota food. Tanka Bars have caught on and are sold in over 3,000 stores now nationwide. With the right training and workforce development, they could expand to over 20 full-time employees.

We need to ensure that tribal businesses like this have an opportunity to survive, and that's the testimony that we want to have in Indian Country.

I ask for support on this amendment.

Mr. TIERNEY. I ask unanimous consent to reclaim the balance of my time, a Member having arrived to speak on the amendment.

The CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TIERNEY. I yield the remaining time to the gentlelady from Hawaii, Representative GABBARD.

Ms. GABBARD. Madam Chair, I would like to give thanks to Representatives DON YOUNG, TOM COLE, and Representative NOEM for offering this very important amendment. The Hawaii Members have had a long relationship with Alaska on Native issues, and I look forward to that great relationship continuing.

This amendment would require that each State provide exactly 1 percent of their total allotment for Native grants. As the bill stands, Native grants are capped at 1 percent, which could result in major funding reductions or no funding at all.

□ 1040

With this amendment, we can ensure our native populations are guaranteed at least 1 percent. This is a critical provision to ensure that our native populations are not forgotten or left behind.

In my home State of Hawaii, for example, ALU LIKE is able to take critical workforce investment funds and help Native Hawaiians as well as Alaska Natives and Native American Indians advance their academic or occupational skills and put them on a path to personal and economic self-sufficiency.

Mr. YOUNG of Alaska. Madam Chair, again I urge a "yes" vote. This amendment does solve some problems.

And I'd like to address the issue of training. We've been very fortunate in Alaska. We've used these dollars in training for our Alaskan Natives very successfully. We have aircraft training programs. We have carpenter training programs. We're training a group of Alaskan Natives to do the jobs that they can do not only in their tribal areas, but in the State itself. It makes for a sound economy.

On the reservation Mr. COLE mentioned, we still have that high rate. I hope we understand that I'm going to seek a new empowerment act for the American Indians to make sure that they don't have that high rate through training, availability, utilization of their land for the benefit of themselves so, in fact, we can continue to raise their standard instead of keeping 80 percent unemployment.

Again I urge a "yes" vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MRS. BLACK

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-16.

Mrs. BLACK. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 127, line 10, strike "There" and insert "(a) IN GENERAL.—There".

Page 127, after line 13, insert the following:

"(b) SENSE OF CONGRESS RELATING TO ADMINISTRATIVE COSTS.—It is the sense of Congress that when funds are appropriated pursuant to the amendment made by subsection (a), the amount necessary to cover all administrative costs under title I of the Workforce Investment Act of 1998 should be offset by funds from the account for the Office for Advocacy and Outreach of the Department of Agriculture."

The CHAIR. Pursuant to House Resolution 113, the gentlewoman from Tennessee (Mrs. BLACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Madam Chairman, I rise today in support of reaffirming our commitment to upward mobility and greater opportunity for all Americans.

My amendment would express the sentiment of the House that the funding for the United States Department of Agriculture, USDA, marketing and outreach program currently used to increase participation in the Supplemental Nutrition Assistance Program, SNAP, better known as "food stamps," would instead be used to fund job training programs contained in the SKILLS Act. These precious taxpayer dollars should be used to facilitate upward mobility and employment, not dependence.

The USDA created an aggressive outreach program that has grown under

the Obama administration, particularly through the President's stimulus package. These expanded initiatives include the collaboration between the USDA and Mexican Government officials to promote participation in targeted communities, which teaches recruiters how to convince working class families into public assistance and dependence.

The Obama administration has conducted over 30 meetings with the Mexican Government personnel since he took office. Since this program began in 2004, the United States taxpayer has funded this participation with the Mexican Government to promote the SNAP program by holding 29 health fairs and traveling to 19 cities.

The USDA, in coordination with the Mexican Government, has conducted an aggressive campaign issuing guidance to State and local agencies with a record 91 meetings focusing on growing the outreach program to expand enrollment in SNAP. None of these new meetings were used to point them in the direction of jobs training programs or employment searches that would offer much greater opportunity than whatever the Federal Government would have to offer.

I recently read through this 55-page document put out by the USDA, entitled, "SNAP, Guidance on Non-Citizen Eligibility," that essentially explains every possible scenario for avenues of going about receiving SNAP assistance. These policies are in plain conflict with the financial health of the United States, and it fails to recognize that welfare reform is guided by the moral principle that good policy helps more people live better lives.

USDA has also used these outreach dollars to hand out a Hunger Champions award in 2011 to certain workers, which translated to a 10 percent increase in food stamp recipients in just one year.

Under the Obama administration, the number of food stamp recipients has jumped 46 percent, with one in six Americans living in poverty, and the administration still continues to undermine work requirements and effective job training.

We need to reaffirm our belief that we are a Nation of opportunity and not dependence. The government should not be promoting food stamps. The government should be using hard-earned taxpayer dollars to help those who are out of work to acquire skills for jobs that they want and to achieve the American Dream that they have for them and their families.

I would now like to enter into a colloquy with the gentleman that is the chairman of the Committee on Agriculture, Mr. LUCAS.

Mr. LUCAS. Will the gentlewoman yield?

Mrs. BLACK. I yield to the gentleman.

Mr. LUCAS. I appreciate the gentlelady from Tennessee's attempt at reform here. In fact, the farm bill passed by the Agriculture Committee last Congress accomplished the goal of her amendment by preventing USDA from promoting the SNAP program.

Our goal in Congress should not be getting more people on the SNAP rolls. Instead, we should be providing opportunities through increased economic growth and programs that facilitate upward movement, upward mobility to get people off the rolls.

I pledge to work with the gentlelady to include language in the farm bill we intend to bring to the floor later this year to accomplish her goals.

I thank her for her efforts.

Mrs. BLACK. I thank the chairman. I so appreciate your earnestness in working together in making sure that we do have upward mobility rather than dependence.

Madam Chair, I want to again thank the chairman for being willing to work with me on what I think is a very important issue of making sure that we help people with upward mobility.

With that, Madam Chair, I ask unanimous consent to withdraw my amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. GARRETT

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-16.

Mr. GARRETT. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 160, line 2, strike "and" and after such line insert the following:

(5) by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following:

"(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR LATE REPORTING.—If a report required to be transmitted to Congress under this section is not transmitted on or before the time period specified for that report, amounts authorized to be appropriated under this title shall be reduced by 10 percent for the fiscal year that begins after the date on which the final report required under this section is required to be transmitted and reduced by an additional 10 percent each subsequent fiscal year until each such report is transmitted to Congress."

Page 160, line 3, strike "(5)" and insert "(6)".

Page 160, line 4, strike "(g)" and insert "(h)".

The CHAIR. Pursuant to House Resolution 113, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Madam Chair, I want to thank the chairman, and I also want to thank the gentlelady from North Carolina—I'm not sure if she's here

right now—for her efforts to make necessary and meaningful changes and reforms to the SKILLS Act.

The Federal Government spends literally billions and billions of dollars on workforce training programs every single year. But in 2011, there was a study done by the GAO, the Government Accountability Office. They found that very little is actually known about the effectiveness of a lot of these programs.

So when we're here at a time of constrained spending and constrained budgets, we have to do everything we can from both sides of the aisle to ensure that taxpayer dollars are spent wisely and that the recipients of these dollars or the programs actually get an effective program at the end of the day. So the SKILLS Act that's before us now includes provisions mandating—this is good—meaningful evaluations of these very same programs.

But simply mandating that evaluations be done doesn't really guarantee that they will actually be conducted. For example, back in 1998, there was the Workforce Investment Act legislation, and it mandated that the Department of Labor conduct what they called then the gold standard, if you will, of studies, of job training programs, and required that those studies be done by 2005. But here as we stand here now in 2013, those studies still aren't done. In actuality, we checked into it, and they said they will not be completed until the year 2015. That's 10 years later than when the studies were supposed to be completed.

Look, Congress can no longer tolerate the neglect of report deadlines, especially concerning the effectiveness of Federal programs that cost us billions of dollars. And when they're not being done effectively, the people who should be getting the affected programs are not getting the services they perform.

My amendment simply provides an incentive to the Department of Labor to conduct these evaluations on time so we can have the information and the authorizing committees can have the information to do their job, as well. It does neither the taxpayer nor the job seeker any good at all if Congress is funding something that is ineffective.

This amendment will put the executive branch on notice, and Congress is keeping an eye on their performance, and the authorizing committees can also have more information to do their jobs.

With that, I urge support of this amendment, and I reserve the balance of my time.

□ 1050

Mr. HINOJOSA. I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HINOJOSA. I yield 2 minutes to the gentlewoman from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the distinguished ranking member of this committee, and I thank the floor managers. I particularly thank Mr. HINOJOSA for his long service on workforce issues and about higher education issues to the proponent of the amendment. Certainly, we know that reporting is important.

What I want to focus on, Madam Chairwoman, is what America is all about. We are, in fact, the land of opportunity and dreams. We are the richest country in the world, and our benefit and our success has come because we have invested in people. As we watched the Depression and the era of World War II and our soldiers coming home, prosperity began when we gave them the GI Bill; and here we are today, trying to undermine under H.R. 803 the very opportunity in States for those people who are still seeking to climb the ladder.

By block-granting these 35 programs and shifting to our State governments individual programs that are to serve our adults and youth and farm workers and dislocated workers, we are going down a road of no return. We are eliminating the priority of service delivery for low-income adults and out-of-school youth. We are eliminating the thought processes that are necessary to know what rural neighborhoods or communities and urban communities need.

Texas is one of the largest States in the Union, and I can assure you that eliminating separate training funds for youth programs is devastating. It was devastating when we lost the summer youth job program, which I'd always said would have been a more effective program if you'd joined it with training. In our local communities, that's what we did—we joined summer youth jobs with training. Now you're telling us that we will be eliminated from doing that.

Rather than suggesting that the problems of this deficit are always on the least, it would be best for us to chronicle how we got here—billions of dollars in the Iraq war, the Afghanistan war, Medicare part D, the bailout.

The CHAIR. The time of the gentlewoman has expired.

Mr. HINOJOSA. I yield an additional 20 seconds to the gentlelady.

Ms. JACKSON LEE. I thank the gentleman.

It is important to support the Democratic alternative, which streamlines and improves the coordination of training programs, which puts the dollars in community associations that are there on the ground.

Madam Chair, America is not good with this bill, H.R. 803, but it is good with the Democratic alternative, which invests in people and makes America great.

Mr. GARRETT. I begin by saying I associate myself with the words of the

gentlelady over there in that we should not put the burden on the least in this country, and that's why we support this legislation before us and this amendment.

I now yield 20 seconds to the chairman of the committee, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. I thank the gentleman for yielding, and I thank him for bringing forward this very solid amendment.

We know that, under Republican administrations and Democrat administrations, departments are required by law to submit all kinds of reports, but there are no consequences, so they don't do it, and we have to do our job in the dark. I appreciate his recognizing this shortfall and for taking this step, and I support the amendment.

Mr. HINOJOSA. We oppose the amendment, and I yield back the balance of my time.

Mr. GARRETT. I just want to reiterate that we are on the exact same page with our colleagues from the other side of the aisle.

We understand the burdens that the Americans across this country are suffering right now. We understand that the burden and the cuts that we may have to consider in going forward in this country should not fall on the least among us, that they should not fall on those who are without jobs, and that they should not fall on those who are struggling at the bottom and who are trying to get up to the middle class and to an even higher rung after that. We have to work together to make sure that they do not suffer like that, and that's why we have this amendment.

It is to make sure that every single dollar that we pass in this Congress and that every single penny that we spend on a program is an effective dollar, is an effective penny that gets the job done and that lets them rise out of the depths of despair that they are in to a higher level, and we want to make sure that we have effective programs. That's exactly what our amendment would do, and I encourage both sides of the aisle to join in the support of this legislation.

With that, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. TIERNEY

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113-16.

Mr. TIERNEY. Madam Chairwoman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Workforce Investment Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.  
Sec. 2. Purposes and principles.

# **TITLE I—WORKFORCE INVESTMENT SYSTEMS**

## **Subtitle A—Definitions**

- Sec. 101. Definitions.  
Subtitle B—Statewide and Local Workforce Investment Systems  
Sec. 111. State workforce investment boards and requirements for State plans.  
Sec. 112. State unified plan.  
Sec. 113. Local workforce investment areas and boards.  
Sec. 114. Additional one-stop programs and activities.  
Sec. 115. Providers of training services.  
Sec. 116. Youth activities.  
Sec. 117. Adult and dislocated worker training activities.  
Sec. 118. Unified performance accountability system.  
Sec. 119. Authorization of funding for one-stop infrastructure.

## **Subtitle C—Job Corps**

- Sec. 131. Purposes.  
Sec. 132. Definitions.  
Sec. 133. Individuals eligible for the Job Corps.  
Sec. 134. Recruitment, screening, selection, and assignment of enrollees.  
Sec. 135. Enrollment.  
Sec. 136. Job Corps centers.  
Sec. 137. Program activities.  
Sec. 138. Support.  
Sec. 139. Community participation.  
Sec. 140. Industry councils.  
Sec. 141. Experimental, research, and demonstration projects and College Corps program.  
Sec. 142. Technical amendment.  
Sec. 143. Performance accountability and management.  
Sec. 144. Authorization of appropriations.

## **Subtitle D—National Programs**

- Sec. 151. Native American programs.  
Sec. 152. Migrant and seasonal farmworker programs.  
Sec. 153. Veterans workforce investment programs.  
Sec. 154. Repeal.  
Sec. 155. Technical assistance.  
Sec. 156. Innovation projects.  
Sec. 157. Workforce and youth innovation and best practices grants.

- Sec. 158. Evaluations.  
Sec. 159. National dislocated worker grants.  
Sec. 160. Youthbuild program.  
Sec. 161. Authorization of appropriations.  
Sec. 162. Transition grants to States.  
Sec. 163. Interagency agreement.

## **Subtitle E—Administration**

- Sec. 171. Requirements and restrictions.  
Sec. 172. Fiscal controls or sanctions.  
Sec. 173. Reports, recordkeeping, investigations.  
Sec. 174. Administrative provisions.  
Sec. 175. Repeals.  
Sec. 176. General program requirements.  
Sec. 177. Office of Disability Employment Policy.  
Sec. 178. Independent evaluation of the efficiency and effectiveness of the Federal Workforce Investment System.

## **Subtitle F—Community College to Career Fund**

- Sec. 181. Community College to Career Fund.

# **TITLE II—ADULT EDUCATION AND LITERACY**

- Sec. 201. Purposes, definitions, and miscellaneous provisions.  
Sec. 202. Amendments to subtitle A.  
Sec. 203. Amendments to subtitle B.  
Sec. 204. Amendments to subtitle C.  
Sec. 205. Amendments to subtitle D.

# **TITLE III—AMENDMENTS TO THE WAGNER-PEYSEY ACT**

- Sec. 301. Employment service offices.  
Sec. 302. Definitions.  
Sec. 303. Federal and State employment service offices.  
Sec. 304. Allotment of sums.  
Sec. 305. Use of sums.  
Sec. 306. State plan.  
Sec. 307. Performance accountability measures.  
Sec. 308. Pilot projects.  
Sec. 309. Labor market information system.

# **TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973**

## **Subtitle A—Introductory Provisions**

- Sec. 401. References.  
Sec. 402. Findings, purpose, policy.  
Sec. 403. Rehabilitation Services Administration.  
Sec. 404. Definitions.  
Sec. 405. Administration of the Act.  
Sec. 406. Reports.  
Sec. 407. Evaluation.  
Sec. 408. Carryover.  
Sec. 409. Traditionally underserved populations.

## **Subtitle B—Vocational Rehabilitation Services**

- Sec. 411. Declaration of policy; authorization of appropriations.  
Sec. 412. State plans.  
Sec. 413. Eligibility and individualized plan for employment.  
Sec. 414. Vocational rehabilitation services.  
Sec. 415. State Rehabilitation Council.  
Sec. 416. Performance accountability measures.  
Sec. 417. Monitoring and review.  
Sec. 418. Training and services for employers.  
Sec. 419. State allotments.  
Sec. 420. Client Assistance Program.  
Sec. 421. Technical assistance for quality services.  
Sec. 422. Pre-employment transition services.  
Sec. 423. American Indian vocational rehabilitation services.

## **Subtitle C—Research and Training**

- Sec. 431. Purpose.  
Sec. 432. Authorization of appropriations.  
Sec. 433. National Institute on Disability and Rehabilitation Research.  
Sec. 434. Interagency Committee.  
Sec. 435. Research and other covered activities.  
Sec. 436. Rehabilitation Research Advisory Council.  
Sec. 437. Definition of covered school.

## **Subtitle D—Professional Development and Special Projects and Demonstration**

- Sec. 441. Training.  
Sec. 442. Demonstration and training programs.  
Sec. 443. Migrant and seasonal farmworkers.  
Sec. 444. Recreational programs.

## **Subtitle E—National Council on Disability**

- Sec. 451. Report.  
Sec. 452. Authorization of appropriations.

## **Subtitle F—Rights and Advocacy**

- Sec. 456. Board and Council.

- Sec. 457. Protection and advocacy of individual rights.  
Sec. 458. Standards for accessible medical diagnostic equipment.

## **Subtitle G—Employment Opportunities for Individuals With Disabilities**

- Sec. 461. Projects with industry.  
Sec. 462. Authorization of appropriations.  
Sec. 463. Supported employment services.

## **Subtitle H—Independent Living Services and Centers for Independent Living**

### **CHAPTER 1—GENERAL PROVISIONS**

- Sec. 471. Purpose.  
Sec. 472. Independent Living Administration.  
Sec. 473. Definitions.  
Sec. 474. State plan.  
Sec. 475. Statewide Independent Living Council.  
Sec. 476. Responsibilities of the ILA Director.

### **CHAPTER 2—INDEPENDENT LIVING SERVICES**

- Sec. 477. Administration.

### **CHAPTER 3—CENTERS FOR INDEPENDENT LIVING**

- Sec. 481. Program authorization.  
Sec. 482. Centers.  
Sec. 483. Standards and assurances.  
Sec. 484. Authorization of appropriations.

### **CHAPTER 4—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND**

- Sec. 486. Independent living services for older individuals who are blind.  
Sec. 487. Program of grants.  
Sec. 488. Independent living services for older individuals who are blind authorization of appropriations.

## **Subtitle I—Increasing Employment Opportunities for Individuals With Disabilities**

- Sec. 491. Disability employment.  
Sec. 492. Table of contents.

## **SEC. 2. PURPOSES AND PRINCIPLES.**

The purposes of this Act include the following:

(1) To increase economic growth by improving the education and skills of American workers.

(2) To ensure middle class prosperity through strong investment in talent and workforce development.

(3) To prepare the unemployed, the underemployed, and those most disadvantaged with skills to match up with employer needs.

(4) To provide individuals streamlined access to in-demand skills training and employment services by aligning education, training and workforce investment programs.

(5) To strengthen engagement with employers in in-demand industries and all sectors to meet the needs of employers.

(6) To improve the competitiveness and dynamism of the Nation's future workforce by investing in college and career-ready pathways for young adults.

(7) To ensure accountability and efficiency through system performance measures that incentivize continuous improvement in services for workers and employers.

(8) To encourage private sector partnerships connecting employers, labor unions, community colleges, workforce boards and related stakeholders to develop workforce skills that meet employer needs, including career pathways, recognized postsecondary credentials, and regional planning.

# **TITLE I—WORKFORCE INVESTMENT SYSTEMS**

## **Subtitle A—Definitions**

### **SEC. 101. DEFINITIONS.**

Section 101 is amended—

(1) by striking paragraph (24) and by redesignating—

(A) paragraphs (52) and (53) as paragraphs (60) and (61), respectively;

(B) paragraphs (40) through (51) as paragraphs (47) through (58), respectively;

(C) paragraphs (25) through (39) as paragraphs (31) through (45), respectively;

(D) paragraphs (18) through (23) as paragraphs (25) through (30), respectively;

(E) paragraph (17) as paragraph (22);

(F) paragraphs (12) through (16) as paragraphs (16) through (20), respectively;

(G) paragraphs (8) through (11), as paragraphs (11) through (14), respectively; and

(H) paragraphs (5) through (7) as paragraphs (6) through (8), respectively;

(2) by inserting after paragraph (4) the following:

“(5) CAREER PATHWAY.—

“(A) IN GENERAL.—The term ‘career pathway’ means a sequence of education, training, and other supportive services, clearly articulated from one level of instruction to the next, that are designed to prepare individuals to meet a set of career-related objectives as referenced in subparagraph (C).

“(B) SERVICES.—The services referred to in subparagraph (A) shall be—

“(i) aligned with the skill needs of industries in the State or regional economy involved;

“(ii) designed to increase an individual’s educational and skill attainment, and improve the individual’s employment outcomes and ability to meet career-related objectives, by—

“(I) preparing individuals for the full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an ‘apprenticeship’, except in section 273);

“(II) including supportive services and counseling to support individuals in achieving their education and career goals;

“(III) including, as appropriate for an individual, education offered concurrently with and in the context of workforce preparation activities and training for a specific occupation or occupational cluster; and

“(IV) when participants are adults, organizing courses to meet adult participants’ needs including flexible scheduling, multiple entry and exit points (that may correspond with work and stackable credentials), giving credit for learning toward credentials and adopting other strategies that accelerate the educational and career advancement of the participant to the extent practicable; and

“(iii) at a minimum, provided through the alignment of core programs authorized under this Act with postsecondary education and training programs, consistent with descriptions included in the State and local plans.

“(C) OBJECTIVES.—The objectives referred to in subparagraph (A) include—

“(i) enabling an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

“(ii) helping a worker enter or advance within a specific occupation or occupational cluster.”;

(3) by inserting after paragraph (8) (as so redesignated), the following:

“(9) CORE PROGRAM.—The term ‘core programs’ means—

“(A) chapter 4 and 5 of subtitle B of title I (relating to youth workforce investment activities and adult and dislocated worker employment and training activities);

“(B) title II (relating to adult education and literacy activities);

“(C) sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (relating to employment services); and

“(D) title I of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741) (relating to vocational rehabilitation services).

“(10) COSTS OF INFRASTRUCTURE.—The term ‘costs of infrastructure’, used with respect to a one-stop center, means the nonpersonnel costs that are necessary for the operation of the one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, equipment (including assessment-related products and adaptive technology for individuals with disabilities), and technology to facilitate access to the one-stop center.”;

(4) by inserting after paragraph (14) (as so redesignated), the following:

“(15) ECONOMIC SELF-SUFFICIENCY.—The term ‘economic self-sufficiency’ means, with respect to a worker, earning a wage sufficient to support a family adequately and, over time, to save for emergency expenses and adequate retirement income, based on factors such as—

“(A) family size;

“(B) the cost of living in the worker’s community; and

“(C) other factors that may vary by region.”;

(5) by inserting after paragraph (20) (as so redesignated), the following:

“(21) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—

“(A) IN GENERAL.—The term ‘in-demand industry sector or occupation’ means—

“(i) an industry sector that—

“(I) has a substantial current or forecasted impact on the regional economy overall, including attracting, expanding or retaining businesses or jobs (including, at a minimum, jobs that lead to economic self-sufficiency and opportunities for advancement) in the region;

“(II) contributes to the growth of other supporting businesses, or the growth of other industry sectors within the region;

“(III) provides workers with jobs that have competitive, family-sustaining wages and benefits; and

“(IV) includes occupations that provide opportunities for career advancement; or

“(ii) an occupation that—

“(I) has a significant presence in an industry sector;

“(II) has a shortage of available skilled workers;

“(III) pays competitive, family-sustaining wages and benefits that enable workers to achieve economic self-sufficiency, or can reasonably be expected to lead to a position with such wages and benefits;

“(IV) provides opportunities for career advancement; and

“(V) has a significant impact in a region’s economy.

“(B) DETERMINATION.—The determination of whether an industry sector or occupation is an in-demand industry sector or occupation under this paragraph shall be made using national, State, or regional labor market information.”;

(6) by inserting after paragraph (22) (as so redesignated), the following:

“(23) INDIVIDUAL WITH BARRIERS TO EMPLOYMENT.—The term ‘individual with barriers to employment’ means an individual with any characteristic that substantially limits an individual’s ability to obtain employment,

including indicators of poor work history, lack of work experience or access to employment in nontraditional occupations, long-term unemployment, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, or receipt of welfare.

“(24) INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘industry or sector partnership’ means a workforce collaborative that—

“(A) organizes key stakeholders in an industry cluster into a working group that focuses on the workforce needs of the industry cluster and that includes, at the appropriate stage of development of the partnership—

“(i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable;

“(ii) representatives of a recognized State labor organization or central labor council, a union representing employees in the industry or sector and another labor representative, as appropriate;

“(iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster, including career and technical education providers; and

“(iv) the State workforce agency providing labor market information and employment services under the Wagner-Peyser Act; and

“(B) may include representatives of—

“(i) State or local government;

“(ii) State or local economic development agencies;

“(iii) State boards or local boards, as appropriate;

“(iv) any local board that has established through its local plan a concentration of an industry cluster within its area;

“(v) business or trade associations;

“(vi) nonprofit organizations, community-based organizations, or intermediaries;

“(vii) philanthropic organizations; and

“(viii) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.”;

(7) in paragraph (36) (as so redesignated), by striking “as appropriate to the occupation for which the participant is being trained” and inserting “to a period not in excess of that generally required for acquisition of skills needed for the position with a particular occupation and”;

(8) by inserting after paragraph (44) (as so redesignated), the following:

“(45) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ‘recognized postsecondary credential’ means a credential awarded by a training provider or educational institution based on completion of all requirements for a program of study, including coursework or tests or other performance evaluations. The term includes an industry-recognized certificate, a certificate of completion of an apprenticeship, or an associate or baccalaureate degree.”;

(9) by inserting after paragraph (57) (as so redesignated), the following:

“(58) WORKPLACE LEARNING ADVISOR.—The term ‘workplace learning advisor’ means an individual employed by an organization who has the knowledge and skill necessary to advise other employees of that organization about the education, skill development, job training, career counseling services, and credentials, including services provided through the workforce investment system, required

to progress toward career goals of such employees in order to meet employer requirements related to job openings and career advancements that support economic self-sufficiency.”.

**Subtitle B—Statewide and Local Workforce Investment Systems**

**SEC. 111. STATE WORKFORCE INVESTMENT BOARDS AND REQUIREMENTS FOR STATE PLANS.**

(a) SIZE AND FUNCTIONS OF THE STATE BOARDS.—Section 111 is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C)—

(i) by amending clause (i)(I), by striking “including” and inserting “shall include”; and

(ii) by amending clause (vi) to read as follows:

“(vi)(I) lead State officials with primary responsibility for the program and activities that are described in section 121(b)(2)(B)(1) (i) through (iv); and

“(II) the State agency officials responsible for economic development;” and

(B) by adding at the end the following:

“(4) WORKER REPRESENTATION.—Not less than 20 percent of the Board shall be comprised of representatives of the workforce within the State, and—

“(A) shall include representatives described in clause (iii) of section 117(b)(2)(A);

“(B) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that provide or support competitive, integrated employment for individuals with disabilities; and

“(C) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.”.

(2) in subsection (d)—

(A) in paragraph (8), by striking “; and” and inserting a semicolon;

(B) in paragraph (9), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(10) promotion in the development of guidance on career pathways by aligning workforce investment programs for the purpose of providing individuals with barriers to employment, including low-skilled adults and youth, with the employment, training, education, and supportive services the individuals need to attain the necessary credentials to secure and advance in employment;

“(11) promotion in the development of sector initiatives such as industry or sector partnerships relating to in-demand industry sectors and occupations;

“(12) provision of guidance on the alignment and delivery of services between the local boards, one-stop operator, and State entities carrying out relevant State-administered programs;

“(13) provision of technical assistance to local boards, one-stop partners, one-stop operators, and providers, as appropriate, in local areas concerning planning and delivering services; and

“(14) staff training and education across programs supported under workforce investment systems in local areas.”.

(b) REQUIRED CONTENT OF STATE PLANS.—Section 112 is amended—

(1) in subsection (a), by striking “a single State plan (referred to in this title as the ‘State plan’)” and inserting “a single State plan (referred to in this title as the ‘State

plan’) that shall include the State plans of all core program and”; and

(2) in subsection (b)—

(A) in paragraph (4)—

(i) in subparagraph (C), by striking “; and” and inserting a semicolon; and

(ii) by adding at the end the following new subparagraphs:

“(E) the State’s strategic vision and goals for preparing an educated and skilled workforce (including preparing youth and individuals with barriers to employment) and for meeting the skilled workforce needs of employers, including the workforce needs for civilian occupations important to military installations and including goals relating to performance accountability measures based on primary indicators of performance described in section 136(b)(2), in order to support economic growth and economic self-sufficiency; and

“(F) a strategy not inconsistent with the program requirements of the core programs for aligning the core programs, as well as other resources available to the State, to achieve the strategic vision and goals described in subparagraph (E), including how the State will meet performance accountability measures based on the system-wide indicators described in section 136(b)(2)(A) in order to support program alignment.”;

(B) in paragraph (8)(A)—

(i) in clauses (ix) and (x), respectively, by striking “; and” and inserting a semicolon; and

(ii) by adding at the end the following:

“(xi) apprenticeship programs registered under the National Apprenticeship Act (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

“(xii) State labor certification activities for employment-based immigration programs authorized under the Immigration and Nationality Act; and

“(xiii) employment, training, and literacy services carried out by public libraries.”;

(C) in paragraph (12)(B), by inserting before the semicolon the following: “, and, after consultation with the local boards, specifying the minimum amount of Federal assistance under section 133(b) (2) and (3) provided to each local area that is to be spent on training”; and

(D) in paragraph (17)(B), by striking “; and” and inserting a semicolon;

(E) in paragraph (18)(D), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

“(19) a process for providing guidance to local areas and conducting oversight to ensure implementation of priority of service for adult employment and training activities; in accordance with section 134(d)(4)(E);

“(20) a description of how the State will develop and implement career pathways and career and technical education by aligning workforce investment programs for the purpose of providing individuals, including low-skill adults and youth, with the employment, training, education, and supportive services the individuals need to attain the necessary credentials to secure and advance in employment;

“(21) an objective assessment of the needs of individuals in the State or outlying area for adult education and literacy activities, including individuals with barriers to employment;

“(22) a description of how the eligible agency will develop program strategies for populations that include, at a minimum—

“(A) low-income students;

“(B) individuals with disabilities;

“(C) single parents and displaced homemakers; and

“(D) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency; and

“(23) a description of how the adult education and literacy activities that will be carried out with any funds received under this subtitle will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency.”; and

(3) in subsection (c), by striking “Secretary of” and inserting “appropriate Secretary of each core program”.

**SEC. 112. STATE UNIFIED PLAN.**

The Workforce Investment Act of 1998 is further amended—

(1) by striking section 501; and

(2) by inserting after section 112 the following:

**“SEC. 113. STATE UNIFIED PLAN.**

“(a) PURPOSE.—The purpose of the State unified plan required by this section is to align education, training, and workforce development programs in support of a comprehensive workforce investment system.

“(b) DEFINITION OF APPROPRIATE SECRETARY.—In this section, the term ‘appropriate Secretary’ means the head of the Federal agency who exercises administrative authority over an activity or program described in subsection (c).

“(c) STATE UNIFIED PLAN.—

“(1) IN GENERAL.—A State shall develop and submit to the appropriate Secretaries a State unified plan for the core programs and may develop and submit one or more of the program and activities described in paragraph (2) in lieu of submitting two or more plans, for the programs and activities and the core programs.

“(2) PROGRAMS.—The programs and activities referred to in paragraph (1) are as follows:

“(A) Career and technical education programs at the secondary and postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(B) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

“(C) Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).

“(D) Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)).

“(E) Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).

“(F) Activities authorized under chapter 41 of title 38, United States Code.

“(G) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

“(H) Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

“(I) Employment and training activities carried out by the Department of Housing and Urban Development.

“(J) Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

“(K) Programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

“(d) REQUIREMENTS.—

“(1) IN GENERAL.—The portion of a unified plan covering the core programs shall be subject to the requirements of section 112 and to the additional requirements contained in the authorizing statute of the core program, if



any. The portion of such plan covering a program or activity described in subsection (b)(2) shall be subject to the requirements, if any, applicable to a plan or application for assistance for that program or activity.

“(2) ADDITIONAL SUBMISSION NOT REQUIRED.—A State that submits a State unified plan covering an activity or program described in subsection (b) that is approved under subsection (d) shall not be required to submit any other plan or application in order to receive Federal funds to carry out the activity or program.

“(3) COORDINATION.—A State unified plan shall include—

“(A) a description of the methods used for joint planning and coordination of the programs and activities included in the unified plan; and

“(B) an assurance that the methods included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan.

“(e) APPROVAL BY THE APPROPRIATE SECRETARIES.—

“(1) JURISDICTION.—The appropriate Secretary shall have the authority to approve the portion of the State unified plan relating to the activity or program over which the appropriate Secretary exercises administrative authority. On the approval of the appropriate Secretary, the portion of the plan relating to the activity or program shall be implemented by the State pursuant to the applicable portion of the State unified plan.

“(2) APPROVAL OF CORE PROGRAMS.—No portion of the plan relating to a core program shall be implemented until the appropriate Secretary approves the corresponding portions of the plan for all core programs. Other core programs may continue in operation while new plan provisions are revised or are awaiting approval.

“(3) TIMING OF APPROVAL.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), a portion of the State unified plan covering the core programs or a program or activity described in subsection (a)(2) shall be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

“(B) PLAN APPROVED BY 3 OR MORE APPROPRIATE SECRETARIES.—If an appropriate Secretary other than the Secretary of Labor or the Secretary of Education has authority to approve a portion of a unified plan, that portion of the unified plan shall be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

“(C) DISAPPROVAL.—The portion shall not be considered to be approved if the appropriate Secretary makes a written determination, during the 90-day period, that the portion is not consistent with the requirements of the Federal law authorizing or applicable to the program or activity involved, including the criteria for approval of a plan or application, if any, under such law, or the plan is not consistent with the requirements of this section.

“(4) LOCAL JURISDICTION.—The appropriate local board shall approve the portion of the State unified plan relating to the activity or program over which the appropriate local board exercises administrative authority. On the approval of the appropriate local board, the portion of the plan relating to the activity or program shall be implemented by the State pursuant to the applicable portion of the State unified plan.”.

#### SEC. 113. LOCAL WORKFORCE INVESTMENT AREAS AND BOARDS.

(a) PLANNING PROCESS FOR DIFFERENT TYPES OF REGIONS.—Section 116(c)(1) is amended—

(1) by striking “As part of” and inserting: “(A) As part of”;

(2) by striking “may” each place it appears and inserting “shall”; and

(3) by adding at the end the following:

“(B) PLANNING FOR COOPERATIVE INITIATIVES AND ARRANGEMENTS.—In the regions comprised of 2 or more local areas, the State shall, in consultation with local boards, require regional planning, and service delivery, by local boards in those regions. For the purpose of administrative efficiency, the State shall require the local boards in a planning region to participate in a regional planning process for cooperative initiatives and arrangements that result in—

“(i) the establishment and implementation of regional service strategies and activities, including service delivery cooperative arrangements and regional approaches to address the employment and training needs of the region, including strategies that meet the need of individuals with barriers to employment;

“(ii) as appropriate, the development and implementation of initiatives involving in-demand and industry sectors or occupations;

“(iii) the collection and analysis of regional labor market data (in conjunction with the State); and

“(iv) the establishment of administrative and infrastructural cost sharing, as appropriate.

“(C) REGIONAL PLANS.—The State, after consultation with the local boards and chief elected officials for the planning region, shall require the local boards and officials to collaborate in order to prepare, submit, and obtain approval of a single regional plan. Such plan shall include a description of the cooperative initiatives and arrangements developed pursuant to clause (iii) and incorporate local plans for each of the local areas in the planning region, which shall contain strategies that are consistent and aligned with each other.”.

(b) COMPOSITION OF THE BOARD AND INCLUSION OF PUBLIC LIBRARIES.—Section 117(b)(2)(A)(iv) is amended by striking “individuals with disabilities and” and inserting “public libraries, individuals with disabilities, and”.

(c) WORKER REPRESENTATION.—Section 117(b) is further amended by adding at the end the following:

“(5) WORKER REPRESENTATION.—Not less than 20 percent of the Board shall be comprised of representatives of the workforce within the local area, and—

“(A) shall include representatives described in clause (iii) of paragraph (2)(A);

“(B) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that provide or support competitive, integrated employment for individuals with disabilities; and

“(C) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.”.

(d) REQUIRED FUNCTIONS OF THE LOCAL BOARDS.—Section 117(d) is amended—

(1) in the matter preceding paragraph (1), by striking “The functions” and inserting “Consistent with section 118, the functions”;

(2) by amending paragraph (1) to read as follows:

“(1) LOCAL PLAN.—The local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor that meets the requirements in section 118. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the development and submission of the local plan as described in section 116(c)(1)(A).”; and

(3) in paragraph (3)(B)(i)—

(A) in subclause (II), by inserting “or the local board” after “entity”;

(B) in subclause (III), by inserting “adult education, literacy and employment services” after “workforce investment activities”;

(C) in subclause (III)(ii), by adding at the end the following: “which staff, including staff of a one-stop center, report to and are responsible to the local board and not the chief elected official”;

(4) in paragraph (4) by striking “with respect” through “in local area” and inserting “in its local area over the core programs as described in this Act”;

(5) in paragraph (8)—

(A) in the paragraph heading, by striking “CONNECTING” and inserting “CONVENING”;

(B) by striking “connecting” and inserting “convening”; and

(C) by adding at the end the following: “and to link youth, dislocated workers and others to opportunities for employment, internships, registered apprenticeships, or work-based learning”;

(6) by adding at the end the following new paragraphs:

“(9) CAREER PATHWAYS DEVELOPMENT.—The local board, in consultation with the State board and with representatives of secondary, postsecondary, career and technical education, and adult education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

“(10) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—In order to assist in the development and implementation of the local plan, the local board shall coordinate with the State public employment services under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) to—

“(A) utilize analyses of the economic conditions in the region, the needed knowledge and skills for the region, the workforce in the region, and workforce development activities (including education and training) in the region described in section 118(b)(1), and regularly update such information;

“(B) assist the Governor in developing the statewide labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)), specifically in the collection, analysis, and utilization of labor market information for the region; and

“(C) assemble and utilize such other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions, including consideration of the workforce needs for civilian occupations important to military installations developing strategies across local areas that will enhance civilian employment opportunities on local installations.



“(11) **PROVEN AND PROMISING PRACTICES.**—The local board shall lead efforts in the local area to—

“(A) identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and job seekers (including individuals with barriers to employment) in the local workforce investment system, including providing physical and programmatic accessibility, in accordance with section 288 and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), to the one-stop delivery system; and

“(B) identify and disseminate information, in coordination with the Department of Labor and the State board, on proven and promising practices carried out in other local areas for meeting such needs.

“(12) **TECHNOLOGY.**—The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce investment system for employers, and workers and job seekers, by—

“(A) facilitating connections among the reporting systems of the one-stop partner programs to support a comprehensive workforce investment system in the local area;

“(B) facilitating access to services provided throughout the one-stop delivery system involved, including facilitating the access in remote areas;

“(C) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery and technologies that increase access to services and programs of the one-stop delivery system for individuals with disabilities and other barriers to employment; and

“(D) leveraging resources and capacity within the local workforce investment system, including resources and capacity for services for individuals with barriers to employment.

“(13) **ADVERTISING.**—The local board shall plan for advertising one-stop services throughout the local area.

“(14) **TRANSITION.**—The local board shall develop strategies to ensure that services provided in the local area are coordinated with and meet the transition goals and services developed for children with disabilities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act.

“(15) **LITERACY.**—The local board shall ensure that one-stop operators in the local area develop and implement policies to ensure that the literacy and English language skills of an adult or eligible youth are not barriers to accessing services, including training services, that are available to assist individuals obtain and maintain employment.

“(16) **SECTOR INITIATIVES.**—The local board shall develop and expand sector initiatives in the local area or region which may include the convening of industry or sector partnerships relating to in-demand industry sectors and occupations.”.

(e) **CONTENTS OF THE LOCAL PLAN.**—Section 118(b) is amended—

(1) in paragraph (1), by striking “an identification of—” and inserting “based on a labor market study and input solicited from local businesses, an identification of—”

(2) by redesignating paragraphs (7) through (10) as paragraphs (8) through (11), respectively, and by inserting after paragraph (6) the following:

“(7) a description of how the local board will coordinate workforce investment activities carried out in the local area with ap-

prenticeship programs registered under the National Apprenticeship Act (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);”;

(3) by adding at the end the following:

“(12) a description of the procedure or process for implementing a priority of service for adult employment and training activities in accordance with section 134(d)(4)(E); and

“(13) a description of how the local board will coordinate workforce investment activities carried out in the local area with employment, training, and literacy services carried out by public libraries.”.

#### **SEC. 114. ADDITIONAL ONE-STOP PROGRAMS AND ACTIVITIES.**

Section 121 is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (xi), by striking “; and” and inserting a semicolon;

(ii) in clause (xii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(xiii) programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and

“(xiv) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C).

“(A) **DETERMINATION BY THE GOVERNOR.**—

“(i) **IN GENERAL.**—An entity that carries out a program referred to in subparagraph (B)(xiv) shall be included in the one-stop partners for the local area, as a required partner, for purposes of this Act and the other core program provisions that are not part of this Act, unless the Governor provides the notification described in clause (ii).

“(ii) **NOTIFICATION.**—The notification referred to in clause (i) is a notification that—

“(I) is made in writing of a determination by the Governor not to include such entity in the one-stop partners described in clause (i); and

“(II) is provided to the Secretary and the Secretary of Health and Human Services.”; and

(B) in paragraph (2)(B), by striking clause (i) and redesignating clauses (ii) through (v) as clauses (i) through (iv), respectively; and

(2) in subsection (e)—

(A) by striking “If a one-stop” and insert-

ing:

“(1) **EXISTING SYSTEMS.**—If a one-stop”; and

(B) by adding at the end the following:

“(2) **COLLOCATION OF WAGNER-PEYSER SERVICES.**—Consistent with section 3(d) of the Wagner-Peyser Act (29 U.S.C. 49b(d)), and in order to improve service delivery, avoid duplication of services, and enhance coordination of services, the employment service offices in each State and the one-stop centers established under this title shall be collocated to the extent practicable.

“(3) **USE OF COMMON ONE-STOP DELIVERY SYSTEM IDENTIFIER.**—Each one-stop delivery system shall include in the identification of products, programs, activities, services, facilities, and related property and materials, a common one-stop delivery identifier. The identifier shall be developed by the Secretary of Labor, in consultation with heads of other appropriate departments and agencies, and representatives of State boards and local boards and of other stakeholders in the one-stop delivery system, not later than the beginning of the second full program year after the date of enactment of this Act. Such common identifier may consist of a logo, phrase, or other identifier that informs users of the one-stop delivery system that such product, programs, activities, services, facilities, property, or materials are being pro-

vided through such system. Nothing in this paragraph shall be construed to prohibit one-stop partners, States, or local areas from having additional identifiers.”.

#### **SEC. 115. PROVIDERS OF TRAINING SERVICES.**

Section 122 is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking “or certificate” and inserting “recognized postsecondary credential”; and

(ii) in subparagraph (C), by inserting “, which may include joint labor-management organizations, sector partnerships, and eligible providers of adult education and literacy activities under title II if such activities are provided in combination with occupational skills training” before the period; and

(B) by adding at the end the following:

“(3) **INCLUSION ON LIST OF ELIGIBLE PROVIDERS.**—A private provider described in subparagraph (C) of paragraph (2) shall comply with the criteria, information requirements, and procedures established under this section to be included on the list of eligible training services described in paragraph (3). A public provider described in subparagraph (A) and a provider described in subparagraph (B) of paragraph (2) shall be included and maintained on the list of eligible providers of training services described in subsection (d) for so long as they comply with the requirements of this section and for so long as a provider described in subparagraph (B) remains registered as described in such subparagraph.”;

(2) in subsection (d)(1)(A) is amended by adding at the end the following:

“(iii) information on the performance of the provider with respect to the performance accountability measures described in section 136 for such participants (taking into consideration the characteristics of the population served and relevant economic conditions), and information specifying the percentage of such participants who entered unsubsidized employment in an occupation related to the program, to the extent practicable; and

“(iv) information on secondary or postsecondary diploma or its recognized equivalent, or recognized postsecondary credentials received by such participants; and”;

(3) in subsection (e), by inserting after the first sentence the following: “The list of providers shall also be based on the identified labor market needs of employers in the local area based on input solicited from local business and identified in the local plan pursuant to section 118(b)(1).”; and

(4) in subsection (h)—

(A) in the subsection heading, by striking “OR CUSTOMIZED TRAINING” and inserting “INCUMBENT WORKER TRAINING, CUSTOMIZED TRAINING, AND OTHER TRAINING EXCEPTIONS”; and

(B) in paragraph (1), by striking “or customized training” and inserting “incumbent worker training, customized training, internships, and paid or unpaid work experience opportunities, or transitional employment”.

#### **SEC. 116. YOUTH ACTIVITIES.**

(a) **DEFINITION OF DISADVANTAGED YOUTH AND STATE ALLOTMENTS.**—Section 127 is amended—

(1) by amending subsection (a) to read as follows:

“(a) **IN GENERAL.**—The Secretary shall use the amount appropriated under section 137(a) for a fiscal year to make allotments and grants in accordance with subparagraphs (A) and (B) of subsection (b)(1) and make funds available for use under section 166 (relating to Native American programs).”;

(2) in subsection (b)—

(A) in paragraph (1), by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2) by amending subparagraph (C) to read as follows:

“(C) **DISADVANTAGED YOUTH.**—Subject to paragraph (3), the term ‘disadvantaged youth’ means an individual who—

“(i) is age 16 through 24; and

“(ii) received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed 150 percent of the poverty line.”; and

(3) in subsection (c), by amending paragraph (2) to read as follows:

“(2) **AMOUNT.**—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance from State allotments to the State at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the State for that prior program year, consisting of the State allotment to the State for such prior program year (including amounts from State allotments to the State, for all program years before that prior program year) that remained available.”.

(b) **WITHIN STATE ALLOCATIONS.**—Section 128(c)(2) is amended to read as follows:

“(2) **AMOUNT.**—

“(A) **IN GENERAL.**—The amount available for allocation for a program year is equal to the amount by which the balance that is unobligated and unencumbered for training services at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the local area for that prior program year, consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area, for all program years before that prior program year) that remained available.

“(B) **BALANCE OF FUNDS.**—For purposes of this paragraph, the balance that is unobligated and unencumbered for training services is the amount that is the difference between—

“(i) the total amount of funds available to the local area under this section for that prior program year consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area for all program years before that prior program year) that remained available; and

“(ii) the amount, from that total amount of available funds, that is obligated or encumbered (in accordance with generally accepted accounting principles) for training services during such prior program year, except that for purposes of this paragraph the amount included as encumbered for training services shall not exceed 10 percent of the total amount of available funds described in clause (i).”.

(c) **REQUIRED STATEWIDE YOUTH ACTIVITIES.**—Section 129(b)(2) is amended—

(1) in subparagraph (C)—

(A) by inserting “, or that fail to meet local performance accountability measures,” after “concentrations of eligible youth”; and

(B) by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following new subparagraph:

“(D) providing technical assistance to, as appropriate, local boards, one-stop operators, and eligible providers, including support for

the training or staff in evidence-based practices for serving eligible youth (including joint training) and facilitating remote access to services provided through the one-stop delivery system.”.

(d) **LOCAL ELEMENTS AND REQUIREMENTS.**—Section 129(c) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “shall identify an” and inserting “shall identify career pathways that include education and employment goals”; and

(B) in subparagraph (C)—

(i) in clause (i), by striking “, in appropriate cases”; and

(ii) in clause (ii), by striking “strong linkages between academic and occupational learning” and inserting “activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential”; and

(iii) in clause (iv)—

(I) by inserting “employers, including small employers, and in-demand occupations” after “effective connections to”; and

(II) by striking subclauses (I) and (II);

(2) in paragraph (2)—

(A) by striking subparagraph (C) and redesignating subparagraphs (D) through (J) as subparagraphs (C) through (I), respectively;

(B) in subparagraph (C) (as so redesignated)—

(i) by striking “work experiences as appropriate,” and inserting “work experiences that include academic, area career and technical education or occupational education to ensure youth are college and career ready,”; and

(ii) after “including internships,” by inserting “summer employment, pre-apprenticeships programs, on-the-job training.”;

(C) in subparagraph (E) (as so redesignated), by inserting “such as youth service and conservation corps,” after “include community service”; and

(D) in subparagraph (F) (as so redesignated), by inserting “, financial literacy education, and entrepreneurial skills training” after “supportive services”; and

(E) in subparagraph (I) (as so redesignated), after “which”, by inserting “shall include career counseling and career exploration services, as appropriate, and”; and

(3) in paragraph (3)(C), by inserting “and family members, mentors,” after “parents”; and

(4) by amending paragraph (4)(A) to read as follows:

“(A) **IN GENERAL.**—For any program year, not less than 60 percent of the funds described in paragraph (1) shall be used to provide youth workforce investment activities for out-of-school youth.”.

#### **SEC. 117. ADULT AND DISLOCATED WORKER TRAINING ACTIVITIES.**

(a) **DEFINITION OF DISADVANTAGED ADULT.**—Section 132(b)(1)(v)(IV) is amended by striking “does not exceed and all that follow” and inserting “150 percent of the poverty line.”.

(b) **REALLOTMENT.**—Section 132(c)(2) is amended to read as follows:

“(2) **AMOUNT.**—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance from State allotments to the State at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the State for that prior program year, consisting of the State allotment to the State for such prior program year (including amounts from State allotments to the State, for all program years before that prior program year) that remained available.”.

(c) **TRANSFER AUTHORITY.**—Section 133(b)(4) is amended by striking “20 percent” both places it appears and inserting “30 percent”.

(d) **WITHIN STATE REALLOCATION.**—Section 133(c) 2 is amended to read as follows:

“(2) **AMOUNT.**—

“(A) **IN GENERAL.**—The amount available for allocation for a program year is equal to the amount by which the balance that is unobligated and unencumbered for training services at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the local area for that prior program year, consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area, for all program years before that prior program year) that remained available.

“(B) **BALANCE OF FUNDS.**—For purposes of this paragraph, the balance that is unobligated and unencumbered for training services is the amount that is the difference between—

“(i) the total amount of funds available to the local area under this section for that prior program year consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area for all program years before that prior program year) that remained available; and

“(ii) the amount, from that total amount of available funds, that is obligated or encumbered (in accordance with generally accepted accounting principles) for training services during such prior program year, except that for purposes of this paragraph the amount included as encumbered for training services shall not exceed 10 percent of the total amount of available funds described in clause (i).”.

(e) **USE OF UNOBLIGATED RAPID-RESPONSE FUNDS.**—Section 134(a)(2) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) by striking “A State shall use” and inserting:

“(i) **IN GENERAL.**—A State shall use”; and

(C) by adding at the end the following:

“(ii) **USE OF UNOBLIGATED FUNDS.**—Funds reserved by a Governor under section 133(a)(2) to carry out this subparagraph that remain unobligated after the first program year for which such funds were allotted may be used by the Governor to carry out statewide activities authorized under subparagraph (B) or paragraph (3)(A), in addition to activities under this subparagraph.”; and

(2) in subparagraph (B)—

(A) in clause (v), by striking “; and” and inserting a semicolon;

(B) in clause (vi), by striking the period and inserting “; and”; and

(C) by adding at the end the following new clause:

“(vii) developing, implementing, and using layoff aversion strategies in collaboration with appropriate economic development and private sector entities, for implementation of strategies that may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms and the delivery of employment, training, economic development, investment and financial restructuring activities to address identified risk factors.”.

(f) **SHARED SERVICES.**—Section 134(d)(1)(B) is amended—

(1) by striking “A portion” and inserting the following:

“(i) IN GENERAL.—A portion”; and

(2) by adding at the end the following:

“(ii) ADDITIONAL COSTS OF ONE-STOP.—Subject to the memorandum of understanding described in section 121(c) for the one-stop delivery system involved, in addition to the funds provided for one-stop infrastructure described in section 137(d), a portion of funds made available under Federal law authorizing the programs described in section 121(b) and administered by one-stop partners, or the noncash resources available under such programs, shall be used to pay the additional costs relating to the operation of the one-stop delivery system that are not paid from the funds provided under section 137(d), as determined in accordance with clause (iv), to the extent not inconsistent with the Federal law involved. Such costs shall include the costs of the provision of core services described in section 134(d)(2) applicable to each program and may include common costs that are not paid from the funds provided under section 137(d).

“(iii) SHARED SERVICES.—Costs of shared services may include costs of services that are authorized for and may be commonly provided through the one-stop partner programs to any individuals, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and other similar services.

“(iv) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by the one-stop partner for each program for a one-stop center shall be determined as part of the development of the memorandum or understanding under subsection (c) for the one-stop center and shall be stated in the memorandum. The State board shall provide guidance to facilitate the determination, for purposes of the memorandum of understanding, of an appropriate allocation of the funds and noncash resources in local areas.”

(g) TRAINING SERVICES.—Section 134(d)(4) is amended—

(1) in subparagraph (B), by adding at the end the following:

“(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require an individual to receive core or intensive services under paragraphs (2) or (3), respectively, prior to receiving training services under this paragraph.”;

(2) in subparagraph (D)—

(A) in clause (ix), by striking “; and” and inserting a semicolon; and

(B) by adding at the end the following:

“(x) education, training, and skill upgrading for individuals to work and maintain proficiency as workplace learning advisors in programs sponsored by employers or joint labor-management partnerships.”;

(3) in subparagraph (E)—

(A) by striking “In the event” through “priority” and inserting “With respect to funds allocated to a local area for adult employment and training activities, priority”;

(B) by inserting “individuals with barriers to employment” after “public assistance and other”; and

(C) by striking “making determination related to” and inserting “implementing”;

(4) by striking subparagraph (G) and inserting the following:

“(G) USE OF INDIVIDUAL TRAINING ACCOUNTS.—

“(i) IN GENERAL.—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in ac-

cordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

“(ii) TRAINING CONTRACTS.—Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

“(I) the requirements of subparagraph (F) are met;

“(II) such services are on-the-job training, registered apprenticeships, customized training, incumbent worker training, entrepreneurial skills training, or transitional employment;

“(III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;

“(IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment; or

“(V) the local board determines that it would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services, including area career and technical education centers in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations and that such contract does not limit customer choice.

“(iii) LINKAGE TO OCCUPATIONS IN DEMAND.—Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.

“(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii).”; and

(5) by adding at the end the following:

“(H) REIMBURSEMENT FOR ON-THE-JOB TRAINING.—

“(i) REIMBURSEMENT LEVEL.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement described in section 101(31) to an amount of up to 75 percent of the wage rate of a participant for a program carried out under this chapter, if, respectively—

“(I) the Governor approves the increase with respect to a program carried out with funds reserved by the State under that chapter, taking into account the factors described in clause (ii); or

“(II) the local board approves the increase with respect to a program carried out with funds allocated to a local area under such chapter, taking into account those factors.

“(ii) FACTORS.—For purposes of clause (i), the Governor or local board, respectively, shall take into account factors consisting of—

“(I) the characteristics of the participants;

“(II) the size and resources of the employer;

“(III) the likely employment opportunities available to workers who complete an on-the-job training program; and

“(IV) such other factors as the Governor or local board, respectively, may determine to be appropriate, which may include the number of employees participating in the training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities.”.

(h) INCUMBENT WORKER TRAINING PROGRAMS AND TRANSITIONAL JOBS.—Section 134(e) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “; and” and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) work support activities designed to assist low-wage workers in retaining and enhancing employment, such as the provision of activities described in this section during nontraditional hours and the provision of child care while such activities are being provided.”; and

(2) by adding at the end the following new paragraphs:

“(4) INCUMBENT WORKER TRAINING PROGRAMS.—

“(A) IN GENERAL.—

“(i) STANDARD RESERVATION OF FUNDS.—Except as provided in clause (ii), the local board may reserve and use not more than 15 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers, carried out in accordance with this paragraph.

“(ii) INCREASED RESERVATION OF FUNDS.—If the local board determines that there is sufficient evidence that use of the funds reserved under clause (i) led to employee retention by and contributed to creation of new jobs with employers that participated in incumbent worker training programs, the local board may reserve and use not more than a total of 20 percent of such funds to pay for the Federal share of such costs.

“(iii) DETERMINATION OF ELIGIBILITY.—For the purpose of determining the eligibility of an employer to receive funding under clause (i), the local board shall take into account factors consisting of—

“(I) the characteristics of the participants in the program;

“(II) the relationship of the training to the competitiveness of a participant and the employer; and

“(III) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, the wage and benefit levels of those employees (at present and anticipated upon completion of the training), and the existence of other training and advancement opportunities provided by the employer.

“(iv) STATEWIDE IMPACT.—The Governor or State board involved may make recommendations to the local board for providing incumbent worker training that has statewide impact.

“(B) TRAINING ACTIVITIES.—The training program for incumbent workers carried out under this paragraph shall be carried out by the local board in conjunction with the employers or groups of employers of such workers, or a labor-management partnership, including joint registered apprenticeship programs, for the purpose of assisting such

workers in obtaining the skills necessary to retain employment or avert layoffs.

“(C) EMPLOYER PAYMENT OF NON-FEDERAL SHARE.—Employers participating in the program carried out under this paragraph shall be required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers.

“(D) NON-FEDERAL SHARE.—

“(i) FACTORS.—Subject to clause (ii), the local board shall establish the non-Federal share of such cost (taking into consideration such other factors as the number of employees participating in the training, the wage and benefit levels of the employees (at the beginning and anticipated upon completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the availability of other employer-provided training and advancement opportunities).

“(ii) LIMITS.—The non-Federal share shall not be less than—

“(I) 10 percent of the cost for employers with not more than 50 employees;

“(II) 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and

“(III) 50 percent of the cost, for employers with more than 100 employees.

“(iii) CALCULATION OF EMPLOYER SHARE.—The non-Federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending a training program under this paragraph.

“(E) WORKER PROTECTIONS.—If an incumbent worker training program is proposed for an employer whose workers are covered by a collective bargaining agreement, the union representing those workers will be consulted regarding the incumbent worker training program and concur prior to the start of the program.

“(5) TRANSITIONAL JOBS.—The local board may use not more than 15 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(4) that—

“(A) are time-limited work experiences in integrated settings that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed, have no employment experience or have an inconsistent work history;

“(B) are combined with comprehensive employment and supportive services;

“(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment; and

“(D) assist in placement or hiring to an unsubsidized job.”

#### SEC. 118. UNIFIED PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 136 is amended to read as follows: “SEC. 136. UNIFIED PERFORMANCE ACCOUNTABILITY SYSTEM.

“(a) PURPOSE.—The purpose of this section is to establish shared performance accountability measures that apply across the core programs to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served by those programs.

“(b) STATE UNIFIED PERFORMANCE ACCOUNTABILITY MEASURES.—

“(1) IN GENERAL.—For each State, the unified performance accountability measures for the core programs shall consist of—

“(A)(i) the primary indicators of performance described in paragraph (2)(A); and

“(ii) the additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

“(B) A State adjusted level of performance for each indicator described in subparagraph (A).

“(2) INDICATORS OF PERFORMANCE.—

“(A) PRIMARY INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 6 of subtitle B of title I, the program of adult education and literacy activities authorized under title II, the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (except that subclauses (IV) and (V) shall not apply to such program), and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of—

“(I) the percentage and number of program participants who are in unsubsidized employment during the second quarter after exit from the program;

“(II) the percentage and number of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

“(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program compared to the median earnings of such participants prior to the training;

“(IV) the percentage of program participants who obtain a recognized postsecondary credential, including in a registered apprenticeship or on-the-job training program, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program;

“(V) the percentage of program participants who, during a program year, are in an education or training program, including a registered apprenticeship or on-the-job training program, that leads to a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, or employment and who are achieving measurable basic skill gains toward such a credential or employment; and

“(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

“(ii) PRIMARY INDICATORS OF PERFORMANCE FOR ELIGIBLE YOUTH.—The primary indicators of performance for the youth program authorized under chapter 4 of this subtitle shall consist of—

“(I) the percentage and number of program participants who are in education or training activities, or in unsubsidized employment during the second quarter after exit from the program;

“(II) the percentage and number of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program;

“(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program compared to the median earnings of such participants prior to the training;

“(IV) the percentage of program participants who obtain a recognized postsecondary

credential described in clause (i)(IV), or a secondary school diploma or its recognized equivalent subject to clause (iii) during participation in or within 1 year after exit from the program;

“(V) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, or employment and who are achieving measurable basic skill gains toward such a secondary credential or employment; and

“(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

“(iii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV) or (ii)(IV), program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment, have been removed from public assistance, or are in an education or training program leading to a recognized postsecondary credential described in clause (i)(IV) within 1 year after exit from the program.

“(iv) INDICATOR FOR SERVICES TO EMPLOYERS.—Prior to the commencement of the second full program year after the date of enactment of this Act, for purposes of clauses (i)(VI) and (ii)(V), the Secretary of Labor and the Secretary of Education after consultation with the representatives described in subsection (h)(2), shall jointly develop and establish, for purposes of this subparagraph, 1 or more primary indicators of performance that indicate the effectiveness of the core programs in serving employers.

“(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional performance accountability indicators.

“(3) LEVELS OF PERFORMANCE.—

“(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR PRIMARY INDICATORS.—

“(i) IN GENERAL.—For each State submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the corresponding primary indicators of performance described in paragraph (2) for each of the programs described in clause (ii).

“(ii) INCLUDED PROGRAMS.—The programs included under clause (i) are—

“(I) the youth program authorized under chapter 4 of this subtitle;

“(II) the adult program authorized under chapter 5 of this subtitle;

“(III) the dislocated worker program authorized under chapter 5 of this subtitle;

“(IV) the program of adult education and literacy activities authorized under title II;

“(V) the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

“(VI) the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).

“(iii) IDENTIFICATION OF STATE PLAN.—Each State shall identify, in the State plan, expected levels of performance for each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for the first 2 program years covered by the State plan.

“(iv) AGREEMENT OF STATE ADJUSTED LEVELS OF PERFORMANCE.—

“(I) FIRST 2 YEARS.—The State shall reach agreement with the Secretary of Labor and

the Secretary of Education on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the first 2 program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the levels identified in the State plan under clause (iii) and the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan prior to the approval of such plan.

“(II) THIRD AND FOURTH YEAR.—The State and the Secretaries shall reach agreement, prior to the third program year covered by the State plan, on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan as a modification to the plan.

“(v) FACTORS.—In reaching the agreements described in clause (iv), the State and Secretaries shall—

“(I) take into account how the levels involved compare with the State adjusted levels of performance established for other States;

“(II) ensure that the levels involved are adjusted, using the objective statistical model established by the Secretaries pursuant to clause (viii), based on the difference among States in economic conditions (including differences in unemployment rates and job losses or gains in particular industries) and the characteristics of participants when the participants entered the program involved, including indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency;

“(III) take into account the extent to which the levels involved promote continuous improvement in performance accountability on the performance accountability measures by such State and ensure optimal return on the investment of Federal funds; and

“(IV) take into account the extent to which the levels involved will assist the State in meeting the goals described in clause (vi).

“(vi) GOALS.—In order to promote enhanced performance outcomes and to facilitate the process of reaching agreements with the States under clause (iv), the Secretary of labor and the Secretary of Education shall establish performance goals for the core programs, in accordance with the Government Performance and Results Act of 1993 and in consultation with States and other appropriate parties. Such goals shall be long-term goals for the adjusted levels of performance to be achieved by each of the programs described in clause (ii) regarding the corresponding primary indicators of performance described in paragraph (2)(A).

“(vii) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—The Secretary of Labor and the Secretary of Education shall, in accordance with the objective statistical model developed pursuant to clause (viii), revise the

State adjusted levels of performance applicable for each of the programs described in clause (ii), for a program year and a State, to reflect the economic conditions and characteristics of participants (as described in clause (v)(II)) in that program during such program year in a such State.

“(viii) STATISTICAL ADJUSTMENT MODEL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in subsection (h)(2), shall develop and disseminate an objective statistical model that will be used to make the adjustments in the State adjusted levels of performance for economic conditions and characteristics of participants under clauses (v) and (vii).

“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under paragraph (2)(B). Such levels shall be considered to be State adjusted levels of performance for purposes of this section.

“(C) ALTERNATE GUIDELINES FOR MEASURING PERFORMANCE FOR ENTREPRENEURIAL TRAINING SERVICES.—The Secretary of Labor shall establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services, as authorized in section 134(d)(4)(D)(vi) and provide the State and local Workforce Investment Boards with specific guidance on successful approaches to collecting performance information on entrepreneurial self employment. In determining the alternate guidelines, the Secretary shall consider utilizing a State's waiver authority, as authorized in section 189(i)(4).

“(c) LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

“(1) IN GENERAL.—For each local area in a State designated under section 116, the local performance accountability measures for each of the program described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) shall consist of—

“(A)(i) the primary indicators of performance described in subsection (b)(2)(A) that are applicable to such programs; and

“(ii) additional indicators of performance, if any, identified by the State for such programs under subsection (b)(2)(B); and

“(B) the local level of performance for each indicator described in subparagraph (A).

“(2) LOCAL LEVEL OF PERFORMANCE.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established under subsection (b)(3)(A).

“(3) ADJUSTMENT FACTORS.—In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year shall be revised to reflect the economic conditions experienced and the characteristics of the populations served in the local area during such program year using the statistical adjustment model.

“(d) PERFORMANCE ACCOUNTABILITY REPORTS.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Workforce Investment Act of 2012, the Secretary of Labor and the Secretary of Education shall jointly develop a template for performance

reports that shall be used by States, local boards, and eligible providers of training services under section 122 to report on outcomes achieved by the core programs, and to report on quantifiable benchmarks established in the State plan as described in section 112 or the State unified plan described in section 113 that demonstrate annual improvement with respect to each of the system-wide performance indicators established under subsection (j)(2) of this section.

“(2) CONTENTS OF STATE PERFORMANCE REPORTS.—The performance report for a State shall include, subject to paragraph (5)(C)—

“(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) and the State adjusted levels of performance with respect to such indicators for each program;

“(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals;

“(C) the total number of participants served by each type of service of the programs described in subsection (b)(3)(A)(ii), and the types of core, intensive, and training services provided;

“(D) the number of individuals with barriers to employment served by each type of service by each of the programs described in subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

“(E) the number of participants who are enrolled in more than 1 of the programs described in subsection (b)(3)(A)(ii); and

“(F) other information that facilitates comparisons of programs with programs in other States.

“(3) CONTENTS OF LOCAL AREA PERFORMANCE REPORTS.—The performance reports for a local area shall include, subject to paragraph (5)(C)—

“(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), and the local adjusted levels of performance with respect to such indicators for each program;

“(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals;

“(C) the total number of participants served by each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), and the types of core, intensive, and training services provided;

“(D) the number of individuals with barriers to employment served by each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

“(E) the number of participants who are enrolled in any of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) who are enrolled in more than 1 program described in subsection (b)(3)(A)(ii); and

“(F) other information that facilitates comparisons of programs with programs in

other local areas (or planning regions, as appropriate).

“(4) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORTS.—The performance report for an eligible provider of training services under section 122 shall include, subject to paragraph (5)(C), with respect to each program of training services, including core, intensive, and training services, of such provider—

“(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to participants served under the adult and dislocated worker programs under chapter 5 of this subtitle; and

“(B) the number of participants served under each of the adult and dislocated worker programs under chapter 5 of this subtitle and the number of individuals with barriers to employment served under each of such programs, disaggregated by each subpopulation of such individuals.

“(5) PUBLICATION.—

“(A) STATE PERFORMANCE REPORTS.—The Secretary of Labor and the Secretary of Education shall annually make publically available, including by electronic means, the performance reports for States and local areas containing the information described in paragraph (2).

“(B) LOCAL AREA AND ELIGIBLE TRAINING PROVIDER PERFORMANCE REPORTS.—The State shall make publically available, including by electronic means, the performance reports for the local areas containing the information described in paragraph (3) and the performance reports for eligible providers of training services containing the information described in paragraph (4).

“(C) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual participant.

“(e) EVALUATION OF STATE PROGRAMS.—

“(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this section, the State, in coordination with local boards in the State and the State agencies responsible for the administration of the core programs, shall conduct ongoing evaluations of activities carried out in the State under such programs and in accordance with the State unified plan. The State, local boards, and State agencies shall conduct the evaluations in order to promote, establish, implement, and utilize methods for continuously improving core program activities in order to achieve high-level performance within, and high-level outcomes from, the workforce investment system. To the maximum extent practicable, the State shall coordinate the valuations with the evaluations provided for the Secretary of Labor and Secretary of Education under section 172, section 343(b)(3)(E), section 10(b) of the Wagner-Peyser Act (29 U.S.C. 49i(b)), and sections 12(a)(5), 14, and 107 of the Rehabilitation Act of 1973 (29 U.S.C. 709(a)(5), 711, 727) (applied with respect to programs carried out under title I of that Act).

“(2) DESIGN.—The evaluations conducted under this subsection shall be designed in conjunction with the State board, State agencies responsible for the administration of the core programs, and local boards and shall include analysis of customer feedback and outcome and process measures in the

statewide workforce investment system. The evaluations may include the use of control groups.

“(3) RESULTS.—The State shall periodically prepare, submit to the State board and local boards in the State, and make available to the public, including by electronic means, reports containing the results of evaluations conducted under this subsection, to promote the efficiency and effectiveness of the workforce investment system.

“(f) SANCTIONS FOR STATE FAILURE TO MEET STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

“(1) STATES.—

“(A) TECHNICAL ASSISTANCE.—If a State fails to meet the State adjusted levels of performance relating to indicators described in subsection (b)(2)(A) for a program for any program year, the Secretary of Labor and the Secretary of Education shall, upon request, provide technical assistance, including assistance in the development of a performance improvement plan.

“(B) REDUCTION IN AMOUNT OF GRANT.—If such failure continues for a second consecutive year, or if a State fails to submit a report under subsection (d) for any program year, the Secretary of Labor or the Secretary of Education, as appropriate, may reduce by not more than 5 percent, the amount of the allotment that would (in the absence of this paragraph) be payable to the State under such program for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet State adjusted levels of performance.

“(2) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary of Labor or the Secretary of Education, as appropriate, shall use any amount retained, as a result of a reduction in an allotment to a State made under paragraph (1)(B), to provide technical assistance to the States the Secretaries determine to be appropriate to improve the performance of their core programs.

“(g) SANCTIONS FOR LOCAL AREA FAILURE TO MEET LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

“(1) TECHNICAL ASSISTANCE.—If a local area fails to meet local performance accountability measures established under subsection (c) for the youth, adult, or dislocated worker program authorized under chapter 2 or 3 of subtitle B of title I for a program described in subsection (d)(2)(A) for any program year, the Governor, or upon request by the Governor, the Secretary of Labor, shall provide technical assistance, which may include assistance in the development of a performance improvement plan, or the development of a modified local plan or regional plan.

“(2) CORRECTIVE ACTIONS.—

“(A) IN GENERAL.—If such failure continues for a second consecutive year, the Governor shall take corrective actions, which may include development of a reorganization plan through which the Governor may—

“(i) require the appointment and certification of a new local board, consistent with the criteria established under section 117(b)(1);

“(ii) prohibit the use of eligible providers and one-stop partners identified as achieving a poor level of performance;

“(iii) redesignate the local area in accordance with section 116; or

“(iv) take such other actions as the Governor determines are appropriate.

“(B) APPEAL BY LOCAL AREA.—

“(i) APPEAL TO GOVERNOR.—The local board and chief elected official for a local area that is subject to a reorganization plan under sub-

paragraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.

“(ii) SUBSEQUENT ACTION.—The local board and chief elected official for a local area may, not later than 30 days after receiving a decision from the Governor pursuant to clause (i), appeal such decision to the Secretary of Labor. In such case, the Secretary shall make a final decision not later than 30 days after the receipt of the appeal.

“(C) EFFECTIVE DATE.—The decision made by the Governor under subparagraph (B)(i) shall become effective at the time the Governor issues the decision pursuant to such clause. Such decision shall remain effective unless the Secretary of Labor rescinds or revises such plan pursuant to subparagraph (B)(ii).

“(h) DEFINITIONS OF INDICATORS OF PERFORMANCE.—

“(1) IN GENERAL.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with representatives described in paragraph (2), shall issue definitions for the indicators described in this section.

“(2) REPRESENTATIVES.—The representatives referred to in paragraph (1) are representatives of States and political subdivisions, business and industry, employees, eligible providers of activities carried out through the core programs, educators, researchers, participants, the lead State agency officials with responsibility for the programs carried out through the core programs, individuals with expertise in service individuals with barriers to employment, and other interested parties.

“(i) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—

“(1) WAGE RECORDS.—In measuring the progress of the State across all core programs as identified in section 136(b)(2)(A) on State and local performance accountability measures, a State shall utilize quarterly wage records, consistent with State law. The Secretary of Labor shall make arrangements, consistent with State law, to ensure that the wage records of any State are available to any other State to the extent that such wage records are required by the State in carrying out the State plan of the State or completing the annual report described in subsection (d).

“(2) CONFIDENTIALITY.—In carrying out the requirements of this Act, the State shall comply with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(j) SYSTEM-WIDE IMPROVEMENTS.—

“(1) PURPOSE.—The purpose of this subsection is to establish system-wide improvements across all programs to enhance data collection, ensure accountability and increase administrative efficiencies in employment and training programs that will expand the capacity and improve the performance of the workforce system.

“(2) DEVELOPMENT AND IMPLEMENTATION.—

“(A) IN GENERAL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in subsection (h)(2), shall develop system-wide performance measures across the one-stop partner programs described in section 121(b) to measure the collective effectiveness of the workforce investment system in aligning and coordinating the core programs and other one-stop partner programs, employers as a meaningful system partner to address

businesses and other employer immediate and long-term skilled workforce needs in in-demand, high-growth, and other occupations important to a State, regional, or local economy, expanding access to education and training for participants (including participants with barriers to employment), and establishing or strengthening credential attainment and measurement strategies. Not later than the beginning of the third program year, the Secretary of Labor and the Secretary of Education after consultation with the representatives described in subsection (h)(2), shall develop system-wide performance accountability measures.

“(B) BENCHMARKS.—Not later than the beginning of the third program year, each State shall include in the State plan described in section 112 or the State unified plan described in section 113 quantifiable benchmarks that demonstrate annual improvement with respect to each of the system-wide performance indicators established under this section.

“(C) REQUIREMENTS.—For each State, the system-wide performance accountability measures shall consist of—

“(i) the indicators of performance described in paragraph (3) (A) through (D);

“(ii) any other indicators established by the Secretary of Labor and the Secretary of Education in consultation with the representatives described in subsection (h)(2); and

“(iii) a State adjusted level of performance for each indicator described in paragraph (3).

“(3) INDICATORS OF PERFORMANCE.—The indicators of system-wide performance shall be measured from baseline data collected in the first year after the date of enactment of this subsection and shall consist of the following:

“(A) INDICATORS OF EFFECTIVENESS IN ENGAGING EMPLOYERS AS A SYSTEM PARTNER.—The State indicators of effectiveness in serving employers shall at a minimum consist of—

“(i) the number and percentage of employers in the State using one-stops;

“(ii) the total number of returning employers in the State using one-stops and one-stop partner program services, including training;

“(iii) the number of training modules created for specific employers or groups of employers; and

“(iv) the size of each employer in the State using one-stops and one-stop partner programs services.

“(B) INDICATORS OF EXPANDED ACCESS TO TRAINING SERVICES.—The State indicators of expanded access to training services shall at a minimum consist of—

“(i) the number and percentage of participants who received training or education services under a one-stop partner program;

“(ii) the number and percentage of participants and youth with barriers to employment who received services from a one-stop partner program resulting in entry into an education and training program that leads to employment or a recognized postsecondary credential;

“(iii) the total number and percentage of participants concurrently enrolled in two or more core programs, or in at least one other one-stop partner program;

“(iv) the number and percentage of participants engaged in career pathways; and

“(v) the total number and percentage of participants who are enrolled and whose training is co-funded by Pell grants or other sources of financial aid.

“(C) INDICATORS OF CREDENTIAL ATTAINMENT AND MEASUREMENT.—The State indicators of credential attainment and measure-

ment shall at a minimum consist of the total number and percentage of recognized postsecondary credentials earned during the program year by, or awarded to, participants of programs described in section 136(b)(3)(A)(i).

“(D) ADDITIONAL INDICATORS.—A State may identify in a State plan additional system-wide performance accountability indicators.

“(4) LEVELS OF PERFORMANCE.—

“(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR SYSTEM-WIDE PERFORMANCE ACCOUNTABILITY INDICATORS.—

“(i) IN GENERAL.—For each State submitting a State plan under section 112 or section 113, there shall be established, in accordance with this paragraph, levels of performance for each of the system-wide performance accountability indicators that shall measure aggregate performance for the programs referred to in section 121(b)(1)(B), and which may include data from programs referred to in section 121(b)(2)(B).

“(ii) IDENTIFICATION IN STATE PLAN.—Prior to the third program year after enactment of this Act, each State shall identify, in the State plan, expected levels of performance for each of the corresponding system-wide performance accountability indicators under subsection (j)(2) for each of the third and fourth program years covered by the State plan.

“(iii) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE.—The State shall reach agreement with the Secretary of Labor and the Secretary of Education on levels of performance for each indicator under subsection (j)(2) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the levels identified in the State plan under clause (ii), and may take into account the factors described in subsection (c)(3)(A)(v).

“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under subsection (j)(2)(E). Such levels shall be considered the State adjusted levels of performance for purposes of this section.

“(C) FAILURE TO MEET SYSTEM-WIDE PERFORMANCE ACCOUNTABILITY MEASURES.—If a State fails to meet State adjusted levels of performance relating to indicators described in paragraph (3) for any program year the Secretary of Labor and the Secretary of Education shall, upon request, provide technical assistance, including assistance in the development of a performance improvement plan.

“(5) REPORTS.—Not later than 1 year after the date of the enactment of the Workforce Investment Act of 2012, the Secretary of Labor shall report to the Committee on Education and the Workforce on the indicators described in paragraph (2) of this section and provide recommendations to the Committee on improving coordination and increasing efficiencies in one-stop partner programs.”

#### SEC. 119. AUTHORIZATION OF FUNDING FOR ONE-STOP INFRASTRUCTURE.

Section 137 is amended by adding at the end the following:

“(d) ONE-STOP INFRASTRUCTURE.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds authorized under subsections (a), (b), and (c), there is authorized to be appropriated an additional amount equal to 3 percent of the total of amounts appropriated under such subsections, for costs of infrastructure including rental costs and other expenses associated with establishing and maintaining one-stop centers in accordance with section 121.

“(2) ALLOTMENT.—The Secretary shall allot the funds appropriated pursuant to paragraph (1) for each fiscal year among the States as follows:

“(A) Two-thirds of such sums shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State as compared to the total number of such individuals in all States.

“(B) One-third of such sums shall be allotted on the basis of the relative number of unemployed individuals in each State as compared to the total number of such individuals in all States.

For purposes of this paragraph, the number of individuals in the civilian labor force and the number of unemployed individuals shall be based on data for the most recent calendar year available, as determined by the Secretary.”

#### Subtitle C—Job Corps

##### SEC. 131. PURPOSES.

Section 141(1) is amended to read as follows:

“(1) to maintain a national Job Corps program, carried out in partnership with States and communities, to—

“(A) assist eligible youth to connect to the labor force by providing them with intensive social, academic, career and technical education, and service-learning opportunities, in primarily residential centers, in order for such youth to obtain secondary school diplomas or recognized postsecondary credentials leading to—

“(i) successful careers, in in-demand industry sectors or occupations or the Armed Forces, that will result in economic self-sufficiency and opportunities for advancement; or

“(ii) enrollment in postsecondary education; and

“(B) support responsible citizenship.”

##### SEC. 132. DEFINITIONS.

Section 142 is amended—

(1) in paragraph (2)—

(A) by striking “customer service”;

(B) by striking “intake” and inserting “assessment”; and

(C) by striking “a Jobs Corps center” and inserting “support the purposes of the Jobs Corps”;

(2) in paragraph (4), by striking “before completing the requirements” and all that follows and inserting “prior to becoming a graduate.”;

(3) in paragraph (5), by striking “has completed the requirements” and all that follows and inserting the following: “who, as a result of participation in the Job Corps program, has received a secondary school diploma or recognized equivalent or completed the requirements of a career and technical education and training program that prepares individuals for employment leading to economic self-sufficiency or entrance into postsecondary education or training.”;

(4) in paragraph (9), by striking “area served by a regional office of the Employment and Training Administration” and inserting “defined by the Secretary”; and

(5) by adding at the end the following:

“(11) STATE.—The term ‘State’ means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.”

##### SEC. 133. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

Section 144 is amended by adding at the end the following:

“(4) SPECIAL RULE FOR VETERANS.—Notwithstanding the requirement of paragraph



(2), a veteran of the Armed Forces shall be eligible to become an enrollee under this section if the individual—

“(A) meets the requirements of paragraphs (1) and (3); and

“(B) does not meet the requirement of paragraph (2) because the military income earned by such individual within the 6-month period prior to the individual’s application for Job Corps prevents the individual from meeting such requirement.”.

#### SEC. 134. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

Section 145 is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C)(i), by striking “vocational” and inserting “career and technical education and training”; and

(B) by amending subparagraph (E) to read as follows:

“(E) assure appropriate representation of enrollees from urban areas and from rural areas.”;

(2) in subsection (a)(3)—

(A) in subparagraph (B), by striking “; and” and inserting a semicolon;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) child welfare agencies that are responsible for children in foster care and children eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677).”;

(3) in subsection (b)(1)(B), by inserting “and agrees to such rules” after “failure to observe the rules”;

(4) in subsection (c)—

(A) in paragraph (1) in the matter preceding subparagraph (A), by striking “an assignment” and inserting “a”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “the Secretary shall, every 2 years, analyze, for the Job Corps center—” and inserting “every 2 years the Secretary, in consultation with operators of Job Corps centers, shall analyze relevant factors relating to each Job Corps center, including—”;

(C) in subparagraph (B), by striking “; and” and inserting a semicolon;

(D) in subparagraph (C)—

(i) by inserting “the education, training, and supportive” after “including”; and

(ii) by adding “and” after the semicolon; and

(E) by adding at the end the following:

“(D) the performance of the Job Corps center relating to the expected levels of performance for the indicators described in section 159(c)(1), and whether any actions have been taken with respect to such center pursuant to paragraphs (2) and (3) of section 159(f).”;

(5) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “is closest to the home of the enrollee, except that the” and inserting “offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The”; and

(ii) by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2), by striking “to the home of” and inserting “to the home of that offers the career and technical education and training desired by”.

#### SEC. 135. ENROLLMENT.

Section 146(b) is amended—

(1) in paragraph (1), by striking “or”; and

(2) by redesignating paragraph (2) as paragraph (4) and inserting after paragraph (1) the following:

“(2) in the case of an individual with a disability who would reasonably be expected to meet the standards for a Job Corps graduate, as defined under section 142(5), if allowed to participate in the Job Corps for not more than 1 additional year;

“(3) in the case of an individual who participates in national service, as authorized by a Civilian Conservation Center program, who would be granted an enrollment extension in the Job Corps for the amount of time equal to the period of national service; or”.

#### SEC. 136. JOB CORPS CENTERS.

Section 147 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “vocational” both places it appears and inserting “career and technical”; and

(ii) in subparagraph (B), by inserting “, or other entity with the necessary capacity,” after “local entity”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)” and inserting “subsections (a) and (b) of section 3304 of title 41, United States Code,”; and

(ii) in subparagraph (B)(i)—

(I) in subclause (II), by striking “vocational” and inserting “career and technical education and”;

(II) in subclause (III), by striking “is familiar with the surrounding communities,” and inserting “demonstrates relationships with the surrounding communities, employers, labor organizations, workforce boards,”; and

(III) by amending subclause (IV) to read as follows:

“(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including the entity’s demonstrated effectiveness in assisting individuals in achieving the primary indicators of performance for eligible youth described in section 136(b)(2)(A)(ii).”;

(2) by amending subsection (c) to read as follows:

“(c) CIVILIAN CONSERVATION CENTERS.—

“(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall provide, in addition to academics, career and technical education and training, and workforce preparation skills training, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

“(2) ASSISTANCE DURING DISASTERS.—Enrollees in Civilian Conservation Centers may provide assistance in addressing national, State, and local disasters, consistent with current child labor laws and regulations. The Secretary of Agriculture shall ensure that with respect to the provision of such assistance the enrollees are properly trained, equipped, supervised, and dispatched consistent with standards for the conservation and rehabilitation of wildlife established under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

“(3) NATIONAL LIAISON.—The Secretary of Agriculture shall designate a Job Corps National Liaison to support the agreement under this section between the Departments of Labor and Agriculture.”.

#### SEC. 137. PROGRAM ACTIVITIES.

Section 148 is amended—

(1) by amending subsection (a) to read as follows:

“(a) ACTIVITIES PROVIDED BY JOB CORPS CENTERS.—

“(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, organized, and supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to core services described in section 134(c)(2) and the intensive services described in section 134(c)(3).

“(2) RELATIONSHIP TO OPPORTUNITIES.—

“(A) IN GENERAL.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

“(i) secure and maintain meaningful unsubsidized employment;

“(ii) enroll in and complete secondary education or postsecondary education or training programs, including other suitable career and technical education and training, and registered apprenticeship programs; or

“(iii) satisfy Armed Forces requirements.

“(3) LINK TO EMPLOYMENT OPPORTUNITIES.—

The career and technical education and training provided shall be linked to the employment opportunities in the local area in which the enrollee intends to seek employment after graduation.”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “EDUCATION AND VOCATIONAL” and inserting “ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND”;

(B) by striking “education and vocational” and inserting “career and technical education”;

(C) by striking “vocational educational” and inserting “career and technical educational”; and

(D) by striking “or technical institutes” and inserting “technical institutes, or national service providers”;

(3) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

“(2) BENEFITS.—During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.”;

(B) in paragraph (3), by striking “Each year,” and inserting “The Secretary shall develop standards by which”;

(4) by amending subsection (d) to read as follows:

“(d) GRADUATE SERVICES.—In order to promote the retention of graduates in employment or postsecondary education, the Secretary shall arrange for the provision of job placement and support services to graduates for up to 12 months after the date of graduation. One-stop partners, may support the provision of these services, including services from the State vocational rehabilitation agency to supplement job placement and job development efforts for Job Corps graduates who are individuals with disabilities.”.

#### SEC. 138. SUPPORT.

Section 150(b) is amended—



(1) in the subsection heading, by striking “READJUSTMENT ALLOWANCES” and inserting “TRANSITION ALLOWANCES AND SUPPORT”;

(2) in paragraph (1)—

(A) in the paragraph heading, by striking “GRADUATES” and inserting “ALLOWANCES FOR GRADUATES”;

(B) in the first sentence, by striking “readjustment” and inserting “transition”; and

(C) by striking the second and third sentences, and inserting the following: “The transition allowance shall be incentive-based to reflect a graduate’s completion of academic, career and technical education or training, and attainment of recognized post-secondary credentials.”; and

(3) by amending paragraph (2) to read as follows:

“(2) TRANSITION SUPPORT FOR FORMER ENROLLEES.—The Secretary may arrange for the provision of 3 months of employment services for former enrollees.”.

#### SEC. 139. COMMUNITY PARTICIPATION.

Section 153 is amended—

(1) by amending subsections (a) and (b) to read as follows:

“(a) BUSINESS AND COMMUNITY PARTICIPATION.—The director of each Job Corps center shall ensure the establishment and development of the business and community networks described in subsection (b) in order to enhance the effectiveness of such centers. At centers where a national training contractor provides career and technical education training, and has direct and long-standing linkages to registered apprenticeship programs or affiliated national employer groups, the national training contractor shall have the lead in maintaining networks with the programs described in clauses (ii) and (iii) of subsections (b)(1)(C).

“(b) NETWORKS.—The activities carried out by each Job Corps center under this section shall include—

“(1) establishing and developing relationships and networks with—

“(A) local and distant employers, to the extent practicable, in coordination with other Federal and non-Federal programs that conduct similar outreach to employers;

“(B) applicable one-stop centers and applicable local boards, for the purpose of providing—

“(i) information to, and referral of, potential enrollees; and

“(ii) job opportunities for Job Corps graduates; and

“(C)(i) youth programs;

“(ii) registered apprenticeship programs, labor-management organizations and local labor organizations;

“(iii) employers and contractors that support national training contractor programs; and

“(iv) community-based organizations, nonprofit organizations, and intermediaries providing workforce development-related services; and

“(2) establishing and developing relationships with members of the community in which the Job Corps center is located, informing members of the community about the projects of the Job Corps center and changes in the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.”; and

(2) in subsection (c)—

(A) by striking “Liaison for” and inserting “director of a”; and

(B) by striking “establish and develop” and inserting “ensure the establishment and development of”.

#### SEC. 140. INDUSTRY COUNCILS.

Section 154 is amended—

(1) in subsection (a), by striking “after consultation with the Liaison”; and

(2) in subsection (b)—

(A) in paragraph (1)(A)(ii), by striking “area” and inserting “areas in which enrollees will be seeking employment”;

(B) by adding after paragraph (2) the following:

“(3) EMPLOYERS OUTSIDE OF LOCAL AREA.—The industry council for a Job Corps center may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.

“(4) SPECIAL RULE FOR SINGLE STATE LOCAL AREAS.—In the case of a single State local area designated under section 116(b), the industry council shall include a representative of the State Board.”; and

(C) in subsection (c), by striking “vocational” each place it appears and inserting “career and technical education and”.

#### SEC. 141. EXPERIMENTAL, RESEARCH, AND DEMONSTRATION PROJECTS AND COLLEGE CORPS PROGRAM.

(a) MISCELLANEOUS AMENDMENTS.—Section 156 is amended—

(1) by striking “The Secretary” and inserting “(a) IN GENERAL.—The Secretary”;

(2) by striking “program and may waive” and inserting “program. The Secretary may waive”; and

(3) by inserting before the period the following: “if the Secretary informs the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, in writing, not less than 90 days in advance of issuing such waiver.”.

(b) COLLEGE CORPS.—Section 156 is further amended by adding at the end the following new subsection:

“(b) COLLEGE CORPS.—

“(1) ESTABLISHMENT.—The Secretary of Labor and the Secretary of Education shall jointly establish a demonstration project under this section to be known as the ‘College Corps’ that provide at-risk youth intensive education and skills training in order to prepare such youth for college and for high-skilled employment that can only be achieved with a college degree.

“(2) SELECTION OF SITES.—The Secretary of Labor and the Secretary of Education shall jointly select sites to participate, on a competitive basis, from among underperforming Jobs Corps centers in areas with low levels of college attainment.

“(3) ELIGIBLE OPERATORS.—The Secretary shall select College Corps center operators on a competitive basis from among nonprofit organizations with prior success operating high-performing, college and career-ready education residential programs for at-risk young people.

“(4) ADMINISTRATION PROJECTS.—

“(A) IN GENERAL.—The Secretary shall administer the College Corps sites in collaboration with the Secretary of Education with the development of an interagency agreement that identifies the duties and responsibilities of the Departments under these projects.

“(B) PARTNERSHIPS.—As part of the interagency agreement, the Secretary of Education will be responsible for partnering with a State or local education agency for the purposes of granting a high school diploma that adheres to college and career ready standards and accessing State and local education dollars.

“(C) DEADLINE.—A grant, contract, or cooperative agreement to operate at least one center shall be awarded to an eligible operative within 1 year from enactment.

“(5) ELIGIBLE PARTICIPANTS.—Individuals eligible to participate in College Corps projects under this subsection shall be low-income youth who are in 6th or 7th grade at the time they begin participation who meet at least two of the following criteria:

“(A) Have a record of suspensions, office referrals, or chronic truancy.

“(B) Have failed to achieve proficiency on State assessment in mathematics, reading, or both.

“(C) Live in a household that is headed by a single parent or non-custodial parent.

“(D) Is homeless or is a foster child.

“(E) Live in a household that is public housing or receives public housing assistance.

“(F) Have an immediate family member who is or has been incarcerated.”.

#### SEC. 142. TECHNICAL AMENDMENT.

Section 158(c)(1) is amended by striking “title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)” and inserting “chapter 5 of title 40, United States Code.”.

#### SEC. 143. PERFORMANCE ACCOUNTABILITY AND MANAGEMENT.

Section 159 is amended—

(1) in the section heading, by striking “MANAGEMENT INFORMATION” and inserting “PERFORMANCE ACCOUNTABILITY AND MANAGEMENT”; and

(2) by striking subsections (c) through (f), redesignating subsection (g) as subsection (j), and inserting after subsection (b) the following:

“(c) INFORMATION ON INDICATORS OF PERFORMANCE.—

“(1) LEVELS OF PERFORMANCE AND INDICATORS.—The Secretary shall annually establish expected levels of performance for Job Corps centers and the Job Corps program relating to each of the primary indicators of performance for eligible youth activities described in section 136(b)(2)(A)(ii).

“(2) PERFORMANCE OF RECRUITERS.—The Secretary shall also establish performance indicators, and expected performance levels on the performance indicators, for recruitment service providers serving the Job Corps program. The performance indicators shall relate to the number of enrollees recruited, compared to the established goals for such recruitment, and the number of enrollees who remain committed to the program for 90 days after enrollment.

“(3) PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The Secretary also shall establish performance indicators, and expected levels of performance for such indicators, for local and national career transition service providers serving the Job Corps program. The performance indicators shall include the number of graduates and former enrollees—

“(A) who entered an unsubsidized employment related to the training they received at Job Corps and their average wage; and

“(B) who entered other types of unsubsidized employment, the military, postsecondary education, or advanced training programs, including registered apprenticeship programs, and their average wage, if applicable.

“(4) REPORT.—The Secretary shall collect, and annually submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, a report containing—

“(A) information on the performance of each Job Corps center, and the Job Corps program, on the performance indicators described in paragraph (1), as compared to the expected level of performance established under such paragraph for each performance accountability measure; and

“(B) information on the performance of the service providers described in paragraph (2) on the performance indicators established under such paragraph, as compared to the expected performance levels for the performance indicators.

“(d) ADDITIONAL INFORMATION.—

“(1) IN GENERAL.—The Secretary shall also collect, and submit in the report described in subsection (c), information on the performance of each Job Corps center, and the Job Corps program, regarding—

“(A) the number of enrollees entering and completing by field of education or training;

“(B) demographic information on the enrollees served, including age, race, gender, and education and income level;

“(C) the number of graduates who entered the Armed Forces;

“(D) the number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps program and the number who entered unsubsidized employment not related to the education and training received;

“(E) the starting hourly wages of graduates and whether they receive other forms of compensation and benefits;

“(F) the number and percentage of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b); and

“(G) any additional information required by the Secretary.

“(2) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of individuals in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual.

“(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 136(i)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

“(f) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—

“(1) ASSESSMENTS.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

“(2) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), the Secretary shall develop and implement a performance improvement plan. Such a plan shall require action to be taken during a one-year period, including—

“(A) providing technical assistance to the center;

“(B) changing the career and technical education and training offered at the center;

“(C) changing the management staff of the center;

“(D) replacing the operator of the center;

“(E) reducing the capacity of the center;

“(F) relocating the center; or

“(G) closing the center.

“(3) ADDITIONAL PERFORMANCE IMPROVEMENT.—In addition to the performance im-

provement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans. Such a plan shall require improvements, including the actions described in such paragraph, for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in such paragraph.

“(4) CIVILIAN CONSERVATION CENTERS.—With respect to a Civilian Conservation Center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), or fails to improve performance as described in paragraph (2), the Secretary, in consultation with the Secretary of Agriculture, may select an entity to operate a Civilian Conservation Center on a competitive basis, in accordance with the requirements of section 147(a)(2)(B).

“(g) PARTICIPANT HEALTH AND SAFETY.—The Secretary shall require that an entity that has entered into a contract with a Job Corps operator to provide work-based learning activities for any Job Corps enrollee under this subtitle shall comply with the Occupational Safety and Health Act of 1970 (20 U.S.C. 651 et seq.) or, as appropriate, under the corresponding State Occupational Safety and Health Act of 1970 requirements in the State in which such activities occur.

“(h) BUILDINGS AND FACILITIES.—The Secretary shall collect, and submit in the report described in subsection (c), information regarding the state of Job Corps buildings and facilities. Such report shall include—

“(1) a review of requested construction, rehabilitation, and acquisition projects, by each Job Corps center; and

“(2) a review of new facilities under construction.

“(i) NATIONAL AND COMMUNITY SERVICE.—The Secretary shall include in the report described in subsection (c) available information regarding the national and community service activities of enrollees, particularly those enrollees at Civilian Conservation Centers.”.

#### SEC. 144. AUTHORIZATION OF APPROPRIATIONS.

Section 161 is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2013 through 2017”.

#### Subtitle D—National Programs

#### SEC. 151. NATIVE AMERICAN PROGRAMS.

Section 166 is amended—

(1) in subsection (a)(1)(B), by inserting “and to equip them with the entrepreneurial skills necessary for successful self-employment” after “workforce”;

(2) in subsection (c)(2), by adding at the end the following: “The Secretary may exercise the waiver authority of the preceding sentence not more than once during any 4-year period with respect to any single recipient.”;

(3) in subsection (d)—

(A) in paragraph (1)(B)—

(i) by inserting “Alaska Natives” after “Indians”;

(ii) by striking “unsubsidized”; and

(iii) by inserting “leading to self-sufficiency and the development of the academic, occupational, and literacy skills of such individuals” before the period; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by inserting “, including training on entrepreneurial skills” before the semicolon; and

(ii) in subparagraph (A)(ii), by inserting “Alaska Native” after “Indian”;

(4) in subsection (e)—

(A) in paragraph (3)—

(i) by striking “unsubsidized”; and

(ii) by inserting “leading to self-sufficiency” before the semicolon; and

(B) in paragraph (5)—

(i) by inserting “accountability” after “performance”; and

(ii) by inserting “, which shall include the primary indicators of performance described in section 136(b)(2)(A) and expected levels of performance for such indicators, in accordance with subsection (h)” before the period;

(5) by redesignating subsections (h) through (j) as subsections (i) through (k), respectively, and inserting after subsection (g) the following new subsection:

“(h) PERFORMANCE ACCOUNTABILITY MEASURES.—

“(1) ADDITIONAL PERFORMANCE INDICATORS AND STANDARDS.—

“(A) DEVELOPMENT OF INDICATORS AND STANDARDS.—The Secretary, in consultation with the Native American Employment and Training Council, shall develop a set of performance indicators and standards that is in addition to the primary indicators of performance described in section 136(b)(2)(A) and that shall be applicable to programs under this section.

“(B) SPECIAL CONSIDERATIONS.—Such performance indicators and standards shall take into account—

“(i) the purpose of this section as described in subsection (a)(1);

“(ii) the needs of the groups served by this section, including the differences in needs among such groups in various geographic service areas; and

“(iii) the economic circumstances of the communities served, including differences in circumstances among various geographic service areas.

“(C) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (c) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 136(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors and using, to the extent practicable, the statistical adjustment model under section 136(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.”;

(6) in subsection (i) (as so redesignated)—

(A) in paragraph (2)(A)—

(i) by striking “performance measures” and inserting “regulations relating to the performance accountability measures”; and

(ii) by striking “such subsection, taking into account the economic circumstances of such entities” and inserting “this section”; and

(B) in paragraph (4)(A), by inserting “and to provide the advice described in subparagraph (C)” before the period; and

(7) in subsection (k) (as so redesignated)—

(A) in paragraph (1) by striking “American Samoans who reside in Hawaii for the co-location of federally funded and State-funded” and inserting “the Cook Inlet Tribal Council, Incorporated, and the University of Hawaii at Maui, for the unique populations who reside in Alaska or Hawaii, respectively, to improve job training and”; and

(B) in paragraph (2), by striking “fiscal year 1999” and inserting “each of fiscal years 2013 through 2017”.

#### SEC. 152. MIGRANT AND SEASONAL FARM-WORKER PROGRAMS.

Section 167 is amended—

(1) in subsection (b)—

(A) by inserting “and deliver” after “administer”; and

(B) by inserting “workforce investment” after “including youth”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “identify” and inserting “describe the population to be served and identify”; and

(II) by inserting “, including upgraded employment in agriculture” before the semicolon;

(iii) in subparagraph (B), by striking “; and” and inserting a semicolon;

(iii) in subparagraph (C)—

(I) by striking “indicators of performance” and inserting “performance accountability measures”; and

(II) by inserting “, which shall include the expected levels of performance for the primary indicators of performance described in section 136(b)(2)(A)” before the semicolon; and

(iv) by inserting after subparagraph (C) the following new subparagraphs:

“(D) describe the availability and accessibility of local resources such as supportive services, services provided through one-stop delivery systems, and education and training services, and how the resources can be made available to the population to be served; and

“(E) describe the plan for providing services under this section, including strategies and systems for outreach, career planning, assessment, and delivery through one-stop delivery systems.”;

(B) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and inserting after paragraph (2) the following new paragraph:

“(3) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (b) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 136(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors, and using, to the extent practicable the statistical adjustment model under section 136(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.”; and

(C) in paragraph (5)(B) (as so redesignated)—

(i) by striking “grant or contract” the first place it appears and inserting “grant, contract, or agreement”;

(ii) by striking “under the terms of the grant agreement or contract”;

(iii) by striking “requirement” and inserting “requirements”;

(iv) by striking “plan described in paragraph (1)” and inserting “program plan”; and

(v) by striking “grant or contract” the second place it appears and inserting “period of the grant, contract, or agreement”;

(3) by amending subsection (d) to read as follows:

“(d) AUTHORIZED ACTIVITIES.—Funds made available under this section and section 127 shall be used to carry out workforce investment activities (including youth workforce investment activities) and provide related assistance for eligible migrant and seasonal farmworkers, which may include—

“(1) outreach, employment, training, educational assistance, literacy assistance, English language and literacy instruction, pesticide and worker safety training, housing (including permanent housing), supportive services, and school dropout prevention activities;

“(2) followup services for those individuals placed in employment;

“(3) self-employment and related business or micro-enterprise development education as needed by eligible individuals as identified pursuant to the plan required by subsection (c);

“(4) customized career and technical education in occupations that will lead to higher wages, enhanced benefits, and long-term employment in agriculture or another area; and

“(5) technical assistance to improve coordination of services and implement best practices relating to service delivery through one-stop delivery systems.”;

(4) by amending subsection (f) to read as follows:

“(f) REGULATIONS.—The Secretary shall establish regulations to carry out this section, including regulations relating to how economic and demographic barriers to employment of eligible migrant and seasonal farmworkers should be considered and included in the negotiations leading to the adjusted levels of performance described in subsection (c).”;

(5) in subsection (g), by striking “(enacted by the Single Audit Act of 1984)”;

(6) by amending subsection (h) and deleting subsection (i) to read as follows:

“(h) FUNDING ALLOCATION.—From the funds appropriated and made available to carry out this section, the Secretary may reserve not more than 1 percent for national purposes, such as providing technical assistance to eligible entities.”.

#### SEC. 153. VETERANS WORKFORCE INVESTMENT PROGRAMS.

Section 168 is amended—

(1) in subsection (a)(3)(A), by inserting “, including services provided by one-stop operators and one-stop partners” before the semicolon;

(2) in subsection (b)(2)(A), by inserting “accountability” after “performance”; and

(3) by adding at the end of subsection (b) the following new paragraph:

“(3) PERFORMANCE ACCOUNTABILITY MEASURES.—In carrying out the responsibilities relating to performance accountability measures described in paragraph (2)(A), the Assistant Secretary for Veterans’ Employment and Training shall, for each grant or contract under this section providing education, training, or employment services to veterans, include among such measures the primary indicators of performance described in section 136(b)(2)(A)(i) and adjusted levels of performance for each such indicator that are agreed to by the Assistant Secretary and the recipient of the grant or contract.”.

#### SEC. 154. REPEAL.

Section 169 is repealed.

#### SEC. 155. TECHNICAL ASSISTANCE.

Section 170 is amended by adding at the end the following new subsection:

“(c) PROMISING AND PROVEN PRACTICES COORDINATION.—Consistent with the identification and dissemination of promising and proven practices under subtitle B of title I, the Secretary shall—

“(1) establish a system through which States and local areas share information regarding promising and proven practices with regard to the operation of workforce investment activities under this Act;

“(2) evaluate and disseminate information regarding such promising and proven practices and identify knowledge gaps; and

“(3) commission research under section 170(c) to address knowledge gaps identified under paragraph (2).”.

#### SEC. 156. INNOVATION PROJECTS.

Section 171 is amended—

(1) in the section heading, by striking “DEMONSTRATION, PILOT, MULTI-

SERVICE, RESEARCH AND MULTISTATE PROJECTS” and inserting “INNOVATION PROJECTS”;

(2) by amending subsections (b) and (c) to read as follows:

“(b) INNOVATION PROJECTS.—

“(1) IN GENERAL.—The Secretary shall, through grants or contracts, carry out demonstration and pilot projects that are consistent with the priorities specified in the plan published under subsection (a) and that are for the purposes of developing and implementing techniques and approaches, and demonstrating the effectiveness of specialized methods, in addressing employment and training needs. Such projects shall—

“(A) include the provision of direct services to individuals;

“(B) be subject to measures of performance that include the primary indicators of performance described in section 136(b)(2)(A) as well as other appropriate indicators; and

“(C) include an evaluation component as appropriate to the program design.

“(2) TYPES OF PROJECTS.—Such projects may include—

“(A) projects that assist employers in connecting with the workforce investment system established under this Act in order to facilitate the recruitment, employment, and retention of workers for jobs with career pathways and to provide information to such system on skills and high-growth occupations;

“(B) projects that focus on opportunities for employment in industries and sectors of industries that are experiencing, or are likely to experience, high rates of growth, including health care and advanced manufacturing sectors, and have jobs with wages and benefits leading to economic self-sufficiency;

“(C) projects that focus on local partnerships of industry, labor, community colleges, area career and technical education centers community-based organizations, and economic development organizations, to promote opportunities for dislocated workers and long-term unemployed to receive training and related services for employment and access to career ladders in high-demand sectors;

“(D) projects to determine the feasibility of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator;

“(E) projects to develop and implement promising or proven approaches and technologies, including the use of distance education and activities to increase the digital literacy of older individuals, in order to deliver employment related, work-based training services and recognized postsecondary credentials;

“(F) projects that provide retention grants, which grants shall—

“(i) be provided to job training and apprenticeship programs that have demonstrated expertise in serving low-income individuals and that offer instruction, assessment, and professional coaching, for each low-income individual who is retained in such employment with such employer for a period of 1 year; and

“(ii) be provided taking into account the economic benefit received by the Federal Government from the employment and retention of the individual, including the economic benefit from tax revenue and decreased public subsidies;

“(G) projects utilizing a pay-for-performance approach for providers of education, training, and employment services to individuals with barriers to employment, including services targeted to addressing the specific challenges and conditions that have created barriers for participants in programs under this Act;

“(H) projects that provide comprehensive education and training services, and support services, in coordination with local boards, for populations in targeted high poverty areas where the greatest barriers to employment exist, including ex-offenders, out-of-school youth, and public assistance recipient populations; and

“(I) projects that seek to replicate exemplary youth programs that have demonstrated effectiveness in 2 or more non-contiguous local areas in preparing youth for success in the workforce.

“(3) CONDITIONS.—

“(A) COMPETITIVE AWARDS.—Grants or contracts awarded for carrying out demonstration and pilot projects under this subsection shall be awarded on a competitive basis and in accordance with generally applicable Federal requirements.

“(B) TIME LIMITS.—The Secretary shall establish appropriate time limits for carrying out demonstration and pilot projects under this subsection.”;

(3) in subsection (e)(7), by striking “(Public Law 109-58)” and inserting “(42 U.S.C. 15852)”; and

(4) by adding at the end the following:

“(f) SMALL BUSINESS LIAISON PILOT PROGRAM.—

“(1) ESTABLISHMENT OF SMALL BUSINESS LIAISON PILOT PROGRAM.—The Secretary may award competitive grants to local boards, community colleges, postsecondary vocational institutions, community-based organizations, and apprenticeship programs, including joint labor-management training programs, in States and outlying areas to promote local economic growth and eliminate gaps between the workforce skills available and the workforce skills needed in local areas or regions.

“(2) APPLICATION.—To receive a grant under this subsection a local board, community college, or postsecondary vocational institution in a State or outlying area shall submit to the Secretary an application in such manner, at such time, and containing such information as the Secretary may require.

“(3) SPECIFICATIONS OF GRANTS.—

“(A) TIME PERIOD.—A grant shall be used over a 36-month period.

“(B) AMOUNT OF GRANT.—In determining the amount of a grant made under this subsection, the Secretary may consider—

“(i) the ability of the grant applicant to conduct outreach activities;

“(ii) the ability of the grant applicant to conduct skills gap assessments;

“(iii) the extent to which the grant applicant works with or, after implementing a strategic skills gap action plan, plans to work with small businesses within its local area or region; and

“(iv) any other factor that the Secretary deems appropriate.

“(C) LIMITATIONS.—

“(i) A recipient may not receive more than one grant under this subsection.

“(ii) No grant under this subsection may be for an amount more than \$500,000.

“(iii) The Secretary shall, in determining whether to award a grant, consider the geographic diversity of grant recipients.

“(D) USE OF FUNDS.—

“(i) IN GENERAL.—A local board, community college, or postsecondary vocational institution that receives a grant under this subsection shall use the grant funds to pay for a new or current employee to serve as liaison to conduct activities described in clause (ii).

“(ii) SMALL & LOCAL BUSINESS LIAISON.—The liaison—

“(I) shall—

“(aa) prepare a strategic action skills gap assessment;

“(bb) develop a strategic skills gap action plan; and

“(cc) conduct any other activity that the Secretary deems appropriate for the purposes of this subsection; and

“(II) may—

“(aa) engage in outreach in the local area or region;

“(bb) conduct business site visits, interviews, and assessments;

“(cc) consult in the implementation of the skills action plan;

“(dd) complete more than 1 skills gap action plan; and

“(ee) consult with the local offices of the Small Business Administration.

“(iii) PROHIBITION.—A grant received under this subsection may not be used to supplant existing funding or efforts.

“(E) CONFIDENTIALITY OF INFORMATION.—The grant recipient may not disclose the name, address, or contact information of a business, employer, or other person that provided information to the grant recipient to compile information in the strategic skills gap assessment or strategic skills gap action plan without consent of such business, employer, or other person.

“(4) REPORTING.—Each year, the Secretary shall report to the Congress—

“(A) the number of grants awarded under this subsection;

“(B) the recipients of grants awarded under this subsection;

“(C) the activities carried out by each recipient under paragraph (3)(D); and

“(D) an assessment describing—

“(i) the success of the program to promote local economic growth and eliminate gaps between the workforce skills available and the workforce skills needed in local areas or regions; and

“(ii) any recommendations for reauthorization and expansion of the program that the Secretary may have.

“(5) DEFINITIONS.—In this subsection:

“(A) COMMUNITY COLLEGE.—The term ‘community college’ has the meaning given the term in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

“(B) LOCAL AREA.—The term ‘local area’ means the labor market immediately surrounding or affected by a local board, community college, or postsecondary vocational institution.

“(C) POSTSECONDARY VOCATIONAL INSTITUTION.—The term ‘postsecondary vocational institution’ has the meaning given the term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

“(D) REGION.—The term ‘region’ means 2 or more local areas that comprise a common labor market for an industry sector of related occupations.

“(E) STRATEGIC SKILLS GAP ASSESSMENT.—The term ‘strategic skills gap assessment’ means an assessment that—

“(i) identifies areas of current and expected demand for labor and skills in a specific industry sector of related occupations that is—

“(I) producing jobs in the local area or region involved;

“(II) developing emerging jobs in the local area or region involved; or

“(III) suffering chronic worker shortages;

“(ii) identifies the current and expected supply of labor and skills in that sector or group in the local area or region;

“(iii) identifies gaps between the current and expected demand and supply of labor and skills in that sector or group in the local area or region;

“(iv) contains the results of a survey or focus group interviews of employers, labor organizations, and other relevant individuals and organizations in the local area or region; and

“(v) contains data regarding—

“(I) specific employment opportunities offered by industries in the local area or region;

“(II) specific skills desired for employment opportunities offered by industries in the local area or region;

“(III) occupations and positions in the local area or region that are difficult to fill;

“(IV) specific skills desired for occupations and positions in the local area or region that are difficult to fill;

“(V) areas of growth and decline among industries and occupations in the local area or region;

“(VI) specific skills desired for areas of growth among industries and occupations in the local area or region; and

“(VII) specific inventories of skills of unemployed or underemployed individuals in the local area or region.

“(F) STRATEGIC SKILLS GAP ACTION PLAN.—The term ‘strategic skills gap action plan’ means a plan based on the strategic skills gap assessment that—

“(i) identifies—

“(I) specific barriers to adequate supply of labor and skills in demand in a specific industry sector of related occupations that is producing jobs in the local area or region; and

“(II) activities that will remove or alleviate the barriers described in subclause (I) that could be undertaken by the local board, community college, or postsecondary vocational institution;

“(ii) specifies how the local board, community college, or postsecondary vocational institution may integrate the activities described in clause (i) within the local area or region; and

“(iii) identifies resources and strategies that may be used in the local area or region to address the skills gaps for both unemployed and employed workers in that industry sector.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this subsection.”.

**SEC. 157. WORKFORCE AND YOUTH INNOVATION AND BEST PRACTICES GRANTS.**

The Workforce Investment Act of 1998 is further amended by inserting after section 171 the following new sections:

**“SEC. 171A. WORKFORCE INNOVATION AND BEST PRACTICES GRANTS.**

“(a) PURPOSE.—It is the purpose of this section to—

“(1) promote the development of comprehensive workforce investment systems at the State, regional, and local levels that reflect the alignment of strategies and activities across the core programs and, where appropriate, across other workforce development, education, economic development, and human services programs, to provide effective, high quality, and client-centered services to job seekers and workers, youth, and employers;

“(2) promote innovation and to improve, replicate, and expand models and service delivery strategies of demonstrated effectiveness in meeting the education, training, and employment needs of job seekers and workers, and youth, including such individuals with barriers to employment, and employers; and

“(3) establish and improve programs for youth that provide access to career pathways that include the attainment of a recognized postsecondary credential or employment that leads to economic self-sufficiency.

“(b) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this section, the Secretary of Labor and the Secretary of Education, in accordance with section 176, shall—

“(1) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2013, award transition grants in accordance with section 175; and

“(2) with funds not awarded for transition grants under paragraph (1) for the first program years that begins after the date of enactment of the Workforce Investment Act of 2013, and for subsequent years, award workforce innovation and best practices grants to eligible entities in accordance with subsection (c).

“(c) WORKFORCE INNOVATION AND BEST PRACTICES GRANTS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—From funds described in subsection (b)(1), the Secretary of Labor and the Secretary of Education shall award workforce innovation and replication grants on a competitive basis to eligible entities in accordance with paragraph (2) to be used for the purposes set forth in subsection (a).

“(2) ELIGIBLE ENTITIES.—

“(A) IN GENERAL.—To be eligible to receive a grant under this subsection, a State partnership or regional entity shall meet the requirements of this paragraph, submit an application in accordance with subsection (e), and be in partnership with one or more of the following:

“(i) A nonprofit organization with relevant expertise, including a community-based organization.

“(ii) An institution of higher education, including a community college.

“(iii) A joint labor-management partnership.

“(B) STATE PARTNERSHIP.—For a State partnership to be eligible for funding under this subsection, a Governor of a State shall—

“(i) submit the application in partnership with the State board and with 1 or more regional entities in the State described in subparagraph (C); and

“(ii) demonstrate that the State has—

“(I) aligned the core programs;

“(II) made significant progress towards aligning the core programs with other workforce investment programs; and

“(III) achieved the alignments described in subclauses (I) and (II) consistent with the State plan.

“(C) REGIONAL ENTITIES.—To be identified as a regional entity and to be eligible for funding under this subsection, a local board for a local area that is aligned with a region, or all of the local boards for local areas that comprise a planning region under section 116(c), shall demonstrate that—

“(i) the application has been developed in consultation with the State and is not duplicative of other applications under this subsection submitted by a State partnership; and

“(ii) the local board, or all of the local boards for the planning region, has—

“(I) worked with the core programs to achieve alignment of such programs in the region;

“(II) made significant progress towards aligning the core programs with other workforce investment programs in the region; and

“(III) achieved the alignments described in subclauses (I) and (II) consistent with the State plan.

“(d) TYPES OF GRANTS AUTHORIZED.—

“(1) IN GENERAL.—From amounts appropriated to carry out this section, the Secretary of Labor and the Secretary of Education shall award eligible entities one or more of the following:

“(A) PLANNING GRANT.—The Secretary of Labor and the Secretary of Education may award a planning grant under this section, not to exceed a total of \$250,000 for a 1-year period, to an eligible entity that—

“(i) is preparing to establish an innovative workforce investment project; and

“(ii) has not received a grant under this section.

“(B) INNOVATION GRANT.—The Secretaries may award an innovation grant under this section, not to exceed a total of \$3,000,000 for a 2-year period to an eligible entity that—

“(i) has already received a planning grant under this section; or

“(ii) has already established an innovative workforce investment project.

“(C) SUSTAINABILITY GRANT.—The Secretaries may award a sustainability grant, not to exceed a total of \$2,000,000 for a 2-year period or \$5,000,000 for a 5-year period, to an eligible entity that—

“(i) has established an innovative workforce investment project that has demonstrated measurable improvements as measured by the performance measures set forth in section 136; and

“(ii) seeks to expand or replicate that project on the State, local, or regional level.

“(2) FEDERAL AND NON-FEDERAL SHARE.—The Federal share for the grants described in paragraph (1) shall be—

“(A) for a planning grant described in paragraph (1)(A), 100 percent;

“(B) for an innovation grant described in paragraph (1)(B)—

“(i) 90 percent of the costs of the activities carried out under the grant, in the first year of the grant;

“(ii) 80 percent of such costs in the second year of the grant; and

“(iii) 70 percent of such costs in the third year of the grant; and

“(C) for a sustainability grant described in paragraph (1)(C)—

“(i) for an eligible entity that receives a 2-year grant—

“(I) not more than 50 percent of the costs of the activities carried out under the grant, in the first year of the grant; and

“(II) not more than 30 percent of such costs in the second year of the grant; and

“(ii) for an eligible entity that receives a 5-year grant—

“(I) not more than 70 percent of the costs of the activities carried out under the grant, in the first year of the grant;

“(II) not more than 60 percent of such costs in the second year of the grant;

“(III) not more than 50 percent of such costs in the third year of the grant;

“(IV) not more than 40 percent of such costs in the fourth year of the grant; and

“(V) not more than 30 percent of such costs in the fifth year of the grant.

“(3) NON-FEDERAL SHARE.—The non-Federal share of an innovation or sustainability grant under this section may be in cash or in-kind, and may come from State, local, philanthropic, private, or other resources.

“(4) FINANCIAL HARDSHIP WAIVER.—The Secretary of Labor and the Secretary of Education may waive or reduce the matching share of an eligible entity that has submitted an application under this subsection if such entity demonstrates a need for such waiver or reduction due to financial hardship as defined by the Secretary of Labor and the Secretary of Education.

“(5) FISCAL AGENT.—Each eligible entity that is a State consortia or partnership receiving a grant under this subsection shall designate an entity in the partnership as the fiscal agent for purposes of this grant.

“(6) SUPPLEMENT NOT SUPPLANT.—Federal funds awarded under this section shall be used to supplement, not supplant non-Federal resources that would be used to support activities carried out as part of the innovative workforce investment project.

“(7) GRANT PERIOD.—

“(A) PLANNING GRANTS.—Grants awarded under paragraph (1)(A) shall be made for a period of not longer than 1 year.

“(B) INNOVATION GRANT.—Grants awarded under paragraph (1)(B) shall be made for a period of no longer than 3 years.

“(C) SUSTAINABILITY GRANT.—Grants awarded under paragraph (1)(C) shall be made for a period of no longer than 5 years.

“(e) APPLICATION.—An eligible entity seeking a grant under this section shall submit an application to the Secretary of Labor and the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Labor and the Secretary of Education may require. An application submitted under this paragraph may include the following:

“(1) A description of the eligible entity, evidence of the eligible entity's capacity to carry out activities in support of the strategic objectives identified in the application under paragraph (4), and, if the eligible entity is a partnership, a description of the expected participation and responsibilities of each of the partners.

“(2) A description of the industry or targeted industry cluster that will be served through the project, including a description of how the skilled workforce needs of small- and medium-sized employers connected with that industry or industries will be addressed.

“(3) A description of the target worker populations to be served through the project, including a description of target worker populations with significant barriers to employment and a description of strategies that will be used to help overcome such barriers.

“(4) A description of the strategic objectives that the eligible entity seeks to achieve through the funded project for—

“(A) implementing career pathways strategies, which may include—

“(i) providing clear linkages between remedial, academic and occupational programs within educational institutions, and articulation of credits across institutions;

“(ii) designing curricula in terms of competencies required for education and career advancement, and, where possible, tied to industry skill standards, certifications or licensing requirements including those developed by industry or sector partnerships;

“(iii) offering programs at times and places (including workplaces) convenient for working adults and structured in small modules or ‘chunks’, each leading to recognized credential;

“(iv) allowing flexibility to enter and exit education as participants' circumstances permit;

“(v) providing support services, including career assessment and counseling, case management, child care, transportation, financial aid and job placement;

“(vi) creating ‘bridge programs’ for educationally disadvantaged youths and adults that teach basic skills such as office communication, math and problem solving in the context of training for advancement to better jobs and postsecondary training; and

“(vii) aligning both public and private funding sources, such as the Carl D. Perkins Career and Technical Education Act, Workforce Investment Act, Adult Education and Family Literacy Act, Temporary Assistance to Needy Families, State and Federal financial aid, and employer tuition reimbursement;

“(B) implementing industry or sector partnerships, which may include—

“(i) recruiting key stakeholders in the targeted industry cluster, such as multiple businesses and employers, labor organizations, local boards, and education and training providers, and regularly convening the stakeholders in a collaborative structure that supports the sharing of information, ideas, and challenges common to the targeted industry cluster;

“(ii) identifying the training needs of multiple businesses, especially skill gaps critical to competitiveness and innovation in the targeted industry cluster;

“(iii) facilitating economies of scale by aggregating training and education needs of multiple employers;

“(iv) helping postsecondary educational institutions, training institutions, apprenticeship programs, area career and technical education centers, and all other training programs authorized under this Act, align curricula, entrance requirements and programs to industry demand and nationally portable, recognized postsecondary credentials (or, if not available for the targeted industry, other credentials, as determined appropriate by the Secretary), particularly for higher skill, high-priority occupations validated by the industry;

“(v) ensuring that the State agency carrying out the State program under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), including staff of the agency that provide services under such Act, shall inform recipients of unemployment insurance of the job and training opportunities that may result from the implementation of this grant;

“(vi) informing and collaborating with organizations such as youth councils, business-education partnerships, apprenticeship programs, secondary schools, and postsecondary educational institutions, and with parents and career counselors, for the purpose of addressing the challenges of connecting disadvantaged adults and disadvantaged youth as defined in section in this Act to careers;

“(vii) helping companies identify, and work together to address, common organizational and human resource challenges, such as—

“(I) recruiting new workers;

“(II) implementing effective workplace practices;

“(III) retraining dislocated and incumbent workers;

“(IV) implementing a high-performance work organization;

“(V) recruiting and retaining women in nontraditional occupation;

“(VI) adopting new technologies; and

“(VII) fostering experiential and contextualized on-the-job learning;

“(viii) developing and strengthening career ladders within and across companies, in

order to enable dislocated, incumbent and entry-level workers to improve skills and advance to higher-wage jobs;

“(ix) improving job quality through improving wages, benefits, and working conditions;

“(x) helping partner companies, industry or sector partnerships to attract potential employees from a diverse job seeker base, including individuals with barriers to employment (such as job seekers who are low income, youth, older workers, and individuals who have completed a term of imprisonment), by identifying such barriers through analysis of the existing labor market and implementing strategies to help such workers overcome such barriers; and

“(xi) strengthening connections among businesses in the targeted industry cluster, leading to cooperation beyond workforce issues that will improve competitiveness and job quality, such as joint purchasing, market research, or centers for technology and innovation; and

“(C) implementing credential attainment and measurement strategies, which may include—

“(i) establishing a cross agency committee (such as the State workforce investment board, a legislative task force, a P-20 Council, or some other agreed upon group) that is specifically focused on low and middle skill education and training outcomes to measure credential attainment through the State’s workforce investment and training programs, by—

“(I) tracking, counting, measuring and public reporting credential attainment rates for all programs providing education and training beyond a high school diploma but less than a 4-year degree;

“(II) measuring the result of workforce training programs leading to an recognized postsecondary credential, certificate of degree;

“(III) establishing statewide policies, goals, and guidelines for the collection of credential outcome data for all employment and training programs and related programs and services within the State;

“(IV) engaging other related departments and agencies that may have data or are involved in activities related to workforce development and job training;

“(V) establishing standards and data collection infrastructure to assess the number of industry-recognized middle skill credentials or certificates produced through Federal or State programs, and their relation to labor market needs;

“(VI) setting credential attainment goals in high demand industry sector then monitor and measure progress over time; and

“(VII) providing an annual assessment and report to the Governor and Legislature about the type of credential outcomes produced by programs and provide recommendations to better align efforts across agencies to meet employer demand;

“(ii) ensuring the collection of credential outcome data from a range of public workforce and education programs to ensure State agencies and programs are increasing the number of workers with the skills and credentials needed to fill the projected demand for middle and high skilled jobs;

“(iii) using the data in order to assess workforce system outcomes, establish credential attainment goals, measure progress, and hold agencies accountable to increase the skills of the workforce; and

“(iv) developing a comprehensive workforce system report that provides individual agency outcomes and statewide representa-

tion of the credential attainment outcomes of the State’s workforce investment system.

“(5) A description of a pay-for-performance approach for providers of education, training, and employment services to individuals with barriers to employment, including services targeted to addressing the specific challenges and conditions that have created barriers for participants in programs under this Act.

“(f) AWARD BASIS.—

“(1) GEOGRAPHIC DISTRIBUTION.—The Secretary of Labor and the Secretary of Education shall award competitive grants under this section in a manner to ensure geographic diversity.

“(2) PRIORITIES.—In awarding grants under this section, the Secretaries shall give priority to eligible entities that—

“(A) provide evidence of past or current investments in workforce innovation projects that incorporate one or more of the priority strategies;

“(B) focus on addressing the skill needs of multiple employers, including small- and medium-sized businesses; or

“(C) target services to low-income individuals, low-skill individuals, long-term unemployed, and other populations with barriers to employment.

“(g) ACTIVITIES.—

“(1) IN GENERAL.—An eligible entity receiving a grant under this section shall carry out the activities necessary to meet the strategic objectives, including planning activities if applicable, described in the entity’s application in a manner that—

“(A) integrates services and funding sources in a way that enhances the effectiveness of the activities; and

“(B) uses grant funds awarded under this section efficiently.

“(2) ADMINISTRATIVE COSTS.—An eligible entity may retain a portion of a grant awarded under this section for a fiscal year to carry out the administration of this section in an amount not to exceed 5 percent of the grant amount.

“(h) EVALUATION AND PROGRESS REPORTS.—

“(1) IN GENERAL.—Not later than 1 year after receiving a grant under this section, and annually thereafter during the grant period, an eligible entity shall report to the Secretary of Labor and the Secretary of Education, and to the Governor of the State that the eligible entity serves, on the spending and activities funded pursuant to a grant under this section, including an evaluation of the progress the eligible entity has made toward the strategic objectives identified in the application and measure the progress using the performance accountability measures identified in the application.

“(2) PUBLIC AVAILABILITY.—The Secretary shall transmit such reports to the Congress and make such reports available to the public.

“(i) ADMINISTRATION BY THE SECRETARIES.—

“(1) ADMINISTRATIVE COSTS.—The Secretaries may jointly retain a total of not more than 3 percent of the funds appropriated to carry out this section for each fiscal year to administer this section, including technical assistance and evaluation activities.

“(2) TECHNICAL ASSISTANCE AND OVERSIGHT.—The Secretaries shall provide technical assistance and oversight to assist the eligible entities in applying for and administering grants awarded under this section, including technical assistance and through the collection and dissemination of information on best practices.

“(3) PERFORMANCE ACCOUNTABILITY MEASURES.—The Secretaries shall issue a range of

performance measures, with quantifiable benchmarks, and methodologies that eligible entities may use to evaluate the effectiveness of each type of activity in making progress toward the strategic objectives described in the application. Such measures shall consider the benefits of the innovative workforce development projects and its activities for workers, firms, industries, and communities.

“(4) **DISSEMINATION.**—The Secretaries shall—

“(A) coordinate the annual review of each eligible entity receiving a grant under this section and produce an overview report that, at a minimum, includes each funded project and best practices identified;

“(B) make resource materials, including all reports published and all data collected under this section, available on the Internet; and

“(C) conduct conferences and seminars to—

“(i) disseminate information on best practices developed by eligible entities receiving a grant under this section; and

“(ii) provide information to interested stakeholders.

“(5) **REPORT TO CONGRESS.**—Not later than 24 months after the date of enactment of the Workforce Investment Act of 2013 and on an annual basis thereafter, the Secretaries shall transmit a report to Congress on the grant program established by this section. The report shall include a description of—

“(A) the eligible entities receiving funding;

“(B) the spending and activities carried out by the eligible entities;

“(C) how the eligible entities were selected to receive funding under this section; and

“(D) an assessment of the results achieved by the grant program including findings from the annual reviews conducted under subsection (i).

**“SEC. 171B. YOUTH INNOVATION AND BEST PRACTICES GRANTS.**

“(a) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—The Secretary of Labor and the Secretary of Education, shall—

“(A) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2012, award transition grants in accordance with section 176; and

“(B) with funds not awarded for transition grants under paragraph (1) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2012, and with the funds reserved for each program year thereafter, award youth innovation and replication grants to eligible entities described in subsection (c) for the purposes described in subsection (b).

“(b) **AUTHORIZATION AND PURPOSE OF GRANTS.**—

“(1) **IN GENERAL.**—From funds appropriated pursuant to section 174, the Secretary of Labor and the Secretary of Education shall award youth innovation and replication grants on a competitive basis to eligible entities described in subsection (c).

“(2) **USE OF FUNDS.**—The grants awarded under this section shall be used to support the demonstration of innovative new strategies and activities, or the replication and expansion of effective evidence-based strategies and activities that are designed to substantially improve education and employment outcomes for eligible youth, including preparation for post secondary education and training and for careers. Such strategies and activities shall include—

“(A) establishing career pathways in in-demand industry sectors and occupations for eligible youth, in collaboration with other Federal, State, and local programs, and public and private entities;

“(B) developing and implementing a comprehensive strategy, for an area of high poverty, that provides education and training programs, resources, and other activities that prepare youth for postsecondary education and training and for employment that leads to economic self-sufficiency;

“(C) developing and implementing strategies and activities that provide opportunities for youth with disabilities to receive education, training, and employment services that lead to a recognized postsecondary credential or integrated, competitive employment, including through incorporating elements of the individualized education program and related services under the Individuals with Disabilities in Education Act;

“(D) developing and implementing evidence-based strategies and activities, such as—

“(i) education offered concurrently and contextually with workforce preparation and training for a specific occupation or occupational cluster;

“(ii) career academies;

“(iii) dropout prevention and recovery strategies;

“(iv) paid or unpaid work experience, including summer employment opportunities and employment opportunities available throughout the school year, combined with academic learning leading to a recognized postsecondary credential;

“(v) innovative programs for youth facing multiple barriers to employment that arrange for the provision of or provide supportive services combined with education, training, including preparation for postsecondary education and training, or employment activities; or

“(vi) to include youth service and conservation corps programs in which a project undertaken is credited as qualifying experience for higher education, job training, or careers in public service; or

“(E) other evidence-based strategies or activities designed to improve the education and employment outcomes for youth.

“(c) **ELIGIBLE ENTITIES AND APPLICATION.**—

“(1) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section shall include—

“(A)(i) the Governor of a State in coordination with the State board and with a local board for a local area that is aligned with a region, or with all boards for local areas that comprise a planning region, under section 116(c); or

“(ii) a local board for a local area that is aligned with a region, or all local boards for local areas that comprise a planning region, under section 116(c), in consultation with the standing committee on youth associated with the local board; and

“(B) one or more of the following:

“(i) A State education agency.

“(ii) A local education agency.

“(iii) A nonprofit organization with expertise serving eligible youth, including a community-based organization, youth corps, or an intermediary.

“(iv) An institution of higher education, including a community college and an area career and technical education center.

“(v) A joint labor-management partnership.

“(2) **APPLICATION.**—To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary of Labor and the Secretary of Education at such time, in such manner, and containing such information, consistent with this paragraph, as the Secretaries may require. Each such application shall describe the innova-

tion and replication strategies and activities that the eligible entity will carry out to strengthen the workforce investment system in the State or region in order to substantially improve education and employment outcomes for youth, such as youth with disabilities, served by such system, and may include—

“(A) a description of the region in the State or the State, as applicable, that will be the focus of grant activities, including analyses of economic conditions, skill needs, the workforce, and the workforce development services (including the strengths and weaknesses of such services and the capacity to provide such services) that are relevant to the proposed strategies and activities that would be carried out under the grant;

“(B) a description of the youth populations to be served, including individuals with barriers to employment who are youth, and the skill needs of those populations;

“(C) a description of the promising strategies and activities the eligible entity is proposing to demonstrate, or the evidence-based strategies and activities that the eligible entity is proposing to expand or replicate;

“(D) a description of how the eligible entity will meaningfully involve youth in the design and implementation of the proposed strategies and activities;

“(E) a description of how, in carrying out such strategies and activities, the eligible entity will—

“(i) collaborate to leverage resources among strategic partners to achieve the purposes of the grant, and to provide the matching share described in subsection (d)(2); and

“(ii) ensure the sustainability of the programs and activities supported by the grant after grant funds are no longer available;

“(F) a description of how the strategies and activities will be aligned with the State plan and the local plans in the region of the State that will be the focus of grant activities;

“(G) a description of the outcomes, including outcomes for the performance accountability measures based on indicators of performance described in section 136(b)(2)(A)(ii), to be achieved by the proposed strategies and activities; and

“(H) a description of how the eligible entity will—

“(i) use technology;

“(ii) collect data;

“(iii) made data publicly available; and

“(iv) use technology and data to improve program delivery, activities, and administration.

“(d) **MATCHING FUNDS REQUIREMENTS.**—

“(1) **INNOVATION FUND SHARE.**—The amount of the share of the funds provided under this section shall be not greater than 50 percent of the cost of the programs and activities that are carried out under the grant.

“(2) **MATCHING SHARE.**—

“(A) **IN GENERAL.**—

“(i) **AMOUNT.**—The amount of the matching share under this subsection for a program year may not be less than 50 percent of the costs of the programs and activities that are carried out under the grant.

“(ii) **IN CASH OR KIND.**—The matching share may be in cash or in kind (fairly evaluated).

“(iii) **SOURCES.**—Not more than 50 percent of the matching share required under this subsection may be provided from Federal resources, of which not less than 50 percent shall be provided from Federal resources from the partner programs identified in the application other than resources provided under the core programs. Non-Federal sources for the matching share may include



State resources, local resources, contributions from private organizations, or a combination of such resources and contributions.

“(B) FINANCIAL HARDSHIP WAIVER.—The Secretary of Labor and the Secretary of Education may waive or reduce the matching share of an eligible entity that has submitted an application under this subsection if such entity demonstrates a need for such waiver or reduction due to extreme financial hardship as defined by the Secretary of Labor and the Secretary of Education.

“(C) SUPPLEMENT NOT SUPPLANT.—The Federal and matching share required by this subsection shall be used to supplement and not supplant other Federal and State funds used to carry out activities described in this subsection.

“(e) GRANT PERIOD.—Grants awarded under this subsection shall be awarded for periods of not more than 3 years in duration and may not be renewed.

“(f) REPORTING.—The Secretary of Labor and the Secretary of Education are authorized to establish appropriate reporting requirements for grantees under this subsection.

“(g) TECHNICAL ASSISTANCE AND EVALUATION.—For each program year for which funds are available to carry out this section, the Secretary of Labor and the Secretary of Education may reserve a total of not more than 3 percent of the amount available to carry out this subsection to provide technical assistance to applicants and grantees under this subsection and to evaluate projects carried out under this subsection. The Secretaries shall ensure that the results of the evaluations are publicly available, including through electronic means.”.

#### SEC. 158. EVALUATIONS.

Section 172 is amended—

(1) in subsection (a)(2), by inserting “accountability” after “performance”;

(2) in subsection (c)—

(A) by striking “as least” and inserting “at least”; and

(B) by striking “2005” and inserting “2016”;

(3) in subsection (e), by striking “Labor and Human Resources” and inserting “Health, Education, Labor, and Pensions”;

(4) by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following new subsection:

“(f) PUBLICATION OF REPORTS.—If an entity that enters into a contract or other arrangement with the Secretary to conduct an evaluation of a program or activity under this section requests permission from the Secretary to publish a report resulting from the evaluation, such entity may publish the report unless the Secretary denies the request during the 90-day period beginning on the date the Secretary receives such request.”.

#### SEC. 159. NATIONAL DISLOCATED WORKER GRANTS.

Section 173 is amended—

(1) in the section heading, by striking “EMERGENCY” and inserting “DISLOCATED WORKER”;

(2) by striking subsection (b) and redesignating subsection (a) as subsection (b), and inserting before such redesignated subsection the following new subsection:

“(a) DEFINITIONS.—In this section—

“(1) the term ‘emergency or disaster’ means—

“(A) an emergency or a major disaster, as defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122 (1) and (2)); or

“(B) an emergency or disaster situation of national significance that could result in a

potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for or jurisdiction over the Federal response to the emergency or disaster situation; and

“(2) the term ‘disaster area’ means an area that has suffered or in which has occurred an emergency or disaster.”;

(3) in subsection (b) (as so redesignated)—

(A) by striking paragraph (4) and redesignating paragraphs (1) through (3) and (4) as subparagraphs (A) through (C), respectively, and moving such subparagraphs (as so redesignated) 2 ems to the right;

(B) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking “The Secretary” and inserting:

“(1) GRANTS.—The Secretary”; and

(ii) by striking “emergency grants in a timely manner” and inserting “dislocated worker grants”;

(C) in subparagraph (A) (as so redesignated), by striking “subsection (c)” and inserting “subsection (c)(1)(B)”;

(D) in subsection (B) (as so redesignated), by striking “an area that has suffered” and all that follows and insert “a disaster area, to provide disaster relief employment in the disaster area”;

(E) in subparagraph (C) (as so redesignated), by striking “paragraphs (1) and (2)” and inserting “subparagraphs (A) and (B)”;

(F) by inserting after subparagraph (C) the following:

“(D) to provide additional assistance to a State board or local board serving an area where—

“(i) a higher-than-average demand for employment and training activities for dislocated members of the Armed Forces, spouses described in section 101(14)(E), or members of the Armed Forces described in subsection (c)(2)(A)(iv), exceeds State and local resources for providing such activities; and

“(ii) such activities are to be carried out in partnership with the Department of Defense and Department of Veterans Affairs transition assistance programs; and

“(E) from funds appropriated under section 174(c), to a State or entity described in subsection (c)(1)(B) to carry out—

“(i) subsection (e), including providing assistance to eligible individuals; and

“(ii) subsection (f), including providing assistance to eligible individuals.

“(2) DECISIONS AND OBLIGATIONS.—The Secretary shall issue a final decision on a complete application for a national dislocated worker grant under this subsection not later than 45 calendar days after receipt of the application.”;

(4) in subsection (c)—

(A) in paragraph (1)(A), by striking “subsection (a)(1)” and inserting “subsection (b)(1)(B)”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “emergency” and inserting “dislocated worker”; and

(ii) in subparagraph (C), by striking “emergency” and inserting “dislocated worker”;

(5) in subsection (d)—

(A) by striking “subsection (a)(2)” each place it appears and inserting “subsection (b)(1)(B)”;

(B) in paragraph (1)(A)—

(i) by inserting “, in coordination with the Administrator of the Federal Emergency Management Agency, as applicable,” after “shall be used”; and

(ii) by striking “structures” and inserting “public structures”;

(C) in paragraph (2), by inserting “emergency or” after “consequence of the”;

(D) in paragraph (3)—

(i) by striking “No individual” and inserting:

“(A) IN GENERAL.—Except as provided in subparagraph (B), no individual”;

(ii) by striking “natural disaster” and inserting “emergency or disaster”; and

(iii) by adding at the end the following new subparagraph:

“(B) EXTENSION.—At the request of a State, the Secretary may extend such employment, related to recovery from a single emergency or disaster involving the State, for not more than an additional 6 months.”; and

(E) by adding at the end the following new paragraphs:

“(4) USE OF AVAILABLE FUNDS.—Funds made available under subsection (b)(1)(B) shall be available to assist workers described in paragraph (2) who are affected by an emergency or disaster, including workers who have relocated from an area in which an emergency or disaster has been declared or otherwise recognized, as appropriate. Under conditions determined by the Secretary and following notification to the Secretary, a State may use such funds, that are appropriated for any fiscal year and available for expenditure under any grant awarded to the State under this section, to provide any assistance authorized under this subsection. Funds used pursuant to the authority provided under this paragraph shall be subject to the liability and reimbursement requirements described in paragraph (5).

“(5) LIABILITY AND REIMBURSEMENT.—Nothing in this Act shall be construed to relieve liability, by a responsible party that is liable under Federal law, for any costs incurred by the United States under subsection (b)(1)(B) or this subsection, including the responsibility to provide reimbursement for such costs to the United States.”;

(6) by striking subsection (e) and redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(7) in subsection (e) (as so redesignated)—

(A) by striking “paragraph (4)(A) of subsection (a)” each place it appears and inserting “subsection (b)(1)(E)(i)”;

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “clauses (i) through (v)” and inserting “clauses (i) through (iv)”;

(ii) in subparagraph (B)(iii), by striking “enactment of this clause” and inserting “enactment of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115)”;

(iii) in subparagraph (C), by striking “subsection (g)” and inserting “subsection (f)”;

(C) in paragraph (2), by striking “subsection (g)” and inserting “subsection (f)”;

(D) in paragraph (3)(A)(i), by striking “not later than” and inserting “notwithstanding subsection (b)(2), not later than”; and

(E) in paragraph (7)(A)—

(i) in clause (i), by striking “section 4980B” and inserting “section 4980B(f)(4)”;

(ii) in clause (ii)(I), by striking “clause (i), (ii), or (vi) of paragraph (2)(A)” and inserting “subparagraph (A), (B), or (F) of section 35(e)(1) of such Code”; and

(8) in subsection (f), (as so redesignated)—

(A) by striking “paragraph (4)(A) of subsection (a)” each place it appears and inserting “subsection (b)(1)(E)(i)”;

(B) in paragraph (1), by striking “subsection (f)(1)(A)” and inserting “subsection (e)(1)(A)”;

(C) in paragraph (4)—

(i) in subparagraph (A)—



(I) in the matter preceding clause (i), by striking “this subsection” and inserting “subsection (b)(1)(E)(ii)”; and

(II) in clause (i), by striking “not later than” and inserting “notwithstanding subsection (b)(2), not later than”; and

(ii) in subparagraph (B), by striking “174(c)(1)(B)” and inserting “subsection (b)(1)(E)(ii)”.

#### SEC. 160. YOUTHBUILD PROGRAM.

Section 173A is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period and inserting “; and”; and

(C) by inserting after paragraph (4) the following new paragraph:

“(5) to improve the quality and energy efficiency of community and other nonprofit and public facilities, including those facilities that are used to serve homeless and low-income families.”;

(2) in subsection (b)—

(A) by striking paragraph (8) and redesignating paragraphs (9) through (13) as paragraphs (8) through (12), respectively;

(B) in paragraph (11) (as so redesignated), by striking “means housing provided” and all that follows and inserting “has the meaning given the term in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29)).”; and

(C) in paragraph (12) (as so redesignated), by striking “or construction” and inserting “construction, or energy efficiency enhancement”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “or construction” and inserting “construction, or energy efficiency enhancement”;

(ii) in subparagraph (A)(iv)—

(I) in subclause (II), by striking “individuals with limited English proficiency” and inserting “participants who are English language learners”; and

(II) in subclause (III), by striking “General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standard)” and inserting “or its recognized equivalent including recognized certificates of attendance or similar documents”;

(iii) in subparagraph (A)(vii)—

(I) by striking “supportive services”; and

(II) by inserting “or training” after “postsecondary education”;

(iv) in subparagraph (B), by striking “or construction” and inserting “construction, or energy efficiency enhancement”;

(v) in subparagraph (C)—

(I) by striking “or construction” and inserting “construction, or energy efficiency enhancement”; and

(II) by striking “10 percent” and inserting “15 percent”; and

(vi) in subparagraph (D), by inserting “, including recruitment and selection of participants.”;

(B) in paragraph (3)(B)—

(i) in clause (i), by inserting “construction and” after “opportunities in”;

(ii) in clauses (iii) and (vi), by striking “or construction” each place it appears and inserting “construction, or energy efficiency enhancement”;

(iii) in clause (x), by striking “vocational education” and inserting “career and technical education and training”;

(iv) in clause (xii)—

(I) by striking “results” and inserting “levels”;

(II) by striking “common” and inserting “primary”; and

(III) by striking “youth and lifelong learning, as identified by the Secretary” and inserting “eligible youth described in section 136(b)(2)(A)(ii)”;

(v) in clause (xvi)—

(I) in subclause (II), by inserting “energy efficiency enhancement” after “construction”; and

(II) in subclause (III), by striking “vocational education” and inserting “career and technical education and training”; and

(vi) in clause (xvii)(I), by inserting “energy efficiency enhancement” after “construction”; and

(C) in paragraph (4)—

(i) in subparagraph (C)—

(I) by inserting “community and” after “which the housing and”; and

(II) by striking “or construction” each place it appears and inserting “construction, or energy efficiency enhancement”;

(ii) in subparagraph (J)—

(I) in clause (ii), by inserting “energy efficiency enhancement” after “construction”; and

(II) in clause (iii), by striking “vocational education” and inserting “career and technical education and training”;

(4) in subsection (d), by striking “or construction” each place it appears and inserting “construction, or energy efficiency enhancement”;

(5) in subsection (e)(1)—

(A) in subparagraph (A)(iii), by inserting “, or an individual who was a school dropout and has subsequently re-enrolled” before the period; and

(B) in amending subparagraph (B)(i) to read as follows:

“(i) are basic skills deficient, despite attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities); or”;

(6) in subsection (f)(2)—

(A) in subparagraph (A), by inserting “, or to support pilot and demonstration projects or program evaluations with recipients of grants under subsection (c) as directed by the Secretary, including pilot or demonstration projects that create new career tracks for Youthbuild participants in areas such as health care and manufacturing” before the period; and

(B) in subparagraph (B), by striking “shall reserve” and inserting “shall reserve not less than 3 percent and not more than”;

(7) in subsection (g), by striking “postsecondary educational institutions” and inserting “institutions of higher education”; and

(8) by amending subsection (h) to read as follows:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2013 through 2017 such sums as may be necessary to carry out this section.”.

#### SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

Subsections (a) and (b) of section 174 are amended to read as follows:

“(a) NATIVE AMERICAN PROGRAMS; MIGRANT AND SEASONAL FARMWORKER PROGRAMS; VETERANS’ WORKFORCE INVESTMENT PROGRAMS.—

“(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out sections 166 through 168 such sums as may be necessary for each of the fiscal years 2013 through 2017.

“(2) RESERVATIONS.—Of the amount appropriated pursuant to the authorization of appropriations under paragraph (1) for a fiscal year, the Secretary shall—

“(A) reserve not less than \$55,000,000 for carrying out section 166;

“(B) reserve not less than \$70,000,000 for carrying out section 167; and

“(C) reserve not less than \$7,300,000 for carrying out section 168.

“(b) TECHNICAL ASSISTANCE; INNOVATION GRANTS.—There are authorized to be appropriated to carry out sections 169 through 171 such sums as may be necessary for each of the fiscal years 2013 through 2017.”.

#### SEC. 162. TRANSITION GRANTS TO STATES.

Subtitle D is further amended by adding at the end the following:

##### “SEC. 175. TRANSITION GRANTS TO STATES.

“(a) IN GENERAL.—For the program year described in section 171A, from the funds allocated for awards described in section 171A and section 171B, the Secretary of Labor and the Secretary of Education shall award, on a competitive basis, transition grants to States. The Secretaries, to the extent practicable and consistent with the purposes of the transition grants under this section, shall award transition grants in a manner that maximizes the number of States benefiting from such grants.

“(b) APPLICATION.—To be eligible to receive a grant under this section, the Governor of a State, in coordination with the State board and in consultation with the local boards, shall submit an application to the Secretary of Labor and the Secretary of Education, at such time, in a such manner, and containing such information, consistent with this subsection, as the Secretaries may require, including—

“(1) a description of how the grant funds will be used to carry out the transition activities described in subsection (d);

“(2) a description of the process by which the State will award funds to local areas in accordance with subsection (d)(2); and

“(3) assurances that all the entities carrying out core programs in the State will participate in the activities.

“(c) GRANT PERIOD.—Grants awarded under this subsection shall be awarded for periods of not more than 2 years in duration and may not be renewed.

“(d) USE OF FUNDS.—A State that receives a grant under this section—

“(1) may reserve not more than 40 percent of the grant funds for transition activities to assist in the development of the State plan under section 112 or 113; and

“(2) shall use not less than 60 percent of the grant funds to award subgrants to local areas for transition activities to assist in the development local and regional plans under section 116(c) and 118, with a priority in making such awards to local areas most in need of resources to make the transition to meeting the requirements of the Workforce Investment Act of 2012.

“(e) LIMITATIONS.—No State may—

“(1) receive more than 1 grant under this section; and

“(2) receive a grant under this section concurrently with a grant under section 171A or 171B for the first program year that commences after the date of enactment of the Workforce Investment Act of 2011.”.

#### SEC. 163. INTERAGENCY AGREEMENT.

Subtitle D is further amended by adding after section 175 (as added by section 112) the following:

##### “SEC. 176. INTERAGENCY AGREEMENT.

“(a) IN GENERAL.—The Secretary of Education and the Secretary of Labor shall jointly develop policies for the administration of this subtitle in accordance with such terms as the Secretaries shall set forth in an

interagency agreement. Such interagency agreement, at a minimum, shall include a description of the respective roles and responsibilities of the Secretaries in carrying out this subtitle (both jointly and separately), including—

“(1) how the funds available under this subtitle will be obligated and disbursed and compliance with applicable laws (including regulations) will be ensured, as well as how the grantees will be selected and monitored, and a peer review process for selection of grantees that includes program practitioners and national experts will be carried out;

“(2) how evaluations and research will be conducted on the effectiveness of grants awarded under this subtitle in addressing the education and employment needs of job seekers and workers, youth, and employers;

“(3) how technical assistance will be provided to applicants and grant recipients;

“(4) how information will be disseminated, including through electronic means, on best practices and effective strategies and service delivery models for activities carried out under this subtitle; and

“(5) how policies and processes critical to the successful achievement of the education, training, and employment goals of this subtitle will be established.

“(b) **TRANSFER AUTHORITY.**—The Secretary of Labor and the Secretary of Education shall have the authority to transfer funds between the Department of Labor and the Department of Education to carry out this subtitle in accordance with the agreement described in subsection (a).

“(c) **REPORTS.**—The Secretary of Labor and the Secretary of Education shall jointly develop and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives, describing—

“(1) actions the Departments have taken to—

“(A) assess the effectiveness of the projects carried out under this subtitle; and

“(B) facilitate the coordination of the programs carried out through the grants awarded with other education, employment and training programs;

“(2) barriers that impede effectiveness of projects carried out under this subtitle;

“(3) the best practices and effective strategies and service delivery models that the Departments have identified pursuant to this subtitle and actions the Departments have taken to promptly disseminate information, including through electronic means, on such best practices, service delivery models, and effective strategies; and

“(4) the actions the Departments have taken to leverage resources provided under Federal law other than this subtitle and non-Federal resources, to improve the workforce investment system nationwide, including in States, regions, and local areas that have not received funds under this subtitle.”

#### Subtitle E—Administration

#### SEC. 171. REQUIREMENTS AND RESTRICTIONS.

Section 181 is amended—

(1) in subsection (a), by amending subparagraph (B) of paragraph (1) to read as follows:

“(B) **RULE OF CONSTRUCTION.**—The reference in subparagraph (A) to section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall not be applicable for individuals in territorial jurisdictions in which section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) does not apply.”;

(2) in subsection (b)(1) by striking “investment” and inserting “development”;

(3) in subsection (c)(1), by inserting “or allocation” after “an allotment”;

(4) in subsection (d)(2)—

(A) by striking “employment and training activity” and inserting “employment or training activity”;

(B) by inserting “incumbent worker training, transitional employment,” after “on-the-job training,”; and

(C) in paragraph (3), by inserting “(or that has provided funding to an entity that has violated such paragraph)” after “violated such paragraph”;

(5) in subsection (e)—

(A) by inserting “to carry out an activity” after “No funds available”;

(B) by striking “and similar activities” and inserting “or similar activities”;

(C) by striking “title. No funds available under subtitle B” and inserting “or under subtitle C. No funds received to carry out an activity under subtitle B or C”;

(6) in subsection (f), by inserting “or subtitle C” after “subtitle B” both places it appears.

#### SEC. 172. FISCAL CONTROLS OR SANCTIONS.

Section 184 is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “the appropriate circulars” and inserting “appropriate circulars or rules”;

(ii) in subparagraph (B)(ii), by striking “administration of youth activities” and inserting:

“(iii) administration of youth workforce investment activities.”;

(B) in paragraphs (5)(A), (6)(C), and (7) (A) and (B), by inserting “with the requirements” after “compliance” each place it appears;

(2) in subsection (b)(1)(B)(v), by inserting “with the provision” after “compliance”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) by striking “made available” and inserting “received”;

(ii) by striking “offset repayment” and inserting “require payment by offsetting the amount”;

(iii) by inserting “under this title” after “may be entitled”;

(B) in paragraph (4), by inserting “(subsequent to the program year for which the determination was made)” after “allocations”;

(4) in subsection (d)(1), by striking “paragraphs (2) and (3) of”.

#### SEC. 173. REPORTS, RECORDKEEPING, INVESTIGATIONS.

Section 185(c) is amended—

(1) in paragraph (2), by striking “; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting “; and”;

(3) by adding at the end the following new paragraph:

“(4) shall, to the extent practicable, submit or make available (including through electronic means) any reports, records, plans, or any other data that are required to be submitted or made available, respectively, under this title.”

#### SEC. 174. ADMINISTRATIVE PROVISIONS.

Section 189 is amended—

(1) in subsection (a), by striking “section 204 of the Intergovernmental Cooperation Act of 1968” and inserting “section 6504 of title 31, United States Code”;

(2) in subsection (g), by amending paragraph (2) to read as follows:

“(2) **AVAILABILITY.**—

“(A) **IN GENERAL.**—Funds obligated for any program year for a program or activity funded under subtitle B may be expended by each State receiving such funds during that pro-

gram year and the 2 succeeding program years. Funds received by local areas from States under subtitle B during a program year may be expended during that program year and the succeeding program year.

“(B) **CERTAIN NATIONAL ACTIVITIES.**—

“(i) **IN GENERAL.**—Funds obligated for any program year for any program or activity carried out under section 170 or 171 shall remain available until expended.

“(ii) **INCREMENTAL FUNDING BASIS.**—A contract or arrangement entered into under the authority of section 170(c) (relating to research projects, studies and reports, and multistate projects) or section 171 (relating to evaluations), including a long-term, non-severable services contract, may be funded on an incremental basis with annual appropriations or other available funds.

“(C) **SPECIAL RULE.**—No amount of the funds obligated for a program year for a program or activity funded under this title shall be deobligated on account of a rate of expenditure that is consistent with a State plan, an operating plan described in section 151, or a plan, grant agreement, contract, application, or other agreement described in subtitle D, as appropriate.”; and

(3) in subsection (i)—

(A) in paragraph (3), by inserting “accountability” after “performance”;

(B) in paragraph (4)—

(i) in subparagraph (A)(i)—

(I) by inserting “the funding of infrastructure costs for one-stop centers,” after “functions of local areas and local boards”;

(II) by inserting “, and other requirements relating to the basic purposes of this title” before the period;

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking “investment” and inserting “development”;

(II) in clause (v), by striking “an opportunity to comment on such request has been provided to the local board” and inserting “, in the case of a waiver for a local area, an opportunity to comment on such request has been provided to the local board for the local area for which the waiver is requested”;

(iii) in subparagraph (C), by inserting “for which the waiver was requested” after “ensure that the local area”;

(iv) by adding at the end the following new subparagraph:

“(D) **EXPEDITED DETERMINATION REGARDING PROVISION OF WAIVERS.**—If the Secretary has approved a waiver of statutory or regulatory requirements for a State or local area pursuant to this subsection, the Secretary shall expedite the determination regarding the provision of that waiver, for another State or local area.”

#### SEC. 175. REPEALS.

The Act is further amended by striking section 190, and redesignating sections 191 through 195 as sections 190 through 194, respectively.

#### SEC. 176. GENERAL PROGRAM REQUIREMENTS.

Section 194 (as redesignated by section 185) is amended by adding at the end the following new paragraphs:

“(14) Funds provided under this title shall not be used to establish or operate a stand-alone fee-for-service enterprise in a situation in which a private sector employment agency (as defined in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e)) is providing full access to similar or related services in such a manner as to fully meet the identified need. For purposes of this paragraph, such an enterprise does not include a one-stop delivery system described in section 121(e).

“(15)(A) None of the funds available under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of the annual rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

“(B) The limitation described in subparagraph (A) shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133.

“(C) In a case in which a State is a recipient of such funds, the State may establish a lower limit than is provided in subparagraph (A) for salaries and bonuses of those receiving salaries and bonuses from a subrecipient of such funds, taking into account factors including the relative cost of living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the Federal programs involved.”.

#### **SEC. 177. OFFICE OF DISABILITY EMPLOYMENT POLICY.**

Subtitle E is further amended by adding at the end the following:

#### **“SEC. 195. OFFICE OF DISABILITY EMPLOYMENT POLICY.**

“(a) PURPOSE.—The purpose of this section is to establish an Office of Disability Employment Policy—

“(1) to help develop and support national policies and practices that will increase employment and economic advancement opportunities for all individuals with disabilities; and

“(2) to ensure that such individuals are fully integrated into the 21st century workforce.

“(b) OFFICE.—There is established within the Department of Labor an Office of Disability Employment Policy (referred to in this section as the ‘Office’). Except as otherwise specifically provided in this Act, such Office shall be the principal entity carrying out the functions described in this section.

“(c) ASSISTANT SECRETARY.—

“(1) IN GENERAL.—The Office shall be headed by an Assistant Secretary of Disability Employment Policy (referred to in this title as the ‘Assistant Secretary’) appointed by the President by and with the advice and consent of the Senate. Except as otherwise specifically provided in this Act, the Assistant Secretary shall be the principal officer carrying out the functions described in this section.

“(2) EXPERIENCE.—The Assistant Secretary shall be an individual with substantial experience in, and a thorough knowledge of, disability employment policy, training and educational opportunities for individuals with disabilities (including youth with disabilities), public benefit programs for individuals with disabilities, job development, and the barriers that may limit employment and economic advancement opportunities of individuals with disabilities.

“(3) GOALS AND DIRECTION.—In carrying out the functions of the Office, the Assistant Secretary shall be guided by the goals of achieving equal opportunity, full participation, economic self-sufficiency, and independent living for all individuals with disabilities, to the greatest extent possible. In the performance of the functions of the Office, the Assistant Secretary shall be directly responsible to the Secretary of Labor.

“(d) FUNCTIONS.—The Assistant Secretary shall provide national leadership, and encourage interagency collaboration, on increasing employment and training opportunities for individuals with disabilities

through the development of policies and initiatives (taking into account relevant information from other Federal agencies and including the awarding of grants as appropriate) that—

“(1) eliminate barriers to the employment and training of individuals with disabilities;

“(2) advance opportunities for employment, and identify strategies that increase employment opportunities in the private sector, for individuals with disabilities, including recruitment, retention, and promotion of such individuals;

“(3) identify and remove disincentives that limit or prevent the full employment of individuals with disabilities who are receiving benefits through Federal or State programs such as medical assistance under a State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.), or supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

“(4) advise and assist the Department of Labor and other Federal agencies in the development of policies and practices that increase employment opportunities in the Federal Government for individuals with disabilities, including outreach to and recruitment, retention, and promotion of such individuals;

“(5) assist youth with disabilities, including such youth who are out-of-school youth, in successfully transitioning into the workforce;

“(6) increase access for individuals with disabilities seeking employment, education, and training services from a one-stop delivery system described in section 221(e) of the Workforce Investment Act of 2012, and other public and private providers of such services and supports;

“(7) increase coordination of activities between State vocational rehabilitation programs and the workforce development systems (as defined in section 101 of such Act), including the one-stop centers (as defined in such section 101), including assisting individuals with disabilities in maximizing the services available through such programs, systems, and centers;

“(8) leverage available public and system resources to address individual and systematic employment barriers for individuals with disabilities, and assist such individuals in navigating the process of coordinating their public benefits, including health care;

“(9) increase employment opportunities for individuals with significant disabilities in competitive integrated employment; and

“(10) meet other objectives, as specified by the Secretary of Labor, that will increase employment and training opportunities for individuals with disabilities.

“(e) REPORT.—For each fiscal year, beginning with the first full fiscal year following the date of enactment of the , the Secretary of Labor shall prepare a report and submit the report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, not later than 90 days after the end of that fiscal year. The report shall summarize the Office’s progress in—

“(1) meeting the general objectives specified in paragraphs (1) and (2) of subsection (a);

“(2) meeting each of the 4 goals specified in subsection (c)(3); and

“(3) developing the specific policies and initiatives specified in subsection (d).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.”.

#### **SEC. 178. INDEPENDENT EVALUATION OF THE EFFICIENCY AND EFFECTIVENESS OF THE FEDERAL WORKFORCE INVESTMENT SYSTEM.**

(a) DEFINITIONS.—In this section—

(1) the term “Federal job training program” means any federally funded employment and training program; and

(2) the term “individual with barriers to employment” has the meaning given such term in section 101(23) of the Workforce Investment Act of 2013.

(b) EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) EVALUATION.—The Comptroller General shall conduct an evaluation of the operations of federally funded job training programs in order to evaluate their efficiency and effectiveness in providing job training services to eligible participants, particularly individuals with barriers to employment. The evaluation shall consider—

(A) the findings of the January 2011 report of the Government Accountability Office entitled “Multiple Employment and Training Programs: Providing Information, Co-locating Services and Consolidating Administrative Structures could Promote Efficiencies” (GAO–11–92);

(B) whether programs need to be enhanced in order to more effectively provide needed services;

(C) whether programs are effectively aligned to provide needed services to different eligible populations; and

(D) whether any programs provide duplicate services to their participants and, if so, why.

(2) CONSULTATION AND RECOMMENDATIONS.—The Comptroller General shall consult with the States, local workforce investment boards, businesses, labor organizations, workforce advocates and community organizations, and relevant education-related organizations in preparing its evaluation and may make any recommendations to improve the efficiency and effectiveness of training programs and attain needed levels of services and accessibility of services.

(3) SUBMISSION OF PLAN.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit the evaluation and any plan for improvement to the appropriate committees of Congress.

#### **Subtitle F—Community College to Career Fund**

#### **SEC. 181. COMMUNITY COLLEGE TO CAREER FUND.**

Title I is further amended by adding at the end the following:

#### **“Subtitle F—Community College to Career Fund**

#### **“SEC. 199. COMMUNITY COLLEGE AND INDUSTRY PARTNERSHIPS PROGRAM.**

“(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(1), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award competitive grants to eligible entities described in subsection (b) for the purpose of developing, offering, improving or providing educational or career training programs for workers.

“(b) ELIGIBLE ENTITY.—

“(1) IN GENERAL.—Entities eligible for a grant under this section are any of the following (or a consortium of any of the following) in partnership with employers or an association of employers:

“(A) a junior or community college (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1085(f)));

“(B) a four-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965) that offers two-year degrees, will use funds provided under this section for activities at the certificate and associate degree levels, and is not reasonably close, as determined by the Secretaries, to a community college;

“(C) a tribal college or university (as defined in section 316(b) of the Higher Education Act); or

“(D) at the discretion of the Secretaries, a private, not-for-profit, two-year institution of higher education in Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

“(2) **ADDITIONAL PARTNERSHIPS.**—In addition to partnering with employers or an association of employers, the eligible entities described in paragraph (1) may partner with any of the organizations described in subparagraphs (A) through (D). Any such partnership shall collaborate with, and may include, the State or local workforce investment board.

“(A) An adult education provider or institution of higher education (as defined in section 101 of the Higher Education Act of 1965).

“(B) A community-based organization.

“(C) A joint-labor management partnership.

“(D) Any other organization that the Secretaries considers appropriate.

“(c) **APPLICATION.**—An eligible entity seeking a grant under this section shall submit a grant proposal to the Secretaries at such time and containing such information as the Secretaries determine is required, including a detailed description of—

“(1) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, improve, or provide an educational or career training program;

“(2) the extent to which the project will meet the educational or career training needs of workers in the area served by the eligible entity;

“(3) the extent to which the project will meet the needs of employers in the region for skilled workers in in-demand industry sectors and occupations;

“(4) the extent to which the project submitted fits within any overall strategic plan developed by an eligible entity; and

“(5) any previous experience of the eligible entity in providing educational or career training programs, the absence of which shall not automatically disqualify an eligible institution from receiving a grant under this section.

“(d) **CRITERIA FOR AWARD.**—

“(1) **IN GENERAL.**—Grants under this section shall be awarded based on criteria established by the Secretaries, that include the following:

“(A) A determination of the merits of the grant proposal submitted by the eligible entity to develop, offer, improve, or provide educational or career training programs to be made available to workers.

“(B) An assessment of the likely employment opportunities available in the region to individuals who complete an educational or career training program that the eligible entity proposes to develop, offer, improve, or provide.

“(C) An assessment of prior demand for training programs by individuals eligible for

training served by the eligible entity as well as availability and capacity of existing training programs to meet future demand for training programs.

“(2) **PRIORITY.**—The Secretaries shall give priority to eligible entities that—

“(A) include a partnership with a business or industry or sector partnership that—

“(i) pays a portion of the costs of such programs; or

“(ii) agrees to hire individuals who have completed a particular postsecondary degree, certificate, or credential resulting from the training program of the eligible entity;

“(B) enter into a partnership with a labor organization or labor-management training program that provides technical expertise for occupationally specific education necessary for a recognized postsecondary credential leading to a skill occupation in an in-demand industry sector;

“(C) are focused on serving individuals with barriers to employment, low-income, non-traditional students as defined in section 803(j) of the Higher Education Act (20 U.S.C. 11561(c)(j)), students who are displaced workers, students who are veterans, or students who are long-term unemployed;

“(D) are community colleges serving areas with high unemployment rates, including rural areas; and

“(E) are eligible entities that include an institution of higher education eligible for assistance under title III or V of the Higher Education Act of 1965.

“(e) **USE OF FUNDS.**—Grants awarded under this section shall be used for one or more of the following:

“(1) The development, offering, improvement, or provision of academic programs or training programs, that provide relevant job training for skilled occupations that will meet the needs of employers in in-demand industries sectors, and which may include registered apprenticeship programs, on-the-job training programs, and programs that support employers in upgrading the skills of their workforce.

“(2) The development and implementation of policies and programs to expand opportunities for students to earn a recognized postsecondary credential or degree in in-demand industry sectors and occupations, including by—

“(A) facilitating the transfer of academic credits between institutions of higher education, including the transfer of academic credits for courses in the same field of study;

“(B) expanding articulation agreements and policies that guarantee transfer between such institutions, including through common course numbering and general core curriculum; and

“(C) developing or enhancing student support services programs.

“(3) The creation of workforce programs that provide a sequence of education and occupational training that leads to a recognized postsecondary credential or degree, including programs that—

“(A) blend basic skills and occupational training;

“(B) facilitate means of transitioning from non-credit occupational, basic skills, or developmental coursework to for-credit coursework within and across institutions;

“(C) build or enhance linkages including the development of dual enrollment programs and early college high schools between secondary education or adult education programs (including programs established under the Carl D. Perkins Career and Technical Education Act of 2006 and title II of this Act);

“(D) implement other innovative programs designed to increase the provision of training for students, including students who are veteran members of the National Guard or Reserves, to enter skilled occupations in in-demand industry sectors; and

“(E) support paid internships that will allow students to simultaneously earn credit for work-based learning and gain relevant employment experience in an in-demand industry sector or occupation, which shall include opportunities that transition individuals into employment.

“(4) The support of regional or national in-demand industry sectors to develop skills consortia that will identify pressing workforce needs and develop solutions such as—

“(A) standardizing industry certifications;

“(B) developing new training technologies; and

“(C) collaborating with industry employers to define and describe how specific skills lead to particular jobs and career opportunities.

#### **“SEC. 199A. PAY-FOR-PERFORMANCE AND PAY-FOR-SUCCESS JOB TRAINING PROJECTS.**

“(a) **AWARD GRANTS AUTHORIZED.**—From funds appropriated under section 199D(2), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award grants on a competitive basis to eligible entities described in subsection (b) who meet specific performance outcomes and criteria established by the Secretaries under subsection (c). Projects funded by grants under this section shall be referred to as either Pay-for-Performance or Pay-for-Success projects, as set forth in subsection (b).

“(b) **ELIGIBLE ENTITY.**—To be eligible to receive a grant under this section an entity shall be a State or local organization (which may be a local workforce organization) in partnership with entities such as community colleges and other training providers who—

“(1) in the case of Pay-for-Performance projects, agree to be reimbursed primarily on the basis of achievement of specified performance outcomes and criteria agreed upon by the Secretaries under subsection (c); or

“(2) in the case of Pay-for-Success projects, include partnerships with investors, such as philanthropic organizations that provide funding for a specific project or projects to address a clear and measurable job training need in the community or region and agree to be reimbursed under the grant only if the project or projects meet specified performance outcomes and criteria agreed to by the Secretaries under subsection (c).

“(c) **PERFORMANCE OUTCOMES AND CRITERIA.**—Not later than 6 months after the date of the enactment of this subtitle, the Secretary of Labor and the Secretary of Education shall establish and publish specific performance measures for the initial qualification of eligible entities to receive a grant under this section. At a minimum, to receive an award an eligible entity shall—

“(1) identify a particular program area and client population that is not achieving optimal outcomes;

“(2) provide evidence that the proposed strategy would achieve better results;

“(3) clearly articulate and quantify the improved outcomes of such new approach;

“(4) for Pay-for-Success projects, specify a monetary value that would need to be paid to obtain such results and explain the basis for such value;

“(5) identify data that would be required to evaluate whether outcomes are being achieved for a target population and a comparison group;

“(6) identify estimated savings that would result from the improved outcomes, including to other programs or units of government;

“(7) demonstrate the capacity to collect required data, track outcomes, and validate those outcomes; and

“(8) any other criteria the Secretaries may require.

“(d) PERIOD OF AVAILABILITY FOR PAY-FOR-SUCCESS PROJECTS.—Funds appropriated to carry out Pay-for-Success projects pursuant to section 199D(2) shall, upon obligation, remain available for disbursement until expended, notwithstanding section 1552 of title 31, United States Code, and, if later deobligated, in whole or in part, be available until expended for additional Pay-for-Success grants under this section.

**“SEC. 199B. BRING JOBS BACK TO AMERICA GRANTS.**

“(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(3), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award grants to State or local governments for job training and recruiting activities that can quickly provided businesses with skilled workers in order to encourage businesses to remain in or relocate to areas served by such governments. The Secretaries shall coordinate with the Secretary of Commerce in carrying out this section.

“(b) PURPOSE AND USE OF FUNDS.—Grants awarded under this section may be used by a State or local government to issue subgrants to eligible entities as designated by the Secretaries, including those described in section 199(b), to assist such eligible entities in providing training necessary to provide skilled workers for businesses that have relocated or are considering relocating operations outside the United States, and may instead relocate to the areas served by such governments.

“(c) APPLICATION.—A State or local government seeking a grant under the program established under subsection (a) shall submit an application to the Secretaries in such manner and containing such information as the Secretaries may require. At a minimum, each application shall include—

“(1) a description of the eligible entity or entities the State or local government proposes to assist in providing job training or recruiting activities;

“(2) a description of the proposed or existing business facility, including the number of jobs relating to such facility and the average wage or salary of those jobs; and

“(3) a description of any other resources that the State has committed to assisting such business in locating such facility, including tax incentives provided, bonding authority exercised, and land granted.

“(d) CRITERIA.—The Secretaries shall award grants to State and local governments that—

“(1) the Secretaries determine are most likely to succeed with a grant under the program in assisting an eligible entity in providing the training necessary to cause a business or businesses to remain in or relocate to areas served by such governments;

“(2) will fund training programs that will result in the greatest number and quality of jobs;

“(3) have committed State or other resources, to the extent of their ability as determined by the Secretaries, to assist a business or businesses to remain in or relocate to areas served by such governments; and

“(4) have met such other criteria as the Secretaries consider appropriate, including

criteria relating to marketing plans, benefits to ongoing regional or State strategies for economic development and job growth.

**“SEC. 199C. GRANTS FOR ENTREPRENEUR AND SMALL BUSINESS STARTUP TRAINING.**

“(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(4), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award competitive grants to eligible entities described in subsection (b) to provide training in starting a small business and entrepreneurship. The Secretaries shall coordinate with the Administrator of the Small Business Administration in carrying out this section including in the development of criteria and selection of proposals.

“(b) ELIGIBLE ENTITY.—

“(1) IN GENERAL.—Entities eligible for a grant under this section are any of the following (or a consortium of any of the following) in partnership with at least one local or regional economic development entity described in paragraph (2):

“(A) a junior or community college (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1085(f)));

“(B) a four-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965) that offers two-year degrees, will use funds provided under this section for activities at the certificate and associate degree levels, and is not reasonably close, as determined by the Secretaries, to a community college;

“(C) a tribal college or university (as defined in section 316(b) of the Higher Education Act); or

“(D) at the discretion of the Secretaries, a private, not-for-profit, two-year institution of higher education in Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

“(2) ADDITIONAL PARTNERSHIPS.—Local or regional economic development entities described in this paragraph are the following:

“(A) Small business development centers.

“(B) Women's business centers.

“(C) Regional innovation clusters.

“(D) Local accelerators or incubators.

“(E) State or local economic development agencies.

“(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit a grant proposal in such manner and containing such information as the Secretaries and the Small Business Administrator shall require. Such information shall include the manner in which entrepreneurship training and education will be provided, the role of partners in such an arrangement, and the manner in which the proposal will integrate and partner with local economic development resources.

“(d) USE OF FUNDS.—Grants awarded under this section shall be used to provide training in entrepreneurship and starting a small business, including through online courses, intensive seminars, and comprehensive courses.

**“SEC. 199D. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated \$8,000,000,000 to carry out this subtitle, of which \$4,000,000,000 is authorized to be appropriated to the Secretary of Labor and \$4,000,000,000 is authorized to be appropriated to the Secretary of Education. Such amounts shall be used to carry out the

programs authorized by this subtitle as follows:

“(1) \$7,000,000,000 is authorized for the program established by section 199;

“(2) \$500,000,000 is authorized for the program established by section 199A;

“(3) \$250,000,000 is authorized for the program established by section 199B;

“(4) \$250,000,000 is authorized for the program established by section 199C; and

“(5) Not more than 5 percent of the amounts authorized under paragraphs (1) through (4) may be used by the Secretaries to administer each respective program, including providing technical assistance and carrying out evaluations.

“(b) PERIOD OF AVAILABILITY.—Except as provided in section 199A(d), the funds appropriated pursuant to subsection (a) shall be available for Federal obligation for the fiscal year for which the funds are appropriated and the succeeding 2 fiscal years.

**“SEC. 199E. INTERAGENCY AGREEMENT.**

“(a) IN GENERAL.—The Secretary of Labor and the Secretary of Education shall jointly develop policies for the administration of this subtitle in accordance with such terms as the Secretaries shall set forth in an interagency agreement. Such interagency agreement, at a minimum, shall include a description of the respective roles and responsibilities of the Secretaries in carrying out this subtitle (both jointly and separately), including—

“(1) how the funds available under this subtitle will be obligated and disbursed and compliance with applicable laws (including regulations) will be ensured, as well as how the grantees will be selected and monitored;

“(2) how evaluations and research will be conducted on the effectiveness of grants awarded under this subtitle in addressing the education and employment needs of workers, and employers;

“(3) how technical assistance will be provided to applicants and grant recipients;

“(4) how information will be disseminated, including through electronic means, on best practices and effective strategies and service delivery models for activities carried out under this subtitle; and

“(5) how policies and processes critical to the successful achievement of the education, training, and employment goals of this subtitle will be established.

“(b) TRANSFER AUTHORITY.—The Secretary of Labor and the Secretary of Education shall have the authority to transfer funds between the Department of Labor and the Department of Education to carry out this subtitle in accordance with the agreement described in subsection (a). The Secretary of Labor and the Secretary of Education shall have the ability to transfer funds to the Secretary of Commerce and the Administrator of the Small Business Administration to carry out sections 199B and 199C, respectively.

“(c) REPORTS.—The Secretary of Labor and the Secretary of Education shall jointly develop and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, describing the activities carried out under this subtitle and the outcomes of such activities.”.

**TITLE II—ADULT EDUCATION AND LITERACY**

**SEC. 201. PURPOSES, DEFINITIONS, AND MISCELLANEOUS PROVISIONS.**

(a) PURPOSE.—Section 202 is amended to read as follows:

**“SEC. 202. PURPOSE.**

“It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

“(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;

“(2) assist adults who are parents to obtain the education and skills that—

“(A) are necessary to becoming full partners in the educational development of their children; and

“(B) lead to sustainable improvements in the economic opportunities for their family;

“(3) assist adults in attaining a secondary school diploma or its equivalent and in the transition to and success in postsecondary education and training, including through career pathways;

“(4) assist immigrants and other individuals who are English language learners in improving their reading, writing, speaking, and comprehension skills in English;

“(5) assist immigrants in acquiring an understanding of the American system of government and the responsibilities of citizenship;

“(6) assist States in expanding a 21st century delivery system for adult education, literacy, and workplace skills services that meet the needs of adults at all skill levels;

“(7) assist adults in developing technology literacy; and

“(8) enable more adults to complete adult education and enter and succeed in postsecondary education and employment.”.

(b) **DEFINITIONS.**—Section 203 is amended—

(1) by amending paragraph (1) to read as follows:

“(1) **ADULT EDUCATION.**—The term ‘adult education’ means academic instruction and services below the postsecondary level that increase an individual’s ability to—

“(A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;

“(B) transition to and success in postsecondary education and training; or

“(C) obtain employment.”;

(2) in paragraph (2), by striking “activities described in section 231(b)” and inserting “programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, workforce preparation activities, or integrated education and training”;

(3) by striking paragraphs (3), (8), (9), (10), (13), (14), and (17) and redesignating paragraphs (4), (7), (11), (12), (15), (16), and (18) as paragraphs (3), (9), (10), (11), (13), (14), and (15), respectively;

(4) in paragraph (3) (as so redesignated), by inserting “activities” after “literacy”;

(5) by inserting after paragraph (3) (as so redesignated) the following:

“(4) **ELIGIBLE INDIVIDUAL.**—The term ‘eligible individual’ means an individual—

“(A) who has attained 16 years of age;

“(B) who is not enrolled or required to be enrolled in secondary school under State law; and

“(C) who—

“(i) is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individuals’ family, or in society;

“(ii) does not have a secondary school diploma or its recognized equivalent, and has

not achieved an equivalent level of education; or

“(iii) is an English language learner.”;

(6) in paragraph (5)—

(A) by striking “means—” and inserting “means an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include—”;

(B) in subparagraphs (B) and (C), by striking “of demonstrated effectiveness” both places it appears;

(C) in subparagraph (H), by striking “literacy services” and all that follows and inserting “adult education and literacy activities to eligible individuals.”;

(D) in subparagraph (I), by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).”;

(7) by amending paragraph (6) to read as follows:

“(6) **ENGLISH LANGUAGE ACQUISITION PROGRAM.**—The term ‘English language acquisition program’ means a program of instruction—

“(A) designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language;

“(B) that may lead to—

“(i) attainment of a secondary school diploma or its recognized equivalent;

“(ii) transition to success in postsecondary education and training; and

“(iii) employment or career advancement; and

“(C) that such programs may be sequential, integrated, or concurrent in nature.”;

(8) by inserting after paragraph (6) the following:

“(7) **ENGLISH LANGUAGE LEARNER.**—The term ‘English language learner’ when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

“(A) whose native language is a language other than English; or

“(B) who lives in a family or community environment where a language other than English is the dominant language.

“(8) **HIGH QUALITY LITERACY INSTRUCTION.**—The term ‘high quality literacy instruction’ means developmentally appropriate, explicit, and systematic instruction that provides students with—

“(A) early development and grade-level mastery of oral language skills, both listening and speaking, phonological awareness, using a wide vocabulary, conventional forms of grammar, and academic language;

“(B) the ability to read regularly spelled words and high-frequency irregularly spelled words and to decode regularly spelled unfamiliar words accurately, using phonemic awareness, print awareness, alphabet knowledge, and knowledge of English spelling patterns;

“(C) the ability to read texts accurately, fluently, and with comprehension, relying on knowledge of the vocabulary in those texts and of the background information that the students possess;

“(D) the ability to read with a purpose and the capacity to differentiate purposes and to select and apply comprehension strategies appropriate to achieving the purpose;

“(E) an understanding of, and ability to adapt to, the varying demands of different genres, formats, and types of texts across the core content areas in order to comprehend

texts of appropriate levels of complexity and content, including texts necessary for mastery of grade-level standards;

“(F) the ability to effectively access, critically evaluate, and appropriately synthesize information from a variety of sources and formats;

“(G) the development and maintenance of a motivation to read and write, as reflected in habits of reading and writing regularly and or discussing one’s reading and writing with others; and

“(H) the ability to write clearly, accurately, and quickly so as to communicate ideas and deepen comprehension, in ways that fit purpose, audience, occasion, discipline, and format; adhere to conventions of spelling and punctuation; and benefit from revision so as to improve clarity, coherence, logical development, and the precise use of language.”;

(9) in paragraph (9)—

(A) in the paragraph heading, by striking “SERVICES” and inserting “ACTIVITIES”;

(B) in the matter preceding subparagraph (A)—

(i) by striking “services” both places it appears and inserting “activities”;

(ii) by striking “changes in a family” and inserting “improvements in the economic prospects for a family and that better enable parents to support their children’s learning needs”;

(C) by striking subparagraph (C) and redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(D) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) Parent adult education and literacy activities that lead to readiness for the attainment of a secondary school diploma or its recognized equivalent postsecondary education or training, employment, career advancement, and economic self-sufficiency.”;

(10) by inserting after paragraph (10) (as so redesignated) the following:

“(11) **INTEGRATED EDUCATION AND TRAINING.**—The term ‘integrated education and training’ means services that provide adult education and literacy activities contextually and concurrently with workforce preparation activities and workforce training for a specific occupation or occupational cluster. Such services may include offering adult education services concurrent with credit-bearing postsecondary education and training, including through co-instruction.

“(12) **INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.**—The term ‘integrated English literacy and civics education’ means an integrated program of educational services for immigrant and other limited English proficient adults, including immigrant professionals with degrees and credentials in their native countries, that enables them to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens. Such programs shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.”;

(11) by amending paragraph (15) (as so redesignated) to read as follows:

“(15) **WORKPLACE ADULT EDUCATION AND LITERACY ACTIVITIES.**—The term ‘workplace adult education and literacy activities’ means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.”; and

(12) by adding at the end the following:

“(16) **WORKFORCE PREPARATION ACTIVITIES.**—The term ‘workforce preparation activities’ means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, working with technology, and skills necessary for successful transition into and completion of postsecondary education or training, or employment.”.

(c) **HOME SCHOOLS.**—Section 204 is amended—

(1) by inserting “whether a home school is treated as a home school or a private school under State law,” after “home schools,”; and

(2) by striking “an English literacy program” and all that follows and inserting “adult education and literacy activities.”.

(d) **RULE OF CONSTRUCTION.**—Title II is further amended by redesignating section 205 as section 206 and inserting after section 204 the following:

**“SEC. 205. RULE OF CONSTRUCTION REGARDING POSTSECONDARY TRANSITION AND CONCURRENT ENROLLMENT ACTIVITIES.**

“Nothing in this title shall be construed to prohibit or discourage the use of funds provided under this title for adult education and literacy activities that help eligible individuals transition to and succeed in postsecondary education, including credit-bearing coursework, and training or employment, or for concurrent enrollment activities.”.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—Section 206 (as so redesignated) is amended—

(1) by inserting “\$1,100,000,000 for fiscal year 2013 and” after “to carry out this title”; and

(2) by striking “of the fiscal years 1999 through 2003” and inserting “succeeding fiscal year”.

(f) **TECHNICAL AMENDMENT.**—Title II is further amended—

(1) by striking subtitle B;

(2) by striking the subtitle A designation; and

(3) by redesignating chapters 1 through 4 as subtitles A through D, respectively.

**SEC. 202. AMENDMENTS TO SUBTITLE A.**

(a) **RESERVATION OF FUNDS, ELIGIBLE AGENCIES, ALLOTMENTS.**—Section 211 is amended—

(1) by amending subsection (a) to read as follows:

“(a) **RESERVATION OF FUNDS.**—From the sum appropriated under section 206 for a fiscal year, the Secretary—

“(1) shall reserve \$250,000,000 to carry out section 242(c)(1)(E);

“(2) shall reserve 1.5 percent to carry out the remainder of section 242, except that the amount so reserved shall not exceed \$15,000,000;

“(3) shall reserve 1.5 percent to carry out section 243, except that the amount so reserved shall not exceed \$12,000,000; and

“(4) shall reserve 12 percent of the amount that remains after reserving funds under paragraphs (1) and (2) to carry out section 244.”.

(2) in subsection (b)—

(A) by striking “section 205” and inserting “section 206”; and

(B) by striking “section 224” and inserting “section 112 or a State unified plan approved under section 113”; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “section 205” and inserting “section 206”;

(ii) by striking “section 224” and inserting “section 112 or a State unified plan approved under section 113”; and

(iii) in subparagraph (A)—

(I) by striking “\$100,000” and inserting “\$250,000”; and

(II) by inserting “except as provided in subsection (e)” after “outlying area”; and

(iv) in subparagraph (B), by striking “\$250,000” and inserting “\$350,000”; and

(B) in paragraph (2), by striking “section 205” and inserting “section 206”;

(4) by amending subsection (f) to read as follows:

“(f) **HOLD-HARMLESS PROVISIONS.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (c), for fiscal year 2011 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.

“(2) **100 PERCENT ALLOTMENT.**—Notwithstanding paragraph (1) of subsection (e), for a fiscal year for which an eligible agency receives only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) the eligible agency shall receive an allotment under this section that is equal to 100 percent of the initial allotment under subsection (c)(1).

“(3) **RATABLE REDUCTION.**—If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraphs (1) and (2), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.”; and

(5) by adding at the end the following:

“(h) **STUDY AND REPORT.**—

“(1) **STUDY.**—The Comptroller General of the United States shall conduct a study concerning the formula described in this section and, in conducting the study, shall, at a minimum—

“(A) examine whether the formula results in a distribution of funds that sufficiently targets the entire population of individuals eligible for adult education and literacy activities under this title;

“(B) examine whether the data used to count qualified adults, for purposes of the formula, accurately identify the population of individuals eligible for the activities; and

“(C) develop recommendations, as necessary, for improving the formula so that the formula results in a distribution of funds that better serves that population and the data used to count qualified adults accurately measure that population.

“(2) **REPORT.**—Not later than 3 years after the date of enactment of the Workforce Investment Act of 2013, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report containing the results of the study described in paragraph (1).”.

(b) **PERFORMANCE ACCOUNTABILITY SYSTEM.**—Section 212 is amended to read as follows:

**“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

“Programs and activities authorized in this title are subject to the performance accountability provisions described in section 136. Additional indicators shall include the following:

“(1) Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, English language acquisition, and other literacy skills.

“(2) Receipt of a secondary school diploma or its equivalent.

“(3) Attainment of an industry-recognized workforce readiness credential or other recognized postsecondary credential, the attainment of which requires skills below the postsecondary level.

“(4) Placement in, retention in, or completion of a postsecondary education or training program.”.

**SEC. 203. AMENDMENTS TO SUBTITLE B.**

(a) **STATE ADMINISTRATION.**—Section 221 is amended—

(1) in paragraph (1), by striking “submission, and implementation of the State plan” and inserting “implementation, and monitoring of the relevant components of the State unified plan in section 112 or the State unified plan in section 113”.

(b) **STATE DISTRIBUTION AND MATCHING REQUIREMENT.**—Section 222 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “this subtitle” and inserting “section 211(b)”;

(B) in paragraph (1)—

(i) by striking “82.5 percent” and inserting “80 percent”;

(ii) by striking “10 percent” and inserting “not less than 10 percent”; and

(iii) by striking “of the 82.5 percent”;

(C) in paragraph (2), by striking “12.5 percent” and inserting “15 percent”; and

(D) in paragraph (3), by striking “\$65,000” and inserting “\$75,000”; and

(2) in subsection (b)(1), by striking “equal to—” and inserting “that is not less than—”.

(c) **STATE LEADERSHIP ACTIVITIES.**—Section 223 is amended by amending subsection (a) to read as follows:

“(a) **ACTIVITIES.**—

“(1) **REQUIRED.**—Each eligible agency shall use funds made available under section 222(a)(2) and from other funds available to the State for such purposes, for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

“(A) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 112 or the State unified plan under section 113, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

“(B) The establishment or operation of high-quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading, writing, and numeracy instruction and instruction for English language learners as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

“(C) The provision of technical assistance to eligible providers of adult education and literacy activities, including technical assistance in—

“(i) the development and dissemination of instructional and programmatic practices based on available evidence-based research, where appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

“(ii) the role of eligible providers as a one-stop partner in providing access to employment, education, and training services;



“(iii) the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies;

“(iv) the development of content and models for career pathways, including integrated education and training, career bridge programs or instruction, and postsecondary transition activities; and

“(v) the acquisition and implementation of technology tools, applications, and other resources that will—

“(I) help in enhancing or redesigning adult education, literacy, and workplace skills curricula to improve technology literacy for adult learners;

“(II) facilitate assessments for data analysis to enable individualized instruction; and

“(III) be employed in professional development activities.

“(D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

“(E) The assessment of the quality of the adult education teacher workforce in the State, which shall include taking actions to improve that quality, including by establishing a requirement that all paid professionals have at least a bachelor's degree and that volunteers be required to be supervised or supported by a paid professional with a bachelor's degree, and through such actions as working in partnership with colleges and universities to improve the quality of adult education teacher preparation and increase access to high-quality preparation programs.

“(F) The development of rigorous content standards and aligned assessments for their adult education programs that reflect accepted standards for college- and career-readiness that are aligned with the college- and career-ready standards the State develops and implements in compliance with section 14006(d)(4) of the American Recovery and Reinvestment Act of 2009.

“(2) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

“(A) The support of State or regional networks of literacy resource centers.

“(B) The development and implementation of technology applications, including online and on-air educational digital content, translation technology, or distance education, including professional development to support the use of instructional technology.

“(C) The development and dissemination of curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

“(D) The dissemination of content and models for integrated education and training and career pathways, including the provision of technical assistance to eligible providers in the State administering such programs.

“(E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 136(b)(3).

“(F) The provision of assistance to eligible providers in the development of new data management systems required by the performance accountability system described in section 136(b).

“(G) The development and implementation of a system to assist in the transition from

adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

“(H) The integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

“(I) Activities to promote workplace adult education and literacy activities.

“(J) Activities to promote and complement local outreach initiatives described in section 243(b)(3)(G).

“(K) In cooperation with efforts funded under sections 242 and 243, development and piloting of—

“(i) promising and proven assessment tools and strategies that—

“(I) are based on evidence-based research, where available and appropriate; and

“(II) identify the needs and capture the gains of students at all levels, with particular emphasis on—

“(aa) students at the lowest achievement level;

“(bb) students who are English language learners; and

“(cc) adults with learning disabilities;

“(ii) strategies for improving teacher quality and retention;

“(iii) assistance in converting evidence-based research into practice; and

“(iv) strategies in the use of technology, including online and on-air educational digital content to improve technology literacy for adult learners.

“(L) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities who are English language learners.

“(M) Family literacy activities that promote adult education and help parents become their child's first teacher.

“(N) Support for recruitment and outreach for instructors, students, and employers.

“(O) Other activities of statewide significance that promote the purpose of this title.

“(3) DIGITAL LEARNING.—Each eligible agency may reserve up to 10 percent of the funds made available under section (222)(a)(2) for grants to an entity that owns and operates a television public broadcast station, as defined in section 397(6) of the Communications Act of 1934 (47 U.S.C. 397(6)) (including a partnership of such entities), in partnership with an eligible agency, State Board described in section 111, or institution of higher education to develop, disseminate, and provide online and on-air education and training services for adults, including:

“(A) the development, training and use of innovative, high-quality tools, products, and educational digital content and services for—

“(i) adult education and literacy, GED preparation, workforce training, and related outreach (including community and family) services;

“(ii) professional development; and

“(iii) English language education and services for non-English speakers;

“(B) the development and implementation of technology applications, including online and on-air education digital content, translation technology, or distance education, including professional development to support the use of instructional technology; and

“(C) developing and piloting strategies in the use of technology through online and on-air educational digital content, including to improve technology literacy for adult learners.”

(d) STATE PLAN.—Section 224 is amended to read as follows:

#### “SEC. 224. STATE PLAN.

“Each State desiring to receive funds under this title for any fiscal year shall submit and have approved by the Secretary and the Secretary of Labor a State plan in accordance with section 112 or a State unified plan in accordance with section 113.”

(e) PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.—Section 225 is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “basic education” and inserting “adult education and literacy activities”;

(B) in paragraph (2), by striking “education programs” and inserting “education,”; and

(C) by striking paragraphs (3) and (4) and inserting the following:

“(3) secondary school credit;

“(4) integrated education and training;

“(5) career pathways;

“(6) concurrent enrollment;

“(7) postsecondary correctional education linked to employment;

“(8) peer tutoring; and

“(9) transition to re-entry initiatives and other post-release services with the goal of reducing recidivism.”; and

(2) by striking subsection (d) and inserting the following:

“(d) REPORT.—In addition to any report required under section 136, each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 136, of the eligible agency with respect to the programs and activities carried out under this section, including the rate of recidivism for the criminal offenders served.

“(e) DEFINITIONS.—In this section:

“(1) CORRECTIONAL INSTITUTION.—The term ‘correctional institution’ means any—

“(A) prison;

“(B) jail;

“(C) reformatory;

“(D) work farm;

“(E) detention center; or

“(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

“(2) CRIMINAL OFFENDER.—The term ‘criminal offender’ means any individual who is charged with or convicted of any criminal offense.”

#### SEC. 204. AMENDMENTS TO SUBTITLE C.

(a) GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.—Section 231 is amended—

(1) in subsection (b), by striking “one or more programs that provide” and all that follows and inserting “programs that provide adult education and literacy activities, programs that provide such activities concurrently with postsecondary education or training or employment activities, and credit-bearing postsecondary coursework.”;

(2) in subsection (c)—

(A) by striking “Each eligible” and inserting:

“(1) IN GENERAL.—Each eligible”;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(C) in subparagraph (A) (as so redesignated), by inserting “and compete” after “apply”; and

(D) by adding at the end the following:

“(2) GAO STUDY.—Not later than the second program year following the date of enactment of the , the Comptroller General shall conduct a study to determine how the



provisions of paragraph (1) have been implemented and whether such provisions accomplished the purposes of such paragraph.”;

(3) in subsection (d)—

(A) by striking “section 203(1)” and inserting “section 203(4)”;

(B) by striking “other than adult education activities” and inserting “other than activities for eligible individuals”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “will establish measurable goals for participant outcomes” and insert “would be responsive to—

“(A) regional needs as identified in the local plan under section 118; and

“(B) serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals—

“(i) who have low levels of literacy skills;

“(ii) who have learning disabilities; or

“(iii) who are English language learners.”;

(B) by amending paragraphs (2) through (8) to read as follows:

“(2) capacity, including past effectiveness in improving the English language, reading, and mathematic skills of eligible individuals of the eligible provider, to meet and exceed State-adjusted levels of performance for the primary indicators of performance described in section 136 for eligible individuals, especially with respect to eligible individuals who have low levels of literacy;

“(3) the extent to which the eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan under section 118, as well as with the activities and services of the one-stop partners;

“(4) whether the eligible provider’s program uses instructional practices that include the essential components of reading instruction;

“(5) whether the eligible provider’s activities are built on a strong foundation of evidence-based research on available and effective educational practices;

“(6) whether the eligible provider’s activities effectively employ advances in technology and delivery systems, including distance education;

“(7) whether the eligible provider’s activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and success in completing postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and exercise the rights and responsibilities of citizenship;

“(8) whether the eligible provider’s activities are delivered by instructors, counselors, and administrators who meet minimum qualifications established by the State, and who have access to professional development, including through electronic means.”;

(C) in paragraph (9)—

(i) by inserting “eligible provider’s” after “whether the”;

(ii) by inserting “education, training, and social service” after “other available”;

(iii) by inserting “local workforce investment boards,” after “postsecondary educational institutions,”; and

(iv) by inserting “, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways,” before the semicolon;

(D) in paragraph (10)—

(i) by inserting “eligible provider’s” after “whether the”;

(ii) by inserting “coordination with Federal, State, and local” after “schedules and”;

and

(iii) by striking “and transportation” and inserting “transportation, mental health services, and career planning”;

(E) by striking paragraphs (11) and (12) and inserting the following:

“(11) the capacity of the eligible provider to provide integrated education and training;

“(12) whether the eligible provider maintains an information management system that has the capacity to report measurable participant outcomes (consistent with section 136) and monitor program performance;

“(13) the capacity of the eligible provider to offer or connect individuals with career pathways that will lead to economic self-sufficiency;

“(14) whether the local areas in which the eligible provider is located have demonstrated need for additional English language acquisition programs, integrated English literacy, and civics education programs; and

“(15) the capacity of the eligible provider to serve eligible individuals with disabilities, including individuals with learning disabilities.”.

(b) LOCAL APPLICATION.—Section 232 is amended—

(1) in the matter preceding paragraph (1), by striking “under this subtitle” and inserting “from an eligible agency”;

(2) in paragraph (1), by striking “; and” and inserting “consistent with the requirements of this title.”; and

(3) by striking the period at the end of paragraph (2) and inserting a semicolon, and after such paragraph inserting the following:

“(3) a description of how the eligible provider will provide services in alignment with the local plan under section 118, including how such provider will promote concurrent enrollment in programs and activities under titles I and II, as appropriate, to assist eligible individuals in accessing and succeeding in postsecondary education and job training services and how such provider will promote access to career pathways;

“(4) a description of how the eligible provider will meet the State adjusted levels of performance described in section 136(b)(3), including how such provider will collect data to report on such performance indicators;

“(5) a description of how the eligible provider will fulfill one-stop partner responsibilities as described in section 121(b)(1)(A), as appropriate;

“(6) a description of how the eligible provider will provide services in a manner that meets the needs of eligible individuals; and

“(7) information that addresses the considerations described under section 231(e), as applicable.”.

(c) LOCAL ADMINISTRATIVE COST LIMITS.—Section 233 is amended—

(1) in subsection (a)(2), by striking “personnel development and interagency coordination” and inserting “(including carrying out the requirements of section 136), professional development, and the activities described in paragraphs (3) and (5) of section 232”;

(2) in subsection (b), by striking “adequate planning, administration, personnel development, and interagency coordination” and inserting “the eligible provider to carry out the activities described in subsection (a)(2)”.

#### SEC. 205. AMENDMENTS TO SUBTITLE D.

(a) ADMINISTRATIVE PROVISIONS.—Section 241(b) is amended—

(1) in paragraph (1)(A), by striking “adult education and literacy activities” and inserting “activities under this title”;

(2) in paragraph (4), by striking “1 fiscal year only” and inserting “not more than 1 fiscal year”.

(b) NATIONAL INSTITUTE FOR ADULT EDUCATION AND LITERACY.—Section 242 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “Adult Education and” after “Institute for”;

(B) in paragraph (1), by striking “literacy” and inserting “effective adult education and literacy activities for adults and families, including the identification of research topics”;

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

“(2) supports the development and replication of promising and proven approaches to adult education and literacy activities and programs of demonstrated effectiveness”;

(D) in paragraph (3) (as so redesignated), by striking “literacy” and inserting “and disseminates information on adult education and literacy activities,”; and

(E) in paragraph (4) (as so redesignated), by striking “programs by—” and all that follows through subparagraph (A) and inserting “activities by—

“(A) providing advice on the efforts of the Department of Education, Department of Labor, and the Department of Health and Human Services and other relevant agencies to achieve the goals of adult education and literacy programs and programs consistent with title I, within and across such agencies;

“(B) coordinating and participating in the Federal effort to identify, produce, and disseminate information on adult education and literacy activities that are derived from available evidence-based research and effective programs that serve adults and families, including individuals with learning disabilities; and

“(C) providing current information annually on effective practices and research in adult education and literacy activities to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and the relevant Federal agencies.”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “Adult Education and” after “Institute for”;

(B) in paragraph (2), by striking “separate” and inserting “independent”;

(3) by amending subsection (c) to read as follows:

“(c) DUTIES.—

“(1) IN GENERAL.—In order to reinforce and support the alignment of activities and programs consistent with provisions under title I, the Institute is authorized—

“(A) to maintain a national electronic database of information that disseminates information to the broadest possible audience within the adult education and literacy field, and that includes—

“(i) best practices and research regarding the provision of adult education and literacy activities, including instruction in the essential components of reading instruction, integrated education and training, and the integration of English literacy and civics education;

“(ii) public and private adult education and literacy activities and programs, and Federal, State, and local policies, affecting the provision of adult education and literacy activities at the national, State, and local levels;

“(iii) opportunities for technical assistance, meetings, conferences, and other opportunities that lead to the improvement of adult education and literacy activities;

“(iv) a list of eligible providers; and

“(v) best practices in reading research, numeracy instruction, and service to English language learners;

“(B) to coordinate the support of promising and proven research, as defined by the Institute of Education Sciences, and development on adult education and literacy activities for adults and for employers across Federal agencies, and to carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;

“(C) to provide policy and technical assistance to Federal, State, and local entities for the improvement of policy and programs relating to adult education and literacy activities;

“(D) to fund a network of State or regional adult education and literacy resource centers to assist State eligible agencies, eligible providers, and private nonprofit efforts to improve adult education and literacy activities by—

“(i) encouraging the coordination of adult education and literacy activities;

“(ii) enhancing the capacity of State eligible agencies and eligible providers to deliver adult education and literacy activities; and

“(iii) serving as a link between the Institute and eligible providers of adult education and literacy activities for the purpose of sharing information, data, research, expertise, and literacy resources, and for soliciting research needs;

“(E) to establish and maintain a national adult learning and technology resource center to—

“(i) develop frameworks for technology-based learning and professional development materials for adult education, literacy, and workplace skills;

“(ii) support distance education for professional development for eligible entities and eligible providers of adult education, literacy, and workplace skills services;

“(iii) coordinate and share information on the innovative uses of technology, such as the use of assistive technology to deliver digital content to adult learners; and

“(iv) be accessible to the public through the website of the center;

“(F) to advise Congress and Federal departments and agencies regarding the development of policy with respect to adult education and literacy activities;

“(G) to undertake other activities that lead to the improvement of the Nation's adult education and literacy delivery system and that complement other such efforts being undertaken by public and private agencies and organizations, including activities that relate to the acquisition of skills in reading, writing, English language acquisition, and mathematics;

“(H) to assist States that are pursuing the implementation of standards-based educational improvements and related standards-based assessment instruments for eligible providers through the dissemination of training, technical assistance, and related support; and

“(I) to develop and disseminate best practices on the education, training, professional development, certification, and credentialing of adult education instructors, including how the use of technology can contribute to such efforts.

“(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Institute may award competitive grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute.

“(3) COORDINATION.—In identifying and supporting promising and proven research the Institute shall use standards for research quality that are consistent with those of the Institute of Education Sciences.”;

(4) in subsection (d)(1), by striking “research, or innovation” and inserting “or research”;

(5) in subsection (e)—

(A) in the subsection heading, by inserting “ADULT EDUCATION AND” after “INSTITUTE FOR”;

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting “Adult Education and” after “Institute for”;

(ii) in subparagraph (B)(i)—

(I) by inserting “adult education and” after “organizations and providers of”; and

(II) by striking “English literacy” and inserting “English language acquisition”;

(iii) in subparagraph (B)(ii), by striking “literacy programs” and inserting “or have participated in or partnered with workplace adult education and literacy activities”;

(iv) in subparagraph (B)(iii), by striking “literacy” both places it appears and inserting “adult education and literacy”;

(v) in subparagraph (B)(iv), by inserting “adult education and literacy research, including adult” after “area of”;

(vi) in subparagraph (B)(vi), by striking “and”;

(vii) in subparagraph (B)(vii), by striking the period and inserting “; and”; and

(viii) by adding at the end the following:

“(viii) institutions of higher education or postsecondary educational institutions.”;

(C) in paragraph (2)—

(i) in subparagraph (B), by striking “and”;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(D) review the biennial report submitted to Congress pursuant to subsection (k).”; and

(D) in paragraph (5)—

(i) by striking “Any” and inserting “A”;

and

(ii) by inserting “at a meeting for which there is a quorum” before the period;

(6) in subsection (k)—

(A) in the matter preceding paragraph (1)—

(i) by striking “The” and inserting “; and”;

(ii) by striking “Committee on Labor and Human Resources of the Senate” and inserting “Committee on Health, Education, Labor and Pensions of the Senate and the relevant agencies”;

(B) in paragraph (1), by inserting “adult education and” after “field of”; and

(C) in paragraph (2), by striking “adult education and” after “goals of the”; and

(7) by adding at the end the following:

“(m) NATIONAL INSTITUTE FOR LITERACY.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to—

“(1) the head of the National Institute for Literacy shall be treated as a reference to the head of the National Institute for Adult Education and Literacy; and

“(2) the National Institute for Literacy shall be treated as a reference to the National Institute for Adult Education and Literacy.”.

(c) NATIONAL LEADERSHIP ACTIVITIES.—Section 243 is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “The Secretary” and inserting:

“(a) IN GENERAL.—The Secretary”;

(B) by inserting “and outcomes” after “the quality”;

(C) by striking “programs” and inserting “activities and programs”; and

(D) by striking “Such activities may include the following:” and inserting:

“(b) ALLOWABLE ACTIVITIES.—The national leadership activities described in subsection (a) may include the following:”;

(2) in paragraph (1)—

(A) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively and inserting before subparagraph (B) (as so redesignated) the following:

“(A) assistance to help States meet the requirements of section 136.”;

(B) in subparagraph (B) (as so redesignated)—

(i) by striking “developing and using performance measures” and inserting “using performance accountability measures based on indicators described in section 136, and data systems”; and

(ii) by striking “, including family literacy services”;

(C) in subparagraph (C) (as so redesignated), by striking “including family literacy services” and all that follows and inserting “utilizing evidence-based research where available.”;

(D) in subparagraph (D) (as so redesignated)—

(i) by striking “learning” and inserting “education”; and

(ii) by striking the period and inserting the following: “, including through the use of instructional models that blend in-person and online instruction; and”; and

(E) by adding at the end the following:

“(E) assistance in the development and dissemination of promising and proven models for addressing the digital literacy needs of adults, including older adults.”;

(3) by redesignating paragraph (2) as paragraph (3), and inserting after paragraph (1) the following:

“(2) A program of grants, contracts, or cooperative agreements awarded on a competitive basis to national, regional, or local networks of private nonprofit organizations, public libraries, or institutions of higher education to build the capacity of such networks’ members to—

“(A) meet the performance requirements, described in section 136, of eligible providers under this title; and

“(B) involve eligible individuals in program improvement.”; and

(4) in paragraph (3) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by inserting “institutions of higher education,” after “postsecondary educational institutions.”;

(B) in subparagraph (A), by striking “phonemic awareness” and all that follows through “reading comprehension” and inserting “the essential components of reading instruction”;

(C) in subparagraph (B), by striking “, including family literacy services”;

(D) in subparagraph (C), by striking “research, such as” and inserting: “research, including evidence-based research where available, on national literacy basic skill acquisition for adult learning, including”;

(E) in subparagraph (D)—

(i) in clause (i), by striking the semicolon and inserting “, which may include programs that—

“(I) accelerate learning outcomes for eligible individuals with the lowest literacy levels;

“(II) promote career pathways for eligible individuals;

“(III) promote concurrent enrollment programs in adult education and credit bearing postsecondary coursework; and

“(IV) develop high-quality professional development activities for eligible providers;”;

and

(i) in clause (ii), by striking “such as the development” and all that follows and inserting “such as—

“(I) programs for skill certification;

“(II) the identification of effective strategies for working with adults with learning disabilities and with adults who are English language learners;

“(III) integrated education and training programs;

“(IV) programs providing adult education and literacy activities coordinated with employment services;

“(V) family literacy activities that promote adult education and help parents become their child’s first teacher; and

“(VI) postsecondary education and training transition programs;”;

(F) in subparagraph (E)—

(i) in the matter preceding clause (i), by striking “through studies and analyses conducted independently;”;

(ii) in clause (i)—

(I) by inserting “accountability” after “performance”;

(II) by inserting “, including interim measures connected to increasing advancement along a career pathway,” after “measures of accountability”; and

(III) by striking “, including family literacy services”;

(iii) in clause (ii)—

(I) by striking “including family literacy services”; and

(II) by striking “adults (and of children)” and all that follows through “in such activities” and inserting “eligible individuals, lead”;

(iv) in clause (iii)—

(I) by striking “adults” and inserting “eligible individuals”;

(II) by striking “family”; and

(III) by striking “programs” and inserting “activities”; and

(v) in clause (iv), by striking “eligible agencies have distributed” and all that follows and inserting “different types of providers measurably improve the skills of eligible individuals in adult education and literacy activities;”;

(G) by redesignating subparagraphs (F), (G) and (H) as subparagraphs (G), (H), and (K), respectively;

(H) by inserting after subparagraph (E) the following:

“(F) carrying out research on the relationship between instructional quality, including education levels, certification status, and experience of instructors, and the performance outcomes of eligible providers consistent with section 136;”;

(I) in subparagraph (G) (as so redesignated)—

(i) by inserting “of programs” after “building”; and

(ii) by striking “subtitle” and inserting “title”; and

(J) in subparagraph (H) (as so redesignated), by striking “; and” and inserting a semicolon and inserting after such subparagraph the following:

“(I) supporting the development of an entity that would produce and distribute tech-

nology-based programs and materials for adult education and literacy activities using an interconnection system (as defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397)) and expand the effective outreach and use of such programs and materials to eligible providers;

“(J) determining how participation in adult education and literacy activities prepares eligible individuals for entry into postsecondary education and employment and, in the case of programs carried out in correctional institutions, has an effect on recidivism; and”;

(d) **INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.**—Subtitle D, as redesignated by section 201(f), is further amended by adding after section 243 the following new section:

**“SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.**

“(a) **IN GENERAL.**—From funds made available under section 211(a)(1)(C) for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education.

“(b) **ALLOTMENT.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), from amounts made available under section 211(a)(1)(C) for a fiscal year, the Secretary shall allocate—

“(A) 65 percent to the States on the basis of a State’s need for integrated English literacy and civics education, as determined by calculating each State’s share of a 10-year average of the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and

“(B) 35 percent to the States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.

“(2) **MINIMUM.**—No State shall receive an allotment under paragraph (1) in an amount that is less than \$60,000.

“(c) **STUDY TO DETERMINE CONTINUED NEED.**—Not later than 2 years after the date of the enactment of the Workforce Investment Act of 2012 and every 2 years thereafter, the Secretaries of Education, Labor, and Homeland Security shall submit a report to Congress about the English-language instruction needs of adult immigrants. It shall include changes in national, State and county-level approaches and requirements in English-language instruction; data on the composition of recent immigration flows and immigrant settlement patterns across States; and estimated instructional needs based on the English ability and educational attainment of recent immigrants from top immigrant-sending countries. Such study shall be commissioned by the Institute of Education Sciences, with its design conducted in collaboration with the Departments of Labor and Homeland Security.”.

**TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT**

**SEC. 301. EMPLOYMENT SERVICE OFFICES.**

Section 1 of the Wagner-Peyser Act (29 U.S.C. 49) is amended by inserting “service” before “offices”.

**SEC. 302. DEFINITIONS.**

Section 2 of the Wagner-Peyser Act (29 U.S.C. 49a) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by inserting after paragraph (1) the following:

“(2) the term ‘employment service office’ means a local office of a State agency;”;

(3) in paragraph (3) (as so redesignated)—

(A) by striking “investment board” each place it appears and inserting “development board”; and

(B) by striking “of 1998” and inserting “of 2011”;

(4) in paragraph (4) (as so redesignated)—

(A) by striking “134(c)” and inserting “221(e)”; and

(B) by striking “1998” and inserting “2011”;

(5) in paragraph (6) (as so redesignated), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

“(7) except in section 15, the term ‘State agency’, used without further description, means an agency designated or authorized under section 4; and

“(8) the term ‘workplace learning advisor’, has the meaning given the terms in section 101 of the Workforce Investment Act of 1998.”.

**SEC. 303. FEDERAL AND STATE EMPLOYMENT SERVICE OFFICES.**

(a) **COORDINATION.**—Section 3(a) of the Wagner-Peyser Act (29 U.S.C. 49b(a)) is amended by striking “services” and inserting “service offices”.

(b) **PUBLIC LABOR EXCHANGE SERVICES SYSTEM.**—Section 3(c)(2) of the Wagner-Peyser Act (29 U.S.C. 49b(c)(2)) is amended by inserting “, and identify and disseminate information on best practices for such system” before the semicolon.

(c) **ONE-STOP CENTERS.**—Section 3 of the Wagner-Peyser Act (29 U.S.C. 49b) is amended by inserting after subsection (c) the following:

“(d) In order to improve service delivery, avoid duplication of services, and enhance coordination of services, the employment service offices in each State and the one-stop centers shall be collocated to the extent practicable.

“(e) The Secretary, in consultation with States, is authorized to assist the States in the development of national electronic tools that may be used to improve access to workforce information for individuals through—

“(1) the one-stop delivery systems established as described in section 121(e) of the Workforce Investment Act of 2012; and

“(2) such other delivery systems as the Secretary determines to be appropriate.”.

**SEC. 304. ALLOTMENT OF SUMS.**

Section 6 of the Wagner-Peyser Act (29 U.S.C. 49e) is amended—

(1) in subsection (a)—

(A) by striking “From” and inserting “After making the reservation required by subsection (c), from”; and

(B) by striking “amounts appropriated pursuant to section 5” and inserting “funds appropriated and (except for Guam) certified under section 5 and made available for allotments under this section”; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting before “the Secretary” the following “after making the allotments required by subsection (a),”; and

(ii) by striking “sums” and all that follows through “this Act” and inserting “funds described in subsection (a)”;

(B) in each of subparagraphs (A) and (B), by striking “sums” and inserting “remainder”; and

(C) by adding at the end the following: “For purposes of this paragraph, the term

'State' does not include Guam or the Virgin Islands.'.

#### SEC. 305. USE OF SUMS.

(a) RESOURCES FOR UNEMPLOYMENT INSURANCE CLAIMANTS.—Section 7(a)(3) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(3)) is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(3) by inserting after subparagraph (F) the following:

“(G) providing unemployment insurance claimants and other unemployed individuals with referrals to, and application assistance for, training and education resources and programs, including Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), educational assistance under chapter 30 of title 38, United States Code (commonly referred to as the Montgomery GI Bill), and chapter 33 of that title (Post-9/11 Veterans Educational Assistance), student assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), State student higher education assistance, and training and education programs provided under titles I and II of the Workforce Investment Act of 2012, and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).”.

(b) STATE ACTIVITIES.—Section 7(b) of the Wagner-Peyser Act (29 U.S.C. 49f(b)) is amended—

(1) in paragraph (1), by striking “performance standards established by the Secretary” and inserting “the performance accountability measures that are based on indicators described in section 136(b)(2)(A)(i) of the Workforce Investment Act of 2012”; and

(2) in paragraph (2), by inserting “offices” after “employment service”.

(c) PROVIDING ADDITIONAL FUNDS.—Section 7(c)(2) of the Wagner-Peyser Act (29 U.S.C. 49f(c)(2)) is amended by striking “1998” and inserting “2011”.

(d) OTHER SERVICES AND ACTIVITIES.—Section 7(d) of the Wagner-Peyser Act (29 U.S.C. 49f(d)) is amended by striking “1998” and inserting “2011”.

(e) CONFORMING AMENDMENT.—Section 7(e) of the Wagner-Peyser Act (29 U.S.C. 49f(e)) is amended by striking “labor employment statistics” and inserting “labor market information”.

#### SEC. 306. STATE PLAN.

Section 8 of the Wagner-Peyser Act (29 U.S.C. 49g) is amended to read as follows:

“SEC. 8. Any State desiring to receive assistance under section 6 shall prepare and submit to, and have approved by, the Secretary and the Secretary of Education, a State plan in accordance with section 112 or 113 of the Workforce Investment Act of 2011.”.

#### SEC. 307. PERFORMANCE ACCOUNTABILITY MEASURES.

Section 13(a) of the Wagner-Peyser Act (29 U.S.C. 49l(a)) is amended to read as follows:

“(a) The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 136(b)(2)(A)(i) of the Workforce Investment Act of 2011.”.

#### SEC. 308. PILOT PROJECTS.

The Wagner-Peyser Act is amended by inserting after section 13 (29 U.S.C. 49l) the following:

##### “SEC. 13A. PILOT PROJECTS.

“(a) GRANTS.—From funds appropriated under subsection (f), the Secretary, in con-

sultation with the Secretary of Education, shall establish and carry out a pilot program. In carrying out the program, the Secretary shall annually make grants, on a competitive basis, to State agencies to cooperate in the administration of this Act by carrying out pilot projects that enhance the professional development and provision of services by the staff of such State agencies.

“(b) USE OF FUNDS.—Funds made available under this section may be used to enable a State agency to—

“(1) make available a broad range of career guidance services, including career planning, aptitude and interest assessments, provision of labor market information, job placement services, and evaluations of the outcomes for recipients of such services;

“(2) strengthen the capacity of the State agency to identify job openings through the use of technology, and through intensive outreach to small- and medium-size employers while using and enhancing the business and employer services authorized under this Act;

“(3) provide professional development and career advancement opportunities for staff of a State agency in order to upgrade their skills and competencies in the provision of career development activities, employer outreach, job placement, and other services authorized under this Act, including upgrading those skills and competencies through the training of such staff to improve their knowledge of, and ability to effectively interact with, staff and programs of one-stop partners and other entities administering workforce development programs;

“(4) identify and implement strategies for State agency staff to provide technical assistance and training to assist other providers of workforce development activities, including workplace learning advisors, in providing counseling and employment-related services to workers and job seekers, and employers; and

“(5) identify and implement new strategies for integrating counseling and technology to enhance the provision of employment-related services under this Act.

“(c) APPLICATIONS.—A State agency that seeks a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) PRIORITY.—In awarding grants under this section, the Secretary, in consultation with the Secretary of Education, shall—

“(1) give priority to a State agency that—

“(A) demonstrates participation by employees of the agency and their organized representatives in the planning of the proposed pilot project;

“(B) demonstrates participation by the employees, or provides an assurance that the employees will participate, in the implementation of the pilot project; and

“(C) demonstrates that the State agency has established a partnership, or provides an assurance that the agency will establish a partnership, with a relevant professional organization, or with an institution of higher education; and

“(2) ensure geographic diversity and diversity with respect to the population density of the States in which projects under this section will be carried out.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.”.

#### SEC. 309. LABOR MARKET INFORMATION SYSTEM.

(a) HEADING.—The section heading for section 15 of the Wagner-Peyser Act (29 U.S.C.

49l-2) is amended by striking “EMPLOYMENT STATISTICS” and inserting “LABOR MARKET INFORMATION SYSTEM”.

(b) NAME OF SYSTEM.—Section 15(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49l-2(a)(1)) is amended by striking “employment statistics system of employment statistics” and inserting “labor market information system”.

(c) SYSTEM RESPONSIBILITIES.—Section 15(b) of the Wagner-Peyser Act (29 U.S.C. 49l-2(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—

“(A) STRUCTURE.—The labor market information system described in subsection (a) shall be evaluated and improved by the Secretary, in consultation with the Workforce Information Advisory Council established in subsection (d).

“(B) GRANTS AND RESPONSIBILITIES.—

“(i) IN GENERAL.—The Secretary shall carry out the provisions of this section in a timely manner, through grants to or agreements with States.

“(ii) DISTRIBUTION OF FUNDS.—Using amounts appropriated under subsection (g), the Secretary shall provide funds through those grants and agreements. In distributing the funds (relating to labor market information funding) for fiscal years 2013 through 2017, the Secretary shall continue to distribute the funds to States in the manner in which the Secretary distributed funds to the States under this section for fiscal years 2004 through 2008.”; and

(2) by striking paragraph (2) and inserting the following:

“(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of labor market information for the system, shall carry out the following duties:

“(A) Assign responsibilities within the Department of Labor for elements of the labor market information system described in subsection (a) to ensure that the statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions, and that the information is accessible and understandable to users of such data.

“(B) Actively seek the cooperation of heads of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

“(C) Solicit, receive, and evaluate the recommendations from the Workforce Information Advisory Council established in subsection (d) concerning the evaluation and improvement of the labor market information system described in subsection (a) and respond in writing to the Council regarding the recommendations.

“(D) Through the Bureau of Labor Statistics and the Employment and Training Administration, and in collaboration with States, develop and maintain the elements of the labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

“(E) Establish procedures for the system to ensure that—

“(i) such data and information are timely; and

“(ii) paperwork and reporting for the system are reduced to a minimum.”.

(d) TWO-YEAR PLAN.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 49l-2) is

amended by striking subsection (c) and inserting the following:

“(c) **TWO-YEAR PLAN.**—The Secretary, acting through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, and in consultation with the Workforce Information Advisory Council described in subsection (d) and heads of other appropriate Federal agencies, shall prepare a 2-year plan for the labor market information system. The plan shall be developed and implemented in a manner that takes into account the activities described in State plans submitted by States under section 112 or 113 of the Workforce Investment Act of 2012 and shall be submitted to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. The plan shall include—

“(1) a description of how the Secretary will work with the States to manage the nationwide labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system;

“(2) a description of the steps to be taken in the following 2 years to carry out the duties described in subsection (b)(2);

“(3) an evaluation of the performance of the system, with particular attention to the improvements needed at the State and local levels;

“(4) a description of the involvement of States in the development of the plan, through consultation by the Secretary with the Workforce Information Advisory Council in accordance with subsection (d); and

“(5) a description of the written recommendations received from the Workforce Information Advisory Council established under subsection (d), and the extent to which those recommendations were incorporated into the plan.”

(e) **WORKFORCE INFORMATION ADVISORY COUNCIL.**—Section 15 of the Wagner-Peyser Act (29 U.S.C. 491–2) is amended by striking subsection (d) and inserting the following:

“(d) **WORKFORCE INFORMATION ADVISORY COUNCIL.**—

“(1) **IN GENERAL.**—The Secretary, through the Commissioner of Labor Statistics and the Assistant Secretary of Labor for Employment and Training, shall formally consult at least twice annually with the Workforce Information Advisory Council established in accordance with paragraph (2). Such consultations shall address the evaluation and improvement of the nationwide labor market information system described in subsection (a) and the statewide labor market information systems that comprise the nationwide system and how the Department of Labor and the States will cooperate in the management of such systems. The Council shall provide written recommendations to the Secretary concerning the evaluation and improvement of the nationwide system, including any recommendations regarding the 2-year plan described in subsection (c).

“(2) **ESTABLISHMENT OF COUNCIL.**—

“(A) **ESTABLISHMENT.**—The Secretary shall establish an advisory council that shall be known as the Workforce Information Advisory Council (referred to in this section as the ‘Council’) to participate in the consultations and provide the recommendations described in paragraph (1).

“(B) **MEMBERSHIP.**—The Secretary shall appoint the members of the Council, which shall consist of—

“(i) 4 members who are representatives of lead State agencies with responsibility for

workforce investment activities, or State agencies described in section 4, who have been nominated by such agencies or by a national organization that represents such agencies;

“(ii) 4 members who are representatives of the State labor market information directors affiliated with the State agencies that perform the duties described in subsection (e)(2), who have been nominated by the directors;

“(iii) 1 member who is a representative of providers of training services under section 122 of the Workforce Investment Act of 2012;

“(iv) 1 member who is a representative of economic development entities;

“(v) 1 member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

“(vi) 1 member who is a representative of labor organizations, who has been nominated by a national labor federation;

“(vii) 1 member who is a representative of local workforce investment boards, who has been nominated by a national organization representing such boards; and

“(viii) 1 member who is a representative of research entities that utilize labor market information.

“(C) **GEOGRAPHIC DIVERSITY.**—The Secretary shall ensure that the membership of the Council is geographically diverse and that no 2 of the members appointed under clauses (i), (ii), and (vii) represent the same State.

“(D) **PERIOD OF APPOINTMENT; VACANCIES.**—

“(i) **IN GENERAL.**—Each member of the Council shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

“(ii) **VACANCIES.**—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office.

“(E) **TRAVEL EXPENSES.**—The members of the Council shall not receive compensation for the performance of services for the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Council.”

(f) **STATE RESPONSIBILITIES.**—Section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)) is amended—

(1) by striking “employment statistics” each place it appears and inserting “labor market information”;

(2) in paragraph (1)(A) by striking “annual plan” and inserting “plan described in subsection (c)”; and

(3) in paragraph (2)—

(A) in subparagraph (G), by inserting “and” at the end;

(B) by striking subparagraph (H);

(C) in subparagraph (I), by striking “section 136(f)(2) of the Workforce Investment Act of 1998” and inserting “section 131(i)(2) of the Workforce Investment Act of 2012”; and

(D) by redesignating subparagraph (I) as subparagraph (H).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Section 15(g) of the Wagner-Peyser Act (29 U.S.C. 491–2(g)) is amended by striking “1999 through 2004” and inserting “2013 through 2017”.

## TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

### Subtitle A—Introductory Provisions

#### SEC. 401. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

#### SEC. 402. FINDINGS, PURPOSE, POLICY.

(a) **FINDINGS.**—Section 2(a) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(7)(A) a high proportion of students are leaving secondary education without being employed in competitive integrated employment, or being enrolled in postsecondary education; and

“(B) there is a substantial need to support such students as they transition from school to postsecondary life.”

(b) **PURPOSE.**—Section 2(b) (29 U.S.C. 701(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “with disabilities” and all that follows through “economic” and inserting “with disabilities, including individuals with the most significant disabilities, to maximize opportunities for competitive integrated employment and to achieve economic”; and

(B) at the end of subparagraph (F), by striking “and”;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(3) to increase employment opportunities and employment outcomes for individuals with disabilities, including through encouraging meaningful involvement by employers and vocational rehabilitation service providers on successful and prospective employment and placement strategies; and

“(4) to ensure, to the greatest extent possible, that youth with disabilities and students with disabilities who are transitioning from receipt of special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and receiving accommodations and supports consistent with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) are either continuing their education or employed in competitive integrated employment.”

#### SEC. 403. REHABILITATION SERVICES ADMINISTRATION.

Section 3 (29 U.S.C. 702) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “Office of the Secretary” and inserting “Office of Special Education and Rehabilitative Services”;

(B) in the second sentence, by striking “IV and V” and inserting “IV, V, VII, and VIII”; and

(C) by striking the last 3 sentences and inserting “The functions of the Commissioner shall not be delegated to any officer, unless the officer is directly responsible to the Assistant Secretary for Special Education and Rehabilitative Services.”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) The Secretary shall ensure that—

“(1) the Rehabilitation Services Administration provides oversight of, conducts monitoring of, and provides technical assistance to, the designated State agencies funded under this Act; and

“(2) the staff providing such oversight, monitoring, and technical assistance includes individuals who have training in and experience with the programs administered by the Rehabilitation Services Administration.”; and

(4) in subsection (c), as redesignated by paragraph (2), by striking “for the programs” and all that follows and insert “in a manner that is consistent with the purposes of the program for which the funds are appropriated and of this Act, as enumerated in section 2(b)”.

#### SEC. 404. DEFINITIONS.

Section 7 (29 U.S.C. 705) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting after “means” the following: “an assessment that presumes the attainment of an employment outcome for all individuals with disabilities (including individuals with significant disabilities and individuals with the most significant disabilities), and that relies on”; and

(B) in subparagraph (B)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the semicolon and inserting “; and”; and

(iii) by adding at the end the following:

“(v) to the maximum extent possible, relies on information obtained from experiences in integrated employment settings in the community, and other integrated community settings;”;

(2) in paragraph (5)—

(A) in the matter preceding subparagraph (A), by striking “for employment, including career advancement” and inserting “for competitive integrated employment and for career advancement, including”;;

(B) by redesignating subparagraphs (O) through (Q) as subparagraphs (P) through (R);

(C) by inserting after subparagraph (N) the following:

“(O) customized employment services;”;

and

(D) in subparagraph (R), as redesignated by subparagraph (B) of this paragraph, by striking “(P)” and inserting “(Q)”;

(3) by redesignating paragraphs (6) as paragraph (7) and inserting after paragraph (5) the following new paragraph:

“(6) COMPETITIVE INTEGRATED EMPLOYMENT.—

“(A) IN GENERAL.—The term ‘competitive integrated employment’ means work by an employee who is an individual with a disability—

“(i) that is compensated at a rate that—

“(I) is the same rate as the rate for other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; and

“(II) shall be in accordance with the applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law;

“(ii) for which the employee receives health and employment benefits comparable to those of other employees;

“(iii) that is at a location typically found in the community where the employee interacts frequently with other employees and individuals who are not individuals with disabilities to the same extent that non-disabled employees in comparable positions interact with others; and

“(iv) that provides opportunities for advancement that are equivalent to those for other employees who are not individuals with disabilities and who have comparable positions.

“(B) INCLUSION OF CUSTOMIZED OR SUPPORTED EMPLOYMENT.—The term ‘competitive integrated employment’ includes integrated employment resulting from the provision of customized employment strategies or supported employment services, provided the work involved satisfies the criteria described in subparagraph (A).

“(C) INCLUSION OF SELF-EMPLOYMENT OR MICRO-ENTERPRISES.—The term ‘competitive integrated employment’ includes self-employment or micro-enterprises, as long as the work involved satisfies the criteria described in subparagraph (A).”;

(4) by redesignating paragraphs (8) through (28) as paragraphs (9) through (29), respectively, and inserting after paragraph (7) the following:

“(8) CUSTOMIZED EMPLOYMENT.—The term ‘customized employment’ means an employment outcome in competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as—

“(A) job exploration by the individual; and

“(B) working with an employer to facilitate placement, including—

“(i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;

“(ii) developing a set of job duties (including a work schedule) and specifics of supervision (including performance evaluation and review), and determining job location;

“(iii) representation by a professional chosen by the individual, or self-representation by the individual, in working with an employer to facilitate placement; and

“(iv) providing services and supports at the job location.”;

(5) in paragraph (12) (as so redesignated)—

(A) in subparagraph (A), by striking “competitive employment in the integrated labor market” and inserting “competitive integrated employment”; and

(B) in subparagraph (C), by inserting “customized employment,” after “outcome of”;;

(6) in paragraph (18) (as so redesignated)—

(A) by striking the “and” at the end of subparagraph (C);

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(E) transition and prevention services that—

“(i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the required supports and services;

“(ii) provide assistance to individuals with significant disabilities who are at risk of en-

tering institutions so that the individuals may remain in the community; and

“(iii) facilitate the transition of youth (including students) who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life, including employment; and

“(F) services to promote full access to community life.”;

(7) in paragraph (21)(B), by striking “and VII” and inserting “VII, and VIII”;

(8) by redesignating paragraphs (29) through (34) as paragraphs (32) through (37), respectively;

(9) by inserting after paragraph (29) the following:

“(30) POST-EMPLOYMENT SERVICE.—The term ‘post-employment service’ means a service identified under section 103(a) that is—

“(A) provided subsequent to the achievement of an employment outcome; and

“(B) necessary for an individual to maintain or regain an employment outcome in competitive integrated employment, consistent with the individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

“(31) PRE-EMPLOYMENT TRANSITION SERVICES.—

“(A) IN GENERAL.—The term ‘pre-employment transition services’ means a coordinated set of activities for an eligible student with a disability, designed within an outcome-oriented process, that promotes movement from school to any of the following post-school activities: postsecondary education, vocational training, competitive integrated employment (including supported employment), adult education, adult services, independent living, or community participation.

“(B) SPECIFIC SERVICES.—The term ‘pre-employment transition services’ means a set of services, that is available to students with disabilities, and that makes available, at a minimum—

“(i) career counseling;

“(ii) work-based learning experience, including in-school and after school work experience, or work experience outside the traditional school setting (such as experience through job training or internships), that is provided in an integrated environment to the maximum extent possible;

“(iii) counseling on opportunities for enrollment in a comprehensive transition or postsecondary educational program at an institution of higher education;

“(iv) school-based preparatory employment experiences such as role playing, social skills development, and independent living training, coordinated with any transition services provided by the local educational agency under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and

“(v) training in self-advocacy, individual rights, self-determination skills, and the informed consent process, as well as peer mentoring.

“(C) COORDINATED SET OF ACTIVITIES.—For purposes of subparagraph (A), the coordinated set of activities shall be based on the individual student’s needs, taking into account the student’s preferences and interests, and shall include education and training, community experiences, the development of employment and other adult living

objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.”;

(10) by redesignating paragraphs (35) through (39) as paragraphs (39) through (43), respectively, and inserting after paragraph (37) (as so redesignated) the following:

“(38) STUDENT WITH A DISABILITY.—

“(A) IN GENERAL.—The term ‘student with a disability’ means an individual with a disability who—

“(i) attends a secondary school;

“(ii)(I) is not younger than the earliest age for the provision of transition services under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)); and

“(II)(aa) is not older than 21 years of age; or

“(bb) if the State law for the State provides for a higher maximum age for receipt of services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), is not older than that maximum age; and

“(iii)(I) is eligible for, and receiving, special education or related services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

“(II) is an individual with a disability, for purposes of section 504.”;

(11) by striking paragraphs (38) and (39), as redesignated by paragraph (12), and inserting the following:

“(38) SUPPORTED EMPLOYMENT.—The term ‘supported employment’ means an employment outcome in competitive integrated employment, including customized employment, that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities—

“(A)(i) for whom competitive integrated employment has not historically occurred; or

“(ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability;

“(B) who, because of the nature and severity of their disability—

“(i) need intensive supported employment services for the period described in paragraph (39); and

“(ii) need extended services described in paragraph (13) in order to continue to perform in such work beyond the period described in paragraph (39); and

“(C) to the extent that on-going extended services, as described in paragraph (13) of this section, are needed, the designated State unit will assist the individual in identifying providers of those services.

“(39) SUPPORTED EMPLOYMENT SERVICES.—The term ‘supported employment services’ means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in an employment, outcome that—

“(A) are provided singly or in combination and organized and made available in such a way as to assist an eligible individual to succeed in competitive integrated employment;

“(B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and

“(C) are provided by the designated State unit for a period of not more than 24 months, except that the period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.”; and

(12) by inserting after paragraph (43) (as so redesignated) the following:

“(44) YOUTH WITH A DISABILITY.—The term ‘youth with a disability’ means an individual with a disability who—

“(A) is not younger than 14 years of age; and

“(B) is not older than 24 years of age.”.

#### SEC. 405. ADMINISTRATION OF THE ACT.

Section 12(a)(1) (29 U.S.C. 709) is amended—

(1) by striking “(1)” and inserting “(1)(A)”;

and

(2) by adding at the end the following:

“(B) provide technical assistance to the designated State units on developing successful partnerships with local and multi-State businesses to increase the employment of individuals with disabilities; and

“(C) provide technical assistance to providers and organizations on developing self-employment opportunities and outcomes for individuals with disabilities.”.

#### SEC. 406. REPORTS.

Section 13 (29 U.S.C. 710) is amended—

(1) in section (c)—

(A) by striking “(c)” and inserting “(c)(1)”;

and

(B) by adding at the end the following:

“(2) The ILA Director described in section 701A shall include, in the annual report, information on the extent to which centers for independent living receiving funds under part C of title VII have complied with the standards and assurances set forth in section 725. The ILA Director may identify individual centers for independent living in the analysis contained in that information. The ILA Director shall include in the report the results of onsite compliance reviews, identifying individual centers for independent living and other recipients of assistance under part C of title VII.”; and

(2) by adding at the end the following:

“(d)(1)(A) The Commissioner shall ensure that the reports, information, and data described in subparagraph (B) are made publicly available in a timely and accessible manner, including through electronic means, in order to inform the public about the administration and performance of programs in each State under this Act.

“(B) The reports, information, and data referred to in subparagraph (A) shall consist of—

“(i) reports submitted by a designated State agency or designated State unit under this Act;

“(ii) accountability information, including State performance information relating to evaluation standards and performance indicators, and additional performance accountability indicators, under section 106, including information on compliance with such standards, indicators, and measures, relating to individuals with disabilities, submitted by a designated State agency or designated State unit under this Act, or submitted by a State to the Secretary of Labor or the Secretary of Education under section 136 of the Workforce Investment Act of 1998;

“(iii) data collected from each designated State unit under this Act; and

“(iv) reports from monitoring conducted under this Act, including relevant reports required under section 136 of the Workforce Investment Act of 1998 and other relevant reports, information, and data required under title I of such Act.

“(C)(i) The Commissioner shall ensure that the information described in clause (ii) is made publicly available in a timely and accessible manner, including through electronic means.

“(ii) The information referred to in clause (i) is—

“(I) the reports, information, and data required to be submitted by designated State

units or designated State agencies under this Act;

“(II) evaluations, studies, and audits conducted by Federal agencies, concerning programs carried out under this Act; and

“(III) a list that specifies the designated State unit or designated State agency for each State, including a link to the website maintained by each such unit or agency.

“(2) The Commissioner shall maintain public use read-only access to the State and aggregated reports, and analyzed data, concerning programs carried out under this Act, that are filed and maintained in the Rehabilitation Services Administration management information system or a system maintained by the Department of Education.”.

#### SEC. 407. EVALUATION.

Section 14(f)(2) (29 U.S.C. 711(f)(2)) is amended by striking “nonintegrated to integrated employment” and inserting “nonintegrated to competitive integrated employment”.

#### SEC. 408. CARRYOVER.

Section 19 (29 U.S.C. 716) is amended—

(1) in subsection (a), by striking “part B of title I” and all that follows through “including” and inserting “part B of title I (except the client assistance program funded under section 112), part B of title VI, or chapter 2 and 4 of title VII including”; and

(2) by adding at the end the following:

“(c) CLIENT ASSISTANCE PROGRAM; PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.—

“(1) APPROPRIATED AMOUNTS.—Notwithstanding any other provision of law, any funds appropriated for a fiscal year to carry out a grant program under section 112 or 509 (except as provided in section 509(b)), including any funds reallocated during that fiscal year under such grant program, that are not obligated and expended by a recipient prior to the beginning of the succeeding fiscal year, shall remain available for obligation and expenditure by such recipient during such succeeding fiscal year.

“(2) PROGRAM INCOME.—Notwithstanding any other provision of law, any amount of program income received by a recipient under a grant program under section 112 or 509 in a fiscal year that is not obligated and expended by the recipient prior to the beginning of the succeeding fiscal year, shall remain available until expended.”.

#### SEC. 409. TRADITIONALLY UNDERSERVED POPULATIONS.

Section 21 (29 U.S.C. 718) is amended in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

“(1) RACIAL PROFILE.—The demographic profile of the United States is changing at an unprecedented rate, with the population of the Nation becoming far more ethnically diverse than in the past. Within the United States, while the rate of increase from 2000 to 2010 for White Americans was 7.9 percent, the rate of increase during that period for racial and ethnic minorities was much higher: 42.0 percent for Latinos, 11.4 percent for African-Americans, and 34.9 percent for Asian-Americans.

“(2) RATE OF DISABILITY.—Ethnic and racial minorities tend to have disabling conditions at a disproportionately high rate. In 2005—

“(A) among Americans ages 25 through 64, the rate of disability was 17.3 percent;

“(B) among African-Americans in that age range, the disability rate was more than twice as high, at 21.3 percent; and

“(C) for American Indians in the same age range, the disability rate was 25.6 percent of the general population.”.



### Subtitle B—Vocational Rehabilitation Services

#### SEC. 411. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS; PURPOSE; POLICY.—Section 100(a) (29 U.S.C. 720(a)) is amended—

(1) in paragraph (1)(C), by striking “gainful employment in integrated settings” and inserting “gainful employment in competitive integrated employment settings”;

(2) in paragraph (2)(B), by striking “gainful employment” and inserting “high quality employment that will increase opportunities for economic self-sufficiency”; and

(3) in paragraph (3)—

(A) in subparagraph (B), by striking “gainful employment in integrated settings” and inserting “competitive integrated employment”;

(B) in subparagraph (C)(ii), by striking “for the individuals”; and

(C) in subparagraph (E), by inserting “should” before “facilitate”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 100(b)(1) (29 U.S.C. 720(b)(1)) is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2013 through 2017”.

#### SEC. 412. STATE PLANS.

(a) PLAN REQUIREMENTS.—Section 101(a) (29 U.S.C. 721(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “to participate” and all that follows and inserting “to receive funds under this title for a fiscal year, a State shall submit, and have approved by the Secretary and the Secretary of Labor a State plan in accordance with section 112, or a State unified plan in accordance with section 113. The State plan or State unified plan shall include the provisions of a State plan for vocational rehabilitation services, described in this subsection.”;

(B) in subparagraph (B)—

(i) by striking “in the State plan for vocational rehabilitation services,” and inserting “as part of the vocational rehabilitation services portion of the State plan or State unified plan submitted in accordance with subparagraph (A).”; and

(ii) by striking “Rehabilitation Act Amendments of 1998” and inserting “Workforce Investment Act of 2012”; and

(C) in subparagraph (C)—

(i) by striking “The State plan shall remain in effect subject to the submission of such modifications” and inserting “The vocational rehabilitation services portion of the State plan or State unified plan submitted in accordance with subparagraph (A) shall remain in effect until the State is required to submit the plan in accordance with subparagraph (A) or until the submission of such modifications”; and

(ii) by striking “, until the State submits and receives approval of a new State plan”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “The State plan” and inserting “The State plan for vocational rehabilitation services”;

(B) in subparagraph (B)(ii)—

(i) in subclause (III), by striking “and” at the end;

(ii) in subclause (IV), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(V)(aa) has the authority and responsibility within the State to ensure that the funds appropriated under this title are expended only in a manner that is consistent with the purposes of this title; and

“(bb) the authority and responsibility described in subparagraph (aa) may not be del-

egated to or performed by another agency, including the designated State agency for the vocational rehabilitation program, and or individual.”;

(3) in paragraph (5)—

(A) in subparagraph (C), by striking “and” at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

“(D) notwithstanding subparagraph (C), assure that the designated State unit may give priority for the provision of services to those eligible individuals who require specific services or equipment in accordance with an approved individualized plan for employment to maintain an employment outcome under the vocational rehabilitation program; and”;

(4) in paragraph (6)(B), by striking “to employ and advance in employment” and inserting “to recruit, employ, and advance in competitive integrated employment”;

(5) in paragraph (7)(A)(v)—

(A) by striking subclause (I) and inserting the following:

“(I) a system for the continuing education of rehabilitation professionals and paraprofessionals within the designated State unit, particularly with respect to rehabilitation technology, including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003); and”;

(6) in paragraph (8)—

(A) in subparagraph (A), by striking “(5)(D)” and inserting “(5)(E)”;

(B) in subparagraph (B)—

(i) in the matter preceding clause (i) by striking “(5)(D)” and inserting “(5)(E)”;

(ii) in clause (iv), by striking “(5)(D)” and inserting “(5)(E)”;

(7) in paragraph (10)—

(A) in subparagraph (B), by striking “annual” and all that follows through “of 1998” and inserting “annual reporting of information, on eligible individuals receiving the services, that is necessary to assess the State’s performance on those primary indicators of performance (described in section 136(b)(2)(A) of the Workforce Investment Act of 2012)”;

(B) in subparagraph (C)—

(i) in the matter preceding clause (i), by inserting “, from each individual State,” after “additional data”;

(ii) in clause (i)(II), by striking “determined” and all that follows and inserting “determined to be ineligible for vocational rehabilitation services, and the reason for such determination of ineligibility (disaggregated by type of disability, and age)”;

(iii) in clause (ii)—

(I) in subclause (I), by striking “(5)(D)” and inserting “(5)(E)”;

(II) in subclause (II), by striking “and” at the end; and

(III) by adding at the end the following:

“(IV) the total number of individuals with ongoing open cases (disaggregated by individuals who are in training settings, and individuals who are in postsecondary education), and the services individuals described in this subclause are receiving;

“(V) the total number of students with disabilities that are receiving pre-employment transition services, and the total cost for providing those services for each full fiscal year after the date of enactment of the Workforce Investment Act of 2012;

“(VI) the total number of students with disabilities that are receiving transition services, and the total cost for providing those services for each full fiscal year after the date of enactment of the Workforce Investment Act of 2012;

“(VII) the number of individuals referred to one-stop centers, as defined in section 134(c) of the Workforce Investment Act of 1998; and

“(VIII) the number of individuals referred from such one-stop centers to designated State units and the outcomes of such referrals”;

(iv) by striking all of clause (iii) and inserting the following:

“(iii) the number of applicants and eligible recipients, including the numbers of individuals with significant disabilities, who exited the program carried out under this title and the number who achieved employment outcomes after receiving vocational rehabilitation services, including—

“(I) the number of youth with disabilities who—

“(aa) entered postsecondary education and the earnings of such youth who completed postsecondary education, by academic fields;

“(bb) attained academic levels and job skills needed for employment, such as a high school diploma, certificate, or other educational credential required for the employment outcome specified in the individual’s individualized plan for employment;

“(cc) entered postsecondary training or programs for apprenticeships registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

“(dd) the number of youth with disabilities who entered employment;

“(II) for individuals who obtained an employment outcome with wages—

“(aa) the average length of time for obtaining employment;

“(bb) the average earnings of individuals who obtained an employment outcome;

“(cc) the number who earned the minimum wage rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or another wage level set by the Commissioner, during such employment; and

“(dd) the number who received employment benefits from an employer during such employment;

“(III) a comparison, among individuals who obtained employment, of the number of individuals who no longer used public benefits; and

“(IV) for those individuals who received supported employment services—

“(aa) the number of individuals who were employed 6 months after receiving such services;

“(bb) the number of individuals who were employed 12 months after receiving such services; and

“(cc) the number of individuals who earned wages at not less than the minimum wage rate determined under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during their employment; and”;

(v) by striking clause (iv) and inserting the following:

“(iv)(I) the transition from school to postsecondary life, including employment, and achievement of the postsecondary vocational goals, of students with disabilities served under the program carried out under this title; and

“(II) the provision of supported employment services; and”;



(C) in subparagraph (E)(ii), by striking “of the State” and all that follows and inserting “of the State in meeting the standards and indicators established pursuant to section 106.”; and

(D) by adding at the end the following:

“(G) RULES FOR REPORTING OF DATA.—The disaggregation of data under this section shall not be required within a category if the number of participants in a category is insufficient to yield statistically reliable information, or required if the results would reveal personally identifiable information about an individual participant.

“(H) COMPREHENSIVE REPORT.—The State plan shall specify that the Commissioner will provide an annual comprehensive report that includes the reports and data required under this section, as well as a summary of the reports and data, for each fiscal year. The Commissioner shall submit the report to the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate, not later than 180 days after the end of the fiscal year involved.”;

(8) in paragraph (11)—

(A) in subparagraph (A)(i)(II), by inserting “(including programmatic accessibility and physical accessibility)” after “program accessibility”;

(B) in subparagraph (C)—

(i) by inserting “the State programs carried out under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003),” after “including”;

(ii) by inserting “noneducational agencies serving out-of-school youth,” after “Agriculture”;

(iii) by striking “such agencies and programs” and inserting “such Federal, State, and local agencies and programs”;

(C) in subparagraph (D)—

(i) in clause (ii), by striking “completion” and inserting “implementation”;

(ii) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(iii) by inserting after clause (ii) the following:

“(iii) identifying options for additional education and training, in order to facilitate the provision of services for youth with disabilities, including transition services for students with disabilities, such as services provided under section 114;”;

(D) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (H), respectively;

(E) by inserting after subparagraph (D) the following:

“(E) COORDINATION WITH EMPLOYERS.—The State plan shall contain plans, policies, and procedures for coordination between the designated State units, State workforce investment boards, local workforce investment boards, and employers that provide for building relationships with employers and identifying community-based competitive integrated employment opportunities and career exploration opportunities, in order to facilitate the provision of transition services for youth with disabilities and students with disabilities, such as services provided under section 114;”;

(F) in subparagraph (F), as redesignated by subparagraph (E) of this paragraph—

(i) by inserting “chapter 1 of” after “part C of”; and

(ii) by inserting “, as appropriate” before the period;

(G) by inserting after subparagraph (F), as redesignated by subparagraph (E) of this paragraph, the following:

“(G) COOPERATIVE AGREEMENT REGARDING INDIVIDUALS ELIGIBLE FOR HOME AND COMMUNITY-BASED WAIVER PROGRAMS.—The State plan shall include an assurance that the designated State unit has entered into a formal cooperative agreement with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the State designated agency described in section 125(d) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025) with respect to the delivery of vocational rehabilitation services, including extended services, for individuals with the most significant disabilities who have been determined to be eligible for home- and community-based services under a Medicaid waiver, Medicaid State plan amendment, or other authority related to a State Medicaid program. The agreement shall describe strategies for collaboration and coordination in providing vocational rehabilitation services to such individuals receiving Medicaid home- and community-based services in a manner consistent with the person-centered planning process required by Medicaid.”;

(H) in subparagraph (H), as redesignated by subparagraph (E) of this paragraph—

(i) in clause (ii)—

(I) by inserting “on or” before “near”; and

(II) by striking “and” at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

“(iii) strategies for the provision of transition planning, by personnel of the designated State unit, the State educational agency, and the recipient of funds under part C, that will facilitate the development and implementation of the individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)) and, as appropriate, the development and completion of the individualized plans for employment under section 102, in order to enable students with disabilities to achieve employment outcomes;”;

(I) by adding at the end the following:

“(I) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit, and the lead agency and implementing entity (if any) designated by the Governor of the State under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003), have developed working relationships and will enter into agreements for the coordination of their activities, including the referral of individuals with disabilities to programs and activities described in that section.

“(J) COORDINATION WITH TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM.—The State plan shall include an assurance that the designated State unit will coordinate activities with any other State agency that is functioning as an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b-19).”;

(9) in paragraph (14)—

(A) in the paragraph header, by striking “ANNUAL” and inserting “SEMIANNUAL”;

(B) in subparagraph (A)—

(i) by striking “annual” and inserting “semiannual”;

(ii) by striking “(and thereafter)” and all that follows through “representative)” and inserting “, and annually thereafter”; and

(iii) by striking “to competitive” and all that follows and inserting the following: “to

competitive integrated employment or training for competitive integrated employment;”;

(C) in subparagraph (B), by striking “and” at the end;

(D) in subparagraph (C), by striking “the individuals described” and all that follows and inserting “individuals in attaining competitive integrated employment; and”; and

(E) by adding at the end the following:

“(D) an assurance that the State will report the information generated under subparagraphs (A), (B), and (C), for each of the individuals, to the Administrator of the Wage and Hour Division of the Department of Labor for each fiscal year, not later than 60 days after the end of the fiscal year.”;

(10) in paragraph (15)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (II), by striking “and” at the end; and

(II) by adding at the end the following:

“(IV) individuals with disabilities receiving Medicaid home- and community-based waiver habilitation services (reference), including pre-vocational and supported employment services; and

“(V) youth with disabilities, and students with disabilities, including their need for pre-employment transition services described in section 114 or other transition services; and”; and

(ii) by striking clauses (ii) and (iii) and inserting the following:

“(ii) include an assessment of the needs of individuals with disabilities for transition services and pre-employment transition services provided under this Act, and coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and an assessment as to whether the transition and pre-employment transition services provided under those Acts meet the needs of individuals with disabilities.”;

(B) in subparagraph (B)—

(i) by redesignating clause (iii) as clause (iv); and

(ii) by inserting after clause (ii) the following:

“(iii) the number of individuals who are eligible for services under this title, but are not receiving such services due to an order of selection; and”; and

(C) in subparagraph (D)—

(i) by redesignating clauses (iii) through (v) as clauses (iv) through (vi); and

(ii) by inserting after clause (ii) the following:

“(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to postsecondary life (including the receipt of vocational rehabilitation services under this title, postsecondary education, employment, and pre-employment transition services under section 114);”;

(11) in paragraph (20)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

“(B) INFORMATION ON ASSISTANCE FOR BENEFICIARIES OF ASSISTANCE UNDER TITLE II OR XVI OF THE SOCIAL SECURITY ACT.—The State plan shall include an assurance that the designated State unit will make available, to individuals entitled to benefits under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) on the basis of a disability or blindness—

“(i) information on the availability of benefits and medical assistance authorized under the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), and medical assistance authorized under other federally funded programs;

“(ii) information on the availability of assistance through benefits planning and assistance programs authorized under section 1149 of the Social Security Act (42 U.S.C. 1320b-20) and services provided by the State protection and advocacy system and authorized under section 1150 of the Social Security Act (42 U.S.C. 1320b-21); and

“(iii) in the case of individuals who are also eligible for a ticket under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b-19), general information regarding the options for using the ticket and information on how to contact a program manager of the Ticket to Work and Self-Sufficiency Program to obtain information on approved employment networks, on providers for the benefits planning and assistance programs described in clause (ii) in the State, and on the services provided by the State protection and advocacy system and described in clause (ii).”; and

(12) by adding at the end the following:

“(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan shall provide an assurance satisfactory to the Secretary that, with respect to students with disabilities, the State—

“(A) has developed and will implement—

“(i) strategies to address the needs identified in the assessments described in paragraph (15); and

“(ii) strategies to achieve the goals and priorities identified by the State, in accordance with paragraph (15), to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and

“(B) has developed and will implement a plan to carry out the provision of pre-employment transition services in accordance with section 114.

“(26) JOB GROWTH AND DEVELOPMENT.—The State plan shall provide an assurance describing how the State will utilize initiatives involving in-demand industry sectors or occupations as defined in section 101 of the Workforce Investment Act of 2012 to increase competitive integrated employment opportunities for individuals with disabilities.”.

(b) APPROVAL.—Section 101(b) (29 U.S.C. 721(b)) is amended to read as follows:

“(b) SUBMISSION; APPROVAL; MODIFICATION.—The State plan for vocational rehabilitation services shall be subject to—

“(1) section 112 of the Workforce Investment Act of 1998, in a case in which that plan is a portion of the State plan described in that section 112; and

“(2) section 113 of such Act in a case in which that State plan for vocational rehabilitation services is a portion of the State unified plan described in that section 113.”.

(c) CONSTRUCTION.—Section 101 (29 U.S.C. 721) is amended by adding at the end the following:

“(c) CONSTRUCTION.—Nothing in this part shall be construed to reduce the obligation of a local educational agency or any other agency to provide or pay for any transition services that are allowable under the programs of the respective agencies.”.

#### SEC. 413. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EMPLOYMENT.

(a) ELIGIBILITY.—Section 102(a) (29 U.S.C. 722(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking “DEMONSTRATION” and inserting “APPLICANTS”; and

(ii) by striking “, unless” and all that follows and inserting a period; and

(B) in subparagraph (B)—

(i) in the subparagraph header, by striking “METHODS” and inserting “RESPONSIBILITIES”; and

(ii) in the first sentence—

(I) by striking “In making the demonstration required under subparagraph (A),” and inserting “Prior to determining under this subsection that an applicant described in subparagraph (A) is unable to benefit due to the severity of the individual’s disability or that the individual is ineligible for vocational rehabilitation services,”; and

(II) by striking “, except under” and all that follows and inserting a period; and

(iii) in the second sentence, by striking “individual or to determine” and all that follows and inserting “individual. In providing the trial experiences, the designated State unit shall provide the individual with the opportunity to try different employment experiences, including supported employment, and the opportunity to become employed in competitive integrated employment.”.

(2) in paragraph (3)(A)(ii), by striking “outcome from” and all that follows and inserting “outcome, including supported employment, from vocational rehabilitation services due to the current (as of the date of the determination) severity of the disability of the individual.”;

(3) in paragraph (5)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “If an individual” and inserting “If, after the designated State unit carries out the activities described in paragraph (2)(B), a review of existing data, and, to the extent necessary, the assessment activities described in section 7(2)(A)(ii), an individual”; and

(ii) by striking “is determined” and all that follows through “not to be” and inserting “is determined not to be”;

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(C) by inserting before subparagraph (B) the following:

“(A) the ineligibility determination shall be an individualized one, based on the available data, and shall not be based on disability category.”; and

(D) in clause (i) of subparagraph (C), as redesignated by subparagraph (B) of this paragraph, by inserting after “determination” the following: “, including clear and convincing evidence that forms the basis for the determination of ineligibility”; and

(4) in paragraph (6), by striking “60 days” each place it appears and inserting “45 days”.

(b) DEVELOPMENT OF AN INDIVIDUALIZED PLAN FOR EMPLOYMENT, AND RELATED INFORMATION.—Section 102(b) (29 U.S.C. 722(b))—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), and (D), and (E), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) information on the availability of assistance from consumer organizations, as defined in section 106(a)(4) (including a listing

of such organizations) that can assist an individual in the development of an individualized plan for employment.”;

(2) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (E)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) amended, as necessary, to include the post-employment services and service providers that are necessary for the individual to maintain or regain employment, consistent with the individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.”; and

(B) by adding at the end the following:

“(F) TIMEFRAME FOR COMPLETING THE INDIVIDUALIZED PLAN FOR EMPLOYMENT.—The individualized plan for employment shall be developed as soon as possible, but not later than a deadline of 90 days after the date of the determination of eligibility described in paragraph (1), unless the designated State unit and the eligible individual agree to an extension of that deadline to a specific date by which the individualized plan for employment shall be completed.

“(G) FAILURE TO DEVELOP THE INDIVIDUALIZED PLAN FOR EMPLOYMENT WITHIN THE SPECIFIED TIMEFRAME.—In the event the individualized plan for employment is not completed by the deadline or extended deadline, as appropriate, under subparagraph (F), the eligible individual shall have the right to request both mediation and an impartial due process hearing according to the procedures described in subsection (c). At such hearing, the hearing officer shall have the authority to order the designated State unit to complete the individualized plan for employment within a specific period of time, not to exceed 60 days from the date of the decision, in addition to any other authority given to the officer under this section.”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “choice of the” and all that follows and inserting “choice of the eligible individual, consistent with the employment outcome of competitive integrated employment (except that in the case of an eligible individual who is a student, the description may be a description of the student’s projected employment outcome)”;

(B) in subparagraph (B)(i)—

(i) by redesignating subclause (II) as subclause (III); and

(ii) by striking subclause (I) and inserting the following:

“(I) needed to achieve the employment outcome, including, as appropriate—

“(aa) the provision of assistive technology devices and assistive technology services (including referrals described in section 103(a)(3) to the device reutilization programs and demonstrations described in subparagraphs (B) and (D) of section 4(e)(2) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(e)(2))) through agreements developed under section 101(a)(11)(H); and

“(bb) personal assistance services (including training in the management of such services);

“(II) in the case of a plan for an eligible individual that is a student, the specific transition services and supports (including work experience, mentoring activities, and supported employment) needed to achieve the student’s employment outcome or projected employment outcome; and”;

(C) in subparagraph (F), by striking “and” at the end;

(D) in subparagraph (G), by striking the period and inserting “; and”; and

(E) by adding at the end the following:

“(H) for an individual who also is receiving assistance from an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), a list of the services that are listed in the individual work plan that the individual developed with the employment network under subsection (g) of that section, and a description of how responsibility for service delivery will be divided between the employment network and the designated State unit in accordance with the agreement between the two parties required under the Ticket to Work and Self-Sufficiency Program.”

(c) PROCEDURES.—Section 102(c) (29 U.S.C. 722(c)) is amended—

(1) in paragraph (1), by adding at the end the following: “These procedures also shall allow for the review of any delay in the vocational rehabilitation process.”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) any applicable State limit on the time by which a request for mediation under paragraph (4) or a hearing under paragraph (5) shall be made, and any required procedure by which the request shall be made.”; and

(B) in subparagraph (B)(iii), by inserting “the denial,” before “reduction.”; and

(3) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

“(A) OFFICER.—A due process hearing described in paragraph (2) shall be conducted by an impartial hearing officer who, on reviewing all the evidence presented, shall issue a written decision based on the provisions of the approved State plan, requirements specified in this Act (including regulations implementing this Act), and State regulations and policies that are consistent with the Federal requirements specified in this title. The officer shall provide the written decision to the applicant or eligible individual, or, as appropriate, the applicant’s representative or individual’s representative, and to the designated State unit. The impartial hearing officer shall have the authority to render a decision and require actions, consistent with the requirements specified in this title (including regulations implementing this title), regarding all aspects of the applicant’s or eligible individual’s vocational rehabilitation services under this title.”; and

(B) in subparagraph (B), by striking “in laws (including regulations)” and inserting “about Federal and State laws (including regulations) and the approved State plan”.

#### SEC. 414. VOCATIONAL REHABILITATION SERVICES.

Section 103 (29 U.S.C. 723) is amended—

(1) in subsection (a)—

(A) by striking paragraph (15) and inserting the following:

“(15) transition services for students with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services described in section 114.”;

(B) by redesignating paragraphs (17) and (18) as paragraphs (18) and (19), respectively;

(C) by inserting after paragraph (16) the following:

“(17) customized employment services.”;

(D) in paragraph (18), as redesignated by subparagraph (C) of this paragraph, by striking the “and” at the end;

(E) in paragraph (19), as redesignated by subparagraph (C) of this paragraph, by striking the period and inserting “; and”; and

(F) by adding at the end the following:

“(20) mentoring services.”; and

(2) in subsection (b)—

(A) in paragraph (2)(A), by striking the second sentence and inserting “Such programs shall be used to provide services that promote integration into the community and that result in competitive integrated employment, including supported employment and customized employment.”; and

(B) by striking paragraph (6) and inserting the following:

“(6) Consultation and technical assistance services to assist State educational agencies and local educational agencies in planning for the transition of students with disabilities from school to postsecondary life, including employment.”.

#### SEC. 415. STATE REHABILITATION COUNCIL.

Section 105 (29 U.S.C. 725) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking clause (ix) and inserting the following:

“(ix) in a State in which one or more projects are funded under section 121 and in which such services are provided through those projects, at least one representative of the directors of the projects located in such State.”;

(ii) in clause (x), by striking “and” at the end;

(iii) in clause (xi), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(xii) the director of the State’s comprehensive statewide program of technology-related assistance funded under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003).”; and

(B) in subparagraph (B)—

(i) in clause (xi), by striking “and” at the end;

(ii) in clause (xii), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(xiii) the director of the State’s comprehensive statewide program of technology-related assistance funded under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003).”; and

(2) in subsection (c)(6), by striking “Service Act” and all that follows and inserting

“Service Act (42 U.S.C. 300x–3(a)) and the State workforce investment board, and with the activities of entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.).”.

#### SEC. 416. PERFORMANCE ACCOUNTABILITY MEASURES.

Section 106 (29 U.S.C. 726) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—

“(1) STANDARDS AND INDICATORS.—The evaluation standards and performance indicators for the vocational rehabilitation program carried out under this title shall be subject to the performance accountability provisions described in section 136(b) of the Workforce Investment Act of 2012.

“(2) ADDITIONAL PERFORMANCE ACCOUNTABILITY INDICATORS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Commissioner may establish through regulation additional performance accountability indicators, which may include outcome and related measures of program performance.

“(B) COMMENT.—Such additional performance accountability indicators shall be developed with input from State vocational rehabilitation agencies, related professional and consumer organizations, recipients of vocational rehabilitation services, and other interested parties.

“(3) REPORTS.—Each State that receives funds under this title shall submit a report to the Commissioner containing information on any additional performance accountability indicators established under paragraph (2).

“(4) CONSUMER ORGANIZATION.—In this subsection, the term ‘consumer organization’ means a membership organization, or disability advocacy group, for which a majority of the members of the board of directors of the organization or group are individuals with disabilities or family members of individuals with disabilities.”; and

(2) in subsection (b)(2)(B), by striking clause (i) and inserting the following:

“(i) on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Commissioner, direct the State to make revisions to the plan to improve performance; and”.

#### SEC. 417. MONITORING AND REVIEW.

(a) IN GENERAL.—Section 107(a) (29 U.S.C. 727(a)) is amended—

(1) in paragraph (3)(E), by inserting before the period the following: “, including personnel of a client assistance program under section 112, and past or current recipients of vocational rehabilitation services”; and

(2) in paragraph (4)—

(A) by striking subparagraphs (A) and (B) and inserting the following:

“(A)(i) the eligibility process to ensure compliance with the requirements set forth in section 102(a); and

“(ii) implementation of an order of selection, if applicable, to ensure compliance with the requirements set forth in section 101(a)(5); and

“(B) the provision of services to ensure compliance with section 103.”;

(B) in subparagraph (C), by striking “and” at the end;

(C) by redesignating subparagraph (D) as subparagraph (E); and

(D) by inserting after subparagraph (C) the following:

“(D) data on individuals determined to be ineligible for services due to severity of their disability, to determine if systematic changes could result in increased capacity to meet the needs of such individuals; and”.

(b) REVIEW.—Section 107(d) of the Rehabilitation Act of 1973 (29 U.S.C. 727(d)) is amended, in paragraphs (1) and (2), by striking “a final determination of the Commissioner under section 101(b) or subsection (c)” and inserting “a final determination on a State plan for vocational rehabilitation services under the procedures referenced in section 101(b), or a final determination by the Commissioner under subsection (c)”.

#### SEC. 418. TRAINING AND SERVICES FOR EMPLOYERS.

Section 109 (29 U.S.C. 728a) is amended to read as follows:

#### “SEC. 109. TRAINING AND SERVICES FOR EMPLOYERS.

“A State may expend payments received under section 111 to educate and provide

services to employers who have hired or are interested in hiring individuals with disabilities under programs carried out under this title, including—

“(1) providing training and technical assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and other employment-related laws;

“(2) working with employers to—

“(A) provide opportunities for work-based learning experience (including internships, short-term employment, apprenticeships, and fellowships), such as opportunities in conjunction with pre-employment transition services;

“(B) recruit qualified applicants with disabilities;

“(C) train employees with disabilities; and

“(D) promote retention of employees who are at risk of losing a job due to disability-related barriers;

“(3) providing consultations, technical assistance, and support to employers on workplace accommodations, assistive technology, and facilities and workplace access;

“(4) assisting employers with utilizing available financial support, including tax credits and deductions available for hiring or accommodating individuals with disabilities; and

“(5) supporting the development of working relationships between State vocational rehabilitation agencies, the workforce investment system, their community partners, and employers on multi-State and national levels, including—

“(A) encouraging employers to recruit qualified individuals with disabilities for available employment opportunities;

“(B) facilitating such recruitment by disseminating information about specific available employment opportunities to qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services;

“(C) matching qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services, with employers that have available employment opportunities on the local, regional, or national level; and

“(D) providing support services, as appropriate, to employers to facilitate the hiring of qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services.”

#### SEC. 419. STATE ALLOTMENTS.

(a) IN GENERAL.—Section 110 (29 U.S.C. 730) is amended—

(1) in subsection (a)(1), by striking “Subject to the provisions of subsection (c)” and inserting “Subject to the provisions of subsections (c), (d), and (e), and section 303(d)”;

(2) by striking subsections (b) and (c) and inserting the following:

“(b)(1) Not later than 45 days prior to the end of the fiscal year, the Commissioner shall determine, after reasonable opportunity for the submission to the Commissioner of comments by the State agency administering or supervising the program established under this title, whether any amount from the payment of an allotment to a State under section 111(a) for any fiscal year will not be utilized by such State in carrying out the purposes of this title.

“(2)(A) As soon as practicable but not later than the end of the fiscal year, the Commissioner shall reallocate the amount available

under paragraph (1) to other States, consistent with subparagraphs (B) and (C), for carrying out the purposes of this title to the extent the Commissioner determines that another State will be able to use an additional amount, during that fiscal year or the subsequent fiscal year for carrying out such purposes.

“(B)(i) The Commissioner shall reallocate a portion of the amount available under paragraph (1) for a fiscal year to each State whose allotment under subsection (a) for such fiscal year is less than such State’s allotment under subsection (a) for the immediately preceding fiscal year, adjusted by the percentage change in the funds available for subsection (a) from the immediately preceding fiscal year.

“(ii)(I) Subject to subclause (II), a State that is eligible to receive a reallocation under clause (i) shall receive a portion for a fiscal year from the amount available for reallocation under paragraph (1) that is equal to the difference between—

“(aa) the amount such State was allotted under subsection (a) for such fiscal year; and

“(bb) the amount such State was allotted under subsection (a) for the immediately preceding fiscal year, adjusted by the percentage change in the funds available for subsection (a) from the immediately preceding fiscal year.

“(II) If the amount available for reallocation under paragraph (1) is insufficient to provide each State eligible to receive a reallocation under clause (i) with the portion described in subclause (I), the amount reallocated to each eligible State shall be determined by the Commissioner.

“(C) If there are funds remaining after each State eligible to receive a reallocation under subparagraph (B)(i) receives the portion described in subparagraph (B)(ii), the Commissioner shall reallocate the remaining funds among the States requesting a reallocation.

“(3) The Commissioner shall reallocate an amount to a State under this subsection only if the State will be able to make sufficient payments from non-Federal sources to pay for the non-Federal share of the cost of vocational rehabilitation services under the State plan for the fiscal year for which the amount was appropriated.

“(4) For the purposes of this part, any portion made available to a State for any fiscal year pursuant to this subsection shall be regarded as an increase of such State’s allotment (as determined under the preceding provisions of this section) for such year.

“(c)(1) For fiscal year 2012 and for each fiscal year thereafter, the Commissioner shall reserve, from the funds appropriated under section 100(b)(1) for each fiscal year, an amount that is not less than 1.23 percent and not more than 1.5 percent of those funds in order to carry out section 121, provided that the minimum percentage that may be reserved shall increase by 0.01 percent for each succeeding fiscal year after fiscal year 2012.

“(2) Notwithstanding paragraph (1), there shall be no increase in the minimum percentage of funds reserved under paragraph (1) unless there is an equivalent increase in the funds appropriated under section 100(b)(1).”

(b) RESERVATION FOR TRANSITION AND PRE-EMPLOYMENT TRANSITION SERVICES.—Section 110 (29 U.S.C. 730) is amended by adding at the end the following:

“(d) From any State allotment under subsection (a) for a fiscal year, the State shall reserve not less than 10 percent of the allotted funds for the provision of transition services to assist students with disabilities and

youth with disabilities in transitioning from education or training to employment, which includes pre-employment transition services under section 114.”

#### SEC. 420. CLIENT ASSISTANCE PROGRAM.

Section 112 (29 U.S.C. 732) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking “grants to States” and inserting “grants to agencies designated under subsection (c) (referred to individually in this section as a ‘designated CAP agency’)”;

(B) by inserting “including under sections 114,” after “all available benefits under this Act.”; and

(C) by inserting “and eligibility” after “to ensure the protection of the rights”;

(2) in subsection (b), by striking the matter preceding paragraph (1) and inserting “Neither an agency within the State, nor the State, may receive payments from an allotment under subsection (e) in any fiscal year unless the State has designated under subsection (c) an agency that—”;

(3) in subsection (c)—

(A) in paragraph (2), by inserting “(as defined in section 106(a))” after “consumer organizations”; and

(B) in paragraph (3), by striking “agency designated under this subsection” and inserting “designated CAP agency”;

(4) in subsection (d), by striking “agency designated under subsection (c) of this section” and inserting “designated CAP agency”;

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

“(A) After reserving funds under subparagraphs (E) and (F), the Secretary shall allot the remainder of the sums appropriated for each fiscal year under this section among the designated CAP agencies within the States on the basis of relative population of each State, except that no such agency shall receive less than \$50,000.”;

(ii) in subparagraph (B), by inserting “the designated CAP agencies located in” before “American Samoa”; and

(iii) by striking subparagraph (D) and inserting the following:

“(D)(i) For any fiscal year for which the funds appropriated for such fiscal year under subsection (h) exceed \$7,500,000, the minimum allotment under this subsection shall be \$100,000 for the designated CAP agencies located in States and \$45,000 for the designated CAP agencies located in territories.

“(ii) For any fiscal year for which the total amount appropriated under subsection (h) exceeds the total amount appropriated under such subsection (or the corresponding provision) for the preceding fiscal year, the Secretary shall increase each of the minimum allotments under clause (i) by a percentage that shall not exceed the percentage increase, calculated by dividing such total amount for the fiscal year involved by such total amount for the preceding fiscal year.

“(E)(i) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds \$13,000,000, the Secretary shall reserve funds appropriated under subsection (h) to make a grant to the protection and advocacy system serving the American Indian Consortium, to provide designated CAP agency services in accordance with the requirements of this section. The amount of such a grant shall be the same amount as is provided to a territory under subparagraph (B), as increased under clauses (i) and, if applicable, (ii) of subparagraph (D).

“(ii) In this subparagraph:

“(I) The term ‘American Indian Consortium’ has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

“(II) The term ‘protection and advocacy system’ means a protection and advocacy system established under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

“(F) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds \$14,000,000, the Secretary shall reserve not less than 1.8 percent and not more than 2.2 percent of such amount to provide a grant for training and technical assistance for the programs established under this section. Such training and technical assistance shall be coordinated with activities provided under section 509(c)(1)(A).”;

(B) in paragraph (2)—

(i) except as provided in clause (ii), by striking “State” each place it appears and inserting “designated CAP agency”; and

(ii) by striking “States” each place it appears and inserting “designated CAP agencies”; and

(C) in paragraph (3), by striking “agency designated” and all that follows and inserting “designated CAP agency the amount specified in the application approved under subsection (f).”;

(6) in subsection (f), by striking “State” and inserting “designated CAP agency”;

(7) in paragraph (1) of subsection (g), by striking “such programs” and inserting “the designated CAP agency of a State”; and

(8) in subsection (h), by striking “1999 through 2003” and inserting “2013 through 2017”.

#### SEC. 421. TECHNICAL ASSISTANCE FOR QUALITY SERVICES.

Part B of title I (29 U.S.C. 730 et seq.), is amended by adding at the end the following:

##### “SEC. 113. ADDITIONAL TECHNICAL ASSISTANCE.

“The Commissioner shall provide technical assistance for programs provided under this title regarding improving the quality of vocational rehabilitation services provided through the programs, including—

“(1) consulting with the Department of Labor, the Small Business Administration, other appropriate Federal agencies, State and local workforce investment boards, and businesses or business-led intermediaries;

“(2) based on information obtained through the consultations, providing—

“(A) technical assistance that improves quality by enabling designated State units to develop successful partnerships with local and multi-State businesses in an effort to employ individuals with disabilities; and

“(B) technical assistance on developing self-employment opportunities and improving employment outcomes for individuals with disabilities; and

“(3) providing technical assistance to improve the quality of vocation rehabilitation services programs carried out under section 121.”.

#### SEC. 422. PRE-EMPLOYMENT TRANSITION SERVICES.

Part B of title I (29 U.S.C. 730 et seq.), as amended by section 521, is further amended by adding at the end the following:

##### “SEC. 114. PROVISION OF PRE-EMPLOYMENT TRANSITION SERVICES FOR STUDENTS WITH DISABILITIES.

“(a) IN GENERAL.—From the funds reserved under section 110(d), and funds made available from State, local, and private funding sources (consistent with requirements that apply to the acceptance and use of such funds), each State shall ensure that—

“(1) the designated State unit shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities who are in need of such services; and

“(2) the designated State unit will not expend more than 5 percent of the funds reserved to carry out this section to pay for the administrative costs associated with providing pre-employment transition services under this section.

##### “(b) LOCAL PRE-EMPLOYMENT TRANSITION COORDINATOR.—

“(1) COORDINATOR.—Each local office of a designated State unit shall designate at least 1 staff person to carry out the responsibilities of a Local Pre-Employment Transition Coordinator for students with disabilities, as well as appropriate staff to support the Coordinator in carrying out the responsibilities as described in paragraph (2).

“(2) RESPONSIBILITIES.—It shall be the responsibility of a Local Pre-Employment Transition Coordinator to—

“(A) attend individualized education program meetings, as appropriate, for students with disabilities;

“(B) work with the local workforce investment boards, one-stop centers, and employers to develop job opportunities for students with disabilities, including internships, summer employment opportunities and other employment opportunities available throughout the school year, and apprenticeships; and

“(C) work with schools, including those carrying out activities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), to coordinate and ensure the provision of pre-employment transition services for students with disabilities, including services described in clauses (i) through (v) of section 7(30)(B).

##### “(c) NATIONAL PRE-EMPLOYMENT TRANSITION COORDINATION.—

“(1) IN GENERAL.—The Secretary of Education and the Secretary of Labor shall each designate a lead staff person to fulfill the responsibilities of a National Pre-Employment Transition Coordinator for Students with Disabilities. The National Pre-Employment Transition Coordinators shall work cooperatively, and with other Federal agencies including the Corporation for National and Community Service, to develop and coordinate—

“(A) agency policies related to pre-employment transition services; and

“(B) resources to increase job opportunities for students with disabilities, including internships, summer employment opportunities and other employment opportunities available throughout the school year, and apprenticeships.

“(2) CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit either Secretary from assigning additional responsibilities, other than the responsibilities described in this subsection, to a staff person designated under this subsection.”.

#### SEC. 423. AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES.

Section 121 (29 U.S.C. 741) is amended—

(1) in subsection (a), in the first sentence, by inserting before the period the following:

“(referred to in this section as ‘eligible individuals’), consistent with such eligible individuals’ strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for, and engage in, high quality employment that will increase opportunities for economic self-sufficiency”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(D) contains assurances that—

“(i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available vocational rehabilitation services, and the provision of such services, will be made by a representative of the tribal vocational rehabilitation program funded through the grant; and

“(ii) such decisions will not be delegated to another agency or individual.”; and

(B) by striking paragraphs (3) and (4) and inserting the following:

“(3) If an application is approved under this part for a grant, the resulting grant shall be for 5 years, if the grant recipient complies with the program requirements for the program carried out under this part (including the regulations promulgated for the program). The grant shall be renewed for additional 5-year periods if the Commissioner determines that the grant recipient demonstrated acceptable past performance and the grant recipient submits, and obtains approval by the Commissioner, for a plan, including a proposed budget, that identifies future performance criteria, goals, and objectives. The State shall continue to provide vocational rehabilitation services under the State plan to American Indians residing on or near a reservation whenever such State includes any such American Indians in its State population under section 110(a)(1).

“(4) In allocating funds for grants under this part, the Secretary shall give priority to paying the continuation costs of projects in existence on the date of the allocation and may provide for increases in funding for such projects that the Secretary determines to be necessary.”;

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

“(c)(1) From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2012, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to governing bodies described in subsection (a) for such fiscal year.

“(2) From the funds reserved under paragraph (1), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities that have experience in the operation of vocational rehabilitation services programs under this section to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating such programs.

“(3) The Commissioner shall conduct a survey of the governing bodies regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or other arrangements.

“(4) To be eligible to receive a grant or enter into a contract or other arrangement under this section, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of grant applications by panels that include persons who are not government

employees and who have experience in the operation of vocational rehabilitation services programs under this section.”.

#### Subtitle C—Research and Training

##### SEC. 431. PURPOSE.

Section 200 (29 U.S.C. 760) is amended—

(1) in paragraph (1), by inserting “technical assistance,” after “training,”;

(2) in paragraph (2), by inserting “technical assistance,” after “training,”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting “, use, and adoption” after “transfer”; and

(ii) by inserting “in a timely and efficient manner,” after “disabilities”; and

(B) in subparagraph (D), by inserting “and dissemination of research findings to individuals with disabilities and other interested entities” after “technology”;

(4) in paragraph (5), by striking “and” after the semicolon;

(5) in paragraph (6), by striking the period and inserting “; and”; and

(6) by adding at the end the following:

“(7) identify effective strategies for supporting the employment of individuals with disabilities in competitive integrated employment.”.

##### SEC. 432. AUTHORIZATION OF APPROPRIATIONS.

Section 201(a) (29 U.S.C. 761(a)) is amended—

(1) in paragraph (1), by striking “1999 through 2003” and inserting “2013 through 2017”; and

(2) in paragraph (2), by striking “1999 through 2003” and inserting “2013 through 2017”.

##### SEC. 433. NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH.

Section 202 (29 U.S.C. 762) is amended—

(1) in subsection (a)(1)(A)—

(A) in clause (ii), by striking “and training; and” and inserting “, training, and technical assistance,”;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following:

“(iii) knowledge translation and dissemination; and”;

(2) in subsection (b)—

(A) in paragraph (3), by striking “in rehabilitation” and inserting “on disability and rehabilitation”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “education, health and health care,” after “independent living,”; and

(ii) by striking subparagraphs (A) through (D) and inserting the following:

“(A) public and private entities, including—

“(i) elementary schools and secondary schools (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);

“(ii) institutions of higher education; and

“(iii) nongovernmental agencies and organizations;

“(B) rehabilitation practitioners;

“(C) employers and organizations representing employers with respect to employment-based educational materials or research;

“(D) individuals with disabilities (especially such individuals who are members of minority groups or of populations that are unserved or underserved by programs under this Act);

“(E) the individuals’ representatives for the individuals described in subparagraph (D); and

“(F) the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Appropriations of the Senate, the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, and the National Council on Disability.”.

(C) in paragraph (6)—

(i) by inserting “disability and” after “advances in”; and

(ii) by inserting “education, health and health care,” after “independent living,”;

(D) in paragraph (7), by striking “taking whatever action is necessary to keep the Congress fully and currently informed” and inserting “reporting to Congress on a continuing and yearly basis”;

(E) in paragraph (8), by striking “health, income,” and inserting “health and health care, income, education,”;

(F) in paragraph (10), by striking “and telecommuting; and” and inserting “, supported employment (including customized employment), and telecommuting,”;

(G) in paragraph (11), by striking the period and inserting “; and”; and

(H) by adding at the end the following:

“(12) ensuring that the research activities and findings, demonstration projects, reports, evaluations, studies, information described in this section, as well as information about any reports in progress, will be made publicly available in a timely manner, including through electronic means (such as the website of the Department of Education and other relevant government agency websites) in order to inform the public about the research and activities performed under this title.”;

(3) in subsection (d)(1), in the second sentence, by inserting before the period the following: “, and shall not be an employee of the Department of Education during the 90-day period before such appointment”;

(4) in subsection (f)(1), by striking the second sentence and inserting the following:

“The scientific peer review shall be conducted by individuals who are not Department of Education employees, who are scientists or other experts in the disability and rehabilitation field (including the independent living field), including individuals with disabilities and the individuals’ representatives, and who have sufficient knowledge to review applications for the financial assistance. Such panel shall include a member of the covered school community (for any activity resulting in educational materials or a product to be used in a covered school), a member of the business community (for an activity resulting in a product to be used in an employment activity), a member of the assistive technology community (for an activity relating to assistive technology), and an accessible electronic and information technology vendor or manufacturer (for an activity relating to accessible electronic and information technology). The peer review panel shall include a director of a designated State unit for a panel that considers research related to the operation or administration of the vocational rehabilitation program.”;

(5) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by inserting “disability and” after “priorities for”; and

(ii) by inserting “dissemination,” after “training,”; and

(B) in paragraph (2)(A), by striking “, especially in the area of employment”;

(6) by redesignating subsections (i), (j), and (k), as subsections (j), (k), and (l), respectively;

(7) by inserting after subsection (h) the following:

“(i)(1) The Director shall determine if entities that received financial assistance under this title are complying with the applicable requirements of this Act and achieving measurable goals, described in section 204(d)(2), that are consistent with the requirements of the programs under which the entities received the financial assistance.

“(2) To assist the Director in carrying out the responsibilities described in paragraph (1), the Director shall require recipients of financial assistance under this title to submit relevant information to evaluate program outcomes with respect to the measurable goals described in section 204(d)(2) pursuant to section 75.118 of title 34, Code of Federal Regulations.”;

(8) in subsection (k), as redesignated by paragraph (6), by striking paragraph (3); and

(9) by striking subsection (1), as redesignated by paragraph (6), and inserting the following:

“(1) The Director shall make grants to institutions of higher education for the training of rehabilitation researchers, including individuals with disabilities and traditionally underserved populations of individuals with disabilities, as described in section 21, with particular attention to research areas that—

“(1) support the implementation and objectives of this Act; and

“(2) improve the effectiveness of services authorized under this Act.

“(m)(1) Not later than December 31 of each year, the Director shall prepare, and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, a report on the activities funded under this title.

“(2) The report under paragraph (1) shall include—

“(A) a compilation and summary of the information provided by recipients of financial assistance for such activities under this title;

“(B) a summary of recipients of financial assistance received under this title and the progress of the recipients of financial assistance in achieving the measurable goals described in section 204(d)(2); and

“(C) a summary of practical implications of research outcomes and anticipated next steps.

“(n)(1) If the Director determines that an entity that receives financial assistance under this title fails to comply with the applicable requirements of this Act, or to make progress toward achieving the measurable goals described in section 204(d)(2), with respect to the covered activities involved, the Director shall enact monitoring and enforcement measures pursuant to section 75.253 of title 34, Code of Federal Regulations.

“(2) As part of the annual report required under subsection (m), the Secretary shall describe each action taken by the Secretary under paragraph (1) and the outcomes of such action.”.

##### SEC. 434. INTERAGENCY COMMITTEE.

Section 203 (29 U.S.C. 763) is amended—

(1) in subsection (a)(1)—

(A) by striking “and cooperation” and inserting “, cooperation, and collaboration”;

(B) by inserting “disability and” after “agencies conducting”;

(C) by inserting “the Chairman of the National Council on Disability, the Assistant

Secretary for Disability Employment Policy, the Secretary of Defense, the Director of the Office on Disability of the Department of Health and Human Services," after "Assistant Secretary for Special Education and Rehabilitative Services,"; and

(D) by striking "and the Director of the National Science Foundation." and inserting "the Director of the National Science Foundation, the Secretary of Commerce, and the Administrator of the Small Business Administration";

(2) in subsection (b)—

(A) in paragraph (1), by striking "from targeted individuals" and inserting "individuals with disabilities and their representatives"; and

(B) in paragraph (2)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

"(A) share information regarding the range of assistive technology research, rehabilitation research, and research that incorporates the principles of universal design, that is being carried out by members of the Committee and other Federal departments and organizations;

"(B) identify and make efforts to address, gaps in assistive technology research, rehabilitation research, and research that incorporates the principles of universal design, that are not being adequately addressed";

(ii) in subparagraph (D)—

(I) by striking "and research that incorporates the principles of universal design" and inserting ", rehabilitation research, and research that incorporates the principles of universal design"; and

(II) by striking "and" after the semicolon; and

(iii) in subparagraph (E), by striking "and research that incorporates the principles of universal design." and inserting ", rehabilitation research, and research that incorporates the principles of universal design; and";

(3) by striking subsection (d);

(4) by redesignating subsection (c) as subsection (d);

(5) by inserting after subsection (b) the following:

"(c)(1) Not later than 2 years after the date of enactment of the Workforce Investment Act of 2012, and periodically thereafter, the Committee shall host a disability and rehabilitation research summit, for the purposes of establishing a research agenda to ensure projects are relevant and applicable, bringing together policymakers, representatives from Federal agencies conducting disability and rehabilitation research, nongovernmental funders of rehabilitation research, and organizations representing individuals with disabilities, researchers, and providers.

"(2) Based on the proceedings of the summit described in paragraph (1), the Committee shall develop a comprehensive Government-wide strategic plan for disability and rehabilitation research. The strategic plan shall include measurable goals and objectives, action-oriented measures, timetables, budgets, and assignment of responsible individuals and agencies for carrying out research activities. At a minimum, the strategic plan shall include—

"(A) research priorities and recommendations;

"(B) the development of a searchable Government-wide inventory of disability and rehabilitation research for trend and data analysis across Federal agencies;

"(C) a set of guiding principles and policies and procedures for conducting and administering disability and rehabilitation research across Federal agencies; and

"(D) a summary of underemphasized and of duplicative areas of research.

"(3) Not later than 90 days after the conclusion of the summit described in paragraph (1), the strategic plan described in paragraph (2) shall be submitted to the President and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

"(4) The annual report prepared by the Committee under subsection (d) shall include an annual accounting of the progress made in implementing the strategic plan described in paragraph (2), including achievement of measurable goals and objectives, timetables, budgets, and the assignment of responsible individuals and agencies.

"(5) The Committee shall have the authority to facilitate collaborative projects among Federal agencies by receiving the transfer of funds from such agencies.";

(6) in subsection (d), as redesignated by paragraph (4), by striking paragraph (1) and inserting the following:

"(1) describes the progress of the Committee in fulfilling the duties described in subsections (b) and (c), and including specifically for subsection (c)—

"(A) a report of the progress made in implementing the strategic plan;

"(B) a description of the achievement of measurable goals, objectives, and timetables;

"(C) detailed budgetary information; and

"(D) the assignment of responsible individuals and agencies."; and

(7) in subsection (e)—

(A) in paragraph (1), by striking "and" after the semicolon; and

(B) in paragraph (2), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(3) the term 'rehabilitation research' means research on issues and topics related to attaining maximum self sufficiency and function by individuals with disabilities, including research on assistive technology and universal design, employment, education, health and function, and community integration and participation.".

#### SEC. 435. RESEARCH AND OTHER COVERED ACTIVITIES.

Section 204 (20 U.S.C. 764) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting "have practical real life applications and" before "maximize"; and

(ii) by striking "employment, independent living," and inserting "employment, education, independent living, health and health care,";

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting "and from which the research findings can be transferred to practice" after "State agencies"; and

(ii) in subparagraph (B)—

(I) by striking clause (ii) and inserting the following:

"(ii) studies and analysis of policies and the interaction of how particular factors (industrial, vocational, educational, employment, social, recreational, psychiatric, psychological, economic, and health and health care), including for traditionally underserved populations as described in section 21, affect the rehabilitation of individuals with disabilities";

(II) in clause (iii), by striking "are home-bound" and inserting "have significant challenges attempting to engage with community life outside of their homes";

(III) in clause (iv), by inserting ", including the principles of universal design and the

interoperability of products and services" after "disabilities";

(IV) in clause (v), by inserting ", and to promote employment opportunities in competitive integrated employment" after "employment";

(V) in clause (vi), by striking "and" after the semicolon;

(VI) in clause (vii), by striking "and assistive technology." and inserting ", assistive technology, and communications technology; and"; and

(VII) by adding at the end the following:

"(viii) studies, analyses, and other activities affecting employment outcomes as defined in section 7(11), including self-employment and telecommuting, of individuals with disabilities."; and

(C) by adding at the end the following:

"(3) In carrying out this section, the Director shall emphasize covered activities that include plans for—

"(A) dissemination of high quality materials, scientifically valid research results, or findings, conclusions, and recommendations resulting from covered activities, including through electronic means (such as the website of the Department of Education), so that such information is available in a timely manner to the general public; or

"(B) the commercialization of marketable products, research results, or findings, resulting from the covered activities.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "(18)" both places the term appears and inserting "(17)";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

"(i) be operated in collaboration with institutions of higher education or providers of rehabilitation services, developers or providers of assistive technology devices, assistive technology services, or information technology devices or services, or providers of other appropriate services; and

"(ii) serve as centers of national excellence and national or regional resources for individuals with disabilities, as well as providers, educators, and researchers.";

(ii) in subparagraph (B)—

(I) in clause (i), by striking "alleviate or stabilize" and all that follows through the semicolon and inserting "maximize health and function (including alleviating or stabilizing conditions, or preventing secondary conditions), and promote maximum social and economic independence of individuals with disabilities, including promoting the ability of the individuals to prepare for, secure, retain, regain, or advance in employment";

(II) in clause (iii), by striking "and" after the semicolon; and

(III) by striking clause (iv) and inserting the following:

"(iv) serving as an informational and technical assistance resource to individuals with disabilities, as well as to providers, educators, and researchers, through conferences, workshops, public education programs, in-service training programs, and similar activities and providing knowledge translation to promote the use of research findings through training, technical assistance, and dissemination, including identifying potential new areas of research; and

"(v) developing practical applications for the findings of the research of the Centers.";

(iii) in subparagraph (C)—

(I) in clause (i), by inserting ", including research on assistive technology devices, assistive technology services, and accessible



electronic and information technology devices" after "research";

(II) in clause (ii), by striking "and social" and inserting ", social, and economic";

(III) by striking clauses (iii) through (vi) and inserting the following:

"(iii) improving the evaluation process for determining the assistive technology needs of individuals with disabilities;

"(iv) research related to vocational rehabilitation, including the use of assistive technology devices and accessible electronic and information technology devices in employment;

"(v) continuation of research that promotes the emotional, social, educational, and functional growth of children who are individuals with disabilities, as well as their integration in school, employment, and community activities;

"(vi) continuation of research to develop and evaluate interventions, policies, and services that support families of children and adults who are individuals with disabilities;

"(vii) continuation of research that will improve services and policies that foster the independence and social integration of individuals with disabilities, and enable individuals with disabilities, including individuals with intellectual disabilities and other developmental disabilities, to live in their communities; and

"(viii) research, dissemination, and technical assistance on best practices in supported employment and other strategies to promote competitive integrated employment for persons with the most significant disabilities.";

(IV) by striking subparagraph (D) and inserting the following:

"(D) Training of students preparing to be rehabilitation personnel or to provide rehabilitative, assistive, or supportive services (such as rehabilitation counseling, personal care services, direct care, job coaching, aides in school based setting, or advice or assistance in utilizing assistive technology devices, assistive technology services, and accessible electronic and information technology devices and services) shall be an important priority for each such Center.";

(V) by striking subparagraph (I); and

(VI) by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;

(C) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (ii)(II), by striking "employment" and inserting "educational, employment,"; and

(II) in clause (iii)(II), by striking "employment" and inserting "educational, employment,";

(ii) in subparagraph (D)(ii), by adding at the end the following: "Each such Center conducting an activity relating to assistive technology or relating to accessible electronic and information technology shall include in the advisory committee a member of the assistive technology or accessible electronic and information technology community, respectively. Each such Center conducting an activity resulting in educational materials or a product to be used in a covered school, or resulting in a product to be used in an employment activity, shall include in the advisory committee a member of the covered school community, or a member of the business community, respectively.";

(iii) in subparagraph (G)(ii), by inserting "the success of any commercialized product researched or developed through the Center," after "individuals with disabilities,";

(D) in paragraph (4)(B)—

(i) in clause (i)—

(I) by striking "special" and inserting "unique"; and

(II) by inserting "social and functional needs, and" before "acute care"; and

(ii) in clause (iv), by inserting "education, health and health care," after "employment,";

(E) in paragraph (8)—

(i) by striking "Veteran's Administration" and inserting "Department of Veterans Affairs, the Department of Defense, the Substance Abuse and Mental Health Services Administration, the Federal Communications Commission,"; and

(ii) by inserting "the Department of Commerce, the Small Business Administration, the Department of Labor," after "Space Administration,";

(F) by striking paragraphs (9) and (11);

(G) by redesignating paragraphs (10), (12), (13), (14), (15), (16), (17), and (18), as paragraphs (9), (10), (11), (12), (13), (14), (15), and (16), respectively;

(H) in paragraph (11), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by striking "employment needs of individuals with disabilities," and inserting "employment needs, opportunities, and outcomes (including those relating to self-employment, supported employment, and telecommuting) of individuals with disabilities, including older individuals with disabilities, students with disabilities who are transitioning from school to postsecondary life, including employment, and out of school youth with disabilities,";

(ii) in subparagraph (B), by inserting "and employment related" after "the employment,";

(iii) in subparagraph (E), by striking "and" after the semicolon;

(iv) in subparagraph (F), by striking the period at the end and inserting "; and"; and

(v) by adding at the end the following:

"(G) develop models and alternatives to help transition sheltered workshops for individuals with disabilities to competitive integrated employment for such individuals, and develop recommendations for decreasing reliance on the special minimum wage certificate program under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)).";

(I) in paragraph (14), as redesignated by subparagraph (G), by striking "and access to gainful employment," and inserting ", full participation, equal opportunity, and economic self-sufficiency."; and

(J) by adding at the end the following:

"(17) Research grants may be used to provide for research and training concerning the delivery of vocational rehabilitation services. Such projects and activities may include projects and activities designed to—

"(A) identify, develop, and evaluate evidence-based practices or policies that are effective in improving employment outcomes for individuals with disabilities;

"(B) conduct research related to improving the provision of services for underserved or special populations, such as strategies to enhance employment services and outcomes for middle-aged and older workers with disabilities or American Indians with disabilities;

"(C) conduct research on the delivery of vocational rehabilitation services to rural areas;

"(D) demonstrate innovative models of service delivery or testing methods of service delivery that have the potential to improve the effectiveness of programs author-

ized under this Act, including the use of assistive technology devices and accessible electronic and information technology devices in employment;

"(E) conduct research on ways to improve the performance of State vocational rehabilitation agencies;

"(F) disseminate and promote the implementation of evidence-based practices identified through these activities; and

"(G) conduct rigorous evaluations of programs and activities administered by the Rehabilitation Services Administration or supported under this Act."; and

(3) by adding at the end the following:

"(d)(1) The Director shall award the grants, contracts, or other financial assistance under this title on a competitive basis.

"(2)(A) To be eligible to receive financial assistance under this section for a covered activity, an entity shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.

"(B) The application shall include information describing—

"(i) measurable goals, as established through section 1115 of title 31, United States Code, and a timeline and specific plan for meeting the goals, that the applicant has set for addressing priorities related to—

"(I) commercialization of a marketable product (including a marketable curriculum or research) resulting from the covered activity;

"(II) in the case of a covered activity relating to technology, technology transfer;

"(III) in the case of research, dissemination of research results to, as applicable, Government entities, individuals with disabilities, covered schools, the business community, the assistive technology community, and the accessible electronic and information technology community; and

"(IV) other priorities as required by the Director; and

"(ii) how the applicant will quantifiably measure the goals to determine whether the goals have been accomplished.

"(3)(A) In the case of an application for financial assistance under this section to carry out a covered activity that results in the development of a marketable product, the application shall also include a commercialization and dissemination plan, as appropriate, containing commercialization and marketing strategies for the product involved, and strategies for disseminating information about the product. The financial assistance shall not be used to carry out the commercialization and marketing strategies.

"(B) In the case of any other application for financial assistance to carry out a covered activity under this section, the application shall also include a dissemination plan, containing strategies for disseminating educational materials, research results, or findings, conclusions, and recommendations, resulting from the covered activity.";

#### SEC. 436. REHABILITATION RESEARCH ADVISORY COUNCIL.

Section 205 (29 U.S.C. 765) is amended—

(1) in subsection (a), by inserting "not less than" after "composed of"; and

(2) by striking subsection (c) and inserting the following:

"(c) QUALIFICATIONS.—Members of the Council shall include representatives of rehabilitation professionals, rehabilitation researchers, the directors of community rehabilitation programs, the business community (including a representative of the small business community) that has experience with the system of vocational rehabilitation services carried out under this Act and with hiring individuals with disabilities, assistive



technology developers and manufacturers, information technology vendors and manufacturers, entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.), covered school professionals, individuals with disabilities, and the individuals' representatives. At least one-half of the members shall be individuals with disabilities or the individuals' representatives."

#### SEC. 437. DEFINITION OF COVERED SCHOOL.

Title II (29 U.S.C. 760) is amended by adding at the end the following:

#### "SEC. 206. DEFINITION OF COVERED SCHOOL.

"In this title, the term 'covered school' means an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or an institution of higher education."

#### Subtitle D—Professional Development and Special Projects and Demonstration

#### SEC. 441. TRAINING.

Section 302 (29 U.S.C. 772) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking all after "deliver" and inserting "supported employment services and customized employment services to individuals with the most significant disabilities"; and

(II) by striking "and" after the semicolon;

(ii) in subparagraph (F), by striking "and" after the semicolon;

(iii) in subparagraph (G), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(H) personnel trained in providing assistive technology services.";

(2) in subsection (b)(1)(B)(i), by striking "or prosthetics and orthotics" and inserting "prosthetics and orthotics, rehabilitation teaching for the blind, or orientation and mobility instruction";

(3) in subsection (g)—

(A) in paragraph (1), by adding after the period the following: "Any technical assistance provided to community rehabilitation programs shall be focused on the employment outcome of competitive integrated employment for individuals with disabilities."; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (iv) and inserting the following:

"(iv) for the 2 years following the date of enactment of the Workforce Investment Act of 2012, to provide training regarding the amendments made to this Act."; and

(ii) in subparagraph (B), by striking "on the date of enactment of the Rehabilitation Act Amendments of 1998" and inserting "on the date of enactment of the Workforce Investment Act of 2012"; and

(4) in subsection (i), by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2013 through 2017".

#### SEC. 442. DEMONSTRATION AND TRAINING PROGRAMS.

Section 303 (29 U.S.C. 773) is amended—

(1) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking clause (i) and inserting the following:

"(i) special projects and demonstration programs focused on improving transition from education to competitive integrated employment for youth who are individuals with significant disabilities"; and

(II) by striking clause (iii) and inserting the following:

"(iii) increasing competitive integrated employment for individuals with significant disabilities."; and

(B) by striking paragraph (6);

(2) in subsection (c)(2)—

(A) in subparagraph (E), by striking "and" after the semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G); and—

(C) by inserting after subparagraph (E) the following:

"(F) to provide support and guidance in helping individuals with significant disabilities, including students with disabilities, transition to competitive integrated employment; and"; and

(3) by amending subsection (e) to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section (other than subsections (c) and (e)), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2013 through 2017."

#### SEC. 443. MIGRANT AND SEASONAL FARMWORKERS.

Section 304(b) (29 U.S.C. 774(b)) is amended by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2013 through 2017".

#### SEC. 444. RECREATIONAL PROGRAMS.

Section 305 (29 U.S.C. 776) is amended—

(1) in subsection (a)(1)(B), by striking "construction of facilities for aquatic rehabilitation therapy."; and

(2) in subsection (b), by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2013 through 2017".

#### Subtitle E—National Council on Disability

#### SEC. 451. REPORT.

Section 401 (29 U.S.C. 781) is amended by striking subsection (c).

#### SEC. 452. AUTHORIZATION OF APPROPRIATIONS.

Section 405 (29 U.S.C. 785) is amended by striking "fiscal years 1999 through 2003" and inserting "fiscal years 2013 through 2017".

#### Subtitle F—Rights and Advocacy

#### SEC. 456. BOARD AND COUNCIL.

(a) ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.—Section 502(j) (29 U.S.C. 792(j)) is amended by striking "1999 through 2003" and inserting "2013 through 2017".

(b) PROGRAM OR ACTIVITY.—Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking "vocational education" and inserting "career and technical education".

(c) INTERAGENCY DISABILITY COORDINATING COUNCIL.—Section 507(a) (29 U.S.C. 794(a)) is amended by inserting "the Chairperson of the National Council on Disability," before "and such other".

#### SEC. 457. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509 (29 U.S.C. 794e) is amended—

(1) in subsection (c)(1)(A), by inserting "a grant or contract for" before "training";

(2) in subsection (f)—

(A) in paragraph (2)—

(i) by striking "general" and all that follows through "records" and inserting "general authorities (including rights and remedies), including the authority to access records"; and

(ii) by inserting "of title I" after "subtitle C"; and

(B) in paragraph (3), by striking "authority" and inserting "authority (including the right)";

(3) in subsection (g)(2), by striking "was paid" and all that follows and inserting "was paid, except that program income generated

from the amount paid to an eligible system for a fiscal year shall remain available to such system in accordance with section 19 of this Act.";

(4) in subsection (1), by striking "1999 through 2003" and inserting "2013 through 2017";

(5) by redesignating subsections (1) and (m) as subsections (m) and (n), respectively; and

(6) by inserting after subsection (k) the following:

"(l) SYSTEM AUTHORITY.—For purposes of serving persons eligible for services under this section, an eligible system shall have the same general authorities, including access to records, as the system is afforded under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), as determined by the Commissioner of the Administration on Developmental Disabilities."

#### SEC. 458. STANDARDS FOR ACCESSIBLE MEDICAL DIAGNOSTIC EQUIPMENT.

Section 510 (29 U.S.C. 794f) is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

"(c) REGULATIONS.—Not later than 6 months after the date of the issuance of the standards under subsection (a), each appropriate Federal agency authorized to promulgate regulations under section 504 or the Americans with Disabilities Act of 1990 shall prescribe regulations in an accessible format, to the extent necessary to carry out the provisions of this section, section 504, and the Americans with Disabilities Act of 1990, as applicable, that include accessibility standards that are consistent with the standards issued under subsection (a)."; and

(3) in subsection (d), as redesignated by paragraph (1), by adding at the end the following: "Not later than 6 months after the date of the issuance of such amended standards, each Federal agency covered by subsection (c) shall prescribe revised regulations, in an accessible format, that are consistent with the amended standards."

#### Subtitle G—Employment Opportunities for Individuals With Disabilities

#### SEC. 461. PROJECTS WITH INDUSTRY.

Section 611 (29 U.S.C. 795) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "in the competitive" and inserting "in competitive integrated employment in the"; and

(ii) by inserting "locally" after "career advancement";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting "local and national" after "jointly financed"; and

(II) by inserting "in competitive integrated employment" after "career opportunities";

(ii) in subparagraph (A)—

(I) by striking clause (ii) and inserting the following:

"(ii) identify job and career availability within the community in consultations with local workforce investment boards, consistent with the existing and emerging in-demand industry sectors and occupations as defined in section 101 of the Workforce Investment Act of 2012, and the employment needs of employers in those industry sectors and occupations";

(II) in clause (iii), by striking "and" after the semicolon;

(III) in clause (iv), by inserting "and" after the semicolon; and

(IV) by adding at the end the following:

“(v) coordinate such training and job placement activities with the local workforce investment boards described in clause (ii) as appropriate, and with the Job Corps center industry councils established under section 154 of the Workforce Investment Act of 2012.”; and

(iii) in subparagraph (C)—

(I) in clause (i), by striking “and” after the semicolon;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

“(ii) internship programs for individuals with disabilities who seek employment; and”;

(2) in subsection (e)(2), by striking “in States, portions of States, Indian tribes, or tribal organizations” and inserting “nationally or in States, in portions of States, across multiple States, or in Indian tribes or tribal organizations”; and

(3) by adding at the end the following:

“(i) PROHIBITED USE OF FUNDS.—Grant funds awarded under this section shall not be used to support services in sheltered workshops or segregated settings.”.

#### SEC. 462. AUTHORIZATION OF APPROPRIATIONS.

Section 612 (29 U.S.C. 795a) is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2013 through 2017”.

#### SEC. 463. SUPPORTED EMPLOYMENT SERVICES.

Part B of title VI (29 U.S.C. 795g) is amended to read as follows:

##### “PART B—SUPPORTED EMPLOYMENT SERVICES

##### “SEC. 621. PURPOSE.

“It is the purpose of this part to authorize allotments, in addition to grants for vocational rehabilitation services under title I, to assist States in developing collaborative programs with appropriate entities to provide supported employment services for individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.

##### “SEC. 622. ALLOTMENTS.

“(a) IN GENERAL.—

“(1) STATES.—The Secretary shall allot the sums appropriated for each fiscal year to carry out this part among the States on the basis of relative population of each State, except that—

“(A) no State shall receive less than \$250,000, or 1/5 of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater; and

“(B) if the sums appropriated to carry out this part for the fiscal year exceed the sums appropriated to carry out this part for fiscal year 1992 by \$1,000,000 or more, no State shall receive less than \$300,000, or 1/5 of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater.

“(2) CERTAIN TERRITORIES.—

“(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands shall not be considered to be States.

“(B) ALLOTMENT.—Each jurisdiction described in subparagraph (A) shall be allotted not less than 1/5 of 1 percent of the amounts appropriated for the fiscal year for which the allotment is made.

“(b) REALLOTMENT.—Whenever the Commissioner determines that any amount of an

allotment to a State for any fiscal year will not be expended by such State for carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

“(c) LIMITATIONS ON ADMINISTRATIVE COSTS.—A State that receives an allotment under this part shall not use more than 5 percent of the funds made available through the allotment to pay for administrative costs.

“(d) SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—A State that receives an allotment under this part shall expend half of the allotment for the provision of supported employment services, including extended services, to youth with the most significant disabilities in order to assist those youth to achieve an employment outcome in supported employment.

##### “SEC. 623. AVAILABILITY OF SERVICES.

“(a) SUPPORTED EMPLOYMENT SERVICES.—Funds provided under this part may be used to provide supported employment services to individuals who are eligible under this part.

“(b) EXTENDED SERVICES.—Except as provided in paragraph (c), funds provided under this part, or title I, may not be used to provide extended services to individuals who are eligible under this part or title I.

“(c) EXTENDED SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—Funds allotted under this part, or title I, and used for the provision of services under this part to youth with the most significant disabilities pursuant to section 622(d) of this part, may be used to provide extended services to youth with the most significant disabilities for a period not to exceed four years.

##### “SEC. 624. ELIGIBILITY.

“An individual, including a youth with a disability, shall be eligible under this part to receive supported employment services authorized under this part if—

“(1) the individual, including a youth with a disability, is eligible for vocational rehabilitation services under title I;

“(2) the individual, including a youth, is determined to be an individual with a most significant disability; and

“(3) a comprehensive assessment of rehabilitation needs of the individual or youth described in section 7(2)(B), including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate employment outcome for the individual or youth.

##### “SEC. 625. STATE PLAN.

“(a) STATE PLAN SUPPLEMENTS.—To be eligible for an allotment under this part, a State shall submit to the Commissioner, as part of the State plan under section 101, a State plan supplement for providing supported employment services authorized under this Act to individuals, including youth with the most significant disabilities, who are eligible under this Act to receive the services. Each State shall make such annual revisions in the plan supplement as may be necessary.

“(b) CONTENTS.—Each such plan supplement shall—

“(1) indicate each designated State agency as the agency to administer the program assisted under this part;

“(2) summarize the results of the comprehensive, statewide assessment conducted under section 101(a)(15)(A)(i), with respect to the rehabilitation needs of individuals, including youth, with significant disabilities and the need for supported employment services, including needs related to coordination;

“(3) describe the quality, scope, and extent of supported employment services authorized under this Act to be provided to individuals, including youth with the most significant disabilities, who are eligible under this Act to receive the services and specify the goals and plans of the State with respect to the distribution of funds received under section 622;

“(4) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other State agencies and other appropriate entities to assist in the provision of supported employment services;

“(5) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services;

“(6) a description of the activities to be conducted under this part, using the funds specified in section 622(d) of this title, for providing supported employment services to youth with the most significant disabilities, including—

“(A) the provision of extended services for a period not to exceed four years; and

“(B) how the State will use the funds specified in section 622(d) to leverage other public and private funds to increase resources for extended services and expand supported employment opportunities for youth with the most significant disabilities;

“(7) provide assurances that—

“(A) funds made available under this part will only be used to provide supported employment services authorized under this Act to individuals, including youth, who are eligible under this part to receive the services;

“(B) the comprehensive assessments of individuals with significant disabilities, including youth with the most significant disabilities, conducted under section 102(b)(1) and funded under title I will include consideration of supported employment as an appropriate employment outcome;

“(C) an individualized plan for employment, as required by section 102, will be developed and updated using funds under title I in order to—

“(i) specify the supported employment services to be provided, including as appropriate for youth with the most significant disabilities, transition services and pre-employment transition services provided in accordance with sections 101(a)(25) and 114;

“(ii) specify the expected extended services needed, including the extended services that may be provided to youth with the most significant disabilities under this part, in accordance with an approved individualized plan for employment, for a period not to exceed four years; and

“(iii) identify, as appropriate, the source of extended services, which may include natural supports, or to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment is developed;

“(D) the State will use funds provided under this part only to supplement, and not supplant, the funds provided under title I, in

providing supported employment services specified in the individualized plan for employment;

“(E) services provided under an individualized plan for employment will be coordinated with services provided under other individualized plans established under other Federal or State programs;

“(F) to the extent jobs skills training is provided, the training will be provided on-site;

“(G) supported employment services will include placement in an integrated setting based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities;

“(H) the State agencies designated under paragraph (1) will expend not more than 5 percent of the allotment of the State under this part for administrative costs of carrying out this part; and

“(I) with respect to supported employment services provided to youth with the most significant disabilities with the funds described in section 622(d), the designated State agency will provide, directly or indirectly through public or private entities, non-Federal contributions towards the grant award in an amount that is not less than 10 percent of such costs; and

“(8) contain such other information and be submitted in such manner as the Commissioner may require.

#### **“SEC. 626. RESTRICTION.**

“Each State agency designated under section 625(b)(1) shall collect the information required by section 101(a)(10) separately for eligible—

“(1)(A) individuals receiving supported employment services under this part; and

“(B) individuals receiving supported employment services under title I; and

“(2)(A) youth receiving supported employment services under this part; and

“(B) youth receiving supported employment services under title I.

#### **“SEC. 627. SAVINGS PROVISION.**

“(a) SUPPORTED EMPLOYMENT SERVICES.—Nothing in this Act shall be construed to prohibit a State from providing supported employment services in accordance with the State plan submitted under section 101 by using funds made available through a State allotment under section 110.

“(b) POST-EMPLOYMENT SERVICES.—Nothing in this part shall be construed to prohibit a State from providing discrete post-employment services in accordance with the State plan submitted under section 101 by using funds made available through a State allotment under section 110 to an individual who is eligible under this subpart.

#### **“SEC. 628. AUTHORIZATION OF APPROPRIATIONS.**

“There is authorized to be appropriated to carry out this part, including for technical assistance, such sums as may be necessary for each of the fiscal years 2013 through 2017.”.

### **Subtitle H—Independent Living Services and Centers for Independent Living**

#### **CHAPTER 1—GENERAL PROVISIONS**

##### **SEC. 471. PURPOSE.**

Section 701 (29 U.S.C. 796) is amended, in paragraph (3), by inserting before the period the following: “, with the goal of improving the independence of and equal opportunity for individuals with disabilities”.

##### **SEC. 472. INDEPENDENT LIVING ADMINISTRATION.**

Title VII (29 U.S.C. 796 et seq.) is amended by inserting after section 701 the following:

##### **“SEC. 701A. INDEPENDENT LIVING ADMINISTRATION.**

“(a) ESTABLISHMENT.—In order to promote the philosophy and purpose of section 701, there is established within the Department of Education an Independent Living Administration, independent of the Rehabilitation Services Administration.

“(b) DIRECTOR.—The Independent Living Administration shall be headed by a Director (referred to in this title as the ‘ILA Director’) appointed by the Secretary. The ILA Director shall not have been an employee of the Department of Education during the 90-day period before such appointment, and shall have substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the ILA Director shall be the principal officer, of the Department for carrying out this title. The ILA Director shall have the same reporting relationship as is outlined in section 202(a)(2), and shall be a different individual than the Commissioner.

“(c) GENERAL COUNSEL.—The Office of the General Counsel of the Department of Education shall designate 1 or more individuals, with substantial background in and knowledge of independent living services and centers for independent living under this title, to provide advice, support, and technical assistance to the ILA Director.

“(d) INPUT.—The ILA Director shall have the authority to seek such input and advice, including convening meetings, as the ILA Director determines to be appropriate with respect to the policies and conduct of the Independent Living Administration.

“(e) STAFF.—The Secretary shall ensure that—

“(1) the Independent Living Administration has sufficient staff to provide oversight of, conduct auditing of, and provide technical assistance to, the centers for independent living and Statewide Independent Living Councils funded under this Act; and

“(2) such staff includes qualified individuals who have significant experience with centers for independent living or Statewide Independent Living Councils described in section 705.”.

##### **SEC. 473. DEFINITIONS.**

Section 702 (29 U.S.C. 796a) is amended—

(1) in paragraph (1)—

(A) in the matter before subparagraph (A), by inserting “for individuals with significant disabilities (regardless of age or income)” before “that—”;

(B) in subparagraph (A), by striking “and” at the end;

(C) in subparagraph (B), by striking the period and inserting “, including, at a minimum, independent living core services as defined in section 7(17); and”;

(D) by adding at the end the following:

“(C) has sufficient staff to provide the services described in subparagraph (B).”; and

(2) in paragraph (2), by striking the period and inserting the following: “, both in terms of—

“(A) the management, staffing, decision-making, and operation of the center; and

“(B) the center’s establishment of policies, direction, and provision of services.”.

##### **SEC. 474. STATE PLAN.**

Section 704 (29 U.S.C. 796c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after “State plan” the following: “developed and signed in accordance with paragraph (2).”; and

(ii) by striking “Commissioner” each place it appears and inserting “ILA Director”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “developed and signed by”; and

(ii) by striking subparagraphs (A) and (B) and inserting the following:

“(A) developed by the chairperson of the Statewide Independent Living Council, the director of the designated State entity described in subsection (c), and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities throughout the State; and

“(B) signed by—

“(i) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;

“(ii) the director of the designated State entity described in subsection (c); and

“(iii) not less than 51 percent of the directors of the centers for independent living in the State.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “State independent living services” and inserting “independent living services in the State”;

(ii) in subparagraph (B), by striking “and” at the end; and

(iii) by striking subparagraph (C) and inserting the following:

“(C) working relationships and collaboration between—

“(i) centers for independent living; and

“(ii)(I) entities carrying out programs that provide independent living services, including those serving older individuals;

“(II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and

“(III) entities carrying out the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities; and

“(D) cooperative agreements and partnerships to provide a seamless model for provision of services to individuals with disabilities and to avoid duplication of services.”;

(D) in paragraph (4), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(E) by adding at the end the following:

“(5) STATEWIDE BASIS.—The State plan shall provide for the provision of independent living services on a statewide basis, to the greatest extent possible, including through the establishment of additional centers for independent living or focused outreach to serve underserved populations.”;

(2) in subsection (b), by striking the period and inserting the following: “, as well as a plan for funding the administrative costs of the Council.”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “UNIT” and inserting “ENTITY”;

(B) in the matter preceding paragraph (1), by striking “the designated State unit of such State” and inserting “a State entity of such State (referred to in this title as the ‘designated State entity’), which may be the designated State unit, an entity within the designated State agency, or an entity within a different State agency.”;

(C) in paragraphs (3) and (4), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(D) in paragraph (3), by striking “and” at the end; and

(E) in paragraph (4), by striking the period and inserting “; and”;

(4) in subsection (i), by striking paragraphs (1) and (2) and inserting the following:

“(1) the Statewide Independent Living Council;

“(2) centers for independent living;

“(3) the designated State entity; and

“(4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.”;

(5) in subsection (m)—

(A) in paragraph (4), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(B) in paragraph (5), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(6) by adding at the end the following:

“(o) PROMOTING FULL ACCESS TO COMMUNITY LIFE.—

“(1) IN GENERAL.—The plan shall describe how the State will provide independent living services that promote full access to community life for individuals with significant disabilities.

“(2) SERVICES.—The services shall include—

“(A) facilitating transitions of individuals with significant disabilities from nursing homes and other institutions, to home- and community-based residences, with the requisite supports and services;

“(B) providing assistance to individuals with significant disabilities that are at risk of entering institutions so that the individuals may remain in the community; and

“(C) facilitating transitions of youth (including students) who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life, including employment.”.

#### SEC. 475. STATEWIDE INDEPENDENT LIVING COUNCIL.

Section 705 (29 U.S.C. 796d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

“(2) COMPOSITION.—The Council shall include—

“(A) among its voting members, at least 1 director of a center for independent living chosen by the directors of centers for independent living within the State;

“(B) among its voting members, for a State in which 1 or more centers are funded under section 721(c)(4), at least 1 representative of the directors of the centers; and

“(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from State agencies that provide services for individuals with disabilities.”;

(B) in paragraph (3)—

(i) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(ii) in subparagraph (B), by striking “parents and guardians of”; and

(iii) by inserting after paragraph (B) the following:

“(C) parents and guardians of individuals with disabilities.”;

(C) in paragraph (5)(B), by striking “paragraph (3)” and inserting “paragraph (1)”;

(2) by striking subsection (c) and inserting the following:

“(c) FUNCTIONS.—

“(1) DUTIES.—The Council shall—

“(A) in conjunction with the directors of the centers for independent living in the

State, and the designated State entity, jointly develop and sign the State plan as provided in section 704(a)(2);

“(B) monitor, review, and evaluate the implementation of the State plan;

“(C) have at least 4 regularly scheduled meetings per year, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;

“(D) submit to the ILA Director such periodic reports as the ILA Director may reasonably request, and keep such records, and afford such access to such records, as the ILA Director finds necessary to verify the information in such reports; and

“(E) as appropriate, coordinate activities with the State Rehabilitation Council established under section 105, if the State has such a Council, or the commission described in section 101(a)(21)(A), if the State has such a commission, and councils that address the needs of specific disability populations and issues under other Federal law.

“(2) AUTHORITIES.—The Council may, consistent with the State plan described in section 704, unless prohibited by State law—

“(A) facilitate the improvement and coordination of services provided to individuals with disabilities by centers for independent living, the designated State unit, other government agencies, and community organizations;

“(B) conduct resource development activities to obtain funding from public and private resources to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and

“(C) perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate.

“(3) LIMITATION.—The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.”;

(3) in subsection (e)—

(A) in paragraph (1), in the first sentence, by striking “prepare” and all that follows through “a plan” and inserting “prepare, in conjunction with the designated State entity, a plan”; and

(B) in paragraph (3), by striking “agency” and inserting “entity”; and

(4) in subsection (f)—

(A) by striking “such resources” and inserting “available resources”; and

(B) by striking “(including)” and all that follows through “compensation” and inserting “(such as personal assistance services), and to pay reasonable compensation”.

#### SEC. 476. RESPONSIBILITIES OF THE ILA DIRECTOR.

Section 706 (29 U.S.C. 796d-1) is amended—

(1) by striking the title of the section and inserting the following:

“SEC. 706. RESPONSIBILITIES OF THE ILA DIRECTOR.”;

(2) in subsection (a)—

(A) in paragraph (1), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “Commissioner” each place it appears and inserting “ILA Director”; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking “Secretary” and inserting “Secretary or the Commissioner”; and

(bb) by striking “to the Commissioner; and” and inserting “to the ILA Director.”;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

“(ii) to the State agency shall be deemed to be references to the designated State entity; and”;

(3) by striking subsection (b) and inserting the following:

“(b) INDICATORS.—Not later than 1 year after the date of enactment of the Workforce Investment Act of 2012, the ILA Director shall develop and publish in the Federal Register indicators of minimum compliance for centers for independent living (consistent with the standards set forth in section 725), and indicators of minimum compliance for Statewide Independent Living Councils.”;

(4) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

“(1) REVIEWS.—

“(A) TYPES OF REVIEWS.—The ILA Director shall annually conduct—

“(i) onsite compliance reviews of at least 15 percent of the centers for independent living that receive funds under section 722 and shall periodically conduct such a review of each such center;

“(ii) onsite compliance reviews of at least one-third of the designated State units that receive funding under section 723, and, to the extent necessary to determine the compliance of such a State unit with subsections (f) and (g) of section 723, centers that receive funding under section 723 in such State; and

“(iii) onsite compliance reviews for at least 10 percent of the Statewide Independent Living Councils established in each State under section 705.

“(B) SELECTIONS.—The ILA Director shall select the centers, State units, and Councils described in this paragraph for review on a random basis.”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “Commissioner” and inserting “ILA Director”;

(ii) in subparagraph (A), by striking “such a review” and inserting “a review described in paragraph (1)”;

(iii) in subparagraphs (A) and (B), by striking “Department” each place it appears and inserting “Independent Living Administration”; and

(5) by striking subsection (d).

#### CHAPTER 2—INDEPENDENT LIVING SERVICES

##### SEC. 477. ADMINISTRATION.

(a) ALLOTMENTS.—Section 711 (29 U.S.C. 796e) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking “Except” and inserting “After the reservation required by section 711A is made, and except”; and

(ii) by inserting “the remainder of the” before “sums appropriated”; and

(B) in paragraph (2)(B), by striking “amounts made available for purposes of this part” and inserting “remainder described in paragraph (1)(A)”;

(2) in subsections (a), (b), and (c), by striking “Commissioner” each place it appears and inserting “ILA Director”; and

(3) by adding at the end the following:

“(d) ADMINISTRATION.—Funds allotted or made available to a State under this section shall be administered by the designated State entity, in accordance with the approved State plan, except for States covered by section 723.”.

(b) TRAINING AND TECHNICAL ASSISTANCE.—Part B of title VII is amended by inserting

after section 711 (29 U.S.C. 796e) the following:

**“SEC. 711A. TRAINING AND TECHNICAL ASSISTANCE.**

“(a) IN GENERAL.—From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2012, the ILA Director shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to Statewide Independent Living Councils for such fiscal year.

“(b) ALLOCATION.—From the funds reserved under subsection (a), the ILA Director shall make grants to, and enter into contracts and other arrangements with, entities that have experience in the operation of Statewide Independent Living Councils to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating Statewide Independent Living Councils.

“(c) FUNDING PRIORITIES.—The ILA Director shall conduct a survey of Statewide Independent Living Councils regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or other arrangements.

“(d) REVIEW.—To be eligible to receive a grant or enter into a contract or other arrangement under this section, such an entity shall submit an application to the ILA Director at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the ILA Director may require. The ILA Director shall provide for peer review of grant applications by panels that include persons who are not government employees and who have experience in the operation of Statewide Independent Living Councils.”

(c) PAYMENTS.—Section 712(a) (29 U.S.C. 796e-1(a)) is amended by striking “Commissioner” and inserting “ILA Director.”

(d) AUTHORIZED USES OF FUNDS.—Section 713 (29 U.S.C. 796e-2) is amended—

(1) by striking the matter preceding paragraph (1) and inserting the following:

“(a) IN GENERAL.—The State may use funds received under this part (but not more than 30 percent of the funds paid to the State under section 712) to provide the resources described in section 705(e), relating to the Statewide Independent Living Council, may retain funds under section 704(c)(5), and shall distribute the remainder of the funds received under this part in a manner consistent with the approved State plan under section 704 for the activities described in subsection (b).

“(b) ACTIVITIES.—The State may use the remainder of the funds described in subsection (a)—”; and

(2) in paragraph (1), by inserting “, particularly those in unserved areas of the State” after “disabilities”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 714 (29 U.S.C. 796e-3) is amended by striking “1999 through 2003” and inserting “2013 through 2017”.

**CHAPTER 3—CENTERS FOR INDEPENDENT LIVING**

**SEC. 481. PROGRAM AUTHORIZATION.**

Section 721 (29 U.S.C. 796f) is amended—

(1) in subsection (a)—

(A) by striking “1999” and inserting “2012”;

(B) by striking “Commissioner shall allot” and inserting “ILA Director shall make available”; and

(C) by inserting “, centers for independent living,” after “States”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “For” and all that follows through “Commissioner” and inserting “From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2012, the ILA Director”;

(ii) by inserting “not less than 1.8 percent and not more than 2 percent of the funds” after “reserve”; and

(iii) by striking “eligible agencies” and all that follows and inserting “centers for independent living and eligible agencies for such fiscal year.”;

(B) in paragraph (2)—

(i) by striking “Commissioner” and inserting “ILA Director”; and

(ii) by inserting “fiscal management of,” before “planning.”;

(C) in paragraphs (3), (4), and (5), by striking “Commissioner” each place it appears and inserting “ILA Director”; and

(D) in paragraph (3), by striking “Statewide Independent Living Councils and”;

(3) by striking subsection (c) and inserting the following:

“(c) ALLOTMENTS TO STATES.—

“(1) DEFINITIONS.—In this subsection:

“(A) ADDITIONAL APPROPRIATION.—The term ‘additional appropriation’ means the amount (if any) by which the appropriation for a fiscal year exceeds the total of—

“(i) the amount reserved under subsection (b) for that fiscal year; and

“(ii) the appropriation for fiscal year 2008.

“(B) APPROPRIATION.—The term ‘appropriation’ means the amount appropriated to carry out this part.

“(C) BASE APPROPRIATION.—The term ‘base appropriation’ means the portion of the appropriation for a fiscal year that is equal to the lesser of—

“(i) an amount equal to 100 percent of the appropriation, minus the amount reserved under subsection (b) for that fiscal year; or

“(ii) the appropriation for fiscal year 2008.

“(2) ALLOTMENTS TO STATES FROM BASE APPROPRIATION.—After the reservation required by subsection (b) has been made, the ILA Director shall allot to each State whose State plan has been approved under section 706 an amount that bears the same ratio to the base appropriation as the amount the State received under this subsection for fiscal year 2008 bears to the total amount that all States received under this subsection for fiscal year 2008.

“(3) ALLOTMENTS TO STATES OF ADDITIONAL APPROPRIATION.—From the portion of any additional appropriation for each fiscal year that remains after the application of paragraph (4), the ILA Director shall allot to each State whose State plan has been approved under section 706 an amount equal to the sum of—

“(A) an amount that bears the same ratio to 50 percent of the portion as the population of the State bears to the population of all States; and

“(B)  $\frac{1}{60}$  of 50 percent of that portion.

“(4) GRANTS FOR CENTERS FOR AMERICAN INDIANS.—

“(A) GRANTS.—The ILA Director may reserve not more than 5 percent of the additional appropriation for any fiscal year. The ILA Director shall use the reserved funds to make individual grants to support new or existing centers for independent living run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations (including consortia of such governing bodies). A governing body that receives such a grant shall use the grant funds for such a center that serves American Indians who are individuals with disabilities residing on or near such a reservation.

“(B) APPLICATIONS.—

“(i) IN GENERAL.—To be eligible to receive a grant under this paragraph for an independent living center, a governing body, or a governing body in conjunction with a center for independent living, shall submit an application to the ILA Director at such time, in such manner and containing such information as the ILA Director may require, and obtain approval for the application.

“(ii) CONTENTS.—At a minimum, the application shall contain an assurance that the center—

“(I) will meet the definition of a center for independent living under section 702;

“(II) will provide independent living core services (as defined in section 7(17)) to American Indians described in subparagraph (A) and, in appropriate cases, may provide to such American Indians services traditionally used by Indian tribes;

“(III) will have sufficient staff to provide the services described in subclause (II); and

“(IV) will comply with the standards and provide and comply with the assurances for centers for independent living under section 725.

“(C) CARRYOVER AUTHORITY.—Notwithstanding any other provision of law, any funds provided through a grant made under subparagraph (A) to an individual grant recipient for a fiscal year that are not obligated or expended by the recipient prior to the beginning of the succeeding fiscal year shall remain available for obligation and expenditure by such recipient during that succeeding fiscal year and the subsequent fiscal year.

“(D) RESERVATION.—In this paragraph, the term ‘reservation’ has the meaning given the term in section 121(d).”;

(4) in subsection (d), by striking “Commissioner” each place it appears and inserting “ILA Director”; and

(5) by adding at the end the following:

“(e) CARRYOVER AUTHORITY.—Notwithstanding any other provision of law—

“(1) any funds appropriated for a fiscal year to carry out a grant program under section 722 or 723, that are not obligated and expended by the recipients prior to the beginning of the succeeding fiscal year shall remain available for obligation and expenditure by such recipients during that succeeding fiscal year and the subsequent fiscal year; and

“(2) any amounts of program income received by recipients under a grant program under section 722 or 723 in a fiscal year, that are not obligated and expended by the recipients prior to the beginning of the succeeding fiscal year, shall remain available for obligation and expenditure by such recipients during that succeeding fiscal year and the subsequent fiscal year.”.

**SEC. 482. CENTERS.**

(a) CENTERS IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.—Section 722 (29 U.S.C. 796f-1) is amended—

(1) in subsections (a), (b), and (c), by striking “Commissioner” each place it appears and inserting “ILA Director”;

(2) in subsection (c)—

(A) by striking “grants” and inserting “grants for a fiscal year”; and

(B) by striking “by September 30, 1997” and inserting “for the preceding fiscal year”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “Commissioner” and inserting “ILA Director”; and

(ii) by striking “region, consistent” and all that follows and inserting “region. The ILA Director’s determination of the most qualified applicant shall be consistent with the

provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living.”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “Commissioner” and inserting “ILA Director”; and

(ii) by striking subparagraph (A) and inserting the following:

“(A) shall consider comments regarding the application—

“(i) by individuals with disabilities and other interested parties within the new region proposed to be served;

“(ii) if any, by the Statewide Independent Living Council in the State in which the applicant is located;”; and

(iii) in subparagraph (C), by inserting “, and consistent with the other objectives of this title” before the period; and

(4) in subsections (e) and (g) by striking “Commissioner” each place it appears and inserting “ILA Director.”.

(b) **CENTERS IN STATES IN WHICH STATE FUNDING EXCEEDS FEDERAL FUNDING.**—Section 723 (29 U.S.C. 796f-2) is amended—

(1) in subsections (a), (b), (g), (h), and (i), by striking “Commissioner” each place it appears and inserting “ILA Director”; and

(2) in subsection (a), in the header of paragraph (3), by striking “COMMISSIONER” and inserting “ILA DIRECTOR”; and

(3) in subsection (c)—

(A) by striking “grants” and inserting “grants for a fiscal year”; and

(B) by striking “by September 30, 1997” and inserting “for the preceding fiscal year”.

(c) **CENTERS OPERATED BY STATE AGENCIES.**—Section 724 (29 U.S.C. 796f-3) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “1993” and inserting “2012”; and

(B) by striking “Rehabilitation Act Amendments of 1998” and inserting “Workforce Investment Act of 2012”; and

(C) by striking “1994” and inserting “2012”; and

(2) by striking “Commissioner” each place it appears and inserting “ILA Director”.

#### SEC. 483. STANDARDS AND ASSURANCES.

Section 725 (29 U.S.C. 796f-4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(D), by striking “to society” and inserting “, both within the community and throughout the United States;”; and

(B) in paragraph (5)—

(i) by inserting “(as defined in section 7(17))” after “core services”; and

(ii) by inserting before the period the following: “to eligible individuals, to promote full access to community life”; and

(2) in subsection (c), by striking “Commissioner” each place it appears and inserting “ILA Director”.

#### SEC. 484. AUTHORIZATION OF APPROPRIATIONS.

Section 727 (29 U.S.C. 796f-6) is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2013 through 2017”.

### CHAPTER 4—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

#### SEC. 486. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND.

Chapter 2 of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796j et seq.) is amended—

(1) by redesignating sections 752 and 753 as sections 753 and 754, respectively; and

(2) by inserting after section 751 the following:

#### “SEC. 752. TRAINING AND TECHNICAL ASSISTANCE.

“(a) **GRANTS; CONTRACTS; OTHER ARRANGEMENTS.**—For any fiscal year for which the funds appropriated to carry out this chapter exceed the funds appropriated to carry out this chapter for fiscal year 2008, the Commissioner shall first reserve from such excess, to provide training and technical assistance to designated State agencies, or other providers of independent living services for older individuals who are blind, that are funded under this chapter for such fiscal year, not less than 1.8 percent, and not more than 2 percent, of the funds appropriated to carry out this chapter for the fiscal year involved.

“(b) **ALLOCATION.**—From the funds reserved under subsection (a), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities that demonstrate expertise in the provision of services to older individuals who are blind, to provide training and technical assistance with respect to planning, developing, conducting, administering, and evaluating independent living programs for older individuals who are blind.

“(c) **FUNDING PRIORITIES.**—The Commissioner shall conduct a survey of designated State agencies that receive grants under section 753 regarding training and technical assistance needs in order to determine funding priorities for grants, contracts, and other arrangements under this section.

“(d) **APPLICATION.**—To be eligible to receive a grant or enter into a contract or other arrangement under this section, an entity shall submit an application to the Commissioner at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require.

“(e) **PROHIBITION ON COMBINED FUNDS.**—No funds reserved by the Commissioner under this section may be combined with funds appropriated under any other Act or portion of this Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such reserved funds are separately identified in the agreement for such grant or payment and are used for the purposes of this chapter.”.

#### SEC. 487. PROGRAM OF GRANTS.

Section 753 of the Rehabilitation Act of 1973 (29 U.S.C. 796k), as redesignated by section 586, is amended—

(1) by striking subsection (h);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively;

(3) in subsection (b), by striking “section 753” and inserting “section 754”; and

(4) in subsection (c)—

(A) in paragraph (1), by striking “section 753” and inserting “section 754”; and

(B) in paragraph (2)—

(i) by striking “subsection (j)” and inserting “subsection (i)”; and

(ii) by striking “subsection (i)” and inserting “subsection (h)”; and

(5) in subsection (g), by inserting “, or contracts with,” after “grants to”; and

(6) in subsection (h), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking “subsection (j)(4)” and inserting “subsection (i)(4)”; and

(B) in paragraph (2)—

(i) in subparagraph (A)(vi), by adding “and” after the semicolon;

(ii) in subparagraph (B)(ii)(III), by striking “; and” and inserting a period; and

(iii) by striking subparagraph (C); and

(7) in subsection (i), as redesignated by paragraph (2)—

(A) by striking paragraph (2) and inserting the following:

“(2) **MINIMUM ALLOTMENT.**—

“(A) **STATES.**—In the case of any of the several States, the District of Columbia, or the Commonwealth of Puerto Rico, the amount referred to in paragraph (1)(A) for a fiscal year is the greater of—

“(i) \$350,000;

“(ii) an amount equal to the amount the State, the District of Columbia, or the Commonwealth of Puerto Rico received to carry out this chapter for fiscal year 2008; or

“(iii) an amount equal to 1/5 of 1 percent of the amount appropriated under section 754, and not reserved under section 752, for the fiscal year and available for allotments under subsection (a).

“(B) **CERTAIN TERRITORIES.**—In the case of Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, the amount referred to in paragraph (1)(A) for a fiscal year is \$60,000.”;

(B) in paragraph (3)(A), by striking “section 753” and inserting “section 754, and not reserved under section 752.”; and

(C) in paragraph (4)(B)(i), by striking “subsection (i)” and inserting “subsection (h)”).

#### SEC. 488. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND AUTHORIZATION OF APPROPRIATIONS.

Section 754 of the Rehabilitation Act of 1973 (29 U.S.C. 796l), as redesignated by section 586, is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2013 through 2017”.

#### Subtitle I—Increasing Employment Opportunities for Individuals With Disabilities

##### SEC. 491. DISABILITY EMPLOYMENT.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended by adding at the end the following:

#### “TITLE VIII—INCREASING EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

##### “SEC. 801. PUBLIC EDUCATION CAMPAIGNS ABOUT HIRING INDIVIDUALS WITH DISABILITIES.

“(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of the Workforce Investment Act of 2012, the Secretary of Labor, acting through the Assistant Secretary and in coordination with the Commissioner of the Rehabilitation Services Administration, the Commissioner of Social Security, the Commissioner of the Internal Revenue Service, and the heads of other relevant Federal agencies and divisions of Federal agencies, shall develop and carry out public education campaigns that educate employers (including small businesses), employees (including individuals with disabilities), and members of the general public (including young adults) on the benefits of hiring individuals with disabilities. The public education campaign for employers (including small businesses) shall include information on—

“(1) the work opportunity credit under section 51 of the Internal Revenue Code of 1986; and

“(2) tax incentives available to businesses to help cover the cost of improving accessibility, including—

“(A) the disabled access credit under section 44 of the Internal Revenue Code of 1986; and

“(B) the tax deduction available under section 190 of the Internal Revenue Code of 1986, for expenses for architectural barrier removal.

“(b) **EDUCATIONAL MATERIALS.**—The public education campaigns described in subsection



(a) shall include, as necessary, different educational materials in order to adequately target and educate, small businesses, employers generally, employees, and members of the general public, including educational materials on work incentives that may assist individuals with disabilities in leaving programs of public benefits, entering the workforce, advancing their economic status, and contributing to and participating more fully in their communities.”.

#### SEC. 492. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended—

(1) by striking the item relating to section 109 and inserting the following:

“Sec. 109. Training and services for employers.”;

(2) by inserting after the item relating to section 112 the following:

“Sec. 113. Additional technical assistance.

“Sec. 114. Pre-employment transition services.”;

(3) by inserting after the item relating to section 205 the following:

“Sec. 206. Definition of covered school.”;

(4) by inserting after the item relating to section 509 the following:

“Sec. 510. Establishment of standards for accessible medical diagnostic equipment.”;

(5) by striking the items relating to part B of title VI and inserting the following:

“PART B—SUPPORTED EMPLOYMENT SERVICES

“Sec. 620. Authorization of appropriations.”;

(6) in the items relating to title VII—

(A)(i) by inserting after the item relating to section 701 the following:

“Sec. 701A. Independent Living Administration.”;

and

(ii) by striking the item relating to section 706 and inserting the following:

“Sec. 706. Responsibilities of the ILA Director.”;

(B) by inserting after the item relating to section 711 the following:

“Sec. 711A. Training and technical assistance.”;

and

(C) by striking the items relating to sections 752 and 753 and inserting the following:

“Sec. 752. Training and technical assistance.

“Sec. 753. Program of grants.

“Sec. 754. Authorization of appropriations.”;

and

(7) by adding at the end the following:

“TITLE VIII—INCREASING EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

“Sec. 801. Public education campaigns about hiring individuals with disabilities.”.

The CHAIR. Pursuant to House Resolution 113, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Madam Chairwoman, I yield myself 3 minutes.

This amendment is offered in its entirety as a substitute for the underlying bill and the manager's amendment to it. I do it because I strongly believe that this is, in fact, a better proposal than the existing one, but would have preferred what could have

been the best result in this bill, which would have been one where all of the Members had had consultation and where all of the negotiations had occurred and we were able to bring forth a bill with concessions by both sides to get a bill that would have been assured of passage in the Senate, or close to that, assured the President's signature and assured the support of the broad public.

Instead, just as in the last session, we end up with a proposal that ignores sound proposals from both sides and that goes with a hyper-partisan approach, and that's not going to serve the country or this process at all. Having a chance to present 18 amendments, as was done in the last session, and having them all essentially shot down on a party-line vote is not an excuse or a substitute for having a process in which we really try to work out our differences and make reasonable concessions.

This bill that's before us today by the majority party was filed on February 25. A so-called “hearing” occurred on February 26, the very next day, at which two of the three Republican witnesses admitted they had never read the bill. Instead, of programs that exist right now, this bill proceeded with their arbitrary consolidation or elimination without any evaluation of their efficacy, of their effectiveness, of whether or not they ought to be consolidated or changed or terminated or kept intact as they are.

Reliance was made on the GAO report, which did not say anything about consolidating. All it said was that some of the programs duplicate some aspects and that only five programs had had a full evaluation, which would have begged the question for more hearings, more thorough evaluation, more data, and more consultation with the people involved—the stakeholders—to, in fact, come to a conclusion of just how, and if, consolidation should have happened.

We've seen from some of the amendments made today, even by Members of the majority, that they thought that some of the populations should have gotten more attention than the base bill gives them. Essentially, here, we have a public policy that is dictated, not by Washington in the underlying bill, but is advocated to Governors so that instead of being accountable for the decisions we make of who we think needs job training in this country and what the national needs are, the Republican bill would just abdicate that to Governors, and they could decide to serve or not serve entire populations and afford them an opportunity to get the training that we believe as legislators they need.

This bill, as amended by the manager's amendment, creates a one-size-fits-all: it eliminates separate training funds for youth; it silences the voices

of the community colleges, labor, economic development groups, and community-based organizations; it eliminates supported employment programs, like the Disabled Veterans' Outreach Program; it eliminates the priority of service delivery for low-income adults and out-of-school youth.

Perhaps that's why so many groups have expressed serious concern about this underlying bill. Groups like the United States Conference of Mayors, the National Association of Counties, the National League of Cities, the National Association of Workforce Boards, Corporation for a Skilled Workforce, Goodwill Industries International, and so many others have expressed concern for this underlying bill or have expressed approval for the substitute that we offer. It's why the administration has filed a statement opposing this bill, just as it did last year, saying it doesn't meet the administration's goals and urging the Republicans to work with us to make a better bill on that.

Mr. Chairman, we could have had the best of all alternatives. We could have had a good bill for the American people. We could have had a bill that took the best aspects of all the proposals and put them together with consultation and presented that for the approval of this House, then had a signed signature by the President, and then had the support of the American people. Unfortunately, that process was not followed, and the arbitrary process was endured by all of us on that part.

I ask that the Members support this substitute as being better than the underlying bill; and then hopefully, we could get back to getting the best bill, which would be one done by collaboration and cooperation.

I reserve the balance of my time.

□ 1100

Mr. KLINE. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR (Mr. CAMPBELL). The gentleman from Minnesota is recognized for 10 minutes.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume.

Despite the extraordinary mischaracterization of the bill and some pretty amazing straw men that have been put forward today, let's look at what we really have here. This chart shows the situation that we've got today. This myriad of programs, I would call this bureaucracy run amok. I might call it red tape, as one of the colleagues from the other side suggested I might call it. It is confusing at best.

And this is what the President had to say about it. He said: It's a maze of confusing training programs. He said that last year. I thought he meant it. I'm not sure about his statement today. Maybe he has changed his mind, but he called it a maze.

So what are we going to do about this maze, this red tape, this bureaucracy? We recommend simplifying it, making it easier to use, helping people get the training they need, not the bureaucracy for them to wade through. So we took the information from the Government Accountability Office. We looked at the statements coming from the administration and departments. We looked at programs that even the administration had recommended to stop funding, and we said: Let's make this simple. Let's make this easier. Let's let the local workforce boards who know their communities, with the employers in their communities, make it easier for people to get work, and we put together a bill that has one workforce investment fund. Not a maze, not confusing, less red tape, easier to use, something that the people who need work can use so that you don't have less than one in five who show up to that maze actually getting the training they need.

And what have the Democrats proposed? Well, let's take a look at that chart. They took the current system and they boldly eliminated one program that hasn't been funded since 2003, and they added six more. I don't see how that helps us get where we need to go. I don't see how that helps get the millions of unemployed back to work. I don't see how that helps employers who have 3.6 million openings get those jobs filled.

We need action here. That's what we believe our bill does. This is what their bill does. I recommend that we support the SKILLS Act and reject this amendment.

I reserve the balance of my time.

Mr. TIERNEY. At this time I would like to yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), a coauthor of the substitute amendment.

Mr. HINOJOSA. Mr. Chairman, I rise today in strong support of the Tierney, Hinojosa, and Miller amendment in the nature of a substitute because the Congress has a responsibility to modernize our Nation's public workforce training and adult educational system.

Putting America back to work must be a top priority for Congress and the Nation. This Tierney-Hinojosa-Miller amendment would bolster the role of community colleges in job training by authorizing President Obama's \$8 billion Community College to Career Fund. It would develop a 21st century system for adult education literacy and workplace services. It would engage our Nation's youth through multiple pathways to success. It would create competitive employment services and opportunities for individuals with disabilities. And yes, it would improve accountability and transparency through performance measures and reporting.

Importantly, the Democratic substitute bill would strengthen rather than eliminate the priority for low

skilled and low-income adults under WIA.

Today, our current public workforce and adult education system provides an invaluable range of services, including education, occupational skills training, career counseling, job search assistance, adult education, English language literacy, and civics education. And yes, it provides job placement services to populations with unique barriers to employment.

These populations include migrant and seasonal farm workers, Native Americans, people with disabilities, veterans, older workers, people who are homeless, low-income youth, low-skilled workers, English learners, ex-offenders, and women seeking non-traditional employment opportunities.

In the 12-month period ending September 30, 2012, WIA programs provided services to 32.8 million people, as well as hundreds of thousands of employers across the country, according to the U.S. Department of Labor.

While our current WIA system is providing much-needed education and training and reemployment services, the Tierney-Hinojosa-Miller amendment would modernize our current WIA system. It would prepare greater numbers of unemployed and underemployed Americans for jobs in health care, advanced manufacturing, and high-growth industries and sectors that require specialized skills for these positions, and it would ensure that our most vulnerable populations are served.

In closing, Mr. Chairman, I urge my colleagues on both sides of the aisle to join me in voting for the Tierney-Hinojosa-Miller amendment in the nature of a substitute and do what is right for the millions of unemployed individuals.

Mr. KLINE. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOOX), the author of the SKILLS Act.

Ms. FOOX. Mr. Chair, I thank the chairman of the Education Committee for his leadership, and I want to give special thanks to the staff for their hard work on this bill. They've done phenomenal work.

Mr. Chair, I am also opposed to this substitute amendment. This amendment blatantly ignores the President's call to "cut through the confusing maze of training programs" by creating a number of new redundant programs. In addition to the 50-plus programs already in existence, the amendment reauthorizes programs that President Obama eliminated in his FY '13 budget proposal and funds programs that have not been funded in years.

Unfortunately, this substitute amendment gives priorities to bureaucrats instead of un- and under-employed Americans who are hurting. More than 20 million Americans are struggling to find work and turn to

their government for answers and assistance. This amendment adds to the confusion of the dizzying maze of existing programs.

We should be streamlining our Nation's workforce development system, not making it more complicated for workers and job seekers. This week, several of the North Carolina workforce administrators were in town and shared with me their frustration in filling local workforce boards with members Washington mandates, rather than the partners they know who understand the needs of their local communities and workforce. This proposal does nothing to address these Federal mandates, and instead adds to the burden by mandating that 20 percent of board members be Big Labor. This is unacceptable. State and local leadership should be deciding who is best equipped to meet the needs of their communities.

Finally, the amendment dramatically increases the amount of hard-earned taxpayer dollars spent on administrative costs rather than direct services. Our Nation's debt will reach \$17 trillion very soon, and taking more money from hardworking taxpayers to spend on bureaucrats is unconscionable. The Democrat proposal asks us to double down on the status quo that is failing our country in this time of high unemployment and record debt.

Mr. Chair, the numbers tell the story: 12 million unemployed; 8 million working part-time who want to work full time; 3.6 million jobs unfilled. Obviously, the current system is broken. I urge my colleagues to oppose this amendment and support the SKILLS Act.

Mr. TIERNEY. Mr. Chairman, at this time I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

The Acting CHAIR. The gentleman from Maryland is recognized for 3 minutes. That is the balance of the gentleman from Massachusetts' time.

Mr. HOYER. I thank the gentleman for yielding, and I rise in support of his substitute and in opposition to the so-called SKILLS Act.

Mr. Chairman, there was an opportunity to do this in a bipartisan fashion. As we so often do, unfortunately, in this body, we choose to do it in a partisan fashion, which almost predictably will mean its defeat. This bill is a partisan-sponsored version which is opposed by most stakeholders, including the National Skills Coalition. It's a partisan bill because, unfortunately, Republicans refused Democrats' request to negotiate a bipartisan version.

We need a bill like the Democratic alternative introduced by the gentleman from Massachusetts (Mr. TIERNEY), who wrote a bill that enhances career pathways into training programs for advanced manufacturing and other industries.



□ 1110

Our alternative would work to enhance partnerships with industry, maintain a role for all stakeholders in workforce investment, and protect services for those facing significant barriers to finding work. This is the type of approach that House Democrats' Make It in America plan has endorsed.

Unfortunately, the Republican bill, on the other hand, would eliminate and/or consolidate 35 programs into a single Workforce Investment Fund. That may sound good, but it lacks any priority of service for those facing the highest barriers to employment. These include low-income individuals and those with poor work histories.

It ends the requirement that State and local Workforce Investment Boards include representation of workers, labor representation, and it removes much-needed funding for low-income youth, other than Job Corps.

Mr. Chairman, this is not the Workforce Investment Act Reauthorization that the American people expect nor the one that Congress should pass. We need one that invests in competitiveness, jobs, and the growth of our manufacturing sector. We need the alternative offered by the gentleman from Massachusetts.

I hope my Republican friends will set partisanship aside and work with us to enact legislation that helps all of our people find jobs and pursue the opportunities that make our country great. We have had some success in this Congress when we acted in a bipartisan fashion. We had it just a few days ago on the Violence Against Women Act.

But when we act in a partisan fashion, we fail—and this country is sick of failure, sick of this Congress' inability to work together—and this is an example, a bill that has historically been passed in a bipartisan fashion comes to this floor in a very partisan fashion. What a shame. What a shame for America. What a shame for Americans. What a shame for workforce development. What a shame for our ability to compete and to grow and create jobs.

Let's pass this alternative that the gentleman from Massachusetts has offered.

Mr. TIERNEY. I thank the Chair, first of all, for having the discussion on time. Apparently, the time was a little bit confused on that.

I ask unanimous consent that both sides be awarded an additional minute.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KLINE. Mr. Chairman, can I now inquire as to how much time is remaining on each side?

The Acting CHAIR. The gentleman from Minnesota has 6 minutes remaining. The gentleman from Massachusetts has 1 minute remaining.

Mr. KLINE. I'm pleased to yield 3 minutes to the chief deputy whip, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Look, we were admonished a minute ago in the well of the House about the shame of things, and I think we can all accept admonition that we, as a Congress, need to do better. But part of doing better, part of creating a bipartisan bill, is showing up to do the work. So when the minority chooses to walk out of a proceeding, while that's their prerogative, it doesn't create the environment for bipartisanship. Enough said.

We're also told that there's shame and disappointment in not working, and I would assume that that shame and disappointment goes back to the previous majority, Mr. Chairman, who failed to do this work. Now, that's living in the rearview mirror, and enough of that.

So the question is: How do we move forward? How do we take bipartisan or, actually, more importantly, non-partisan advice from the Government Accounting Office which has looked at the status quo and made a couple of points? They've said the status quo is a failure. The status quo isn't syncing up job creation opportunities, that is, job training, with where the actual jobs are. Or said another way, we've got a status quo that's good for job trainers, but it's not good for the people that we all claim to speak for, that is, those who are unemployed and need a skill.

So we were also told a minute ago that, and I think the word was, a majority of those who were involved somehow are opposed to the GOP plan. I'm getting data that shows that there's dozens of groups—and I'm sure it's on the Ed and Workforce Web site—that are supporting this.

So here's the question: Do we listen to the GAO? Do we say we're not going to defend the status quo, we're not going to bulk up with more bureaucracy, but, instead, at a time when everybody recognized that resources are limited, we're going to consolidate, be smart, be clever about how we're doing things in order to get this done?

And I think the failure, with all due respect, of the Democratic substitute is that it creates six new programs as opposed to consolidating and putting all of these savings, I might add, back into the very job training program that we're all trying to defend.

So I accept admonition where admonition is due, but I think we're a little bit reluctant to say there's not a bipartisan opportunity when part of being bipartisan is making sure that we show up for that opportunity.

With that, I urge a "no" vote on the substitute and a "yes" vote on the underlying bill.

Mr. TIERNEY. Mr. Chair, I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, can I inquire: The gentleman from Massachusetts has no other speakers and has the right to close?

The Acting CHAIR. The gentleman from Minnesota has the right to close.

Mr. KLINE. I reserve the balance of my time.

Mr. TIERNEY. Mr. Chairman, I yield myself the balance of the time.

The previous speaker, I don't know if he stayed or left or anything like that, but he talked about the environment being set. The environment of this was set in the hyperpartisan nature of the last session's presentation of the bill similar to this and of a bill this time giving no right to consult.

Showing up to participate in a so-called markup process where every vote would have been on a partisan basis and moved on, as it was last time, is not the issue. The issue is whether or not people reach across the aisle. As our Republican friend BUCK MCKEON had indicated, it's the majority's responsibility to, in fact, do this.

It's one thing to listen; it's another to comprehend. GAO's report, if one listened to it being read on that, indicated that there were a number of programs, but only five have been evaluated. It would have begged for an evaluation that we never had about what we were going to do with the programs on that. It talked about the fact that some might have overlapped, but said nothing about programs needing to be eliminated or terminated or saying that they were duplicative on that. We needed to determine that.

The underlying bill fails on a number of reasons, as I stated earlier. The amendment improves that. But again, the best bill would have been a bill where people sat down, member to member, worked out their differences, and presented to the American public, and for the President's signature, a bill that was bipartisan in nature and served both the employers and the prospective employees.

I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, interesting discussion today about what constitutes bipartisanship. I would just note, for the record, that when we attempted to reauthorize the Workforce Investment Act in the last Congress and we moved it through committee, amendments were offered by Republicans and Democrats, and amendments offered by Republicans and Democrats were included. In fact, some of those Democrat amendments are included in the underlying bill today.

Look, there have been accusations all morning about how the SKILLS Act is going to stop training for all sorts of people, and we had various straw men here. It was women and people with disabilities and all manner of things that we were just going to shut out.

But as the gentleman from Massachusetts said, sometimes it's helpful to

actually read the language. And so in the SKILLS Act, in the underlying bill, it insists that State and local boards put together a plan that has a description of how the local area and the State “will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as the Supplemental Nutrition Assistance Program), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled veterans and homeless veterans), and Native Americans.”

□ 1120

It's in the bill. We believe that we have a choice in front of us today. We brought forth a bill that says we need to address these needs with this program. It's simple and straightforward, allowing these people the opportunity to go and directly get the training they need, to get rid of that confusing maze, to get rid of red tape, and allow people to get the training they need, including all these people.

What has been proposed by the gentleman from Massachusetts to address these needs is this program—the current program, minus one, and six new programs. More complicated, bigger maze, more red tape, harder to use. It serves these very people poorly.

So I ask my colleagues to vote against the gentleman's amendment and support the underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

## RECORDED VOTE

Mr. TIERNEY. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 227, not voting 12, as follows:

[Roll No. 73]

## AYES—192

Andrews	Braley (IA)	Chu
Barber	Brown (FL)	Cicilline
Barrow (GA)	Brownley (CA)	Clarke
Bass	Bustos	Clay
Beatty	Butterfield	Cleaver
Becerra	Capps	Clyburn
Bera (CA)	Capuano	Cohen
Bishop (GA)	Cárdenas	Connolly
Bishop (NY)	Carney	Conyers
Blumenauer	Carson (IN)	Cooper
Bonamici	Cartwright	Courtney
Brady (PA)	Castro (TX)	Crowley

Cuellar	Kind	Pocan
Cummings	Kirkpatrick	Polis
Davis (CA)	Kuster	Price (NC)
Davis, Danny	Langevin	Quigley
DeFazio	Larsen (WA)	Rahall
DeGette	Larson (CT)	Rangel
Delaney	Lee (CA)	Richmond
DeLauro	Levin	Roybal-Allard
DelBene	Lewis	Ruiz
Dingell	Lipinski	Ruppersberger
Doggett	Loebbeck	Ryan (OH)
Doyle	Lofgren	Sánchez, Linda T.
Duckworth	Lowenthal	Sanchez, Loretta
Edwards	Lowe	Sarbanes
Ellison	Lujan Grisham (NM)	Schiff
Engel	Luján, Ben Ray (NM)	Schneider
Enyart	Maffei	Schrader
Eshoo	Maloney	Schwartz
Esty	Carolyn	Scott (VA)
Farr	Maloney, Sean	Scott, David
Fattah	Matheson	Serrano
Frankel (FL)	Matsui	Sewell (AL)
Fudge	McCarthy (NY)	Shea-Porter
Gabbard	McCollum	Sherman
Gallego	McDermott	Sinema
Garamendi	McGovern	Sires
Garcia	McIntyre	Slaughter
Grayson	McNerney	Speier
Green, Al	Meeks	Swalwell (CA)
Green, Gene	Meng	Takano
Grijalva	Michaud	Thompson (CA)
Gutierrez	Miller, George	Thompson (MS)
Hahn	Moore	Tierney
Hanabusa	Moran	Titus
Hastings (FL)	Murphy (FL)	Tonko
Heck (WA)	Nadler	Tsongas
Higgins	Napolitano	Van Hollen
Hinojosa	Neal	Vargas
Holt	Negrete McLeod	Veasey
Honda	Nolan	Vela
Horsford	O'Rourke	Velázquez
Hoyer	Owens	Visclosky
Huffman	Pallone	Walz
Israel	Pascrell	Wasserman
Jackson Lee	Pastor (AZ)	Schultz
Jeffries	Payne	Waters
Johnson (GA)	Pelosi	Watt
Johnson, E. B.	Perlmutter	Waxman
Kaptur	Peters (CA)	Welch
Keating	Peters (MI)	Wilson (FL)
Kennedy	Peterson	Yarmuth
Kildee	Pingree (ME)	Young (AK)
Kilmer		

## NOES—227

Conaway	Graves (GA)
Cook	Graves (MO)
Cotton	Griffin (AR)
Cramer	Griffith (VA)
Crawford	Grimm
Crenshaw	Guthrie
Culberson	Hall
Daines	Harper
Davis, Rodney	Harris
Denham	Hartzler
Dent	Hastings (WA)
DeSantis	Heck (NV)
DesJarlais	Hensarling
Diaz-Balart	Herrera Beutler
Duffy	Holding
Duncan (SC)	Hudson
Duncan (TN)	Huelskamp
Ellmers	Huizenga (MI)
Farenthold	Hultgren
Fincher	Hunter
Fitzpatrick	Hurt
Fleischmann	Issa
Fleming	Jenkins
Flores	Johnson (OH)
Forbes	Johnson, Sam
Fortenberry	Jones
Fox	Jordan
Franks (AZ)	Joyce
Frelinghuysen	Kelly
Garrett	King (IA)
Gerlach	King (NY)
Gibbs	Kingston
Gibson	Kinzingler (IL)
Gingrey (GA)	Kline
Gohmert	Labrador
Goodlatte	LaMalfa
Gosar	Lamborn
Gowdy	Lance
Granger	Lankford

Latham	Petri	Shuster
Latta	Pittenger	Simpson
LoBiondo	Pitts	Smith (NE)
Long	Poe (TX)	Smith (NJ)
Lucas	Pompeo	Smith (TX)
Luetkemeyer	Posey	Southerland
Lummis	Price (GA)	Stewart
Marchant	Radel	Stivers
Marino	Reed	Stockman
Massie	Reichert	Stutzman
McCarthy (CA)	Renacci	Terry
McCaul	Ribble	Thompson (PA)
McClintock	Rice (SC)	Thornberry
McKeon	Rigell	Tiberi
McKinley	Roby	Tipton
McMorris	Roe (TN)	Turner
Rodgers	Rogers (AL)	Upton
Meadows	Rogers (KY)	Valadao
Meehan	Rogers (MI)	Wagner
Messer	Rohrabacher	Walberg
Mica	Rokita	Walden
Miller (FL)	Rooney	Walorski
Miller (MI)	Ros-Lehtinen	Weber (TX)
Miller, Gary	Roskam	Webster (FL)
Mullin	Ross	Wenstrup
Mulvaney	Rothfus	Westmoreland
Murphy (PA)	Royce	Whitfield
Neugebauer	Runyan	Williams
Noem	Ryan (WI)	Wilson (SC)
Nugent	Salmon	Wittman
Nunes	Scalise	Wolf
Nunnelee	Schock	Womack
Olson	Schweikert	Woodall
Palazzo	Scott, Austin	Yoder
Paulsen	Sensenbrenner	Yoho
Pearce	Sessions	Young (FL)
Perry	Shimkus	Young (IN)

## NOT VOTING—12

Castor (FL)	Hanna	McHenry
Costa	Himes	Rush
Foster	Lynch	Schakowsky
Gardner	Markey	Smith (WA)

□ 1153

Messrs. COLE, MURPHY of Pennsylvania, ISSA, GARY G. MILLER of California and Mrs. BACHMANN changed their vote from “aye” to “no.”

Messrs. BRADY of Pennsylvania, ENYART, SIREN and DOYLE changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. CAMPBELL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 803) to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, and, pursuant to House Resolution 113, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. GEORGE MILLER of California. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GEORGE MILLER of California. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. George Miller of California moves to recommit the bill, H.R. 803, to the Committee on Education and the Workforce with instructions to report the same forthwith to the House with the following amendment:

Insert after section 4 the following:

#### SEC. 5. PROTECTION OF WAGES AND JOB OPPORTUNITIES FOR SENIORS, VETERANS, WOMEN, YOUTH, AND INDIVIDUALS WITH DISABILITIES.

Nothing in this Act or the amendments made by this Act shall repeal, deny, or weaken the wages, employment protections, employment or training opportunities, or educational benefits for the following:

(1) Seniors who receive employment opportunities and wage protections under the Older Americans Act of 1965 (Public Law 89-73).

(2) Veterans protected under the disabled veterans outreach program under section 4103(A) and programs under 4104 of title 38, United States Code.

(3) Women who receive training and other employment assistance under the Women in Apprenticeship and Nontraditional Occupations Act.

(4) Youth who receive employment opportunities and wage protections under Youth Build program, the Youth Conservation Corps Act, and any other youth training programs under the Workforce Investment Act of 1998; or

(5) Individuals with disabilities who are provided job opportunities under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

#### SEC. 6. MINIMUM WAGE INCREASES.

(a) MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

“(1) except as otherwise provided in this section, not less than—

“(A) \$8.20 an hour, beginning on the first day of the third month that begins after the date of enactment of the SKILLS Act;

“(B) \$9.15 an hour, beginning 1 year after that first day;

“(C) \$10.10 an hour, beginning 2 years after that first day; and

“(D) beginning on the date that is 3 years after that first day, and annually thereafter, the amount determined by the Secretary pursuant to subsection (h);”.

(2) DETERMINATION BASED ON INCREASE IN THE CONSUMER PRICE INDEX.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

“(h)(1) Each year, by not later than the date that is 90 days before a new minimum wage determined under subsection (a)(1)(D) is to take effect, the Secretary shall determine the minimum wage to be in effect pursuant to this subsection for the subsequent 1-year period. The wage determined pursuant to this subsection for a year shall be—

“(A) not less than the amount in effect under subsection (a)(1) on the date of such determination;

“(B) increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics; and

“(C) rounded to the nearest multiple of \$0.05.

“(2) In calculating the annual percentage increase in the Consumer Price Index for purposes of paragraph (1)(B), the Secretary shall compare such Consumer Price Index for the most recent month, quarter, or year available (as selected by the Secretary prior to the first year for which a minimum wage is in effect pursuant to this subsection) with the Consumer Price Index for the same month in the preceding year, the same quarter in the preceding year, or the preceding year, respectively.”.

(b) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES.—Section 3(m)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(1)) is amended to read as follows:

“(1) the cash wage paid such employee, which for purposes of such determination shall be not less than—

“(A) for the 1-year period beginning on the first day of the third month that begins after the date of enactment of the SKILLS Act, \$3.00 an hour;

“(B) for each succeeding 1-year period until the hourly wage under this paragraph equals 70 percent of the wage in effect under section 6(a)(1) for such period, an hourly wage equal to the amount determined under this paragraph for the preceding year, increased by the lesser of—

“(i) \$0.95; or

“(ii) the amount necessary for the wage in effect under this paragraph to equal 70 percent of the wage in effect under section 6(a)(1) for such period, rounded to the nearest multiple of \$0.05; and

“(C) for each succeeding 1-year period after the year in which the hourly wage under this paragraph first equals 70 percent of the wage in effect under section 6(a)(1) for the same period, the amount necessary to ensure that the wage in effect under this paragraph remains equal to 70 percent of the wage in effect under section 6(a)(1), rounded to the nearest multiple of \$0.05; and”.

(c) PUBLICATION OF NOTICE.—Section 6 of the Fair Labor Standards Act of 1938 (as amended by subsection (a)) (29 U.S.C. 206) is further amended by adding at the end the following:

“(1) Not later than 60 days prior to the effective date of any increase in the minimum wage determined under subsection (h) or required for tipped employees in accordance with subparagraph (B) or (C) of section 3(m)(1), as amended by the SKILLS Act, the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing the adjusted required wage.”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the first day of the third month that begins after the date of enactment of this Act.

Amend the table of contents in section 2 by inserting after the item relating to section 4 the following new items:

Sec. 5. Protection of wages and job opportunities for seniors, veterans, women, youth, and individuals with disabilities.

Sec. 6. Minimum wage increases.

Mr. GEORGE MILLER of California (during the reading). I ask unanimous consent to dispense with the reading of the motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. KLINE. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. KLINE (during the reading). I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore (Mr. CAMPBELL). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

□ 1200

Mr. GEORGE MILLER of California. Mr. Speaker, last week, I met a young man named Gregory Reynoso. He lives in Brooklyn. He is married, and they have a little girl who will soon turn 3 years old. He is a pizza delivery man. He makes \$7.25 an hour, but he can't make ends meet. As Gregory told me, if he pays one bill, he can't pay another.

He told me: I'm delivering food to other people all day, but sometimes I need food stamps so my family can eat.

When I look at the bill before us, I think of Gregory and a million other hardworking Americans like him. The bill before us is not for him. He's low-income. Under this bill, he loses his priority of service even if he wanted to train to try to get new skills for a better job with better wages to provide for his family. With this bill, he wouldn't be able to. With this bill, we shouldn't ask what it does for people like Gregory but what it does to them.

Under the Foxx bill, seniors and youth no longer have wage protections. Low-income workers no longer get priority of service. The voices of labor and community colleges are squeezed off the Workforce Investment Boards, and the poor and disadvantaged get the shaft.

We propose this motion to do something different so that, no matter what happens with the adoption of the Foxx bill, the poor will get a better shot at better jobs, and those who are working in low-wage jobs will get a decent wage. This amendment raises the Federal minimum wage to \$10.10 an hour. It indexes it to inflation, and gives tipped workers a raise for the first time in 20 years. For the first time in

20 years, they will get a shot at a raise and a decent wage for the work that they do in waiting on other people.

Without an increase in years, the working poor have been falling further and further behind. While corporate profits soar, while the Dow breaks new records, and while the CEOs take home 380 times the wages of average workers, the lowest paid workers are falling behind. If we vote to raise the minimum wage, we pump more than \$32 billion into the economy, money into working people's pockets, money into Main Street small businesses, money spent locally, money that generates demand, and demand that generates jobs.

A minimum wage increase pays for itself. Some businesses might have to pay higher wages, but they'll see higher revenues thanks to higher demand. The number one complaint from small businesses, according to Steve Case, the founder of AOL, is that there are not enough customers on Main Street because they're not earning enough money. They can't spend on Main Street because they're not earning enough money. That's why business owners are coming out for the raise—large businesses, like the CEO of Costco—encouraging and supporting the minimum wage; small businesses, like the restaurant owner Andy Shallal who came out for the minimum wage; and business leaders like the CEO of the U.S. Women's Chamber of Commerce. In 2005, the chairman of the board of Walmart came out for the minimum wage because, like today, their customers don't have enough money to buy the necessities of life. So think what this means if they can have an increase in the minimum wage. Think what this means to those individuals.

Over two-thirds of the people in this country support an increase to the minimum wage. A majority of self-identified Republicans support an increase in the minimum wage. We must understand that this is a pay raise for 30 million Americans. Half of those workers are women in this country; 88 percent of those workers are at least 20 years of age; and 17 million children will live in families that will get an increase in the wages and the incomes to those families.

These hardworking Americans have suffered enough in the Great Recession. Enough of the attacks on Medicare, Head Start, and now job training. Let's do something different this time. Let's do something that's right. Let's reward work for people who go to work every day in very difficult jobs, in sometimes very dirty jobs, in sometimes very demeaning jobs. They work every day, and they go home poor. At the end of the year, they end up poor. They work 52 weeks—they end up poor. They work in tough jobs—they end up poor.

Now is your opportunity to reward work to provide them. Let's help these

individuals. Let's help these families. Let's raise the minimum wage. It's time for \$10.10 an hour. Vote "yes" on the final passage—the vote for the minimum wage—and protect seniors, protect veterans, protect low-income workers.

I yield back the balance of my time.

#### ANNOUNCEMENTS BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask Members not to cross the well when another Member is under recognition.

The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. KLINE. Mr. Speaker, I seek time in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman opposed to the motion?

Mr. KLINE. I am.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, I always appreciate the passion of my friend and colleague, the ranking member on the Education and the Workforce Committee, on this and on so many issues.

It's no doubt personal incomes have been flat in recent years and unemployment remains high: 12 million Americans unemployed, some 22 million Americans underemployed. Unemployment among youth is extraordinarily high. People are trying to get into the workforce, and they can't get in. We need jobs out there.

The best approach right now is to get Federal spending under control and government out of the way of the Nation's job creators. Republicans are always willing to discuss responsible proposals that will promote economic growth and help people get to work. Since the motion to recommit would force this committee to advance a proposal that may hurt workers and job creators and increase unemployment, I urge my colleagues to vote "no" on the motion and "yes" on the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and approval of the Journal, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 184, nays 233, not voting 14, as follows:

[Roll No. 74]

#### YEAS—184

Andrews	Green, Al	Negrete McLeod
Barber	Green, Gene	Nolan
Bass	Grijalva	O'Rourke
Beatty	Gutierrez	Pallone
Becerra	Hahn	Pascarell
Bera (CA)	Hanabusa	Pastor (AZ)
Bishop (GA)	Hastings (FL)	Payne
Bishop (NY)	Heck (WA)	Pelosi
Blumenauer	Higgins	Perlmutter
Bonamici	Hinojosa	Peters (CA)
Brady (PA)	Holt	Peters (MI)
Braley (IA)	Honda	Pingree (ME)
Brown (FL)	Horsford	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Israel	Quigley
Capps	Jackson Lee	Rahall
Capuano	Jeffries	Rangel
Cárdenas	Johnson (GA)	Richmond
Carney	Johnson, E. B.	Roybal-Allard
Carson (IN)	Kaptur	Ruiz
Cartwright	Keating	Ruppersberger
Castro (TX)	Kennedy	Ryan (OH)
Chu	Kildee	Sánchez, Linda T.
Cicilline	Kilmer	Sanchez, Loretta
Clarke	Kind	Sarbanes
Clay	Kirkpatrick	Schiff
Cleaver	Kuster	Schneider
Clyburn	Langevin	Schwartz
Cohen	Larsen (WA)	Scott (VA)
Connolly	Larson (CT)	Scott, David
Conyers	Lee (CA)	Serrano
Cooper	Levin	Sewell (AL)
Courtney	Lewis	Shea-Porter
Crowley	Lipinski	Sherman
Cuellar	Loebach	Sinema
Cummings	Lofgren	Sires
Davis (CA)	Lowenthal	Slaughter
Davis, Danny	Lowe	Speier
DeFazio	Lujan Grisham	Swalwell (CA)
DeGette	(NM)	Takano
Delaney	Luján, Ben Ray	Thompson (CA)
DeLauro	(NM)	Thompson (MS)
DelBene	Maffei	Tierney
Deutch	Maloney,	Titus
Doggett	Carolyn	Tonko
Doyle	Maloney, Sean	Tsongas
Duckworth	Matsui	Van Hollen
Edwards	McCarthy (NY)	Vargas
Ellison	McCollum	Veasey
Engel	McDermott	Vela
Enyart	McGovern	Velázquez
Eshoo	McNerney	Visclosky
Esty	Meeks	Walz
Farr	Meng	Wasserman
Fattah	Michaud	Schultz
Frankel (FL)	Miller, George	Waters
Fudge	Moore	Watt
Gabbard	Moran	Waxman
Gallego	Murphy (FL)	Welch
Garamendi	Nadler	Wilson (FL)
Garcia	Napolitano	Yarmuth
Grayson	Neal	

#### NAYS—233

Aderholt	Broun (GA)	Crenshaw
Alexander	Buchanan	Culberson
Amash	Bucshon	Daines
Amodei	Burgess	Davis, Rodney
Bachmann	Calvert	Denham
Bachus	Camp	Dent
Barletta	Campbell	DeSantis
Barr	Cantor	DesJarlais
Barrow (GA)	Capito	Diaz-Balart
Barton	Carter	Duffy
Benishek	Cassidy	Duncan (SC)
Bentivolio	Chabot	Duncan (TN)
Billirakis	Coble	Ellmers
Bishop (UT)	Coffman	Farenthold
Black	Cole	Fincher
Blackburn	Collins (GA)	Fitzpatrick
Bonner	Collins (NY)	Fleischmann
Boustany	Conaway	Fleming
Brady (TX)	Cook	Flores
Bridenstine	Cotton	Forbes
Brooks (AL)	Cramer	Fortenberry
Brooks (IN)	Crawford	Foxx

Mr. HIMES. Mr. Speaker, on March 15, I was unable to be present for a series of votes. Had I been present for rollcall vote 73 on H.R. 803, I would have voted "yea." Had I been present for rollcall vote 74 on H.R. 803, I would have voted "yea." Had I been present

for rollcall vote 75 on final passage of H.R. 803, I would have voted "nay."

### THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

### ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-2)

The SPEAKER pro tempore (Mr. COTTON) laid before the House the following message from the President of the United States; which was read and referred to the Joint Economic Committee and ordered to be printed:

#### *To the Congress of the United States*

This year's Economic Report of the President describes the progress we have made recovering from the worst economic crisis since the Great Depression. After years of grueling recession, our businesses have created over six million new jobs. As a nation, we now buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But there are still millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs, but too many of our fellow citizens still can't find full-time employment. Corporate profits have reached all-time highs, but for more than a decade, wages and incomes for working Americans have barely budged.

Our top priority must be to do everything we can to grow our economy and create good, middle-class jobs. That has to be our North Star. That has to drive every decision we make in Washington. Every day, we should ask ourselves three questions: How do we attract more jobs to our shores? How do we equip our people with the skills needed to do those jobs? And how do we make sure that hard work leads to a decent living?

We can begin by making America a magnet for new jobs and manufacturing. After shedding jobs for more than a decade, our manufacturers have added about half a million new jobs over the past 3 years. We need to accelerate that trend, by launching more manufacturing hubs that transform hard-hit regions of the country into global centers of high-tech jobs and manufacturing. We need to make our tax code more competitive, by ending

tax breaks for companies that ship jobs overseas, and rewarding companies that create jobs here at home. And we need to invest in the research and technology that will allow us to harness more of our own energy and put more people back to work repairing our crumbling roads and bridges.

These steps will help entrepreneurs and small business owners expand and create new jobs. But we also need to provide every American with the skills and training they need to fill those jobs. We should start in the earliest years by offering high-quality preschool to every child in America, because we know kids in programs like these do better throughout their academic lives. We should redesign America's high schools to better prepare our students with skills that employers are looking for right now. And because taxpayers can't continue subsidizing the soaring cost of higher education, we should take affordability and value into account when determining which colleges receive certain types of Federal aid.

We also need to reward hard work and declare that no one who works full-time should have to live in poverty by raising the minimum wage so that it's a wage you can live on. And it's time to harness the talents and ingenuity of hardworking immigrants by finally passing commonsense immigration reform—continuing to strengthen border security, holding employers accountable, establishing a responsible path to earned citizenship, reuniting families, and attracting the highly-skilled entrepreneurs, engineers, and scientists that will help create jobs.

As we continue to grow our economy, we must also take further action to shrink our deficits. We don't have to choose between these two important priorities—we just have to make smart choices.

Over the last few years, both parties have worked together to reduce the deficit by more than \$2.5 trillion, which puts us more than halfway towards the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances. Now we need to finish the job. But we shouldn't do it by making harsh and arbitrary cuts that jeopardize our military readiness, devastate priorities like education and energy, and cost jobs. That's not how you grow the economy. We shouldn't ask senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. That doesn't grow our middle class.

Most Americans—Democrats, Republicans, and Independents—understand that we can't just cut our way to prosperity. That's why I have put forward a balanced approach to deficit reduction that makes responsible reforms to bring down the cost of health care for an aging generation—the single biggest

driver of our long-term debt—and saves hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and well-connected. And we should finally pursue bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit.

The American people don't expect their government to solve every problem. They don't expect those of us in Washington to agree on every issue. But they do expect us to put the Nation's interest before party interests. They do expect us to forge reasonable compromise where we can. Our work will not be easy. But America only moves forward when we do so together—when we accept certain obligations to one another and to future generations. That's the American story. And that's how we will write the next great chapter—together.

BARACK OBAMA.  
THE WHITE HOUSE, March 2013.

□ 1230

### APPOINTMENT OF MEMBER TO THE WORLD WAR I CENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(b) of the World War I Centennial Commission Act (Pub. L. 112-272), and the order of the House of January 3, 2013, of the following individual on the part of the House to the World War I Centennial Commission:

Mr. TED POE, Humble, Texas

### APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE OPEN WORLD LEADERSHIP CENTER

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Pub. L. 111-68, and the order of the House of January 3, 2013, of the following Member on the part of the House to the Board of Trustees of the Open World Leadership Center:

Mr. FORTENBERRY, Nebraska

### LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. I yield to my friend, the majority leader, Mr. CANTOR of Virginia.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. On Friday, no votes are expected.

Mr. Speaker, the House will consider a few suspensions on Monday, a complete list of which will be announced by close of business today. In addition, we'll take up an expected Senate amendment to the House's continuing resolution, ensuring that the Federal Government remains funded beyond March 27. We'll also consider a resolution providing for the funding of the House's committees. This is a responsible resolution that makes tough choices and abides by sequestration.

Finally, Mr. Speaker, the Republican House will consider and pass a budget resolution on time for a third consecutive year. The Republican plan, put forward by Chairman PAUL RYAN in the Budget Committee, will increase economic growth and job creation, cut wasteful government spending, and strengthen our entitlement programs. And for the first time in recent memory, the House budget will balance in 10 years.

Before I yield back, I would like to acknowledge the launch of the House Historian's new Web site, "The House and Selma: Bridging History and Memory." This important historical record is now available for the public to explore at History.House.gov. It will soon include oral testimonies from Members of Congress, like JOHN LEWIS, describing their role and contributions to the civil rights movement.

I was proud to have joined Congressman JOHN LEWIS, Congresswomen TERRI SEWELL and MARTHA ROBY, the gentleman from Maryland, as well as others, in that trip to Selma and Montgomery this year. But to those in particular who were actively involved in the unveiling of this project, I look forward to its growth in the years to come.

Mr. HOYER. I thank the gentleman for his comments, and I would remark that I was pleased that he had the opportunity to go to Selma with JOHN LEWIS and others of us who had the opportunity to go to the birthplace of our colleague, TERRI SEWELL. Congresswoman SEWELL is on the floor.

The March to Selma, of course, which was interdicted by members of the Alabama State Police at the direction of the Governor, was one of the advances, the gentleman knows, that led to the introduction, passage, and signing by President Johnson of the Voting Rights Act. We are privileged to serve with someone whose contribution to this country and to the realization of its promise of equality to all was so enhanced by the life and commitment and courage of JOHN LEWIS, our col-

league. And I was glad that the gentleman participated with us on that. I also am very pleased to hear about the Web site. I think that's a very positive step. I want to thank the gentleman also for the information about next week.

Mr. Leader, I would first like to ask about the budget resolution that you referenced that will be coming next week. I wondered if there's any plan on the floor to replace the sequester, which all of us seem to think is irrational—at least I think it's irrational and most of the colleagues I talk to think that it is irrational in that it is a meat-ax approach, and we have offered a number of times to get to the same budget savings—but notwithstanding that, whether there was any thought of replacing the sequester with its cuts to high priority and low priority by the same percentage to replace that. Is there any plan to do that, as far as you know?

Mr. CANTOR. Mr. Speaker, as the gentleman knows, the CR, and the amendments that the Senate is working on, contains within it measures dealing with certain sectors of government that prescribe for spending plans that avoid that very blunt, indiscriminate approach that the gentleman speaks about in the across-the-board sequestration formula. The gentleman knows I agree with him. These kinds of cuts are not smart. They are indiscriminate. They cut good programs just like they cut bad programs.

I don't think any of us would choose to do things that way. I look forward to working with him to see what we can do to even expand the prescription to go beyond that which is in the sequester.

Mr. HOYER. I thank the gentleman for his comments, and that would be a positive effort, I think, towards that. Of course, if we could adopt a budget and if we could adopt appropriation bills and Ways and Means recommendations pursuant to such a budget, that would be a very much appreciated option to the sequester. Having said that, the Budget Committee did a markup this week on Wednesday, and I know members of the committee worked well into the night, both Republicans and Democrats. And I wanted to ask the gentleman, I know that normally when we bring a budget—both sides have brought a budget—which does in fact allow for substitutes, but for the most part it does not allow individual amendments.

Now I say that because so many amendments were rejected in the committee. Mr. CÁRDENAS from California offered an amendment to protect the mortgage interest deduction for the middle class. That amendment was voted for unanimously by Democrats and unanimously opposed by Republican members of the committee. Mr. CICILLINE offered an amendment to pro-

tect workers from privatizing Social Security. Again, on a partisan vote, with Democrats supporting the Cicilline amendment and Republicans opposing it, it was rejected.

Mr. JEFFRIES from New York offered an amendment to prevent the student loan interest rate from doubling, which as the gentleman knows is set to occur on June 30 without our action. Again, unfortunately, on the same partisan vote—the Democrats voting for the Jeffries amendment and Republicans voting against it—it failed. Mr. POCAN of Wisconsin offered an amendment to protect middle class Americans from tax increases. It seems to me that we have agreement on that; but, nevertheless, that amendment was rejected, again, on a partisan vote, with Democrats voting for it and Republicans voting against it.

□ 1240

Mr. Leader—which I don't understand—KURT SCHRADER from Oregon offered a sense of Congress amendment on the need for long-term, balanced deficit reduction. That was also rejected on a party-line basis. And I could go on and mention other amendments—there were approximately 28 of them.

My question to you is, Mr. Leader, is it possible that any of those amendments would be made in order so that the House might work its will on those propositions? And I yield to my friend.

Mr. CANTOR. I thank the gentleman, Mr. Speaker.

What I would say in response, as the gentleman knows, it has been the tradition of the House, both with Republican and Democratic majorities, that when the budget comes to the floor, there are substitutes that are offered. As the gentleman knows, the budget is a very complex and large document, and there are easy ways to perhaps distort one's intent by offering amendments. I believe—and I would just venture to guess—that's why the tradition is as it is, both under Democratic majority and Republican, which is to allow for substitutes, and anticipate a very robust debate around the offering of substitutes, as well as the passage of our budget next week.

Mr. HOYER. I thank the gentleman for his comments.

I would suggest that the amendments put forward do in fact express policy, which of course is what the budget does. Those policies are pretty straightforward in terms of not raising taxes on the middle class, on making sure that students don't have to pay higher interest for their loans, and making sure that we do in fact proceed with a comprehensive agreement not only to replace the sequester, but to, in a bipartisan way, get us on a road to fiscal sustainability.

Regrettably—as I think the gentleman probably knows—most budgets



are usually partisan documents, whether they're offered by Democrats or Republicans. I understand that. Rarely have we been in the position that we now find ourselves in, however. Rarely have I experienced, in the 32 years I've been here—if ever—the fiscal crises that occur on such a regular basis here. The public, I think the economy, and I think the business community, and indeed the international community, is hoping that we get on a solid path.

The gentleman mentioned that the budget was a complex document. I think that's a fair statement. But, unfortunately, the budget that has been proposed—which the gentleman is very pleased to say balances within 10 years—unfortunately doesn't tell us how it's going to do so. It is in fact filled with conclusions, but not with policies to get us to that end.

In fact, Dana Milbank of *The Washington Post*—I think you probably read this—said there are so many blanks in the Ryan budget that it could be a Mad Libs exercise, which I understand is a children's book that sort of has a couple of sentences and the rest is fill in the blanks.

This, of course, is not a game; it's black budgeting, in my opinion, an expression of lofty aims—that is, that we balance within 12 years, which I think, frankly is—if there were no Democrats in the Congress of the United States, I tell my friend with all due respect, if there were no Democrats in the Congress of the United States, in my view you could not implement the Ryan budget. You couldn't get appropriation bills passed, and you could not pass a Ways and Means tax provision that would meet the requirements of the Ryan budget.

In addition to that, Mr. Leader, you and I both know we voted over 30 times to repeal the Affordable Care Act. It's not going to happen. If we want to do something in a bipartisan fashion, if we want to get to an end here, we ought to stop pretending that we're going to repeal the Affordable Care Act. We had an election about that. We won. The President won. Very frankly, even in the House there were more people who voted for Democrats than voted for Republicans for the House of Representatives.

Having said that, you're in charge. That's the law, and you won fair and square. But having said that, we're going to need to get to an agreement. I would hope that as we deal with the budget—and I will oppose the Ryan budget. I think the Ryan budget is unrealistic. I think the Ryan budget will not possibly be able to balance within 10 years. I wish we could. But if we do that, we're going to badly damage the economy that the gentleman talks about. We're going to undermine the creation of jobs. I don't say that; CBO says that. CBO says the sequester itself is going to cost us 750,000 to 1 million

jobs. The Ryan budget, if adopted, would cost us over 2 million jobs.

So I'm hopeful that as we consider the budget—and my expectation is your budget will probably pass this House, but my hope is, and urging, Mr. Leader, is that we deal with this budget—and I don't know whether the Murray budget is going to pass or not through the Senate. I hope they pass some alternative, not because the budget-for-pay bill passed—which I think was a terrible bill to put on this floor and a terrible bill to pass. I think it sets a terrible precedent about you've got to pass something or you don't get paid. That's not what our democracy is about. People voting their conscience is what our democracy ought to be about, not about whether they get paid.

But in any event, Mr. Leader, I'm hopeful that in fact we can get to, in some form or fashion of another, a budget and appropriation bills and a Ways and Means bill that can be signed by the President, passed by the Senate, passed by this House so we can put our country on a fiscally sustainable path.

I yield to my friend.

Mr. CANTOR. Well, I appreciate the gentleman and his sentiments in wanting to try and work together.

As he knows, I have always held the position that there are going to be differences in this House. I hear the gentleman saying he doesn't want to support the Ryan budget; that's why we're going to have debate on his party's alternative budget. But I agree with the gentleman, we ought to try and reach some type of resolution. The best way forward to do that, Mr. Speaker, in my mind, is to be able to set the differences aside.

We have big differences on health care. We believe that ObamaCare is not good for this country, not good for health care, and we're going to continue to advocate that position. Because, unfortunately, what we're going to see is a continuing increase in cost, rate shock that will come into play over the next year, where more and more of the American people are going to realize this is going to be a very expensive endeavor, with a big question mark as to whether the quality of health care is going to stay the same, improve, or whether it will stagnate and become worse. That question is still unanswered.

We believe very strongly in our position that it ought to be patient-centered care. We ought not have this board of 15 unelected bureaucrats empowered to cut or deny care for seniors. As the gentleman knows, we disagree strongly on health care.

We disagree strongly on taxes. We don't want to raise taxes. We just had a huge tax increase in the beginning of the year. We don't think you ought to be raising taxes in this town every quarter. But every time we hear from

the President—because we heard, and he was nice enough to come and visit our conference this week, we heard yet again the cry for more taxes.

We saw an introduction of the Murray budget in the Senate—\$1 trillion of more taxes. To try and say that the American people are going to be benefited by that kind of tax levy I think is something we take strong exception with.

But the gentleman's right: we can agree on some things. Let's go find where we can agree. And I look forward to doing the things that we can do together, like extending the welfare reforms that we did this week, like making sure that we also do the things we did today on the floor—without much help from the other side—and that is, Mr. Speaker, try and put some good government practices into place.

That SKILLS Act came from a recommendation of the GAO. It said you've got 50 programs, a maze of bureaucracy. Unemployed people have a very difficult time of even beginning to navigate that maze if they want skills to get back to work.

□ 1250

That was the essence behind the bill.

We also said you need some flexibility. Take people and put them back to work. So get the community colleges and the other training forces in place to respond to the marketplace where there are job openings, not some micromanaged idea of what that should be from Washington. I think we can agree on some kind of commonsense principles like that.

So, again, I appreciate the sentiment of the gentleman and look forward to working with him on some of the very big challenges we face, as well as those issues that working families face every single day.

Mr. HOYER. I thank the gentleman for his comments.

Mr. Speaker, the majority leader says that his side is against the Affordable Care Act. He's said that regularly since it was first considered. He's said they're against revenues. Mr. Speaker, he's said that repeatedly, and the majority party has said that repeatedly. Of course, pursuant to the Republican tax bill of '01 and '03, rates went up on January 1. They went up substantially.

You could look at it half full or half empty, and the gentleman looks at it, as we increase \$600 billion in taxes—actually, taxes would have proposed \$4 trillion had the tax law that was in effect at that time stayed in effect. The gentleman knows that, so you can look at it as a tax increase or a tax decrease, ensuring that middle class taxpayers didn't get an increase.

The American people, of course, 80 percent of them say what we did is the right thing. Now, we had an election, and the gentleman's position did not prevail in that election. But we are



still hoist on the petard of saying, We disagree; do it our way or the highway.

The gentleman mentions the SKILLS Act. I wish we'd had an opportunity. We need to make the programs more focused and more effective, and the gentleman is absolutely right on that. Unfortunately, the majority gave no ability to have bipartisan input into that bill, and so its prospects for passage are almost minimal, maybe nil, so that the gentleman's party continues to, in my view, keep us in this gridlock. We understand your position. You understand our position. We've both got to come off our positions.

The American public elected a House of Representatives that's led by Republicans and a Senate run by Democrats. The only way democracy is going to work is if we come to an agreement. And simply restating what I know to be your position or my restating what I know my position is, we've already come, I think, a pretty far way towards your position in trying to reduce spending, about \$1 trillion worth, which, by the way, your budget takes credit for.

We have a baseline that's been reduced because of the revenues that are in the Affordable Care Act, which you take credit for. You take credit for the \$715 billion in your budget while repealing the Affordable Care Act, but you take credit for the \$750 billion that reduced the baseline. So that on the one hand, you want to say, I'm against this; on the other hand, you want to use the revenue that it produced or the baseline that it reduced.

We have this same debate every week. It doesn't get us anywhere. The American public is pretty upset with all of us. They ought to be. I tell the press that 10 percent of the people think we're doing okay. They're wrong. We're not doing okay, and our country, as a result, is not having the kind of success in growing jobs that it ought to have.

Now, let me ask you, because I don't think you're going to change my mind or I'm going to change yours right now—

Mr. CANTOR. If the gentleman would yield.

Mr. HOYER. I'd be glad to yield.

Mr. CANTOR. Just to respond to the gentleman's allegations that somehow there wasn't an open process in the passage of the SKILLS Act, if I recall, this week there were reports that the gentleman's members, the members of the minority, walked out on the committee markup. Now, if you can't show up for work, how are you going to participate in the markup and shaping of a bill? The committee process was fair; it was open. There were hearings. There was a markup, and the gentleman's members on the minority side chose not to participate.

Now, if you're asking what the American people expect, I think they expect

that there's going to be disagreement, but I think they expect everybody to show up for work, and that didn't happen.

So I say to the gentleman, we continue—and he has my commitment, and he knows that—to work together and to have an open process. Our Speaker has continued to uphold that as a goal. So I hope we can sort of resolve that lingering question, especially around this bill. The SKILLS Act is something we should have all agreed on.

Mr. HOYER. I wish I had the figures in front of me, and I don't. It's my understanding the SKILLS Act was introduced February 25 and marked up shortly thereafter. There may have been hearings in the last year when the SKILLS Act was passed in a partisan vote, but the reason the members walked out was because they didn't believe they were given an opportunity to interface. I don't have the facts as strongly as I ought to have them, but I believe that the proximity of introduction and markup was very, very close, and therefore the opportunity and the inclination of the committee to engage in a bipartisan discussion of what the bill ought to look like—what should have been a bipartisan bill—was not there. But let me get my facts straighter so we can discuss that perhaps a little further at some point.

April's schedule, Mr. Leader, Mr. Speaker, if the majority leader could give us some information on the April schedule as we go forward.

Mr. CANTOR. Mr. Speaker, I would be glad to respond to the gentleman's request. Just to give a general idea of the kinds of things that we'll be considering upcoming, we'll look to do and consider some cybersecurity legislation that will result from the work of multiple committees. The gentleman knows, as well as I, that we face a very serious threat in the cybersecurity arena, and we want to take action as a House. We want to take bipartisan action, and I look forward to working with him on that.

We're also going to be taking up the Working Families Flexibility Act. This will be a bill designed to provide working moms and dads with some flexibility as they try and manage their obligations at work and at home.

We also are going to be looking at taking up some measures in the area of health care and innovation and in pursuit of an agenda that focuses on medical research. I know the gentleman has been a big champion of that, and we, as well, believe it's very important for us to maintain the American leadership in innovation which is premised upon the devotion of resources to medical research, to curing disease, and to developing therapies that increase and enhance the quality of life for so many Americans who are afflicted by disease. We'll be working on that.

We'll also be looking at some legislation in the area of domestic energy production that will lead to more jobs, that will lead to more energy independence for America.

These are the kinds of things that we look to in April, Mr. Speaker, and I would tell the gentleman, again, I look forward to working with him in an open process, in a bipartisan fashion.

Mr. HOYER. I thank the gentleman.

We're ending now, but I know you have an extraordinarily able assistant sitting to your right who advises you on issues of great importance to our country. The gentleman to my right does the same thing for me.

The gentleman to my right went to Wake Forest. Maryland played Wake Forest last night, and I hope as we play Duke tonight that we are equally successful. Mr. Nevins, who is a graduate of Duke, it's going to be a little tougher game than Wake Forest. I understand that. But we look forward to trying to be successful in that effort.

Kyle Nevins is a wonderful member of the majority leader's staff. He worked for my dear and close friend, ROY BLUNT, for some period of time, and he began working for Mr. CANTOR in 2008 as his floor director. He's been a real delight to work with, and I know Mr. Burnes and my floor staff all appreciate all the work he has done.

While I want to be very effusive today, I want him to know that I will be rooting very vigorously against Duke tonight when they play Maryland.

I yield back the balance of my time.

#### ADJOURNMENT TO MONDAY, MARCH 18, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### COMPETITIVE BIDDING

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, a durable medical equipment supplier recently sued the U.S. Department of Health and Human Services over Medicare's competitive bidding program. In February, the judge dismissed the case, stating the supplier had no jurisdiction because Congress prohibited judicial review of the program in 2003.

The court was, however, "deeply concerned about the unjust consequences of its order"; so concerned, the court

was compelled to issue a memorandum prior to its full opinion:

Every citizen is entitled to equal justice under law, which is not measured by incidence of death or hospital admissions, but rather by the right to receive medically necessary treatment and to live each day with dignity. To the extent that a civilized society is measured by the manner in which it protects its most vulnerable members, it has failed today.

Congress has a responsibility to beneficiaries to ensure CMS is transparent and the competitive bidding program is truly competitive and does not prevent access to these critical services.

I will not be complacent, Mr. Speaker, and this body should not be content with a culture of insecurity for providers and the vulnerable populations that they serve.

The American people deserve better.

□ 1300

#### TRIBUTE TO DR. DINA STALLINGS

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I pay tribute today to Dr. Dina Stallings, a professor of forensics at Riverside Community College, beloved by her students and whose passing my community mourns deeply. This Sunday, my community will join together to celebrate her life, which was devoted to teaching the art of persuasive speaking.

Dr. Stallings achieved national recognition during her 26-year career at RCC directing the Forensics and Debate Program. She was the first woman to be named a full professor at RCC. In the 1960s and 1970s, she coached teams that won national competitions.

After retiring, Dr. Stallings continued a deep involvement with Friends of Forensics, a group she founded to promote speaking activities for students from kindergarten through 12th grade.

Mr. Speaker, we count ourselves fortunate to have had Dr. Stallings as a leader in our community. Her commitment to faith, family, and forensics has left a profound impact on the Inland Empire and our Nation. As Dr. Stallings said herself, you measure yourself by the service you give to others.

Let us measure up to her legacy in both our service to America and our democratic discourse.

#### LET'S PASS A RESPONSIBLE BUDGET

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, it's the job of this Congress to pass a responsible budget that protects our seniors and offers a future for our genera-

tions to come, the same future that you and I enjoy today.

Like Goldilocks, the American people have three choices:

We have the Senate Democratic plan, which raises taxes, increases spending, and never balances. That's too much government.

Then we have the President's plan, which—wait. No. We don't have the President's plan yet, although it was due last month. He keeps talking about a balanced approach, but he leaves out one key component in his budget. It doesn't actually balance. That's not governing at all.

Finally, we have the House Republican plan, which takes a balanced approach to deficit reduction and job growth. A balanced budget isn't some fairytale. It's not just another Washington talking point. It offers real results for the American people. It will grow our economy, it will create 5 million new jobs, and it would increase the median income for Americans to over \$80,000.

Republicans are offering a middle way to move forward, and I think the American people will find that this proposal is just right.

#### CLEAN ENERGY AND EXTREME WEATHER

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, we've come a long way with clean energy over the last 4 years. We've doubled the production of clean renewable energy like wind and solar. And the new tailpipe standards for automobiles will double the fuel efficiency of our passenger vehicles.

Still, there's much that needs to be done. Study after study has shown that the effects of climate change are occurring sooner and with greater effect than expected. Superstorm Sandy, the devastating drought that hurt farmers in the Midwest, last summer's heat waves, and forest fires—scientists tell us that these are signs of climate change, and it is going to get worse if we don't act to address it.

Over the last 2 years, the United States has experienced 25 weather disasters that have caused more than \$180 billion in damage.

It's time to get serious about clean energy. The consequences are too grave to do otherwise.

#### BALANCING THE BUDGET

(Mr. PERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PERRY. Mr. Speaker, this week Senate Democrats introduced a budget that will never balance—ever. But it

does raise taxes by \$1 trillion, so that will be helpful to working families.

The good news is next week we will have an opportunity to consider the House budget proposal, which properly addresses the spending problem and makes commonsense reforms in order to pay down our debt.

Keeping with the committee's theme of balancing the budget within 10 years, I've introduced my own balanced budget amendment, House Joint Resolution 36, which also balances within 10 years.

We don't want to balance the budget on the backs of taxpayers. That's why we require a three-fifths majority to raise revenue and the debt limit. It also requires agencies and departments to justify their funding.

We are living in modern times, so it is allowed to be waived during times of war, during military conflict, or during natural disasters. Forty-nine States, including Pennsylvania where I live, do this. Single moms, families, cops on the beat, working folks do it, and Washington should do it too.

#### HOUSE REPUBLICAN BUDGET

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise to speak against the Ryan budget.

Mr. Speaker, here we go again, another House Republican budget filled with the same gimmicks and fuzzy math that the American people soundly rejected last fall during the Presidential election. It's another budget that slashes critical economic investments, undermines job growth, and attempts to reduce the deficit on the backs of our seniors, disabled, women, and low-income families.

We cannot pass this budget, just like we could not pass it last year. It increases tax breaks for the wealthiest Americans at the expense of the middle class. On average, \$2,000 more in taxes will be charged to the middle class. This budget also does nothing to replace the arbitrary and irrational cuts of the sequester. As a result, 750,000 jobs will be lost this year alone.

The Republican budget would end Medicare as we know it and force Alabama seniors to pay more for health care. It will reopen the doughnut hole, and 48,264 Alabama seniors will have to pay more for prescription drugs. This budget also cuts \$6.2 billion in health care.

Mr. Speaker, the American people deserve more. We can't allow our Republican leadership to continue to try to give tax breaks to the wealthy at the expense of the middle class.

CROSS-BORDER TRADE  
ENHANCEMENT ACT

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to urge my colleagues to support the Cross-Border Trade Enhancement Act, a bipartisan bill introduced this week that will create jobs and facilitate trade at no cost to the Federal Government.

Trade between the U.S. and Mexico has grown by 600 percent since 1990 and continues to increase each year; 100,000 jobs in El Paso, Texas, and 6 million nationwide depend on this trade. Unfortunately, capacity at our ports of entry has not kept pace. Despite increased staffing and use of technology, waits at our ports are unpredictable and unacceptably long.

This bill will help us solve this problem. By authorizing public-private partnerships, this legislation would provide Customs and Border Patrol effective new tools to improve infrastructure, expand capacity, and increase staffing at our ports of entry without new costs for U.S. taxpayers.

At a time of heightened partisanship, this legislation is proof that when Democrats and Republicans work together, we can advance commonsense ideas that can create jobs.

□ 1310

## THERE THEY GO AGAIN

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. The Ryan budget. In the words of the great Republican President, whom the Republicans like to remember: There they go again.

It's the same budget. It's catering to the wealthy, and it's cutting the middle class. It's reducing the top tax rate to 25 percent, which will give the wealthiest \$200,000 a piece in tax breaks, and it continues the sequestration—a stupid, meat-ax approach to our budget that cuts \$1.6 billion from the National Institutes of Health.

Does anybody out there, Mr. Speaker, have cancer? Heart disease? Is anybody thinking about some relative who might have Alzheimer's? AIDS? Post-polio? Diabetes?

Cures and treatments come from the National Institutes of Health, and you're not going to get them if they cut \$1.6 billion to \$1.8 billion out of it. The cures and treatment will benefit the next generation more than this generation, and that's what we should be doing is investing there. This foolish, meat-ax approach is to be continued with the Ryan budget, and it will cost us lives and stop us from being a leader in research and innovation. We need to have a smart budget and invest

in the National Institutes of Health and preserve our human infrastructure.

## THE RYAN BUDGET

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTWRIGHT. Mr. Speaker, I rise to comment about the budget introduced this week by the Republican Budget chairman, PAUL RYAN.

The first thing we notice about this budget is that it is nothing more than a tiresome rehash of the right-wing wish list. I call it a "tiresome rehash" because we already know that Representative RYAN doesn't like ensuring that all Americans have access to affordable health care. We remember he doesn't like allowing coverage for pre-existing conditions. We understand that he doesn't like closing the Medicare part D loophole, doughnut hole, for seniors. We are acquainted with his dislike for granting preventative health care services to women. We already know that he wants to turn Medicare into a lousy voucher system that costs seniors thousands of dollars extra every year for their health care whether they have it or not, and we already know that the American public rejects these positions as it did in the last election.

Mr. Speaker, I ask: Can we not, at long last, move on?

## RULE VIII NOTIFICATIONS

The SPEAKER pro tempore laid before the House the following notifications under rule VIII:

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not "material and relevant" and that it is not "consistent with the privileges and rights of the House." Accordingly, I intend to move to quash the subpoena.

God and Texas,

—  
TED POE,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern Dis-

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After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not "material and relevant" and that it is not "consistent with the privileges and rights of the House." Accordingly, I intend to move to quash the subpoena.

Sincerely,

—  
BOB GOODLATTE,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

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Sincerely,

—  
RAÚL R. LABRADOR,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not "material and relevant" and that it is not "consistent with the privileges and rights of the House." Accordingly, I intend to move to quash the subpoena.

Sincerely,

—  
LAMAR SMITH,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 11, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not "material and relevant" and that it is not "consistent with the privileges and rights of the House." Accordingly, I intend to move to quash the subpoena.

Sincerely,

—  
GEORGE HOLDING,  
Member of Congress.



After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

F. JAMES SENSENBRENNER, JR.  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

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Sincerely,

DOUG COLLINS,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

K. MICHAEL CONAWAY,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

JOHN CAMPBELL,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

DARRELL ISSA,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Emporia, VA, March 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

J. RANDY FORBES,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 11, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the United States District Court for the Eastern District of California, purporting to require certain responses to a questionnaire in connection with a civil case.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena seeks information that is not “material and relevant” and that it is not “consistent with the privileges and rights of the House.” Accordingly, I intend to move to quash the subpoena.

Sincerely,

TREY GOWDY,  
Member of Congress.

#### BUDGET

The SPEAKER pro tempore (Mr. CRAMER). Under the Speaker’s announced policy of January 3, 2013, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I thank you, and I thank the majority leader for allowing me to utilize the time today.

Mr. Speaker, a lot of folks, as votes have finished for the day, have headed for their flights back home. A lot of folks are back in their offices trying to finish up work for the week. I appreciate your being here because what we’ve heard, when we haven’t been debating the SKILLS Act—that fantastic bill that consolidates so many important job training programs from the multiple, duplicative programs that we have today down into a few, effective, targeted programs—when we haven’t been talking about that important work today, folks have been taking shots at the budget process.

I’m a member of the Budget Committee, Mr. Speaker. And, in fact, I’m the chairman of the Budget Subcommittee on the Rules Committee, Legislative and Budget Process, and I believe what we do here with the budget is so important. I know my colleagues who will be debating this next week share that same view.

I brought with me, Mr. Speaker, a copy of “Path to Prosperity: A Responsible, Balanced Budget.”

□ 1330

This is the budget that we produced in the Budget Committee. We went from about 10 a.m. on Wednesday through almost midnight. We took every amendment that folks had to offer. We took a vote on every topic that folks wanted to consider, and we produced a responsible budget that deals with the fact that spending is the problem.

I heard my colleagues, Mr. Speaker, over and over again today on the other side of the aisle talk in terms of heartlessness, of callousness, talking in terms of the production of this budget in a way that does not reflect American values. I tell you, that’s just patently false, which is why I had to come down and speak to it this afternoon, Mr. Speaker.

What I have here is a chart that shows taxes. This begins in 2006; it runs out to 2041. It shows taxes as a percent of the size of the economy. You know, population grows, inflation devalues our currency. Quantitative easing devalues our currency. That’s a different topic for a different day.

But we measure that in terms of size of the economy what our burden of taxation is, and, historically, that burden of taxation has been about 18.1 percent. We had a dip in the recession back in 2009, 2010 that took that level of taxation down below historical norms.

And so when we talk about that here on the floor of the House, we, together—Republicans, Democrats, moderates, liberals, conservatives—everyone agrees we need revenue at historical levels to fund the historical obligations of the government.

But here’s the thing, Mr. Speaker. You look out from—here we are in 2013, on out across the horizon as far as the

eye can see, you see a level of funding of our tax burdens. You then, here, in this blue line, see a graphical representation of every single tax increase that the President proposed. I mean, hear that, because so often on the floor of the House, Mr. Speaker, we talk about spending reductions on one side of the aisle and tax increases on the other side of the aisle. This blue line represents every single tax increase proposed by the President of the United States.

So we have all the taxes we have today. We have all the taxes in the blue line proposed by the President. And then in the red line, we have a reflection of the promises that this Congress has made to the American people and future generations in terms of spending.

Now, again, Mr. Speaker, green represents historical taxes; blue represents all the taxes imagined by the President of the United States; and the rest represents the spending that is flooding the town of Washington, DC.

Spending is the problem, Mr. Speaker. If we took everything from everybody, if you and I got together with our colleagues on the other side of the aisle and we decided we needed a 100 percent tax on everything that everyone in America has or will have and we took it all, we still couldn't fund this red line.

There's no level of taxation—this is 40 percent of the economy we're talking about here, Mr. Speaker. There's no level of taxation that we could have that could pay for the spending promises we've already made, and there are some on the floor of this House who want to make new promises tomorrow and the next day and the day after that.

It's not a function of where our priorities are. In terms of taking care of one another as Americans, we share that priority. It is a function of whether or not we can afford to do it all from Washington, DC, and we can't.

Spending is the problem, Mr. Speaker. This is hash tag spending is the problem. You'll see that trending on Twitter as folks come to the realization that we can't tax our way out of this circumstance.

So what do we do in the Budget Committee, Mr. Speaker? What did we do for 12 hours on Wednesday and, in fact, months and months and months of preparation?

Well, this is one of my favorite charts, Mr. Speaker. It's a chart that tracks the deficits. Sometimes we get confused as we're talking about it, Mr. Speaker. Of course, the deficit is what you're adding to your credit card each year. The debt is what that total balance on the credit card is. This is a reflection of what we're adding to the credit card each year. And what you see, Mr. Speaker, is a dramatic reduction in those deficits in 2013, 2014, and 2015, and let me tell you why.

You're part of this new freshman class, Mr. Speaker. I'm part of the freshman class that came in just 2 years ago. And we have a natural suspicion of all of these wonderful plans in Washington, that they're laid out over a 10-year timeframe. And we say, Oh, goodness. Out there in years 8, 9, and 10, we're going to do all these wonderful and difficult things. But today, in years 1, 2, and 3, what we really need to do is raise your taxes to get there.

If I make a promise to you about what I'm going to do in year 10, you need to be suspicious. You need to ask me what I'm going to do between now and the next election, between now and your next opportunity to vote me out of office, if I'm making the wrong decisions.

And what you see reflected here in this red line, which represents current law, Mr. Speaker, you see the path that current law has our deficits on. Folks say, Golly, ROB, that looks kind of good. We're headed straight down. Looks like Congress is doing a lot of good work.

Well, yes and no. We are headed down. We're headed down from record deficits begun in the Obama administration, record deficits, deficits four times higher than the worst deficit ever experienced in the Bush administration. The Bush administration was the former record holder for the most deficit spending in this country. President Obama dwarfed that annual budget four times higher.

So I came in this freshman class, Mr. Speaker, this freshman class of almost 100 folks on both sides of the aisle who decided to run for Congress because they wanted to solve problems. They didn't want to talk about who to blame for the problems. They wanted to talk about how they could solve the problems. And we got together, over the last 2 years, and we turned the corner on those rising deficits, began to bring deficits back down.

But when these tools that we've been able to put in place, Mr. Speaker, expire, those deficits start heading right back up under current law. What can we do about it?

We can change the way we do business in Washington, DC, which is what we did in the budget that we've passed out of the Budget Committee, the budget that's going to be on the floor of the House next week. And as you see represented by this green line, Mr. Speaker, we go from the record-setting deficits of 2010 and 2011 down to a budget that balances for the first time since the Clinton administration. First time since Bill Clinton and Newt Gingrich, Republicans and Democrats, came together on the floor of this House to balance budgets; the first time in about 15 years we're doing that, Mr. Speaker. And we're not doing it out in year 10.

This budget, Mr. Speaker, that I'm so proud of that I've had just a small part

in helping to craft, it begins the tough decisions today, because we don't need to make promises about how we're going to fix things 10 years from now. We have certainty about how difficult things will be 10 years from now. We need to fix those things today. Every day we put it off it gets harder.

But we're having a tough time finding agreement, Mr. Speaker. And I don't mean agreement on how to reduce the deficit. I don't mean an agreement on how to eliminate the debt. I mean an agreement on whether or not the debt, in fact, needs to be eliminated.

Now, at the end of this presentation, Mr. Speaker, I'm going to get to why this is important. This is not a mathematical exercise. This is not a green eyeshade exercise. This is an exercise that impacts the quality of life of every single family in America. Every child growing up in America today is going to have their opportunities curtailed by the debt that their parents and grandparents are leaving to them if we fail to act today, a debt that is growing faster and faster and faster.

This isn't about numbers. This is about real lives and real opportunities. But I want to talk about the numbers before we get to the real lives and the real opportunities, because I want you to understand the magnitude of the challenge.

This is World War II, Mr. Speaker. This is a chart that reflects the debt, the debt held by the public. In World War II, when we were fighting for freedom around the globe, when, literally, the future of the world hung in the balance, we borrowed an amount of money theretofore unheard of in America, almost, well, just over, in fact, 100 percent of the size of the economy America borrowed to win freedom around the globe. We began to pay that back, of course. And over the years, that debt became lower and lower and lower and lower and lower and lower.

Well, here you see the spike in modern times, Mr. Speaker, that spike in the end of the Bush years, the beginning of the Obama years, running on until today; and you see the red line that projects the current path of debt, again, if we do nothing.

Folks often tell me back home, Mr. Speaker, they say, Congressman, why don't you just go shut the government down and save some money?

Well, I have some bad news. If we closed the Congress today, if we locked the doors to the White House this afternoon, if the Congress and the President never passed another law, never made another promise, this red line represents the promises we've already made.

□ 1340

This red line isn't what happens if we act poorly. This red line is what happens if we fail to act at all. It takes affirmative action in order to bring that debt crisis down.

Look at the green space, Mr. Speaker. That's the path to prosperity. Remember, this chart represents debt. Debt. Not the deficit when you try to bring a budget to balance, but the debt that we're trying to pay back when you bring a budget to balance, when you create a surplus and use that surplus to pay back the folks from whom you've borrowed.

The Path to Prosperity, this budget, Mr. Speaker, that we've crafted in the Budget Committee that I hope this House will pass next week, puts America on track not just to eliminate annual deficits, not just to end the increase of our \$16.7 trillion in Federal debt, but to begin to pay that debt down so that we owe the world zero. Zero. Balancing the budget is not an exercise in and of itself. Balancing the budget is what has to happen first so that you can pay back the folks from whom you've borrowed. We take debt down to zero.

This is what the President said on Sunday morning television, ABC's George Stephanopoulos, March 13 of this year:

We don't have an immediate crisis in terms of debt. In fact, for the next 10 years, it's going to be in a sustainable place.

Here it is, Mr. Speaker. That red line you see rocketing towards the top of the page, it doesn't actually end up here at the top of the page; I just ran out of ink, Mr. Speaker. That red line continues straight up off the chart in perpetuity. This is what the President calls "a sustainable place."

But this is what's even more important. And every mom and dad in America knows this. When you're planning for your children's future, you don't begin with what you want for them today. You begin with what you want for them 10 years from now and you begin to plan and work and save and scrimp so that it will be a reality 10 years from today. And not just 10, but 20 and 30. To achieve the goals we want in the future, we have to begin today.

And, Mr. Speaker, when I quote the President back home, folks often think I'm mean-spirited. They say, Rob, why do you say those awful things about the President? I say, I'm not saying awful things about the President. I think the President is a good man. He's got some awful ideas, but he's a good man. And I'm just telling you what his ideas are. And if he were here, he'd tell you the very same thing. I don't need to engage in hyperbole on the floor of the House, Mr. Speaker, because the President believes that we don't have a debt crisis. The President believes that it's all right if the debt continues to go higher and higher and higher forever. Forever. That's not hyperbole. He would tell you that if he was standing here today.

In fact, we can look at every budget the President has ever submitted. Now

he hasn't submitted a budget this year. He's going to go down in the record books as the President who has introduced his budget the longest past the legally required deadline in the history of Presidents presenting budgets. That's not a title that folks aspire to, but that's where we're going to be today.

He has never introduced a budget that balances. But more importantly, he's never introduced a budget that stops raising the debt. Not only does the President not pay back a penny of debt in any budget he's ever introduced—and I just don't mean a 1-year window, a 5-year window, and a 10-year window; I mean in a 75-year window. He increases that debt more and more each year. And he believes—again, I'm not trying to say anything that he wouldn't tell you himself, Mr. Speaker—he believes that what our goal should be as America is not to actually pay the debt back, as we try to do in our budget, taking that green line down to zero, but what our goal should be is just to slow the rise of the debt below the rate of growth of our economy.

What does that mean? In practical terms, it means if you have a credit card, your goal should not be to pay your credit card back. In fact, your goal shouldn't even be just to pay the interest on your credit card. What your goal should be is to make sure that as that balance on your credit card continues to rise, it rises slower than whatever your income is rising to be. If your credit card balances go on in perpetuity and get higher and higher, it's as if your goal as a family is to keep that rise from going any faster than your paycheck is rising.

It's a crazy philosophy, Mr. Speaker. Absolutely no family in America shares that philosophy. That's what the President said on George Stephanopoulos, that's what he believes today, that's what he told the Republican Conference when we met together this week.

So let's talk about what those alternative ideas are. The President's plan is not to balance, our plan is to balance. Again, when the President says a balanced approach, that means he wants tax increases and spending reductions. That's the definition of a balanced approach. But it's an approach that never balances.

Our friends in the Senate have not passed a budget for 4 years. But it looks like they're at least trying this year. And I applaud them for that. This is an editorial from The Wall Street Journal this morning, Mr. Speaker, that talks about that outline of the Senate budget that was shared with America yesterday. The Wall Street Journal says this:

The bill manages the unique achievement of offering no net non-defense spending cuts and no entitlement reform worth the name

while proposing to raise \$1.5 trillion in new tax revenue in such a way that would ruin the prospects for bipartisan reform.

Spending, Mr. Speaker. Spending is the problem. The problem we have is spending. And what The Wall Street Journal observes is that the budget that's being proposed over in the United States Senate—and, again, I applaud them for at least beginning that process. The law requires them to do it every single year. They haven't done it for 4. I hope they'll do it this year. We passed the No Budget, No Pay Act. So at least if they don't do it, they won't get a paycheck for that dereliction of duty. But this is what they have proposed: a bill with no net spending cuts, no entitlement reform, and tax increases of \$1 trillion, so says The Wall Street Journal:

Democrats admit to raising taxes by \$975 billion over 10 years by increasing the fairness and efficiency of the Tax Code. Ms. Murray provides few details. The real tax increase is closer to \$1.5 trillion because the budget omits about \$480 billion in more unspecified taxes to replace sequestration and \$100 billion to offset the cost of the new stimulus.

New stimulus.

Spending, Mr. Speaker, is the problem. The House budget puts us on a track not just to a balanced budget within 10 years, but paying back every penny of debt that we've borrowed from Americans and the world. And the Senate budget has yet to pass committee—it remains to be seen if they can pass it in the Senate—but the proposal is to increase spending and increase taxes.

We're not up here bickering about how to name a post office, Mr. Speaker, or whether or not we ought to meet on Tuesdays or Thursdays or Fridays. We're up here arguing about whether the future of the Republic, whether opportunity for our children and grandchildren, lies in a future where you have paid back all of your debts or lies in a future where you allow those debts to rise forever. That is a legitimate discussion. Only in Washington—there's not a kitchen table around the country where that would be the discussion that we'd have.

I read from The Wall Street Journal, and I know there might be some folks back home, Mr. Speaker, who say, ROB, that Wall Street Journal, that's a conservative publication. No wonder they don't like what the Senate is doing. What do the liberal publications think? Well, it just so happens, Mr. Speaker, since you and I are in Washington today, I had a copy of The Washington Post in my office. They're no fan of conservatives. That's certainly no conservative rag.

This is what the official editorial from The Washington Post said this morning about the Senate budget:

Partisan in tone and complacent in substance, it scores points against Republicans and reassures the party's liberal base—but



deepens the Senators' commitment to an unsustainable policy agenda.

They go on. The Washington Post says:

It is on the issue of entitlements that the Democrats' document really disappoints. There is literally nothing—not a word—suggested of trimming Social Security, whether through greater means-testing, a more realistic inflation adjustment, or reforming disability benefits. The document's fuzzy call for \$275 billion in "health savings" is \$125 billion less than the number President Obama has floated.

□ 1350

There's plenty of exhortation of the GOP "premium support" plan. But there's no explanation of how the Democrats would pay for their "promise"—nary a hint of the many cost-saving reforms that would extend Medicare's life without embracing the GOP plan.

Washington Post.

It scores points, but it deepens an unsustainable policy agenda. There is literally not a word suggested of reforming entitlements. It's less ambitious than even President Obama's agenda. It excoriates the GOP's plan, but provides no explanation of a Democratic alternative.

And it closes with this, Mr. Speaker:

In short, this document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

That's The Washington Post talking about the Democrat plan in the United States Senate. "In short, this document"—and to be clear, Mr. Speaker, the first budget to be produced by the Senate in 4 years; it remains to be seen if they can actually produce it, but at least they're suggesting they're going to produce one. The Washington Post assessment of that plan is that "this document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament."

Mr. Speaker, that's what we're talking about here. This isn't a bunch of children bickering about who gets to take home the ball. We're talking about whether or not opportunity will exist a decade, two decades, three decades from now. There's not a family in America that believes they can borrow in perpetuity without consequences. There are terrible, terrible consequences.

Lest you think—and I'll be the first to say, Mr. Speaker, I have been suspicious of newspaper editorials. I don't believe the media always gets it right, so I brought a quote from actually the hearing that was going on yesterday.

Senator MIKE CRAPO is over on the Senate side. He was questioning the Democratic staffers who put together the budget. I know, serving on the Budget Committee, Mr. Speaker, what happens is budgets are very technical documents. When you craft one, they

take all the committee counsel and they put them at a table in front of all of the Members, and all the Members get to ask the staffers who helped to prepare all the complicated numbers about the details of the document. So it's a give and take with the folks who actually prepare the document.

This is what Senator CRAPO asked:

"In terms of overall deficit reduction that is to be achieved, whether through taxes or spending reductions that are claimed in the budget, what percentage of those are achieved in year one?"

This is what he says. He says, I'm not asking whether you're raising taxes or you're cutting spending. What I'm asking is what are you doing in year one to begin immediately to put this country on the path to paying its debts?

The committee staffer says, "There are spending savings in year one, but in total, it's about no in the first year."

"It's about what?" Senator CRAPO asks. The staffer says, "It's zero in the first year in total because there are spending savings and spending costs."

You're thinking that sounds like Washington double-speak, Mr. Speaker. Well, Senator CRAPO thought so too. He says: "So I didn't understand you. It's zero in the first year?"

The staffer says: "Yes, sir. On net, sir."

Senator CRAPO says: "That confirms my worry."

Understand, here's a budget that is increasing taxes by \$1.8 trillion, and changes our deficit for next year by nothing. It does not put us one dollar closer to a balanced budget. It does not put us one dollar closer to stemming the rise in debt. Taxes going up in this budget by \$1.8 trillion, and they want to spend it all as it's coming in, such that they change nothing about our fiscal condition in year one.

It's one of those back-loaded budgets, Mr. Speaker, we hear so much about. It was Wimpy, I think, in the Popeye cartoon who said, I would gladly pay you tomorrow for a hamburger today. That's what we have going on right here—I'll gladly make the tough decisions 10 years from now if only you'll let me keep spending today. Mr. Speaker, it is that mentality that got us here. You can't measure budgets by what they do 10 years from now; you have to measure by what they do today.

I'm not alone saying this. This is President Obama, President Obama in 2008. He said adding \$4 trillion to the national debt was irresponsible and unpatriotic. I want to read you the whole quote, Mr. Speaker. He said:

The problem is, is that the way Bush has done it over the last 8 years is to take out a credit card from the Bank of China in the name of our children, driving up our national debt from \$5 trillion dollars for the first 42 presidents—number 43 added \$4 trillion dollars by his lonesome—it was \$5 trillion for all Presidents combined up until President Bush. President Bush added \$4 trillion over his 8 years as President.

President Obama goes on:

So that we now have over \$9 trillion dollars of debt that we are going to have to pay back—\$30,000 for every man, woman and child. That's irresponsible. It's unpatriotic.

President Obama rightly noting that during 8 years of the Bush administration our Federal debt rose from \$5 trillion to \$9 trillion. Through the first 4 years of the Obama administration, it rose from \$10.6 to \$16.6; \$6 trillion in 4 years. President Bush, \$4 trillion in 8 years, President Obama calls it irresponsible and unpatriotic. The President is running up debts twice as fast, and since he has been in office has produced not one budget plan that would stop that rise.

In case you couldn't follow it, Mr. Speaker—I blew it up in red because I didn't want it to be missed at all—the national debt under President Obama has risen \$6.1 trillion, from 10.6 when he was sworn into office in January of 2009 to 16.7 today; a 57 percent increase. It was irresponsible and unpatriotic, the President said, to increase the deficit \$4 trillion over 8 years; \$6.1 trillion for the President over 4.

I say this, Mr. Speaker, because we're not supposed to be arguing about this. I mean, it's so frustrating. You're here in your freshman year; I'm here just 2 years into the job. We didn't come here to find out who to blame; we came here to make a difference. Tell me what that is. Tell me what on the mandatory side of the ledger folks want to begin to reduce, Mr. Speaker, what they want to reform, what they want to do to guarantee that Medicare and Social Security survive for another generation. I will partner with them to do it. Not one budget that has saved not one dollar in 5 years of this White House, not even a budget plan from the Senate in the last 4.

I don't want to tell the American people who to blame, Mr. Speaker. I want to tell the American people who got together and worked with one another to solve the problem. But what the President knew was a problem—a problem he called irresponsible and unpatriotic while he was running for President—he seems to have forgotten all about after getting elected President.

Here he is in 2009, Mr. Speaker. In 2009, the President believed that a failure to control the deficit would make it harder for the economy to grow. How often have we been on the floor of the House talking about jobs, Mr. Speaker? This is the part that really gets me excited—and I don't mean excited because I'm happy about it, Mr. Speaker; I'm getting excited because I'm energized about it. This is not a green eyeshade exercise. We want to pass a budget so that we can pass on a more prosperous America to our children and our grandchildren. The President knew that. He said this—newspaper article, Bloomberg, February 2009:



"President Obama wants to reduce the deficit because he's concerned that over time Federal borrowing will make it harder for the U.S. economy to grow and create jobs," said the official, speaking on the condition of anonymity.

□ 1400

Now, you shouldn't have to be anonymous about the fact that you believe a growing debt is going to curtail job opportunity in the future. Of course it is. We all know that to be true. Every economist in this town knows that to be true. The President, before he was President, and the President, right after he became President, knew that failing to act on this would put the America that we all know in peril and would put the opportunities that we have all had out of reach for our children and our grandchildren.

If you don't believe it, Mr. Speaker, go to the Department of Labor—not conservative Republican ROB WOODALL's Department of Labor, not the U.S. House's Department of Labor, but President Obama's Department of Labor. They said this. They keep a record of entrepreneurial activity in this country. I love that, Mr. Speaker. That's who we are. At our core, we're not big corporations; we're individual mom-and-pop operations who go out and risk it all because they have a good idea that they think through the sweat of their brow and their hard work, they'll be able to succeed. The Department of Labor keeps statistics on that.

Sure, we're an entrepreneurial country. The Department of Labor is tracking entrepreneurs. As the President was implementing his spending agenda, that agenda I said that took us from the record high deficits of the Bush administration to deficits three times higher in the Obama administration, the Department of Labor told us this: the number of new establishments—that's the new entrepreneurial activity—for the year ending in March 2010 was lower than any other year since the series began, since they began keeping records, Mr. Speaker.

In 2010, under this administration's stimulus policies, entrepreneurial activity was at the lowest level in America since we began keeping records. I don't mean at the lowest level of people succeeding. I mean at the lowest level of people trying—the lowest level of people trying, Mr. Speaker. What does it mean about us? What does it mean about our future when we have beaten the enthusiasm to try out of our people, frightened it out of our people?

Mr. Speaker, that's not just a Department of Labor report. We talk a lot about that. What is it that the guys down at the agencies are producing, those technical reports? I'll tell you what they're producing. I'll tell you the impact it's had. The Federal Register, Mr. Speaker, I don't know if you've picked up a copy since you've been here. The Federal Register meas-

ures all the new regulations coming out of Washington. In fact, they have to publish them there.

In 2012, last year, you and I—well, you weren't here yet, Mr. Speaker, I've been here for 2 years—we were not passing a new regulatory agenda. Those department agencies, they were not implementing a new congressional regulatory agenda. They were implementing the old one. They hadn't gotten the old one out yet, and last year, \$33 billion, 34, really, 33.9, \$33 billion is what those own agencies estimated the cost of complying with their new government regulations would be. Those agencies, those agencies that put out their regulations are required by law to explain to the American people whether it's worth it or not. And so they have to certify how many hours it's going to take the American people to comply with all of their new regulations.

Last year, Mr. Speaker, 81 million hours, 81 million hours just last year were added to the Federal regulatory code book in new work for men and women across this country. Why is that entrepreneurial activity low? Well, the Federal Government is borrowing all the money to spend here; there's no prospect for tax relief on the horizon. In fact, taxes keep going up. There's a brand-new health care bill in place that folks don't understand. They're frightened it's going to destroy their health care system, not to mention to add to their costs of their business, and the Federal Government last year in the midst of this terrible recession, in the midst of this difficult economy, added \$33.9 billion in additional costs through regulatory activity that's going to take 81 million hours to complete.

Now, let's just do some back-of-the-envelope math, Mr. Speaker: 81 million hours, let's say the average work year is 40 hours a week. If you work 50 weeks a year, that's 2,000 hours—2,000 hours. That's 40,000 people who will spend every working hour of every working day all year long just to meet the new Federal regulatory burden.

Mr. Speaker, I don't wonder why it is that entrepreneurial activity is the lowest it's been since we began keeping records. The wonder is that folks are still trying at all. I had someone say that to me, Mr. Speaker. I was visiting with a group of honor students in Forsyth County there in the north metro Atlanta area, and we were talking about what do you want to do when you grow up. We were talking about America as a land of opportunity where you can do anything that you want to do, where it's our birthright to be filled with opportunities that our parents never dreamed of having. A young woman on the front row raised her hand. She said, Congressman, you're talking so much about going out and hanging out your own shingle and

being an entrepreneur. She said, It looks really, really hard. She said, Why would anybody even try today?

One of the best high schools in my district, an award-winning high school, honor students in that school, asking the question, In America why is it even worth trying today? You're making it so hard. Those aren't just the words of a naive 18-year-old. Those are the words of some of the most successful entrepreneurs in America today.

Up here in orange, Mr. Speaker, it's not quite Home Depot orange, but it's orange. Home Depot is one of those great companies that was founded down in my part of the world. It's grown across the country. It's just a tremendous success story. We're so proud. They're a great corporate citizen. They give back to us so much in the community. Ken Langone, one of the four founders of Home Depot, wrote an open letter to the President in *The Wall Street Journal*. Again, one of the captains of industry, one of the most successful companies in America, this is what the founder of that company wrote in an open letter to President Obama:

If we tried to start Home Depot today under the kinds of onerous regulatory controls that you have advocated, it's a stone cold certainty that our business would never get off the ground much less thrive.

These budget exercises are not about numbers. They're about families and opportunities. And when the captains of industry in America, those folks who risked it all with their ideas and every hour of their day for years of their life to try to get something to grow their idea from a concept into an actual business, into an international enterprise, those folks, the most successful among us, say if they were trying to do it today in the America that Washington, DC, has created today, they would fail.

Folks, this isn't about dollars and cents in a Federal budget. This is about dollars that are going to regulatory agencies that are crushing dreams and opportunities. This is about the failure of government to weigh benefits and burdens, to do those things that don't encourage opportunity but restrict it. And these are not the words of folks who are here trying to pursue a partisan agenda. It's the words of folks who put families to work and put food on the table.

It is not just Ken Langone. We heard it from the founder of Subway. Just this month, late last month, in fact, February, being interviewed on TV, Fred DeLuca said this—again, you see a Subway on every corner in America. The \$5 Foot Long happens to be one of my favorites. It's a bargain in this town, and the \$3 Six Inch, but the founder of Subway said this just last month:

If I started Subway today, Subway would not exist.

If I started Subway today, one of the most successful restaurants chains in all the land, Subway would not exist.

He didn't say that because he thinks Americans are unwilling to work today. Americans work harder than any other people anywhere on the planet. He didn't say that because we, as a people, are unwilling to take risks today. There is no more entrepreneurial culture on this planet than the American people. He said it because Washington, government, has structured a landscape in which opportunity cannot thrive—tax burdens, health care burdens, regulatory burdens, labor burdens, on and on and on.

□ 1410

Folks, there is nothing special about America that exists in our landscape. What is special about America is the idea of who we are, that we could break ties with the motherland such that we could come here and try it our way so that we could take the risk that maybe we succeed and maybe we fail, but the chance to succeed is such a great motivator, hope is such a great motivator, that family after family after family for over 200 years has risked it all to come here and risked it all to make sure their kids have more opportunities tomorrow than those parents have today.

Our captains of industry, our entrepreneurs are telling us that government regulations, government overspending, government borrowing, rising debt is crushing that dream for the next generation of America. That's not news. President Obama knew it when he was running for election and he knew it after he got elected. We just need a willing partner to work with us today to solve that problem.

I'll go back to Home Depot again. It's just a fantastic Atlanta company that has grown around the world. Bernie Marcus, a tremendous philanthropist in Atlanta, gives of his time and his resources to every worthy cause in town to try to make sure his neighbors are taken care of. He believes to whom much is given, much is expected. He lives up to that model every day. He says this:

Having built a small business into a big one, I can tell you that today the impediments that the government imposes are impossible to deal with.

Bernie Marcus, a huge philanthropist, a wildly successful entrepreneur, looks out at the landscape today and says the impediments put forward by government are impossible to deal with. He goes on to say:

Home Depot would never have succeeded if we tried to start it today. Every day rules and regulations from a group of Washington bureaucrats who know nothing about running a business—and I mean every day—is becoming stifling.

Let's go back to that chart, Mr. Speaker. This is what Bernie Marcus is

talking about, regulations coming out every day.

The Federal Register is published every day. You can pick it up at your local Federal depository library. Sometimes it's this thick and sometimes it's this thick. And for the last year, and last year alone, this government, the Federal Government—not the State governments, not the local governments—the Federal Government, and the Federal Government alone, imposed \$33.9 billion in new requirements on Americans, requirements that, by the government's own estimation, are going to take 81 million hours to fill out. That is 40,000 full-time workers working every hour of every day for a year creating nothing, no productivity, only complying with Federal regulations.

I'll finish, Mr. Speaker, where I began, and that's why it matters.

This is that chart of debt in America, borrowing from the Federal Government. I read the President's words, Mr. Speaker, where he said it was irresponsible to allow our children to have amassed a \$30,000 per child debt under the Bush administration. That debt, Mr. Speaker, is fast approaching \$60,000 for every child under the Obama administration. And if we do nothing, this red line of debt, Mr. Speaker, that destroys opportunity, that destroys America as we know it, continues if we do nothing.

We can't ignore this problem away, Mr. Speaker. We must do something. So year after year, Mr. Speaker—it makes it sound like I'm an old hand at this. In the 3 years I've been here—2 years and 2 months—this House has presented a budget every single year, budgets that make tough choices, budgets that challenge each and every one of us to set those priorities of things that must happen versus those priorities of things that we would like to happen versus those priorities of things that we could really do without if it means a better America tomorrow.

Three years in a row, Mr. Speaker, we've been touching things that the prognosticators said would never be touched. Folks said Medicare was doomed to failure, Mr. Speaker, because no Congress would ever be bold enough to do those things necessary to save it for another generation. But all 3 years I've been here, all three budgets I've had the pleasure of helping to produce, we made those tough choices and made those vital changes.

To fail to reform Medicare is to destroy it. To fail to reform Medicare is to end it forever. In 2023, it runs out of money, Mr. Speaker. We all know it. Those aren't my numbers. Those aren't your numbers. Those are the numbers from the Medicare actuaries downtown working for President Obama. In 2023, there is no more money.

How many of us have family members who rely on that program, Mr.

Speaker? We do them no favors by ignoring the problem and careening towards that failure. We do the responsible thing, the hard thing, by making those tough choices, as we have in this budget, that will save that program not just for my mom and dad, not just for your parents and your grandparents, but for more generations to come.

Our responsibility here, Mr. Speaker, is not to scare America. Our responsibility here is not to tell America whom to blame. Our responsibility here is to serve America and make the tough decisions that previous Congresses have not.

There are two paths, Mr. Speaker, two paths. I'm not going to tell you the path we've laid out in the Budget Committee is an easy path. It's not. When you've been living beyond your means—and I mean \$1 trillion beyond your means each year. Thirty-three cents out of every \$1 the Federal Government spends is borrowed. When you've been living that far beyond your means, change is hard; but it's the right thing to do and, I tell you, it's the only thing to do.

This chart, Mr. Speaker, that shows the red chart of where America is headed today. I only ran that chart out to 2023. The truth of matter is—and you can see for yourself the Congressional Budget Office numbers at [www.cbo.gov](http://www.cbo.gov), Mr. Speaker.

The models we have that predict economic growth in this country, they stop working in about 30 years because they cannot calculate, they cannot see, they cannot imagine in those models how America could still exist as an economy having borrowed as much money as it will have borrowed in 30 years if we do nothing. The models break—there is a little asterisk. At [cbo.gov](http://cbo.gov)—see it for yourself—there's a little asterisk that says we can't predict that we could even continue beyond this point.

PAUL RYAN is fond of saying that this is the most predictable crisis America has ever faced. Everyone, every man and woman in every seat from the most liberal Democrat to the most conservative Republican, every Congressperson knows the economic destruction that awaits us if we choose to do nothing.

Folks have been asking all day, Mr. Speaker: What's the “there” there in the Paul Ryan budget, and what is the House Budget Committee budget? What I hope next week will be the House budget, what I hope before the April 15 deadline will be the law of the land, will be the American budget, the “there” there is that we shift directions from a pathway that will most certainly mean the end of opportunity for our children to a pathway that will mean more opportunity for our children than even you and I have had, Mr. Speaker.

We are not in this Chamber talking about numbers. We are in this Chamber

talking about people. And if we fail to act, the devastation, the destruction is not going to be measured in red lines on a ledger. It's going to be measured in real pain for real families, and it doesn't have to be that way.

I urge all of my colleagues, Mr. Speaker, to give prayerful consideration to the House budget. Dig deep into these numbers, dig deep into these choices. That is what America is. It is about making the tough choices.

We have the freedom to succeed, and we have the freedom to fail. To date, Mr. Speaker, Congresses have been adopting the freedom to fail. We can change that this year. And I urge my colleagues in the Senate and I urge the President to join us in that quest.

With that, I yield back the balance of my time.

□ 1420

#### THE BUDGET AND THE ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker. It's always an honor to be recognized here on the floor of the United States House. I want to follow up on what my dear friend Mr. WOODALL was pointing out.

With the amount of red ink that we've had, there is no person, there is no business, there is no charity, there is no family that could continue to spend like this government is spending. The trouble is, yes, this administration is driving this truck right toward and off the cliff. They are so fond of talking about cliffs. We've been heading for a big one. The one at the first of the year was just a bump. It was nothing compared to the overall collapse we're headed for, along the lines that the Soviet Union faced back in the late eighties.

There are stories about how they were trying to borrow money, but they had continued to spend, of course, in trying to catch up with our missile defense. They knew they had to match that if they were going to remain a superpower. The great vision of Ronald Reagan had pushed that. He understood that continuing to push a doctrine of MAD, mutually assured destruction, really was mad. It was nuts. Why not develop defensive weapons so that, if there were a mistake, there would at least be a chance to stop it?

The Soviet Union, the Soviet system, is where you're rewarded not by how well you work, not by how productive you are, but because you exist. It's a very noble system, a very noble idea, but it doesn't work—it always goes bankrupt—and the SDI, the missile defense, just helped push them there a

whole lot faster. So they got to the point, because they had spent so much, that they couldn't borrow any more money. They owed so much that they knew there was no way they could ever print money fast enough unless they went back to the pre-World War II days when people used wheelbarrows, figuratively speaking, to get a loaf of bread. They knew that they couldn't do that. Then when there was no other way, they finally had to announce: the Soviet Union is now out of business.

It's so ironic. A free market system never collapses. It only fails when people who are not well-educated enough—and they can have all kinds of degrees. They could be like the late Mrs. Milam in my hometown when I was growing up, who used to say, He may have a Ph.D., but he's a P-H-U-L fool. She probably had a third grade education, but she was absolutely brilliant. So we have a lot of people like Mrs. Milam who talk about those who have Ph.D.'s, but they're P-H-U-L fools, and they don't understand that socialism doesn't work, it won't work, it can't work in this world. So the Soviet Union went bankrupt.

If people think it cannot happen here, well, I can assure everyone, Mr. Speaker, it will happen here unless we get responsible, and a pox on the Republican's House for not doing everything we possibly could to stop the Democrats in the Senate and the Democratic President from heading faster and faster toward that cliff. Fortunately, in recent days, because we have taken a great stand, we slowed this truck down. We're still heading there.

Then we have people basically throwing a temper tantrum because they didn't get every dime that they wanted. Yes, government has increased 20 percent. Their entire budgets have increased 20 or so percent. Oh, they're getting more money than they've ever gotten in history, but try to, not cut them, but just slow that big rate of growth down. If we just slow it a little bit, we get a temper tantrum:

Oh, yeah? So what if it's going to bankrupt us? If you're not going to give us all the money, well, we're going to let law enforcement go so they won't be there to protect you. And do you know what? Kids who need vaccinations to keep from being diseased—we're going to spend the money elsewhere, and we're going to let them go without vaccinations so they can get disease. Do you know what? For the kids that need education, we're going to prioritize money elsewhere so they don't have teachers:

Now we found out that the administration official who stood up and said, Yeah, they're getting pink slips, that he didn't know what he was talking about. Unfortunately, there is far too much of that going on these days;

We were also told, Well, we don't know who in this administration is re-

sponsible. This stuff just happens. Doors magically opened. Some of us believe that an act of God opened the jail during New Testament times for the Apostle Paul and Silas, but the administration has not given any indication of an act of God that opened jail cells, and they're not sure who opened them. Maybe it was an act of God, because they can't account for how all of these people who were in jail just all of a sudden got released;

But isn't it interesting it just happened to coincide with the administration's threat: give us all the money or else. Disease will take over because we're not going to let people have their vaccinations. We're going to let law enforcement go so crime will take over unless you give us all the money. Not only that, criminals will magically be released. Give us all the money or else. When all of those things didn't work and when the sequestration was moving forward, Oh, yeah? Well, we told you the American people were going to hurt, so now you don't get to come through the White House anymore.

How petty.

Now, I did file an amendment to try to bring home the point and try to snap people at the administration out of whatever stupor they were in to think, Oh, we'll just hurt the kids, the veterans, the seniors, those who are coming, maybe, for most of them, for the only time they'll ever come to tour the White House. We'll just let them suffer. We won't let them in. Then that will make them mad, and we'll tell them it's all the Republicans' fault.

They don't understand, because we haven't done a good enough job of messaging it.

But here in Congress, for the last 2 years—not the Senate, as they weren't going to allow their budgets to be cut at all. But here in the House, where the Republicans have been in charge, I've been quite critical of our Speaker—I continue to be so—but it was his order, and we cut our own budgets over 2 years about 11.5 percent. I think it was a good thing to do, but it shouldn't have stopped there. We needed to use that for moral authority to make sure that every government agency did the same thing.

So, in the last 2 years, the 435 people in this body—all of us, every single one of the 435 Members of the House—have lost about 11.5 percent of our budgets that we don't have to spend. So, in our case, if you lose somebody, you just don't replace him, and you just get by. I am so grateful I have staff who, at least not to me, don't seem to fuss about 50-hour, 60-hour weeks and about getting emails at all hours of the day and night.

□ 1430

I think I stopped emailing them this morning about 4:30 or so. I don't expect them to answer my emails in the wee

hours of the morning, but they're hard workers.

This is a tough, very difficult, stressful environment. And in this environment where we're doing battle with the Senate to try to get them to do their job, to have a budget, to be responsible, to have a responsible budget, to do no more harm to the American economy, American rights, it's often a battle, legislative battle. And yet we have been going into the battle for the last two years as we cut our budgets about 11½ percent. And we did it. And we still provide every single constituent service that we did before the 11½ percent was cut, and we will continue to do that. That's part of our job.

Because of the sequester, we're going to lose another 8 percent or so, a little over 8 percent, as I understand. So, in effect, around 20 percent over 3 years we will have lost of our budget.

One night this week I had so many individuals from my district. I think it was originally going to be about 120: one group of 16, one group of 25, one group of 3, one group of 2, one group of 8, on and on. All these groups. It added up to 120, 130 people. And most of them were so brokenhearted. The big school groups, one school group of 81 people was coming up here. They were not part of that group Tuesday night, but I have another group of 81 coming up. They were so excited about getting to see the White House.

So I'm doing all I can to make sure that the people from my district who have come to Washington, who are brokenhearted over the little temper tantrum, whoever had it, that decided, No more, no, you can't come to our house anymore. Yes, it's your house. Yes, you're paying for all of it, but we're not going to let you in the house you're paying for, because we're mad because we had a 2 percent cut from the billion or so dollars that we had to spend.

I understand the disappointment. And one of the things that I hope when my time is done in Congress, is I will have inspired someone during one of our night tours through the Capitol to do something far greater than I could have ever done. I was inspired in high school. It didn't inspire me to want to be in Congress. But I was just so inspired by history going all over the Capitol. Back then you didn't need a Representative to take you around the Capitol. You just needed to come into the Capitol. There were no metal detectors. You just came into the Capitol and walked around. It seemed like there was more that you could read about what went on here.

On Tuesday night we had a tour, and I told the group when we started we can stop at any time, I'll stop telling these historical stories about the history of this place, but they didn't want to stop. It went on and on, about a 3½ hour tour. I think we finished around 11:30, something like that.

But I push to do that for folks, not because our budget hadn't been cut 20 percent as it's being cut, but because this is the people's House. Down Pennsylvania Avenue that way, that's the people's house. And they deserve to have that opportunity.

Now, the reason we know that I'm not breaking the rule—I'm not saying the President had a temper tantrum because he said he's not the one that called off the tour, so we don't know who had it. Somebody did. He said that was a Secret Service decision. Well, then we find out it wasn't a Secret Service decision. They don't have the power to make that kind of call. It has to come from somebody in the White House.

Mr. Speaker, I hope—it's nice to be around the President, he's a likable man, beautiful family—whatever, Mr. Speaker, is making these decisions, having their little temper tantrum, shutting off tours, things like that, whoever is doing all that, I wish they would step up over to the White House and let the President know, "Mr. President, I'm the one who had the temper tantrum and shut down the tours; I'm the one that's making these decisions over here; I know you didn't do it, Mr. President. I wish whoever it was would step up so we can know who's making the decisions at the White House."

We would like to get to the bottom of Benghazi so we can find out who's making the decisions. Secretary Clinton said the buck stopped with her; and then after a hearing, it turns out she couldn't really remember where the buck was. And it would be a comedy of error, except there are dead Americans.

And it didn't stop there. It bled over into Algeria, and more Americans were killed. It continues today, and we still can't get to the bottom of what happened in Benghazi. Some like our former Secretary of State would say, What difference does it make? Well, it makes a difference to the families of those who were killed in the service of their country; it makes a difference to the families of those who will be killed in the future in the service of the United States because we can't get someone to come forward and explain exactly what happened.

Now we get a story here dated March 15—that would be today—from Catherine Herridge at Fox News, who does a terrific job of digging out facts, and she reports on information that should have come out months ago, 6 months ago. But we can't get straight answers so we don't know how to go about preventing future Americans from being killed so that their families don't have to suffer.

And Catherine Herridge points out that three diplomatic security agents were among the Americans injured during the terrorist attack last September on the U.S. Consulate in Benghazi, according to a State Department official

speaking exclusively to Fox News. According to the official who confirmed Fox's reporting on the condition of anonymity, two were injured, including one seriously, at the CIA facility known as the "annex," and a third suffered smoke inhalation at the Consulate where Ambassador Chris Stevens was killed.

Now, somebody is reporting on the condition of anonymity, and unfortunately this ought to be reported publicly. And we've long since given up on this administration being anything but in last place when it comes to transparency. But the hope that springs eternal in the human breast causes us to hope that surely at some point a light will go on and someone will say, You know, we promised for years that we would be the most transparent, just like Jimmy Carter promised.

And, really, we prosecuted more people for trying to be transparent in government than any other administration. We have shut off more information. This administration has gone further than that. They turned over boxes and boxes of documents that prove and are relevant to American individuals and American groups funding terrorism; but when Members of Congress asked to see those documents, we're told we can't have them, there's a problem. And as I pointed out to the Attorney General, you gave them to the terrorists, don't you think you could give them to Members of Congress?

□ 1440

Where does your allegiance lie?

Let Members of Congress see the evidence so we can know who has been supporting terrorism. Obviously, this administration made the decision not to pursue the 200-plus named co-conspirators in the Holy Land Foundation trial.

But the Constitution envisioned that there would be oversight by Members of Congress, that we would come in and we'd have a chance to have hearings and demand information come forward, and when that information didn't come forward, we could just cut off funding to that department. It's called accountability, and there is not being any.

And that's why you have to have someone give information to a trusted news reporter like Catherine Herridge on the condition of anonymity, because this administration has fought transparency, not been a part of making it happen.

The story says:

Four Americans, including the U.S. Ambassador, were killed in the attack, and the Obama administration faced intense criticism from Republicans—

Of course, the story should have said, it faced intense criticism from Americans from all parties and from all of the mainstream media, but it doesn't

because they have to report accurately; it was only Republicans.

—in the aftermath over security problems and apparent inconsistencies in officials' explanation of what happened. Lately, however, the focus has turned to the attack's survivors, who still have not been named, 6 months later.

Separately, a diplomatic security source told Fox News the State Department's diplomatic security agent who was in the most serious condition suffered a severe head injury during the second wave of the attack at the annex from mortar and rocket-propelled grenades.

The story goes on, but the real story is this administration continues to stonewall, as it did and has and continues, on the American individuals and organizations that have helped support terrorism, that are working against the interests of the United States of America here in America, on our soil.

This administration has even befriended many of those people who were named as coconspirators. So I'm sure they don't want all that information coming out about their contacts and ties with terrorist organizations or potentially funding terrorist activity, because then it makes the country and the world know the administration has actually been working with people who at least support those who support terrorism.

More news, too. This was reported on 3/7:

The chief of the U.S. Africa Command is telling Congress that thousands of shouldered antiaircraft weapons from the arsenal of deposed Libyan leader Muammar Qadhafi remain unaccounted for in Africa and beyond.

We've got rocket-propelled grenades that are unaccounted for, and this administration will not help us get to the bottom. I know, I realize it may be embarrassing, but Americans have shown over and over, whether it was with Eisenhower when he came forward, during the Eisenhower administration when Nixon came forward and gave the Checker the Puppy speech and apologized, and he goes up in the polls, unfortunately.

After the Bay of Pigs horrible atrocity where people, in 1961, had been promised air cover by the Kennedy administration, and it was pulled within 24 hours of the attack, when it was too late to let folks know that the Kennedy administration was not going to provide air support, and so people were slaughtered there in the Bay of Pigs. But President Kennedy did a noble

thing at that point, though he'd made a huge mistake. He came on national television and said, This was my fault. And the American people loved him for his honesty in taking responsibility, and he went up in the polls.

It was Eisenhower who told the American people, We do not have any U-2 planes flying over the Soviet Union, when it turned out we did. And when he was caught, Gary Powers was shot down, he came forward and said, I'm so sorry. I should have been totally honest with the American people, and I wasn't. Eisenhower went up in the polls.

If Nixon had learned something from his 1950s episode of apologizing and going up in the American people's esteem, he would have gotten to the root of Watergate and may have been able to finish his term; but, instead, he tried to cover up.

But in this administration, Fast and Furious continues to be covered, Benghazi continues to be covered. So many things that are going on continue to be covered up. We can't get to the bottom of things, and it does not speak well nor bode well for the future of this country.

Army General Carter Ham tells the Senate Armed Services Committee some of those weapons, as well as explosives and other arms once under Qadhafi's control, have fallen into the hands of extremists in northern Mali. He says others have spread to rebel groups in Syria. The Qadhafi regime was overthrown in 2011.

Of course, General Ham doesn't go on and mention that the Qadhafi administration fell because this administration, without the consent or advice of Congress, only the request from Organization of Islamic Council and some NATO countries, not in the U.S. interest, he goes and starts bombing so that these al Qaeda-supported rebels could take over from Qadhafi, leading to, ultimately, the death of Americans.

[Ham said at a hearing on Thursday he could not discuss details in public, but he did say a U.S. Government effort to buy back portable antiaircraft weapons from Libya has had only "modest success."]

Well, I hope and pray that somebody who is more effective than those who've been at work for the U.S. and Libya will be able to get those weapons before more Americans die.

One other thing. The President's going to Israel, and something this administration and those advising our great President do not understand is, when you meet with terrorists, when

you meet with those who support terrorism, you not only give credibility to them, you devastate the morale of those who are opposing terrorists.

So when you beg the Taliban, Please, please sit down with us and talk, no preconditions; we'll buy you an office in Qatar; we'll let your bloodthirsty thugs loose from our confinement if you'll just sit down with us, when you do that, you not only encourage the terrorists, you devastate the morale of those trying to stand against them.

It's happened in Iran, when people who were wanting a different, a more freedom-loving administration in Iran, Iranian people who liked the United States, wanted help. They got no encouragement from this administration, not even verbal encouragement that would have meant so much. No, they were devastated as we continue to indicate, Look, you know, we can work something out, Iran.

When this administration meets with members of terrorist organizations in the White House, even though our Homeland Security Secretary was totally ignorant of what was going on as we found out in answer to my questions in our committee hearing, you devastate those in Egypt, people that we can talk to around here, and we have, who don't want these crazies in control in Egypt who hate America and want to annihilate America and Israel.

□ 1450

You devastate those who want to be on our side and help us. And I talked to one just this week who said, What are you doing when you encourage or even talk to those people who hate you, who've made that very clear? You hurt the rest of us who really want a fair and open democratic form of government in Egypt.

Mr. Speaker, it is my hope and prayer that somebody who's making the decisions at the White House learns from history so we don't keep repeating it.

With that, I yield back the balance of my time.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, March 18, 2013, at noon for morning-hour debate.

#### EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2012 and the first quarter of 2013 pursuant to Public Law 95-384 are as follows:

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DAN SCANDLING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 17 AND FEB. 22, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Dan Scandling .....	2/18	2/17	United States .....				9,123.00				9,123.00
	2/20	2/20	Lebanon .....		84.00						84.00
	2/22	2/22	Egypt .....		184.00						184.00
			United States .....								
Note—\$24 was returned to U.S. Treasury.											
Committee total .....					268.00		9,123.00				9,391.00

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN SCANDLING, Mar. 4, 2013.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO SWITZERLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 24 AND JAN. 26, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Eric Cantor .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		965.36		1,335.36
Hon. Kay Granger .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		526.33		896.33
Hon. Jeff Fortenberry .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		964.90		1,334.90
Hon. Patrick McHenry .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		1,048.04		1,418.04
Hon. Darrell Issa .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		965.36		1,335.36
Hon. Mario Diaz-Balart .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		965.36		1,335.36
Robert Karem .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		575.00		945.00
Douglas Heye .....	1/24	1/26	Switzerland .....		370.00		( <sup>3</sup> )		575.00		945.00
Committee total .....					2,960.00				6,585.35		9,545.35

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

HON. ERIC CANTOR, Feb. 25, 2013.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Nydia Velázquez .....	12/7	12/9	Bolivia .....		217.00		2,479.50				2,696.50
Committee total .....					217.00		2,479.50				2,696.50

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SAM GRAVES, Chairman, Feb. 26, 2013.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

711. A letter from the Associate Division Chief, Policy Division, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 12 and 90 of the Commission's Rules Regarding Redundancy of Communications Systems: Backup Power; Private Land Mobile Radio Services: Selection and assignment of frequencies and transition of the Upper 200 channels in the 800 MHz Band to EA licensing received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

712. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Concerning Commercial Radio Operators [WT Docket No.: 10-177] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

713. A letter from the Associate Division Chief, Policy Division, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Review of the

Emergency Alert System; Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief; Randy Gehman Petition for Rulemaking [EB Docket No.: 04-296] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

714. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Chattahoochee River National Recreation Area, Bicycle Routes [NPS-CHAT-11887; PPSECHAT00; PMPSPD1Z.YM0000] (RIN: 1024-AD94) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

715. A letter from the Chief, Branch of Listing, Endangered Species Program, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Astragalus lentiginos* var. *cochellae* (Coachella Valley milk-vetch) [Docket No.: FWS-R8-ES-2011-0064] (RIN: 1018-AX40) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

716. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulation; Areas of the National Park System, National Capital Region, Demonstrations and Special Events [NPS-NCR-10414] [PPNCNAMA00, PMPSPD1Z.YM0000] (RIN: 1024-AD89) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

717. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear Under Section 4(d) of the Endangered Species Act [Docket No.: FWS-R7-ES-2012-0009] (RIN: 1018-AY40) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

718. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2013 Season [Docket No.: FWS-R7-MB-2012-0066] (RIN: 1018-AY70) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

719. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Tidewater Goby [Docket No.: FWS-R8-ES-2011-0085] (RIN: 1018-AX39) received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

720. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Adjustments to Civil Monetary Penalty Amounts [Release Nos.: 33-9387, 34-68994; IA-3557; IC-30408] received February 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

721. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model Airplanes [Docket No.: FAA-2011-0722; Directorate Identifier 2010-NM-262-AD; Amendment 39-17260; AD 2012-23-04] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

722. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2010-1084; Directorate Identifier 2010-CE-056-AD; Amendment 39-17257; AD 2012-23-01] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

723. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2012-0501; Directorate Identifier 2009-SW-083-AD; Amendment 39-17258; AD 2012-23-02] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

724. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0500; Directorate Identifier 2010-SW-014-AD; Amendment 39-17263; AD 2012-23-07] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

725. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0857; Directorate Identifier 2011-NM-244-AD; Amendment 39-17270; AD 2012-23-14] (RIN: 2120-AD64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

726. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2008-0681; Directorate Identifier 2008-NE-13-AD; Amendment 39-17286; AD 2012-23-12] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

727. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Stemme GmbH & Co. KG Powered Sailplanes [Docket No.: FAA-2012-0982; Directorate Identifier 2012-CE-035-AD; Amendment 39-17272; AD 2012-24-02] (RIN:

2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

728. A letter from the Chief, Trade and Commercial Regulations Branch, Department of the Treasury, transmitting the Department's final rule — Import Restrictions Imposed on Certain Archaeological Material From Belize [CBP Dec. 13-05] (RIN: 1515-AD94) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

729. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reduced 2009 Estimated Income Tax Payments for Individuals with Small Business Income [TD 9613] (RIN: 1542-B167) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

730. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Postponement of Deadline for Making an Election to Deduct for the Preceding Taxable Year Losses Attributable to Hurricane Sandy [Notice 2013-21] received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on the Budget. House Concurrent Resolution 25. Resolution establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023 (Rept. 113-17). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TERRY (for himself, Mr. MATHESON, Mr. UPTON, Mr. BARROW of Georgia, Mr. WHITEFIELD, Mr. BACHUS, Mr. BARTON, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BONNER, Mr. BOUSTANY, Mr. BRIDENSTINE, Mr. BROWN of Georgia, Mr. BUCSHON, Mr. BROOKS of Alabama, Mr. BURGESS, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Mr. CHABOT, Mr. COBLE, Mr. CONAWAY, Mr. CRAMER, Mr. CRAWFORD, Mr. CULBERSON, Mr. DAINES, Mr. RODNEY DAVIS of Illinois, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. FINCHER, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. GARDNER, Mr. GINGREY of Georgia, Ms. GRANGER, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. GUTHRIE, Mr. HARPER, Mr. HARRIS, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. JOHNSON of Ohio, Mr. KINZINGER of Illinois, Mr. LANCE, Mr. LATTA, Mr. LONG, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MARCHANT, Mr. MCCAUL, Mr. MCHENRY, Mr. MCKINLEY, Mr. MEEHAN, Mr. MURPHY of Pennsylvania, Mr. MULLIN, Mr.

MULVANEY, Mrs. NOEM, Mr. NUNES, Mr. OLSON, Mr. PEARCE, Mr. PITTS, Mr. POE of Texas, Mr. RIBBLE, Mrs. McMORRIS RODGERS, Mr. ROGERS of Michigan, Mr. SCALISE, Mr. SHIMKUS, Mr. SHUSTER, Mr. STIVERS, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. WOMACK, Mr. YOUNG of Florida, Mr. COFFMAN, Mr. BENTIVOLIO, and Ms. FOX):

H.R. 3. A bill to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. FLEISCHMANN, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 1208. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. OLSON (for himself, Ms. BORDALLO, Mr. GRIFFIN of Arkansas, Mr. TURNER, Mr. NUNNELEE, Mr. BRIDENSTINE, Mr. SAM JOHNSON of Texas, and Mr. STIVERS):

H.R. 1209. A bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo; to the Committee on Financial Services.

By Mrs. SPEIER (for herself and Mr. MEEHAN):

H.R. 1210. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems; to the Committee on Homeland Security.

By Mr. ISSA (for himself and Mr. CUMMINGS):

H.R. 1211. A bill to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PETRI:

H.R. 1212. A bill to amend the Internal Revenue Code of 1986 to provide that reimbursements for costs of using passenger automobiles for charitable and other organizations are excluded from gross income; to the Committee on Ways and Means.

By Mr. ELLISON (for himself and Mr. SCOTT of Virginia):

H.R. 1213. A bill to amend the Internal Revenue Code of 1986 to replace the mortgage interest deduction with a nonrefundable credit for indebtedness secured by a residence, to provide affordable housing to extremely low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.



By Mr. SHIMKUS:

H.R. 1214. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, and Ms. BONAMICI):

H.R. 1215. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Natural Resources.

By Mr. GOSAR (for himself, Mr. BARBER, Mr. FRANKS of Arizona, Mr. GRIJALVA, Mrs. KIRKPATRICK, Mr. SALMON, Mr. SCHWEIKERT, Ms. SINEMA, and Mr. PASTOR of Arizona):

H.R. 1216. A bill to designate the Department of Veterans Affairs Vet Center in Prescott, Arizona, as the "Dr. Cameron McKinley Department of Veterans Affairs Veterans Center"; to the Committee on Veterans' Affairs.

By Mr. BECERRA (for himself and Ms. ROS-LEHTINEN):

H.R. 1217. A bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMASH (for himself, Mr. DUNCAN of South Carolina, Mr. LAMALFA, and Mr. MASSIE):

H.R. 1218. A bill to prohibit the payment of surcharges for commemorative coin programs to private organizations or entities, and for other purposes; to the Committee on Financial Services.

By Mr. BONNER:

H.R. 1219. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide that each of the States of Texas, Louisiana, Mississippi, Alabama, and Florida have exclusive fishery management authority over reef fish in the Gulf of Mexico in waters that, on average, are 20 fathoms or less in depth, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS (for himself, Mr. DINGELL, and Mr. MATHESON):

H.R. 1220. A bill to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers; to the Committee on Energy and Commerce.

By Mr. FINCHER:

H.R. 1221. A bill to require the Federal banking agencies to conduct an impact study on the cumulative effect of certain provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act before issuing final rules amending the agencies' general risk-based capital requirements for determining risk-weighted assets as proposed in the Standardized Approach for Risk Weighted Assets Notice of Proposed Rulemaking and the Advanced Approaches Risk-based Capital Rule; Market Risk Capital Rule No-

tice of Proposed Rulemaking, and the Implementation of Basel III, Minimum Regulatory Capital Ratios Notice of Proposed Rulemaking issued in June 2012, and for other purposes; to the Committee on Financial Services.

By Ms. HANABUSA (for herself, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Ms. GABBARD):

H.R. 1222. A bill to amend the Compact of Free Association of 1985 to provide for adequate Compact-impact aid to affected States and territories, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mrs. DAVIS of California, Mr. TURNER, and Mr. RYAN of Ohio):

H.R. 1223. A bill to amend the Servicemembers Civil Relief Act to ensure that relocation of a servicemember to serve on active duty away from the servicemember's principal residence does not prevent the servicemember from refinancing a mortgage on that principal residence; to the Committee on Veterans' Affairs.

By Mr. KING of New York (for himself, Mr. GRIMM, Mr. CROWLEY, Mr. ISRAEL, Mr. MARINO, Mr. RANGEL, Mr. RUNYAN, Ms. SLAUGHTER, Mr. GIBSON, Mr. HIGGINS, and Mr. WOLF):

H.R. 1224. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. LARSEN of Washington:

H.R. 1225. A bill to direct the Secretary of the Interior to place certain lands in Skagit and San Juan Counties, Washington, into trust for the Samish Indian Nation, and for other purposes; to the Committee on Natural Resources.

By Mrs. NOEM (for herself, Mr. KLINE, Mr. GOSAR, Mr. CRAMER, Mr. COLE, and Mr. CALVERT):

H.R. 1226. A bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself, Mr. QUIGLEY, Mr. RENACCI, and Mr. DELANEY):

H.R. 1227. A bill to amend the Immigration and Nationality Act to authorize certain aliens who have earned a Ph.D. degree from a United States institution of higher education in a field of science, technology, engineering, or mathematics to be admitted for permanent residence and to be exempted from the numerical limitations on H-1B non-immigrants; to the Committee on the Judiciary.

By Mr. RIBBLE (for himself, Mr. PETRI, Mr. RYAN of Wisconsin, Mr. DUFFY, Mr. KIND, Ms. MOORE, Mr. POCAN, and Mr. SENSENBRENNER):

H.R. 1228. A bill to designate the facility of the United States Postal Service located at 300 Packerland Drive in Green Bay, Wisconsin, as the "Corporal Justin D. Ross Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. ROYBAL-ALLARD:

H.R. 1229. A bill to promote the economic security and safety of victims of domestic vi-

olence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself, Mr. DEFAZIO, Mr. BLUMENAUER, and Ms. BONAMICI):

H.R. 1230. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHWEIKERT:

H.R. 1231. A bill to provide that the President shall submit to Congress a report detailing the priority of Federal spending if the statutory debt limit is reached, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina (for himself, Mr. BARR, Mr. BARTON, Mr. BENTIVOLIO, Mr. CHABOT, Mr. CRAMER, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mr. LAMALFA, Mr. LONG, Mr. MEADOWS, Mr. MULVANEY, Mr. PALAZZO, Mr. PITTENGER, Mr. POSEY, Mr. SCHWEIKERT, and Mr. STIVERS):

H. Res. 119. A resolution amending the Rules of the House of Representatives to establish the Committee on the Elimination of Nonessential Federal Programs; to the Committee on Rules.

By Mr. GRIMM (for himself, Mr. TIBERI, Mr. PASCRELL, and Mr. LIPINSKI):

H. Res. 120. A resolution commemorating the life and service of Benedict XVI, Pope Emeritus, and congratulating Pope Francis on his election as Supreme Pontiff of the Roman Catholic Church; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself and Mr. SIREs):

H. Res. 121. A resolution honoring Yoani Sanchez, a courageous blogger and activist for freedom in Cuba; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TERRY:

H.R. 3.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article III, Section 2, Clause 2

By Mr. HASTINGS of Washington:

H.R. 1208.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

By Mr. OLSON:

H.R. 1209.



Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—The Congress shall have the power . . . to coin money, regulate the value thereof, and of foreign coin, and fix the Standard of Weights and Measures.

Article 1, Section 8—The Congress shall have the power . . . to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Ms. SPEIER:

H.R. 1210.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. ISSA:

H.R. 1211.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in Government of the United States or in any Department or Officer thereof.

By Mr. PETRI:

H.R. 1212.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 which, in part, states: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, . . . and the Sixteenth Amendment which states: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. ELLISON:

H.R. 1213.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. SHIMKUS:

H.R. 1214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DEFazio:

H.R. 1215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GOSAR:

H.R. 1216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 17, which provides that Congress has the power and authority to: "exercise exclusive Legislation in all Cases whatsoever, over such District (not ex-

ceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.

(Emphasis added). Thus, the Constitution's Places Clause confers the express and exclusive constitutional authority to Congress to manage Federal Property, including federally owned property used for any "needful" government purpose. The federal government's duty to raise and maintain a military force subsumes a duty to maintain and take care of its veterans from such military forces. Thus, a veterans' center is a "needful building" to fulfill a core constitutional duty, and thus Congress has the exclusive authority to manage it and give it a name. *James v. Dravo Contracting Co.*, 302 U.S. 134, 143 (1937) (taking the "view" that the phrase "other needful buildings" embraces "whatever structures are found to be necessary in the performance of the functions of the federal government). For these reasons, the bill seeking to name a veteran's center is constitutionally permissible.

By Mr. BECERRA:

H.R. 1217.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution.

By Mr. AMASH:

H.R. 1218.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 5 of the U.S. Constitution empowers Congress "To coin Money, [and] regulate the Value thereof." Congress currently authorizes the minting of commemorative coins, and this bill directs the proceeds of the minting.

By Mr. BONNER:

H.R. 1219.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes, as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

This bill is also enacted pursuant to Congress' authority to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

This bill is also enacted pursuant to the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people, as enumerated in Amendment X of the United States Constitution.

By Mr. BURGESS:

H.R. 1220.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls within Congress' authority to regulate interstate commerce as found in Article I, Section 8, clause 3 of the U.S. Constitution, which provides the authority for the congress "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." The epinephrine inhalers at issue in the attached legislation are regulated by the federal Food and Drug Administration

(FDA), and the propellant at issue is regulated by the Environmental Protection Agency. The product further falls within the subject matter of an international treaty known as the Montreal Protocol on Substances that Deplete the Ozone Layer, of which the U.S. is a signatory.

By Mr. FINCHER:

H.R. 1221.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. HANABUSA:

H.R. 1222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUNTER:

H.R. 1223.

Congress has the power to enact this legislation pursuant to the following:

This legislation ensures that the military personnel who are homeowners are not discriminated against for their military service when trying to refinance their property. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, and 14), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces.

By Mr. KING of New York:

H.R. 1224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LARSEN of Washington:

H.R. 1225.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress . . ."

By Mrs. NOEM:

H.R. 1226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PAULSEN:

H.R. 1227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 4

By Mr. RIBBLE:

H.R. 1228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution

By Ms. ROYBAL-ALLARD:

H.R. 1229.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SCHRADER:

H.R. 1230.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to act under Article I, Section 8, clause 3—the Commerce Clause.

By Mr. SCHWEIKERT:

H.R. 1231.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7. Which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 93: Mr. PETERS of California, Mr. LIPINSKI, and Mr. LOWENTHAL.

H.R. 129: Mr. THOMPSON of Mississippi and Ms. LEE of California.

H.R. 137: Mr. NADLER, Ms. WILSON of Florida, and Mrs. CHRISTENSEN.

H.R. 138: Mrs. CHRISTENSEN.

H.R. 141: Ms. ESTY, Mr. LIPINSKI and Mr. NADLER.

H.R. 142: Ms. ESTY, Mr. HIMES, and Mr. NADLER.

H.R. 150: Mr. WITTMAN.

H.R. 164: Mr. COBLE and Mr. CÁRDENAS.

H.R. 176: Mr. HALL.

H.R. 180: Mr. JOHNSON of Ohio.

H.R. 183: Mr. COBLE.

H.R. 207: Mr. JOHNSON of Ohio and Mrs. BLACKBURN.

H.R. 258: Mr. COHEN.

H.R. 274: Mr. LATHAM.

H.R. 311: Mrs. WAGNER, Mr. LANKFORD, and Ms. JENKINS.

H.R. 312: Ms. SPEIER.

H.R. 320: Ms. SCHAKOWSKY, Mr. COHEN, Mr. PAYNE, Ms. ESTY, and Mr. CARTWRIGHT.

H.R. 324: Mrs. BACHMANN, Mr. BACHUS, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. HUDSON, Mr. LUETKEMEYER, Mrs. MILLER of Michigan, Mr. NUGENT, Mr. PEARCE, Ms. ROS-LEHTINEN, Mr. SESSIONS, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, Mrs. WALORSKI, Mr. WALZ, Mr. WILSON of South Carolina, Mr. YOH, Mr. MCKEON, Mr. ADERHOLT, Mr. DENHAM, Mr. DESJARLAIS, Mr. GOODLATTE, Mr. GRAVES of Georgia, Mr. KING of New York, Mr. KING of Iowa, Mr. KINZINGER of Illinois, Mr. KINGSTON, Mr. LOBIONDO, Mr. LUCAS, Mr. MARCHANT, Mr. MARINO, Mrs. MCCARTHY of New York, Mrs. McMORRIS RODGERS, Mr. MEEHAN, Mr. GARY G. MILLER of California, Mrs. NOEM, Mr. NUNNELEE, Mr. PITTINGER, Mr. REICHERT, Mr. RIGELL, Mr. ROGERS of Kentucky, Mr. SMITH of New Jersey, Mr. TIBERI, Mr. WENSTRUP, Mr. BARLETTA, Mr. BONNER, and Mr. BUCHANAN.

H.R. 360: Ms. LORETTA SANCHEZ of California, Mr. PETERSON, Mr. LANGEVIN, Mr. JONES, Mr. MARINO, Ms. BORDALLO, Mr. OWENS, Ms. DUCKWORTH, Mr. PETERS of California, Mr. GALLEGO, Mr. PIERLUISI, Mr. HUFFMAN, Mr. SCHRADER, Mr. POCAN, Mrs. MCCARTHY of New York, Mr. SIREN, Mr. SWALWELL of California, Mr. FALEOMAVAEGA, Mr. PAULSEN, Mr. BRADY of Pennsylvania, Mr. COOPER, Mr. FOSTER, Mr. LIPINSKI, and Mr. VISCLOSKEY.

H.R. 366: Mr. VEASEY and Mr. KILDEE.

H.R. 382: Mr. LATHAM and Mr. DAINES.

H.R. 437: Mrs. CHRISTENSEN.

H.R. 447: Mrs. WAGNER.

H.R. 448: Mr. KINGSTON.

H.R. 456: Mr. CÁRDENAS.

H.R. 460: Mr. ELLISON.

H.R. 498: Mr. LEVIN, Mrs. CAPPS, and Mr. GRIJALVA.

H.R. 519: Mr. PASTOR of Arizona, Mr. PIERLUISI, Mr. NOLAN, Mr. DEUTCH, Mr. WAXMAN, Ms. SPEIER, and Mr. CLEAVER.

H.R. 530: Mr. RIGELL.

H.R. 557: Mr. GOODLATTE.

H.R. 569: Mr. CRAMER.

H.R. 570: Mr. CRAMER.

H.R. 582: Mr. BURGESS.

H.R. 584: Ms. SHEA-PORTER.

H.R. 588: Mr. STEWART, Mr. CÁRDENAS, and Mr. HORSFORD.

H.R. 612: Mr. HASTINGS of Washington.

H.R. 627: Mr. FLORES, Mr. NEUGEBAUER, Mr. BACHUS, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Mr. KILMER, Ms. BONAMICI, Mr. NEAL, Mr. ROGERS of Kentucky, Mr. MEEKS, Mr. WALDEN, Mrs. McMORRIS RODGERS, Mr. McDERMOTT, Mr. DUFFY, Mrs. BLACK, Mr. BISHOP of New York, Mr. SCHOCK, Mr. HARPER, Mr. MEADOWS, Mr. WEBSTER of Florida, Mr. JONES, Mr. POSEY, Mr. CRENSHAW, Mr. MEEHAN, Mr. WAXMAN, Mr. RENACCI, Mr. HUNTER, Mr. ROONEY, Mr. DELANEY, Mr. POCAN, Ms. PINGREE of Maine, and Mr. SMITH of Texas.

H.R. 628: Mr. CÁRDENAS, Mr. HIMES, Mr. LANGEVIN, and Mr. LARSON of Connecticut.

H.R. 630: Mrs. DAVIS of California, Mr. OWENS, Ms. BONAMICI, Mr. VEASEY, and Ms. CHU.

H.R. 633: Mr. DELANEY.

H.R. 647: Mr. COHEN, Mr. LIPINSKI, Mr. KENNEDY, Ms. BROWN of Florida, Mr. CASTRO of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 666: Mr. NADLER.

H.R. 689: Mr. LOWENTHAL.

H.R. 690: Mr. JOHNSON of Ohio.

H.R. 698: Mr. GRIJALVA.

H.R. 721: Mr. WELCH, Mrs. HARTZLER, Mr. SMITH of Washington, Mr. GARY G. MILLER of California, Mr. DENHAM, Mr. GOSAR, Mr. LANCE, Mr. YODER, Mr. PETRI, Ms. SCHWARTZ, Mr. COLLINS of New York, Mr. MULLIN, and Mr. JOHNSON of Ohio.

H.R. 725: Mr. COHEN.

H.R. 745: Mr. CÁRDENAS.

H.R. 755: Mr. PRICE of North Carolina and Mr. LARSON of Connecticut.

H.R. 760: Mr. CRAMER, Mr. BENTIVOLIO, Mr. BROUN of Georgia, and Mr. BRIDENSTINE.

H.R. 763: Mr. BURGESS, Mr. JOHNSON of Ohio, Mr. MASSIE, Mr. PEARCE, Ms. JENKINS, and Mr. FORBES.

H.R. 764: Ms. PINGREE of Maine, Mr. SCHIFF, Mr. HASTINGS of Florida, Mr. PIERLUISI, and Ms. HAHN.

H.R. 766: Mr. HASTINGS of Florida and Ms. MCCOLLUM.

H.R. 784: Mr. COHEN.

H.R. 792: Ms. FOX.

H.R. 794: Mr. RYAN of Ohio.

H.R. 798: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. COHEN.

H.R. 811: Mr. BISHOP of New York.

H.R. 822: Ms. SHEA-PORTER, Mr. LARSON of Connecticut, Mrs. MCCARTHY of New York, Mr. SCHRADER, Ms. TITUS, and Mr. COURTNEY.

H.R. 833: Mr. DAINES, Mr. SMITH of Texas, Mr. MICHAUD, Mr. LATHAM, Mr. LANCE, Mr. DINGELL, Mr. SMITH of New Jersey, and Mr. JOHNSON of Ohio.

H.R. 836: Mr. COBLE.

H.R. 850: Mr. VEASEY, Mr. YOUNG of Alaska, Mr. DELANEY, Mr. GIBBS, Mr. HURT, and Mr. BROOKS of Alabama.

H.R. 879: Mr. WITTMAN.

H.R. 897: Mr. PETERS of Michigan, Mr. LARSEN of Washington, Mr. CONNOLLY, Mr. RUSH, Mr. CLAY, Ms. EDWARDS, Mr. HASTINGS of Florida, Ms. SLAUGHTER, Ms. MOORE, Ms. CHU, Ms. BONAMICI, Ms. BASS, and Ms. MCCOLLUM.

H.R. 901: Mr. CROWLEY, Mr. SHERMAN, and Mr. PETERSON.

H.R. 903: Mr. BARLETTA.

H.R. 912: Ms. LEE of California.

H.R. 915: Mr. TONKO, Mrs. MCCARTHY of New York, Mr. CICILLINE, Ms. CHU, Mrs. CAPPS, and Mr. CÁRDENAS.

H.R. 920: Mr. JOHNSON of Ohio.

H.R. 924: Ms. SCHAKOWSKY and Mr. KEATING.

H.R. 926: Mrs. MILLER of Michigan and Mr. SENSENBRENNER.

H.R. 940: Mr. DESJARLAIS, Mr. LUETKEMEYER, Mr. PETERSON, Mrs. BACHMANN, Mr. ROTHFUS, Mr. MEADOWS, Mr. SENSENBRENNER, Mr. GRIFFITH of Virginia, Mr. GOODLATTE, and Mr. LAMALFA.

H.R. 948: Mr. SCHOCK and Ms. JENKINS.

H.R. 957: Mr. MCKEON.

H.R. 961: Mr. FARR, Mrs. DAVIS of California, Mr. DINGELL, Mr. CÁRDENAS, and Mr. VEASEY.

H.R. 963: Ms. CASTOR of Florida and Mr. LEVIN.

H.R. 973: Mr. COBLE.

H.R. 1001: Mr. MCKEON.

H.R. 1005: Mr. POSEY.

H.R. 1012: Mrs. CHRISTENSEN, Mrs. NAPOLITANO, Ms. NORTON, Ms. BORDALLO, Mr. MCGOVERN, Mr. DEUTCH, Mr. GRIJALVA, and Ms. SHEA-PORTER.

H.R. 1015: Ms. BROWNLEY of California and Mr. MORAN.

H.R. 1024: Mr. MAFFEI and Mrs. CAPITO.

H.R. 1026: Mr. ROKITA.

H.R. 1028: Mr. ELLISON and Mr. CLAY.

H.R. 1032: Mr. WEBSTER of Florida and Mr. POE of Texas.

H.R. 1039: Mr. ROTHFUS, Mr. TIBERI, Mr. KINGSTON, Mr. JOYCE, Mr. KELLY, Mr. PRICE of Georgia, Mr. MARINO, Mr. BARLETTA, Mr. GERLACH, and Mr. THOMPSON of Pennsylvania.

H.R. 1041: Ms. SCHWARTZ.

H.R. 1077: Mr. KING of New York and Mr. GRIMM.

H.R. 1082: Mr. CHABOT, Mr. LUETKEMEYER, and Ms. JENKINS.

H.R. 1084: Mr. ISSA.

H.R. 1086: Mr. WELCH.

H.R. 1094: Ms. SCHWARTZ, Mr. PAYNE, Mr. NADLER, Mr. BUCHANAN, Mr. KEATING, Ms. HAHN, Ms. BORDALLO, Ms. BROWNLEY of California, and Mr. DEUTCH.

H.R. 1097: Mr. DAINES, Mr. ROKITA, Mr. GIBBS, Mr. JOHNSON of Ohio, and Mr. DUNCAN of South Carolina.

H.R. 1100: Mr. RYAN of Ohio.

H.R. 1102: Mr. FARR and Mr. VISCLOSKEY.

H.R. 1122: Mr. LUETKEMEYER, Mr. ROTHFUS, and Mrs. WAGNER.

H.R. 1124: Mr. SWALWELL of California.

H.R. 1126: Mr. WESTMORELAND.

H.R. 1154: Mr. RANGEL.

H.R. 1175: Mr. RANGEL.

H.R. 1188: Mr. COLLINS of Georgia.

H.R. 1199: Mr. PETERS of California, Mr. PETERS of Michigan, and Mr. LARSON of Connecticut.

H.R. 1201: Mr. TAKANO and Mr. GRIFFIN of Arkansas.

H.J. Res. 1: Mr. WENSTRUP and Mr. LUCAS.

H.J. Res. 2: Mr. COLLINS of New York, Mr. GIBSON, Mr. KINGSTON, and Mr. LUCAS.

H.J. Res. 25: Mr. LARSON of Connecticut.

H. Con. Res. 16: Mrs. WAGNER.

H. Con. Res. 21: Mr. COHEN.

H. Con. Res. 23: Mr. GUTHRIE.

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| H. Res. 10: Mr. VEASEY.   | H. Res. 87: Mr. NUGENT.   | H. Res. 91: Mr. MARKEY.                                |
| H. Res. 30: Mr. GEORGE MILLER of California, Ms. TITUS, Mr. SMITH of New Jersey, Mr. CÁRDENAS, and Mr. JOYCE. | H. Res. 89: Mr. KINGSTON, Mr. HARRIS, Ms. JACKSON LEE, Mr. ISSA, Mr. BISHOP of Georgia, and Ms. BASS. | H. Res. 98: Mrs. HARTZLER.                             |
| H. Res. 61: Mr. ELLISON.  | H. Res. 90: Ms. SLAUGHTER, Mr. HUFFMAN, and Mr. NADLER.   | H. Res. 111: Mr. SAM JOHNSON of Texas and Mr. STIVERS. |
| H. Res. 69: Mr. GRIJALVA.   |   | H. Res. 112: Mr. LATHAM and Mr. MULLIN.                |

## EXTENSIONS OF REMARKS

### HONORING SAMUEL DALY

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Samuel Daly. Samuel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

Samuel has been very active with his troop, participating in many scout activities. Over the many years Samuel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Samuel has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Samuel Daly for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

### TRIBUTE TO LINDSAY ALDERMAN

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Lindsay Alderman for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Lindsay Alderman is the Client Operations Manager for LightEdge Solutions Inc., where she oversees a staff of 15 people. Lindsay is tasked with the crucial duty of developing and maintaining client relationships for the company. Outside of the office, Ms. Alderman contributes a large amount of time and dedication to assisting nonprofit organizations and charities including Girl Scouts of Iowa, Big Brothers Big Sisters of Iowa, Salisbury House and Gardens, and the Young Professionals Connection, for which she is currently president. Lindsay has also organized numerous events

in the Des Moines area including the first-ever nonprofit forum that included hundreds of people and more than 50 organizations, as well as the Central Iowa Shelter Services' Chili for Charity fundraiser, which raised more than \$1,500 for homeless Iowans. Ms. Alderman's commitment and passion for utilizing her talents to assist her community is a remarkable example that our state should be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Lindsay in the United States Congress and it is with great pride that I recognize and applaud Ms. Alderman for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Lindsay on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

### IN RECOGNITION OF MONSIGNOR JOSEPH P. KELLY BEING NAMED MAN OF THE YEAR BY THE GREATER WILKES-BARRE FRIENDLY SONS OF ST. PATRICK

#### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Monsignor Joseph P. Kelly, who will be named Man of the Year by the Greater Wilkes-Barre Friendly Sons of St. Patrick this evening on the occasion of that organization's 68th St. Patrick's Day annual banquet.

Monsignor Joseph Kelly was born on October 5, 1940 in Hawley, Pennsylvania. He graduated high school from Scranton Preparatory and then continued his religious education at Christ the King Seminary at Saint Bonaventure University in New York.

Monsignor Kelly's work with students began early in his career when he taught 12th grade religion part-time at Scranton Prep while, at the same time, overseeing several parishes, including Saint Catherine's in Moscow and Holy Rosary in Scranton.

In 1971, Monsignor Kelly decided to take his talents halfway across the country to Omaha, Nebraska. He worked there as Director of Father Flanagan's Boys Town, now called Father Flanagan's Boy's and Girl's Town. This small "city" of a complex was—and still is—regarded as one of the Nation's premiere youth care agencies.

Back in northeastern Pennsylvania, Monsignor Kelly served as pastor of Saint Ann in Tobyhanna, Holy Rosary in Wilkes-Barre, and Nativity of the Blessed Virgin Mary and Nativity of our Lord, both in Scranton. He has been a procurator and professor at Saint Pius X

seminary, a Diocesan Director for Catholic Men, Women and Youth, and the Executive Director of Saint Michael's School for Boys.

Along with his continuing official assignments from the church, Monsignor Kelly serves today as Director of Camp Saint Andrew and is the founder of Project Hope at the camp. He is also the Executive Director of both the Saint Francis of Assisi kitchen in Scranton and the Saint Vincent De Paul kitchen in Wilkes-Barre. He resides at All Saints Parish Rectory in Plymouth, where he shares his well-earned wisdom at weekly masses. Monsignor Kelly's undying work and sincere dedication to others make him more than worthy of being named Man of the Year by the Friendly Sons of St. Patrick.

I extend my thanks to Monsignor Joseph P. Kelly for his life-long, selfless commitment to our community, and I offer my good wishes and heartfelt congratulations to him on this momentous occasion.

### ON THE OCCASION OF REVEREND DOCTOR MICHAEL C.R. NABORS'S FIFTEENTH PASTORAL ANNIVERSARY AT NEW CALVARY BAPTIST CHURCH OF DETROIT

#### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. PETERS of Michigan. Mr. Speaker, I am honored to rise today to recognize my friend, Dr. Michael C.R. Nabors as he and his congregation of New Calvary Baptist Church of Detroit celebrate his Fifteenth Pastoral Anniversary.

Dr. Nabors has a distinguished and extensive record of leadership in the communities he has served over several decades as a spiritual minister. His work began more than 30 years ago when he joined Galilee Missionary Baptist Church as its Youth Minister. In that position, he worked with the youth of the congregation to provide guidance at a pivotal point in their development. Dr. Nabors then served as a senior leader to two congregations in New Jersey before coming to Detroit and New Calvary in 1998.

Throughout his career, Dr. Nabors has employed a philosophy of leadership by example in all facets of his life. As a believer in the teachings of Christ, he has sought to be an active participant in shaping a more just and fair society. In his professional work, as a case worker for The Children's Home Society in New Jersey, Dr. Nabors sought to guide youth in the development of their leadership skills and then find employment after they graduated. He then went on to serve as Executive Director for the Joint Commission on Civil Rights in Princeton, New Jersey, where he played a central role, developing programs

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

that fostered sensitivity and understanding between residents of a diverse community.

When he came to Detroit to lead the congregation of New Calvary, Dr. Nabors brought with him the same passion and zeal for strengthening his new community that he displayed earlier in his career. While serving as Senior Pastor of New Calvary, he has overseen the spiritual needs of his 600-member congregation and has held true to his vision of equality by hiring the congregation's first female assistant pastor and licensing its first female ministers. He worked with members to establish ministries that helped them explore arts, provide basic human necessities for the community and support people in times of grief. In his professional work, he has continued to hold true to his faith through his service as an educator to future spiritual leaders, instilling in them the value of actively engaging the community in the pursuit of justice and equality.

The pursuits of his spiritual and professional work in Southeast Michigan have been mirrored in his volunteer work with the residents of the Greater Detroit region. In his position on the boards of Gateway Community Health and Gateway-Detroit East, Inc., Dr. Nabors has endeavored to build better mental healthcare and substance abuse services that empower the residents of the community. He also serves on the advisory board for United Voices for Michigan's Children, which serves as the State's largest non-profit advocate for youth. As a past advisory board member for The Skillman Foundation, Dr. Nabors has also continued to support the development of youth in the establishment of the "Call to Service" outreach program that created academic mentoring opportunities.

Mr. Speaker, I ask my colleagues to join me today in recognition of Dr. Michael C.R. Nabors' great milestone in his service to the congregation of New Calvary Baptist Church and the people of Greater Detroit. His commitment to be a leader of his peers, a staunch advocate for our youth and a crusader for social justice values are a testament to his faith. I know his work has touched many lives and strengthened the fabric of the entire Southeast Michigan region. I congratulate Dr. Nabors on his fifteen years as Senior Pastor and look forward to working with him in our shared endeavor to create a more just and vibrant community.

#### HONORING JOHN TULIPANA

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize John Tulipana. John is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the many years John has been involved with scouting, he has not only earned numerous

merit badges, but also the respect of his family, peers, and community. Most notably, John has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending John Tulipana for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO KATE BANASIAK

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Kate Banasiak for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

At age 29, Kate Banasiak is the President and CEO of Diversified Management Services Inc. In this role, Kate oversees the successful consulting services that her company provides to nonprofit organizations, trade groups and professional associations. As time-consuming as running a company can be, Mrs. Banasiak is also heavily involved in her community through the Des Moines Embassy Club, Iowa Society of Association Executives, and the Greater Des Moines Leadership Institute. Kate and her husband Mike also created Devour Des Moines, a fundraising event that has hauled in more than \$3,500 for the Iowa chapter of Buy Fresh, Buy Local. In all aspects of her busy life, Lindsay is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Kate in the United States Congress and it is with great pride that I recognize and applaud Mrs. Banasiak for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Kate on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### RECOGNIZING PATRICIA KENDALL AS THE SAN RAFAEL CITIZEN OF THE YEAR

#### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. HUFFMAN. Mr. Speaker, I rise to congratulate Patricia Kendall, who was recently honored as the San Rafael Citizen of the Year, an award she richly deserves.

Patricia Kendall has been a longtime resident of San Rafael and well known for her community and civic involvement. She was trained as an emergency room nurse, and her community service began 35 years ago when she participated in the formation of Marin County's "911 Paramedic Program." Through the years, Pat has continued to support this program as a member of the Emergency Medical Care Committee.

Pat has served on many boards and committees for non-profit organizations and special projects. She has been a leader in our community, including as board chair of the North Bay Leadership Council, board treasurer of the Marin Agricultural Institute, board vice-chair of Lifehouse, board member of the Marin County School-to-Career Program, and leadership posts with the San Rafael Chamber of Commerce and the Pickleweed Community Center.

One of the founding members of the Healthy Marin Partnership, Pat has been the driving force in shaping its upstream lifestyle model focusing on prevention of associated tobacco and high-risk alcohol use, unhealthy eating, and inactive lifestyles. This Partnership has served as an incubator for other community collaborations including the County's Wellness Collaboration, Canal Community Gardens, and Children's Health Initiative.

Mr. Speaker, Patricia Kendall's hard work and her leadership are felt throughout our region, and we thank her for her commitment to health initiatives and community service. I urge my colleagues to join me in extending our congratulations for her selection as San Rafael's Citizen of the Year.

#### IN HONOR OF IVY TECH COMMUNITY COLLEGE OF INDIANA'S 50TH ANNIVERSARY

#### HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Ivy Tech Community College of Indiana in celebration of its 50th anniversary. The people of my Congressional District and the State of Indiana are forever grateful for Ivy Tech's commitment to preparing Indiana residents to learn, live, and work in a diverse and globally competitive environment by delivering professional, technical, and lifelong education.

Since its founding on March 15, 1963, Ivy Tech has become the largest statewide community college system in the United States,

with 31 degree-granting campuses and 125 diverse areas of study. Today, Ivy Tech is the fastest-growing institution of higher learning in the State of Indiana.

Over one million Hoosier students have passed through its doors on the way to a better life and increased opportunities, and 97 percent of these students stay in Indiana, working to make our State a better place to live and contributing to the health and productivity of our communities. Annually, Ivy Tech creates almost \$8.2 billion in cumulative economic benefit for Indiana.

Undoubtedly, Ivy Tech has made significant contributions to the development of the Hoosier workforce, and its programs and training are designed to suit the specific needs of our communities and employers while providing options to students at an economically affordable rate. Ivy Tech is leading the way in making the dream of a higher education a reality for Hoosier workers and students from all walks of life. Every year, 200,000 students benefit from an Ivy Tech education, and the college has set for itself the ambitious goal of 50,000 graduates annually by 2025.

As the former Senior Vice President of Workforce and Economic Development and General Counsel at Ivy Tech, I was especially proud to be part of the college's Accelerating Greatness 2013 strategic plan, which succeeded in changing lives while making Indiana great. I look forward to an even brighter future for Ivy Tech Community College and the students it serves. Congratulations on 50 years of dedicated service to the citizens of Indiana!

#### INTRODUCTION OF THE CHARITABLE DRIVING TAX RELIEF ACT OF 2013

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. PETRI. Mr. Speaker, today, I am introducing the Charitable Driving Tax Relief Act of 2013 to remove a serious disincentive to participation in charitable activities. Private charitable activity plays an important role in our society, and it is important that Congress not stand in the way by penalizing those who wish to offer their services to these groups.

Under current law, individuals that volunteer their time and energy by driving their personal vehicles on behalf of a charitable group can end up with an unpleasant surprise in the form of an unanticipated tax bill. Specifically, volunteer drivers receiving reimbursement for the use of their vehicle are taxed on these payments to the extent that they exceed 14 cents per mile. This treatment stands in stark contrast to the allowance for reimbursement for the business use of that same vehicle, 56 and one-half cents per mile in 2013.

The Charitable Driving Tax Relief Act will equalize the tax treatment of charitable reimbursements with those received for business driving because the point of the payment is essentially the same, that is, to cover the cost of operating a personal vehicle while performing an important service in the pursuit of a greater good.

To achieve this end, my legislation would exclude from gross income any reimbursement received for the use of a volunteer's car while assisting a charitable group, limited only by the cap the Internal Revenue Service sets regarding business driving. This treatment would be available only for services provided without compensation and drivers would be required to maintain sufficient records to substantiate the charitable use of their vehicles. Finally, this bill drops the requirement that charitable groups report these reimbursements to the IRS, removing an administrative and paperwork burden that takes resources away from a charity's larger purpose.

Each day, thousands of Americans lend a hand in providing transportation services to a multitude of organizations engaged in good works. These activities include assisting individuals with their routine grocery shopping, providing the use of a four-wheel drive vehicle to transport home-visit nurses during inclement weather, delivering meals as part of a holiday food drive, helping individuals to keep their medical appointments, and many more similar activities.

These volunteer drivers are donating their time and their talents, not their vehicles, and accepting reimbursement for the use of that car, incidental to their time and talent donation, is a reasonable act, which should not result in an additional tax liability. Today, when it comes to driving a personal vehicle, our tax code makes a distinction between business and charitable uses. This distinction is a mistake; it is a serious disincentive to charitable activities, and it should be corrected. I encourage my colleagues to support the continued efforts of our charity-minded constituents by cosponsoring the Charitable Driving Tax Relief Act of 2013.

#### HONORING JACKSON ISMERT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jackson Ismert. Jackson is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

Jackson has been very active with his troop, participating in many scout activities. Over the many years Jackson has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jackson has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jackson Ismert for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO ERIN BEMIS

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Erin Bemis for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Erin Bemis is the Senior Vice President of Logistics and Operations at IronWorks, which provides individualized training solutions for various fitness goals. At IronWorks, Erin is tasked with managing many of the company's operations, including billing, communications, and organizing board meetings. Outside of work, Mrs. Bemis is heavily involved in her community through her role as assistant community vice president with Junior League of Des Moines and organizing numerous fundraisers, including the Salvation Army's Red Kettle Run, which she chaired. Erin is also planning a mission trip in June to assist orphans living in Rwanda. In all aspects of her life, Erin is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Erin in the United States Congress and it is with great pride that I recognize and applaud Ms. Bemis for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Erin on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### IN RECOGNITION OF MARK CASPER BEING NAMED MAN OF THE YEAR BY THE GREATER PITTSBURGH FRIENDLY SONS OF ST. PATRICK

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Mark Casper, who will be named Man of the Year by the Greater Pittsburgh Friendly Sons of St. Patrick on the evening of March 17 at that organization's 99th annual St. Patrick's Day banquet.

Mark Casper was born in Pittston, the son of Eileen Brogan Casper and the late Robert Casper. A graduate of St. Mary's Assumption

grade school and Seton Catholic high school, Mark attended Luzerne County Community College. He has been employed by Medico Industries for the past 27 years, holding various positions, and he is currently the service manager in the Wilkes-Barre location.

Mark is a member of Our Lady of the Eucharist parish in Pittston where he serves as chairman of the parish finance council and a member of the parish pastoral council. He is a member of the Exeter borough zoning board and a varsity assistant coach for the Pittston Area Lady Patriots basketball team.

Mark previously served as a member of the Holy Redeemer system school board and the Region 7 school advisory board. He was a coach for the Wyoming Valley boys' 8th grade catholic school basketball league and served as the league president for six years. He also served as a coach and board member for seven years in the Exeter little league program. And Mark was even a coach for the Pittston Area Stoners soccer team.

Prior to the closing of St. Mary's Assumption school, Mark served as the head basketball coach there for 27 years. He coached over 400 young men in 750 games, and his St. Mary's teams won 10 league championships and numerous tournament championships. He finished his head coaching career in 2012 as the boys' varsity basketball coach at Wyoming Area Catholic, where he coached the 500-win mark.

Mark's dedication to his parish and his school sports teams reflect a level of volunteerism and community spirit to which we should all aspire. I offer Mark my sincere congratulations and thanks on this momentous occasion.

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#### THE BASEL III CAPITAL IMPACT STUDY ACT

**HON. STEPHEN LEE FINCHER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Basel III Capital Impact Study Act. This legislation requires the federal banking agencies to perform a thorough quantitative impact study (QIS) of the Basel III proposed rulemakings, taking into account the impact Dodd-Frank provisions will have on financial institutions in the United States, and report their findings to the Senate Banking Committee and House Financial Services Committee. The bill would also amend the International Lending Supervision Act of 1983 (ILSA) by requiring the federal banking agencies to ensure that differences in rules that implement capital requirements do not give competitive advantages to any one group of financial institutions.

The federal banking agencies have sufficient authority to perform a QIS for Basel III without Congressional action, but they have not conducted and publicly shared the results of any QIS specific to U.S. financial institutions. I am introducing the Basel III Capital Impact Study Act because we need more information about the effects of Basel III implementation. In my district, banks of all sizes have

come to me with serious concerns about Basel III. While I appreciate that we want all banks to be as financially sound as possible, we must also be cognizant of homebuyers, small businesses, and families who need loans. We need to let banks do what banks do best, loan money. I don't want to see implementation of Basel III curtail business lending and slow our already weak economy.

Capital rules must be set in a manner that strikes the proper balance between safety and soundness and economic growth. The best way to determine whether such a balance is struck is to test new rules by examining the impact they will have on bank balance sheets and credit decisions prior to new capital rules taking effect. The QIS provides banking regulators with data that they can use to gauge the impact of proposed capital rules. This kind of pre-testing has been the model that was followed throughout the Basel process.

In the case of Basel III, the new rules require more than 7,000 U.S. depository institutions to make changes to their capital for the first time since the original Basel I rules took effect in 1992. The only review of the new Basel III rules was conducted through a "macro" level analysis conducted by the Bank for International Settlements. There has been no individualized analysis conducted in the U.S. This is problematic because there are thousands of U.S. banks that vary in size and business models covered under Basel III. Additionally, the lack of domestic scrutiny of the proposal means unique characteristics of the U.S. lending market, such as housing finance, have not been closely examined. Finally, the Dodd-Frank Act made a number of significant changes that will affect the capital and risk taking activities of U.S. institutions. These changes were not considered as part of the "macro" level review and should be factored in as part of some U.S. focused review of the new Basel III proposal.

We must make sure that financial institutions in the United States can continue to lend and do business with American families before moving forward with the implementation of Basel III.

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HONORING DR. JAMES E. JOHNSON

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LEVIN. Mr. Speaker, I rise today to recognize a long-time leader in the health care field, Dr. James E. Johnson, who is being honored by the McLaren Macomb Healthcare Foundation at their 28th Annual Crystal Ball on Saturday, March 16, 2013.

Dr. Johnson is a 1975 graduate of the Midwestern University Chicago College of Osteopathic Medicine. He completed his internship at the Detroit Osteopathic Hospital and a general surgery residency program at McLaren Macomb Hospital located in my Congressional District.

Throughout his career, excellence in surgical care and surgical education has been Dr. Johnson's top priority. He currently serves as program director for McLaren Macomb Hos-

pital's vascular surgery fellowship program and was also program director of the hospital's general surgery residency program for 17 years. Dr. Johnson also served as the hospital's chief of staff in 2011 and is currently a member of the McLaren Macomb Board of Trustees.

As a leader in the osteopathic profession, Dr. Johnson was instrumental in creating the first osteopathic consortium of general surgery residency programs in the nation through the Michigan State College of Osteopathic Medicine, where he is a clinical professor of surgery. For 10 years, he served as the director of the consortium, which became the model for the Osteopathic Postdoctoral Training Institution for general surgery currently in operation throughout the United States.

Dr. Johnson has been a member of the American College of Osteopathic Surgeons (ACOS) since 1982. He was awarded the designation of Fellow by the ACOS in 1990 and became a life member in 2008. He also served on the College's board of governors for nine years, as secretary-treasurer, and president in 1999–2000.

In 2012 the ACOS honored Dr. Johnson with the Orel F. Martin Medal, the organization's highest award. This recognition was designated to pay tribute to his outstanding career as an osteopathic surgeon, educator, mentor and leader.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. James Johnson. I thank him for his commitment to caring for those in need, and I am pleased to join with the entire community in paying tribute to him.

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#### PERSONAL EXPLANATION

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. COBLE. Mr. Speaker, I was unable to vote on February 28, 2013, due to illness. If I was present that day, I would have voted "yes" for Rollcall vote 54 and "no" for Rollcall vote 55.

I was unable to vote on March 6, 2013, due to illness. If I was present that day, I would have voted "yes" for Rollcall vote 62.

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HONORING JOSEPH PARISI

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joseph Parisi. Joseph is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph has been involved with scouting, he has not only earned numerous

merit badges, but also the respect of his family, peers, and community. Most notably, Joseph has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Joseph Parisi for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO DR. JOHN LOZIER

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Lozier for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Dr. John Lozier literally changes the lives of young Iowans every day as the Pediatric Interventional Cardiologist at Pediatric Cardiology P.C. After receiving his Bachelor of Science in Molecular Biophysics and Biochemistry from Yale University, John pursued and obtained his medical degree from the University of Iowa. Today in Des Moines, Dr. Lozier utilizes his highly skilled medical specialty to assist children by assessing and repairing a wide variety of cardiac conditions. Outside of Pediatric Cardiology, John is involved with multiple professional organizations that research cutting-edge techniques to treat congenital heart disease. Dr. Lozier also volunteers his time and expertise each year in Mexico to provide life-saving medical care for children. At home, John and his wife Nicole are kept busy with two children of their own, Charles and Elise, with a third on the way. In all aspects of his life, Dr. Lozier is an example of service and hard work that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like John in the United States Congress and it is with great pride that I recognize and applaud Dr. Lozier for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### HONORING BERNARD HOPKINS

### HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Philadelphia's own, Bernard "The Executioner" Hopkins. On March 10, 2013, Bernard became the oldest boxer to win a major title. A champion both in and out of the ring, Bernard is among Philadelphia sports' greatest icons.

Breaking his own record from two years earlier, Bernard beat 30 year old Tavoris Cloud for the IBF light heavyweight championship. At 48 years old, Bernard proved that age is just a number as he out moved his opponent, something he has done many times before. After the fight he said, "Tonight was one of the bigger fights of my career."

Bernard has been a champion for a long time—he won the Pennsylvania Junior Olympics at age nine. He is among some of boxing's greatest like Sugar Ray Robinson, Carlos Monzon, and Marvelous Marvin Hagler. Oscar De La Hoya once said that Hopkins is "one of the great talents we've had in this generation."

His latest win is his 53rd professional win, 32 of which came by knockout. This is also not the first record Bernard has shattered. His record of 20 successful title defenses has been unbreakable since he reached the milestone in 2005.

Bernard is not just a champion in the ring but a champion to Philadelphia, the city he always called home. He works tirelessly with the city's youth to help them get on and stay on the straight and narrow. He is a husband and a father and great American.

Mr. Speaker, I ask my colleagues join me in honoring a great champion, and an even greater person, Bernard Hopkins.

#### IN RECOGNITION OF ANDREW JASON ASHBY, RECIPIENT OF THE FRANCIS SWINGLE AWARD BY THE GREATER PITTSBURGH FRIENDLY SONS OF ST. PATRICK

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to recognize Andrew Jason "Andy" Ashby, who will receive the Francis Swingle Award of the Greater Pittsburgh Friendly Sons of St. Patrick on the evening of March 17, the occasion of that organization's 99th annual St. Patrick's Day banquet.

As a young man, Andy Ashby attended Park Hill high school in Kansas City, Missouri and then played baseball for Crowder College. In 1986, he was signed as an undrafted free agent by the Philadelphia Phillies. In his second start as a pitcher, against the Cincinnati Reds, he became part of an elite category of players by throwing an "immaculate inning," a feat accomplished by striking out the first three batters of the opposing team in exactly nine pitches.

In 1993, Andy was acquired by the new, expansion-team Colorado Rockies. He later became a member of the San Diego Padres and enjoyed the height of his career. In 1998, he helped the Padres reach the World Series by compiling an impressive 17–9 record. He also represented the Padres and the National League in the 1998 and 1999 All-Star games. Andy later played for both the Atlanta Braves and the Los Angeles Dodgers. He returned to San Diego before retiring from Major League Baseball in the mid-2000s. During his professional career he posted 98 wins, pitched 1,810 innings and struck out over 1,100 batters. He is an example of how discipline and hard work can lead to success on the field and in life.

Since retiring, Andy has become a part of the Heroes of the Diamond tour, traveling overseas several times to visit our troops in Iraq. I thank Andy for his community service and for serving as a role model and inspiration to many young Americans, and I offer my congratulations on this momentous occasion.

#### HONORING WOMEN'S HISTORY MONTH AND FORMER MEMBER LINDY BOGGS

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Ms. KAPTUR. Mr. Speaker, this week, a beloved former Colleague of our House, Representative "Lindy" Marie Corinne Morrison Claiborne Boggs, of New Orleans, Louisiana, celebrates her 97th birthday. In describing her life and career, one does not use single syllable words.

Trailblazer, gracious, erudite, compassionate, witty, diplomatic, visionary, indefatigable, inspirational, enduring. These words capture her. When I think of words she utters, certain come to mind: "darlin'," "precious," and the manner in which she forms the words "New Orleans," held a lilt and tone hard for others to emulate.

Wife, mother, grandmother, great grandmother, Congresswoman, Ambassador, author, woman of faith. When she retired from Congress in 1991 at age seventy-five, she was the only Caucasian woman serving in Congress from the Deep South (excluding Florida). Part magnolia, part Tabasco sauce, part French Quarter grande dame, she represented the maturation of a modern political miracle—a Roman Catholic, Caucasian woman elected for nine consecutive terms to the U.S. Congress from Louisiana.

"Lindy" was born in Pointe Coupee Roads, Louisiana on March 13, 1916. Her father Roland Claiborne, a prominent lawyer, died when she was only two years old. After her father's death, her mother remarried and Lindy spent her formative years on a plantation. Her grandmother Morrison had a great influence on her life and lived to be ninety-seven. The Morrison family's roots can be traced back to the Mayflower. Her grandmother Morrison had a fondness for artichokes. Solari's a fancy, southern grocer, did not have them at certain times of the year which prompted Boggs' grandmother to experiment growing them herself. Soon, she was shipping her artichokes to



Solari's. Lindy says she was introduced to politics as she listened to the conversations between sugar planters and cotton planters. "The sugar planters were very isolationist, protectionist, and they kept talking about high tariff walls. And in the country, we had constructions called "stiles," which were really steps over fences. And I kept wondering if Uncle Joe could build me a stile tall enough so I could see what was on the other side of that high tariff wall. But then on the cotton plantation, of course, the cotton people were free traders, to get rid of all that surplus cotton they had, so the conversation was entirely different. So I learned early on that families can be divided over political situations."

Lindy matriculated at Newcomb College in New Orleans, the first women's college in Louisiana and the sister school to Tulane University, where she majored in history and education. At Newcomb, she was editor of the student newspaper and it was in that capacity she met her future husband Congressman Hale Boggs, who was then the paper's general editor. Upon graduating, Lindy taught high school history and English, served as school librarian and coached the girls' basketball team. In January 1938, at 21, she married Hale and through university connections, Hale and Lindy embarked on a political career, becoming a part of the grass-roots reform movement that took place in Louisiana in the late 1930's. With Lindy's support, Hale was elected to Congress in 1941. Lindy orchestrated his re-election campaigns as well as set up his district offices in New Orleans, canvassed voters, arranged her husband's many social gatherings and acted as his political surrogate as he climbed in House leadership. When Hale's plane tragically crashed in 1972, Lindy emerged as a top choice to take over his seat. "When the various people were trying to persuade me to run . . . Lady Bird Johnson . . . called and talked to me for a long time about how I had an obligation and all of these things. Then when she thought maybe she had convinced me, she said, "But darling, do you think you can do it without a wife?" I've told her many times, it was very hard without a wife."

In March 1973, Lindy Boggs was elected to the House of Representatives in a special election. Her victory made her the first woman to represent Louisiana in the House and the first Catholic elected from a state that had never elected a Catholic to any major state office. She won her election by 75 percent in the Democratic primary and by 80 percent in the general election. "I had a Republican running against me by the name of Robert E. Lee," she has said, "I knew he was an imposter!" Lindy was at first appointed to the Banking and Currency Committee, where she played a key role during the mark up of the Equal Credit Opportunity Act of 1974. She cites her experience as a newly widowed woman seeking credit as her motivation to add "sex or marital status" to the provision barring discrimination on the basis of "race and age, and their status as veterans." Without informing the other committee members, Lindy inserted those words and made copies of the revision for her colleagues saying, "Knowing the Members composing this committee as well as I do, I'm sure it was just an oversight that we didn't have

"sex" or "marital status" included. I've taken care of that and I trust it meets with the committee's approval." The bill passed unanimously, 47-0.

In 1976, she became the first woman to preside over a national political convention. In 1977, Lindy was elected to the House Committee on Appropriations at her retirement, she remained the longest serving member of that committee, serving for 12 years. That same year, she helped cofound the Congressional Women's Caucus and later served as its secretary. Throughout her career, Lindy maintained that the most important women's issues were economic, backing those causes. "The major issues of importance that I have worked on are economic ones; equal rights for women in business, banking and homeownership, the promotion of women in the workplace, better jobs in government and contracts, and equal opportunities for higher education, especially in science and medicine. Women vote with their pocketbooks . . . it boils down to that." Lindy was also a champion for civil rights in her diverse district. A political observer once noted, "She is the only white Congress Member representing a black voter majority in the United States."

In the early 1980's, Lindy was instrumental in the creation of the House Historian's Office. She helped create and served as a member of the Select Committee on Children, Youth and Families. From 1985 to 1989, she served as the chair of the Bicentenary of the United States House of Representatives. In July 1991, shortly after her retirement from Congress, the House named a room off the Rotunda in her honor, the Lindy Claiborne Boggs Congressional Women's Reading Room, of which she says, "I was always so proud that room was named for me because I felt that Abigail Adams had finally succeeded. She had asked her husband, John, to 'remember the ladies' when the Constitution was drafted or they would foment a revolution. He had not done so, and so their son's final resting place is now occupied by women and named for a woman."

Retirement did not slow Lindy down. She remained politically active and in 1994 authored her autobiography, *Washington Through a Purple Veil*. In 1997, President Clinton appointed the 81 year old as U.S. Ambassador to the Vatican, a position in which she served until 2001. In 2002, Congress honored Lindy for her "extraordinary service" to Louisiana and the country. The occasion marked the 25th anniversary of the Congressional Women's Caucus.

Of the accomplishments she is most proud of, she cites bills cosponsored on behalf minorities, women, and children; her efforts to improve education from the elementary to the college level; her work on the children's task force on crisis intervention; efforts to open the National Museum of African American Art in Washington, D.C.; establishing the Office of Historian of the House of Representatives; and achieving Margaret Chase Smith's dream of making the rose the national flower.

On a personal level, Mrs. Boggs mentored me in the ways of this institution, introduced me and so many others to the Appropriations Committee, and hosted me as our nation's Ambassador to the Vatican. She has served

our nation with a grit and grace that demonstrates to us all what service can be. Lindy Boggs has become a legend in her own time. How privileged I am to be able to honor her 97th year anniversary of life and pay tribute to her honorable service to America and the world.

#### HONORING THOMAS GORDON

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Thomas Gordon. Thomas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

Thomas has been very active with his troop, participating in many scout activities. Over the many years Thomas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Thomas has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Thomas Gordon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO JOEY HINKE

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Joey Hinke for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, *Business Record*.

Since 2000, *Business Record* has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Joey Hinke is president of his company, Miller, Fidler and Hinke Insurance Agency Inc. From a startup company in 2009, Joey's insurance agency has grown rapidly through acquisition and now achieves annual revenues of \$1 million. Joey takes pride in the fact he has been able to provide his employees with 100 percent company-paid health insurance as well as connecting several other entrepreneurs with the resources to launch their own businesses. Outside of work, Joey is kept busy through his extensive involvement in several

professional organizations and charities including, but not limited to, the Emerging Leaders Initiative, Big Brothers Big Sisters of Central Iowa and the Young Professionals Connection. An Iowa native, Joey met his wife Angie while they attended the University of Northern Iowa, and today have been married for 12 years with three children. In all aspects of his life, Joey is an example of service and hard work that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Joey in the United States Congress and it is with great pride that I recognize and applaud Mr. Hinke for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Joey on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

GLENN BERNET, 50 YEARS AT  
EVANGEL UNIVERSITY

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 50th anniversary of Glenn Bernet's career at Evangel University, a Christian university in Springfield, MO.

Dr. Bernet began his career in 1963 as a professor of mathematics while finishing his master's degree, and he rose to become dean of the university in 1985, a position he still holds today.

Through his tireless work as an educator over the last 50 years, Dr. Bernet has proven to be a constant factor that has given encouragement and growth to not just the university, but to each individual student.

Dr. Bernet's leadership has inspired the university to reach for greater things. Under his leadership, Evangel achieved university status, and student enrollment has quadrupled to over 2,100 students.

Throughout his career at Evangel, Dr. Bernet has proven to be a model example of an educator, and Evangel University and the Springfield community have benefited greatly because of it.

I urge my colleagues to join me in congratulating Glenn Bernet on his 50th anniversary at Evangel University.

HONORING TED WAHBY

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LEVIN. Mr. Speaker, I rise today to recognize a dedicated, compassionate and effective public servant, Ted Wahby, who is being honored by the McLaren Macomb Healthcare Foundation at their 28th Annual Crystal Ball on Saturday, March 16, 2013 for his leadership in the health care field.

Mr. Wahby has been a pillar of the community in Macomb County for nearly 50 years. He

and his wife Yvonne moved to the City of St. Clair Shores in 1964, where they raised six children and still reside today.

Mr. Wahby began his successful career in the financial services industry working at Comerica Bank, serving in numerous high-level capacities for 31 years. In addition to his accomplishments as a businessman, Mr. Wahby believes in giving back to the community and has devoted his immense talents to serving the public for the last 34 years. Since 1979 he has served as a school board member, city councilman, Mayor, and as County Treasurer from 1995 to present.

However, the main reason for this honor is for his strong leadership and advocacy for better health care. Mr. Wahby has been a charitable leader for over four decades. Through the years, he has strategically leveraged his business and political skills to make critical advances for very important causes. He has served as a member of McLaren Macomb's Hospital Board of Trustees since 2000 and has been chair of that board since 2002.

In 2001, almost 70 percent of cancer patients in Macomb County had to drive far from their home. McLaren Macomb saw the need for compassionate cancer care of the highest quality close to home and with the leadership of Ted Wahby, they decided to open a cancer center.

This mission of opening the center was very personal for Mr. Wahby, as he and his wife both lost family members to cancer. Those involved with the project felt profoundly that the generous amount of time and expertise Mr. Wahby gave was vital to its success. He was a tireless supporter and fund-raiser from the very beginning, and worked for many years to influence other local leaders to get behind the project and to invest in the capital campaign. The hospital was proud to name the facility the Ted B. Wahby Cancer Center, which opened its doors in 2004.

For his selfless efforts, Mr. Wahby has earned many accolades, including the 2005 Health Care Leadership Award from the Michigan Health & Hospital Association, and the 2005 Thanks for Giving Award, presented for extraordinary volunteer service to hospitals in the Metro Detroit area. For all of the numerous awards he has received, Mr. Wahby summed it up best when the cancer center opened, by stating that "his greatest reward will come when the center is operating and more people can access the quality care they need."

Mr. Speaker, I ask my colleagues to join me in recognizing the accomplishments of Ted Wahby. I thank him for his immeasurable contributions, and I am so pleased to join with the entire community in paying tribute to him.

INTRODUCING A RESOLUTION IN  
HONOR OF YOANI SÁNCHEZ, A  
COURAGEOUS BLOGGER AND AC-  
TIVIST FOR FREEDOM IN CUBA

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution honoring

Yoani Sánchez, a courageous blogger and activist for freedom in Cuba, for her ongoing efforts to challenge political, economic, and social oppression. She has become a prominent voice through social media for millions of Cubans who reject the oppression of the Castro regime, having said, "We Cubans don't deserve what we are living through. I think Cubans deserve to be citizens of the 21st century, in all senses, to test the challenges of modernity."

Yoani María Sánchez Cordero was born in Havana, Cuba on September 4, 1975, and went on to major in Spanish Literature at the Pedagogical Institute before completing a degree in Hispanic Philology at the University of Havana in 2000. While working at Editorial Gente Nueva, Sánchez came to the realization that, like many Cubans, the wages she earned legally were not enough to support her family and highly qualified individuals were unable to find sufficient work. Disenchanted and seeking greater economic opportunities, she moved to Switzerland in 2002 but returned to Cuba in the summer of 2004, discovering her passion for computer science.

In 2004, Sánchez and a group of like-minded compatriots founded *Consenso*, a magazine of reflection and debate, and three years later she worked as a web master, columnist, and editor for the website *Desde Cuba*. In April 2007, Sánchez created the blog known as "Generation Y," which started as an outlet for self-expression but has since found an audience with half a million people around the world. Through her weekly blog posts, tweets, and Facebook updates, made possible thanks to the donations of online supporters and Sánchez's unwavering persistence, she has provided an unfiltered glimpse into the realities of day-to-day life in Cuba.

The Castro regime branded Sánchez as a dissident and, since March 2008, blocked access to her blog from within Cuba, where mobile phones, flash drives, and used laptop computers have become lifelines of communication given economic and government barriers to the internet. Sánchez refused to be silenced and continued to write with the help of friends and volunteer collaborators abroad, who post her entries in solidarity and have translated *Generation Y* into 20 languages.

Sánchez attempted to travel outside of Cuba on 20 occasions, but was repeatedly denied the required exit visa. In January 2013, the Cuban government lifted travel restrictions for citizens and issued Sánchez a passport, allowing her to embark on an 80-day international tour, including Brazil, the Czech Republic, Spain, Mexico, and the United States, to share her experiences living under the Castro regime firsthand. On her first U.S. visit, she will meet with Members of Congress in Washington, D.C. Following her tour, Sánchez intends to return to Havana, where she lives with her husband Reinaldo and their 20-year-old son Teo, and dreams of starting an independent news outlet, saying, "Life has taught me that the wall comes tumbling down only when you push it."

Sánchez is the recipient of numerous honors and awards for her activism. In 2009, she became the first blogger to ever interview U.S. President Barack Obama, who applauded her efforts to "empower fellow Cubans to express

themselves through the use of technology." She has also received the Ortega y Gasset Award for Digital Journalism in 2008, was named one of Time magazine's 100 Most Influential People in the World in the "Heroes and Pioneers" category for 2008, been awarded the Maria Moore Cabot Prize from Columbia University in 2009 for coverage of Latin America, and received the International Woman of Courage Award from then Secretary of State Hillary Clinton in 2011.

Mr. Speaker, I urge my colleagues to support this resolution, which honors Yoani Sánchez and commends individuals like her who have dedicated their lives to protecting and strengthening civil rights in the face of adversity. Despite violent attacks and protests from Castro supporters and leftists, she has vowed to never stop writing until the people of Cuba are able to express their views freely. I join Yoani Sánchez and her fellow activists in looking forward to the day when all Cubans can freely express themselves in public without fear of reprisal.

#### HONORING JACOB CONNER WILSON

##### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob Conner Wilson. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jacob has contributed to his community through his Eagle Scout project. Jacob planned and constructed an additional walking trail in the Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jacob Conner Wilson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO JOSH FLEMING

##### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Josh Fleming for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an

impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Josh Fleming is the Digital Strategy Director at Lessing-Flynn Advertising Company. In this role, Josh has excelled through his outstanding creativity and enthusiasm. One of Mr. Fleming's creations for Lessing-Flynn, AdMavericks.com, has now become one of Iowa's most-read marketing blogs. Another creation, Lessing-Flynn's Battle of the Brands, provides Iowa companies a chance to compete and showcase their brands in an innovative social media format. Outside of the office, Josh serves as president of the American Marketing Association of Iowa, is a board member of Prevent Blindness Iowa, and travels the country as a public speaker on topics relevant to advertising in the digital age. Josh's passion for his work and community engagement is something that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Josh in the United States Congress and it is with great pride that I recognize and applaud Mr. Fleming for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Josh on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### IN RECOGNITION OF AMBASSADOR RAYMOND TELLES

##### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. BECERRA. Mr. Speaker, I rise today to celebrate the legacy of a great American, Ambassador Raymond Telles, a true pioneer in international and civic leadership.

Ambassador Telles passed away on March 8, 2013 at the age of 97 in the company of those who loved him. He is survived by his daughters, Dr. Cynthia Telles and Dr. Patricia Telles-Irvin and their families. His life was the very definition of a trailblazer. Ambassador Telles was America's first ambassador of Latino descent, the first Latino to be mayor of a major American city and a decorated U.S. Air Force Colonel.

Born September 5, 1915 in El Paso, Texas, Ambassador Telles began his career at the Department of Justice before being drafted into the United States Army Air Force where he admirably served as the Chief of the Lend-Lease Program for South and Central America. In honor of his distinguished work, he was awarded the Mexican Legion of Merit, the Order of the Southern Cross from Brazil, Columbian wings, and the Peruvian Flying Cross. Later Ambassador Telles served as a military aide for President Harry S. Truman and Gen-

eral Dwight D. Eisenhower during World War II.

After being recalled as the Executive Officer of the 67th Tactical and Reconnaissance Group during the Korean War, Raymond Telles was elected Mayor of El Paso, Texas in November 1957. While in office, he encouraged fire and police departments around the city to diversify their workforce. Following a close first election, he went on to win a second term unopposed. After his tenure as mayor, President John F. Kennedy appointed him as U.S. Ambassador to Costa Rica. In 1967, President Richard Nixon called on Ambassador Telles to serve as Chairman of the U.S.-Mexican Border Commission. He would later be appointed as Commissioner of the Equal Employment Opportunity Commission where he served in the administrations of Presidents Richard Nixon and Gerald Ford.

Although Ambassador Telles will be known in many political circles as a tireless public servant, he will eternally be remembered by those closest to him as a caring father, loving husband, and mentor who paved the way for others to succeed long after his passing. As someone who advised so many young emerging leaders, he can rest comfortably knowing that the light of his legacy will shine for several generations to come.

Mr. Speaker, we are truly fortunate to live in a country which gives every one of us an opportunity to make our dreams come true. A few remarkable Americans achieve a level of service to country that opens the door not just to their dreams but to ours as well. Many of us, therefore, have a profound desire and abiding obligation to look up to the sky to say to Ambassador Raymond Telles, "Thank you!" Surely, he is smiling upon us now as he surveys the countless dreams he brought to life. May Ambassador Telles rest in peace and may his family celebrate the life and memory of a dear family man and American patriot.

#### CELEBRATING THE LIFE OF HAR- LEM'S BELOVED ADVOCATE FOR EDUCATION ARTHUR "ARTIE" GEORGES

##### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. RANGEL. Mr. Speaker, I rise with great sadness as I pay tribute to one of Harlem's distinguish dynamic and influential members, Arthur "Artie" Georges, who passed away on January 29, 2013. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable leader.

It is without question that Artie's outstanding contributions to the Holcombe Rucker Basketball League, the National Association of Each One Teach One, Inc. and our famed Harlem Week Golden Hoops places him in a very special category in a long line of remarkable men who have given so much to our children and to the Greater Harlem community and beyond. Artie's passion for public service is well documented by his important and outstanding 30-year career work as a Methadone Maintenance Treatment Counselor—at a time when

heroin crippled and took the lives of so many of our best and brightest young men and women.

Artie served his Nation proudly in the United States Army and was a loyal member of the Colonel Charles Young American Legion Post 398. An advocate of education, he loved being a part of the Central Intercollegiate Athletic Association and Basketball Tournament Weekend; the Pelham Fritz Basketball League Scholarship Fund; and the John Hunter Memorial Camp Fund.

Great men like Artie are precious gifts we temporarily have in this world, but their assistance, contributions and accomplishments are far remembered and everlasting. Artie was a dear friend and was known to many of us as a brilliant hardworking community leader who dedicated his life work to the education of our youth.

Mr. Speaker, as we celebrate the 150th anniversary of the Emancipation Proclamation and the 50th anniversary of the March On Washington, let us celebrate the life of our beloved Arthur "Artie" Georges who dedicated his life to our youth and the Black American Experience.

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CLARITY RECOVERY AND  
WELLNESS

**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize Sigma House of Springfield, Inc. under its new name, Clarity Recovery and Wellness.

First opened in 1977, Sigma House of Springfield, Inc. was the area's first addiction treatment center. Focused on individualized long-term treatment of substance abuse, it provided 1,150 units of treatment in its first 19 months. Over the last 25 years, the center has expanded to include four facilities. In 2012 alone, it treated nearly 12,000 people.

Treatment and long-term recovery from substance abuse can offer a renewed outlook on life for those who are addicted and their family members, which can lead to more productive and fulfilling lives and an improved quality of life for the entire community.

Resources for treatment and recovery provide important assets for the communities of Springfield, Branson and surrounding counties, and I am proud that Clarity Recovery and Wellness remains committed to providing quality care to those in need of rehabilitation services.

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HONORING RICHARD GRIFFITH  
KESLER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Richard Griffith Kesler. Griff is a very special young man who has exemplified the finest qualities of citizen-

ship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Griff has been very active with his troop, participating in many scout activities. Over the many years Griff has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Griff has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood member of the Order of the Arrow. Griff has also served as a counselor-in-training at Rotary Camp and is a member of the National Honor Society. For his Eagle Scout project, Griff contributed to his community by designing and constructing five insect boxes for Maple Woods State School, a school for the developmentally disabled, in Kansas City, Missouri. Griff also designed a curriculum for the students and delivered nine classroom presentations for the students.

Mr. Speaker, I proudly ask you to join me in commending Richard Griffith Kesler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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IN SOLEMN REMEMBRANCE OF  
THE 25TH ANNIVERSARY OF THE  
HALABJA MASSACRE

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in solemn remembrance of the 25th anniversary of the massacre of over 5000 innocent civilians in the Iraqi Kurdish city of Halabja by the criminal regime of Saddam Hussein. This atrocity took place on March 16, 1988, during Saddam's genocidal Anfal Campaign to exterminate or expel the Kurdish people of northern Iraq. The Halabja massacre is worthy of our remembrance for several very important and timely reasons:

First, the Halabja massacre is one of the few examples of use of chemical weapons by a government against its own people in the history of mankind. Iraqi forces used a lethal mix of nerve agents, asphyxiating gas and other toxins to inflict over 5000 deaths and thousands of permanent injuries on survivors. The attack on Halabja continues to inflict its toxic legacy on the Kurds today in the form of birth defects and disabilities of Halabja survivors. As we monitor the unfolding events in Syria and Assad's threatened use of chemical weapons against his own people, we are reminded of the Halabja massacre. In the course of the Anfal campaign, the Iraqi Army committed countless atrocities, razed thousands of Kurdish towns and villages, forcibly displaced thousands of families from their homes and livelihoods and murdered an estimated 200,000 Kurdish men, women and children. Halabja was perhaps the single worst day of the Anfal campaign. The suffering, death, crimes and horror of that day were famously documented and burned into the consciousness of the world by a Time Magazine cover

and feature article which contained scores of ghastly photographs, many of which were used by prosecutors to secure the convictions and executions of Saddam Hussein and General Ali Hassan al-Majid, known as "Chemical Ali." I can never forget—and the world must never forget—those haunting images of dead children in the lifeless arms of their mothers, their mouths frozen open in their final desperate attempts to breathe. A crime of this magnitude must never be forgotten and must never be allowed to happen again.

Second, the 25th anniversary of the Halabja massacre is worthy of our remembrance and reflection because thousands of Americans gave their lives to liberate Iraq and give the Iraqi people the freedom and opportunity to create a stable, safe and prosperous country where all minorities can flourish. Over four thousand Americans died and over 40,000 were wounded in that war to secure the peace to bring Saddam to justice, and win the right of self-determination for the Kurdish people of Iraq and for all Iraqis. Their sacrifices must never be forgotten.

Third, it is important to remember Halabja, because of America's strong and vital relationship with the Kurds of Iraq. In the immediate aftermath of the first Gulf War, Saddam again unleashed his wrath on the Kurdish people. Thousands of Kurdish refugees fled into the mountains of northern Iraq to escape another massacre. The United States intervened in Operation Provide Comfort to join forces with the Kurds and to prevent another massacre. Under the umbrella of the no-fly zone of northern Iraq, the resilient, strong and resourceful people of Kurdistan rose from the ashes of the Anfal campaign to restore their land and lay the foundations of democracy and prosperity for all of Iraq. When US forces deployed to northern Iraq in 2003 as part of Operation Iraqi freedom, Kurdish forces joined with US forces to defeat 13 Iraqi Army divisions in the northern area of operations. Today, the Kurds are continuing to build on their friendship with our country and have created an economic and cultural miracle in the Kurdistan Region, where the rights of religious and ethnic minorities are protected and respected in law and in fact, which is a model for all of Iraq to emulate.

Finally, as we remember Halabja and the Anfal campaign on this 25th anniversary, we must maintain our resolve and use all of our diplomatic and economic power to ensure that peace and democracy take root and thrive in Iraq. That peace and the future of democratic government in Iraq is now jeopardized by the increasingly negative relations between the Iraqi government of PM Maliki and the Sunni and Kurdish minorities of Iraq. It is not my purpose today to cast blame for the current state of those relations, but only to remind my colleagues of the grave dangers of ethnic and sectarian strife in Iraq. Let us remember Halabja in light of the sacrifices our country has made to ensure that such crimes are never repeated and to renew our resolve to use our power and influence to achieve a lasting peace and the security of the Iraqi people.

## IN RECOGNITION OF RENOVATING HOPE

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize Renovating Hope, a nonprofit organization that assists America's heroes in need. Renovating Hope's mission is to provide professional and sustainable home repairs and renovations to families of men and women currently serving in the armed forces, as well as veterans. This organization delivers renewal and hope to the members of our military who are in need of assistance, and provides comfort to their families.

I recently had the privilege of observing Renovating Hope's service and commitment to our military heroes in my district. The organization developed a project to remodel the home of Retired Army Sgt. Robert C. Costley, a Purple Heart Award recipient who was critically wounded by a roadside bomb during his tour in Iraq. The renovation of Sgt. Costley's home in Erin, New York, would not have been completed without the leadership of Renovating Hope and the hard work of countless volunteers from the community.

I am proud to recognize the efforts of Renovating Hope in assisting our military heroes, and I commend their dedication to giving back to the individuals who have given so much of themselves to serve this great country. This organization truly exemplifies the commitment to serving the men and women of the United States military. As Americans, we should strive to emulate this commitment every day.

## PERSONAL EXPLANATION

**HON. GUS M. BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. BILIRAKIS. Mr. Speaker, on Thursday, March 14th, 2013, I missed rollcall vote number 70 for unavoidable reasons. Had I been present, I would have voted as follows:

Rollcall No. 70: "yea" (On ordering the previous question.)

## RECOGNIZING DAVID LEONG

**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize long time family friend David Leong, a truly unique American hero who has become a local Springfield legend for his creation of Cashew Chicken.

Born in Guangdong, China, David immigrated to the United States in 1940 and later went on to serve his new country during World War II. He trained in Fort Lee, Virginia for 3 months before shipping out to Europe. He participated in the Normandy invasion where he

hit Omaha Beach as part of the fourth wave of troops. By the war's end, he had served in England, France, Italy, and Belgium.

David and his late wife, Wong Shau Ngor, are the proud parents of seven: the late Wing Cheong Leong; Evelyn Leong Mousted; Wing Ling Leong; Wing Yee Leong; Yim Fong Leong; Wing Loke Leong; and Wing Wah Leong.

In November 1963, David opened Leong's Tea House, a 350 seat white tablecloth restaurant on the edge of town in what had been a cornfield in Springfield, Missouri. When he started the restaurant he knew that most people were not familiar with Chinese food, but they loved fried foods. He decided to come up with a recipe that combined both worlds together. He created a cashew gravy from soy and oyster sauce, added stock, and poured it over fried chicken, creating the immensely popular Cashew Chicken. There are now over 300 restaurants in the Springfield area that serve it.

He decided to close the original restaurant in December 31, 1997, following the death of his beloved wife. After falling ill in 2009, David decided he wanted to open a new restaurant to keep busy. Two years of success at the new Leong's Asian Diner inspired David to launch Leong Foods Incorporated, which specializes in David's original sauces and foods for retail sale in grocery stores. Today at age 92, he still comes in at 8 a.m. and leaves when it gets dark seven days a week.

Throughout David's life, he has served his country and city proudly. His story is an American story, and I am honored to recognize his service.

## HONORING ALEX DALY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alex Daly. Alex is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 601, and earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alex has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Alex Daly for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## RECOGNIZING THE LIFE AND SERVICE OF ANGELINA TABBITAS LARSEN

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the distinguished life and service of Mrs. Angelina Tabbitas Larsen. Mrs. Larsen, known by those in the community as "Angel", was born July 28, 1941 to Nunzio and Frances Tabbitas in Brooklyn, New York, and for the past few decades, Mrs. Larsen has called Northwest Florida home. She will be missed by many, but her memory will live on through the timeless legacy she leaves behind.

Mrs. Larsen spent her life in service to God and country. For twenty years, she dedicated her time to serving the brave men and women of our Armed Forces at the Pensacola USO Centers. Through her support and gratitude, she had the ability to lift spirits and bring warmth and merriment to our troops and their families.

To some, Mrs. Larsen will be remembered for her commitment to our nation's heroes; to others, she will be remembered for her strong faith in God and as a fellow member of Kingsway Church. To her family and friends, she will be remembered for Nana's Sunday dinner gatherings and as a loving and caring wife, mother, grandmother, and great-grandmother.

On behalf of the United States Congress, I am honored to recognize the life and service of Mrs. Angelina Tabbitas Larsen. My wife Vicki joins me in extending our thoughts and prayers to her husband, Bob; daughter, Jeanne; sons, Salvatore, Mario, and Edward, and the entire Larsen family.

## IN RECOGNITION OF THE 25TH ANNIVERSARY OF NATIONAL BLACK NURSES DAY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate the New York 25th Annual Celebration of National Black Nurses Day. On Friday February 22nd, the National Black Nurses Association recognized, honored and awarded the New York Black Nurses Association, Queens County Black Nurses, Caribbean American Nurses Association, Kappa Eta Chapter of Chi Eta Phi Nursing Sorority and Theta Chi Chapter of the Chi Eta Phi Nurses Sorority for their excellence of service and outstanding contributions in the field of nursing to citizens in the State of New York.

The National Black Nurses Association (NBNA) was organized in 1971 under the leadership of Dr. Lauranne Sams, former Dean and Professor of Nursing, School of Nursing, Tuskegee University, Tuskegee, Alabama. NBNA is a non-profit organization incorporated on September 2, 1972 in the state of

Ohio. NBNA represents 150,000 African American registered nurses, licensed vocational/practical nurses, nursing students and retired nurses from the USA, Eastern Caribbean and Africa, with 83 chartered chapters in 34 states.

The mission of the National Black Nurses Association "is to provide a forum for collective action by African American nurses to investigate, define and determine what the health care needs of African Americans are and to implement change to make available to African Americans and other minorities health care commensurate with that of the larger society."

In 2003, the National Black Nurses Association became one of the five founding organizations of the National Coalition of Ethnic Minority Nurse Associations (NCEMNA), along with Asian American/Pacific Islander Nurses Association, Inc.; National Alaska Native American Indian Nurses Association, Inc.; National Association of Hispanic Nurses, Inc.; and, the Philippine Nurses Association of America, Inc. This collaboration gives voice to 350,000 minority nurses. Dr. Betty Smith Williams is the NCEMNA President and a past NBNA President.

Its goals include support for the development of a cadre of ethnic nurses reflecting the nation's diversity; advocacy for culturally competent, accessible and affordable health care; promotion of the professional and educational advancement of ethnic nurses; education of consumers, health care professionals and policy makers on health issues of ethnic minority populations; development of ethnic minority nurse leaders in areas of health policy, practice, education and research; endorsement of best practice models of nursing practice, education, and research for minority populations.

I was pleased to cosponsor legislation, a proposal brought forth by Dr. Catherine Alicia Georges, past President of the National Black Nurses Association and Chair of the Nursing Department at Herbert H. Lehman College—The City of University of New York, that resulted in the U.S. Congress establishing the first Friday in the month of February as the day to recognize the contributions to healthcare made by Black nurses. I have a special place in my heart for the work of nurses, as my own dear sister was a retired nurse and I am keenly aware of the role that nurses, especially Black nurses have played in addressing the physical, mental, social and spiritual needs of all patients—a cornerstone of this organization. I am so very appreciative for the many contributions of the Black nurses to the City of New York and our Nation.

Let me congratulate and salute all of this year's award trailblazers in the field of nursing who have contributed locally, nationally and internationally. Your dedication and devotion to the health needs of everyday Americans is most commendable and deserving of Congressional Recognition. Mr. Speaker, as we celebrate the 150th Anniversary of the Emancipation Proclamation and the 50th Anniversary of the March on Washington, let us also celebrate the 25th Anniversary of National Black Nurses Day.

## INTRODUCTION OF THE SMITHSONIAN AMERICAN LATINO MUSEUM ACT

**HON. XAVIER BECERRA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. BECERRA. Mr. Speaker, I rise today to introduce the Smithsonian American Latino Museum Act, a bill that supports the creation of the Smithsonian American Latino Museum and whose genesis began 20 years ago. I first introduced this bill, with my colleague Rep. ILEANA ROS-LEHTINEN, in the 112th Congress.

While the wonderful museums and monuments on the National Mall provide a sense of America's history and treasures, many have felt that more must be done to ensure that the contributions of all Americans, including those of Latino descent, are better represented.

The 2010 Census revealed that there are over 50 million Latinos in the U.S. plus an additional 3.7 million citizens of Puerto Rico. Even with the large and growing Latino population in the our country there is still no real significant, permanent representation of Latinos in our nation's capital.

The Latino community first moved to address this issue in 1993. But, it was not until 2008 that the Commission to Establish the National Museum of the American Latino Act was passed by the House and Senate and signed into law. A panel of 23 bipartisan commissioners was appointed by President George W. Bush, President Barack Obama, House leaders NANCY PELOSI and JOHN BOEHNER, and Senate leaders HARRY REID and MITCH MCCONNELL.

That Commission dedicated itself to creating a comprehensive report and a singular vision—one that would reflect the hopes, opinions, cultural values, recommendations and insights of Americans of diverse origins and geographic regions of the U.S. In 2011, that Commission presented its report, *Illuminating the American Story for All*, early and under budget, to the President of the United States.

Since that time, the notion of a Smithsonian American Latino Museum has continued to gain support from a diversity of people and places. Despite that long-standing support and almost 20 years later, we are still not there yet, but we are getting closer.

To move forward in our effort, the House and Senate must pass the Smithsonian American Latino Act. Our bill would do 3 things:

Designate the now-vacant Arts and Industries Building (AIB) within the Smithsonian Institution as the location of the museum, including an annex that would be constructed underground and adjacent to the AIB. The bill requires that the planning, design and construction of the museum be harmonious with open space and visual sightlines of the National Mall.

Provide the Board of Regents 18 months to conduct a study to determine the best way to plan, design, fund and construct the Museum of the American Latino, taking into account the Commission's report.

Authorize private fundraising to begin for the planning, designing and construction of the museum.

Upon the bill being passed by both chambers and signed into law by the President, the Smithsonian American Latino Museum would be on its way to becoming the 20th museum within the Smithsonian Institution, forming part of the world's largest museum and research complex.

Many may ask: at this moment in time how can we afford to create a new museum? The better question is how can we not?

These are challenging times. And in these times, the arts, culture and humanities have a distinct role to play in helping unite us during episodes of adversity and prepare us to share in the prosperity to come. Cultural and historical institutions play a critical role in investigating, educating, sharing, celebrating, preserving, and convening the American people—as we are doing today—to show that we are in this together.

Mr. Speaker, the Smithsonian Institution was created for the purpose of helping increase and diffuse knowledge. It is in that same spirit that we seek to advance the Smithsonian American Latino Museum effort. Just like the National Museum of American History, the National Museum of the American Indian, The National Museum of African American History and Culture, the National Air and Space Museum, and others, the future Smithsonian American Latino Museum will help display America in its full bloom.

IN HONOR OF THE PARADISO FAMILY

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. FITZPATRICK. Mr. Speaker, on September 2, 1912, Arthur Rose Eldred of New York earned this Nation's first Eagle Scout Award. Arthur would be the first of three generations of Eldred's to rise to the rank of Eagle; his son and grandson hold the honor as well. The title of Eagle is an exceptional and extraordinary achievement earned by just 2% of Boy Scouts. This uncommon accomplishment is precisely why, Mr. Speaker, I rise today to recognize Michael and Cheryl Paradiso. On Saturday, March 16, 2013, Daniel Paradiso will be the fourth child of Michael and Cheryl to attain scouting's highest honor. Their daughter, Stephanie, has achieved the Gold Award in Girl Scouting and their three sons, Tony, M.J., and now Daniel have all earned the rank of Eagle Scout.

A century has passed since Arthur Eldred earned our Nation's first Eagle Award. One hundred years later, dedicated parents Mike and Cheryl Paradiso provide the guidance, support and commitment for their children just as Arthur Eldred did for his son and grandson. Congratulations, Mike and Cheryl for your extraordinary achievement.

CONGRATULATING DAVID J. JOHNS ON HIS APPOINTMENT AS DIRECTOR OF NEW WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR AFRICAN AMERICANS

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. RANGEL. Mr. Speaker, I rise today to applaud Secretary Duncan's appointment of David Johns to head the new White House Initiative on Educational Excellence for African Americans. David's expertise will be critical in helping to address the academic challenges that many Black students face. America's educational system has undergone a remarkable transformation in the years since segregation, and we must continue to move forward to ensure equality of access and opportunity for education for all.

Here in Congress, I have advocated for advancing the educational opportunities for minorities through increased funding to public schools, federal fellowships, and tuition reimbursement programs. However, substantial obstacles to equal educational opportunity still remain in America's educational system. Black students lack equal access to effective teachers and principals, safe schools, and challenging college-preparatory classes. It is no coincidence that over a third of them do not graduate from high school on time, and those that do are not nearly as prepared as their peers. I look forward to working with David to bridge this gap and to provide all Americans regardless of race or gender the skills they need to compete in the workforce.

Education is the key to success in today's world, and everyone in America is entitled to equal opportunity to obtain a degree, get a good paying job, and live fulfilling lives. America needs to come together to solve the problems of today in order to create a brighter future tomorrow. I am confident that David Johns will help us get there sooner."

RECOGNIZING THE CONTRIBUTION OF DELTA ENTERPRISES IN ASSISTING THE MOST VULNERABLE VICTIMS OF SUPERSTORM SANDY

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. GRIMM. Mr. Speaker, I rise today to recognize the contribution made by Delta Children's Products and its President, Mr. Joseph Shamie, in assisting the most vulnerable victims of Superstorm Sandy.

Staten Island and Brooklyn were ravaged by the unprecedented force of this natural disaster, leaving thousands of residents without homes or even the bare necessities of life.

While the damage of Superstorm Sandy uprooted the lives of so many it also left the most vulnerable victims of this tragic event, infants and young children, without the essen-

tials they needed to provide for their well being.

As a resident of Brooklyn, Mr. Shamie saw firsthand the devastation left in Sandy's wake, and understood that there would be a desperate need for child care products. Moving swiftly he ensured that Delta Children's Products filled this much needed gap in supplies by donating cribs, changing tables and infant supplies to those affected.

Mr. Speaker, I applaud Mr. Shamie and Delta Children's Products for their overwhelming support in helping to protect and care for the most vulnerable victims of Superstorm Sandy, and I ask you to join me in recognizing their commitment to the ongoing recovery effort.

RECOGNIZING MARIA FOOTE AS THE 2013 OKALOOSA COUNTY, FLORIDA EDUCATIONAL SUPPORT PROFESSIONAL OF THE YEAR

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Maria Foote as the 2013 Okaloosa County Educational Support Professional of the Year. I am honored to recognize her achievements and dedication to the students and teachers of the Northwest Florida community.

Since 2008, Mrs. Foote has worked as an English Language Learner (ELL) interpreter at Destin Elementary School. While serving the Okaloosa County School District, Mrs. Foote has never wavered in her commitment to the ELL program and her students. She works tirelessly to facilitate learning amongst students, teachers, and the community. In a school district that comprises a high ELL population, Mrs. Foote's role as an interpreter is extremely critical, as she translates conferences, documents, and provides academic support. Mrs. Foote also continuously accepts new challenges, and when the Okaloosa County School District began English for Speakers of Other Languages (ESOL) class for families, she was tasked as the liaison between ELL families and the district facilitator. She has accepted and carried out this role with grace and excellence.

Out of her passion for service, Mrs. Foote's involvement extends beyond the classroom. She is active in fundraising activities to benefit the English Language Learner population, as well as readily answering calls for help after school hours. It is not uncommon for Mrs. Foote to go above and beyond for the families of Okaloosa County, as she places their needs before her own. The significant improvement and learning gains demonstrated by students working with Mrs. Foote truly exemplify her steadfast commitment to excellence and desire for her students to succeed. Instructors like Mrs. Foote leave a perpetual impact on their schools and community.

Mrs. Foote's efforts and hard work have not gone unnoticed. She has been widely recognized and honored for her accomplishments in

the school and community and is the recipient of several awards, including Service Beyond the Call of Duty awarded by Northwest Florida State College and Taking the Lead Organizing Projects awarded by AmeriCorps.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Maria Foote on her achievements and contributions to the Okaloosa County School District. She is a dedicated teacher, an inspiration to her students, and an honorable public servant. My wife Vicki joins me in congratulating Mrs. Foote, and we wish her all the best for continued success.

IN HONOR OF THE SALINAS VALLEY MEMORIAL HEALTHCARE SYSTEM

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 15, 2013*

Mr. FARR. Mr. Speaker, I rise today to congratulate the Salinas Valley Memorial Healthcare System on its sixtieth anniversary of caring for the health needs of Monterey County. Community leaders began fundraising for a new hospital in 1941. World War II postponed those efforts. They resumed in 1947, after the State of California passed an act allowing taxation districts to be established in local communities for the building of hospitals. All funding for the hospital was local; no state or federal funds were used in the project.

The hospital was named Salinas Valley Memorial to honor the memory of "the men and women of the armed forces who made the supreme sacrifice for their community and their nation." It opened on April 20, 1953 with 138 beds, 100 employees and 45 physicians. President Dwight D. Eisenhower sent a letter of congratulations in which he wrote, the "People of Salinas have every right to be proud of this admirable example of local self-reliance and initiative." Roy Diaz, who survived the Bataan Death March, was in attendance at the dedication; he still lives in the area and will help Salinas Valley Memorial Healthcare System celebrate its anniversary.

The hospital was state-of-the-art when it opened. Still, the advancements in technology over the next twenty-five years were greater than the founders could have imagined. Partnerships with universities and other healthcare organizations like Visiting Nurses and Doctors On Duty allow Salinas Valley Memorial to expand and deliver world-class health care into communities across the Central Coast. It is currently licensed for 269 acute care beds. Today there are more than 1,600 employees with more than 250 physicians on staff.

The hospital has won numerous awards for its cardiac care center from such organizations as the American Heart Association and Blue Cross/Blue Shield. In 2011, it was honored as being one of only 110 U.S. hospitals given the international designation of baby-friendly by the World Health Organization and UNICEF.

Mr. Speaker, I know the whole House joins me in congratulating Salinas Valley Memorial Healthcare System on its anniversary, and wish them many more years of quality service to the public.



## HONORING THE LIFE AND ACCOMPLISHMENTS OF MINERVA JOHNICAN

## HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, March 15, 2013

Mr. COHEN. Mr. Speaker, I rise today to honor a champion for the rights of women, a leader in her community and a stalwart for Civil Rights, Minerva Johnnican, who passed away in her hometown of Memphis, Tennessee. I was proud to call her my friend and she will be greatly missed throughout the City of Memphis.

Minerva was born in Memphis on November 16, 1938 and was the sixth of seven children to John Bruce and Annie B. Johnnican. She attended Hamilton Elementary and High School and began her college studies at Central State College in Ohio before graduating from Tennessee State University in 1960.

After graduating from college, Minerva earned her certificate in library science from the University of Memphis in 1965. She served in the Memphis City Schools system as a teacher and librarian for a total of 18 years, and later, she became the head librarian at Colonial Elementary School. She was always active in politics. However, her interest crystallized in 1967 when she was driving home from school and heard on the radio that a group of ministers were maced while marching for the rights of sanitation workers in downtown Memphis. From this experience, she became an instrumental member of Citizens on the Move for Equality, which advo-

cated for higher wages for sanitation workers. In 1971, she founded the Inner City Voter Education Committee that helped inner-city 18-year-olds register to vote. During this time, she also founded the Volunteer Women's Round Table, which was a coalition of women from different racial backgrounds who worked to support women in the Democratic Party. Additionally, in a sign of her future political aspirations, Minerva worked on Shirley Chisholm's presidential campaign.

Over the next 15 years, Minerva's political accomplishments broke several glass ceilings for African-Americans and women. In 1975, Minerva became the first woman to serve on the Shelby County Quarterly Court, now called the Shelby County Commission, and held this seat for two four-year terms. I was honored to work with her on the Board of Commissioners and one of our proudest achievements was establishing the MED Hospital when others wanted a smaller hospital. In 1983, she became the first African-American elected to represent an at-large district on the Memphis City Council. As a City Councilwoman, she founded the Building Better Bridges for Memphis Task Force, which encouraged African-Americans and Caucasians in Memphis to work together on community problems. In 1987, Minerva came in second in a six-way race for city mayor. Not to be discouraged from public office, in 1990, she became the first African-American and the first woman to be elected Shelby County Criminal Court Clerk. During her time as County Clerk, she automated the Clerk's office and implemented computers to maintain records, making it easier and more efficient to serve the needs of Memphians and staff. Her vision for improving the County Clerk's Office earned three national awards.

After leaving office in 1994, Minerva worked as a managing loan officer at Mid-America Mortgage and transferred her skills into opening up her own company, OMO Mortgage Financial Services. Although she no longer served in a public office, her passion for public service and community involvement continued. She was a vital member and supporter of my campaigns in 2006 and 2008 and she served as Co-Campaign Manager for Herman Morris's mayoral run. Minerva also served on the board of directors for the Mid-South Muscular Dystrophy Association, Mid-South Chapter of the ACLU, NAACP, and numerous other organizations.

Throughout her public and private sector work, Minerva received countless recognition for her diligence and commitment to the city of Memphis. The Women's Foundation for a Greater Memphis honored her with the Legends Award in 2009. In addition, she was awarded with the Distinguished Leadership Award from the National Conference of Christians and Jews, History Makers Award from the National Council of Negro Women, and the NAACP Life Membership.

Sadly, Minerva lost her battle with cancer on Friday, March 8, 2013 at 74 years of age. She will be remembered as a pioneer for her tireless public service at a time when women were not expected to take a leading role. Her dedication to improving her community is unparalleled. Minerva's passion led her to take risks during an era of heightened racial tensions and to encourage people from across racial lines to work together for the betterment of the city. Hers was a life well-lived. Thank you, Minerva, for coming our way.



## HOUSE OF REPRESENTATIVES—Monday, March 18, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. WENSTRUP).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 18, 2013.

I hereby appoint the Honorable BRAD WENSTRUP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

### GOP BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this week, we begin the Republican charade of pretending to balance the budget in 10 years, without a hint of how it really is possible. They intend to repeal ObamaCare, which was the central issue in the last campaign, where you will remember President Obama was reelected, the Senate went even more Democratic, and House Democrats gained seats and won over 1 million more votes than the Republicans.

Normal people would think that the ObamaCare issue might be settled. Does anybody realistically think it's going away anytime soon?

The Republican fantasy budget reduces taxes dramatically without a hint of how it would be possible, without exploding the deficit or dramatically raising taxes on the middle class.

This is consistent with what the Romney-Ryan ticket said on the campaign trail last fall. The same issue where they dodged, dissembled, or ig-

nored the perfectly reasonable question: How is it possible? Six months later, it's back in the budget, but there still is no answer.

During the last 40 years, there have been only four budgets without deficits: the last three Clinton budgets and the one that George Bush inherited from Bill Clinton. In each case, taxes as a percentage of the total economy were over 20 percent. In this Republican fantasyland, budgets are balanced with revenues at 19 percent of the economy, yet meeting the needs of 78 million more seniors and an infrastructure deficit that is growing as America is falling apart.

Clearly, this is not remotely possible if we're going to enjoy anything like our current quality of life. There is a real-world intersection of budget-saving opportunities with potential areas of agreement. Health care reform is one, but not just by shifting the burden to seniors and the disabled, as the Republicans propose in their fantasy budget.

My home State of Oregon is in the middle of an exciting demonstration of how to squeeze out the waste we all know is there and realign incentives. Instead of the empty ritual of pretending to repeal ObamaCare, let's work together to accelerate reform for all Americans.

If the Oregon experiment works—and frankly, many of these efficiencies, by the way, are already achieved in other parts of the country and with some private health systems—we could save more than \$1.2 trillion that the flawed sequester is supposed to achieve in the next 10 years.

Another area of irresponsibility in the Republican budget is defense. Instead of increasing Pentagon spending, we should reform it. The most obvious target is the nuclear arsenal larger than anything we need for nuclear deterrence. Ten percent of our nuclear weapons would decimate Russia. A handful of missiles would wipe North Korea off the map, yet they propose to spend over two-thirds of \$1 trillion over the next 10 years on this bloated arsenal.

Before we increase the Pentagon budget, maybe we should figure out why the F-35 Joint Strike Fighter is now 7 years behind schedule, 70 percent over budget, and the Pentagon still doesn't know how it's going to meet the more than \$1 trillion in operating and maintenance costs.

Amazingly, the Republicans want to increase spending for the Pentagon, the

only major budget so flawed it can't even be audited. There are bipartisan opportunities to reduce and reform the military, but you're not hearing about it in the Republican budget this week.

Instead of a Republican rerun of a bad reality TV show, let's consider working together on areas to change how the government does business and give more value to the taxpayer while we get spending under control.

### RETURN THE 27TH AMENDMENT OF THE CONSTITUTION TO ITS ORIGINAL INTENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. BARROW) for 5 minutes.

Mr. BARROW of Georgia. Mr. Speaker, I rise today to urge my colleagues to join me in support of H.J. Res. 33, which would reshape the way Washington operates.

Because Congress has failed to do its job to find the spending cuts we need to replace the sequester, folks all across this country, including folks in my district in Georgia, will pay the price.

Unfortunately, in Washington there are rules that prevent Members of Congress from being penalized for not doing their jobs. The Constitution doesn't protect the pay of folks back home, so why should it protect the pay of Members of Congress?

The 27th Amendment of the Constitution was written to prevent Members of Congress from giving themselves pay increases, but lately it has been used as a shield to prevent a congressional pay cut. My proposal, H.J. Res. 33, would return the 27th Amendment to its original intent and hold Members of Congress to the same standard as folks back home.

I urge my colleagues to support this proposal.

### SEQUESTER PAKISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, America's young warriors risk it all to protect and serve the rest of us. They put themselves in harm's way not only to protect America, but to defend the freedoms of people they have never seen in lands they have never been. Some join right out of high school with the promise that they can further their education while in the military. This helps not only our troops, but an educated military helps America.

Now the administration has broken another promise. Thousands of troops can no longer go to college because the education program has been scuttled. For the sake of politics, the "Chicken Little Administration" has handpicked programs to cut that would make Americans feel the sequester the most. One of those programs is the Military Tuition Assistance program.

Mr. Speaker, tuition assistance for our military is not much money. The Pentagon, the Department of Defense, has a budget of \$700 billion. This little program is 0.1 percent of the \$700 billion Department of Defense program.

The Tuition Assistance program is great because it's one of the ways our government can take care of our men and women who help us. It has allowed members of the military to take 870,000 courses and graduate 50,000 individuals for several degrees. That is remarkable. But the program is gone, thus saith the White House.

Over the past few weeks, I've been hearing from several southeast Texans who are disappointed because Washington has broken another promise. Dr. Norman Lefee, a science teacher at Klein High School in Texas, said this:

I encourage my students to join the military as a way to open up a possibility for higher education. Oftentimes, they come from families where they are the first high school graduate and the first person to graduate from college. Now that opportunity is being taken away from them. It's not fair. I got these kids to join the military. Now the administration has broken its promise.

□ 1210

Brian wrote me this:

I am Active Duty Coast Guard and one of your constituents. I was one class away from obtaining a master's degree and the Tuition Assistance program was now canceled. Why?

Jerri from Houston wrote me this:

As a combat medic in the National Guard, I currently use my tuition assistance to pay for my Ph.D. program in clinical psychology. I want to stay in the military. I hope to move directly to a commission on Active Duty as a psychiatrist or psychologist in the Army and serve soldiers with PTSD.

Education is the great equalizer, and servicemembers' access to affordable education will only make our country stronger. Restore our tuition assistance.

There's more, Mr. Speaker.

Last year, the marines spent roughly \$47 million on tuition assistance—\$47 million out of a \$700 billion Department of Defense budget. However, education assistance is not being cut for everybody. During the same year, Washington spent \$12.7 million on higher education in Pakistan. That's right, Mr. Speaker. We spent more than one-fourth of what we spent on education for the Pakistanis. And that's not all. Since the sequester, the administration has approved \$37 million in foreign aid to Pakistan.

Why are we funding education programs for our Benedict Arnold ally

when we can't fund—or don't fund—the education for our military? And to Pakistan of all places, where hatred for America is at its highest. Washington should watch its spending and prioritize.

It's time, Mr. Speaker, to sequester Pakistan. Why are we cutting the aid for our military and educating the people in Pakistan? The administration has the power and ability to make it right; but if this program is not reinstated, I am going to introduce legislation to withhold nondefense foreign aid from Pakistan until this wonderful program for our troops is fully funded.

The President should stop punishing our troops. We have a moral obligation to take care of our warriors that protect us.

The President says he is the education President. Well, Mr. President, let the troops go to school.

And that's just the way it is.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 2 p.m.

#### PRAYER

Reverend Andrew Walton, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

We come today with thanks and gratitude for the eternal presence of God, known by many names, that is within, around, and throughout all creation.

May each person in the human family be reminded today in every breath we take of the Spirit that binds and connects us to one another. With every morsel or drop of nourishment taken into our bodies may we remember our interdependence with the soil, streams, seas, plants, and animals of Earth. As we gaze to the sky above may we allow the mysterious vastness of the unknown to stir our imaginations toward creative care of that which is known.

As citizens not only of Nations but also of the Earth itself, may we live this day and every day in harmony with all. And may this Spirit of harmony be that which guides the ideas, conversations, debates, and decisions of our Nation's leaders today and always. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from Maryland (Mr. HOYER) will lead the House in the Pledge of Allegiance.

Mr. HOYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Is it in order to request at this point in time a vote on the Journal?

The SPEAKER pro tempore. The Journal has been approved.

Mr. HOYER. Mr. Speaker, I was seeking recognition to ask for a vote on the Journal when you recognized me to lead the Pledge of Allegiance.

The SPEAKER pro tempore. The Chair recognized the gentleman to lead the Pledge.

Mr. HOYER. I appreciate that, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman have a unanimous-consent request?

Mr. HOYER. I ask unanimous consent that I might now ask for a vote on the Journal.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HOYER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HOYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

#### A BALANCED BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the American people have a right to demand a balanced budget from their government, and by "balanced," we mean a

plan that will actually get spending in line with income. If we want a prosperous future for our children and grandchildren, we cannot, after all, continue to spend money we don't have.

House Republicans understand the simple math and have introduced a budget that balances in just 10 years. Senate Democrats are taking a different tack. Their budget demands higher taxes, authorizes higher spending, and never balances—ever.

How do we explain that to hard-working families who live with the reality of having to balance their household budgets every month? Washington should not see itself as the exception to the rule. Washington should balance its budget, and House Republicans have a plan to do just that.

#### PATH TO PROSPERITY BUDGET

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, this week, the House will consider the Path to Prosperity budget, reaffirming once again that House Republicans are the only ones in Washington offering serious solutions to government spending-driven debt crisis.

Americans at home must prepare a balanced budget for themselves and their families. Our plan would bring the same common sense to Washington and balance our budget in 10 years.

Our budget is not balanced by raising taxes on hardworking Americans but by responsibly reducing spending on government waste and reforming mandatory spending to ensure that programs Americans rely on remain strong for decades to come. Our budget saves taxpayers \$4.6 trillion over 10 years.

The Senate Democrat budget calls for \$1.5 trillion in new taxes and \$7.3 trillion in new debt.

Americans deserve better. That is why House Republicans have proposed a Path to Prosperity budget—to get our economy back on track and create more jobs and opportunity for all Americans.

#### WE MUST BALANCE OUR BUDGET

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this week, House Republicans will pass a balanced, responsible budget. Our proposal achieves balance over the next 10 years and will help small businesses create jobs.

Unfortunately, the concept of “balanced budget” is not appreciated by the President and Senate leadership. The President has called for reducing

our nearly \$17 trillion national debt, but actually it is increased taxes now with unlikely budget reductions in the future. Likewise, the Senate's budget proposal does not achieve balance but instead increases taxes to accelerate more government borrowing.

House Republicans understand the need for a balanced budget. By balancing our budget, America's small businesses will receive the economic certainty they need to create jobs. It is my hope that Senate leadership and the President begin to focus on balancing our budget, rather than continue to spend beyond our means and placing an undue burden on the backs of children and grandchildren.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### RESPONSIBLE GOP HOUSE BUDGET

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Every day families in Missouri's Second Congressional District create budgets, set priorities, and live within their means. Yet Senate Democrats have failed to pass a budget in 4 years, and President Obama refuses to submit his budget on time to the American people.

With our national debt now exceeding \$16 trillion, our country is on an unsustainable path. That's why House Republicans released a plan that balances our budget in 10 years with smart reforms and cuts.

This budget will cut wasteful spending, reform our broken Tax Code, protect and strengthen our national security, and repair our social safety net to make sure that these are strong and sustainable for future generations.

In stark contrast, Senate Democrats introduced a budget that raises taxes by an additional \$1 trillion, adds \$4 trillion to our national debt, and sets a course that never ever balances the budget.

Instead of raising taxes and taking more of your hard-earned money, it's time we start lifting up and fighting for nurses, teachers, carpenters, and shop owners, and stop growing government and giving away taxpayer bailouts that only result in less money in our pocket and a mortgaging of our children's future.

□ 1410

#### LABEL DRUG CARTELS AS FOREIGN TERRORIST ORGANIZATIONS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, “El Chapo” Joaquin Guzman is the brutal head of Mexico's Sinaloa drug cartel.

Chicago has named this killer drug lord Public Enemy No. 1. The last Public Enemy No. 1 was Al Capone, over 80 years ago.

Even though this billionaire bandit from below the border is generally in other countries, his violent criminal drug cartel operation floods dope into Chicago and other American cities. Since our borders are still porous to drug cartels, cartels cross the border at will.

El Chapo and his den of gun-toting smugglers are international terrorists. They have operations in every major city in the United States, including Chicago. Worldwide, his gang is credited with 50,000 murders.

Some say the Chicago murder rate has increased because of his cartel. David Riley, head of the Chicago DEA, said Guzman is more powerful than the former Chicago Mob.

Mr. Speaker, Mexican drug cartels, like the Sinaloa cartel, should be labeled a foreign terrorist organization. Then we can better deal with international terrorist threats to America like Public Enemy No. 1, El Chapo.

And that's just the way it is.

#### THE HALF-BAKED FEDERAL HEALTH EXCHANGES

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, it was 3 years ago tomorrow night that the President's affordable health care law, or bill, was pushed through this House of Representatives.

On Friday, in CQ Healthbeat, an article was published where the Department of Health and Human Services acknowledges that come October 1 there is “some possibility” that States will not be able to launch their health care exchanges.

Mr. Speaker, we're 6 months away, and the insurance exchanges are the very centerpiece of the functioning of this health care law, and they're essential for the President's law to operate.

The Federal Government has spent 3 years, well over \$3 billion, assisting the States in implementing these exchanges; but the administration is now left only with the hope that it is “not a Third World experience.” A Third World experience.

It doesn't end there. Henry Chao, a Centers for Medicare and Medicaid Services official overseeing the exchange technology, said in the same article when discussing back-up plans should the exchanges not be operable come October, “We are having discussions, but they are not fully baked yet.”

October is just around the corner. “Not fully baked yet” doesn't even sound like it's in the oven.

# IT'S TIME TO BALANCE THE BUDGET

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Last week, the Associated Press reported that unemployment in Greece rose to a record 26 percent. The news for younger workers is even worse: almost 60 percent of those under the age of 25 are unemployed.

As we all know, the root cause of Greece's financial and economic collapse is the runaway government spending and unsustainable debt. Eventually, the house of cards collapsed, and the results have been devastating for their citizens.

President Obama has said he will not "chase a balanced budget for the sake of balance." Well, Mr. President, what about chasing a balanced budget for the sake of our economy, for the sake of creating jobs, for the sake of preserving Social Security and Medicare and Medicaid, and for the sake of preventing financial calamity?

The present course of trillion-dollar annual deficits and a bloated \$17 trillion debt is irresponsible. What's taking place right now in Greece could easily be our future if we don't act.

Mr. President, it's time for you to realize that the best way to help hard-working, tax-paying American families is to balance the budget and free our economy from the burden of our debt.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds the gentleman to address his remarks to the Chair.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1704

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 5 o'clock and 4 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 18) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

### H. CON. RES. 18

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, the 32nd Annual National Peace Officers' Memorial Service (in this resolution referred to as the "event"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2012.

(b) DATE OF EVENT.—The event shall be held on May 15, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

#### SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

#### SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

#### SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Minnesota (Mr. NOLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

### GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 18.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 18 would authorize the use of the Capitol Grounds for the National Peace Officers' Memorial Service on May 15, 2013. I am pleased to be the sponsor of this important resolution, along with the gentlewoman from the District of Columbia (Ms. NORTON).

In 1962, May 15 was designated by President Kennedy as Peace Officers' Memorial Day and the week in which it falls as Police Week. The memorial service began in 1982 as a gathering in Senate Park of just 120 survivors and supporters of law enforcement. Today, National Police Week draws tens of thousands of law enforcement officers and their supporters from around the world who travel to the Nation's capital to participate in events that honor our fallen officers. The National Peace Officers' Memorial Service, which is sponsored by the Grand Lodge of the Fraternal Order of Police, is one in a series of events which includes the candlelight vigil and seminars.

Tragically, over 126 Federal, State, and local law enforcement officers were killed in the line of duty last year. These are brave men and women of law enforcement who put their lives on the line every day.

Among the fallen officers to be honored include five that served in my home State of Pennsylvania: Officer Bradley Michael Fox, who was from Plymouth Township Police Department, which is actually part of my district, Pennsylvania's Eleventh; Trooper First Class Blake Coble, Pennsylvania State Police; Patrolman Avery Freeman, Chester Police Department; Officer Brian J. Lorenzo, Philadelphia Police Department; and Officer Moses Walker, Jr., Philadelphia Police Department.

These officers, along with more than 100 others who lost their lives in 2012, will be remembered at this service. These officers made the ultimate sacrifice in serving our country and our communities.

I urge my colleagues to support passage of this resolution. I reserve the balance of my time.

Mr. NOLAN. Mr. Speaker, I yield myself as much time as I may consume.

Congratulations, Congressman BARLETTA, for sponsoring this resolution enabling this important memorial service to go forward. You're to be commended for it, and I'm honored to be able to stand here on behalf of the minority and offer our support for the resolution.

H. Con. Res. 18, as the gentleman just said, authorizes use of the Capitol Grounds for the 32nd Annual National Peace Officers' Memorial Service on May 15 on the west front of the U.S. Capitol. This is a solemn and respectful public event honoring local and Federal enforcement officers who sacrificed their lives in the line of duty in 2012.

One of those brave public servants was Cold Spring, Minnesota, Police Officer Thomas “Tommy” Decker, who was shot and killed while checking on the welfare of a citizen in an apartment in Cold Spring, Minnesota, on November 29, 2012. Officer Tom Decker was a 6-year veteran and a father of four. He was a 2002 graduate of Alexandria Technical College in Minnesota, where he received an associate in arts degree in law enforcement.

□ 1710

Officer Decker worked in the city of Isle, the city of Watkins, and the city of Kimball, all in Minnesota, before joining the Cold Spring Police Department full time in March of 2006.

According to the National Law Enforcement Officers Memorial Fund, Officer Decker was one of 129 brave men and women killed in the line of duty last year. Of those, traffic-related incidents led to the deaths of 50 officers, while 49 died from firearm-related causes. In all, more than 19,000 law enforcement officers have given the ultimate sacrifice while on duty since the first law enforcement death was recorded in 1791.

The National Peace Officers’ Memorial Service is a fitting tribute to the 900,000 current law enforcement officers—and all Federal, State, and local police officers—who do the often-dangerous and always necessary work of protecting our families, our homes, and our workplaces. We honor these officers and their families on Capitol Grounds for the sacrifices they have made to maintain the peace in communities all across America.

Consistent with all Capitol Hill events, the memorial service will be free and open to the public. I strongly support this resolution and urge my colleagues to join me in supporting this tribute to our fallen law enforcement officers.

Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, in closing, law enforcement all over the country every day go to work to protect us, protect our neighborhoods, our communities, always knowing that they may not return home that night. I think this is very fitting that we honor the men and women who keep this country and our communities safe.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 18.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NOLAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 19) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

##### H. CON. RES. 19

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the “sponsor”) shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the “event”), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 15, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

#### SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

#### SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

#### SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

#### SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Minnesota (Mr. NOLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

##### GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 19.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 19 would authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 15, 2013.

I want to thank the gentleman from Maryland (Mr. HOYER) for introducing this resolution. He has been a long-time supporter of this event and the children involved each year. This event occurs annually on the Capitol Grounds.

The Soap Box Derby allows children to show off their dedication, work, and creativity as they compete for trophies. The winners of each division are qualified to compete in the National All-American Soap Box Derby held in Akron, Ohio.

I support passage of this resolution.

I reserve the balance of my time.

Mr. NOLAN. Mr. Speaker, I yield myself such time as I may consume.

I was delighted to learn today from my son, Michael—who is visiting us and sitting in the gallery—that while we are looking at 40-mile-per-hour winds and blizzard conditions back in Minnesota, the snow is piling up. My son’s good friend and coworker Toby, along with other kids and dads in our hometown, are bundled up in their garages and in their basements as we speak, designing and building their ultimate speed machines—the soap box racers—getting themselves ready for the exciting annual experience.

I personally have nothing but the fondest memories of long hot summer days scrounging the neighborhood for old wagon wheels, axles, two-by-fours, and thin sheets of tin or aluminum as all of us kids in the neighborhood scrambled to build our soap box racers for the annual summer races down Cemetery Hill.

These races were never formally recognized by the proper authorities, I must admit. In fact, we were frequently chased out of the cemetery by the superintendent and his subordinates, as well as being chased off the city streets, quite frankly, by the local police, who no doubt had our personal safety and the public safety in mind at the time.

But law enforcement and the establishment never stopped us from enjoying those annual summer races. It was nothing but pure creative, constructive, exhilarating joy and pleasure that we experienced in our Soap Box Derby racers.

So with those golden days of yore in mind, I am delighted to support H. Con. Res. 19, extending proper recognition in

authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 15 of this year.

I would also like to acknowledge the steadfast support of this event by Mr. HOYER, who has truly been a champion for his constituents in this regard. This bipartisan resolution has the support of the entire D.C.-area delegation.

On the date of the event, soap boxers from the Greater Washington area will race down Constitution Avenue to test their craftsmanship and their courage in Soap Box Derby racing. Children between the ages of 8 and 17 will be competing for the opportunity to race in the National All-American Soap Box Derby held every August in Akron, Ohio.

Consistent with all events using Capitol Grounds, this event is open to the public and free of charge. The organizers will work with the Capitol Police and the Architect of the Capitol to organize the details of the event.

Mr. Speaker, I support H. Con. Res. 19 and urge passage of this resolution.

I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that it is a violation of the rules of the House to bring to the attention of the House occupants of the gallery.

Mr. BARLETTA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NOLAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from Minnesota for yielding.

Mr. Speaker, Congressman NOLAN, who was in this body before I was and before you were and before Mr. BARLETTA was, he has been in public service for a very long period of time. Therefore, I appreciate the remarks he made in support of this resolution.

Mr. Speaker, I rise in strong support of this resolution, which I am proud to have sponsored for the last 22 years.

□ 1720

It allows the Greater Washington Soap Box Derby Association to hold its 72nd annual competition on June 15 on the grounds of this Capitol. This is a longstanding tradition which brings young people ages 8 to 17 and their families from around the D.C. metro area to the Capitol for a fun and educational experience.

Since 1938, the derby has inspired thousands of the region's young people to learn the physics behind gravity racing and the engineering used to design soap box racers. America's Soap Box Derbies have been called "the greatest amateur racing event in the world," and on June 15, it will continue to make history.

The derby teaches sportsmanship, hard work, and pride of accomplishment, and it imbues its young partici-

pants with that same spirit of innovation that has long fueled America's greatness. The young people who participate in these derbies are often sponsored by community groups, police departments, fire departments, and others who want to invest in our country's future in a very direct and meaningful way.

Every year, I am incredibly proud of my constituents from Maryland's Fifth District who participate. A number of Soap Box Derby champions have come from the Fifth District, including the winners of 2007, 2008, 2009, and last year. The winners in 2007 and 2008, Kacie Rader and Courtney Rayle, respectively, went on to win the national Soap Box Derby championship.

As an aside, Mr. Speaker, I was hoping to be able to say that about the Maryland Terrapins this year, but that, apparently, will not be the case, although I do expect them to win the NIT. Last year's winners from the Fifth District were Brittany Sorli and Brandon Sorli of Waldorf, who won the Masters and Super Stock divisions.

I want to thank the Members who are cosponsoring this resolution: Representatives GERRY CONNOLLY, DONNA EDWARDS, JIM MORAN, ELEANOR HOLMES NORTON, CHRIS VAN HOLLEN, JOHN DELANEY, and my classmate who came with me to Congress in the 97th Congress, my dear friend, FRANK WOLF. I would urge all of my colleagues to support this resolution, and I thank Mr. NOLAN and Mr. BARLETTA for bringing this resolution to the floor.

Mr. NOLAN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. BARLETTA. I would like to thank the gentleman from Minnesota for his support. I also thank the gentleman from Maryland for introducing this very important resolution and for what it means to so many across our country.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 19.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NOLAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 18, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 18, 2013 at 2:34 p.m.:

Appointments:  
World War I Centennial Commission.  
International conferences, meeting and negotiation sessions relating to trade agreements.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1831

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 31 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 113TH CONGRESS

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted a privileged report (Rept. No. 113-20) on the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress, which was referred to the House Calendar and ordered to be printed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Agreeing to the Speaker's approval of the Journal; and suspending the rules and agreeing to H. Con. Res. 18 and H. Con. Res. 19.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on

agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 284, nays 103, answered “present” 1, not voting 43, as follows:

[Roll No. 76]

YEAS—284

Alexander	Enyart	Lujan Grisham
Amodei	Esty	(NM)
Bachmann	Farenthold	Lujan, Ben Ray
Bachus	Farr	(NM)
Barber	Fattah	Lummis
Barletta	Fincher	Maloney, Sean
Barr	Fleischmann	Marino
Barrow (GA)	Fleming	Massie
Barton	Foster	Matsui
Beatty	Frankel (FL)	McCarthy (CA)
Becerra	Franks (AZ)	McCarthy (NY)
Bera (CA)	Frelinghuysen	McCauley
Bilirakis	Fudge	McClintock
Bishop (GA)	Gabbard	McCollum
Bishop (UT)	Gallego	McHenry
Black	Garamendi	McIntyre
Blackburn	Garrett	McKeon
Blumenauer	Gerlach	McKinley
Bonamici	Goodlatte	McMorris
Bonner	Gosar	Rodgers
Boustany	Gowdy	McNerney
Brady (TX)	Granger	Meadows
Bridenstine	Graves (GA)	Meng
Brooks (AL)	Green, Al	Mica
Brooks (IN)	Grimm	Michaud
Brown (FL)	Guthrie	Miller (MI)
Brownley (CA)	Hahn	Miller, Gary
Buchanan	Hall	Mullin
Bucshon	Hanabusa	Mulvaney
Bustos	Harper	Murphy (PA)
Butterfield	Harris	Napolitano
Calvert	Hartzler	Negrete McLeod
Camp	Hastings (FL)	Neugebauer
Campbell	Hastings (WA)	Nugent
Capito	Heck (WA)	Nunes
Capps	Hensarling	Nunnelee
Cárdenas	Higgins	O'Rourke
Carney	Himes	Olson
Carter	Holt	Palazzo
Cartwright	Honda	Perlmutter
Cassidy	Horsford	Perry
Castro (TX)	Hoyer	Peters (CA)
Chabot	Hudson	Petri
Chaffetz	Huelskamp	Pingree (ME)
Clay	Huffman	Pitts
Cleaver	Huizenga (MI)	Pocan
Clyburn	Hultgren	Polis
Coble	Hunter	Pompeo
Cohen	Hurt	Posey
Cole	Issa	Price (NC)
Collins (NY)	Jackson Lee	Quigley
Conaway	Jeffries	Rangel
Connolly	Johnson (GA)	Rice (SC)
Cook	Johnson, Sam	Richmond
Cooper	Jones	Roby
Cramer	Jordan	Rogers (AL)
Crenshaw	Kaptur	Rogers (KY)
Cuellar	Keating	Rokita
Culberson	Kelly	Rooney
Cummings	Kennedy	Ros-Lehtinen
Daines	Kildee	Roskam
Davis (CA)	King (IA)	Ross
Davis, Danny	Kingston	Roybal-Allard
DeFazio	Kline	Royce
DeGette	Kuster	Ruiz
Delaney	Labrador	Runyan
DelBene	LaMalfa	Ruppersberger
Dent	Lamborn	Ryan (WI)
DeSantis	Lankford	Salmon
DesJarlais	Larsen (WA)	Scalise
Deutch	Latta	Schiff
Dingell	Levin	Schneider
Doggett	Lewis	Schock
Doyle	Loeb sack	Schrader
Duckworth	Lofgren	Schwartz
Duncan (SC)	Long	Schweikert
Duncan (TN)	Lowenthal	Scott (VA)
Edwards	Lowe y	Scott, David
Ellison	Lucas	Sensenbrenner
Ellmers	Luetkemeyer	Serrano
		Sessions

Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier  
Stewart  
Stutzman  
Swalwell (CA)

Takano  
Thompson (PA)  
Thornberry  
Tierney  
Titus  
Tonko  
Tsongas  
Upton  
Van Hollen  
Vargas  
Vela  
Velázquez  
Wagner  
Walorski  
Walz

Wasserman  
Schultz  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wolf  
Womack  
Yoho  
Young (IN)

Grounds for the National Peace Officers' Memorial Service, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and agree to the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 43, as follows:

[Roll No. 77]

YEAS—388

NAYS—103

Amash  
Andrews  
Benishke  
Bentivolio  
Bishop (NY)  
Brady (PA)  
Broun (GA)  
Burgess  
Capuano  
Carson (IN)  
Chu  
Clarke  
Coffman  
Conyers  
Cotton  
Courtney  
Crawford  
Crowley  
Davis, Rodney  
Denham  
Duffy  
Fitzpatrick  
Flores  
Forbes  
Fox  
Garcia  
Gardner  
Gibson  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Hanna  
Heck (NV)  
Herrera Beutler

Holding  
Israel  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Joyce  
Kilmer  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Lance  
Latham  
Lee (CA)  
LoBiondo  
Maffei  
Maloney  
Carolyn  
Marchant  
Matheson  
McGovern  
Meehan  
Meeks  
Messer  
Miller (FL)  
Murphy (FL)  
Neal  
Nolan  
Pallone  
Pastor (AZ)  
Paulsen  
Pearce  
Peters (MI)  
Peterson  
Pittenger  
Poe (TX)

Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rigell  
Rogers (MI)  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Scott, Austin  
Sewell (AL)  
Slaughter  
Stivers  
Stockman  
Terry  
Thompson (CA)  
Thompson (MS)  
Tipton  
Turner  
Valadao  
Veasey  
Visclosky  
Walberg  
Walden  
Westmoreland  
Wittman  
Woodall  
Yoder  
Young (AK)

Alexander	Crenshaw	Hastings (FL)
Amash	Crowley	Hastings (FL)
Amodei	Cuellar	Heck (NV)
Andrews	Culberson	Heck (WA)
Bachmann	Cummings	Hensarling
Bachus	Daines	Herrera Beutler
Barber	Davis (CA)	Higgins
Barletta	Davis, Danny	Himes
Barr	Davis, Rodney	Holding
Barrow (GA)	DeFazio	Holt
Barton	DeGette	Honda
Bass	Delaney	Horsford
Beatty	DelBene	Hoyer
Becerra	Denham	Hudson
Benishke	Dent	Huelskamp
Bentivolio	DeSantis	Huffman
Bera (CA)	DesJarlais	Huizenga (MI)
Bilirakis	Deutch	Hultgren
Bishop (GA)	Diaz-Balart	Hunter
Bishop (NY)	Dingell	Hurt
Bishop (UT)	Doggett	Israel
Black	Doyle	Issa
Blackburn	Duckworth	Jackson Lee
Blumenauer	Duffy	Jeffries
Bonamici	Duncan (SC)	Jenkins
Bonner	Duncan (TN)	Johnson (GA)
Boustany	Edwards	Johnson (OH)
Brady (PA)	Ellison	Johnson, E. B.
Brady (TX)	Ellmers	Johnson, Sam
Bridenstine	Enyart	Jones
Brooks (AL)	Esty	Jordan
Brooks (IN)	Farenthold	Joyce
Broun (GA)	Farr	Kaptur
Brown (FL)	Fattah	Keating
Brownley (CA)	Fincher	Kelly
Buchanan	Fitzpatrick	Kennedy
Bucshon	Fleischmann	Kildee
Burgess	Fleming	Kilmer
Butterfield	Flores	King (IA)
Calvert	Forbes	King (NY)
Camp	Foster	Kingston
Campbell	Fox	Kinzinger (IL)
Capito	Frankel (FL)	Kirkpatrick
Capps	Franks (AZ)	Kline
Capuano	Frelinghuysen	Kuster
Cárdenas	Fudge	Labrador
Carney	Gabbard	LaMalfa
Carson (IN)	Gallego	Lamborn
Carter	Garamendi	Lance
Cartwright	Gardner	Lankford
Cassidy	Garrett	Larsen (WA)
Castro (TX)	Gerlach	Larsen (CT)
Chabot	Gibson	Latham
Chaffetz	Gohmert	Latta
Chu	Goodlatte	Lee (CA)
Clarke	Gosar	Levin
Clay	Gowdy	Lewis
Cleaver	Granger	LoBiondo
Clyburn	Graves (GA)	Loeb sack
Coble	Graves (MO)	Lofgren
Coffman	Green, Al	Long
Cohen	Green, Gene	Lowenthal
Cole	Griffin (AR)	Lowe y
Collins (NY)	Griffith (VA)	Lucas
Conaway	Grimm	Luetkemeyer
Connolly	Guthrie	Lujan Grisham
Conyers	Hahn	(NM)
Cook	Hall	Lujan, Ben Ray
Cooper	Hanabusa	(NM)
Cotton	Hanna	Lummis
Courtney	Harper	Maffei
Cramer	Harris	Maloney,
Crawford	Hartzler	Carolyn

ANSWERED “PRESENT”—1

NOT VOTING—43

Aderholt  
Bass  
Braley (IA)  
Cantor  
Castor (FL)  
Cicilline  
Collins (GA)  
Costa  
DeLauro  
Engel  
Eshoo  
Fortenberry  
Gibbs  
Gingrey (GA)  
Gohmert

Pascarell  
Payne  
Pelosi  
Roe (TN)  
Rohrabacher  
Rothfus  
Sanchez, Loretta  
Smith (NJ)  
Tiberi  
Waters  
Welch  
Yarmuth  
Young (FL)

□ 1855

Mr. HANNA changed his vote from “yea” to “nay.”

Ms. WASSERMAN SCHULTZ changed her vote from “nay” to “yea.” So the Journal was approved.

The result of the vote was announced as above recorded.

#### AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 18) authorizing the use of the Capitol



Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulaney  
Murphy (FL)  
Murphy (PA)  
Napolitano  
Neal  
Negrete McLeod  
Neugebauer  
Nolan  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pallone  
Pastor (AZ)  
Paulsen  
Pearce  
Perlmuter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan

Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Radel  
Rahall  
Rangel  
Reed  
Reichert  
Renacci  
Takano  
Ribble  
Rice (SC)  
Rigell  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Titus  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schneider  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema

Sires  
Slaughter  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stewart  
Stivers  
Stockman  
Stutzman  
Swailwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Wasserman  
Schultz  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IN)

## NOT VOTING—43

Aderholt  
Braley (IA)  
Bustos  
Cantor  
Castor (FL)  
Cicilline  
Collins (GA)  
Costa  
DeLauro  
Engel  
Eshoo  
Fortenberry  
Garcia  
Gibbs  
Gingrey (GA)

Grayson  
Grijalva  
Gutierrez  
Hinojosa  
Kind  
Langevin  
Lipinski  
Lynch  
Markey  
McDermott  
Miller, George  
Moore  
Moran  
Nadler  
Noem

Pascrell  
Payne  
Pelosi  
Richmond  
Roe (TN)  
Rohrabacher  
Sanchez, Loretta  
Smith (NJ)  
Tiberi  
Veasey  
Waters  
Welch  
Young (FL)

## □ 1902

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BUSTOS. Mr. Speaker, on rollcall No. 77 I was detained in a meeting. I apologize for the inconvenience I have caused.

Had I been present, I would have voted "yea."

# AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 19) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and agree to the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 0, not voting 45, as follows:

[Roll No. 78]

YEAS—386

Alexander  
Amash  
Amodei  
Andrews  
Bachmann  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Bass  
Beatty  
Becerra  
Benishak  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonamici  
Bonner  
Boustany  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buchson  
Burgess  
Bustos  
Butterfield  
Calvert  
Camp  
Campbell  
Capito  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castro (TX)  
Chabot  
Chaffetz  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman

Cohen  
Cole  
Collins (NY)  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Daines  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeBene  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers  
Enyart  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gardner  
Garrett

Gerlach  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hahn  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Higgins  
Himes  
Holding  
Holt  
Honda  
Horsford  
Hoyer  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly  
Kennedy  
Kildee  
Kilmer  
King (IA)  
King (NY)  
Kingston

Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Lee (CA)  
Levin  
Lewis  
LoBiondo  
Loebach  
Lofgren  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lummis  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulaney  
Murphy (FL)  
Murphy (PA)  
Napolitano  
Neal  
Negrete McLeod  
Neugebauer

Nolan  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Pallone  
Pastor (AZ)  
Paulsen  
Pearce  
Perlmuter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan

Nolan  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Pallone  
Pastor (AZ)  
Paulsen  
Pearce  
Perlmuter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan

Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stewart  
Stivers  
Stockman  
Stutzman  
Swailwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Wasserman  
Schultz  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IN)

## NOT VOTING—45

Aderholt  
Braley (IA)  
Cantor  
Castor (FL)  
Cicilline  
Collins (GA)  
Costa  
DeLauro  
Engel  
Eshoo  
Forbes  
Fortenberry  
Gibbs  
Gingrey (GA)

Grayson  
Grijalva  
Gutierrez  
Hinojosa  
Hudson  
Kind  
Langevin  
Lipinski  
Lynch  
Markey  
McDermott  
Miller, George  
Moore  
Moran  
Nadler

Noem  
Palazzo  
Pascrell  
Payne  
Pelosi  
Roe (TN)  
Rohrabacher  
Rush  
Sanchez, Loretta  
Sarbanes  
Smith (NJ)  
Tiberi  
Waters  
Welch  
Young (FL)

## □ 1910

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.



A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. PASCARELL. Mr. Speaker, today, March 18th, I missed three rollcall votes. Had I been present, I would have voted: Rollcall vote 76—"yea"—Journal Vote; rollcall vote 77—"yea"—H. Con. Res. 18—Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; rollcall vote 78—"yea"—H. Con. Res. 19—Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

#### RIGHT TO BEAR ARMS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this weekend, I had the honor of joining hundreds of fellow Americans at an open-carry walk in Brookville, Pennsylvania, which is located in the Fifth District of Pennsylvania. As a responsible gun owner, I was proud to join this peaceful gathering among citizens to reaffirm the fundamental significance of an individual's constitutionally protected right to bear arms.

The right to own firearms has nothing to do with hunting. The Second Amendment was adopted as part of our Constitution to assure the safety and security of our Nation, our States, as well as our families, our homes and our personal selves.

Many of my constituents are alarmed at the gun control proposals being considered in the U.S. Senate for fear they violate this sacred constitutional right. I share this concern.

When it comes to violence prevention, I believe there are areas of policy that can be improved upon, especially in the area of mental health. The people of Brookville and so many others across this Nation want this body to come together on solutions to thwart future acts of mass violence, but they will not tolerate—and I will fight against—any violation of constitutionally protected rights.

#### CONGRATULATING HAYWARD EDUCATION FOUNDATION ON ITS 30TH ANNIVERSARY

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I want to congratulate the Hayward Education Foundation, which celebrates its 30th anniversary this year. This organization was founded by Hayward school teacher Elaine Adams in 1983. This nonprofit grants money to Hayward school teachers with creative ideas to inspire and enrich their educational experience.

In 2012, grants were given to the butterfly garden at Longwood Elementary, a solar cell car at Bret Harte Middle School, and a college motivation program at Hayward High School. In its 30-year history, the foundation has given out over \$1 million.

I want to acknowledge the board of directors: Dianne McDermott, Pastor Chuck Horner, Rick Bartholomew, Peter Bufete, Paul Hodges and Penny Hodges, Guy Sandoval, Bruce Roberts, Maria Servin, Andrea Pa-Shote, Don Evans and Bill Liu.

Hayward's motto is the "Heart of the Bay," but it is the heart and mind and forward thinking of these individuals that really enriches Hayward and makes it such a special place to live.

So I want to congratulate them on their 30th anniversary and wish them well in their next 30 years.

#### UNIVERSITY OF ILLINOIS

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in support of the University of Illinois, and I am proud to represent its flagship university in Champaign-Urbana.

The U of I plans to launch a university-affiliated technology development laboratory in Chicago. This collaboration will attract more industry to Illinois and the entire Midwest region. Like the U of I's current world-class research park in Urbana-Champaign, this lab will operate on the principles of innovation and entrepreneurship.

This will be a center of long-term, large-scale research projects that will unite the best and brightest of the University of Illinois, the city of Chicago, and government and industry, while at the same time give a high-profile image for the University of Illinois in the Chicagoland area.

Illinois' biggest technical challenge is retaining its talent. Thirty-two percent of computer science graduates from the U of I get jobs in California alone. This project's goal is to retain the next generation of Illinois-trained talent with hopes that they'll grow existing companies or start new businesses.

I am proud to recognize the continuous advancements made by the University of Illinois on all of their campuses.

#### KEYSTONE XL AND TAR SANDS

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I rise today to share my grave concerns about the proposed Keystone XL pipeline, the existence of which is awaiting a decision by the administration.

Last week, 84 of my colleagues—82 Republicans and 2 Democrats—introduced H.R. 3, a bill that would approve the construction and maintenance of the Keystone XL pipeline.

The world's foremost climatologist, Dr. James Hansen—and one of the first scientists to warn of the dangers of burning carbon fuel and a partial recipient of the Nobel Peace Prize—has likened the building and use of the Keystone pipeline to the lighting of a carbon bomb—game over.

When you brush aside the studies by TransCanada and other oil companies and you analyze the pure scientific studies, every analysis clearly demonstrates that the Keystone XL pipeline poses major threats at every turn in its extraction, its transportation, its refining, and its consumption—threats to our Earth.

The truth of the matter is the U.S. isn't even going to be using those fossil fuels transported by that pipeline; they're going straight to China. In fact, the only proposed feasible method of getting those Canadian tar sands to China or any other country is by building the Keystone XL pipeline to feed into the port in Houston, Texas.

I urge my colleagues to stop the Keystone XL pipeline, avoid lighting that carbon bomb in our country, oppose H.R. 3, and return our focus to initiatives that center on true energy independence through renewable resources and greener production.

Save the Earth.

#### REPUBLICAN BUDGET

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, since President Obama has taken office, over \$6 trillion has been added to our national debt. This is more than under any President in history.

Since President Obama has taken office, we have had 4 consecutive years of over trillion-dollar-plus deficits. These deficits have led to a national debt of almost \$17 trillion.

In 2009, the President promised that he would not sign a health care law that adds one dime to our deficits. Well, a recent report from the GAO finds that ObamaCare will add over \$6 trillion to our long-term deficits.

For the sake of our country and our children's future, we must repeal this massive government overreach into our health care system. The Republican House budget does that, and therefore I will support it.

□ 1920

#### EXPANDED MEDICAID COVERAGE FOR TEXANS

(Ms. JACKSON LEE asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, \$5 trillion in surplus was extinguished in the last Republican administration. It had been created by President Clinton.

The Affordable Care Act will help provide the health coverage that is needed by millions of Americans. I rise today to speak particularly about Texas.

Some 24 percent of the population of Texas is uninsured, and yet our State government has refused to accept expanded Medicaid. So today, Mr. Speaker, I make a public plea on behalf of the millions of Texans who get up and work every day and do not have health insurance, and to have a State government that is ignoring their plea, and that is to have expanded Medicaid to provide health insurance for working Texans and poor Texans, those that work, as well, below the minimum wage.

It seems selfish that the concerns of those who lead State government are all political and not in any way concerned about the mothers, fathers, and children who all of the medical professionals from county governments to private practice have said that the expanded Medicaid coverage, if taken by the State of Texas, like Florida and like Ohio, will save lives.

Do it now.

#### CBC HOUR: THE PEOPLE'S BUDGET

The SPEAKER pro tempore (Mr. DAINES). Under the Speaker's announced policy of January 3, 2013, the gentleman from Nevada (Mr. HORSFORD) is recognized for 60 minutes as the designee of the minority leader.

Mr. HORSFORD. Good evening, Mr. Speaker. It's my privilege to join with my colleague, Mr. JEFFRIES, the gentleman from New York, to coanchor this hour along with the Congressional Black Caucus and my colleagues from the CBC to talk about something very important right now to the American people, and that is the budget and who we will balance the budget on as far as how we move forward for the American people.

Less than 1 month after the sequester, Republicans have presented a carbon copy budget of their austerity plans of the past. The American people spoke loud and clear last November. They believe in investing in our recovery, turning our economy around, and getting people back to work. They reject balancing the budget on the backs of our children, seniors, and the middle class. Yet the Ryan budget starts with the premise that the sequester is good policy, that the ultrawealthy deserve another tax break, and that we don't really need to invest in our children or their future.

So tonight, Mr. Speaker, my colleagues, the Congressional Black Cau-

cus and I will lay out why the Ryan budget is a failed proposal for the American people and why we need to support an alternative offered by the Congressional Black Caucus and those who have worked hard to craft it.

I would like to recognize our chair of the Congressional Black Caucus, the gentlelady from Ohio (Ms. FUDGE).

Ms. FUDGE. I thank the gentleman for yielding.

I want to thank my colleagues, Congressmen JEFFRIES and HORSFORD, for again leading the Congressional Black Caucus Special Order hour on an issue of great importance—the Federal budget.

Mr. Speaker, every year since 1981, the Congressional Black Caucus has produced an alternative budget to both Republican and Democratic budgets. The CBC budget has consistently provided a fair and balanced approach to managing the Federal Government's finances. The CBC alternative budget for fiscal year 2014 is a pro-growth, pro-people, and pro-America budget. It acknowledges that only by investing in Americans, in the American people, can you build a bridge to a better America.

This message could not be more important as our Nation still struggles to recover from the worst economic recession since the Great Depression. Compounding this problem is growing income inequality. America needs congressional leadership to pull us out of our economic malaise, address our fiscal issues, and ensure that our recovery is felt in every community. Unfortunately, this is where the House Republican budget fails.

Chairman RYAN's budget attempts to lead America towards financial success by placing America's most vulnerable on the path to financial ruin. The Republican budget seeks to cut education funding, including money for Pell Grants. It slashes economic assistance to programs like the Supplemental Nutrition Assistance Program, which could mean 8 to 9 million eligible households without benefits. It dismantles the Affordable Care Act. This means reducing access to affordable health care for the 27 million uninsured Americans who are projected to gain coverage under the law. This is neither the vision that the American people want, nor is it what the American people need.

Now, let's contrast the CBC budget and how it creates opportunity instead of snatching it away.

The CBC budget includes \$230 billion in the maintenance and repair for public transit, highways, airports, ports, railroads, bridges, and other infrastructure investments; \$13 billion for workforce development programs, such as the Workforce Investment Act Adult Program, the Dislocated Worker Program, Job Corps and other employment and training services.

It includes \$50 billion to provide relief to States to preserve teacher and first responder jobs, and \$50 billion for neighborhood stabilization programs that provide affordable housing development, infrastructure improvements and other community development needs.

The CBC budget accomplishes all this while raising \$1 trillion in new revenue to avoid sequestration. The economic recession has damaged our communities. Trillions of dollars in wealth were lost. Poverty rates for African Americans and Latinos soared to 26 and 23 percent, respectively. America doesn't need an austerity budget. It doesn't need a budget that looks at the struggling American people and says "you're on your own." Americans need and deserve more.

I urge my colleagues to vote in favor of the CBC fiscal year 2014 budget.

Ms. BROWN of Florida. Will the gentlelady yield for a question?

Ms. FUDGE. Yes.

Ms. BROWN of Florida. First of all, I want to thank the chairperson for conducting this discussion pertaining to the CBC's budget because I think it is the most compassionate budget that will be presented to the House.

My question for you, Madam Chair, is that I just returned from Florida. Florida ranks first in the last 8 months with the number of people losing their homes because of foreclosure, Miami being first, Orlando being second, Jacksonville being eighth. People approach me about jobs. They're not talking to me about the deficit. They want to know what we are doing as far as putting the American people to work.

Can you expound upon that for me, please?

Ms. FUDGE. Absolutely. I thank the gentlelady.

What we have done in this budget, not only did we put in \$13 billion for workforce training, for Job Corps, for dislocated workers, retraining, segment training, but, in total, we have almost \$500 billion worth of job creation built into our budget, more than any budget—more than any budget—whether it be the Democratic Caucus, the White House budget, or the Republican budget. We have doubled down on jobs in the CBC budget.

Mr. HORSFORD. Continuing on, as the chairwoman of the CBC just talked about, the Congressional Black Caucus budget is an alternative budget for fiscal year 2014. It puts forth a plan that both reduces the deficit by \$2.8 trillion over the next decade and creates millions of jobs through significant investments towards job creation that will accelerate our economic recovery and ensure that it's felt in every community across America.

The CBC budget also cancels the economically disastrous sequester that is currently costing between 750,000 to 1 million jobs. So the CBC budget creates

jobs, while the sequester and the Republican budget, which adopts the sequester and makes it permanent, cut jobs, and the CBC budget pays for it.

To elaborate further is the vice chairman of the Congressional Black Caucus, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me thank you, Mr. HORSFORD, for your leadership and thank you for convening this opportunity tonight for us to come to the floor and talk about a subject that is so personal and so important to every American.

□ 1930

I also thank the chairwoman of the CBC, Ms. FUDGE, for her extraordinary and intelligent leadership. You have done so much for so many for so long, and we thank you very much.

Mr. Speaker, just last week, House Budget Committee Chairman PAUL RYAN—and I think most Americans recognize that name by now—Chairman PAUL RYAN rolled out his 2014 budget that he and his Republican colleagues have called the Path to Prosperity. Well, Mr. Speaker, it's more like the path to American ruin.

He says that he's going to balance the budget in 10 years; but he's going to balance that budget, if at all, on the backs of middle class Americans and poor people.

They use good sounding terms like "strengthening the safety net." What that really means is cutting programs that help the poor and disfranchised in our country, programs that good Americans depend on every day to survive.

The Ryan budget talks about restoring fairness by ending barriers for job creation. What he doesn't talk about is that his budget proposal slashes funding for workforce development and job training and child care. How, Mr. Speaker, is a single mother of two small children expected to get and keep a job that pays more than the minimum wage—which, by the way, PAUL RYAN and his colleagues voted against raising—when she has no access to affordable child care or training?

Chairman RYAN and the Republicans don't care about that single mother or her children. They care about serving the interest of big business at the expense of ordinary Americans. So the Congressional Black Caucus has offered a budget alternative that I'm very proud of. It is sensible and balanced.

We propose reforming the Tax Code. We propose ending special tax breaks and closing tax loopholes like the mortgage deduction for vacation homes and yachts, eliminating the deduction for derivative traders and eliminating incentives for sending American jobs overseas. We propose taxing capital gains and dividends as ordinary income, raising about \$900 billion over 10 years. These changes, Mr.

Speaker, would generate much needed revenue.

The country has begun to recover. We see it every day in the news, and we're moving in the right direction. We're beginning to recover from near financial ruin, but our recovery is fragile and desperately needs a shot in the arm to accelerate our economic recovery. Instead, the Republican-controlled House thought it best to poison the economy and throw away the antidote.

According to leading economists, once sequestration is fully implemented, Americans are going to lose 2.14 million jobs. Those are 2 million jobs that exist now, but won't exist later because of politics.

The CBC and the majority of Americans believe that sequestration is damaging our fragile economy and that it must be reversed immediately. Our budget does just that.

Our Nation's unemployment rate is 7.7 percent and has been on a gradual decline, but there are still far too many people out of work. To reinvigorate a willing and able workforce, the CBC proposes investing over \$500 billion in a comprehensive jobs program, including \$100 billion for a national direct job creation program, \$50 billion for much needed school modernization, and \$50 billion to support and maintain jobs in education and law enforcement. We would also dedicate \$230 billion to repairing and replacing our crumbling infrastructure, including highways and bridges.

In order for people to get jobs they so badly need, they need to possess the necessary skills. The CBC budget will work to support and enhance job-training programs through an injection of \$13 billion and also help to put young people to work through a \$7 billion summer jobs program.

When hardworking Americans work their entire lives, they have been paying into a system that promised them income security. We must guarantee it. The Ryan budget seeks to eviscerate the Medicare program as we know it and turn it into a voucher system. That is wrong. They seek to block-grant the Medicaid program and give the discretion to the States. That is wrong, and it will devastate low-income families, and more than 35 percent will be cut from the Medicaid program over the next 10 years. Mr. RYAN proposes to make the change apply to individuals 55 years of age and younger. That's very interesting.

What is particularly egregious, in closing, is that the Ryan budget cuts almost 18 percent from the SNAP program, amounting to \$135 billion. Over 90 percent of SNAP money, as we all know, goes to paying for food assistance.

Mr. Speaker, the Congressional Black Caucus and the Democratic minority here in the House are serving notice here today that we will not tolerate

the unbalanced approach of the Republican majority. You must work with us to create a stream of new revenue by closing loopholes that benefit the rich, and we must have a balanced approach to balancing the Federal budget.

Thank you for the time, Mr. HORSFORD. Thank you for your leadership.

Mr. HORSFORD. Thank you, Mr. Vice Chairman.

As you indicate, 70 percent of the American people agree with the CBC plan to have a balanced approach, one that helps to preserve and protect the very programs that you just mentioned and that gets our economy on the focus of what we should be dealing with, which is the jobs deficit in this country, not the so-called "budget deficit."

Mr. BUTTERFIELD. There is no question the American people, Mr. HORSFORD, want a strong economy, they want jobs created, and they're expecting us in this House to do it on a bipartisan basis.

We have failed to do it, and we must do it.

Mr. HORSFORD. Thank you.

Over the weekend, Speaker BOEHNER said:

We do not have an immediate debt crisis. We have one looming. It's not an immediate problem.

Well, what we do have right now is an immediate jobs deficit, and we should be focused on getting the American people back to work. That's what the Congressional Black Caucus alternative budget does.

And to talk about the focus on jobs and investing in our future, the woman who fights for the people of Florida, the gentlelady from Florida (Ms. BROWN).

Ms. BROWN of Florida. Thank you so much, and thank you for your leadership.

I really do believe when you're born you get a birth certificate, and when you die you're going to get a death certificate; and that little dash in between is what you've done to make this a better place. And I really want to thank the Congressional Black Caucus for your leadership, for what you have done being the conscience of this House of Representatives, a House that has lost its conscience.

Now, I come from Florida, and our State now ranks number one in foreclosure. Why is that? There's a direct correlation between if you don't have a job, you cannot pay your mortgage. And so the Congressional Black Caucus budget invests in jobs.

I am so sick and tired of this House position—what I called when I was coming up—"reverse Robin Hood," robbing from the poor and working people to give tax breaks to the rich.

The Congressional Black Caucus budget on the other hand invests in education, saving the jobs of teachers and first responders. What else good

does it do? It makes investment toward rebuilding our neighborhoods; and we all know that for every billion dollars that we spend in infrastructure, it generates 44,000 permanent jobs.

Now, I want to say something about the fact that you can tell something about an organization or a group or your church or your club as to how you spend the money. That's how you can tell. And you can tell whether you care about the children, the disabled, and the elderly.

Coming from Florida, the home of Claude Pepper, I want to be very clear that I will not vote to cut Social Security, Medicaid, or Medicare.

You know what? We did have an election, and I want you to know the people of Florida weighed in. You can fool some of the people some of the time, but you cannot fool all of the people all of the time. And the people of Florida have spoken. They want us to work together, and they want jobs now. They understand that 20 years from now we need to correct Social Security and other things; but today when I go home, the only question they ask me—whether I'm in the dollar store or the nail store or in church—is they want jobs and they want us to work together to bring those jobs to the community.

□ 1940

I really do believe, to whom God has given much, much is expected, and we really need to expect more out of this House of Representatives, the people's House.

Mr. HORSFORD. Thank you, Congresswoman.

As you indicated, in addition to the CBC alternative budget, which focuses on the jobs—maintaining the jobs we have and creating new jobs—the CBC budget also preserves and protects Social Security and Medicare. It rejects the idea of voucherizing care for those who have paid into these programs their entire lives. Instead, it strengthens these programs to guarantee a safe and secure retirement for our parents and our grandparents as well as for the generation to come, which is something that you and other members of the Congressional Black Caucus have fought for for many years in this body.

Ms. BROWN of Florida. I just want to add one other thing. I will never forget that Newt Gingrich said that he wanted Medicaid and Medicare to wither on the vine. That is the philosophy of these people who control this House—wither on the vine.

Mr. HORSFORD. These are vital safety programs that save millions of families, many of whom we serve on the Congressional Black Caucus. These programs save them from poverty, like SNAP and TANF—they are enhanced, so that those who are struggling to get by are given not a handout but a hand up in meeting their needs, so that they and their families can survive for

themselves, and we will continue to fight to preserve and protect these programs.

Ms. BROWN of Florida. Absolutely, sir, because absolutely, in coming from Florida, failure is not an option.

Mr. HORSFORD. Mr. Speaker, I would now like to turn to the physician who is in the House. We have one of the experts in health care, someone who knows how important the Affordable Care Act is and the preservation of the Affordable Care Act.

I find it interesting that the House Republican budget calls for the repeal of the Affordable Care Act, but still they take the money and use it to balance their budget. So how can they balance their budget and repeal the Affordable Care Act at the same time?

I yield to the gentlelady from the Virgin Islands, Representative CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you.

Repealing the Affordable Care Act is going to cost this country exponentially in the years to come, so they are doing the exact opposite of balancing the budget in the long run, but I have to ask the question:

Just how much more austerity can the American people take and still survive?

The recession, which is struggling to recover, has been bad enough, but with past cuts, the sequester, the CR, and now the Republican 2014 budget, they are threatening to make a bad situation even worse. I want to focus on just the hits that health care has taken.

From ROSA DELAURO's report, we learned that since 2002, labor, health, and education programs have endured cuts of 7 percent, resulting in a nearly \$12 billion reduction in funding in 2012. Going forward, the discretionary budget caps set in the Budget Control Act of 2011 are estimated to cut over \$9 billion, or 5.4 percent, in 2021. Altogether, this will result in a 12 percent per capita cut, or a nearly \$22 billion cut to labor, health, and education programs in 2021, when compared to the 2002 levels. These cuts will weaken these critical programs that protect the public health and safety, promote and develop our workforce, and educate the next generation of Americans.

If we just look at programs under the Department of Health and Human Services, here is a partial list compared to 2002 levels:

In 2012, the Health Resources and Services Administration has seen a \$2 billion reduction, which includes a \$194 million reduction to the program which provides critical funding to support training new health professionals;

The Centers for Disease Control and Prevention has had a \$122 million reduction;

The National Institutes of Health has had a \$1.2 billion reduction from 2002 levels;

The Substance Abuse and Mental Health Services Administration has seen an \$813.3 million reduction.

All of these reductions—all of these cuts—were in place even before the sequester, and are adjusted for inflation. Then to add insult to injury, at the first of this month, sequestration triggered an estimated 5.3 percent cut, resulting in another cut of approximately \$7.5 billion from labor, health, and education programs. These cuts and those across all of the other government agencies, in programs that provide jobs and needed services, were the reason we said that the sequester ought to have been stopped, and why we still insist it needs to be repealed.

Then there is the continuing resolution for the balance of 2013. Will it end the sequester even for this year? No, it won't.

In health, the House bill would cut \$75 million to State Health Access Grants and \$276 million to flu funding, among other important programs.

Further, their CR underfunds priorities that are critical to crack down on fraud in health care and Social Security, and to help working families. It does not include a requested \$949 million to implement the health insurance exchanges.

Their CR does not include a requested \$567 million increase for Health Care Fraud and Abuse Control and for Social Security disability reviews and SSI eligibility determinations.

If these cuts and omissions were not bad enough, the Republican continuing resolution that was passed in the House does not include \$35 million in emergency ADAP funding or \$10 million for part C medical clinics that President Obama announced would happen on World AIDS Day in 2011. While all cuts to health programs are problematic, these cuts are especially devastating because ADAP and the part C medical clinics are there for financially and medically needy populations that need their services.

So are those all of the cuts Republicans are proposing? No, they are not.

They are proposing to pass a budget for fiscal year 2014, and the Republican budget would take the cuts in health programs that are already hurting many of our fellow Americans even further.

It would cut \$810 billion from the Medicaid program over the next 10 years and would make it a block grant, which, as we heard in testimony at today's hearing in the Health Subcommittee, would jeopardize health care for children, the disabled, the elderly, and the poor—the most vulnerable in our country. It would raise the Medicare eligibility age and turn it into a voucher for future beneficiaries, shifting costs of as much as \$6,000 per year to those beneficiaries, and it would repeal all of the funding, as Mr. HORSFORD said, needed to implement health care reform, essentially repealing the Affordable Care Act and repealing insurance for over 27 million Americans.

That is a heartless budget. Its values do not represent the values on which this country was founded and certainly not those of a nation under God.

The Democratic alternative is a far better budget for our country. It ends the sequester, it funds the Affordable Care Act, it raises revenue, and it makes sensible cuts that spare safety net programs that are more needed than ever. It also includes a doc fix, which stops the deep cuts to physicians' payments under Medicare, which would have reduced access to care for the beneficiaries.

The Democratic budget is a good budget, but the Congressional Black Caucus' pro-growth, pro-people, pro-America budget goes even further and builds on the Democratic budget, which has also adopted some of our key provisions:

The CBC budget doubles the revenue as well as increases the investment, as you've heard, in health, in education, in job creation, in housing, and in infrastructure programs. It does all of this and still significantly reduces the deficit. It protects Social Security, Medicare, and Medicaid and all of the safety net programs. It, too, begins with ending the sequester and fully funding the Affordable Care Act.

I am really proud of the Congressional Black Caucus budget this year, as I am every year, and I commend Congressman BOBBY SCOTT and his team for another job well done.

This body and the other must reject the Ryan Republican budget. Everyone can and should support and vote for the Congressional Black Caucus budget, but I'll tell you that it would be far better to pass any one of the Democratic alternatives, as they are all better for our country today and better for our future.

Mr. HORSFORD. Congresswoman CHRISTENSEN, let me thank you again for your hard work in fighting for quality health care for all Americans.

My grandmother suffered a stroke when I was only 9 weeks old, and she went into a coma. When she came out of that coma, she was paralyzed on the left side of her body. For the next 27 years, she lived in a nursing home, and it was that nursing home that allowed her to have the quality of life that she did have until she passed away in 2000.

□ 1950

Now as a young boy, I visited my grandmother virtually every week in that nursing home. I didn't know whether it was Medicaid or her disability that was providing for her care, but that's the reason she was able to live as long as she did. I know now that there are parents and grandparents depending on those programs more now than ever before, and that's why the CBC budget works to preserve and protect these programs. It's the people's budget, as you refer to it, and our val-

ues are the values that protect those who are not able to always protect themselves, versus an austerity budget that looks out more for special interests and corporate interests than it does the people's interests. And so I want to thank you again because it is my grandmother's legacy, and so many other parents and grandparents who are in her situation, that remind me every day what it is we are supposed to be doing here in the people's House. So thank you.

Mr. Speaker, I would like to now turn to Representative BARBARA LEE from California, someone who I know this week, particularly as we talk about ending the war in Iraq, she is someone who stood early on saying we didn't need to go into war, and the deficit spending that occurred in the previous administration is the reason that we have the deficits that we do. And now they want to balance the budget on the backs of the middle class and the poor and not take responsibility for the decisions that were made in the previous administration, so thank you for standing up and standing tall.

I yield to the gentlelady from California.

Ms. LEE of California. Let me thank the gentleman from Nevada first of all for his tremendous leadership on behalf of the people of Nevada, and also thank you for those kind words and thank you for really helping to put together not only this Special Order tonight on behalf of the Congressional Black Caucus, but for your leadership on so many fronts. Thank you.

Let me first say, I serve as a member of the Budget Committee, and I have seen close-hand the Republican vision for our country's future; and believe you me, it is not a vision of shared prosperity or economic growth. Having a sound and balanced alternative, like the Congressional Black Caucus budget, exposes the Republican budget for the disaster that it really is.

The Republican budget shortchanges 99 percent of the American people so it can give even more tax breaks to millionaires and billionaires, and to protect tax loopholes for special interests and Big Oil. At a time when we need job creation the most, the Republican budget would kill more than 2 million American jobs in 2014 alone. That's unconscionable. Cutting infrastructure development would also kill jobs that are important to our communities, communities of color. Jobs in the construction sector and in the public transit sector, these sectors employ many people that other sectors do not employ.

The Republican budget would take away food from hungry children and families, kick thousands of children off of Head Start, and close the door to college for thousands of graduates next year. Two-thirds of all of the Republican budget cuts target programs for

people who are poor or low income, and communities of color would be the hardest hit.

Communities of color still bear the brunt of the last economic recession. Unemployment remains high. As of January, 9.7 percent of Latinos and 13.8 percent of African Americans were unemployed, compared to the national average of 9 percent. And income inequality continues to grow.

Federal unemployment benefits already under sequestration would face greater cuts under this Ryan budget as he proposes an additional \$900 billion in cuts to nondiscretionary spending.

The Republican budget's vision for America is very clear. Their budget would shred the social safety net. It would shatter our economic recovery and would push millions of struggling families over the edge.

In stark contrast, the Congressional Black Caucus budget shows that we can choose a different way forward. It is a document that shows our Nation's priorities and values, for, after all, a budget is a moral document. The CBC budget protects and enhances Social Security, Medicare, Medicaid, TANF, SNAP, all of our vital safety net programs that save millions of people from poverty.

We believe strongly that any savings derived from changes to Social Security, Medicare, and Medicaid should be used to extend their solvency, not to pay for tax cuts for millionaires and billionaires, and we do not support a cut in benefits.

For four decades, many of these programs have received support as the first line of defense against hunger and alleviating poverty, helping to ensure vulnerable families in our Nation that they have a stable life. While protecting important antipoverty programs, the CBC budget would also make sound invests in critical areas like infrastructure, education, innovation, and poverty reduction to strengthen the economy for all.

I'm very proud of the fact that the CBC budget includes supporting language for developing a national strategy to eliminate poverty with the goal of cutting poverty in half in 10 years. Fifty million people in the wealthiest and most powerful country in the world are living in poverty; 16 million are children.

We've also included in our budget a formula that Leader CLYBURN continues to champion. That's our 10-20-30 formula, which targets resources: 10 percent of Federal funds into certain accounts where there has been a poverty rate of 20 percent for the last 30 years. That is extremely important as we begin to cut poverty in half in 10 years.

The Republican budget, of course, is a pathway to poverty, with cuts to social safety net programs, jobs, as well as programs that serve as a bridge over

troubled water for millions of low-income and vulnerable families. The fact of the matter is, when the economy grows through sound policies and investments that lift up struggling families, everyone benefits.

Also, let me just mention the section with regard to national defense. Congressman HORSFORD, thank you very much for reminding us about these two wars, quite frankly, that have been off budget and that are responsible for the deficits and for the lack of jobs and the unemployment rates that we see throughout our country. Our Congressional Black Caucus budget brings our defense spending in line with our legitimate security needs, and we also have a budget that measures our growth in terms of our economic footing as it relates to investing in our national economic security here at home. Whatever savings can be achieved, we put into mental health, veterans' health, and also support and research treatment for traumatic brain injury.

Also, let me just remind you that the Pentagon is the only Federal agency that's not subject to an audit. The Pentagon has lost tens of billions of dollars to waste, fraud, and abuse. There have been reports of suitcases full of dollars, U.S. taxpayer dollars, being stolen or lost as it relates to Iraq and Afghanistan. We've got to be able to audit the Pentagon, and so our budget uses the \$300 billion of the savings from cuts also to the ballistic missile defense program for implementing the remaining GAO recommendations. I think we have now 1,682 of them, which would save about \$89 billion. And so our budgeting insists that we begin to audit the Pentagon. That is a very important function that the Congressional Black Caucus understands very clearly.

Finally, let me just say, we restore harmful cuts to the military Tuition Assistance program. I can't believe that the Republicans would cancel military tuition assistance for veterans who have fought so hard in these wars. Don't they deserve better? The Congressional Black Caucus believes they deserve better, and so we restore those harmful cuts.

The Congressional Black Caucus knows we can do better. We know that a shared prosperity is the most important key to sound growth and sound fiscal policy. First, let me just urge everyone to reject the ruinous Republican budget and to support the CBC alternative budget.

I have to thank Congressman BOBBY SCOTT and the Budget Task Force and all the staff for their tremendous work and their support in putting forth and writing a budget, really, that speaks to the aspirations and to reigniting the American Dream for all Americans.

I thank you again, Representative HORSFORD, for your leadership.

Mr. HORSFORD. Mr. Speaker, may I confirm how much time we have remaining?

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The gentleman has 21 minutes remaining.

Mr. HORSFORD. Thank you, Mr. Speaker.

At this time I'd like to yield to the gentlelady from California, Representative BASS, who, as a former legislator like myself, has dealt with these types of brutal across-the-board cuts as proposed and having to work across party lines in a bipartisan way to find commonsense solutions. I think that it is common sense that we need a little more of here in Washington, D.C.

I am pleased to yield to the gentlelady from California.

Ms. BASS. Thank you, Representative HORSFORD.

I do have to say, coming from the State house, it was a little discouraging to come here and find not a lot of common sense. So thank you for your leadership. And thank you very much, Representative JEFFRIES and especially Representative SCOTT, for your leadership and hours and hours of work that you've put into the Congressional Black Caucus budget.

□ 2000

Today, the Republican Party released a sprawling report detailing their failures to connect with the anxieties of middle class Americans, citing this as a major reason why they lost last year's Presidential election.

As a result, they are now promising a kinder, gentler Republican Party; but, sadly, the rhetoric just doesn't match the reality of the Paul Ryan budget, which is nothing more than a rehash of a failed agenda that the American people have already rejected.

The Republican budget continues to push harsh and unnecessary budget cuts that eliminate the safety net for millions of middle class Americans. The American people don't want a budget that breaks our promises to seniors by turning Medicare into a voucher program or cuts investments that support job creation just for the sake of more budget-busting tax cuts for the wealthiest taxpayers and corporations.

Yet my friends on the other side of the aisle continue pushing this failed approach all in the name of deficit reduction—except this weekend their own leadership admitted we don't have an immediate debt crisis in the country. Even the architect of the budget, Congressman PAUL RYAN, said this weekend, "We do not have a debt crisis right now." Speaker BOEHNER said, "We do not have an immediate debt crisis" and "It's not an immediate problem."

So why should we enact this failed budget when Democrats have offered a better and more balanced approach to protect the middle class and pay down the deficit? Why then should we pass a budget that gets 66 percent of its cuts

from programs for people of low-or moderate incomes? Why should we pass a budget that cuts funding for programs like Pell Grants to help students go to college or cuts the SNAP program that helps to feed 48 million people just to give a \$200,000 tax cut to millionaires? The budget put forward by the Congressional Black Caucus saves Pell Grants and continues the SNAP program to prevent Americans from going hungry while at the same time reducing the deficit by \$2.8 trillion over 10 years.

The American people know we can't cut our way to prosperity, nor can we succeed by pursuing the same failed policies that wrecked our economy in the first place and undermine our economic recovery.

The Congressional Black Caucus budget offers a clear alternative that addresses the concerns of middle class Americans. Our budget is focused on core priorities for the middle class: creating jobs, growing the economy, strengthening the middle class, and reducing the deficit.

Our proposal puts people to work this year with specific and targeted investments, while investing also in education, energy, research, and infrastructure, and keeping our commitment to America's seniors.

Our plan is fair, balanced, reasonable, and responsible. It is pro-growth, pro-people, pro-America; and it is the approach favored by the majority in this country.

Mr. HORSFORD. Thank you, Congresswoman BASS.

Mr. Speaker, to focus on jobs and investing in our future, the fact that this is pro-growth, pro-people, and that 70 percent of the American people support this type of an approach is why the CBC is offering this as an alternative to the House Republican majority. And to speak further on the pro-growth needs of this budget, my colleague in the new freshman class, it has been a delight to get to know her, the gentlelady from Ohio, Representative BEATTY.

Mrs. BEATTY. Thank you so much, Congressman HORSFORD.

Mr. Speaker, I rise today to discuss House Budget Committee Chairman RYAN's fiscal year 2014 budget and Democratic alternatives that work.

I first want to thank my colleagues, Mr. HORSFORD and Mr. JEFFRIES, both members of my class, for leading the Congressional Black Caucus' discussion on this critical matter. I would also like to thank Congressman BOBBY SCOTT for his tireless efforts on the Congressional Black Caucus budget.

Released last week, Congressman RYAN's proposal, entitled "A Path to Prosperity," includes more of the same proposals that the American public rejected at the ballot last November. Same proposal, different cover.

I cannot possibly imagine how this regressive tax structure that it contains is a way to lead to shared American prosperity. I also cannot imagine how this budget will balance in 10 years and not hurt Medicare beneficiaries over the age of 55.

As it has been in the past, Republican RYAN'S budget offers a trickle-down agenda—the same agenda tried during George W. Bush's Presidency, which resulted in the withering of the middle class and the total collapse of the economy. This budget shares in the same failed policies of the past, and in a nutshell it is unrealistic, unreasonable, and unfair.

First, Mr. Speaker, while the Ryan budget is clear on its harmful proposed cuts for children's education and health care services for seniors, the budget blueprint is particularly light on details and heavy on tax breaks to wealthy Americans who do not need the help.

Second, but of no less importance, the Ryan proposal fails to repeal and replace the sequester, therefore doing nothing to prevent the loss of over 700,000 jobs the sequester will cause.

By not stopping the sequester and through other budgetary tricks, the Ryan budget will cause even deeper cuts to all of our Nation's essential services, ranging from the deep cuts for services for women to Head Start and health care research to homeland security.

This lack of foresight will also result in some \$800 billion of Federal funds being removed from Pell Grants and school lunches and begin the process of changing Medicare to a voucher system.

There is a better way. Members of the Congressional Black Caucus have worked diligently to put forth an alternative blueprint, one designed to be pro-growth and put jobs in the economy first, rather than adhere blindly to ideological spending cuts.

The Congressional Black Caucus alternative would replace the sequester's cuts with intelligent, balanced, deficit-reduction measures.

Additionally, cutting educational spending in the name of future generations smacks of insincerity when we recognize that America's position as global leader in technology and innovation depends on our ability to invest in the necessary infrastructure and training for such breakthroughs. That's why the Congressional Black Caucus budget would support billions of dollars of infrastructure and job-training investments for the future of our Nation and its citizens.

Americans are tired of watching their government lurch from one crisis to the next. The Congressional Black Caucus alternatives offer serious, credible paths away from gridlock and toward a long-term solution which creates jobs, expands the middle class,

honors our commitment to seniors by preserving Medicare and protecting Medicaid, and addresses our budget deficits and debt responsibly.

These goals are achievable. But be clear, the Ryan budget will not get us there. It is not the path to the Nation's collective prosperity. It does not move us forward. The Democrats and members of the Congressional Black Caucus propose that we move America forward.

I thank you for the opportunity to address these important issues.

Mr. HORSFORD. Thank you, Congresswoman BEATTY. We appreciate your leadership and your hard work.

Mr. Speaker, can I just confirm our remaining time, please.

The SPEAKER pro tempore. The gentleman has 11 minutes remaining.

Mr. HORSFORD. Thank you, Mr. Speaker.

For the remaining time, Mr. Speaker, I would like to turn to two of our members on the Budget Committee, people who have heard firsthand the devastating cuts from the House Republican proposal and who have worked so hard to lay out the alternative proposal for the Congressional Black Caucus.

First, Representative BOBBY SCOTT from Virginia, thank you for your hard work and that of your staff. And after him, Representative JEFFRIES from New York.

Mr. SCOTT of Virginia. Thank you. And I thank the gentleman for yielding. I was on the Budget Committee—I'm not this year—but I have done a lot of work on the Budget Committee.

Mr. HORSFORD. I think you should be back.

Mr. SCOTT of Virginia. Thank you. And I want to thank you for your leadership. I want to thank the gentleman from Nevada for his leadership on this matter, and the chair of the Black Caucus, MARCIA FUDGE.

□ 2010

Mr. Speaker, the Simpson-Bowles Commission several years ago set a \$4 trillion, 10-year deficit reduction goal as the amount of deficit reduction we needed to get our budget under control. The CBC does not endorse the specific recommendations of that goal, but our budget does accept the overall spending limitations of the deficit reduction goals.

Based on most analyses, we have already passed, and the President has signed into law, approximately \$2.4 trillion in deficit reduction through 2022, not including the sequester. So to reach the goal, we need an additional \$1.6 trillion in deficit reduction. So working off the CBO's baseline, we first instruct the Ways and Means Committee to enhance revenues by \$2.7 trillion over the next 10 years. That is not an extraordinary figure. Just a few weeks ago, we passed a \$3.9 trillion ex-

tension in tax cuts. So going back over that and coming up with \$2.7 trillion is certainly within the realm of possibility.

Now, we don't just make the number up. We show \$4.2 trillion in possible options in coming up with the \$2.7 trillion. That would include limiting the deductibility of corporate interest payments, ending a lot of numerous special interest tax breaks that corporations enjoy; money can be raised by capital gains and dividends being taxed as ordinary income without a special benefit; a surcharge of 5.4 percent on that portion of your income over a million dollars—a speculator's tax—reducing the extension of tax cuts down to the first \$250,000 rather than \$450,000 of income; and several other specific recommendations to choose from to show that the \$2.7 trillion is a reasonable figure.

Now, I know those are unpopular; but they're not nearly as unpopular as the sequester and cuts in health care, particularly Medicare and Medicaid. The revenue enhancements called for will be used to first cancel the sequester. Everybody's talking about how bad it is. Our budget cancels the sequester altogether. Then we pay for a \$500 billion jobs plan that will put at least 45 million Americans back at work. And then we provide an additional \$280 billion in long-term investments in our economy through education, job training, health care, and advanced science and research.

Even with these investments, our budget is projected to reduce the deficit by approximately \$2.8 trillion over the decade, compared to the CBO's baseline, which, incidentally, does not include the savings that we will achieve through the winding down of the wars in Iraq and Afghanistan. That will put us on a sustainable goal. It more than meets the Simpson-Bowles goal. So we feel that is a responsible goal. This number is actually pessimistic because with the jobs bill, we think we're going to do a lot better because of the stimulative effect it has on the economy.

Now, this is in stark contrast to the committee report, which has vague numbers—numbers that don't add up or don't give you a clue as to how they're going to get the money. The budget has a reduction in tax rates, does not say how you're going to make that revenue-neutral or by where you're going to find the \$4 trillion to \$5 trillion in taxes that would be needed to make it revenue-neutral. They block-grant Medicaid. By the time you get to the end of 10 years, it's about one-third of what it needs to be to maintain present benefits. Two-thirds of Medicaid are the elderly and disabled. So if you're cutting them, what exactly are your plans for them?

If you look at their budget, they claim \$4.5 trillion in deficit reduction.



A trillion is repealing ObamaCare, but keeping all of the taxes and pay-fors that paid for ObamaCare, and \$1.5 billion is cutting Medicaid and Medicare. So that's almost a trillion in unspecified mandatory spending. Most mandatory spending is Social Security. They don't specify where that's coming from. Three-fourths of the rest is interest on what is not going to happen.

On the other hand, the CBC budget specifically outlines where we're going to get the money. Then, it creates 5 million jobs, invests in education, transportation, health care, and research. And in the end, it has more than the Simpson-Bowles goal of deficit reduction. It is a plan that's specific. It can be done. And if we adopt the Congressional Black Caucus budget, we will more than achieve the Simpson-Bowles goals of deficit reduction and create 5 million jobs.

I thank the gentleman for his leadership.

Mr. HORSFORD. Thank you, Congressman SCOTT. Again, thank you for your very hard work and that of your staff in bringing this forward.

To close this out, to lay out the two options and approaches that are before us, we have what I would like to coin as the Compassionate People's Budget, offered by the Congressional Black Caucus, and we have the Austerity Budget. Now, the Compassionate Budget is focused on the people and the Austerity Budget continues to protect special interest and corporate interest. And to talk more about that, the gentleman from New York, Representative JEFFRIES.

Mr. JEFFRIES. I thank my good friend, the distinguished gentleman from the Silver State, for his leadership in co-anchoring the CBC Special Order and for giving me the opportunity to lay out as best I can the contrasting visions as represented by the CBC budget—and we're thankful for the leadership of Representative BOBBY SCOTT in that regard—and the GOP budget.

We're at a crossroads in America, a fork in the road, and we can go in one of two different directions. And one direction is a compassionate path, as set forth by the Congressional Black Caucus. The other direction is a more regressive, mean-spirited path, as set forth by the GOP budget.

The CBC budget is designed to create progress for the greatest number of people possible here in America. The GOP budget endorses the view of prosperity for the few. The CBC budget takes a balanced approach to dealing with the economic situation that we find ourselves in here in America. The GOP budget balances the budget on the backs of the most vulnerable in our society. The CBC budget will create jobs for Americans. The GOP budget will cost us hundreds of thousands of jobs. These are two very different visions for where we need to go here in America.

A balanced approach has four different elements. First, invest in the American economy. Second, raise revenue by closing corporate loopholes that are unfair, unjust, and in many instances, unconscionable—tax breaks for corporate jets, tax subsidies for big oil companies that are making record profits, tax incentives for American companies to ship our jobs overseas. The CBC budget will close these wasteful corporate loopholes.

Third, we look for savings by cutting waste, fraud, and abuse; and we take this approach because of the sensitive nature of our fragile economic recovery. You can't just cut the budget with a meat cleaver without hurting the American people. And, lastly, the CBC balanced approach stands up for important programs like Social Security, Medicare, and Medicaid that have nothing to do with the economic mess that we find ourselves in right now.

We don't have a short-term deficit crisis in America. That's what the independent objective economists have concluded. The Speaker of the House of Representatives has acknowledged we don't have a short-term deficit crisis. The chairman of the Budget Committee just yesterday acknowledged that we don't have a short-term deficit crisis.

We've gained 6 million jobs over the last 4-plus years, but we still have a long way to go. We've got a jobs crisis.

□ 2020

Now, corporate profits are way up, the stock market is way up, the productivity of the American worker is way up, but the reality is consumer demand remains stagnant. That's why we have to invest in the American economy, invest in transportation and infrastructure, research and development, invest in technology and innovation, education and job training, as the CBC budget compassionately does.

Now, the other budget balances itself on the backs of the poor, children, senior citizens, working families, and the middle class. Now, they'll say we're trying to put forth misinformation to scare the American people. That's a cute observation, but it has no factual basis.

The GOP budget cuts Medicaid by \$810 billion. That's not a scare tactic; that's reality.

The GOP budget voucherizes Medicare so that in the future the health care costs wouldn't be covered by this voucher program in the manner that it is right now. That's not a scare tactic; that's reality.

The GOP budget cuts spending on higher education by \$168 billion. That's not a scare tactic; that's reality.

That's why we are putting forth a compassionate budget to put the American people back to work.

Mr. HORSFORD. The CBC budget refocuses the priorities where it should

be, on the middle class. The CBC budget will save up to 2 million public and private sector jobs just from the cancellation of the sequester alone.

Bottom line, Mr. Speaker: job creation is our number one priority with this budget. We put Americans back to work, we protect the vital social programs they rely on, and we call on everyone to contribute to growing our economy and strengthening our recovery. This is a balanced approach that the American people are calling for.

We're urging our colleagues on the other side of the aisle to work with us to craft a commonsense budget proposal that creates jobs, that moves our country forward, and that protects the middle class and the poor.

I yield back the balance of my time.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 22 minutes p.m.), the House stood in recess.

□ 2106

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 9 o'clock and 6 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 25, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014; PROVIDING FOR CONSIDERATION OF H. RES. 115, PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 113TH CONGRESS; AND FOR OTHER PURPOSES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-21) on the resolution (H. Res. 122) providing for consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023; providing for consideration of the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress; and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CICILLINE (at the request of Ms. PELOSI) for today.



Mr. GEORGE MILLER of California (at the request of Ms. PELOSI) for today and the balance of the week on account of medical surgery.

Mr. NADLER (at the request of Ms. PELOSI) for today and March 19 on account of attending a funeral.

#### ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 19, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

731. A letter from the Under Secretary, Department of Defense, transmitting notification that the Department is taking essential steps to award a multiyear contract for 32 E-2D Advanced Hawkeye aircraft; to the Committee on Armed Services.

732. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report pursuant to Pub. L. 106-569; to the Committee on Financial Services.

733. A letter from the Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Assistance to States for the Education of Children With Disabilities [Docket ID: ED-2011-OSERS-0012] (RIN: 1820-AB64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

734. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2012 annual performance report to Congress required by the Medical Device User Fee and Modernization Act of 2002; to the Committee on Energy and Commerce.

735. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review [CMS-9972-F] (RIN: 0938-AR40) received March 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

736. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2014 [CMS-9964-F] (RIN: 0938 AR51) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

737. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting a formal response to GAO report GAO-13-34; to the Committee on Foreign Affairs.

738. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting an intention to transfer jurisdictional control of certain classes of

items currently on the United States Munitions List to the Commerce Control List, pursuant to Section 38(F)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

739. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on the status of Data Mining Activities, pursuant to Implementing Recommendations of the 9/11 Commission Act, Section 804; to the Committee on Foreign Affairs.

740. A letter from the Administrator, Agency for International Development, transmitting the Agency's fiscal year 2012 financial report; to the Committee on Oversight and Government Reform.

741. A letter from the HR Specialist, Office of Navajo and Hopi Indian Relocation, transmitting second annual report on the category rating system as required by 5 U.S.C., Section 3319(d); to the Committee on Oversight and Government Reform.

742. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate Previously Held by Raytheon Aircraft Company; Beech Aircraft Corporation) Airplanes [Docket No.: FAA-2012-1111; Directorate Identifier 2012-NM-114-AD; Amendment 39-17342; AD 2013-03-07] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

743. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lindstrand Hot Air Balloons Ltd Appliances [Docket No.: FAA-2012-1134; Directorate Identifier 2012-CE-034-AD; Amendment 39-17345; AD 2013-03-10] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

744. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2012-1251; Directorate Identifier 2012-CE-044-AD; Amendment 39-17335; AD 2013-03-01] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

745. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2012-1273; Directorate Identifier 2012-CE-045-AD; Amendment 39-17350; AD 2013-03-15] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

746. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2012-1037; Directorate Identifier 2012-NM-008-AD; Amendment 39-17347; AD 2013-03-12] (RIN: 2120-AA64) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

747. A letter from the Attorney-Advisor, Department of Transportation, transmitting the Department's final rule — Construction and Maintenance — Culvert Pipe Selection [FHWA Docket No.: FHWA-2012-0098] (RIN: 2125-AF47) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

748. A letter from the Board, National Railroad Retirement Investment Trust, trans-

mitting the Trust's annual management report on its operations and financial condition; to the Committee on Transportation and Infrastructure.

749. A letter from the Trade Representative, Executive Office of the President, transmitting the 2013 Trade Policy Agenda and the 2013 Annual Report on the Trade Agreements Program as prepared by the Administration; to the Committee on Ways and Means.

750. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Extension of the Payment Adjustment for Low-volume Hospitals and the Medicare-dependent Hospital (MDH) Program Under the Hospital Inpatient Prospective Payment Systems (IPPS) for Acute Care Hospitals for Fiscal Year 2013 [CMS-1588-N] (RIN: 0938-AR12) received March 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Education and the Workforce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 18. Resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service (Rept. 113-18). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 19. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 113-19). Referred to the House Calendar.

Mrs. MILLER of Michigan: Committee on House Administration. House Resolution 115. Resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress (Rept. 113-20). Referred to the House Calendar.

Mr. WOODALL: Committee on Rules. House Resolution 122. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023; providing for consideration of the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress; and for other purposes (Rept. 113-21). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself and Mr. CONNOLLY):

H.R. 1232. A bill to amend titles 40, 41, and 44, United States Code, to eliminate duplication and waste in information technology acquisition and management; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS:

H.R. 1233. A bill to amend chapter 22 of title 44, United States Code, popularly

known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS:

H.R. 1234. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. HARTZLER (for herself, Mr. COTTON, Mr. MULLIN, Mr. LANKFORD, Mr. GRAVES of Missouri, and Mr. GRIFFITH of Virginia):

H.R. 1235. A bill to amend the Federal Power Act to permit States to exempt projects from certain Federal Energy Regulatory Commission considerations in issuing licenses for such projects; to the Committee on Energy and Commerce.

By Mr. JONES:

H.R. 1236. A bill to amend title 10, United States Code, to require the inclusion of a behavioral health professional on any physical evaluation board that considers issues of post-traumatic stress disorder, traumatic brain injury, or other mental health condition; to the Committee on Armed Services.

By Mrs. BEATTY:

H.R. 1237. A bill to authorize and request the President to award the Medal of Honor posthumously to Major Dominic S. Gentile of the United States Army Air Forces for acts of valor during World War II; to the Committee on Armed Services.

By Mr. BRALEY of Iowa (for himself and Mr. JONES):

H.R. 1238. A bill to direct the President to submit to Congress a report on the long-term costs of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom in Iraq and Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASSIDY (for himself and Ms. MATSUI):

H.R. 1239. A bill to amend part D of title XVIII of the Social Security Act to count the negotiated price of drugs provided free or at nominal charge under compassionate treatment programs towards incurred out-of-pocket costs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHU (for herself, Ms. MENG, Mr. PAYNE, Mrs. NEGRETE MCLEOD, Ms. BORDALLO, Mr. SCHRADER, Ms. TSONGAS, Mr. PETRI, and Mr. BERA of California):

H.R. 1240. A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration; to the Committee on Small Business.

By Mr. COOK (for himself and Mr. MCKEON):

H.R. 1241. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. RIBBLE:

H.R. 1242. A bill to prohibit the use of drones to kill citizens of the United States within the United States; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on the Judiciary, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself and Mr. LANGEVIN):

H.R. 1243. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RIBBLE:

H.J. Res. 37. A joint resolution proposing an amendment to the Constitution of the United States limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

By Mrs. BEATTY:

H. Res. 123. A resolution expressing support for designation of May as National Stroke Awareness Month; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD:

H. Res. 124. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. SHUSTER (for himself, Mr. ROTHFUS, Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. BARLETTA, Mr. PITTS, Mr. DOYLE, Mr. MARINO, Mr. FITZPATRICK, Mr. GERLACH, Mr. MEEHAN, Mr. CARTWRIGHT, Mr. KELLY, Mr. FATTAH, Mr. DENT, and Mr. PERRY):

H. Res. 125. A resolution encouraging the Navy to commission the USS Somerset (LPD-25) in Philadelphia, Pennsylvania; to the Committee on Armed Services.

By Ms. SLAUGHTER (for herself, Ms. BONAMICI, and Ms. DELAURO):

H. Res. 126. A resolution expressing support for designation of the week of March 24, 2013, through March 30, 2013, as National Young Audiences Arts for Learning Week; to the Committee on Education and the Workforce.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISSA:

H.R. 1232.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18 of the United States Constitution:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CUMMINGS:

H.R. 1233.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. CUMMINGS:

H.R. 1234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mrs. HARTZLER:

H.R. 1235.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power

“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. JONES:

H.R. 1236.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution (clause 14), which grants Congress the power to make rules for the government and regulation of the land and naval forces.

By Mrs. BEATTY:

H.R. 1237.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 16.

By Mr. BRALEY of Iowa:

H.R. 1238.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CASSIDY:

H.R. 1239.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article I, Section 8 of the United States Constitution.

By Ms. CHU:

H.R. 1240.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sec. 8 “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.”

By Mr. COOK:

H.R. 1241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RIBBLE:

H.R. 1242.

Congress has the power to enact this legislation pursuant to the following:

Amendment 5 of the U.S. Constitution.

By Mr. RYAN of Ohio:

H.R. 1243.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Justification Statement re: to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes.

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RIBBLE:

H.J. Res. 37.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is stated in Article V of the U.S. Constitution, which establishes the method for enacting amendments to the Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. HURT, Mr. JONES, Mr. SALMON, Mr. ROKITA, and Mr. NEUGEBAUER.

H.R. 23: Mr. CRAWFORD.

H.R. 32: Mr. REICHERT, Mr. MARINO, Mr. CUMMINGS, Ms. CASTOR of Florida, and Ms. LOFGREN.

H.R. 36: Mr. RUIZ, Mr. KINZINGER of Illinois, Mr. BUCHANAN, Mr. JOHNSON of Ohio, Mr. FLEMING, and Mr. FARENTHOLD.

H.R. 38: Mrs. NOEM.

H.R. 176: Mr. RICE of South Carolina, Mr. DUNCAN of South Carolina, and Mr. GOODLATTE.

H.R. 217: Mr. RICE of South Carolina.

H.R. 276: Mr. HUELSKAMP and Mr. WESTMORELAND.

H.R. 351: Ms. GRANGER.

H.R. 354: Mr. JOHNSON of Ohio.

H.R. 483: Mr. HALL and Mr. LUCAS.

H.R. 499: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 503: Mr. CULBERSON.

H.R. 543: Mr. LATHAM, Mr. CALVERT, Ms. ROYBAL-ALLARD, Ms. ESHOO, and Ms. SLAUGHTER.

H.R. 544: Mr. FORBES and Mr. YOUNG of Alaska.

H.R. 578: Mr. ROTHFUS.

H.R. 595: Ms. WATERS.

H.R. 599: Ms. BASS.

H.R. 621: Mr. ROTHFUS.

H.R. 630: Mr. CROWLEY, Mr. HORSFORD, Mr. HOLT, Ms. MCCOLLUM, Mr. NOLAN, Ms. ESTY, Mr. SIRES, and Mr. WELCH.

H.R. 633: Mr. SWALWELL of California.

H.R. 637: Mr. HOLT.

H.R. 664: Ms. WILSON of Florida.

H.R. 673: Mr. MCCAUL and Mr. FORBES.

H.R. 693: Mr. HENSARLING.

H.R. 711: Mr. WOODALL.

H.R. 713: Mr. DUNCAN of South Carolina, Mr. MICHAUD, Mr. CICILLINE, Ms. BASS, Mr. MEEHAN, Ms. ESHOO, Mr. KING of New York, Mr. RAHALL, Mr. WITTMAN, Mr. HOLT, Mr. SCHIFF, Mr. BARLETTA, Mr. WELCH, Mr. LANGEVIN, Mr. CONYERS, Mr. DEFazio, Ms. SCHWARTZ, Mr. LOEBSACK, Mrs. BLACKBURN, Mr. BURGESS, Mr. HIGGINS, Ms. NORTON, and Mr. BLUMENAUER.

H.R. 715: Mr. BISHOP of Georgia, Mr. CONYERS, Ms. BROWN of Florida, Ms. JACKSON LEE, Mr. RANGEL, and Mr. RUSH.

H.R. 721: Mr. COFFMAN, Mr. YARMUTH, Mr. PALAZZO, Mr. FITZPATRICK, Mr. BUTTERFIELD, Mr. COSTA, Mr. DEFazio, and Mr. KINZINGER of Illinois.

H.R. 731: Mr. ROYCE.

H.R. 732: Mr. FORBES.

H.R. 738: Mr. RUNYAN.

H.R. 742: Mr. KIND.

H.R. 746: Mr. HUIZENGA of Michigan.

H.R. 752: Ms. ROYBAL-ALLARD.

H.R. 755: Mr. NOLAN, Mr. FORBES, and Mrs. BROOKS of Indiana.

H.R. 791: Mr. GENE GREEN of Texas, Mr. SIRES, Mr. BLUMENAUER, Mr. HIMES, and Ms. LEE of California.

H.R. 792: Mr. GUTHRIE and Mr. CALVERT.

H.R. 807: Mr. MULLIN, Mr. BRIDENSTINE, Mr. ROKITA, Mr. GOWDY, Mr. YOHO, Mr. SALMON, Mrs. BACHMANN, Mr. DESANTIS, Mr. GIBBS, Mr. MEADOWS, and Mr. AMASH.

H.R. 818: Mr. WALDEN.

H.R. 828: Mr. LABRADOR.

H.R. 833: Mr. MEEHAN, Mr. MEADOWS, Mr. CULBERSON, Mr. HOLT, Mr. FOSTER, Mr. FORBES, Mr. LABRADOR, Mr. MCINTYRE, and Mr. MCHENRY.

H.R. 850: Mr. WEBSTER of Florida, Mr. LATHAM, Mr. RENACCI, Mr. REED, Mr. FORBES, Mr. FITZPATRICK, Mr. LANCE, Mr. WOMACK, Mr. SCHRADER, Mr. VAN HOLLEN, and Mr. MICA.

H.R. 893: Mr. MARINO and Mr. BRIDENSTINE.

H.R. 904: Ms. PINGREE of Maine, Mr. YOUNG of Alaska, and Mr. BARLETTA.

H.R. 913: Mr. MURPHY of Florida.

H.R. 924: Mr. BLUMENAUER and Ms. TSONGAS.

H.R. 925: Mr. MEADOWS, Mr. COTTON, Mr. LOWENTHAL, Mr. WEBER of Texas, Mr. HOLDING, and Mr. JOHNSON of Ohio.

H.R. 938: Mr. VEASEY, Ms. SPEIER, Mr. BARLETTA, Mr. BROOKS of Alabama, Mr. KINGSTON, Mr. CÁRDENAS, Mr. FITZPATRICK, Mr. GIBBS, Mr. WEBSTER of Florida, Mr. LATHAM, Mr. SCHRADER, Mr. WOMACK, Mr. CARNEY, Mrs. CAROLYN B. MALONEY of New York, and Mr. CONNOLLY.

H.R. 940: Mrs. MILLER of Michigan, Mr. MCCAUL, Mr. STIVERS, Mr. LABRADOR, Mr. FLEISCHMANN, and Mr. SAM JOHNSON of Texas.

H.R. 951: Mr. CARSON of Indiana, Mr. PERLMUTTER, Mr. RANGEL, Ms. FUDGE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. TITUS, and Mr. COHEN.

H.R. 955: Mrs. CHRISTENSEN and Mr. QUIGLEY.

H.R. 961: Mr. TAKANO and Ms. MCCOLLUM.

H.R. 1001: Mr. MCINTYRE.

H.R. 1005: Mr. YOUNG of Florida.

H.R. 1010: Ms. PELOSI, Mr. MICHAUD, and Mr. THOMPSON of Mississippi.

H.R. 1018: Mr. GUTIERREZ.

H.R. 1020: Mr. BISHOP of Georgia.

H.R. 1024: Mr. JONES and Mr. RYAN of Ohio.

H.R. 1026: Mr. WESTMORELAND and Ms. JENKINS.

H.R. 1029: Mr. SWALWELL of California and Ms. CHU.

H.R. 1030: Ms. CHU.

H.R. 1038: Mr. MICHAUD, Mr. DAVID SCOTT of Georgia, Mr. RIBBLE, Mr. VARGAS, and Mr. CONAWAY.

H.R. 1039: Mrs. CAPITO, Mr. POE of Texas, and Mr. RUNYAN.

H.R. 1077: Mrs. BACHMANN and Mr. RENACCI.

H.R. 1078: Mr. ROKITA and Mr. WESTMORELAND.

H.R. 1081: Mr. LANCE, Mr. FRANKS of Arizona, Mr. CARTER, Mr. YOUNG of Florida, Mr. MCHENRY, and Mr. COLE.

H.R. 1091: Mr. GOSAR, Mrs. NOEM, Mr. WITTMAN, Mr. MULLIN, Mr. LABRADOR, Mr. MCCAUL, Mr. LUETKEMEYER, and Mr. FORBES.

H.R. 1094: Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. MURPHY of Florida, Mr. BLUMENAUER, Mr. CICILLINE, Ms. LORETTA SANCHEZ of California, and Mr. LANGEVIN.

H.R. 1099: Mr. SCALISE, Mrs. BLACKBURN, Mr. HARPER, Mr. SESSIONS, Mr. BONNER, Mr. JONES, Mr. BOUSTANY, and Mr. BURGESS.

H.R. 1120: Mrs. ROBY.

H.R. 1122: Mr. MEADOWS, Mr. MCCAUL, and Mr. FORBES.

H.R. 1126: Mr. SCHOCK.

H.R. 1153: Mr. LOEBSACK.

H.R. 1154: Mr. TAKANO.

H.R. 1175: Mr. PRICE of North Carolina.

H.R. 1180: Ms. CASTOR of Florida and Mr. ENGEL.

H.R. 1181: Mr. MEADOWS.

H.R. 1186: Mr. CULBERSON.

H.R. 1219: Mr. SOUTHERLAND, Mr. MILLER of Florida, Mr. CRENSHAW, Mr. BOUSTANY, Mr. AUSTIN SCOTT of Georgia, and Mr. OLSON.

H. J. Res. 36: Mr. BRIDENSTINE.

H. Con. Res. 4: Mr. COOK.

H. Con. Res. 9: Mr. RIBBLE and Mr. DESANTIS.

H. Res. 24: Mr. CALVERT.

H. Res. 69: Mr. FATTAH.

H. Res. 75: Mr. GOSAR.

H. Res. 90: Mr. MEEKS, Mr. SCOTT of Virginia, Ms. LEE of California, Mr. SMITH of Washington, Mr. WELCH, Mrs. BEATTY, Ms. BONAMICI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MORAN, Mr. RUSH, Ms. SCHWARTZ, Ms. KAPTUR, Mr. MAFFEI, Ms. LINDA T. SÁNCHEZ of California, Ms. MCCOLLUM, Ms. NORTON, Mr. CÁRDENAS, Mr. HOLT, and Mr. RYAN of Ohio.

H. Res. 94: Ms. SLAUGHTER.

H. Res. 108: Ms. BONAMICI.

H. Res. 112: Mr. SCHWEIKERT, Mr. LATTI, and Ms. SEWELL of Alabama.

## SENATE—Monday, March 18, 2013

The Senate met at 2:00 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, we put our trust in You, determined to accept the things we cannot change and to change the things we can. Give our lawmakers the wisdom to trust in Your power to help them navigate through the difficulties ahead. Lord, fill their thoughts with Heaven's hopes as the light of Your presence envelops them. Help them to see themselves as Your servant leaders, filled with Your power, patriotism, and purpose. May they tune their hearts to receive Your guidance and Your abundant grace, opening themselves fully to Your transforming might.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TAMMY BALDWIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Ms. BALDWIN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will

resume consideration of H.R. 933, the continuing resolution. The filing deadline for second-degree amendments is 4:30 p.m. today. Unless an agreement is reached, there will be a cloture vote on the substitute amendment today at 5:30 p.m.

### MEASURES PLACED ON THE CALENDAR—S. 582 AND S. 583

Mr. REID. Madam President, there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 582) to approve the Keystone XL Pipeline.

A bill (S. 583) to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

Mr. REID. Madam President, I object to any further proceedings with respect to these two pieces of legislation.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measures will be placed on the calendar.

### THE CONTINUING RESOLUTION

Mr. REID. Madam President, I want to advise everyone as to what is happening with our effort to keep the government running. On Thursday we recessed for the weekend so negotiators could attempt to reach an agreement on a finite list of amendments to consider today. The bill managers, Senators SHELBY and MIKULSKI, have worked very hard, and they have made progress over the weekend. They have condensed the number of amendments that are being seriously talked about. I commend them and their staff for all their efforts. I have spoken to both of them this morning; they have not yet reached an agreement. I think they are getting close—or at least I hope that is the case. Just before coming in here, I spoke to one of the staff members, and he is reaching out to Senator SHELBY's staff before presenting it to the two Senators for their approval.

Frankly, I had trouble getting both sides to agree on a finite list of amendments. There were a lot of amendments that people wanted, but he objected to this and she objected to that. There is still hope that we can have a limited number of amendments and vote on those so we can move to final passage of the bill. One way or another, we have to move forward on this bill.

On Wednesday I filed a motion to invoke cloture on the pending substitute

amendment and the underlying bill. On Thursday we postponed that cloture vote, anticipating that an agreement would be reached and that we could consider amendments today. Absent an agreement, we will vote on a cloture petition tonight. It is in the interest of all Senators that we move forward with this important legislation. The House is waiting on our action. There is a great deal of work to do on either side of the aisle before March 27 kicks in.

Also, the more time we spend on this continuing resolution, the less time we will have to vote on amendments to the budget resolution. As a reminder, the budget resolution cannot be filibustered, but there is 50 hours of debate allowed. We must reserve time this week to consider a number of amendments on the budget. After all 50 hours expires, there will be unlimited amendments. So this is going to be a very full week. Senators should expect to work into the night as well as some late votes.

We will stay as long as it takes to complete work on both the continuing resolution and the budget resolution even if that means working on the weekend and into the Easter and Passover recess. I understand that Passover is on Monday, so if we don't finish over the weekend, we would have to come back after Passover, which would be terribly unfortunate, but we need some cooperation from Senators on both sides of the aisle. I am hopeful and confident we can get there.

### RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business for the rest of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Toomey amendment No. 115 (to amendment No. 26), to increase by \$60 million the amount appropriated for operation and maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset.

Durbin amendment No. 123 (to amendment No. 115), to change the enactment date.

Mr. REID. Madam President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUNT. Madam President, I ask unanimous consent to set aside the pending amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. The Senate is in a quorum. Without objection, we will suspend the quorum call.

Mr. BLUNT. I need to repeat my request, Madam President, just in case. I ask unanimous consent that we set aside the pending amendment and call up amendment No. 43.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. BLUNT. Madam President, I wish to talk about this amendment. I hope there is still a way I might be able to offer it. If I am not able to offer it as an amendment to this bill, I intend to offer it as a bill to become part of the ongoing laws that govern these kinds of activities. I would also say—and I have said to many people—I have great expectations for the chairman of our committee, Chairman MIKULSKI. I understand she is trying to work out how to make the work of the Senate happen, and I think she is going to be vigilant and determined in leading us back toward the normal appropriations process. I am proud to be a member of her committee, and I do believe she and Senator SHELBY, the ranking Republican, are going to be insisting the Senate get back to the way it should do business. I look forward to working with her to solve the problems we are solving this week and the problems we need to solve before October 1, when the new fiscal year begins.

Let me say a few words about this moment we find ourselves in, and that there is no question that government spending is out of control. We have increased spending 19 percent since 2008. The Federal debt has skyrocketed to almost \$17 trillion now. In 1981, when Ronald Reagan was sworn in as Presi-

dent, as part of his inaugural address we were approaching the first \$1 trillion in debt in the history of the country. The illustration he gave in that speech was: If you had a stack of thousand-dollar bills 4 inches high, you would be a millionaire, but the stack to have \$1 trillion would have to be stacked—those dollar bills—67 miles high. Now we are 67 miles high with thousand-dollar bills, not of dollar bills, and if every 4 inches of that were \$1 million, we are 67 miles high times almost 17. And that is unacceptable.

The President's own budget office has made more than 200 recommendations of ways we could find savings through making government more efficient. More importantly, the Government Accountability Office has identified 51 areas where programs are inefficient, ineffective, and overlapping, leading to billions of dollars in wasted taxpayer money. There is simply no reason the government should stop providing essential services—which is what I want to talk about—because we are cutting 2½ percent of the budget through these line-by-line cuts that, by the way, wouldn't happen if we would budget at or below the number the law now says is the maximum dollar we can spend in any year—this year or for the next 9 years. This doesn't have to happen at all. But if it does happen, there is no reason we should have to be curtailing essential services.

The Budget Control Act didn't fail to adequately plan for how to protect these essential services. On other days, when the government is not functioning at a full level, there have been many ways found to see those employees get to work. In fact, according to several letters from the Office of Management and Budget, Federal agencies have actually been instructed not to plan for sequestration. A few days ago, I was on the floor with a letter from the Office of Management and Budget from September 28 of last year, 2 days before the new spending year starts, and the letter said: Spend your money as though the law will not be obeyed. Spend your money as though the sequestration law will never go into effect. Spend your money as though the Budget Control Act will be changed.

Of course, now we are halfway into the fiscal year and everybody has been spending as though the law isn't the law and suddenly we have these problems that are much bigger than they would have been if we had dealt with them over 12 months, but now we are trying to deal with them over a handful of months. Furlough notices are being made in a sweeping fashion. They are threatening day-to-day services that protect life and safety.

Every service the Federal Government provides doesn't affect life and safety. I am not saying every Federal job is subject to this amendment or every Federal job is critical for every-

thing that happens every day. I recently sent the Secretary of Agriculture, Secretary Vilsack, a letter urging him to use his authority to minimize the impact of sequestration as it relates to food safety and inspection services, the so-called FSIS. The letter came out right after the USDA said they would be laying off people for as many as 15 days in the last 4 months or so of the spending year—the 4 months that would end at the end of September. It is estimated these food inspectors would lead to the closure of nearly 6,300 facilities across America for the day the food inspectors don't show up.

If you happen to work somewhere for the FDA, the Food and Drug Administration, supervisor, they can show up whenever they want to, and they do that periodically. They can do that as a surprise visit. They can do lots of things. But in the facilities that are supervised by the U.S. Department of Agriculture, that inspector has to be there every day and every minute of every day for those workers in Missouri or Wisconsin or Maryland or anywhere to work.

I have been to a lot of these meat, poultry, and egg facilities, because we have 146 of them in our State. These are hard jobs. These people are not showing up to work every day because they like to have somewhere to go. The fact is hundreds of workers, in fact, thousands of workers, could not show up for work on a given day and because the USDA inspector doesn't show up, they don't get paid for that day, and their families will suffer needlessly because we couldn't figure out how to prioritize what was necessary for those people to go to work. That is unacceptable to me.

As a result of these furloughs, the estimate is that nearly 500,000 workers will lose \$400 million in wages over the course of this month. When that inspector doesn't show up, or the two inspectors don't show up at that plant that day, none of the many people who work there—and there might be a thousand people working at that plant that day—can work, none of them get paid, none of them produce the food that a few months later or a few weeks later or a few days later won't show up on the grocery store shelves in the country. And that is a problem too, but the problem I am concerned about is the working families who are affected here as well as the working families who later will see their meat, poultry, and egg prices go up because the supply is that much less than it otherwise would have been.

In his response to my letter, Secretary Vilsack claimed that "When Congress drafted the Budget Control Act of 2011 directing Federal agencies to reduce their spending at specified levels, it included no exemption for essential employees such as FSIS inspectors." So today I wish to introduce the

amendment the chairman has objected to—and I will introduce in the next few days a piece of legislation exactly like the amendment—and will continue to look for ways to add this amendment to this legislation.

What this amendment would do is give the administration the flexibility it claims it doesn't have. In doing so, this amendment will ensure essential Federal employees continue to provide vital services, such as meat inspectors, control tower operators, and border security guards. And here is how we would do it. In April of 2011, the Office of Personnel Management sent a detailed memo—this is President Obama's Office of Personnel Management—to each Federal agency outlining which Federal employees would be exempted from furlough during a potential government shutdown. It is my belief that the administration may still have this ability. But if they do not have it, I want to give it to them and I want to give it to them exactly as they themselves said it should be applied in April of 2011: Those employees are considered essential "to ensure the safety of life and protection of property," based on language contained in this act.

My amendment would apply identical language used during government shutdown scenarios to the sequester. It defines an essential employee as an employee that performs work involving the safety of human life and the protection of property as determined by the head of the agency. This is the same language not only used in April of 2011 but used in guidance from the Clinton administration in preparation for the 1995 government shutdown, the last time when the government really did shut down.

These people showed up. These people were told to report to work. And if it was good enough for President Clinton to tell them to report to work, if it was good enough for President Obama in April of 2011 to tell them to report to work, it should be good enough now for the Secretary of Agriculture and the Secretary of Transportation and the Secretary of Homeland Security, and anyone else where these people are being furloughed to do so.

This provision provides agencies with funding flexibility so that essential services are maintained, while non-essential employees are furloughed. I think we could do this—and with the chairman's help, we will do this—in the committee, I would hope, without having furloughs necessary in the future. But this amendment would solve the problem of essential employees that both President Clinton and President Obama thought was important to deal with the last two times a similar topic came up.

I would also like to mention the second amendment, which I am not offering, so it doesn't need to be objected

to. Senator PRYOR and I have an amendment that may approach this in a different way—at least from the Agriculture, Rural Development, and Food and Drug Administration Subcommittee. He is the chairman and I am the ranking member of that appropriations subcommittee, and I hope we can find a solution here.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDING pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate on the continuing resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I come to the floor to discuss the continuing resolution we will vote on perhaps today or tomorrow.

This bill is much more than a continuing resolution and includes five separate appropriations bills. Our country now faces a \$16.6 trillion debt, which is more than \$52,000 for every man, woman, and child in America. It is time for Congress to go back to the business of voting on and passing annual budget resolutions, authorization bills, and appropriations bills, instead of a huge Omnibus appropriations bill such as the one before us today.

This continuing resolution includes numerous examples of egregious pork barrel projects as well as billions in spending that was never authorized by the appropriate committee and not requested by the administration. The American taxpayer expects more and deserves more than what we are giving them in this bill.

One unfortunate example of Congress overstepping in this CR is the ongoing inclusion of an appropriations rider that prohibits the Postal Service from moving to 5-day mail delivery. This congressional mandate was put in place in 1984, and it is a roadblock, keeping the Postal Service from transforming the way it delivers mail while still being able to provide universal service. The Postal Service lost \$1.3 billion in the first quarter of this year and recorded a loss of \$15.9 billion in fiscal year 2012. So what are we telling them to do? Business as usual.

With the reality that the Postal Service will continue with devastating and unsustainable losses, the Postmaster General announced last month that the Postal Service would move to 5-day mail delivery later this year, which he estimates will save \$2 billion annually. However, some in Congress

who have decided they know better than the leadership of the Postal Service are moving to prohibit the Postal Service from modernizing and transforming the way it does business.

Congress must accept the fact that the Postal Service's current way of doing business is no longer viable. We now correspond by e-mail. We now correspond by different methods. It was terrible when the bridle-and-saddle business went out on the advent of the automobile. Things and times have changed. A huge percentage of the mail delivered today is what we call junk mail advertising. It is no longer the primary way Americans—and people in the world, for that matter—communicate. The American public conducts business in a different way than even 5 years ago. We have to allow the Postal Service to adapt to changing times in order to have a Postal Service in the future, and this includes 5-day mail delivery.

The Postal Service loses \$1.3 billion in the first quarter, \$15.9 billion last year, and do we come up with a fix for it? Do we address the issue? Of course not. There is nothing in this bill that would change that debt. There is nothing in this legislation that fixes the broken Postal Service. But there is a prohibition from them going to 5-day mail delivery which would save \$2 billion. Now, you still have about \$13.9 billion left over, if it is like last year.

So here we are telling the Postal Service they can't go to 5-day delivery, but we have no fix for this problem. And who picks up the tab? Obviously, eventually it is the American taxpayer. No wonder they view us with certain disdain.

In addition to this rider, the bill includes pork barrel spending for things such as—and I am not making them up. Here we are with this debt of \$16.6 trillion, and we are going to spend \$65 million for the Pacific Coast salmon restoration for States, including the State of Nevada. I am not making that up, \$65 million for the Pacific Coast salmon restoration, including in Nevada—a program that even President Obama mocked in his 2011 State of the Union Address; \$14.7 million for the U.S. Department of Agriculture Watershed Rehabilitation Program, which the administration has suggested eliminating for years—\$993,000 in grants to dig private wells for private property owners; \$10 billion for the U.S. Department of Agriculture's high energy cost grants programs that go to subsidize electricity bills in two States: Alaska and Hawaii; \$5.9 million for the USDA's economic impact initiative grants.

The economic impact initiative grants have become slush funds for local governments to do such things as rehab an exercise room, renovate a museum on the Pacific Island of Palau, and buy kitchen equipment for city government offices.

Now I would like to talk a bit about defense spending. This is probably the most painful part of my comments, and I will explain why later on.

Defense spending includes over \$6 billion in unrequested or unauthorized funding for programs for the Department of Defense. At a time when the Department of Defense is facing the impact of sequestration, on top of the \$487 billion in cuts directed by the President, we can't afford to spend a single taxpayer dollar on programs that are not a priority for the Defense Department and our national security.

The following things are beginning to happen now that the Department of Defense is under sequestration: The Navy was unable to deploy the USS *Truman*, an aircraft carrier, to the Middle East at a time when the centrifuges in Tehran are spinning; 80 percent of the Army's nondeploying brigades have reduced readiness; Army base operations have been reduced 30 percent; the Navy is reducing flying hours on deployed carriers in the Middle East by 55 percent and shut down all flying for four of the nine carrier air wings. If funding is restored, returning to normal readiness will take 9 to 12 months and cost two to three times as much.

The Air Force is delaying planned acquisition of satellites and aircraft, including JSF and the AC-130J, which will increase the future cost of these systems. And the Commandant of the U.S. Marine Corps has said:

By the end of this year, more than 50 percent of my tactical units will be below minimal acceptable levels of readiness for deployment to combat.

My friends, here we are spending money on this kind of junk, on this kind of pork, while the Commandant of the Marine Corps says by the end of this year more than 50 percent of his combat units will be below minimal acceptable levels of readiness for deployment to combat? In what kind of parallel universe are we residing?

Instead of trying to remedy these drastic reductions to our military strength, the appropriators are willing to overstep the authorizers and defense leadership and provide increased funding for nonessential programs that are clearly not a national security priority. The Armed Services Committee went to great lengths last year to authorize defense spending for the most critical national security requirements as proposed by the President and defense leadership.

Last week I offered an amendment, which was approved by a very narrow margin, that removed funding in the bill for civilian infrastructure—not military infrastructure, mind you, civilian infrastructure—for Guam. This earmark for Guam directly contravened the explicit direction provided by the Armed Services Committee of the Senate and the House of Representatives in the conference re-

port on the fiscal year 2013 National Defense Authorization Act and, in my opinion, is a clear example of abuse of the appropriations process. I say to my colleagues, we are not going to stand for it. I say to my friends on the Appropriations Committee, we will not stand for this.

Funding for the STARBASE Program. This "nice to have but not necessary to have" program will receive \$5 million. According to its Web site, STARBASE focuses on elementary students, primarily fifth graders. The program's goal is to motivate these students to explore science, technology, engineering, and math as they continue their education. Military volunteers apply abstract principles to real-world situations by leading tours and giving lectures on the use of STEM in different settings and careers.

I am sure that is a nice thing to happen. I am sure STARBASE is nice so that fifth graders are able to hear from members in the military. Meanwhile, we can't deploy an aircraft carrier. With a war going on, a budget crisis at our doorstep, this is how we elect to spend our taxpayers' defense money.

Another example is \$11.3 million in increase for the Civil Air Program or CAP. CAP is a volunteer organization that provides aerospace education to young people, runs a junior cadet program, and assists, when possible, by providing emergency services. Its members are hard working. We are grateful for their volunteerism.

This year, as in the past, the Senate Armed Services Committee authorized the President's request for CAP funding. However, CAP is an auxiliary and should not operate to the detriment of the U.S. Air Force. To succeed at their missions, the Air Force must be able to fly and train at locations such as Luke Air Force Base, which is threatened with reduced flight hours and the closure of two local control towers that could impact air safety around the base. By diverting additional funds—not the primary funding but additional funds—to the Civil Air Patrol from Air Force operations and maintenance accounts which pay for the training and flight operations that keep the Air Force in the sky, we are imposing greater risk on our men and women in uniform.

The bill includes \$154 million for Army, Navy, and Air Force "alternative energy research" initiatives. This type of research has yielded such shining examples as the Department of the Navy's purchase of 450,000 gallons of alternative fuels for \$12 million, which is over \$26 per gallon. Alternative energy research might be necessary, but shouldn't the Department of Energy do it? Why should the Department of Defense do it, when we cannot fly our airplanes?

Section 1822 prohibits the retirement of the C-23 Sherpa aircraft. The Army

is currently retiring or divesting the remainder of its fleet of old, limited-duty C-23s, all of which are flown by the Army National Guard. The Army neither wants nor needs these aircraft. The Air Force neither wants nor needs these aircraft. Last year the Congress granted the Army authority to give these planes to any State Governor who wanted them. Guess what. No takers. Now we prevent the Army from retiring these limited-utility aircraft.

Another provision provides \$15 million for an "incentive program" that directs the Department of Defense to overpay on contracts by an additional 5 percent if the contractor is a Native Hawaiian-owned company. If there were ever an example of the special interest pork barrel spending that goes on in this body and infuriates the American people, it is this—\$15 million of Americans' tax dollars is going to any Native Hawaiian-owned company to give them an additional 5 percent if they are a contractor. Here we are, spending all our time trying to eliminate the waste and inefficiency in defense contracting, and we are now spending \$15 million to overpay them if—if they are a Native Hawaiian-owned company.

It will make it easier for the Department of Defense to enter into no-bid contracts for studies, analysis, and unsolicited proposals. The language in the bill makes it ripe for wasteful spending and earmarks for pet projects. For example, the Department of Defense may eliminate competition and use a no-bid contract for a "product of original thinking and was submitted in confidence by one source." If there were ever an example of how pork barrel and earmark spending begins—"for a product of original thinking and was submitted in confidence by one source."

Another section requires the Secretary of the Air Force to continue procuring C-27J Spartan aircraft despite the Air Force's intent to end production and divest these aircraft, and \$24 million to continue development on ACS, which was a canceled Army reconnaissance aircraft program.

Another goody for defense contractors: There is a recurring provision in the bill that allows Alaska Native corporations to circumvent the rules of the Office of Management and Budget that would otherwise require them to follow an open and fair competition process in order to obtain Department of Defense contracts.

The Department of Defense has a history of awarding billions of dollars in large, sole-source, no-bid contracts to Alaska Native corporations abusively. This matter has been well documented by the Senate subcommittee on contracting, the inspectors general of the Department of Defense and the Small Business Administration. The Washington Post ran a series on the Alaska



Native corporation contracting. Last year the Government Accountability Office found that the Department of Defense expeditiously awarded two \$500 million, 10-year contracts using this same provision in a past appropriations bill.

Several of us on the Armed Services Committee and the Senate Homeland Security and Governmental Affairs Committee have been trying to ensure that contracts to ANCs undergo extra scrutiny. It does not help that this bill is working against the American taxpayer while Congress should be working to make sure the Department of Defense acquires what it truly needs as economically as possible through competition.

There is \$48 million in funding for the Defense Department to do research dealing with Parkinson's disease, neurofibromatosis, and HIV/AIDS research. This research is important. It has no place in a Department of Defense bill. It should be funded by the National Institutes of Health, not the Department of Defense.

I ask unanimous consent to have a long list of unspecified and unauthorized and unnecessary and wasteful pork printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Additional DoD funding above the requested and authorized levels include:

\$18 million for unspecified "industrial preparedness"

\$567 million for "unrequested" medical research

\$9 million for unspecified radar research

\$48 million for computing research

\$20 million for university research initiatives

\$45 million for IMPACT AID to civilian elementary and secondary schools

\$139 million for CH-47 helicopter procurement and modifications

\$110 million to modify National Guard UH-60 helicopters

\$199 million for new National Guard UH-60 helicopters

\$300 million for new Patriot Missile systems

\$100 million for National Guard Humvees

\$66 million for laser range finders

\$605 million to procure 11 additional F-18 aircraft

\$79 million for a Navy Reserve C-40 aircraft—the military version of a Boeing 737

\$130 million for two KC-130J aircraft

\$55 million for one C-130J aircraft (amount)

\$126 million for two HC-130J aircraft

\$126 million for two MC-130J aircraft

\$107 million for RQ-4 unmanned aerial vehicles

\$62 million for Air National Guard F-15 aircraft radar upgrades

\$189 million for 17 additional SM-3 missiles

\$7 million for Civil Air Patrol program increase

\$27 million for Army, Navy, and Air Force nanotechnology research

\$26 million for materials research

\$71 million for one additional V-22 Osprey aircraft

\$80 million for additional Marine UH-1Y and AH-1Z Cobra helicopters

\$20 million for upgrades to SH-60 Sea Hawk helicopters

\$15 million for "weapons and munitions technology"

\$20 million for "electronics and electronic devices"

\$13 million for ordnance research

\$13 million for military clothing technology

\$39 million for Army, Navy and Air Force battery research

\$19 million for "missile and rocket technology"

\$20 million for university research initiatives

\$9 million for unspecified radar research

\$32 million for a bone marrow registry program

\$7 million for a "tactical athlete program"

\$10 million in small business giveaways as part of the Littoral Combat Ship program

\$15 million in small business giveaways as part of the Virginia class submarine program

\$15 million in small business giveaways as part of the Multi-Mission Maritime Aircraft program

\$10 million in small business giveaways as part of the MK-48 torpedo program

\$80 million for the Space Based Infrared System satellite program

\$9 million for directed energy technology

\$20 million for the Air Force's manufacturing technology program

\$105 million for the Operationally Responsive Space program

\$25 million for the Evolved Expendable Launch Vehicle Program

\$35 million for the Space Test Program

\$20 million to research "anti-tamper technology"

\$20 million for the Air Force to research coal-to-liquid fuel.

\$8 million to modify Navy Close-In Weapons Systems

\$778 million for advance procurement funding for one Virginia class submarine

\$1 billion for one additional Arleigh Burke class destroyer

\$263 million for advance procurement of one Amphibious Transport Dock ship

\$13 million for submarine research and technology

\$40 million for shipyard capital investments

Mr. MCCAIN. It is disgraceful. I see that my colleague from Texas is waiting to talk. This is absolutely unbelievable. All of this long list of billions of dollars of spending can only be considered as how obscene it is by listening to what the impacts of sequester have already been on the men and women in the military.

Sequester so far canceled four brigade exercises of training of the Army—that has been canceled. It reduces the base operations, the normal day-to-day operations of the base, by 30 percent; cancels half a year of helicopter and ground vehicle depot maintenance; stops postwar repair of 1,300 vehicles and 17,000 weapons. It reduces the readiness of the Army's non-deploying brigades and stops tuition assistance for all Active-Duty and Reserve men and women in the Army.

In the Navy, it cancels several submarine deployments; reduces flying hours on deployed carriers in the Middle East by 55 percent—and believe me, my friends, unless they are able to op-

erate and train, they are not safe and they are not capable. It reduces the western Pacific deployed operations by 35 percent; nondeployed Pacific ships lose 40 percent of their steaming days; reduces Middle East, Atlantic, and Mediterranean ballistic missile defense patrols. It shuts down all flying of four of our nine carrier air wings—that has been shut down 9 to 12 months. It will take 9 to 12 months to restore normal readiness at two to three times the cost. It cuts all major exercises that are going on and defers emergent repairs; the USS *Truman* deployment to the Middle East delayed indefinitely; the *Eisenhower* carrier deployment extended indefinitely; the USS *Nimitz* and *Bush* carrier strike force will not be ready for scheduled 2013 deployments.

The Air Force—likely to prevent the Air Force's ability to achieve the 2017 goal of being fully auditable; over 420 projects at 140 installations across the Air Force are canceled; affects runway repairs and critical sustainment projects; delays planned acquisition of satellites and aircraft; reduces flying hours for cargo, fighter, and bomber aircraft.

In the Marine Corps, the Marine Corps is unable to complete the rebalancing of Marine Corps forces to the Asia Pacific region. It will cause 55 percent of the U.S. Marine Corps aviation squad to fall below ready-to-deploy status. Over half of the aviation squadrons in the U.S. Marine Corps are not ready to deploy. The U.S. Marine Corps will not be able to accomplish planned reset of equipment returning from overseas. Depot-level maintenance will be reduced, delaying reset ability by 18 months and reducing readiness of non-deployed forces. Facilities will be funded at 71 percent of the requirement.

Most important—maybe Members of Congress do not have a lot of credibility. Maybe that is understandable. I will leave that up to the American people to judge. I do think we respect the Commandant of the Marine Corps and what he had to say. I repeat:

By the end of this year, more than 50 percent of my combat units will be below minimum acceptable levels of readiness for deployment to combat.

Over the weekend, there was a gathering in our Nation's Washington, DC, area of a group of our conservative Americans and members of the Republican Party, and references were made to people who were too old and moss-covered, that we need new and fresh individuals and ideas and thoughts. I agree with all of those—every bit of those recommendations and comments that were made.

But there is a little bit of benefit of having been around for a while. My friends, I will tell you right now, I have seen this movie before. I saw it after the Vietnam war. When the Vietnam war was over, Americans were war-weary. We had been driven apart in a



way that was almost unprecedented in our history—certainly maybe as far back as our Civil War. America was torn apart.

The first casualty of that was our military. Our military was cut and cut and cut, to the point where, in 1979, I believe it was, the Chief of Staff of the U.S. Army came before Congress and testified. It was kind of a seminal moment. He told the Congress and the American people that we had a “hollow Army” that would be unable to defend this Nation adequately.

It also happened to coincide with when a group of brave Americans were being held hostage in the Embassy in Tehran, made famous by a fantastic movie called “Argo.” Along came a guy named Ronald Reagan who promised that we would restore our military, that we would restore our capability, that we would make America the leader in the world again, and a simple phrase called “peace through strength.”

I want to tell you what we are doing with this sequestration. What we are doing with this sequestration is an exact replay of what we did after the Vietnam war. I understand that the American people are war-weary. I understand that there are savings that can be made—large savings made in our defense spending. But to do it like this puts the security of this Nation in jeopardy.

We are blessed with the finest military ever in our history. I say that with great respect to my predecessors who fought in previous wars. Our All-Volunteer Force is the best this Nation has ever produced. It is the best of America. We all know that. Do you know what is happening to them right now? I will tell you what is happening to them right now because I talk to them all the time. They don't know where their next deployment is going to be. They don't know if they are going to be adequately trained to defend this Nation. They have lost confidence—they have lost confidence in the leadership of this Nation. And the good ones, the really good ones, are getting out. They are not going to stay in a military in which they believe there is no future and they are unable to defend this Nation. I tell my colleagues that. Ask anyone in the military today—junior officer, senior officer, senior enlisted person—and they will tell you they are disgusted with what is going on.

The least we can do is give them the ability to train and to operate to defend this Nation. This sequester and this legislation we are considering is a direct contradiction to everything we have said and promised them that we would do for them when they agreed as a volunteer to serve this Nation. It is a shameful period in the history of this Congress, the Presidency, and the way we have gone about this business. We

will maybe—very likely—pay a very heavy price.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Madam President, President Obama recently told the Speaker of the House of Representatives that we do not have a spending problem. Last week he told ABC News that we do not have an immediate crisis in terms of the debt. These comments indicate that the President just does not seem to understand the negative impact of \$16.5 trillion in debt on our economy.

For that matter, based on the new budget, Senate Democrats do not seem to get it either. Not only would the budget that was passed out of the Senate Budget Committee last week raise taxes by an additional \$1.5 trillion, it would also increase Federal spending by roughly 60 percent and increase our national debt by \$7.3 trillion.

I should say that as bad as it is, the budget that was passed out of the Budget Committee last week represents progress. How could I possibly say that? Because it has been 1,419 days since the Senate has passed a budget under Democratic control. So I guess we could say actually passing a budget out of the Budget Committee and having the budget come to the floor this week represents progress.

The reason I said Democrats have raised taxes again—or proposed an additional revenue increase in this budget—is because they already did so previously by \$1 trillion with the passage of ObamaCare. In my experience, ObamaCare is unique compared to other legislation we have passed here. We passed it in 2009 and early 2010. Many of its provisions have yet to even kick in, and some of the provisions—including the tax increases—will not kick in until 2014. As I said, it will raise taxes by an additional \$1 trillion.

Earlier this year—we know as a result of the fiscal-cliff vote at the end of December—there was an additional \$620 billion tax increase at that time, but apparently that was not enough. There is an important lesson here. For those who believe that bigger and more government is the answer to every problem that confronts our country, more taxes is never enough. In fact, the Leviathan is insatiable.

This debate comes down to a basic philosophy in how we should govern ourselves as a free people. Our friends on the other side of the aisle seem to be focused incessantly on the government and growing the government in the hope that if the Federal Government spends enough money—even if the money is borrowed from our creditors—some of that might trickle down into the private sector economy. Meanwhile, this side of the aisle fundamentally believes it is the job creation in the private sector which helps grow the economy and creates opportunity and

prosperity. We look for ways to rein in wasteful Washington spending to a more sustainable level so it stops hampering private sector investment and job creation.

I wish to ask President Obama: If we don't have a spending problem, why is it we have accumulated more than \$6 trillion in additional debt since you took office about 4 years ago? If we don't have a spending problem, why is it we still have \$100 trillion in unfunded liabilities because of programs that literally are not funded into the future? Why is it that today we are spending more than \$200 billion a year on interest payments on the debt? We cannot borrow \$16.5 trillion interest free. Even at the low interest rates we have today, we are paying \$200 billion a year on interest on that debt.

Is the President arguing we should postpone measured spending cuts and measured entitlement reforms until we have experienced a full-blown European-style meltdown? I hope not. I don't think so because that would be grossly irresponsible. I will remind the President and his allies that after \$4 trillion in deficits—that would be the annual difference between what we bring in and what the government spends. After four times in a row of deficits that are more than \$1 trillion, after more than \$1.6 trillion in tax increases, after hundreds of billions of dollars worth of new regulations, our country is mired; we are mired in the longest period of high unemployment since the Great Depression. That is a direct consequence of this huge debt and our creditors' lack of confidence that we are actually serious about dealing with it.

Indeed, many workers have simply given up on finding work, which is one reason why our labor force participation rate is now at a 32-year low. Unemployment is almost 8 percent, but that doesn't take into account the millions of people who have simply given up looking for work after a long period of unemployment.

Since June 2009 when the recession officially ended, median household income has fallen by more than \$2,400. So instead of treading water, the average American family is seeing their buying power decrease by more than \$2,400 since 2009. At the same time they are finding that not only are their taxes going up with the return of the payroll tax to its previous level, but they are finding their costs for gasoline, food, and the other necessities of life are going up. Does this sound like an economy that can stand another massive tax increase? I don't think so.

President Obama said to ABC News that we should not try to balance the budget “just for the sake of balance.” Well, once again, the President was knocking down a straw man. We weren't talking about doing something symbolic; we were talking about doing

something real, something that would benefit the economy and job growth and getting people back to work instead of dependency, which I know none of them want. We see more and more people on food stamps, more people receiving disability benefits, and more people on unemployment. These are people who would like to get back to work and regain their sense of dignity and self-sufficiency, but because the economy is growing so slowly, they cannot do that. We believe that balancing the budget and reducing our debt burden is absolutely essential to long-term economic growth—long-term economic growth—which creates more jobs, more taxpayers, and people who are actually putting money into the Treasury to help us balance our deficits.

We also believe that balancing the budget and reducing our debt burden is essential to saving important programs our seniors depend upon, such as Medicare and Social Security. If we want to remain an opportunity society with high levels of upward mobility—something we call the American dream—we must act sooner rather than later. The longer we delay, the more expensive and the more difficult the challenge of fixing these problems will become. Again, the basic question is: Are we more concerned with growing the job-creating private sector or with growing the Federal Government?

The budget that passed out of the Senate Budget Committee—along a party-line vote with strictly the votes of Democrats—last week makes it clear they are ultimately more concerned with growing the Federal Government. We will have a chance on the floor of the Senate this week for Democrats and Republicans alike to offer amendments and get votes, which I think will provide a lot of clarity to the contrasting approaches of the major political parties.

We have simply had the weakest economic recovery since the Great Depression, and so it is now time to do something different. I cannot recall who the original author was of the saying that the definition of insanity is to do the same thing over and over again and to expect different outcomes. Well, if that is the definition of insanity, that is what is happening here in the U.S. Congress. It is time to put economic growth ahead of government growth.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I want to bring my colleagues up to date on where we are. Right now the vice chairman of the committee, Senator SHELBY, and I are in conversation on some possible agreements we could make on the outstanding amendments so we can get them down to a manageable list. We are waiting for his arrival. He was at the airport, and we have been in communication. Our conversations have been constructive. When Senator SHELBY arrives, we look forward to perhaps presenting something to the Senate that will give us a clear path on specific amendments.

While we are waiting for that, I ask unanimous consent to speak as in morning business about some very sad events that occurred in Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, over the weekend, we in Maryland were saddened by three separate yet poignant deaths.

CPT Sara Cullen, one of our very own—a wonderful woman who served in the U.S. military—died in Afghanistan. Kristina Quigley, a young woman who showed enormous promise, was killed in an awful bus crash. She was the lacrosse coach at Seton Hill. Also, someone beloved to so many of us, Larry Simns, was the head of the watermen's association. For those who are from different parts of the country, they are called fishermen's associations. For people who enjoy Maryland crabs and oysters, they are harvested by the men who sail the Chesapeake Bay in open waters. The head of their association was Larry Simns.

I wish to talk briefly about all three.

HONORING OUR ARMED FORCES

CAPTAIN SARA KNUSTON CULLEN

Captain Cullen died on March 11 from a crash in a UH-60 Black Hawk helicopter in the Kandahar Province in Afghanistan. It was during a training mission in a very heavy rain. She was assigned to headquarters and the combat aviation brigade. She was a wonderful woman with enormous promise. She was a graduate of the U.S. Military Academy. She graduated from West Point in 2007, and she got married very recently to another pilot, Chris Cullen.

I want to comment that we in Maryland mourn the loss of Captain Cullen. She was well known and well regarded here locally in Carroll County. She went to a school called Liberty High School. Isn't that a great name? She wanted to go to West Point. She was not nominated by me but by another member of the Maryland delegation. We try to share that responsibility in order to maximize our talent. I know the gentle lady from Hawaii does that as well. We have so much talent in Maryland, we don't want to waste one nomination, so we all work together.

By all accounts, Captain Cullen was on her way to being an outstanding of-

ficer with a deep commitment to her country. Friends and family of hers in Eldersburg, a community in Carroll County where she grew up, said she was dearly loved.

"She was always looking for the next adventure, the next challenge, and the next task to being a better person," said her best friend Katie Owens.

NATO told us of the crash last week, and I was mortified about this over the weekend. On behalf of all of Maryland, we want to extend our condolences to her husband, to her family, and to her parents, who obviously gave her a great home and saw to her education. It is a sad day when we lose somebody in Afghanistan, and it is a very sad day for those of us in Maryland.

REMEMBERING KRISTINA QUIGLEY

We also remember another wonderful woman by the name of Kristina Quigley. Kristina Quigley grew up in a community called Dundalk. Dundalk is a blue-collar suburb outside Baltimore City. She went to Dundalk High School and then to Duquesne and then, because she was a great athlete, she went on to a sports career in college at Duquesne and then fulfilled a dream of hers to be a coach.

On a road trip of the college women's lacrosse team, there was a terrible accident on the Pennsylvania Turnpike. The bus went off the road and she was, obviously, sitting in a place where she received one of the first impacts. She was only 30 years old. She was married with a young child. She was 6 months pregnant at the time of the accident. Her unborn child perished as well.

This is very sad. There were many who were injured on this bus. Several were from Maryland who were also members of the team, and the assistant coach is also from Maryland. The assistant coach is from Baltimore. There were 23 students on board when this happened in Cumberland County. We are now awaiting details. We are now awaiting the investigation. But it is a very sad day when this promising young woman with the world ahead of her who, by all accounts, was not only an athlete who could teach athletics, but she was an inspirational leader. Girls and young women just loved her. Lacrosse is a tough sport to play. They were on their way to a great game. Seton Hill is a great Catholic college. There was excitement on the bus, anticipation, and we are sorry about this terrible tragedy.

Again, we extend our heartfelt condolences to her parents who live in Baltimore and to her husband who lives on the Seton Hill campus.

REMEMBERING LARRY SIMNS

In addition, because each one has a story, is my own pal and good friend Larry Simns. Larry Simns was a great Marylander. His official name was Lawrence Simns, Sr., and he passed away Thursday. He fathered three children. He had 5 stepchildren, 12 grandchildren, and 3 great-grandchildren. He

was a friend to a host of people up and down the Chesapeake Bay. If you were involved in cleaning up the bay or making sure the people who live alongside the bay had jobs, you knew Larry Simns. He was a true champion. For me, he was a wonderful adviser on how we could clean up the bay but ensure that our watermen could continue to work on the bay.

We have been plagued over the last several years with the declining of our species, including our crabs and our oysters. If we want to save them, it means rules and regulations. If my colleagues know our watermen, they know they are kind of like the Wild West guys who want to ride the range. They don't like rules and regulations. They are not rules and regulations kind of guys, but they also know we have to be able to save the species.

For decades Larry himself saw the bay's declining health: poor water quality, fewer fish and crabs, barren oyster reefs. Then he worked with me to help the watermen navigate through these tough environmental factors, tough economies, and stiff regulations. He did not have an easy job, but he approached it with such tenacity, such persistence, and in such a way where he spoke with humility about what God had given us, this spectacular Chesapeake Bay, and how we had to preserve it and the jobs. He became an unlikely spokesman because, he said: I am not much for words; you know me. We did know him and he spoke eloquently for these men and women.

I worked very hard with the watermen on how we could help them clean up the bay, along with Senator CARDIN and the Members of the House delegation, and worked with our watermen and worked with our scientists studying the bay so we could make sure we could preserve the livelihoods and heritage of the bay and the men who work on it. Fortunately, working together, we were able to do many wonderful things. But we could only do it because Larry Simns was such a great advocate.

We are going to miss him. I just can't believe Larry will not be with us anymore. When I first came to the Senate—now over 20-some years ago—Larry was one of the first to reach out to me, to help me learn the ways of the watermen, learn what they were up against, including tough weather, harsh working conditions, escalating fuel prices, because our men and women go out on those waters using boats that consume diesel oil, and, again, the declining species. But working together, we were able to accomplish a lot.

So I wish to say to his family: Thank you for lending Larry to us, because he spent much time in government meetings, regulatory hearings, sitting with me at Fisherman's Inn or pulling the watermen together for a roundtable so

we could talk things over to find a sensible center to preserve their jobs and still have the smart science and smart regulations. We want to thank Larry for all the time he put in, taking a very green Senator—and by green I don't mean only in the environmental sense but as a new Senator—and helping me learn the ways of the people because we want to preserve their way of life.

It is a sad day. It is a sad day for all of us. So when Memorial Day comes and the restaurants open and piles of Maryland crabs start coming in and the restaurants start serving the steamed crabs and so on, I just want to say this: Larry, wherever you are, whenever I pound the crab claw, I will be thinking of you and all you meant in terms of what we did to be able to create jobs, clean up the environment, and be able to keep our way of life going on the Chesapeake Bay.

The Presiding Officer can see we had three great Marylanders, each doing a very different thing. But what I am so proud of with Captain Cullen, Larry Simns, and Kristina Quigley is that each in their own way was trying to make a difference, one to protect America, the other to protect jobs and a way of life on the Chesapeake Bay, and the other to inspire young women not only to be ready for the playing fields of lacrosse but for the playing fields of life. All three in their own way were inspirational leaders. All three in their own way made a difference in the lives of the people I came in contact with. I wish to say God bless them and God treat them kindly and may their souls rest in peace.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask there be order in the Senate.

The PRESIDING OFFICER. The Senate will come to order.

Mr. REID. Madam President, I am going to propound a unanimous consent request. Everyone has to look at this from way up high and understand how much has been accomplished during the last week. Senator MIKULSKI and Senator SHELBY have worked very hard to change the bill that came from the House of Representatives, and they have done a good job, a really good job. People have requested further changes to the bill, and we have tried hard. I say "we," I have gone to Senator MCCONNELL many times, Senator MIKULSKI, Senator SHELBY, and others trying to come up with some way to move forward on this legislation.

There is a big spotlight on the Senate to see if we can do something. What-

ever we come up with, what MIKULSKI and SHELBY, what they have come up with, it is not perfect. I could improve it. The Senator from Tennessee could improve it. Anyone in this body could improve what they did, but they did the best they could—and it was hard.

Both of these Senators gave up things that help them in their States. They worked together on Commerce-State-Justice for many years. They know that subcommittee better than anyone has ever known that subcommittee. They both have many issues within their States that are affected by that subcommittee, but they gave that up for the greater good.

I am asking Senators here to give up a few things for the greater good, to try to allow us to get this done. The reason this is important is it will allow us to go forward and start having appropriations bills. We changed the rules at the beginning of the year to make it easier to go to certain bills, and what we had in mind was appropriations bills.

It has been hard to come up with this. I repeat, is it really, really good? No, probably not. But it is not bad.

I hope we could approve this unanimous consent request. We would have nine votes on matters that people believe are really important. There are other people who have things that are just as important, but this is legislation, the art of compromise.

Madam President, I ask unanimous consent that the two cloture motions be withdrawn; that the following amendments be in order to the Mikulski-Shelby substitute: Coburn No. 69, Coburn No. 93, Coburn No. 65 as modified with the changes that are at the desk, Coburn No. 70 as modified with the changes that are at the desk, Inhofe No. 72 as modified with changes that are at the desk, Grassley No. 76 as modified with changes that are at the desk, Mikulski-Shelby No. 98, Leahy No. 129 as modified with changes that are at the desk, and Pryor-Blunt No. 82; that no other first-degree amendments to the substitute or the underlying bill be in order and no second-degree amendments be in order to any of the amendments listed above prior to the vote; that there be 30 minutes equally divided between the two leaders or their designees prior to votes in relation to the amendments in the order listed; and that upon the disposition of Leahy No. 29 as modified, the Durbin second-degree amendment to Toomey amendment No. 115 be withdrawn; that all the amendments be subject to a 60-affirmative-vote threshold; that the Senate proceed to vote in relation to the Toomey amendment No. 115; that upon disposition of the Toomey amendment, the Senate proceed to vote on the Mikulski-Shelby substitute amendment, as amended; that if the substitute amendment, as

amended, is agreed to, the Senate proceed to vote on passage of the bill, as amended.

It is my understanding that the Toomey amendment has a point of order against it; is that right? I make that request.

The PRESIDING OFFICER. Is there an objection? The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I reserve the right to object. I have filed an amendment. I filed it last week. It is a reasonable amendment that both sides have been aware of. It is one that is also germane. It is to strike funding, \$380 million in funding from the continuing resolution for a missile defense program that will never protect a single warfighter. It is a medium extended air defense system. In fact, it has been called a missile to nowhere, and my amendment would transfer those funds to operation and maintenance so they could be used for our warfighters, particularly as sequestration is pending, for real purposes instead of a program we will never realize anything from, that would protect our warfighters. I reserve the right to object.

Mrs. BOXER. Do you object?

Mr. REID. The Senator has not objected; is that right?

Ms. AYOTTE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, this is over with. There has been objection. I regret the Senator has objected to this reasonable request. It really is reasonable. I understand how strongly the Senator from New Hampshire feels about the issue. I am aware of the issue. I understand it very well. I have talked to a number of Senators. I can't get them to agree to this. They may be wrong, she may be right. She may be wrong, they may be right. I cannot make that decision. I cannot go forward if somebody doesn't agree to this.

Putting together a unanimous consent agreement like this, as I indicated, certainly has not been easy. The people I have empathy for are these two Senators here. They are veteran legislators. They have dedicated a large part of the last 2 weeks to this legislation.

We could have an alternative. We could just vote for what the House sent us. All the work they have done—down the drain. There are scores of Senators—and I say that plural—scores of the 100 Senators who have benefited from the work they have done. It has helped them in their States. It has rearranged things. What they have done does not spend any more money. We are spending the same amount of money the House did. But the House was very emphatic that they would not allow flexibility on nondefense matters. They have some control over what we do.

I just think it is such a shame that there is an objection preventing the

Senate from being able to consider these amendments. There are nine amendments. This is a must-pass measure so we will need to move this Senate bill through the Senate back to the House to avoid the government shutdown. I think it is a shame, but that is where we are.

I ask unanimous consent that the Senator from Maryland, Ms. MIKULSKI, be recognized for up to 5 minutes, and the Senator from Alabama be recognized for up to 5 minutes prior to the vote on cloture.

The PRESIDING OFFICER. Is there objection?

Mr. MORAN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, had the Senator from New Hampshire not objected to the previous request for unanimous consent, I would have objected. I want to use this moment just to point out that an amendment that is, in my view, so critical to the air safety of our country, the traveling public's ability to feel secure and safe in their travel, was not included in the request for unanimous consent. This is an amendment that would transfer money to allow the air traffic control tower program to continue.

While the majority leader has requested that there be magnanimity, that there be reasonableness, in my view, in the absence of this amendment being included, come April 7 those air traffic control towers are closed. And even I, as a member of the Appropriations Committee, will have no ability to reverse course once they are closed. So this program faces an immediate deadline.

Had the Senator from New Hampshire not objected previously to the unanimous consent request, I would have on that basis. I have no objection to the request that time be given to the chair and the ranking member of the committee.

Mr. REID. Mr. President, my consent has been agreed to. In response to my friend from Kansas, everyone can give a heart-rending speech. We have tens of thousands of children who will not be able to go to Head Start. I think that is pretty compelling. There are many other people in this body who could give a tearjerker—just like the Senator tried to do.

This is about compromise. We are trying to work through this so we can continue to fund the government and set up a pattern in this Congress so we can have appropriation bills for 2014.

The PRESIDING OFFICER (Mr. DONNELLY). Is there objection to the request?

Without objection, it is so ordered.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to ask all of my colleagues on both sides of the aisle to vote for cloture on

the Senate bill. I want to say to my colleagues, we have come very far on this bill, and as of Thursday we had 126 amendments. I love the Senate. We love to talk, and we love to amend. Everyone has, in many instances, outstanding ideas to improve the bill. We are now at the point where we have dueling amendments. We have matters of policy to discuss, but we are now at the point where the bill must come to a close, and that is why we proposed this limited number of amendments. Some of my colleagues have amendments on the issue related to flexibility.

If I could ask the Senator from Kansas a question, it is not that we dispute what the Air Force is going to face or what our poultry farmers are going to face. Both sides of the aisle—whether it is BLUNT of Missouri, ISAKSON of Georgia, PRYOR or BOOZMAN of Arkansas, or MIKULSKI and CARDIN of Maryland, chicken is the mainstay of our eastern shore. We are all facing this.

In my original underlying bill, I had a 1-percent transfer authority subject to the approval of Congress that would have solved all of these problems. It was the other Chamber—and even those on the other side of the aisle—that insisted I remove that from this bill. For all of those who wanted flexibility, I wanted to fix it. We could not fix it. Believe me, I wanted to fix it. Each and every one of these individual amendments has merit in and of itself.

We are now at the point where we have to decide whether we want the Senate bill to stand and be voted on with further amendments subject to the Parliamentarian determining what is germane and therefore eligible for consideration or do we want the House bill? It is as simple as that.

We have come so far. I want to thank the vice chairman, Senator SHELBY, his staff, and all the clerks on the other side of the aisle for working so assiduously.

We have to decide: Do we want to make the perfect the enemy of the good? Do we want to have a bill that substantially improves the House bill? It does not accomplish every objective we want, but, in fact, does do several things.

No. 1, it would avoid a government shutdown. Say what, Senator MIKULSKI? Avoid a government shutdown? We could show that we could actually govern and that we could actually pass a bill that I believe the House will accept as well. Hallelujah. That in and of itself would be a major accomplishment. We would have taken the House bill and we would have made substantial improvements that I think both sides of the aisle agree are important. We could get that done. The question is: Can both sides of this Chamber take yes for an answer? If we take yes for an answer, again, we avoid a government shutdown. We will show we can govern

and make substantial improvements not only in the areas of defense and national security, but in other areas where people protect us, such as border control and food safety. Do we get what we want? No. But we do get a bill that we can feel has made a major accomplishment.

I could go through this item by item. I have a speech that would take me 20 minutes to go through. I am not going to go through it. What I am going to say to my colleagues is: Both sides of the aisle have worked together for the common good in such areas as the security of our country, meeting compelling human needs, and investments in research and technology. I think we ought to say yes and vote to move to cloture on the Senate bill.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, to some extent, I want to repeat what Senator MIKULSKI just said. No. 1, this would avoid a government shutdown. That should appeal to everybody. I think it appeals to the American people. It should appeal to everybody in this body tonight.

No. 2, it enforces the Budget Control Act and sequester levels. I will say it again. It enforces the Budget Control Act and sequester levels. Granted, perhaps not everything is ideal, but what is here? There will be ample time to address some of the issues. Some of the issues that have been raised are bona fide issues that we were unable to address for one reason or another in this process. But I assure my colleagues—and I have been working with my colleagues and with Senator MIKULSKI's Democratic colleagues—that if we do not move forward, I am afraid there may be no future appropriations bills, which is not good for anyone in this legislative process.

We have lurched from crisis to crisis. The CR is running out. What we are asking to do is to fund the government until September 30.

I urge my colleagues to support cloture and move this process forward.

I thank the Chair.

Ms. MIKULSKI. Mr. President, I want to follow up.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. To be clear, the first vote is on the cloture for the Senate bill. If this vote on cloture fails, we will go to the House bill. We have two choices tonight; we have two paths which we can go down. We can go down the Senate path, which is bipartisan in its approach. It is a good and solid bill, but if it goes down, we will immediately go to cloture on the House bill. If that passes, then essentially everything that we as U.S. Senators have worked on will be rubberstamping what the House sent us. So the path and choice are ours.

I intend to vote aye on the Senate bill and I urge all of my colleagues on

this side of the aisle to follow my lead. I know Senator SHELBY feels the same about it.

The PRESIDING OFFICER. The clerk will report—

Mr. MORAN addressed the Chair.

The PRESIDING OFFICER. No further debate is in order.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate.

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Mikulski-Shelby substitute amendment No. 26, as modified, to H.R. 933 a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Sherrod Brown, Barbara Boxer, Robert Menendez, Patty Murray, Amy Klobuchar, Debbie Stabenow, Max Baucus, Tim Johnson, Benjamin L. Cardin, John D. Rockefeller IV, Charles E. Schumer, Carl Levin, Thomas R. Carper, Richard J. Durbin, Maria Cantwell

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the Mikulski-Shelby substitute amendment No. 26, as modified, offered by the Senator from Nevada, Mr. REID, to H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The majority leader.

Mr. REID. Mr. President, this is an amendment offered by REID on behalf of Senators SHELBY and MIKULSKI.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 38 Leg.]

#### YEAS—63

Alexander	Franken	Mikulski
Baldwin	Gillibrand	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Boozman	Hoeven	Reid
Boxer	Isakson	Rockefeller
Brown	Johanns	Sanders
Cantwell	Johnson (SD)	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden

#### NAYS—35

Ayotte	Flake	Portman
Barrasso	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Corker	Kirk	Tester
Cornyn	Lee	Thune
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker
Fischer	Paul	

#### NOT VOTING—2

Graham Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes and that following my remarks Senator MORAN be granted up to 10 minutes and then Senator BOXER be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### TENTH ANNIVERSARY OF THE UNITED STATES-LED INVASION OF IRAQ

Mr. BAUCUS. Mr. President, this month we mark the 10th anniversary of the United States-led invasion of Iraq. With more veterans per capita than nearly any other State, Montanans proudly answer when duty calls.

The Book of John, chapter 15, verse 13 says: "Greater love hath no man than this, that a man lay down his life for his friends."

On this anniversary, we remember the Montanans and all Americans who laid down their lives in the name of freedom.

On my family ranch near Wolf Creek, MT, there is a willow tree that sways in the wind and stretches in the Sun.

On July 29, 2006, my nephew, Marine Cpl Phillip Baucus, was killed during combat operations in Iraq's Al Anbar Province. He was just 28 years old.

He was laid to rest on the same mountain where my father lies, the

same ranch where he had married his lovely Katharine less than 1 year earlier.

Phillip was a bright and dedicated young man. He was like a son to me.

My brother John and I planted that willow tree on the ranch in memory of Phillip. We also planted a pine tree nearby.

I am not the only Montanan who has grieved. Forty Montanans have lost their lives in Iraq and Afghanistan. We grieve for them all. We miss them all.

We must honor their courage by living up to the ideals they died to defend. We must also honor their sacrifice by supporting the troops who come home forever changed. Thousands come home with traumatic brain injuries, post-traumatic stress disorder, and other injuries.

Make no mistake, we have taken important steps to see that veterans receive the care they need when they come home. We have worked for a strong post-9/11 GI bill to ensure thousands of veterans can go to college. We also fought to make sure the VA is fairly and adequately supporting our student veterans. Yet it remains a disgrace that unemployment rates among veterans exceed that of nonveterans.

In Montana, unemployment among Iraq and Afghanistan veterans stands at 17.5 percent. That is the fourth highest rate in the country.

Since the Iraq war began, I have hired veterans to help draft policies that honor the sacrifices of our military. My staff has worked with me to draft the original tax credit for businesses that hire veterans. I am very honored to see that has been adopted by this Congress and by the President.

We spearheaded efforts to improve mental health screenings for all branches of the military based on Montana's strong model for catching the warning signs of PTSD. We started that in Montana. It is now incorporated as national defense policy.

In the last 10 years, our Nation has also been fighting terrorists in Afghanistan. As we reflect on the costs of the war in Iraq, we know that now is the time for Afghans to take responsibility for their own country.

In 2013, \$97 billion will go to the war in Afghanistan alone. Do you know that the money that is being spent in both Iraq and Afghanistan is enough to double the number of public elementary schools in the United States and rebuild the American Interstate Highway System five times over? Dollars spent daily in Afghanistan need to be spent on nation building here at home.

While I am proud that we are closer than ever to bringing all of our troops home, it is not enough to just bring them back. We need to and can be doing a better job making sure our troops are ready to compete and win on the homefront. That means making sure that the day they are discharged

from the service, they can transfer skills earned from the military into the civilian workforce.

My first order of business this year was to declare war on veterans unemployment. Troops who are trained to do a job in the military should get civilian credentials at the same time. They should not have to get recredentialed and retrained when they get home. If they got credentialed in the military, that should be sufficient for driving trucks, et cetera. The effort is already underway for EMTs and truckdrivers, but my VETs Act goes even further to cover military police, firefighters, and air traffic controllers. In 2011, 1,000 Iraq and Afghanistan veterans were unemployed in Montana, 240,000 unemployed nationwide. With 34,000 troops scheduled to come home from Afghanistan next year, the time to get serious about tackling veterans unemployment is now.

We will never forget the Montanans we have lost in combat in the Mideast over the last 10 years. They had big dreams. They looked forward to long, happy lives. They were volunteers. They were sons and daughters. They had children. They had dear friends. They grew up in small towns, such as Fairfield, Sand Springs, Philipsburg, and Wolf Creek. We hear their voices at Little League games, in the babbling creeks of Montana, in the rustling of willow trees we planted to remember them. We remember them in our hearts and in our deeds. President Lincoln concluded his second inaugural address with a call for the Nation to "care for him who shall have borne the battle and for his widow and his orphan." Lincoln's charge remains our sacred duty today. The 40 Montanans we remember today left behind 28 children who will be growing up without them.

I also applaud a group of patriotic Montanans who are working to make sure those children can get a college education in Montana. Grateful Nation Montana is a proud example of answering the call to serve, serving those who proudly served us. Their mission is to provide college scholarships at Montana schools for the sons and daughters of our fallen heroes.

We must remember our vets. To all of our veterans and families of veterans who made the ultimate sacrifice, we want them to know they are not alone.

Let's recommit ourselves to making sure our veterans come home safely to good-paying jobs and a nation that honors their sacrifices.

#### NATIONAL AG WEEK

I would like to speak on another important issue in my home State as we mark National Ag Week. President Dwight D. Eisenhower once said, "Farming looks mighty easy when your plow is a pencil, and you're a thousand miles from the corn field." Truer words were never spoken to describe the divide of how agriculture is

viewed between Washington, DC, and Montana.

Agriculture is a central part of who we are as Montanans. Fifty percent of Montana's economy is tied to ranching and farming, supporting one in five jobs in Montana.

I had the privilege to grow up on a ranch outside of Helena, MT, near Wolf Creek, MT. It taught me firsthand the values of hard work, faith, family, and doing what is right. Those are the values I take with me to work every day.

Paul Harvey, who got his start in broadcasting in Montana, said it best in his poem "So God Made a Farmer":

God looked down on the Earth he created and said, I need a caretaker for this world I have made, and so God made a farmer.

So as part of trying to bridge that divide between Washington, DC, and Montana, I honor the strong legacy of farming and ranching families in Montana by celebrating National Ag Day. For those Montana families involved in agriculture, it is so much more than a livelihood, it is a way of life. I am honored to represent so many ranchers, so many farmers from Montana who have dedicated their lives to the land and provide a service from which everyone in the world benefits.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. The bill we are debating, the so-called continuing resolution, spends slightly more than \$1 trillion between now and the end of the fiscal year. As those who were either on the floor or watching a few moments ago discovered, the opportunity to amend this bill in even a minor fashion, although, in my view, an important fashion, was denied.

So the Senate, in passing the CR, will spend more than \$1 trillion, and we have had the opportunity to vote on two amendments, potentially three. That is the total extent to which 100 Senators representing millions of Americans have had the chance to influence the outcome, the content of a significant bill that spends lots of money.

The amendment I have been trying to offer, in my view, is an important one.

One of the things the administration announced following sequestration was that the control tower program, which provides about 179 air traffic control towers across the country, would be eliminated. That certainly is of importance to those who fly. It is important to people in our States, rural America. But this is not just a rural issue. These control towers are located in large cities across our country.

I have been trying to fathom why the Department of Transportation would, in a sense, single out this program. It is hard for me to fathom a good answer to that question.

As close as I can come is there are those in Washington, DC, who wish to

demonstrate we can't cut a dime. We can't cut \$85 billion from Federal spending, a \$3.6 trillion spending program. We can't eliminate 28 days of spending at all. To prove that point, they apparently wish to single out programs which are the most important to Americans.

The idea we would put at risk an air traffic control tower program which is so important to the flying and traveling public is amazing to me. Again, it is not I think that the sequestration and the 5-percent cut in this program could not be handled by the Department of Transportation, but that is not what the Department of Transportation is doing.

In fact, the amendment which I hope to offer continues the sequestration and reduces the program spending by 5 percent. What the Department of Transportation is doing is eliminating the program, reducing the spending in this program by 75 percent.

Again, I can't figure out why this program of such importance would be treated in this fashion unless there are those who simply wish to demonstrate anytime we attempt to reduce spending—it is actually not even reducing spending; sequestration reduces the increase in spending. The only thing I can think of is there are people who wish to demonstrate here we cannot do that without having huge consequences to the safety and security of Americans. In my view, that concept certainly is false. We can find savings, but beyond that it is a dangerous game to play in trying to prove a point we can't cut spending by putting at risk those who utilize air traffic control towers.

My frustration is increased by the fact we are spending all this money and the bill comes to the floor. I serve on the Appropriations Committee. I ought to have the opportunity to deal with this bill in the committee on which I serve. This hasn't happened.

I think what is my next opportunity, since I didn't have one as a member of the Senate Appropriations Committee? Maybe I ought to find colleagues from across the aisle, from around the country, rural, urban, Republican, Democrat, who would understand the value of this program. I did this and we found 23 sponsors of this amendment. We could probably find more. The point I wish to make this evening is 13 of those 23 are Democrat sponsors.

This place ought to function. We have been asked, why can't we work together? Why can't we find bipartisan ways to work together, 23 Senators, where 10 Republicans and 13 Democrats come together to say, yes, this needs to pass? Yet I have had no opportunity to offer that amendment. Numerous Members of the Senate from both sides of the aisle, but especially Democratic Senators, visit with me on the Senate floor saying, why can't you get this amendment made in order? It is a good amendment.

I don't have a good answer for that question.

We have worked hard with the chairperson and the ranking Republican on the committee. We have worked across the aisle and worked with the leadership, attempting to clarify how important this amendment is. Yet we will spend more than \$1 trillion. However, one amendment, which transfers \$50 million from two accounts, from unencumbered balances and from research funds, to keep the air traffic control program alive and well, is not in order.

As a member of the Appropriations Committee, my hope was I could solve this problem in the normal appropriations process. We spoke about this tonight. The majority leader spoke about getting back to the regular order and working on appropriations bills. Presumably sometime this week—although as a result of this amendment not being made in order, it will be later in the week than expected—we will get to the budget. Presumably we will pass a budget and go through the appropriations process.

The problem is I, as a member of the Appropriations Committee, and my colleagues who care about this program, who serve on this committee and who serve in the Senate, will have no opportunity to save this program. The Department of Transportation, the U.S. Department of Transportation, is going to terminate this program on April 7. By the time we ever get to regular order, if and when we do, the program will be eliminated. We will have lost the only opportunity, which is now on this continuing resolution, to make certain this program remains in place.

If we do what we ought to do here, come together and find a solution, reach bipartisan agreement, we ought to have the opportunity to address \$50 million out of a more than \$1 trillion bill. The idea we would pass a \$1 trillion appropriations bill, with only allowing two, maybe three amendments, is something which again suggests we do not have our order in the appropriate place.

This is certainly important to folks across the country, and it is something which deserves attention and deserves a vote. It is something the American public ought to insist we not play the game of whether we can cut anything and put their safety at risk.

My plea to my colleagues tonight, having voted to advance this bill and cloture has been granted, which means no amendments are in order, I would ask our colleagues to realize the importance of this amendment and potentially others. Other Members of the Senate wish to offer amendments to establish and prove our priorities and, as the majority leader, demonstrate we can govern. The majority leader spoke about proving to the American people we can govern by passing this bill. It

seems to me governing is something more than passing a continuing resolution without the opportunity for Members of the Senate to make their imprint on behalf of their constituents, and in my case Kansans, on behalf of the American people.

The air transportation system is essential to local communities and it is vital to our economic engine. It matters across the country. This amendment, if I am allowed to offer it, would continue access to the system which has worked so well for so many communities across our country. My plea is between now and when the 30 hours runs on the postcloture debate of this bill, there are those in the Senate who will work with me and others to see the amendment process works and we return to the days in which a Senator has the ability to influence the outcome of important pieces of legislation.

The PRESIDING OFFICER. The Senator from California.

#### SEQUESTER AND CLIMATE DISRUPTION

Mrs. BOXER. Mr. President, I have come to the floor to talk about a very important issue called climate change or climate disruption.

Before I do, I wish to address the issue my colleague has raised. He did not want to stop debate on the continuing resolution bill because he wanted to offer an amendment to ensure we cut somewhere as well as keep the FAA able to keep open air traffic control towers.

As someone who fought a partial government shutdown which shut down the FAA, my friends on the Republican side—my friend wasn't here then—I can tell you I was instrumental in making sure we passed that FAA authorization bill. It was a great bill.

It breaks my heart to see this sequester in action. This is not the way to govern.

I respect my colleague's point of view. He has a right to his opinion, but to say this is the only opportunity to stop the sequester is absolutely incorrect. The President has said he is ready to sit down with the Republicans, pass a balanced plan which would fix the sequester, get the FAA back up to snuff, take care of all of our problems which were caused because of the sequester, deficit reduction, and balance our budget. If this happens, this sequester will end not only for the FAA—my friend is right, this is ridiculous—but for the 70,000 children who are being cut out of Head Start. Why isn't there more discussion about that when we know every dollar invested in a child in Head Start saves \$10 because they get that head start in life?

Where is the outrage of the 421,000 fewer HIV tests? This is a public health emergency when 421,000 people can't get their HIV test. They don't know if they are HIV positive and could spread the virus. This is what is happening with this sequester.



There are 10,500 teacher positions lost and 2,700 will lose title I funds, which amounts to 1 million children who will lose special reading help because of the sequester.

I think we all agree the sequester is no way to govern. We can get to a balanced budget without a sequester. We did that under Bill Clinton. We had a balanced approach. We made investments in our people, we cut out unnecessary spending, and we had a fair Tax Code.

I could go on with the problems. There are 25,000 fewer women who will not receive breast cancer screening. I could offer an amendment on that. I want to offer an amendment on that. I understand we need to keep the government running, and that is what this continuing resolution does.

I praise the Republicans on the other side who crossed over to vote with Democrats. Thank you very much for seeing we can't turn this bill into everyone's favorite amendment to restore something which is cut because of the sequester, which none of us ever thought was going to move forward.

I want to repeat this. My friend speaks about the FAA. I agree with him. I hope he would agree with me on Head Start, on teachers, on title I, on HIV tests, and on breast cancer screenings. What about the \$540 million which is cut from the Small Business Administration loan program which is so critical to our small businesses and job creation? There are 600,000 children losing their nutrition assistance because of the sequester.

Let's all agree. The sequester is bad, and we need to stop it. Why not do it in the right way, which is to sit down with the President, ensure we can get the deficit reduction the sequester is bringing in in a better way. He is offering this. He is offering a balanced plan. All of these cries about, oh, they are cutting this, that, and the other—it is all bad. Sequester is not the way to budget or to govern.

We have 1 week to keep this government open. The House has told us not to start a series of amendments or we are never going to be able to keep the government open. Let's do our work and keep this as clean as we can. Let's make sure we all listen to our President, who was reelected in a huge victory. He said he wanted to move us toward balance with a balanced plan, cuts in spending, new revenues. PATTY MURRAY's budget, the Democratic budget, does that.

I am very pleased we are moving toward keeping this government open. This is the basic thing we need to do—keep this simple and move on.

As you know, I am the chairman of the Environment and Public Works Committee. It is a joy for me to have that job, truly. My whole life I have cared about environment and about infrastructure. The way the Senate

works, they put those two together. Not only am I able to speak about clean air, safe drinking water, cleaning up Superfund sites, and protecting the health of our families, but I also get to talk about jobs which are created when we build roads, highways, and water systems.

There is something which does not bring us together on that committee, and that is the issue of climate change. What I have decided to do is come down to the floor every Monday possible when the floor is available to speak a few minutes about the devastating consequences of unchecked climate disruption. I wish to discuss and put into the RECORD every week the latest scientific information. On March 4 I began these talks and spoke about a front-page story in USA Today which spotlights the impacts of climate change unfolding around us. The story is the first in a year-long series called "Why You Should Sweat Climate Change." It describes how climate disruption is happening all around us. Last week I discussed a report entitled "The 2013 High Risk List," which was a GAO study, Government Accountability Office study, which said climate disruption is leading to intense weather events, such as Superstorm Sandy, which threaten our Nation and the finances of our Nation. Plus, I told colleagues of an Oregon State study which appeared in Science which said that we have had the warmest decade in over 11,000 years—the warmest decade in over 11,000 years. Now, not 11 years, not 1,100 years, but 11,000 years. So Earth to my Republican colleagues, please wake up to this fact and let's do something about it.

Today I want to talk about the impact of unchecked climate change on the health of our people. This is a statement made by Dr. Cecil Wilson—and let's look at this chart—the former president of the AMA, the American Medical Association:

The scientific evidence clearly indicates that our climate is changing, air pollution is increasing, weather is becoming more extreme, and with these changes come public health consequences.

That is why our President made a finding there actually is a danger to public health. It is called an endangerment finding for a reason. It is putting our people in danger. Wake up, colleagues. Please, wake up before it is too late.

The fact is the Bush administration found—and we got this through documentation—that climate change was a threat. The CIA has found that climate change is a threat. The defense establishment has found that climate change is a threat. The only place that doesn't seem to get excited about it is right here, in a bipartisan way, in the Senate.

Again, we know temperatures are continuing to increase. The Draft Na-

tional Climate Assessment of January 11, 2013, said this:

Heat caused by climate disruption is especially harmful to our children.

Now I want to talk to colleagues who might just be listening. They might not be because it is 7:20 at night, but if they are, you all say you want to protect our kids. You all love your children and your grandchildren and your nieces and your nephews. This is according to the American Academy of Pediatrics Committee—and I think we have a chart on that:

Anticipated direct health consequences of climate change include injury and death from extreme weather events and natural disasters, increases in climate-sensitive infectious diseases, increases in air pollution-related illness, and more heat-related, potentially fatal illness. Within all of these categories, children have increased vulnerability compared with other groups.

Again, I say to my colleagues, if we were sent here to do anything, it is to protect the health and safety of our children, for goodness' sakes, and they are one of the most vulnerable groups if we don't act on climate change. And if that doesn't move you, I say to my friends, what about the elderly? They are particularly vulnerable. This is from the Draft National Climate Assessment.

Older people are at much higher risk of dying during extreme heat events. Pre-existing health conditions also make the elderly susceptible to cardiac and respiratory impacts of air pollution and to more severe consequences from infectious diseases.

So if I didn't touch your heart with your kids and grandkids, how about your grandmas, your grandpas, your great-grandmas, and your great-grandpas. They also are terribly vulnerable to the impacts of climate change.

Laurence Kalkstein, a University of Miami professor, who studies the effects of heat on health, said:

Climate change is a silent killer. Heat can cause fatalities among even the fittest.

It is a silent killer. And he knows because he studies the impact of heat on our health.

So let's not be silent. Maybe climate change is a silent killer, but we can't be silent in the face of the information we have. Continuing to quote Laurence Kalkstein:

The warming planet can cause many other serious health problems that are harmful to our families. Scientists predict they will get worse.

Scientists believe it will only get worse. Listen to what they say:

Heatwaves are also associated with increased hospital admissions for cardiovascular, kidney and respiratory disorders. Extreme summer heat is increasing in the U.S., and climate projections indicate that extreme heat events will be much more frequent and intense in coming decades.

Is this the future we want for our people, increased hospital admissions for cardiovascular, kidney, and respiratory disorders? I think not. But,



boy, part of me thinks so. I can't seem to get anybody excited about this in the Senate.

You might ask me why that is? I have my theories. There is a lot of power on the other side. There is a lot of power on the other side—people who don't want to move off coal, people who don't want to move off oil. There is a lot of power on the other side.

The increase in temperatures can lead to respiratory illnesses associated with air pollution, such as asthma. Have you ever seen a child with asthma gasping for breath? I say to my colleagues, asthma is a leading cause of hospital admissions for kids at school. I go around and visit the schools, and I ask a simple question: How many of your kids have asthma or know someone with asthma? Almost 50 percent of the room has hands up.

If you saw a child gasping for air on the street, you would hold them close, you would calm them down, you would get them oxygen, you would do everything in your power. You would call 9-1-1, you would take them to the hospital, you would sit by their side, you would hold their hand, you would nurse them back to health.

We have a situation, folks, where climate disruption is going to bring us more cases of asthma. Let's not stand with the giant polluters. Let's move to clean energy. Let's clean up our act and save our children, save our grandparents.

We are not talking about a remote possibility sometime in the near future. Climate disruption is here. It is happening before our eyes. More American children are getting asthma and allergies, more seniors are suffering from heat strokes. And let me tell you about what is happening in New York right now. They are seeing indications that extreme weather events such as Superstorm Sandy are linked to health problems.

They have already given a name to a cough that has developed in that part of the country known locally as the Rockaway cough because it is in Rockaway. The Rockaway Peninsula on Long Island, NY, was devastated by Sandy. Lives were lost, homes and businesses were destroyed, and now local residents are experiencing health problems from the flooding—coughing, which is a common symptom, health officials said, that could come from mold or the haze of dust and sand kicked up by the storm and demolitions. Governor Cuomo said they are seeing these so-called 100-year storms—supposed to come once in 100 years—all the time.

I say to my colleagues: Wake up to the truth. Look out the window. Figure it out.

Look at this. Is this what we want to see in our country?

I was speaking to Senator WARREN about what happened recently, and I

was shocked to see houses in Massachusetts on the beach, beautiful homes, being totally razed and taken away because the ocean is moving so close they can't stay there. It is happening before our eyes. Right here.

With the haze of dust and sand kicked up by the storm and demolitions, the air in the Rockaways is so full of particles the traffic police wear masks, though many recovery workers do not, and that worries people who recall the fallout of another disaster.

Another real threat we are seeing more and more in the West is wildfires. Wildfire smoke contains dangerous compounds. Why do we see this? The droughts that are coming. Smoke exposure increases respiratory and cardiovascular hospitalizations, emergency department visits for asthma, bronchitis, chest pain, chronic obstructive pulmonary disease, respiratory infections, and medical visits for lung illnesses, and has been associated with hundreds of thousands of global deaths annually.

That is the bad news. Now, if I stopped here, I wouldn't sleep very well tonight, having gone through all this. But there is good news. We can take steps now to address climate change, and those steps will benefit public health. We have an opportunity to turn this crisis into a win-win situation. When we reduce carbon pollution from powerplants to address climate disruption, we reduce dangerous air pollutants, such as soot and toxic metals that are harmful to our health.

Here is a chart: Policies and other strategies intended to reduce carbon pollution and mitigate climate change can often have independent influences on human health. For example, when you reduce carbon emissions, you reduce air pollutants, such as particles and sulfur dioxides.

We call that cobenefits, Mr. President. When you go after one kind of pollution—carbon pollution—you get the cobenefits of going after the soot, the small particles that lodge in our lungs. So we know when we reduce carbon emissions, we reduce those small particles and sulfur dioxide.

Here is the other good news. As we move away from the very dirty power sources of, what I hope will be, the past, and we move toward clean energy, we help our families' budgets because we move away from polluting automobiles. I drive a hybrid, a plug-in hybrid car. I have to tell you, it is pretty amazing. I get the first 12 miles on electricity, and if I do a few chores and come home and plug the car in again, then when I go past the 12 miles, it goes to a hybrid, which is part gas, part electric. So overall I am getting about 150 miles to the gallon. You know what. That feels pretty good when you don't have to stop and fill up your car all the time and get the sweats because of what it costs to fill up that car.

President Obama and my colleague Senator FEINSTEIN, and my former colleague Senator Snowe, I have to compliment them because in a bipartisan way they moved us toward fuel efficiency. So we are moving toward 50-miles-per-gallon fuel efficiency, and that will help us. But we have to do more.

We have to do more because the health costs associated with climate change are heartbreaking and expensive. Taking steps to reduce carbon pollution will lower our doctors' bills when we don't have kids wheezing and gasping for air. The evidence is clear: Climate change is a public health threat.

We have moved before when we have seen threats to public health. We did it on cigarettes. I was here when the Congress voted to ban smoking on airplanes. Let me tell you, that was a hard vote. We had all the money of the cigarette and tobacco companies against us. And I want to compliment Senators LAUTENBERG and DURBIN. Senator DURBIN was in the House. This was a long time ago, but I can tell you what it was like because I do so much travel across the country.

Mr. President, I would get off the plane where there was smoking, and I would reek of smoke. You felt it all over, and you certainly were breathing it in. It was unhealthy. Everyone said it would never happen; that we would never, ever ban smoking on the airlines. But guess what. We did the right thing.

Now some people say: Well, how do you know that human activity and the kinds of power we are using, the dirty oil and so on, the coal, is causing this? Let me tell you how I know. Because 98 percent of the scientists tell me so.

People say, what if they are wrong. Ninety-eight percent of the scientists agree that human activity is causing this climate disruption. If you stand with the 2 percent, you are standing with the 2 percent who said smoking never caused lung cancer. I would say, if we went to the doctor and the doctor looked at us and said there is a 98-percent chance if you don't change your eating habits or your smoking habits you are going to die an early death, you would say, 98 percent chance? OK, I will change my ways. Well, 98 percent of the scientists are telling us to change our ways when it comes to carbon pollution.

How do we do that in a way that is smart? We have several bills to put a price on carbon. We have the Sanders-Boxer bill. We have the Whitehouse bill. There will be other bills. Once we put a price on carbon, it makes sense because we are factoring in the true cost of carbon pollution, which I just explained is enormous in public health alone and economics related to superstorms and the rest.

So we need to put a price on carbon. What BERNIE SANDERS and I do is we

take the funds that come in from that and we give it right back to the people and say: Here is a check, and now you can pay for your new clean energy. It is kind of capping the carbon and giving a dividend to the people. With the rest of the money we lower the deficit, we invest in solar rooftops, and a little bit in solar transportation. It is the way to go.

Some say wait. We can't wait. We wasted 8 long years when George W. Bush was President. Do you know why? He said carbon pollution wasn't covered in the Clean Air Act. All one had to do was read the Clean Air Act. I am not an attorney, but it is right there. It says, in essence, here are the following pollutants that are covered, and it listed greenhouse gas emissions. But, oh, no. He took it all the way to the Supreme Court and wasted 8 long years while the problem got worse and worse.

So here is the deal. Here is a quote from Washington School of Public Health, University of Washington, Dr. Howard Frumkin, who says:

In public health, when faced with threats to entire populations, we act. For infectious diseases, we vaccinate.

If 98 percent of the doctors say vaccinate to prevent illness, there is always 2 percent who are going to say don't do it. But we go with 98 percent.

For lung cancer, we ban smoking.

We didn't stand with the doctors who were paid off by big tobacco. We stood with the doctors who had an independent judgment, and we banned smoking on airplanes and in close quarters and in the Senate cloakroom and all the other places in government buildings.

For injuries, we install seat belts and air bags.

Another big battle. Remember that battle? The auto companies said: We don't want to spend the money installing airbags or seatbelts. We said: You have to do it. You know what. It is worth the cost, and so many lives are saved.

For obesity, we promote physical activity and healthier eating.

The First Lady has taken this on as a cause and we are starting to see a change. We have a long way to go. Why do that? Because we know the connection between obesity and diabetes and heart disease and stroke. So even though it is a difficult issue, we have tackled it.

For climate change, we need to act.

We surely do. I am talking to pretty much an empty Chamber, but I am glad the Presiding Officer is here, and I feel a few people are watching. It is good. But there are a few of us who are determined to keep on bringing the facts to the floor of the Senate. Everyone has the right to act or not act, but I believe we need to make the record now, because when my grandchildren grow up, I want them to look back and say:

Wow. That was great what grandma's generation did. They took care of this issue. I don't want them to look back and say: What were they thinking? What was wrong with them? Why didn't they act when they could have made a difference?

So next week I will be back. I will be talking about national security threats. This is one of the biggest national security threats we face. That doesn't come from me. That comes from the Pentagon. It comes from the CIA. It comes from the national security teams. So we can just close our eyes to this and we can wish it goes away, but it is not going away or we can ease the pain of climate disruption by moving to clean energy, energy efficiency, and we will face a win-win as we eventually have better public health, save money, and save the planet.

Mr. JOHNSON of South Dakota. Mr. President, I come to the floor today in strong opposition to Amendment No. 115, offered by the junior Senator from Pennsylvania, to strike funding for the Department of Defense's, DoD, Advanced Drop-In Biofuel Production.

The intent of this amendment is to further limit the Department of Defense's ability to use alternative fuels to enhance our country's national security. Under the authorities of the Defense Production Act, DPA, the Department of Defense has created the Advanced Drop-In Biofuels Production Project. This initiative is focused on creating a public-private partnership that will provide incentives for private-sector investment in cost competitive, advanced biofuels production capability. It also requires at least a one-to-one cost share with private stakeholders. During consideration of the National Defense Authorization Act of 2013, the Senate demonstrated bipartisan support for DoD's alternative energy initiatives. This amendment would prevent DoD from taking the necessary steps to diversify its energy supply.

As chairman of the Banking Committee, which has jurisdiction over the DPA, I believe it is misguided to limit the authority of the Defense Department to continue with this project. As one of the largest consumers of oil in the world, the Department of Defense spent \$17 billion in fiscal year 2011 on petroleum-based fuels. When oil prices spike, this dependency forces the Department of Defense to reallocate funding from other critical needs. Last year alone, spikes in oil prices required the Navy to pay an additional \$500 million on higher fuel costs. Amendment No. 115 will further increase DoD's vulnerability to fluctuations in the price of oil.

This amendment should also be opposed because if it were adopted it would not have the effect intended. Due to a technical drafting error this

amendment would not strip money from the account that funds biofuel production, but rather other unrelated programs at the DoD. The amendment still scores in outlays per the Congressional Budget Office and is subject to a budget point of order. This technical drafting error is another reason for Members to oppose this amendment.

The renewable fuels industry has played an important role in addressing our energy needs. Unfortunately, this amendment would hinder our Nation's ability to promote renewable domestic energy sources. We should allow the Defense Department to retain its authority to take steps to diversify the energy sources available to our military. Our national security relies on energy security, and this amendment would weaken both.

I urge all my colleagues to oppose this amendment.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO JUDGE JOE CHRIST

Mr. DURBIN. Mr. President, with a heavy heart, I rise today to say a few words about a wonderful, talented public servant who unexpectedly passed away recently.

Joseph Christ was a longtime prosecutor in St. Clair County, IL, home of the city that I grew up in, East St. Louis.

In his almost 20 years as an assistant State's attorney, he worked hard to keep criminals off our streets and help victims' families find justice.

Then, just two weeks ago, he was sworn in as an Associate Judge on Illinois' 20th Circuit and began his new journey.

His colleagues from the prosecutor's office said great things about his time there and what a great judge he would make.

But the next weekend, while on an out-of-town trip a few days after being sworn in, he passed away from natural—though certainly unexpected—causes.

We will never know all the good things he would have accomplished as

judge, but we can reflect on the good he did while he was with us.

Surely his record indicates that he would have accomplished many more good deeds in the years to come.

He was taken from his wife and children too soon. They are in my thoughts and prayers.

#### RECOGNIZING THE IAWP AND DICK FREEMAN

Mr. HARKIN. Mr. President, I would like to congratulate the International Association of Workforce Professionals, IAWP, for a century of leadership in enhancing the professionalism and excellence of America's workforce systems. IAWP will have a special celebration of this centennial milestone during its annual International Educational Conference in Chicago from July 6 to 10. IAWP was founded in Chicago and also celebrated its 50th and 75th anniversaries in that great Midwestern city. The association will honor its founder, W.M. Leiserson, superintendent of Wisconsin Employment Offices. In 1913, he reached out to his counterparts in other States to organize a nationwide association of public employment offices. Since its founding, IAWP has consistently worked to advance its founding principles: to provide members with education, leadership opportunities, information exchange, and recognition of excellence. In particular I would also like to applaud one of my constituents, Dick Freeman, who is receiving a much deserved Lifetime Achievement Award from IAWP at its July conference.

Dick has been a member of the Iowa chapter of IAWP for 41 years, including serving as the Iowa legislative chair since 1985. He has received the Iowa I-Care Award numerous times during his tenure of more than four decades with the association. This award is given for professionals who perform above and beyond normal leadership duties.

Dick played an important role in planning and hosting IAWP's 1990 International Educational Conference in Des Moines. He was the deputy director of the Iowa chapter when it chose to compete to host that year's International Education Conference. Iowa won the bid thanks to Dick's initiative and persistence. Approximately 1,200 IAWP members attended the 1990 conference in Iowa.

Mr. President, I am very pleased to recognize Dick Freeman for his many decades of dedicated service to IAWP members in Iowa and all across the Nation. Again, I congratulate the International Association of Workforce Professionals for 100 years of service to America's workers.

#### UNREST IN TIBET

Mr. MENENDEZ. Mr. President, I rise to express my concerns about the

continuing unrest in Tibet and the tragic trend of Tibetan self-immolations. Since February 2009, more than 100 Tibetans have set themselves on fire. Many of the self-immolators have called out for the return of the Dalai Lama to Tibet and for China to acknowledge the basic human dignity of the Tibetan people.

Like so many others, I wish that Tibetans would not choose self-immolations, a horrific act, as a method of protest. I hope Tibetans will find other ways to express their grievances and despair and halt these self-destructive acts. At the same time, we must understand that these sorts of acts are indicative of the deep sense of frustration felt by the Tibetan people. This is not a conspiracy of "foreign forces" but indicative of the deep sense of hopelessness of a people denied their basic dignity.

Under the Chinese Constitution, "All ethnic groups in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited. . . ."

Yet Tibet today is one of the most repressed and closed societies in the world, where merely talking on the phone can land you in jail. Support for the Dalai Lama can be prosecuted as an offense against the State. Tibetans are treated as second class citizens; their travel within and outside of Tibetan areas is highly restricted. Foreign diplomats and journalists are routinely denied access.

The American people and Congress have demonstrated an abiding interest in the culture, religion, and people of Tibet, as well as a deep respect for His Holiness the Dalai Lama. We see Tibet as an issue of fundamental justice and fairness, where the fundamental human rights of the Tibetan people, as embodied in the PRC's own constitution, are not being respected; where their culture is being eroded; and where their land is being exploited.

So I believe that responsibility falls to us to help the Tibetan people in their efforts to preserve their culture and identity and have a say in their own affairs and to be able to exercise genuine autonomy within the PRC.

Let me offer some thoughts on how Congress can help.

First, we should continue to fund the important programs that help Tibetan communities, both in exile and on the Tibetan plateau. While these provide tangible humanitarian results, they also send a critical signal to the aggrieved Tibetan population that the United States hears their plea.

One measure with which I am familiar is the Tibetan language broadcasts of Radio Free Asia and the Voice of

America. I cannot overstate the importance of these efforts to provide perhaps the only independent source of news to Tibetans who struggle under the heavy censorship regime.

Second, we should embrace the statement last fall by U.N. Human Rights Commissioner Navi Pillay on Tibet. She stated that "social stability in Tibet will never be achieved through heavy security measures and suppression of human rights." She called on Chinese authorities to adopt the recommendations of various U.N. bodies and to allow access to Tibet by independent international observers and media members, noting 12 outstanding requests for official visits to China by U.N. Special Rapporteurs on various human rights issues.

Third, the State Department should continue to insist on access to Tibet by its personnel. We need independent and credible reporting on the true situation on the ground, and the Department should work with China to take steps to see that the principle of reciprocity is respected.

Fourth, I encourage the State Department and other government agencies to join in dialogue with China and with others in the region to address the deeper strategic aspects of the Tibet issue. Instability in Tibet is a factor in the broader question of social stability in the entire PRC. Peaceful resolution of the Tibet issue could go a long way in demonstrating to the world that China is indeed a responsible and constructive member of the community of nations. In turn, Beijing's growing influence in the Himalayan belt, especially Nepal, should be assessed in a broader dialogue with other nations in the region.

Likewise, the United States should look for constructive ways to engage China on the issue of water security, given that Tibet's rivers provide the livelihood for hundreds of millions of people downstream in South and Southeast Asia. Chinese diversion of these rivers through constructing dams could become a source of conflict in the region.

Mr. President, I close by paraphrasing an oft-uttered phrase by the Dalai Lama. He says that those who raise their voices of concern for Tibet do so not because they are pro-Tibet or anti-Chinese. They do so because they are pro-justice. I second this remark and look forward to working with my colleagues in the Senate, and with China, to promote a durable resolution to the Tibet problem.

#### CONGRATULATING MITCH SEAVEY

Ms. MURKOWSKI. Mr. President, I rise today to recognize the winner of the 41st Iditarod race. Mitch Seavey of Seward finished the 998-mile dog sled race in a time of 9 days, 7 hours, 39 minutes, and 56 seconds. This is

Mitch's second title and I am happy to congratulate him on this significant accomplishment.

Sixty-six teams left this year from Willow, heading out into the dark, cold, and exceptionally rugged terrain of Alaska. This race is not for the weak. Temperatures can plummet, footing is not always solid, and mushers have to deal with the isolation of the Alaskan wilderness, leading an equally brave and athletic team of canine athletes.

Iditarod mushers are not the only people to have witnessed the great ability of sled dogs. American soldiers overseas are now benefiting from the training these canines endure. The U.S. Marine Corps recently decided to study the training regimen of sled dogs that are able to consistently run 1,000-mile races through hazardous conditions. What they observed is what we in the Iditarod community have become accustomed to in sled dog racing—train to the level in which you need to perform. For Iditarod dogs this means training in weather conditions they will encounter during an Alaskan winter and eating up to 12,000 calories a day. Exercise and nutrition techniques were transferred from the Iditarod trail across the world to the deserts of Afghanistan. Bomb-sniffing dogs working in conditions just as extreme, sometimes in heat well in excess of 100 degrees, are now saving lives and limbs every day thanks to the science and innovative techniques developed in our great race. A group of those canines, led by Tanner, a 6-year-old husky, trained their way into peak physical condition and onto the winning podium in Nome.

The Iditarod race exemplifies the greatest assets of my home State: vast nature and beauty, the greatest will and determination in the country, and most of all a sense of community. Those qualities are exemplified in this year's winner, Mitch Seavey.

This title makes Mitch the oldest Iditarod winner ever. It is only fitting that Mitch crossed the burlled arch on Front Street in Nome a champion, a year after his son Dallas claimed the title and became the youngest winner in Iditarod history. Back-to-back Seavey family championships lead me to believe that there must be some characteristics of this family that give them an advantage in the world's toughest race.

Mitch Seavey's inspiring run this year was a testament to his athleticism, tenacity, and character. Mitch recaptured his title in dramatic fashion. His lead coming out of White Mountain, starting a sprint to Nome, was only 13 minutes. He thought he could see the dim light of his competitor's headlamp coming up behind his team and he reached another gear. Late Tuesday night Mitch crossed the finish line, claiming his second title,

the first since his 2004 championship run. This was one of the closest Iditarod finishes ever. Mitch even joked coming out of White Mountain that he was going to grab his sneakers for the finish. In the heat of competition Mitch kept his sense of humor and now he has kept the Iditarod championship in the family for another year.

Mitch Seavey may have claimed the Iditarod title in Nome, but getting to that point takes preparation and training that begins months if not years in advance. I would like to congratulate Mitch for all of his hard work and for claiming his second Iditarod title.

I would also like to thank the Iditarod trail team, the many volunteers who came from around the country, the veterinarians, the Iditarod Air Force, and everyone else who has worked to ensure the safety and maintenance of the Iditarod trail and the safety of the dedicated athletes and canines that welcome the challenge. Their efforts are often underrated, but their commitment is resolute. My prayers go out to the families of Carolyn and Rosemarie Sorvoja, and pilot Ted Smith, who lost their lives in a tragic plane crash as they made their way to the eighth check point of Takotna. They had traveled hundreds of miles from the Anchorage area, in hopes of volunteering on the trail. Every volunteer knows the risks associated with their efforts to ensure the safety of others and the success of the Iditarod, but I am surprised each year at how many line up to serve in the face of rugged and extreme Alaskan conditions. This is now a time to remember and honor their efforts, and congratulate Mitch Seavey.

I am proud to congratulate the Seavey team on this amazing accomplishment and historic milestone. I send my best wishes to Mitch and the whole Seavey family as they celebrate this well-deserved victory in Alaska's great race.

#### ADDITIONAL STATEMENTS

##### ASCENT OF DENALI CENTENNIAL

• Mr. BEGICH. Mr. President, today I would like to recognize the centennial anniversary of the first successful ascent of the south peak of Mount McKinley. In Alaska, the mountain is popularly known as Denali, which means the "Great One" in Dena'ina language. At 20,320 feet, the south peak is the tallest of its two peaks, and makes Mount McKinley North America's tallest mountain.

Although other climbers attempted the climb or claimed to have summited McKinley before 1913, Walter Harper, Hudson Stuck, Robert Tatum, and Harry Karstens were the first to complete their journey to the top. Among

the party, it was Harper, an Athabaskan, who was the first to stand on the south summit after a month-long expedition that started with a mush from Fairbanks by a dog team.

The unsung hero of this accomplishment was another Alaska Native, 16-year-old John Fredson, who travelled with the group and cared for the sled dogs at base camp while waiting for the climbing team to return. This story of triumph and courage underscores the importance of Alaska Natives in the great age of American exploration.

To commemorate the centennial, the Denali 2013 Centennial Climb has been organized. The official party's ascent will commence June 7, 2013, and includes ancestors of the original team: Dana Wright of Fairbanks, the great-grandnephew of Harper; Dan Hopkins, from Ottawa, Ontario, who is the great-great-nephew of Stuck; Ken Karstens, from Colorado; and Ray Schuenemann, from Dallas, Texas, both of whom are great-grandsons of Karstens.

Stuck was a missionary for the Episcopal Church and Archdeacon of the Yukon back in 1913. Stuck had hoped to celebrate communion atop the peak. As part of the recreation of the historic ascent, Mark Lattime, the Episcopal Bishop of Alaska and Reverend at St. Matthew's Episcopal Church in Fairbanks, will join the climbing party and celebrate communion at the peak.

The spirit of adventure is something that we embrace as Alaskans and Americans. Let us take this moment to acknowledge this significant achievement of our predecessors and wish the 2013 party a safe and successful climb.●

#### TRIBUTE TO COLONEL MARK E. WEATHERINGTON

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and congratulate the service of Col. Mark E. Weatherington, who will be ending his command at Ellsworth Air Force Base in early April.

An Air Force Academy graduate, Colonel Weatherington has served in many leadership and flying positions over his impressive 23-year career. He is a B-1 pilot with 2,400 flight hours. Among his many assignments, Colonel Weatherington has served as commander of the 28th Bomb Wing at both Ellsworth AFB and Dyess AFB; served as chief of staff of the Air Force Fellow; was a National Defense Fellow with the Brookings Institution; and previously served at Ellsworth AFB as chief of weapons and tactics and then assistant operations officer of the 77th Bomb Squadron and wing weapons officer of the 28th Operations Support Squadron.

Colonel Weatherington has served as commander of the 28th Bomb Wing, Ellsworth Air Force Base, the largest B-1 combat wing in the U.S. Air Force,

since May 2011. He has distinguished himself during his 2-year stint at the South Dakota installation. He has provided expert guidance during the process to bring the first MQ-9 Reaper squadron, the 432nd Attack Squadron, to Ellsworth Air Force Base, while maintaining the great legacy of the B-1 aircraft and the personnel of the 28th Bomb Wing. Last year, Colonel Weatherington presided over Ellsworth Air Force Base's 70th Anniversary festivities.

Colonel Weatherington's current stint at Ellsworth Air Force Base has lasted just shy of 2 years, but he has provided a lasting impact, overseeing 4,300 military and civilian personnel in the day-to-day operations of the base, as well as the ongoing rotation of airmen to overseas action in support of Operation Enduring Freedom. He has maintained a strong relationship between the Base and Black Hills communities, namely Rapid City and Box Elder. For decades there has been a very warm and cordial relationship between Black Hills residents, businesses, and charitable organizations and the personnel and leadership command of Ellsworth Air Force Base. Colonel Weatherington has been committed to maintaining this bond. The relationship between the civilian and military communities remains very strong, and this relationship continues to make the Black Hills a great retirement option for military retirees who once served at Ellsworth Air Force Base.

Colonel Weatherington will now move to the Pentagon where he will serve as Military Assistant to the Deputy Secretary of Defense, Dr. Ashton Carter. This role will bring new challenges and responsibilities, but I know the leadership, professionalism, and stewardship Colonel Weatherington showed during his time at Ellsworth Air Force Base will serve him well at the Pentagon and throughout his career. I commend Colonel Weatherington for his service to Ellsworth Air Force Base and his continued service to the U.S. Air Force. I wish him, Stephanie, and their family all the best in future endeavors.●

#### WEST VIRGINIA HOUSE CONCURRENT RESOLUTION NO. 74

● Mr. MANCHIN. Mr. President, I rise today to bring attention to an effort spearheaded by a native West Virginian, Mr. William J. Friedman. I ask to have printed in the RECORD a copy of the West Virginia House Concurrent Resolution No. 74, which was passed by the West Virginia State Legislature on March 12, 2012, detailing his efforts.

Mr. Friedman is a proud West Virginian. He is the longest tenured member of the National Democratic Club, and founder of both the 116 Club and the prestigious Georgetown Club.

According to his colleagues, Mr. Friedman is also a veteran who served

this country in the Korean War and lived in Africa for almost 15 years. Mr. Friedman was present during a number of movements within the region; including the civil war in Mozambique and the dismantling of South African apartheid.

I am informed that Mr. Friedman served his country abroad by investing millions in the country of Mozambique with hopes of spreading American style capitalism and creating hundreds of jobs.

Further, I am told that Mr. Friedman was inspired by Mozambique President Joaquim Chissano, which led to his relocation to Mozambique. At the time, Mozambique was in midst of a bloody civil war. Even so, Mr. Friedman assisted the newly appointed President to develop relationships with western nations.

Mr. Friedman has said that he invested millions of dollars to promote free enterprise in Mozambique. Accordingly, I am told that Mr. Friedman established the first direct foreign investment with Overseas Private Investment Corporation insurance in the country of Mozambique.

Mr. Friedman continued investing in the country until Mozambique held its first multi-party elections and, as a result, Joaquim Chissano was elected President of the Republic of Mozambique.

As a U.S. Senator, it is such an honor to serve the great people of West Virginia and to bring attention to their special efforts. I always say that the people of West Virginia are some of the most patriotic in the country.

The resolution follows:

#### STATE OF WEST VIRGINIA, LEGISLATIVE RESOLUTION

##### HOUSE CONCURRENT RESOLUTION NO. 74

[By Delegates Canterbury, Armstead, T. Campbell, Carmichael, Evans, Gearheart, Hamilton, C. Miller, Nelson, Sigler, Sumner and Walters]

[Adopted by the Legislature, March 9, 2012]  
Requesting the Congressional Delegation from the State of West Virginia to ask the United States Department of State to make certain demands on the government of the United Arab Emirates.

Whereas, The Government of Abu Dhabi, United Arab Emirates is in arrears on certain of its sovereign obligations; and

Whereas, Some West Virginians are in possession of bonds issued by the Government of Abu Dhabi, bonds that are now in arrears and at risk of default; and

Whereas, Repayment of these bonds by the Government of Abu Dhabi would result in significant tax revenues to the State of West Virginia and also return investors' capital for reinvestment in significant new projects in West Virginia; and

Whereas, Members of the West Virginia Congressional Delegation have attempted to resolve this matter with the Embassy of the United Arab Emirates in Washington, DC, but without result; therefore, be it

*Resolved by the Legislature of West Virginia:*

That West Virginia Congressional Delegation be requested to communicate further to the United States Department of State; and, be it

*Further Resolved*, That, pursuant to the United States Constitution, Article 1, Section 8, Paragraph 3, which bestows on the United States Congress the duty to regulate commerce with foreign nations, the Congressional Delegation from the State of West Virginia should renew their resolve and ask their Congressional colleagues and every United States legislator, on a bipartisan basis, to ask the United States Department of State to demand that the government of the United Arab Emirates honor and pay their sovereign financial obligations that are guaranteed by the Government of Abu Dhabi as evidenced by bonds signed by their own officials.

I, Gregory M. Gray, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Concurrent Resolution 74, which was adopted by the Legislature on the 9th day of March, 2012.●

#### TRIBUTE TO DR. JULIAN DAVIDSON

● Mr. SESSIONS. Mr. President, as a huge crowd gathered on February 4, 2013, at the memorial service for my good friend, Dr. Julian Davidson of Huntsville, AL, in the magnificent Davidson Center for Space Exploration that bears his name, beside the Saturn V rocket, I had to take a moment to consider its power and the impact its development made on the world. Our space program is the world's greatest technological achievement.

Less appreciated is the monumental technological achievement of our Nation's National Missile Defense System along with all the other shorter range missile systems that now protect the Nation from attack and accidental launch. Sixteen years ago, campaigning, I would ask people what we would do if a nuclear missile were launched at us. Usually, someone would say we would shoot it down. That is the correct answer today, but not then. No such system had then been deployed but people were working on it.

Former Secretary of State Dean Acheson wrote a book, *Present at the Creation*, about the creation of our long lasting foreign policy framework. My friend, Dr. Julian Davidson, was present and creating at the creation of our colossal, highly technical and effective global missile defense system. It is accurate to call him the "father of missile defense." And, like a good father, he nurtured the program to maturity for 50 years. As an Army Civilian and as a business professional, he was a constant and leading force for this amazing accomplishment. Launch vehicles in Alaska and California, radar detection systems worldwide, and incredibly complex computer systems allow this Nation to identify, track, and hit to kill a hostile or accidental missile aimed to damage our Nation.

People doubted it would work, mocked it as Star Wars, but the political center held and aided by the scientific and political skills of Julian

and others the system is now in place. Trust me—it was a near run thing. Since Ronald Reagan, it has remained a sore spot for Vladimir Putin and a major strategic development.

This modest, unassuming, gentle but brilliant, strong and determined man carried the day. And, blessedly, he could take pride and satisfaction in actually seeing it proven and deployed. This was a truly historic achievement.

As a new Senator, elected in 1996, I was aware of Julian's importance to Huntsville and national defense. But as the years passed, I came to understand more about his remarkable career and why he was so loved and respected. For me, and for so many, his importance transcends the leadership he has provided to science and technology, to our Nation's being dominant in the world in missile defense technology and systems, and to our national security—it is personal. He touched so many lives in positive and important ways. My respect for his knowledge, his unbiased, sound insight, just continued to grow. I was in awe of this small man who had done so much, knew so much, and who was so admired in the Defense Department, the defense industry, and in Huntsville. I was honored that he became a true friend and he gave me his time and insight as he did for so many others.

Last year, I talked with Admiral Syring about his appointment to be the new MDA Commander, the agency Julian first directed. When I met with Admiral Syring, I asked that he do only one thing. I asked him to have a good visit with Julian and promised him he would enjoy and benefit from it. Admiral later said they had a wonderful afternoon.

Now, Julian did love politics and there was an unusual purity about his politics. It was an extension of his love for America, I think. First and foremost, Julian was a patriot. He was passionately committed to classical American values.

Julian felt that his country had been good to him, that it was a positive force in the world, and that it required civic support and direction. He was always there to give that support and direction.

Julian was proud of Davidson Technologies and the 200 engineers and people who worked with him there. He made it a premier missile technology and systems engineering firm in a very short time. His main goal was for the company to meet and exceed contract requirements, to be successful, and, importantly, so his people could prosper and be fulfilled and do their work with integrity. He was very proud that he had created a work environment second to none in Huntsville. The company was good to him and he was grateful.

Julian was exceedingly generous to Huntsville, the place he called home.

The Davidson Center for Space Exploration is a dramatic example of that generosity. He and Dorothy were also great friends of the arts—making major gifts to the Davidson Center for the Arts, the Huntsville Symphony, the Child Advocacy Center and many other good causes. Their long and true partnership was exceedingly important in business and civic affairs. Extremely talented in her own right, Dorothy loved and admired Julian as he did her. This bond was a key to his success.

Dr. Deborah Barnhart, CEO of the Space and Rocket Center said, "Dorothy and Julian Davidson are renaissance people who care passionately about the advancement of technology, the arts, and the Huntsville community." Truly so.

So, the gentle, humble man from Oakman, Walker County, AL, son of a store owner, went forth and accomplished great things. And he did it without bluster, without ego, and without selfishness. He did it with skill, hard work, good judgment, honest dealing and respect for his fellow man. He did it all with a full dose of that critical quality—integrity. He believed in work. He was blessed to continue his productive work until his last days.

We live in a magnificent universe, ordered by providence—too wondrous to relate. To an unusual degree, Julian Davidson was given the ability and will to develop complex systems that utilize the rules of the natural world to make our lives better and to actually control the missiles that protect us from attack, even a nuclear attack.

It is important for the Nation to celebrate Julian's marvelous life and accomplishments.●

ECONOMIC REPORT OF THE PRESIDENT DATED MARCH 2013 WITH THE ANNUAL REPORT OF THE COUNCIL OF ECONOMIC ADVISERS FOR 2013, RECEIVED DURING ADJOURNMENT OF THE SENATE ON MARCH 15, 2013—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Joint Economic Committee:

*To the Congress of the United States:*

This year's Economic Report of the President describes the progress we have made recovering from the worst economic crisis since the Great Depression. After years of grueling recession, our businesses have created over six million new jobs. As a nation, we now buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But there are still millions of Americans whose hard work and dedication

have not yet been rewarded. Our economy is adding jobs, but too many of our fellow citizens still can't find full-time employment. Corporate profits have reached all-time highs, but for more than a decade, wages and incomes for working Americans have barely budged.

Our top priority must be to do everything we can to grow our economy and create good, middle-class jobs. That has to be our North Star. That has to drive every decision we make in Washington. Every day, we should ask ourselves three questions: How do we attract more jobs to our shores? How do we equip our people with the skills needed to do those jobs? And how do we make sure that hard work leads to a decent living?

We can begin by making America a magnet for new jobs and manufacturing. After shedding jobs for more than a decade, our manufacturers have added about half a million new jobs over the past 3 years. We need to accelerate that trend, by launching more manufacturing hubs that transform hard-hit regions of the country into global centers of high-tech jobs and manufacturing. We need to make our tax code more competitive, by ending tax breaks for companies that ship jobs overseas, and rewarding companies that create jobs here at home. And we need to invest in the research and technology that will allow us to harness more of our own energy and put more people back to work repairing our crumbling roads and bridges.

These steps will help entrepreneurs and small business owners expand and create new jobs. But we also need to provide every American with the skills and training they need to fill those jobs. We should start in the earliest years by offering high-quality preschool to every child in America, because we know kids in programs like these do better throughout their academic lives. We should redesign America's high schools to better prepare our students with skills that employers are looking for right now. And because taxpayers can't continue subsidizing the soaring cost of higher education, we should take affordability and value into account when determining which colleges receive certain types of Federal aid.

We also need to reward hard work and declare that no one who works full-time should have to live in poverty by raising the minimum wage so that it's a wage you can live on. And it's time to harness the talents and ingenuity of hardworking immigrants by finally passing commonsense immigration reform—continuing to strengthen border security, holding employers accountable, establishing a responsible path to earned citizenship, reuniting families, and attracting the highly-skilled entrepreneurs, engineers, and scientists that will help create jobs.



As we continue to grow our economy, we must also take further action to shrink our deficits. We don't have to choose between these two important priorities—we just have to make smart choices.

Over the last few years, both parties have worked together to reduce the deficit by more than \$2.5 trillion, which puts us more than halfway towards the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances. Now we need to finish the job. But we shouldn't do it by making harsh and arbitrary cuts that jeopardize our military readiness, devastate priorities like education and energy, and cost jobs. That's not how you grow the economy. We shouldn't ask senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. That doesn't grow our middle class.

Most Americans—Democrats, Republicans, and Independents—understand that we can't just cut our way to prosperity. That's why I have put forward a balanced approach to deficit reduction that makes responsible reforms to bring down the cost of health care for an aging generation—the single biggest driver of our long-term debt—and saves hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and well-connected. And we should finally pursue bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit.

The American people don't expect their government to solve every problem. They don't expect those of us in Washington to agree on every issue. But they do expect us to put the Nation's interests before party interests. They do expect us to forge reasonable compromise where we can. Our work will not be easy. But America only moves forward when we do so together—when we accept certain obligations to one another and to future generations. That's the American story. And that's how we will write the next great chapter—together.

BARACK OBAMA.  
THE WHITE HOUSE, March 2013.

#### MESSAGE FROM THE HOUSE

At 3:41 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 803. An act to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

The message also announced that pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112-272), and the order of

the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the World War I Centennial Commission: Mr. TED POE of Humble, Texas.

The message further announced that pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Public Law 111-68, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Trustees of the Open World Leadership Center: Mr. FORTENBERRY of Nebraska.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 803. An act to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 582. A bill to approve the Keystone XL Pipeline.

S. 583. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

#### REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of March 14, 2013, the following reports of committees were submitted on March 15, 2013:

By Mrs. MURRAY, from the Committee on the Budget, without amendment:

S. Con. Res. 8. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 584. A bill for the relief of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 585. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 586. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio

Plascencia; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 587. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 588. A bill for the relief of Robert Liang and Alice Liang; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 589. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 590. A bill for the relief of Claudia Marquez Rico; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 591. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 592. A bill for the relief of Alicia Aranda De Buendia and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 593. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 594. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 595. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

By Mr. THUNE (for himself and Mr. FRANKEN):

S. 596. A bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program; to the Committee on Finance.

By Mr. LEAHY:

S. 597. A bill to ensure the effective administration of criminal justice; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. NELSON):

S. 598. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself and Mrs. FEINSTEIN):

S. 599. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. BROWN):

S. 600. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. VITTER):

S. 601. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 77. A resolution expressing the sense of Congress relating to the commemoration of the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. BEGICH, Ms. MIKULSKI, Mr. COONS, and Mr. JOHNSON of South Dakota):

S. Res. 78. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on the Judiciary.

By Mr. BURR (for himself and Ms. LANDRIEU):

S. Res. 79. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 19

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 169

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 210

At the request of Mr. HELLER, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from co-educational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 234

At the request of Mr. REID, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either re-

tired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 313

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 336

At the request of Mr. ENZI, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 370

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 381

At the request of Mr. BROWN, the names of the Senator from North Da-

kota (Ms. HEITKAMP) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 407

At the request of Mr. CASEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 407, a bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 420

At the request of Mr. ENZI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to long-standing regulatory rule.

S. 462

At the request of Mrs. BOXER, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 464

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 470

At the request of Mr. TESTER, the names of the Senator from Kansas (Mr. MORAN), the Senator from Delaware (Mr. CARPER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require



that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 480

At the request of Mr. GRAHAM, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 480, a bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes.

S. 490

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 490, a bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles.

S. 500

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000.

S. 505

At the request of Mr. CRUZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 505, a bill to prohibit the use of drones to kill citizens of the United States within the United States.

S. 512

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 512, a bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes.

S. 536

At the request of Mr. RUBIO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 536, a bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 565

At the request of Mr. DURBIN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as

cosponsors of S. 565, a bill to provide for the safe and reliable navigation of the Mississippi River, and for other purposes.

S. CON. RES. 7

At the request of Mr. MORAN, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade.

S. RES. 65

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

At the request of Mr. GRAHAM, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. SHELBY), and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. Res. 65, *supra*.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Nebraska (Mr. JOHANNES) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 55

At the request of Mr. MORAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. ENZI), the Senator from Montana (Mr. TESTER), and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of amendment No. 55 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 72

At the request of Mr. INHOFE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 72 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 79

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a co-

sponsor of amendment No. 79 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 80

At the request of Mr. ROCKEFELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 80 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 81

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 81 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 107

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 107 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 111

At the request of Mr. BAUCUS, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 111 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 584. A bill for the relief of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Jorge Rojas Gutierrez, his wife, Oliva Gonzalez Gonzalez, and their son, Jorge Rojas Gonzalez, Jr. The Rojas family, originally from Mexico, is living in the San Jose area of California.

The story of the Rojas family is compelling, and I believe they merit Congress' special consideration for such an

extraordinary form of relief as a private bill.

Jorge and his wife, Oliva, originally came to the United States in 1990 when their son Jorge Rojas, Jr. was just 2 years old. In 1995, they left the country to attend a funeral, and then re-entered the United States on visitor's visas.

The family has since expanded to include two sons, Alexis Rojas, now 20 years old, Matias, now 3 years old, a daughter Tania Rojas, now age 18, and a granddaughter, Mina Rojas, who is 3 years old.

The Rojas family first attempted to legalize their status in the United States when an unscrupulous immigration consultant, who was not an attorney, advised them to apply for asylum. Unfortunately, without proper legal guidance, this family did not realize at the time that they lacked a valid basis for asylum. The asylum claim was denied in 2008, leaving the Rojas family with no further options to legalize their status.

Since their arrival in the United States more than 20 years ago, the Rojas family has demonstrated a robust work ethic and a strong commitment to their community in California. They have paid their taxes and worked hard to contribute to this country.

Jorge is a hard-working individual who has been employed by Valley Crest Landscape Maintenance in San Jose, California, for the past 16 years. Currently, he works on commercial landscaping projects. Jorge is well-respected by his supervisor and his peers.

In addition to supporting his family, Jorge has volunteered his time to provide modern green landscaping and building projects at his children's school in California. He is active in his neighborhood association, where he worked with his neighbors to open a library and community center in their community.

Oliva, in addition to raising her three children, has also been very active in the local community. She volunteers with the People Acting in Community Together, PACT, organization, where she works to prevent crime, gangs and drug dealing in San Jose neighborhoods and schools.

Perhaps one of the most compelling reasons for permitting the Rojas family to remain in the United States is the impact that their deportation would have on their four children. Three of the Rojas children, Alexis, Tanya, and Matias are American citizens. Jorge Rojas, Jr. has lived in the United States since he was a toddler.

For Alexis, Tanya, Matias and Jorge Jr., this country is the only country they really know. Jorge Rojas, Jr., who entered the United States as an infant with his parents, recently became a father. He is now 24 years old and working at a job that allows him to support his daughter, Mina. Jorge Jr. grad-

uated from Del Mar High School in 2007.

Alexis, age 20, graduated from Del Mar High School and is now a student at West Valley College in Saratoga, California. He is interested in studying linguistics. Tania, age 18, recently graduated from Del Mar High School and is in her first year at West Valley College. Their teachers describe them as "fantastic, wonderful and gifted" students.

It seems so clear to me that this family has embraced the American dream and their continued presence in our country would do so much to enhance the values we hold dear.

When I first introduced this bill, I received dozens of letters from the community in Northern California in support of this family. Enactment of this private bill legislation will enable the Rojas family to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 584

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR JORGE ROJAS GUTIERREZ, OLIVA GONZALEZ GONZALEZ, AND JORGE ROJAS GONZALEZ.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez enters the United States before the filing deadline specified in subsection (c), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are

made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 585. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing private immigration relief legislation to provide lawful permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and their daughter, Adilene Martinez. This family is originally from Mexico but has been living in California for twenty years. I believe they merit Congress' special consideration for this extraordinary form of relief.

When Jose came to the United States from Mexico, he began working as a busboy in restaurants in San Francisco, California. In 1990, he started working as a cook at Palio D'Asti, an award-winning Italian restaurant in San Francisco.

Jose worked his way through the ranks, eventually becoming Palio's sous chef. His colleagues describe him as a reliable and cool-headed coworker, and as "an exemplary employee" who not only is "good at his job but is also a great boss to his subordinates."

He and his wife, Micaela, call San Francisco home. Micaela works as a housekeeper and a part-time cook at a restaurant in San Francisco. They have three daughters, two of whom are United States citizens. Their oldest child Adilene, age 24, is undocumented. Adilene graduated from the Immaculate Conception Academy and attended San Francisco City College. She is now studying nursing at Los Medranos College.

The Martinez's second daughter, Jazmin, graduated from Leadership High School and is now studying at California State University, Dominguez Hills. Jazmin is a United States citizen and has been diagnosed with asthma. According to her doctor, if the family returns to Mexico, the high altitude and air pollution in Mexico City could be fatal to Jazmin.

The Martinez family attempted to legalize their status through several channels.

In 2001, Jose's sister, who has legal status, petitioned for Jose to get a green card. However, the current green card backlog for siblings from Mexico is long, and it will be many years before Jose will be eligible to legalize his status though his sister.

In 2002, the Martinez family applied for political asylum. Their application was denied. An immigration judge denied their subsequent application for cancellation of removal because he could not find the "requisite hardship" required for this form of immigration relief. Ironically, the immigration judge who reviewed their case found that Jose's culinary ability was a negative factor weighing against keeping the family in the United States, finding that Jose's skills indicated that he could find a job in Mexico.

Finally, Daniel Scherotter, the executive chef and owner of Palio D'Asti, petitioned for legal status for Jose based upon Jose's unique skills as a chef. Jose's petition was approved by U.S. Citizenship and Immigration Services; however, he cannot apply for permanent residency because of his immigration history.

Jose, Micaela, and their daughter, Adilene, have no other administrative options to legalize their status. If they are deported, they will face a several-year ban from returning to the United States. Jose and Micaela will be separated from their American citizen-children and their community.

The Martinez family has become an integral part of their community in California. They are active in their faith community and their children's schools. They volunteer with community-based organizations and are, in turn, supported by their community. When I first introduced this bill, I received dozens of letters of support from their fellow parishioners, teachers, and members of their community.

The Martinez family truly embraces the American dream. Jose worked his way through the restaurant industry to become a chef and an indispensable employee at a renowned restaurant. Adilene worked hard in high school and is now attending college.

I believe the Martinez family's presence in the United States allows them to continue making significant contributions to their community in California.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 585

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of

the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of the birth of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez under section 202(e) or 203(a) of the Immigration and Nationality Act (8 U.S.C. 1152(e) and 1153(a)), as applicable.

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 586. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to offer legislation to provide lawful permanent residence status to Alfredo Plascencia Lopez and his wife, Maria del Refugio Plascencia, Mexican nationals who live in the San Bruno area of California.

I have decided to offer legislation on their behalf because I believe that, without it, this hardworking couple and their five children, all United States citizens, would face extreme hardship. Their children would either face separation from their parents or be forced to leave the only country they know and give up on their education in the United States.

The Plascencias have been in the United States for over 20 years. They worked for years to adjust their status through appropriate legal channels, but poor legal representation ruined their opportunities. The Plascencia's lawyer refused to return their calls or otherwise communicate with them in any way. He also failed to forward crucial immigration documents, or even notify the Plascencias that he had them. Because of the poor representation they received, Alfredo and Maria only became aware that they had been ordered to leave the United States fif-

teen days prior to their scheduled deportation.

The Plascencias were shocked to learn of their attorney's malfeasance, but they acted quickly to secure legitimate counsel and to file the appropriate paperwork to delay their deportation to determine if any other legal action could be taken.

Since arriving in the United States in 1988, Alfredo and Maria have proven themselves a civic-minded couple who share our American values of hard work, dedication to family, and devotion to community.

Maria has distinguished herself as a medical assistant at a Kaiser Permanente hospital in the Bay Area. Not satisfied with working as a maid at a local hotel, she went to school, earned her high school equivalency degree, and improved her skills to become a medical assistant. She recently completed school to become a Licensed Vocational Nurse, and is scheduled to take the Nursing Board Examination.

Several Californians who wrote to me in support of Maria describe her as "responsible," "efficient," and "compassionate." Kaiser Permanente's Director of Internal Medicine wrote to say that Maria is "an asset to the community and exemplifies the virtues we Americans extol: hardworking, devoted to her family, trustworthy and loyal, [and] involved in her community. She and her family are a solid example of the type of immigrant that America should welcome wholeheartedly."

Together, Alfredo and Maria have used their professional successes to realize many of the goals dreamed of by all Americans. They saved up and bought a home. They own a car. They have good health care benefits, and they each have begun saving for retirement. They are sending their daughters, Christina and Erika, to college and plan to send the rest of their children to college as well.

Allowing the Plascencias to remain in the United States would preserve their achievements and ensure that they will be able to make substantive contributions to the community in the future.

In addition, this bill will have a positive impact on the couple's United States citizen children, who are dedicated to pursuing their educations and becoming productive members of their community.

Christina is the Plascencias' oldest child. She is 22 years old, working and taking classes at Chabot College. She would like to be a paralegal. Erika, age 18, graduated from high school and is currently taking classes at Skyline College. Erika's teachers praise her abilities and have referred to her as a "bright spot" in the classroom.

Alfredo and Maria also have three young children: Alfredo, Jr., age 16, Daisy, age 11, and Juan-Pablo, age 6.

Removing Alfredo and Maria from the United States would be tragic for

their children. The Plascencia children were born in America and through no fault of their own have been thrust into a situation that has the potential to dramatically alter their lives.

It would be especially tragic if Erika, Alfredo, and Daisy have to leave the United States. They are old enough to understand that they are leaving their schools, their teachers, their friends, and their home. They would leave everything that is familiar to them.

The Plascencia family would then be in Mexico without a means for supporting themselves and with no place to live. The children would have to acclimate to a different culture, language, and way of life.

The only other option would be for Alfredo and Maria to leave their children here with relatives. This separation is a choice that no parents should have to make.

I am reintroducing this legislation because I believe that the Plascencias will continue to make positive contributions to their community in California and this country. The Plascencia children should be given the opportunity to realize their full potential in the United States, with their family intact.

I respectfully ask my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 586

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR ALFREDO PLASCENCIA LOPEZ AND MARIA DEL REFUGIO PLASCENCIA.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Alfredo Plascencia Lopez and Maria Del Refugio Plascencia shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alfredo Plascencia Lopez or Maria Del Refugio Plascencia enter the United States before the filing deadline specified in subsection (c), Alfredo Plascencia Lopez or Maria Del Refugio Plascencia, as appropriate, shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of immigrant visas or the application for adjustment of status are filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas or permanent residence to Alfredo

Plascencia Lopez and Maria Del Refugio Plascencia, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 202(e) of that Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 587. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation on behalf of Ruben Mkoian, Asmik Karapetian, and their son, Arthur Mkoyan. The Mkoian family has been living in Fresno, California, for over 15 years. I continue to believe this family deserves Congress’ special consideration for such an extraordinary form of relief as a private bill.

The Mkoian family is originally from Armenia. They decided to leave Armenia for the United States in the early 1990s, following several incidents in which the family experienced vandalism and threats to their well-being.

In Armenia, Ruben worked as a police sergeant on vehicle licensing. At one point, he was offered a bribe to register stolen vehicles, which he refused and reported to his superior, the police chief. He later learned that a co-worker had gone ahead and registered the vehicles at the request of the chief.

Several disturbing incidents occurred after Ruben reported the bribe to illegally register vehicles. Ruben’s store was vandalized; after he said he would call the police, he received threatening phone calls telling him to keep quiet. At one point, the Mkoians suffered the loss of their home when a bottle of gasoline was thrown into their residence, burning it to the ground. In April 1992, several men entered the family store and assaulted Ruben, hospitalizing him for 22 days.

Ruben, Asmik, and their 3-old son, Arthur, left Armenia soon thereafter and entered the United States on visitor visas. They applied for political asylum in 1992 on the grounds that they would be subject to physical attacks if returned to Armenia. It took 16 years for their case to be finalized, and the Ninth Circuit Court of Appeals denied their asylum case in January 2008.

At this time, Ruben, Asmik, and Arthur have exhausted every option to remain legally in the United States.

The Mkoians have worked hard to build a place for their family in California. Ruben works as a manager at a car wash in Fresno. He previously worked as a truck driver for a California trucking company that described him as “trustworthy,” “knowledgeable,” and an asset to the company. Asmik has completed training at a local community college and is now a full-time medical assistant with Fresno Shields Medical Group.

The Mkoians attend St. Paul Armenian Apostolic Church in Fresno. They do charity work to send medical equipment to Armenia. Asmik also teaches Armenian School on Saturdays at the church.

I would particularly like to highlight the achievements of Ruben and Asmik’s two children, Arthur and Arsen, who were raised in California and have been recognized publicly for their scholastic achievements.

I first introduced a private bill for this family on Arthur’s high school graduation day. Despite being undocumented, Arthur maintained a 4.0 grade point average in high school and was a valedictorian for the class of 2008. Arthur, now 22 years old, graduated from the University of California, Davis with a major in Chemistry. He maintained excellent grades and was on the Dean’s Merit List.

Arthur’s brother, Arsen, is 16 years old and a United States citizen. He currently attends Bullard High School in Fresno, where he does well in his classes, maintaining a 4.3 grade point average.

I believe Arthur and Arsen are two young individuals with great potential here in the United States. Like their parents, they have demonstrated their commitment to working hard—and they are succeeding. They clearly aspire to do great things here in the United States.

It has been more than 18 years since Ruben, Asmik, and Arthur left Armenia. This family has few family members and virtually no supporting contacts in Armenia. They invested their time, resources, and effort in order to remain in the United States legally, to no avail. A private relief bill is the only means to prevent them from being forced to return to a country that long ago became a closed chapter of their past.

When I first introduced a bill on behalf of the Mkoian family in 2008, I received written endorsements from Representatives George Radanovich, R-CA, and JIM COSTA, D-CA, in strong support of the family. I also received more than 200 letters of support and dozens of calls of support from friends and community members, attesting to the positive impact that this family has had in Fresno, CA.

I believe that this case warrants our compassion and our extraordinary consideration. I respectfully ask my colleagues to support this private legislation on behalf of the Mkoian family.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 587

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR RUBEN MKOIAN, ASMİK KARAPETIAN, AND ARTHUR MKOYAN.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Ruben Mkoian, Asmik Karapetian, or Arthur Mkoian enters the United States before the filing deadline specified in subsection (c), Ruben Mkoian, Asmik Karapetian, or Arthur Mkoian, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent resident status to Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 588. A bill for the relief of Robert Liang and Alice Liang; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation for Robert Kuan Liang and his wife, Chun-Mei, “Alice”, Hsu-Liang.

I first introduced a private bill for Robert and Alice in 2003. Since then this family has only further demonstrated their hard work ethic and commitment to realizing the American dream. I continue to believe that Robert and Alice merit Congress’ special consideration and the extraordinary relief provided by private legislation.

Robert and Alice have been living in San Bruno, CA, for the last 27 years. Robert is a national and refugee from Laos, and Alice is originally from Taiwan. They have three children who are all United States citizens. I am concerned that forcing Robert and Alice to return to their home countries would tear this family apart and cause immense and unwarranted hardship to them and their children.

Robert and Alice have called California their home since they first entered the United States in 1983. They came here legally on tourist visas. They face deportation today because they remained in the United States past the terms of their visas, and because their attorney failed to handle their immigration case on a timely basis before federal immigration laws changed in 1996.

In many ways, the Liang family represents a uniquely American success story. Robert was born in Laos, but fled the country as a teenager after his mother was killed by Communists. He witnessed many traumatic experiences in his youth, including the attack that killed his mother and frequent episodes of wartime violence. He routinely witnessed the brutal persecution and deaths of others in his village in Laos. In 1975, he was granted refugee status in Taiwan.

Robert and his wife risked everything to come to the United States. Despite the challenges of their past, they built a family in California and established a place for themselves in the local community. They are homeowners. They own a successful business, Fong Yong Restaurant. They file annual income taxes and are financially stable.

Robert and Alice support their three children, Wesley, Bruce, and Eva, who are all American citizens. Wesley is now 21 years old and studying at City College of San Francisco. The younger children, Bruce and Eva, attend schools in the San Bruno area and continue to do well in their classes.

There are many reasons to believe that deporting Robert and Alice would have a harmful impact on the children, who have all of their ties to the United States. Deportation would either break this family apart or force them to relocate to a country entirely foreign to the one they know to be home.

The Immigration Judge who presided over Robert and Alice’s case in 1997

also concluded that Robert and Alice’s deportation would adversely impact the Liang children.

Moreover, Robert would face significant hurdles if deported, having fled Laos as a refugee more than 27 years ago. The emotional impact of the wartime violence Robert experienced at a young age was traumatic and continues to strain him. He battles severe clinical depression here in the United States. Robert fears that if he is deported and moves to his wife’s home country, Taiwan, he will face discrimination on account of his nationality. Robert does not speak Taiwanese, and he worries about how he would pursue mental health treatment in a foreign country.

Robert and Alice have worked since 1993 to resolve their immigration status. They filed for relief from deportation; however, it took nearly five years for the Immigration and Naturalization Service, INS, to act on the case. By the time their case went through in 1997, the immigration laws had changed and the Liangs were no longer eligible for relief. I supported these changes, set forth in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. But, I also believe there may be situations worthy of special consideration.

Robert and Alice Liang represent one such example. They are long-term residents of the United States. Their children are all U.S. citizens. The Immigration Judge that presided over the appeal of this case determined that Robert and Alice would have qualified for relief from deportation, in light of these positive factors, had the INS given their case timely consideration. Unfortunately, their immigration case took nearly five years to move forward.

A private bill is the only way for both Robert and Alice to remain in the United States together with their family. They have worked extraordinarily hard to make the United States their home. I believe Robert and Alice deserve the relief provided by a private bill.

I respectfully ask my colleagues to support this private relief bill on behalf of the Liangs.

Mr. President, I ask unanimous consent that a copy of the bill be included in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 588

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ADJUSTMENT OF STATUS.**

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Robert Liang and Alice Liang shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas to Robert Liang and Alice Liang, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 589. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing private relief legislation on behalf of Joseph Gabra and Sharon Kamel, a couple living with their family in Camarillo, CA.

Joseph and Sharon are nationals of Egypt who fled their home country over twelve years ago after being targeted for their religious involvement in the Christian Coptic Church in Egypt. They became involved with this church during the 1990s, Joseph as an accountant and project coordinator helping to build community facilities and Sharon as the church's training director in human resources.

Unfortunately, Joseph and Sharon were also subjected to threats and abuse. Joseph was jailed repeatedly because of his involvement with the church. Sharon's family members were violently targeted, including her cousin who was murdered and her brother whose business was firebombed. When Sharon became pregnant with her first child, she was threatened by a member of a different religious organization against raising her child in a non-Muslim faith.

Joseph and Sharon came to the United States legally seeking refuge in November 1998. They immediately notified authorities of their intent to seek protection in the United States, filing for political asylum in May 1999.

However, Joseph, who has a speech impediment, had difficulty communicating why he was afraid to return to Egypt, and one year later their asylum application was denied because they could not adequately establish that they were victims of persecution. Jo-

seph and Sharon pursued the appropriate means for appealing this decision, to no avail.

It should be noted that sometime later Sharon's brother applied for asylum in the United States. He, too, applied on the basis of persecution he and his family faced in Egypt, but his application was approved and he was granted this status in the United States.

There are no other avenues for Joseph and Sharon to pursue relief here in the United States. If they are deported, they will be forced back to a country where they sincerely fear for their safety.

Since arriving in the United States more than twelve years ago, Joseph and Sharon have built a family here, including four children who are United States citizens: Jessica, age 14, Rebecca, age 13, Rafael, age 12, and Veronica, age 7. Jessica, Rebecca, and Rafael attend school in California and maintain good grades. Veronica is attending second grade at Camarillo Heights Elementary School.

Joseph and Sharon worked hard to achieve financial security for their children, and they created a meaningful place for their family in California. Both earned college degrees in Egypt. Joseph, who has his Certified Public Accountant license, has opened his own accounting firm.

Joseph and Sharon carry strong support from friends, members of their local church, and other Californians who attest to their good character and community contributions.

I am concerned that the entire family would face serious and unwarranted hardships if forced to relocate to Egypt. For Jessica, Rebecca, Rafael, and Veronica, the only home they know is in the United States. It is quite possible these four American children would face discrimination or worse in Egypt on account of their religion, as was the experience of many of their family members.

Joseph and Sharon have made a compelling plea to remain in the United States. These parents emphasize their commitment to supporting their children and making a healthy and productive place for them to grow up in California. I believe this family deserves that opportunity.

I respectfully ask my colleagues to support this private relief bill on behalf of Joseph Gabra and Sharon Kamel.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 589

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of

the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Joseph Gabra and Sharon Kamel shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Joseph Gabra and Sharon Kamel, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Joseph Gabra and Sharon Kamel under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Joseph Gabra and Sharon Kamel under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 590. A bill for the relief of Claudia Marquez Rico; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I come to the floor today to reintroduce private relief legislation for Claudia Marquez Rico. I first introduced a private bill for Claudia back in 2006. This young woman has lived in California for most of her life. She suffered tremendous hardship after the sudden death of her parents more than ten years ago. I believe she deserves the special relief granted by a private bill.

Claudia was born in Jalisco, Mexico. She was only 6 years old when her parents brought her, and her two younger brothers, to the United States.

Ten years ago, tragedy struck this family. Early in the morning on October 4, 2000, while driving to work, Claudia's parents were killed in a horrific car accident when their vehicle collided with a truck on a rural road.

Suddenly orphaned, Claudia and her siblings were fortunate enough to have a place to go. They were welcomed into the loving home of their aunt, Hortencia, and uncle, Patricio, who are both United States citizens. Hortencia and Patricio are active at Buen Pastor Catholic Church. Patricio is a youth soccer coach. This couple raised the Marquez children as their own, counseling them through the loss of their parents and helping them with their school work. They became the legal



guardians of the Marquez children in 2001.

Claudia likely would have resolved her immigration status, were it not for poor legal representation. The death of the Marquez parents meant that Claudia and her siblings should have qualified for special immigrant juvenile status. Congress created this special immigrant status to protect children under extraordinary circumstances and spare them the hardship of deportation when a state court deems the children to be dependents as a result of abuse, abandonment, or neglect. In fact, Claudia's younger brother, Omar, was granted this special immigrant juvenile status, providing him legal permanent residency.

However, the lawyer for the Marquez children failed to secure this relief for Claudia. She has now reached the age of majority without having resolved her immigration status, making her ineligible for this special relief.

It is important to take note that the lawyer who handled this case was faced with charges on numerous counts of professional incompetence and moral turpitude for mishandling immigration cases. The California State Bar accused him of a "despicable and far-reaching pattern of misconduct." As a result, the lawyer resigned from the Bar and is currently ineligible to practice law in California.

Claudia deserved a fair chance at resolving her immigration status, but her attorney's egregious behavior stripped her of this opportunity.

Claudia, nonetheless, finished school despite these adverse circumstances. She secured a job in Redwood City, California, and she currently lives with her younger sister, Maribel, in Menlo Park, where they care for their grandfather. Claudia also provides financial support to her two brothers, Jose and Omar, whenever necessary. She is still active in the local community, attending San Clemente Catholic Church in Hayward.

It would be an injustice to add to the Marquez family's misfortune by tearing these siblings apart. Claudia and her siblings have come to rely on each other in the absence of their deceased parents, and Claudia is clearly a central support of this family. Moreover, Claudia has never visited Mexico and has no close relatives in the country. She was so young when her parents brought her to the United States that she has no memories of Mexico.

I am reintroducing a private relief bill on Claudia's behalf because I believe her removal from the United States would go against our standard of fairness and would only cause additional hardship on a family that already endured so much.

I respectfully ask my colleagues to support this private relief legislation on behalf of Claudia Marquez Rico.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 590

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR CLAUDIA MARQUEZ RICO.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Claudia Marquez Rico shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Claudia Marquez Rico enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and, if otherwise eligible, shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Claudia Marquez Rico, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Claudia Marquez Rico shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(f) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 591. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I offer private immigration relief legislation to provide lawful permanent resident status to Esidronio

Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola. The Arreolas are Mexican nationals living in the Fresno area of California.

Mr. and Mrs. Arreola have lived in the United States for over 20 years. Two of their five children, Nayely, age 27, and Cindy, age 22, also stand to benefit from this legislation.

The other three Arreola children, Robert, age 21, Daniel, age 17, and Saray, age 16, are United States citizens. Today, Esidronio and Maria Elena and their two eldest children face deportation.

The story of the Arreola family is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

The Arreolas are facing deportation in part because of grievous errors committed by their previous counsel, who has since been disbarred. In fact, the attorney's conduct was so egregious that it compelled an immigration judge to write the Executive Office of Immigration Review seeking the attorney's disbarment for his actions in his client's immigration cases.

Mr. Arreola came to the United States in 1986 and was an agricultural migrant worker in the fields of California for several years. As a migrant worker at that time, he would have been eligible for permanent residence through the Special Agricultural Workers or SAW program, had he known about it.

Maria Elena was living in the United States at the time she became pregnant with her daughter Cindy. She returned to Mexico to give birth because she wanted to avoid any problems with the Immigration and Naturalization Service.

Because of the length of time that the Arreolas were in the United States, it is likely that they would have qualified for suspension of deportation, which would have allowed them to remain in the United States legally. However, their poor legal representation foreclosed this opportunity.

One of the most compelling reasons for my introduction of this private bill is the devastating impact the deportation of Esidronio and Maria Elena would have on their children—three of whom are American citizens—and the other two who have lived in the United States since they were toddlers. For these children, this country is the only country they really know.

Nayely, the oldest, was the first in her family to graduate from high school and the first to graduate college. She attended Fresno Pacific University, a regionally ranked university, on a full tuition scholarship package and worked part-time in the admissions office. She graduated from Fresno Pacific University with a degree in

Business Administration and is working on her graduate degree. Nayely recently got married and now has a newborn son.

At a young age, Nayely demonstrated a strong commitment to the ideals of citizenship in her adopted country. She worked hard to achieve her full potential both through her academic endeavors and community service. As the Associate Dean of Enrollment Services at Fresno Pacific University states in a letter of support, "[T]he leaders of Fresno Pacific University saw in Nayely, a young person who will become exemplary of all that is good in the American dream."

In high school, Nayely was a member of Advancement Via Individual Determination, a college preparatory program in which students commit to determining their own futures through achieving a college degree. Nayely was also President of the Key Club, a community service organization. Perhaps the greatest hardship to this family, if forced to return to Mexico, will be her lost opportunity to realize her dreams and further contribute to her community and to this country.

Nayely's sister, Cindy, also recently married and has a three-year-old daughter. Both Nayely and Cindy are barred from adjusting their status based on their marriages because they grew up in the United States undocumented.

The Arreolas also have other family who are United States citizens or lawful permanent residents of this country. Mrs. Arreola has three brothers who are American citizens, and Mr. Arreola has a sister who is an American citizen. They have no immediate family in Mexico.

According to immigration authorities, this family has never had any problems with law enforcement. I am told that they have filed their taxes for every year from 1990 to the present. They have always worked hard to support themselves.

As I mentioned, Mr. Arreola was previously employed as a farm worker, but now has his own business in California repairing electronics. His business has been successful enough to enable him to purchase a home for his family. He and his wife are active in their church community and in their children's education.

It is clear to me that this family has embraced the American dream. Enactment of the legislation I have reintroduced today will enable the Arreolas to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 591

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas to Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola, the Secretary of State shall instruct the proper officer to reduce by 4, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Marina Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 202(e) of such Act (8 U.S.C. 1152(c)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 592. A bill for the relief of Alicia Aranda De Buendia and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am reintroducing a private relief bill on behalf of the Buendias, a family who has lived in the Fresno area of California for more than 20 years. The beneficiaries of this bill include Alicia Aranda de Buendia and her daughter, Ana Laura Buendia Aranda. I believe this family merits Congress' special consideration.

Mrs. Buendia works season after season in California's labor-intensive agriculture industry. She currently works for a fruit packing company in Reedley, California. Mrs. Buendia and her husband have raised two outstanding children, Ana Laura, age 23, and Alex, age 21, who have both always excelled in school.

Ana Laura earned a 4.0 GPA at Reedley High School, and was offered

an academic scholarship at the University of California, Berkeley. Unfortunately, she could not accept the scholarship because of her undocumented status.

Ana Laura nonetheless persisted. She enrolled at the University of California, Irvine and recently graduated with a major in Chicano Studies and Art.

Remarkably, the Buendias should have been able to correct their immigration status years ago. In 1999, it appeared they had succeeded when an Immigration Judge granted the family cancellation of removal based on the hardship their son, Alex, would face if deported to Mexico. However, the decision was appealed and ultimately overturned. At this point, the Buendias have exhausted their options to remain together as a family here in the United States.

In the more than 20 years of living in California, the Buendias have shown that they are committed to working to achieve the American dream. They have a strong connection to their local community, as active members of the Parent Teachers Association and their church. They pay their taxes every year, paid off their mortgage, and remain free of debt. They have shown that they are responsible, maintaining health insurance, savings accounts, and retirement accounts.

Moreover, the Buendia children are excellent students pursuing higher education here in the United States. Without this private bill, these young adults will be separated from their family or forced to relocate to a country they simply do not know. I do not believe it is in the Nation's best interest to prevent talented youth raised here in the United States, who have good moral character and outstanding academic records, from realizing their future.

I respectfully ask my colleagues for their support of the Buendia family.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 592

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PERMANENT RESIDENT STATUS FOR ALICIA ARANDA DE BUENDIA AND ANA LAURA BUENDIA ARANDA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Alicia Aranda De Buendia and Ana Laura Buendia Aranda shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alicia Aranda De Buendia or Ana Laura Buendia



Aranda enter the United States before the filing deadline specified in subsection (c), Alicia Aranda De Buendia or Ana Laura Buendia Aranda, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Alicia Aranda De Buendia and Ana Laura Buendia Aranda, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Alicia Aranda De Buendia and Ana Laura Buendia Aranda under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Alicia Aranda De Buendia and Ana Laura Buendia Aranda under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 593. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Guy Privat Tape and Lou Nazie Raymonde Toto. Mr. Tape and Ms. Toto are citizens of the Ivory Coast, but have been living in the San Francisco area of California for approximately 19 years.

The story of Mr. Tape and Ms. Toto is compelling and I believe they merit Congress’ special consideration for such an extraordinary form of relief as a private bill.

Mr. Tape and Ms. Toto were subjected to numerous atrocities in the early 1990s in the Ivory Coast. After participating in a demonstration against the ruling party, they were jailed and tortured by their own government. Ms. Toto was brutally raped by her captors and several years later learned that she had contracted HIV.

Despite the hardships that they suffered, Mr. Tape and Ms. Toto were able to make a better life for themselves in the United States. Mr. Tape arrived in the U.S. in 1993 on a B1/B2 non-immigrant visa. Ms. Toto entered without

inspection in 1995 from Spain. Despite being diagnosed with HIV, Ms. Toto gave birth to two healthy children, Melody, age 14, and Emmanuel, age 10.

Since arriving in the United States, this family has dedicated themselves to community involvement and a strong work ethic. They are active members of Easter Hill United Methodist Church.

Mr. Tape is employed as a security guard and unfortunately, in 2002, he was diagnosed with prostate cancer. While his doctor states that the cancer is currently in remission, he will continue to require life-long surveillance to monitor for recurrence of the disease.

In addition to raising her two children, Ms. Toto obtained a certificate to be a nurse’s aide and currently works as a Resident Care Specialist at a nursing home in San Pablo, California. Ms. Toto continues to receive medical treatment for HIV. According to her doctor, without access to adequate health care and laboratory monitoring, she is at risk of developing life-threatening illnesses.

Mr. Tape and Ms. Toto applied for asylum when they arrived in the U.S., but after many years of litigation, the claim was ultimately denied by the 9th Circuit Court of Appeals.

Although the regime which subjected Mr. Tape and Ms. Toto to imprisonment and torture is no longer in power, Mr. Tape has been afraid to return to the Ivory Coast due to his prior association with former President Laurent Gbagbo. As a result, Mr. Tape strongly believes that his family will be targeted if they return to the Ivory Coast.

One of the most compelling reasons for permitting the family to remain in the United States is the impact their deportation would have on their two U.S. citizen children. For Melody and Emmanuel, the United States is the only country they have ever known. Mr. Tape believes that if the family returns to the Ivory Coast, these two young children will be forced to enter the army.

This bill is the only hope for this family to remain in the United States. To send them back to the Ivory Coast, where they may face persecution and inadequate medical treatment for their illnesses would be devastating to the family. I have received approximately 30 letters from the church community in support of this family.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 593

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. PERMANENT RESIDENT STATUS FOR GUY PRIVAT TAPE AND LOU NAZIE RAYMONDE TOTO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Guy Privat Tape and Lou Nazie Raymonde Toto shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Guy Privat Tape or Lou Nazie Raymonde Toto enters the United States before the filing deadline specified in subsection (c), Guy Privat Tape or Lou Nazie Raymonde Toto, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Guy Privat Tape and Lou Nazie Raymonde Toto, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 594. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce a private relief bill on behalf of Javier Lopez-Urenda and Maria Leticia Arenas. Javier and Leticia, originally from Mexico, are the parents of three U.S. citizen children, Bryan, age 19, Ashley, age 15, and Nancy, age 9. This family lives in Fremont, California.

I first introduced a bill for Javier and Leticia in 2009, and I continue to believe they deserve Congress’ special consideration for such an extraordinary form of relief as a private bill. Javier and Leticia are outstanding parents, volunteers, workers, and leaders

in their community. Javier and Leticia came to the United States after each suffered the loss of a parent.

Leticia left Mexico at age 17 after her mother died from cancer. Javier came to the United States in 1990, at age 23, several years after the murder of his father in Michoacán, Mexico.

Javier had been living and working in the United States for 23 years when I first learned about this case. He originally entered the country looking for work to support his extended family. Today, Javier is a Maintenance Engineer at Full Bloom Baking Company in San Mateo, California, where he has been an employee for over 19 years. In fact, Javier was the second employee hired at Full Bloom when the company first began.

Javier's fellow co-workers at Full Bloom have written compelling letters to me about Javier's hard work ethic and valuable contributions. The company owners assert that with his help, the company grew to be one of the largest commercial bakeries in the Bay Area, today employing approximately 385 people.

They write that Javier is a mentor to others and maintains a "tremendous amount of 'institutional knowledge' that can never be replaced." One of his co-workers wrote, "Without Javier at the bakery, the lives of hundreds of people will change."

Javier made attempts to legalize his status in the United States. At one point, he received an approved labor certification. However, his case could not be finalized due to poor timing and a lengthy immigration process. It took three years, for example, for his labor certification to be approved. By that time, Javier was already in removal proceedings and his case is now closed.

During consideration of Javier's case, the Ninth Circuit Court of Appeals acknowledged the difficult situation Javier faces. The Court wrote, "We are not unmindful of the unique and extremely sympathetic circumstances of this case. By all accounts, Petitioner has been an exemplary father, employee, and member of his local community. If he were to be deported, he would be separated from his wife, three U.S. citizen children, and the life he has worked so hard to build over the past 17 years. In light of the unfortunate sequence of events leading up to this juncture and Petitioner's positive contributions to society, Petitioner may very well be deserving of prosecutorial grace."

Unfortunately, the Court ultimately denied the case. Javier and his wife have no additional avenues for adjusting their status. A private bill is the only way for them to remain in the United States.

I believe it is important to consider the potentially harmful impact on Javier and Maria Leticia's three U.S. citizen children, Bryan, Ashley, and

Nancy, should their parents be deported. Ashley and Nancy are still in school in California, and Bryan is currently serving in the U.S. Marine Corps.

Javier owns their home in Fremont. He is the sole financial provider for his wife and children, while also providing some financial support to extended family members in Mexico. Javier and Leticia are good parents and play active roles in their children's lives. The Principal of Patterson Elementary School described Javier and Leticia as "two loving and supportive parents who are committed to their children's success."

All too often, deportation separates U.S. citizen children from their parents. In 2009, the Inspector General of the Department of Homeland Security found that, in the last ten years, at least 108,434 immigrant parents of American citizen children were removed from this country. Other reports show that deporting a parent causes trauma and long-lasting harm to children.

Moreover, the deportation of Javier and Leticia would be a significant loss to the community. Leticia is currently volunteering and training for a job with Bay Area Women Against Rape in Oakland, which provides services to survivors of sexual assault. She also works as a certified health promoter at the Tiburcio Vazquez Health Center in Fremont.

Javier's community involvement is just as impressive. He has volunteered with the Women's Foundation of California, Lance Armstrong's Livestrong Foundation, the Saint Patrick Proto Cathedral Parish, the American Red Cross, and the California AIDS Ride.

Patricia W. Chang, a long-time community leader in California and current CEO of the Feed the Hunger Foundation, writes: "Asking Mr. Urenda to leave the United States would deprive his children of their father, an upstanding resident of the country. It would deprive the community of an active participant, leader, and volunteer."

Judy Patrick, President/CEO of the Women's Foundation of California, states that Javier "is a model participant in this society."

Clearly, Javier and Leticia have earned the admiration of their community here in the United States. They are the loving parents of three American children. Javier is a valued employee at Full Bloom Baking Company. This family shows great potential, and I believe it is in our Nation's best interest to allow them to remain here with their children and to continue making significant contributions to California and the Nation as a whole.

I respectfully ask my colleagues to support this private relief bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR JAVIER LOPEZ-URENDA AND MARIA LETICIA ARENAS.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Javier Lopez-Urenda and Maria Leticia Arenas shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Javier Lopez-Urenda or Maria Leticia Arenas enter the United States before the filing deadline specified in subsection (c), that alien shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only to an application for issuance of an immigrant visa or an application for adjustment of status that is filed, with appropriate fees, within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Javier Lopez-Urenda and Maria Leticia Arenas, the Secretary of State shall instruct the proper officer to reduce by two, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 595. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a bill for the private relief of Shirley Constantino Tan. Ms. Tan is a Filipina national living in Pacifica, California. She is the proud mother of 16-year-old U.S. citizen twin boys, Jashley and Joreine, and the spouse of Jay Mercado, a naturalized U.S. citizen.

I believe Ms. Tan merits Congress' special consideration for this extraordinary form of relief because I believe her removal from the United States

would cause undue hardship for her and her family. She faces deportation to the Philippines, which would separate her from her family and jeopardize her safety.

Ms. Tan experienced horrific violence in the Philippines before she left to come to the United States. When she was only 14 years old, her cousin murdered her mother and her sister and shot Shirley in the head. While the cousin who committed the murders was eventually prosecuted, he received a short jail sentence. Fearing for her safety, Ms. Tan fled the Philippines just before her cousin was due to be released from jail. She entered the United States legally on a visitor's visa in 1989.

Ms. Tan's current deportation order is the result of negligent counsel. Shirley applied for asylum in 1995. While her case appeal was pending at the Board of Immigration Appeals, her attorney failed to submit a brief to support her case. As a result, the case was dismissed, and the Board of Immigration Appeals granted Shirley voluntary departure from the United States.

Shirley never received notice that the Board of Immigration Appeals granted her voluntary departure. Shirley's attorney moved offices, did not receive the order, and ultimately never informed her of the order. As a result, Shirley did not depart the United States and the grant of voluntary departure automatically became a deportation order. She learned about the deportation order for the first time on January 28, 2009, when Immigration and Customs Enforcement agents took her into immigration custody.

Because of her attorney's negligent actions, Ms. Tan was denied the opportunity to present her case in U.S. immigration proceedings. Shirley later filed a complaint with the State Bar of California against her former attorney. She is not the first person to file such a complaint against this attorney.

In addition to the hardship that would come to Ms. Tan if she is deported, Shirley's deportation would be a serious hardship to her two United States citizen children, Jashley and Joreine, who are minors.

Jashley and Joreine are currently attending Terra Nova High School in Pacifica, California, where they continue to be excellent students on the honor roll. The children are involved in their school's music program, playing the clarinet and the flute. The children's teacher wrote a letter to me in which she described Shirley's involvement in Jashley and Joreine's lives, referring to Shirley as a "model" parent and describing her active role in the school community. In addition to caring for her two children, Shirley is the primary caregiver for her elderly mother-in-law.

If Ms. Tan were forced to leave the United States, her family has expressed

that they would go with Shirley to the Philippines or try to find a third country where the entire family could relocate. This would mean that Jashley and Joreine would have to leave behind their education and the only home they know in the United States.

While Shirley and Jay are legally married under California law at this time, Shirley cannot legally adjust her immigration status through the regular family-based immigration procedures.

I do not believe it is in our Nation's best interest to force this family, with two United States citizen children, to make the choice between being separated and relocating to a country where they may face safety concerns or other serious hardships.

Ms. Tan and her family are involved in their community in Pacifica and own their own home. The family attends Good Shepherd Catholic Church, volunteering at the church and the Mother Theresa of Calcutta's Daughters of Charity. Shirley has the support of dozens of members of her community who shared with me the family's spirit of commitment to their community.

Enactment of the legislation I am introducing on behalf of Ms. Tan today will enable this entire family to continue their lives in California and make positive contributions to their community.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 595

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR SHIRLEY CONSTANTINO TAN.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Shirley Constantino Tan shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Shirley Constantino Tan enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Shirley Constantino Tan, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. LEAHY:

S. 597. A bill to ensure the effective administration of criminal justice; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, 50 years ago today, the Supreme Court issued its landmark decision in *Gideon v. Wainwright*. That case affirmed a fundamental principle of our democratic society, that no person, regardless of economic status, should face prosecution without the assistance of a lawyer. It is worth pausing today to celebrate Gideon and the extraordinary idea that in a free society the government which seeks to convict someone must also assume the cost of providing an effective defense.

In the last 50 years, we have come a long way in ensuring equal justice for all Americans and there is much about our criminal justice system in which to take pride. But we must also be honest and recognize that in too many courtrooms it is better to be rich and guilty than poor and innocent. The rich will have competent counsel, but those who have little often find their lives placed in the hands of underpaid court-appointed lawyers who are inexperienced, overworked, inept, uninterested, or worse.

The bottom line is that the promise made in *Gideon* remains unfulfilled. At the core of this problem is the fact that too many States still lack adequate programs for providing effective representation. That failure results in miscarriages of justice, including wrongful convictions, in violation of our constitutional obligation to provide effective assistance of counsel. In his column yesterday in *The New York Times*, Lincoln Caplan noted, "by well-informed estimates, at least 80 percent of state criminal defendants cannot afford to pay for lawyers and have to depend on court-appointed counsel." A recent article on the front page of *USA Today* correctly calls the problem a "national crisis," highlighting one public defender's office in Pennsylvania that has four investigators to

handle its 4,000 cases a year and where some lawyers have no desk or phone. A similar AP article which ran in the Washington Post cites additional examples of this ongoing failure of our criminal justice system, including one public defender in Indianapolis who was asked to represent 300 clients at a time. I know what it takes to work a case effectively from my time as a prosecutor, and no lawyer can provide effective counsel to 300 defendants at once.

We can no longer ignore the disturbing examples discussed in these articles. We are on notice that a constitutional right is consistently being violated and, if we are to call ourselves a country of laws, it is our obligation as a nation, and particularly as the Congress, to take action and make a change. That is why today, I am introducing the Gideon's Promise Act of 2013. This legislation takes important new steps to breathe life into Gideon and ensure the fairness of our criminal justice system for all participants.

I first introduced this legislation last Congress, as part of the reauthorization of the Justice For All Act. That law, passed in 2004, was an unprecedented bipartisan piece of criminal justice legislation. It was the most significant step Congress had taken in many years to improve the quality of justice in this country and to improve public confidence in the integrity of the American justice system. I plan to reintroduce the reauthorization of the Justice for All Act, again, later this spring and it will include this critical provision to ensure that our criminal justice system operates effectively and consistent with our constitutional obligations.

The Gideon's Promise Act takes several important new steps to improve the quality of the criminal justice system. First, it seeks to encourage States to adopt a comprehensive approach in using the Federal funds received through the Edward Byrne Memorial Justice Assistance Grant, JAG, Program. This will help to ensure that their criminal justice systems operate effectively as a whole and that all parts of the system work together and receive the resources they need. Specifically, the bill reinstates a previous requirement of the Byrne JAG Program that States develop, and update annually, a strategic plan detailing how grants received under the program will be used to improve the administration of the criminal justice system. The requirement was removed from the Byrne JAG grant application several years ago, but groups representing States and victims have requested that it be reinstated in order to improve the efficient and effective use of criminal justice resources. The plan must be formulated in consultation with local governments and all segments of the criminal justice system. The Attorney

General will also be required to provide technical assistance to help States formulate their strategic plans.

This legislation also takes important new steps to ensure that all criminal defendants, including those who cannot afford a lawyer, receive constitutionally adequate representation. It requires the Department of Justice to assist States that want help developing an effective and efficient system of indigent defense, and it establishes a cause of action for the Federal Government to step in when States are systematically failing to provide the representation called for in the Constitution.

This is a reasonable measure that gives the States assistance and time needed to make necessary changes and seeks to provide an incentive for States to do so. As a former prosecutor, I have great faith in the men and women of law enforcement, and I know that the vast majority of the time our criminal justice system does work fairly and effectively. I also know that the system only works as it should when each side is well represented by competent and well-trained counsel. That realization was reflected in the testimony of District Attorney Patricia Lykos of Houston that competent defense attorneys are critical to a prosecutor's job. Our system requires good lawyers on both sides. Incompetent counsel can result not only in needless and time-consuming appeals but, far more importantly, can lead to wrongful convictions and overall distrust in the criminal process.

In working on this legislation, I have also learned that the most effective systems of indigent defense are not always the most expensive. In some cases, making the necessary changes may also save States money.

I remain committed to ensuring that our criminal justice system operates as effectively and fairly as possible. Unfortunately, we are not there yet. Too often the quality of justice a defendant receives in our system depends on how much he or she can pay for an attorney. The Constitution requires that we do better. Americans need and deserve a criminal justice system that keeps us safe, ensures fairness and accuracy, and fulfills the promise of our Constitution for all people.

This bill will take important steps to bring us closer to that goal and I urge all Senators to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill and three articles be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 597

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Gideon's Promise Act".

#### SEC. 2. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting "(a) IN GENERAL.—" before "To request a grant"; and

(2) by adding at the end the following:

"(6) A comprehensive State-wide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system, which shall—

"(A) be designed in consultation with local governments, and all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

"(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

"(C) describe the process used by the State for gathering evidence-based data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions; and

"(D) be updated every 5 years, with annual progress reports that—

"(i) address changing circumstances in the State, if any;

"(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

"(iii) provide an ongoing assessment of need;

"(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

"(v) reflect how the plan influenced funding decisions in the previous year.

"(b) TECHNICAL ASSISTANCE.—

"(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6).

"(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

"(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

"(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out this subsection."

(b) PROTECTION OF CONSTITUTIONAL RIGHTS.—

(1) UNLAWFUL CONDUCT.—It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by officials or employees of any governmental agency with

responsibility for the administration of justice, including the administration of programs or services that provide appointed counsel to indigent defendants, that deprives persons of their rights to assistance of counsel as protected under the Sixth Amendment and Fourteenth Amendment to the Constitution of the United States.

(2) CIVIL ACTION BY ATTORNEY GENERAL.—Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1) has occurred, the Attorney General, for or in the name of the United States, may, in a civil action, obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

(3) EFFECTIVE DATE.—Paragraph (2) shall take effect 2 years after the date of enactment of this Act.

[From the New York Times, Mar. 9, 2013]

THE RIGHT TO COUNSEL: BADLY  
BATTERED AT 50

(By Lincoln Caplan)

A half-century ago, the Supreme Court ruled that anyone too poor to hire a lawyer must be provided one free in any criminal case involving a felony charge. The holding in *Gideon v. Wainwright* enlarged the Constitution's safeguards of liberty and equality, finding the right to counsel "fundamental." The goal was "fair trials before impartial tribunals in which every defendant stands equal before the law."

This principle has been expanded to cover other circumstances as well: misdemeanor cases where the defendant could be jailed, a defendant's first appeal from a conviction and proceedings against a juvenile for delinquency.

While the constitutional commitment is generally met in federal courts, it is a different story in state courts, which handle about 95 percent of America's criminal cases. This matters because, by well-informed estimates, at least 80 percent of state criminal defendants cannot afford to pay for lawyers and have to depend on court-appointed counsel.

Even the best-run state programs lack enough money to provide competent lawyers for all indigent defendants who need them. Florida set up public defender offices when *Gideon* was decided, and the Miami office was a standout. But as demand has outpaced financing, caseloads for Miami defenders have grown to 500 felonies a year, though the American Bar Association guidelines say caseloads should not exceed 150 felonies.

Only 24 states have statewide public defender systems. Others flout their constitutional obligations by pushing the problem onto cash-strapped counties or local judicial districts.

Lack of financing isn't the only problem, either. Contempt for poor defendants is too often the norm. In Kentucky, 68 percent of poor people accused of misdemeanors appear in court hearings without lawyers. In 21 counties in Florida in 2010, 70 percent of misdemeanor defendants pleaded guilty or no contest—at arraignments that averaged less than three minutes.

The Supreme Court has said that poor people are entitled to counsel "within a reasonable time" after a case is initiated. But defendants, after their arrest, can spend weeks or even months in jail without a lawyer's help. In a Mississippi case, a woman charged with shoplifting sat in jail for 11 months before a lawyer was appointed.

The powerlessness of poor defendants is becoming even more evident under harsh sentencing schemes created in the past few decades.

They give prosecutors, who have huge discretion, a strong threat to use, and have led to almost 94 percent of all state criminal cases being settled in plea bargains—often because of weak defense lawyers who fail to push back.

The competency of lawyers is, of course, most critical in death penalty cases. In dozens of states, capital cases are routinely handled by poorly paid, inexperienced lawyers. And yet, only very rarely are inmates ever granted a new trial because of incompetent counsel.

In a Georgia death penalty case last year, the United States Court of Appeals for the Fifth Circuit ruled that even though the main defense lawyer drank a quart of vodka each night of the trial, there was no need for a retrial. The lawyer was himself preparing to be criminally prosecuted for stealing client funds, and presented very little evidence about the defendant's intellectual disability. But the court said the defendant had a fair trial because proof that he killed a sheriff's deputy outweighed any weakness in his legal representation.

In an infamous 1996 Texas death-penalty case, the Texas Court of Criminal Appeals upheld a defendant's death sentence even though his lead counsel slept during the trial.

The Supreme Court has made it possible for courts to uphold such indefensible lawyering. In 1984, in *Strickland v. Washington*, the court said that for a defendant to be entitled to a new trial, he must show both that his lawyer's advice was deficient and that the deficiency deprived him of a fair trial—a very high hurdle. And the court's majority defined competency as requiring only that the lawyer's judgment be "reasonable under prevailing professional norms."

Justice Thurgood Marshall, writing in dissent, said the result of this empty standard "is covertly to legitimate convictions and sentences obtained on the basis of incompetent conduct by defense counsel." That is exactly what has happened in the past three decades. In fact, incompetent counsel for poor defendants is so widespread that under this standard the prevailing professional norm has been reduced to mediocrity.

After 50 years, the promise of *Gideon v. Wainwright* is mocked more often than fulfilled. In a forthcoming issue of *The Yale Law Journal*, Stephen Bright, president of the Southern Center for Human Rights in Georgia, and Sia Sanneh, a lawyer with the Equal Justice Initiative in Alabama, recommend that all states have statewide public defender systems that train and supervise their lawyers, limit their workloads and have specialized teams in, for example, death-penalty cases.

There is no shortage of lawyers to do this work. What stands in the way is an undemocratic, deep-seated lack of political will.

[From the Washington Post, Mar. 17, 2013]

50 YEARS AFTER LANDMARK RULING, LAWYER'S HELP IS LEGAL FICTION FOR MANY ACCUSED OF CRIME

(By Associated Press)

WASHINGTON.—It is not the happiest of birthdays for the landmark Supreme Court decision that, a half-century ago, guaranteed a lawyer for criminal defendants who are too poor to afford one.

A unanimous high court issued its decision in *Gideon v. Wainwright* on March 18, 1963, declaring that states have an obligation to provide defendants with "the guiding hand of counsel" to ensure a fair trial for the accused.

But in many states today, taxpayer-funded public defenders face crushing caseloads, the quality of legal representation varies from county to county and people stand before judges having seen a lawyer only briefly, if at all.

"There is no denying that much, much needs to be done," Attorney General Eric Holder said Friday at a Justice Department event to commemorate the anniversary.

Clarence Earl Gideon had been in and out of jail in his nearly 51 years when he was arrested on suspicion of stealing wine and some money from vending machines at a Panama City, Fla., pool hall in 1961. Gideon asked the judge for a lawyer before his trial, but was turned down. At the time, Florida only provided lawyers for indigent defendants in capital cases.

A jury soon convicted Gideon and the state Supreme Court upheld the verdict on appeal. Then, from his Florida prison cell, Gideon scratched out his Supreme Court appeal in pencil on prison stationery. It arrived at the court early in 1962, when the justices were looking for a good case to take on the issue of indigent defense. The court appointed Washington lawyer Abe Fortas, a future justice, to represent him.

Just two months after hearing arguments, Justice Hugo Black wrote for the court that "in our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him. This seems to us to be an obvious truth."

Five months later, Gideon got a lawyer and a new trial, and the attorney poked holes in the prosecution's case. A jury quickly returned its verdict: not guilty.

So that was the promise of *Gideon*—that a competent lawyer for the defense would stand on an equal footing with prosecutors, and that justice would prevail, at least in theory.

A half-century later, there are parts of the country where "it is better to be rich and guilty than poor and innocent," said Sen. Patrick Leahy, D-Vt., chairman of the Senate Judiciary Committee and a former prosecutor. Leahy said court-appointed lawyers often are underpaid and can be "inexperienced, inept, uninterested or worse."

Regardless of guilt or innocence, few of those accused of crimes are rich, while 80 percent say they are too poor to afford a lawyer.

People who work in the criminal justice system have become numb to the problems, creating a culture of low expectations, said Jonathan Rapping, a veteran public defender who has worked in Washington, D.C., Atlanta and New Orleans.

Rapping remembers walking into a courtroom in New Orleans for the first time for a client's initial appearance before a judge. Several defendants in jump suits were shackled together in one part of the courtroom. The judge moved briskly through charges against each of the men, with a lawyer speaking up for each one.

Then he called a name and there was no lawyer present. The defendant piped up. "The guy said he hadn't seen a lawyer since he was locked up 70 days ago. And no one in the courtroom was shocked. No one was surprised," Rapping said.

Complaints about the quality of representation also are difficult to sustain, under a high bar that the Supreme Court set in a 1984 case. The relatively few cases in which a lawyer's work is deemed so bad that it violates his client's rights typically have an outlandish set of facts that would be funny if the consequences weren't tragic.

"You see too many instances of ineffective assistance of counsel, too many instances where you think, 'Was this lawyer crazy?'" Supreme Court Justice Elena Kagan said at the Justice Department event.

She recounted a case from last term in which a lawyer advised his client to reject a plea deal with a seven-year prison term and go to trial. The lawyer said prosecutors could not prove a charge of intent to murder because the victim had been shot below the waist. The defendant was convicted and sentenced to 30 years in prison.

Kagan was part of the 5-4 decision in the defendant's favor.

In some places, lawyers are overwhelmed by their caseloads. A public defender in Indianapolis lasted less than a year in his job after being asked to represent more than 300 defendants at a time, said Norman Lefstein, former dean of the Indiana University Robert H. McKinney School of Law.

"A lawyer with an S on his chest for Superman couldn't represent these people. He simply couldn't do it. There are only so many hours in a day. But it's not just caseload. It's the other support services that go along with it," including investigators, said Lefstein, who has studied problems in indigent defense for decades.

In Luzerne County, in northeastern Pennsylvania, the chief public defender told the local court he would stop accepting certain cases because his office had too many clients, too few lawyers and not enough money. A judge's ruling in June acknowledged the lack of money and manpower, but forbade the defender's office to turn away cases. The judge's ruling was encouraging, Lefstein said, but on his last visit to Wilkes-Barre in January he found "the caseloads are worse than ever."

Eighteen states, including California, Illinois, New York and Pennsylvania, leave the finding of indigent defense entirely to their counties, said Rhoda Billings, a former chief justice of the North Carolina Supreme Court who has looked at the issue for the American Bar Association. Those states "have a significant disparity in the appointment of counsel" from one county to the next, Billings said.

Public defenders in those counties often report to elected officials or their appointees, rather than independent boards that are insulated from politics. But even programs run at the statewide level are not free of political influence, Billings said, citing the case of a New Mexico public defender fired by the governor.

The lack of independence raises questions about whether decisions are being made in the best interests of clients, Rapping said.

The avalanche of cases and politics come together to present a formidable obstacle to alleviating some of the problems that afflict the system in some states. Politicians do not like asking voters for money for indigent defense.

"Arguing for more money to defend criminals is not the easiest way to win a close election," said former Vice President Walter Mondale. As Minnesota's attorney general in the early 1960s, Mondale recruited 21 other states to join in a brief urging the court to rule as it did and rejected a plea from Florida to support limits on states' responsibilities to poor defendants.

Heralded for its powerful statement about the right to a lawyer, the Gideon decision also left states on their own to pay for the provision of counsel, Lefstein said. "It came as an unfunded mandate to 50 state governments and that problem endures," he said,

noting that in England, Parliament provides money to local governments to pay for legal representation of the poor.

"The federal government does next to nothing to support indigent defense in the United States," Lefstein said.

Since becoming attorney general more than four years ago, Holder has shown a commitment to the issue. He established an "Access to Justice" program and made Harvard Law School professor Laurence Tribe its initial director. The department also has sent a few million dollars to defense programs across the country. He announced nearly \$2 million in new grants on Friday.

The right announced by the Supreme Court 50 years ago only covers criminal cases. It has never been extended to civil matters, although as Mondale pointed out, they can lead to people losing their homes, their families, being confined in a mental institution or being thrown out of the country.

To people in those situations, he said, the distinction between criminal and civil law "doesn't make much of a difference."

[From USA Today, Mar. 12, 2013]

YOU HAVE THE RIGHT TO COUNSEL. OR DO YOU?

50 YEARS AFTER THE U.S. SUPREME COURT ENshrined THE CONSTITUTIONAL RIGHT TO A LAWYER, BUDGET REALITIES ARE UNDERMINING JUSTICE IN AMERICA

(By Rick Hampson)

WILKES-BARRE, PA.—The first face visitors see when they walk into the public defender's office here is a photo of Clarence Gideon, the drifter, drinker, gambler and thief who became a hero of American jurisprudence.

It was in his case, *Gideon v. Wainwright*, that the Supreme Court ruled 50 years ago this month that everyone accused of a serious crime has a constitutional right to a lawyer, whether they can afford it or not.

When he was charged with breaking into a pool hall outside Panama City, Fla., Gideon asked for a court-appointed lawyer. After the judge said no, he represented himself, was found guilty and sentenced to five years. From prison, he appealed to the Supreme Court, which took his case and ordered a new trial.

If he came back today, Clarence Gideon might rue the quality of legal representation he'd receive. He might not get any at all.

Such was the fate last year of some indigent criminal defendants who walked in the public defender's door here and past Gideon's gaze. They were told that, because of a shortage of staff lawyers, the office was turning down all but the most serious new cases. They were given a letter to show the judge.

Al Flora, Luzerne County chief public defender, says that ethically and legally he had no choice: His overburdened lawyers couldn't take on new clients and do justice to those they already had. He sued county officials—his bosses—to let him hire more lawyers and to stop them from retaliating against him.

The situation in Luzerne County reflects what experts say is a national crisis in indigent legal defense that has thwarted Gideon's promise of legal equality.

Many public defenders are overwhelmed by caseloads, and financially pressed states and counties are levying fees and applying means tests for granting counsel. "We're not calling the anniversary a celebration," says Edwin Burnette of the National Legal Aid and Defender Association. "There's nothing to celebrate."

Flora is not the only rebel. The Florida Supreme Court is considering a similar attempt

by the Miami-Dade County public defender's office to limit its caseload. Last year, the Missouri Supreme Court authorized public defenders with unmanageable caseloads to decline new cases, and the American Bar Association urged states and counties not to fire public defenders who do.

The problem is money. An explosion in the number of criminal cases has overwhelmed the indigent defense system, which represents about 80% of all accused.

The right to counsel is stronger than ever; it was expanded by the Supreme Court during its last term. Although few in state and county government quarrel with the principle of *Gideon*, few are eager to cover the ever-growing tab for its realization.

That worries advocates on each side of *Gideon*, including Bruce Jacob, the former Florida assistant attorney general who argued the state's case before the Supreme Court, and former vice president Walter Mondale, who as attorney general of Minnesota in 1963 filed a brief supporting *Gideon*.

"We're not close to fulfilling the promise of *Gideon*," Jacob says. Although more defendants see a lawyer than 50 years ago, he says, many advocates don't have time to give clients "effective representation."

Any celebration of the anniversary should be "subdued," Mondale says, because "we've missed the mark, and we may be going backwards."

Others, while conceding the problem, take a more positive view. "For the most part, public defenders and prosecutors get it right," says Scott Burns, director of the National District Attorneys Association. "*Gideon* would celebrate this anniversary."

'I AM ENTITLED . . . TO COUNSEL'

Clarence Gideon was jailed before he was old enough to drive and behind bars for much of his young adulthood. By the time he was 51, he'd been convicted of five felonies, including thefts from a government armory and a country store.

His biographer, Anthony Lewis, described him as a "used-up man" who looked 15 years older than his age. In a letter, Gideon admitted "the utter folly and hopelessness" of much of his life.

On Aug. 4, 1961, facing trial on a charge that would send him back to prison, Gideon told the judge, "The United States Supreme Court says I am entitled to be represented by counsel."

The only problem: It had not, and he was not.

Beginning with *Betts v. Brady* (1942), the court had refused to declare a blanket constitutional right to counsel in non-capital state felony trials unless defendants faced "special circumstances," such as youth, illiteracy or unusually complex issues.

Undeterred, the imprisoned Gideon mailed the court a petition for a new trial. Handwritten in pencil on lined prison paper, it began with anachronistic legalese: "Comes now the petitioner . . ."

The court received many petitions like it every week from prisons around the country, but Gideon had two things in his favor.

First, he had raised the constitutional issue at trial, which meant he could use it to appeal.

Second, he didn't claim special circumstances, and—whether Gideon knew it or not—a majority of the justices already were inclined to jettison *Betts v. Brady* in favor of a flat constitutional right to counsel.

All the court needed was a case on which to rule. And here came Gideon.

On March 18, 1963, the court ruled unanimously that Gideon's conviction was unconstitutional because he'd been denied his request for counsel.



Justice Hugo Black wrote that in our adversarial justice system, the “noble idea (that) every defendant stands equal before the law . . . cannot be realized if the poor man charged with a crime has to face his accusers without a lawyer.”

The case was sent back to Florida, which had quickly established a network of public defenders. But Gideon insisted on a private practitioner, Fred Turner. It was a shrewd choice.

Turner interviewed Gideon in jail and spent several days investigating. He checked out the pool hall. He drove to the town where the prosecution witness had been earlier on the night of the crime. He picked pears with the witness's mother in her yard. He became convinced the witness was the perpetrator.

The jury took just over an hour: Not guilty. Gideon went out and got a hamburger.

The jailbird's name became synonymous with freedom. In Florida alone, 976 prisoners were released because of Gideon; an additional 500 got a new trial.

After his release, Gideon stayed out of trouble. He died of cancer in 1972 at 61, too soon to see himself played by Henry Fonda in the 1980 TV movie Gideon's Trumpet.

His gravestone in Hannibal, Mo., bears a message drawn from a letter he wrote in prison. It reflects his belief that he was part of something bigger than himself: “I believe each era finds an improvement in law,” Gideon wrote. “Each year brings out something new for the benefit of mankind.”

#### ALL WE CAN DO IS TRIAGE

After the inspirational Gideon v. Wainwright poster in the reception area, it's all downhill in the Luzerne public defender's office.

The walls are scuffed, the carpets stained. File folders are stacked on the floor. “It's a mess,” admits Al Flora, leading a tour. “Half the time the secretaries can't find the right file.” As a result, clients sometimes aren't notified of their court dates.

Some of the office's 21 lawyers have no desk or personal phone. The top of a file cabinet serves as a desk for one lawyer. A nightstand in a corner accommodates another.

The office, which handles about 4,000 cases a year in this northeastern Pennsylvania county of 320,000, has only four investigators and four secretaries. Lawyers often have to type their own briefs. They have little time to take depositions or seek discovery of prosecution evidence.

A third of Flora's lawyers have never tried a case. They're smart and energetic, he says, but so inexperienced that if given a full case-load, “they'd crack. . . . All we can do is triage cases.”

He says some public defenders “don't want to talk about the problem. I decided to go the other way. This has to stop.”

Traditionally, Southern states have had the worst record of giving poor defendants counsel. But Jonathan Rapping, founder of the Southern Public Defender Training Center, says the problem now is more acute in Northeastern jurisdictions with shrunken industrial bases and chronic fiscal woes.

That describes Luzerne County, which gets no state funds for public defenders. Last year, Flora's \$2.7 million budget was cut 7%, and later—until a judge intervened—a hiring freeze blocked him from filling five lawyers' slots that were budgeted.

In six months, he turned away more than 500 applicants for legal counsel, an approach that antagonized county officials. John Dean, a county attorney, has accused Flora of regarding the county as “nothing more

than a checkbook” and suggested he handle more cases himself.

In June, a judge told Flora to resume taking all comers and told the county to let Flora hire more lawyers. Since then, the county has paid for a computerized case management system and promised to find more office space.

#### AN EROSION OF JUSTICE

In the past 18 months, a third of the office's lawyers have left. One was Ed Olexa, 38. He'd read Gideon in law school but didn't bargain for what he found when he became a public defender four years ago.

Although he was a \$34,000-a-year part-timer—19 hours a week—he usually had 150 to 170 cases, far in excess of the maximum recommended by the American Bar Association for full-time defenders. The cases took up 40 to 50 hours a week. Along with his private cases, he worked up to 70 hours a week.

He often was scheduled to appear before two or three different judges at the same time in different places around the county. He'd meet clients for the first time in the courtroom—some straight from jail, still in handcuffs—and go before the judge with only the complaint and a hurried conversation with his client as background.

That, he says, was the worst: No time to establish rapport with clients or get the details that can win an acquittal. No time to do what Turner did for Gideon. Instead, he spent his time asking judges for more time. “It offended my sense of justice,” he says.

And his clients'. He won't discuss their specific complaints but says, “The best attorney in the world would be incompetent under those circumstances.”

Over time, most experts say, the costs are clear. Poor people arrested for misdemeanors plead guilty and go free rather than wait to see a public defender, even though a conviction on their record might hurt their chances for employment, loans or housing. At worst, the innocent go to jail, and the guilty go free.

The Luzerne chief public defender is a part-time post; the county plans to make it full time. Flora has applied.

“I want to see it done right,” he says. “I believe people who are impoverished and can't afford a lawyer deserve one. If we can't provide that, then what kind of society do we really have?”

By Mrs. FEINSTEIN (for herself and Mr. NELSON):

S. 598. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce, with my distinguished colleague, Senator BILL NELSON, the Deepwater Drilling Royalty Relief Prohibition Act.

Specifically, the bill prohibits the Interior Department from waiving royalty payments due to American taxpayers as compensation for the oil industry's exploitation of Federal oil and gas resources in waters exceeding 400 meters of depth.

It is necessary because Congress has established a number of royalty-relief programs for oil and gas production in our deepest Federal waters.

However, as the BP Deepwater Horizon catastrophe showed, encouraging this most dangerous and often dirty

form of oil drilling is not in the public interest.

The disastrous impacts of the Deepwater Horizon explosion illustrate the enormous environmental and safety risks of offshore drilling—particularly in deep waters. 11 people died and 17 others were injured when the Deepwater Horizon caught fire. 5 million barrels of oil gushed into the Gulf of Mexico.

It took 9,700 vessels, 127 aircraft, 47,829 people, nearly 2 million gallons of toxic dispersants, and 89 days to plug the well and stop the flow of oil. And the scope of the disaster was tremendous. Oil slicks spread across the Gulf of Mexico, forcing the closing of 40 percent of Gulf waters to all commercial and recreational fishing. Pelicans and other wildlife struggled to free themselves from crude oil. Wildlife responders collected 8,183 birds, 1,144 sea turtles, and 109 marine mammals killed or negatively affected by the spill. Many more perished and sank to the ocean depths without detection.

More than 650 miles of Gulf coastal habitats—including salt marshes, mudflats, mangroves, and sand beaches—were oiled. Tar balls spoiled the pristine white sand beaches of Florida, while wetlands were coated with toxic sludge. Oyster beds could take years to recover.

The plumes of underwater oil created zones of toxicity for aquatic life. Recent studies have determined the BP spill was “definitely linked” to “widespread signs of distress” and the slow death of deepwater coral within seven miles of the blowout site.

The response techniques, such as the use of dispersants, may have their own toxic consequences to both wildlife and the spill response workers. A recent report asserts that the mixture of toxic dispersants and crude oil has now weathered into tar product, and that the “unholy mix” is allowing potentially carcinogenic concentrations of organic pollutants to remain in the environment.

The impacts of an oil spill are so dramatic and devastating, it seems clear to me that this is not an area in which we should be subsidizing development.

In 1969, off Santa Barbara, California, a natural gas blowout caused an unprecedented oil spill.

The drilling technology 40 years ago was not able to prevent a disaster, nor could it stop the flow of oil, which went on for more than 11 days. Unfortunately, today's technology also cannot prevent well-head blowouts or quickly stop the flow of oil.

The Deepwater Horizon drill rig was less than 10 years old when it caused a devastating blow out. A similar rig that caused the 2009 spill in the Montara oil and gas field in the Timor Sea—one of the worst in Australia's history—was even newer, designed and built in 2007. That spill continued unchecked for 74 days.

The failures that led to these catastrophes were human and technological. But they demonstrate that we are a long way from spill-free offshore oil and gas production technology.

In deep waters, the risks are higher and the scope of the damage even greater, because drilling in deep water presents even more challenges than drilling in shallow water or on shore. This was demonstrated during the Deepwater Horizon disaster.

Methane hydrate crystals form when methane gas mixes with pressurized cold ocean waters—and the likelihood of these crystals forming increases dramatically at a depth of about 400 meters. These crystals interfere with response and containment technologies. They formed in the cofferdam dome that was lowered onto the gushing oil in the Gulf, which failed to stop the oil in the early days of the spill.

When a remotely operated underwater vehicle bumped the valves in the “top hat” device, the containment cap had to be removed and slowly replaced to prevent formation of these crystals again.

In order to drill at deeper depths, many technical difficulties must be overcome. The ocean currents on the surface and in the water column exert torque pressure on the pipes and cables, which are longer and heavier.

The water temperature decreases closer to the sea floor, but the temperature of the ground under the ocean increases the deeper the well—sometimes reaching temperatures in excess of 350 degrees Fahrenheit.

The ocean pressure increases dramatically at depth, but the pressure in a well can exceed 10,000 pounds per square inch.

Drills must be able to pass through tar and salts, and the well bores must remain intact.

The volume of drilling mud and fluids is greater, the weight of the cables heavier, and many technical procedures can only be accomplished with the use of remotely operated vehicles thousands of feet below the surface.

American taxpayers should not forego revenue in order to incentivize offshore drilling at these dangerous depths. It is not good environmental policy, and it's not good energy policy either. We need to move to cleaner renewable fuels.

I believe that global warming presents a serious environmental and economic threat—and scientists agree that the biggest culprit of global warming is manmade emissions produced by the combustion of fossil fuels like oil and coal.

Taxpayer-funded incentives should be utilized to develop and deploy clean energy technologies that address this crisis, instead of encouraging the fossil fuels at the root of the problem through oil and gas royalty relief.

Congress has worked to move in this direction. In 2007, we passed the Ten in

Ten Fuel Economy Act which will raise fuel economy standards for passenger vehicles to 54 miles per gallon by 2025.

Over the past four years, renewable energy generation in the United States has more than doubled—due in large part to Federal tax incentives, financing mechanisms, and a vastly improved permitting process. In 2012, a whopping 44 percent of new electric generating capacity added to the grid was wind power.

The Federal government is helping the United States adopt a cleaner energy future.

Royalty relief for dangerous oil and gas development, however, is not advancing this goal.

Let me make one final point: oil companies—the primary recipients of royalty relief—do not need taxpayer help. They are already reaping record profits.

Higher gasoline prices are causing families pain at the pump, but they are a boon to the world's five largest oil companies.

BP, Chevron, ConocoPhillips, ExxonMobil, and Shell made a combined \$118 billion in profits in 2012, or an average of almost \$500 for each car in America.

Moreover, the big three publicly owned U.S. oil companies—ExxonMobil, Chevron, and ConocoPhillips paid effective federal tax rates in 2011 of 13 percent; 19 percent; and 18 percent respectively. Yet we continue to use taxpayer dollars to add to their bottom line. This is unacceptable.

Oil reserves under Federal waters are a public resource. When a private company profits from those public resources, American taxpayers should also benefit.

I urge my colleagues to support this legislation and ensure that royalties owed to the taxpayers are not waived to incentivize risky off-shore drilling. In these critical economic times, every cent of the people's money should be spent wisely.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 598

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Deepwater Drilling Royalty Relief Prohibition Act”.

#### SEC. 2. PROHIBITION ON ROYALTY INCENTIVES FOR DEEPWATER DRILLING.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any oil or gas lease sale under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) with royalty-based incentives in any tract located in water depths of 400 meters or more on the outer Continental Shelf.

(b) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed.

(c) ROYALTY RELIEF.—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended by adding at the end the following:

“(D) PROHIBITION.—Notwithstanding subparagraphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf.”.

(d) APPLICATION.—This section and the amendments made by this section—

(1) apply beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published as of that date; and

(2) do not apply to a lease in effect on the date of enactment of this Act.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 77—EXPRESSING THE SENSE OF CONGRESS RELATING TO THE COMMEMORATION OF THE 180TH ANNIVERSARY OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND THE KINGDOM OF THAILAND

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 77

Whereas 2013 marks the 180th anniversary of the March 20, 1833 signing of the Treaty of Amity and Commerce between the United States and the Kingdom of Thailand (formerly known as Siam), which initiated diplomatic relations between the two countries during the administration of President Andrew Jackson and the reign of King Rama III;

Whereas Thailand was the first treaty ally of the United States in the Asia-Pacific region and remains a steadfast friend of the United States with shared values of democracy, rule of law, universal human rights, human security, open societies, and a free market;

Whereas in December 2003, the United States designated Thailand as a major ally outside the North Atlantic Treaty Organization, which improved the security of both countries, particularly by facilitating joint counterterrorism efforts;

Whereas for more than 30 years, Thailand has been the host country of Cobra Gold, the United States Pacific Command's annual multinational military training exercise, which is designed to ensure regional peace and promote regional security cooperation;

Whereas Thailand has played a leading role in the development of the Association of Southeast Asian Nations by helping the regional group develop into a more cohesive and comprehensive entity that ensures regional security and prosperity and serves as a valued partner in Asia for the United States;

Whereas on December 5, 2012, the people of Thailand celebrated the 85th birthday of His Majesty King Bhumibol Adulyadej, the world's longest-serving monarch, who is loved and respected for his lifelong dedication to the social and economic development of the people of Thailand;

Whereas on July 3, 2011, the Royal Thai Government held nationwide parliamentary



elections, the results of which affirmed Thailand's commitment to the democratic process;

Whereas approximately 500,000 people of Thai descent live in the United States, joining in the pursuit of the American Dream;

Whereas Thailand is a valued trading partner of the United States, with bilateral trade totaling approximately \$40,000,000,000 per year; and

Whereas the bonds of friendship and mutual respect between the United States and Thailand are strong:

Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand;

(2) offers sincere congratulations to the Kingdom of Thailand and the people of Thailand for their affirmation of the value of democracy;

(3) commemorates the 85th birthday of His Majesty King Bhumibol Adulyadej of Thailand and offers sincere congratulations and best wishes for the continued prosperity of the Kingdom of Thailand; and

(4) looks forward to continued, enduring ties of friendship between the peoples of Thailand and the United States.

#### SENATE RESOLUTION 78—SUPPORTING THE GOALS AND IDEALS OF PROFESSIONAL SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY

Ms. STABENOW (for herself, Mr. BEGICH, Ms. MIKULSKI, Mr. COONS, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on the Judiciary:

##### S. RES. 78

Whereas the social work profession has been instrumental in achieving advances in civil and human rights in the United States and across the world for more than a century;

Whereas the primary mission of social work is to enhance human well-being and help meet the basic needs of all people, especially the people who are most vulnerable;

Whereas the programs and services provided by professional social workers are essential elements of the social safety net in the United States;

Whereas social workers have a critical impact on adolescent and youth development, aging and family caregiving, child protection and family services, health care navigation, mental and behavioral health treatment, assistance to members and veterans of the Armed Forces, nonprofit management and community development, and poverty reduction;

Whereas social workers function as specialists, consultants, private practitioners, educators, community leaders, policy-makers, and researchers;

Whereas social workers influence many different organizations and human service systems and are employed in a wide range of workplaces, including private and public agencies, hospices and hospitals, schools, clinics, businesses and corporations, military units, elected offices, think tanks, and foundations;

Whereas social workers seek to improve social functioning and social conditions for people in emotional, psychological, economic, or physical need;

Whereas social workers are experts in care coordination, case management, and therapeutic treatment for biopsychosocial issues;

Whereas social workers have roles in more than 50 different fields of practice;

Whereas social workers believe that the strength of a country depends on the ability of the majority of the people to lead productive and healthy lives;

Whereas social workers help people, who are often navigating major life challenges, find hope and new options for achieving their maximum potential; and

Whereas social workers identify and address gaps in social systems that impede full participation by individuals or groups in society: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and observe Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role that social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work.

#### SENATE RESOLUTION 79—SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. BURR (for himself and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

##### S. RES. 79

Whereas the Take Our Daughters To Work Day program was created in New York City as a response to research that showed that, by the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to "Take Our Daughters and Sons To Work Day" so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas the mission of the program, to develop "innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential", now fully reflects the addition of boys;

Whereas the Take Our Daughters and Sons To Work Foundation, a nonprofit organization, has grown to become one of the largest public awareness campaigns, with more than 37,400,000 participants annually in more than 3,000,000 organizations and workplaces in every State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the Take Our Daughters and Sons To Work Foundation, and received national recognition for the dedication of the Foundation to future generations;

Whereas every year, mayors, governors, and other private and public officials sign proclamations and lend their support to Take Our Daughters and Sons To Work;

Whereas the fame of the Take Our Daughters and Sons To Work program has spread

overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas 2012 marked the 20th anniversary of the Take Our Daughters and Sons To Work program;

Whereas Take Our Daughters and Sons to Work Day will be observed on Thursday, April 25, 2013; and

Whereas Take Our Daughters and Sons To Work is intended to continue helping millions of girls and boys on an annual basis through experienced activities and events to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all the participants in Take Our Daughters and Sons To Work for their ongoing contributions to education, and for the vital role the participants play in promoting and ensuring a brighter, stronger future for the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 126. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 46 submitted by Ms. AYOTTE (for herself and Mrs. SHAHEEN) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 127. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 128. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 43 submitted by Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNES, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFF) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 129. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 130. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 131. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 132. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 133. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 95 submitted by Mr. NELSON and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 134. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her

to the bill H.R. 933, *supra*; which was ordered to lie on the table.

SA 135. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 126.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 46 submitted by Ms. AYOTTE (for herself and Mrs. SHAHEEN) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY” is hereby decreased by \$380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by \$205,000,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

**SA 127.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY” is hereby decreased by \$380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by \$205,000,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

**SA 128.** Mr. ENZI submitted an amendment intended to be proposed to amendment SA 43 submitted by Mr. BLUNT (for himself, Mr. RISCH, Mr.

HOEVEN, Mr. WICKER, Mr. JOHANNES, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFE) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

(d) EXEMPT PROGRAMS AND ACTIVITIES.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended—

(A) by inserting after the item relating to the Foreign Military Sales Trust Fund the following:

“Governmental Accounting Standards Board.”;

(B) by inserting after the item relating to the Postal Service Fund the following:

“Public Company Accounting Oversight Board (95-5376-0-2-376).”;

(C) by inserting after the item relating to the Salaries of Article III judges the following:

“Securities Investor Protection Corporation (95-5600-0-2-376).”; and

(D) by inserting after the item relating to the Soldiers and Airmen’s Home, payment of claims the following:

“Standard Setting Body (95-5377-0-2-376).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as though included in the amendments made by title IX of the American Taxpayer Relief Act of 2012 (Public Law 112-240; 126 Stat. 2370).’’

**SA 129.** Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following: “Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied for purposes of this division by inserting before the period in paragraph (2) ‘; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions’.”.

**SA 130.** Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This section shall become effective 1 day after enactment.

**SA 131.** Mr. REID submitted an amendment intended to be proposed by

him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This section shall become effective 2 days after enactment.

**SA 132.** Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

This section shall become effective 3 days after enactment.

**SA 133.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 95 submitted by Mr. NELSON and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 2 and all that follows through page 2, line 2, and insert the following:

SEC. \_\_\_\_\_. The Secretary of the Army is authorized to increase the authorization amounts for a water resources development project using amounts made available under this Act only if—

(1) the applicable water resources development project was authorized on or before the date of enactment of this Act;

(2) the increased authorization amount for the applicable water resources development project is only to adjust for inflation;

(3) 100 percent of the increased authorization amount will be non-federally funded;

(4) the increased authorization amount is necessary to meet contractual bids for the project; and

(5) the increased authorization amount is included in the applicable budget of the United States Government submitted by the President under section 1105 of title 31, United States Code.

**SA 134.** Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “Notwithstanding any other provision of this Act, funds made available for the

Bureau of Alcohol, Tobacco, Firearms, and Explosives by this or any other Act may be expended in fiscal year 2014 or any fiscal year thereafter to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code.”.

**SA 135.** Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “Notwithstanding any other provision of this Act, funds made available for the Bureau of Alcohol, Tobacco, Firearms, and Explosives by this or any other Act may be expended in fiscal year 2013 or any fiscal year thereafter to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code.”.

#### NOTICES OF HEARINGS

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, March 19, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Can We Do More to Keep Savings in the Retirement System.”

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224-6572.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, March 20, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. \_\_\_\_, Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 and S. 330, HIV Organ Policy Equity Act.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

the Judiciary be authorized to meet during the session of the Senate, on March 18, 2013, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “How Comprehensive Immigration Reform Should Address the Needs of Women and Families.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL ASBESTOS AWARENESS WEEK

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 66, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 66) designating the first week of April 2013 as “National Asbestos Awareness Week.”

Mr. REID. Mr. President, this is a very important resolution. Thousands and thousands of people died from asbestos exposure. It is a dreadful product. People who have been exposed to it can get sick 30, 40, 50 years later. People who washed somebody’s clothes who worked with asbestos can get sick and die. So I appreciate very much Senator BAUCUS and the others who sponsored this legislation.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 66) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, February 28, 2013, under “Submitted Resolutions.”)

#### SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 79.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 79) supporting the goals and ideals of Take Our Daughters and Sons to Work Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 79) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### ORDERS FOR TUESDAY, MARCH 19, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, March 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of H.R. 933, the continuing appropriations bill; further, the time during adjournment, recess, and morning business count postcloture on the substitute amendment to H.R. 933; finally, the Senate recess from 12:30 to 2:15 p.m. tomorrow to allow for our weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, it is my sincere hope that we can reach an agreement to complete action on the continuing appropriations bill on Tuesday so we can begin consideration of the budget resolution. Remember, Easter recess is staring us in the face. We have to get this done before we leave. If it spills over into next week, despite the fact that we have Passover starting on Monday, we are going to complete our work in this body before the Easter recess.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:45 p.m., adjourned until Tuesday, March 19, 2013, at 10 a.m.

## EXTENSIONS OF REMARKS

CHRIS SWARTWOOD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chris Swartwood for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chris Swartwood is a 12th grader at Jefferson County Open School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Chris Swartwood is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chris Swartwood for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

## PERSONAL EXPLANATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. COSTA. Mr. Speaker, I was unable to be present for several votes taken on the House floor last week as I was directed by my doctor to not fly back from my District. As a result, I missed rollcall Votes Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and 75.

Had I been present, on rollcall Vote No. 63 I would have voted 'aye'; on rollcall Vote No. 64 I would have voted 'no'; on rollcall Vote No. 65 I would have voted 'no'; on rollcall Vote No. 66 I would have voted 'present'; on rollcall Vote No. 67 I would have voted 'aye'; on rollcall Vote No. 68 I would have voted 'no'; on rollcall Vote No. 69 I would have voted 'no'; on rollcall Vote No. 70 I would have voted 'no'; on rollcall Vote No. 71 I would have voted 'no'; on rollcall Vote No. 72 I would have voted 'aye'; on rollcall Vote No. 73 I would have voted 'aye'; on rollcall Vote No. 74 I would have voted 'aye'; and on rollcall Vote No. 75 I would have voted 'no'.

HONORING LOREN DUKE ABDALLA  
FOR OUTSTANDING SERVICE TO  
HIS COUNTRY DURING WORLD  
WAR II

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the service of Loren Duke Abdalla. Duke is the great-grandson of Chief Running Bull of the Yankton Sioux. He enlisted in the Marine Corp in 1943, and for his courageous service, Duke earned a Purple Heart and a rank of Corporal.

In September of 1944, at the Battle of Peleliu, Duke's machine gun team was shelled. Duke lost his machine gunner and two ammo carriers, while himself taking shrapnel that left him with holes in both legs. Rather than being sent home, Duke recovered and then quickly was promoted to leader of 3rd Squad, 1st Platoon, A Company.

Beginning April of 1945, Duke and A Company began an assault on Okinawa. In early May, Duke demonstrated true bravery in a series of heroic maneuvers and actions. Over the course of the day, Duke carried a wounded fellow Marine to safety and successfully neutralized six machine gun nests, clearing the way for U.S. forces to advance. Duke lost his entire squad after clearing four of the nests, but he continued on and cleared the final two by himself.

Duke and his fellow Marines fought valiantly and withstood fierce counterattacks from enemy forces. Their commitment and selfless dedication to their country was emblematic of the effort put forth by "The Greatest Generation" during the world's time of greatest need.

I thank Loren Duke Abdalla for his service to this nation. We all owe a great debt of gratitude to Duke and to all those brave men and women who sacrifice so much for the good of this country.

CHEYAYN TUCKER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cheyayn Tucker for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cheyayn Tucker is a 12th grader at Arvada West High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cheyayn Tucker is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cheyayn Tucker for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING DR. ANNE MARION TAYLOR, 2013 SLOAN RESEARCH FELLOW

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize Dr. Anne Marion Taylor of Chapel Hill, North Carolina, for receiving the 2013 Sloan Research Fellowship from the Alfred P. Sloan Foundation. Dr. Taylor, a Biomedical Engineer at the University of North Carolina at Chapel Hill, will receive a two-year, \$50,000 grant to expand her research in Neurosciences.

The fellowship is designed to provide supplemental funding and support to enhance the careers of its young recipients. This prestigious honor is reserved only for the best and brightest to highlight the newest generation of scientific leaders by opening new doors for those in the pursuit of scientific innovation.

Dr. Taylor researches neurosciences and biomedical engineering to find ways to better understand cellular mechanisms involved in cognition. As a result of Dr. Taylor's studies, we now have commercially available devices that have led to breakthroughs in the study of synapse development.

I congratulate Dr. Taylor for this impressive achievement and thank her for her dedicated work at UNC School of Medicine.

CASSIE BROWN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cassie Brown for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cassie Brown is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cassie Brown is exemplary of the type of achievement that can be attained with hard work and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cassie Brown for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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#### LONNIE NUTT MEMORIAL

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### HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today with a heavy heart to honor the memory of Lonnie Lee Nutt, a City of Marietta, Georgia firefighter, and fallen hero. On the evening of March 7th—at the young age of 49—Nutt was in the line of duty, assisting the victim of a car accident when he tragically suffered a fatal heart attack.

For nearly 20 years, Nutt selflessly served and protected his community as a firefighter, inspector, investigator, and most recently as a firefighter engineer.

He was a tested veteran and deeply respected by his colleagues. But more importantly, he was a devoted husband to his wife Rosa, and loving father to his daughter Cassandra.

Mr. Speaker, I extend my deepest condolences to his family and friends, his fellow firefighters, and the Marietta community for their loss during this most difficult time.

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#### CANADA ALBIN

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### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Canada Albin for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Canada Albin is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Canada Albin is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Canada Albin for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### A RECOGNITION OF MR. ROB WHITE

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### HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. SWALWELL of California. Mr. Speaker, I rise today to recognize my friend, Mr. Rob White, for his contributions to the innovation community of the Bay Area. Rob recently announced that he is stepping down as CEO of the iGate Innovation Hub and as Director of Economic Development for the City of Livermore, California. As cofounder of the iGate hub, Rob was instrumental in establishing a broad regional partnership that is helping leverage public investments at the Lawrence Livermore and Sandia National Laboratories into economic development that benefits the growth of small businesses focused on bringing new green energy technologies to market.

Just last year, the White House named Rob a Champion of Change for Local Innovation, acknowledging him as “a thought leader in government led collaborative networks, public policy assessment in support of entrepreneurship, and economic development frameworks that focus on technology growth and innovation.” Under Rob’s leadership, iGate received an award for Regional Collaboration from the International Economic Development Council, the Thomas H. Muehlenbeck Award for Excellence in Local Government from the Alliance for Innovation; and the Outstanding Partnership Award from the Federal Laboratory Consortium, Far West Region.

Rob has worked for more than two decades in researching, assessing, and developing the ecosystem for regional innovation networks. His tireless support of small businesses, focusing on green transportation and clean-energy technologies, is already helping transform the economic climate in the Tr-Valley area and the region at large.

On a more personal note, Mr. Speaker, Rob has played a vital role in assisting me in the development of my economic policy and strategy. I was honored when he agreed to serve on my Economic Development Advisory Committee and I have learned a great deal from him. I want to thank Rob for his contributions to the East Bay. I wish him the best of luck as he begins this new chapter of his life.

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#### PERSONAL EXPLANATION

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### HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. FOSTER. Mr. Speaker, on March 15, I missed three recorded votes. Had I been present, on rollcall No. 73, I would have voted “yea.” On rollcall No. 74, I would have voted “yea.” On rollcall No. 75, H.R. 803, the SKILLS Act, I would have voted “no.”

#### BREANNA WILSON

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### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Breanna Wilson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Breanna Wilson is an 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Breanna Wilson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Breanna Wilson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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#### RECOGNIZING LAILA GORING

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### HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Ms. GABBARD. Mr. Speaker, I rise today to highlight a very special member of my team, Laila Goring. Laila is a University of Hawai'i student and former soldier who has been serving in my office as an intern this spring. Friday was her final day on Capitol Hill.

In her work, she has truly displayed the aloha spirit and a heart for servant leadership. She has set the bar high for our internship program, and I hope many more students like Laila will serve and learn in my office.

A congressional internship should not be about grabbing coffee or making copies, but about learning and growing in an environment that encourages service. Our students have so much to offer, and we have the opportunity to cultivate the next generation of leaders by demonstrating firsthand the value of public service.

Mahalo nui loa, thank you very much, Laila, and we wish you the best of luck as you continue to pursue your goals.

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#### CHRIS McNABB

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### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chris McNabb for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chris McNabb is an 8th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Chris McNabb is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chris McNabb for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### RECOGNIZING ANDREW A. ATHENS

##### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Mr. Andrew A. Athens for his lifetime of philanthropic service, most notably to the Greek Community and Orthodox Church.

Known as the leader of millions of Greeks living outside of Greece, Mr. Athens served as the President of the World Council of Hellenes Abroad, SAE, since its founding in 1995. In 2006, Mr. Athens was named President Emeritus by the Sixth World Assembly of SAE.

Since its founding, SAE has worked to promote Hellenism, support the efforts of the Greeks worldwide, and strengthen ties between Greece and the countries of residence of Greek expatriates.

During his tenure with SAE, Mr. Athens has travelled to every continent to further SAE's mission. He also worked closely with other notable Hellenes in the Coordinated Effort of Hellenes. He has met with nearly every U.S. President and leader in the U.S. Senate and House of Representatives on Hellenic and Orthodox issues. It is with Mr. Athens' care and dedication that SAE has thrived.

Mr. Athens was also a proud founder of Hellenicare, a Primary Health Care Initiative and humanitarian effort. Under his direction, a total of seven medical care centers were opened in Hellenic areas of the Republic of Albania, Armenia, Georgia, and Ukraine. These centers provide free medical services for those who would otherwise have no access to high quality medical treatment.

A decorated U.S. Army Captain, Mr. Athens was honored with the Bronze Star and the U.S. Army Commendation Medal for his service in World War II. He has also led a successful career in business, founding the Metron Steel Corporation, which continues to be one of the largest steelworks in the country.

Mr. Athens has been honored with more than 42 awards, medals and distinctions for his service to the community.

Mr. Speaker, I am proud to recognize my friend Andrew A. Athens for his remarkable service and his lifelong commitment to enriching the lives of others. I urge my colleagues to join me in honoring his tremendous accomplishments.

#### OUR UNCONSCIONABLE NATIONAL DEBT

##### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,723,061,528,495.80. We've added \$6,095,100,232,565.13 to our debt in 4 years. This is \$6 trillion in debt our Nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

##### CHELSEY BOCK

##### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chelsey Bock for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chelsey Bock is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chelsey Bock is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chelsey Bock for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### HONORING THE SEATTLE SEAHAWKS

##### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. REICHERT. Mr. Speaker, I rise to recognize the extraordinary merit of the Seattle Seahawks today, March 18, 2013.

The Seattle Seahawks finished the 2012 season with an overall record of 11–5, including a perfect home field record of 8–0 in an entertaining season. Included in their 11–5 record, they dominated with back to back 50 point games against their opponents.

They advanced to the playoffs, winning the NFC wild card and fighting through two rollercoaster playoff games—the spirit of the “12th man” supporting and driving them forward. With six Seahawks players, one being their rookie quarterback, on the roster for the 2013 Pro Bowl, they helped ensure a NFC victory.

Seattle demonstrated great cohesion and teamwork throughout the season, being

ranked number one in the NFL in scoring defense. The offense set single season records for total rushing yards, average rushing yards and per carry average during the 2012 regular season.

Coach Pete Carroll has been an inspirational leader rebuilding the Seahawks and strengthening team unity. He has also been instrumental working with youth in our communities through A Better Seattle, a partnership to help create a culture for safety and peace while reducing violence in our communities.

As the Chairman of the Charitable/Exempt Organizations Tax Reform Working Group, I am pleased that, in addition to Coach Carroll, there are so many players from my hometown sports team that have Charitable Foundations. Their passion for giving back to their community exemplifies the spirit of the Pacific Northwest.

Mr. Speaker, I again offer my appreciation for the community spirit of Seattle Seahawks and congratulations for an outstanding and entertaining 2012 season and look forward to their 2013 season. Go Hawks.

#### CASEY BARRETERO

##### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Casey Barretero for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Casey Barretero is a 9th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Casey Barretero is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Casey Barretero for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### SEQUESTRATION CUTS HARMING AMERICANS

##### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Mr. LEWIS. Mr. Speaker, the people of this Nation are looking to this Congress for help. My constituents and the constituents of every elected representative here sent us to Congress to take action on their behalf.

They are worried about how they will keep a roof over their heads, food on their plates, the lights turned on, and get back and forth from work. They are holding out some hope that we might actually do what they sent us

here to accomplish. They have told us they want Social Security and Medicare to continue. They want to keep their health benefits and hope to hear that this Nation's resources will be used to restore our infrastructure, create jobs and educational opportunities, strengthen our economy and restore confidence in our leadership as a nation.

They expect elected officials to build, and not to tear down. They want to unify this Nation and not divide it into two camps of the super-rich and the struggling poor. They have told us this in so many ways, especially during the last election. But instead, they are witnessing what seems to be a full-scale assault at every level of government on American life as we know it. From the U.S. Capitol to State capitols even in Georgia, extremists seem determined to reverse our climb toward recovery and drive this Nation into a ditch.

Our first priority should be trying to improve the lives of the middle class, the working class, and low-income Americans, not negotiating lay-offs, freezing salaries, scapegoating government employees, eliminating civil rights protections and collective bargaining. Public servants at every level of government are under constant attack, and in these urgent times we are reducing service to communities and teetering on the edge of economic instability. At the same time that we are reducing the number of livable-wage jobs, we are gutting re-training and reemployment opportunities. These policies will pull the rug out from under people's lives in the name of some kind of pseudo-fiscal discipline that legislators declare will do this Nation some good.

For yet another week, the Republican-led Congress has turned its back on the number one issue in this country—jobs. Instead of brainstorming a way to fix the massive problems sequestration presents, the House is considering legislation which guts 40 years of bipartisan engagement in Workforce Investment Act (WIA) programs. This bill would consolidate or eliminate successful initiatives like YouthBuild, the Disabled Veterans Outreach Program, Women in Apprenticeship and Non-traditional Occupations, and Community-Based Job Training Grants.

Last week, House Republicans also passed H.R. 890, the partisan welfare bill that would overturn the Obama Administration proposal to allow States the flexibility to move more Americans from welfare to work.

Looking forward to the week ahead, this Congress will move closer to making massive sequestration cuts permanent for millions of Americans. Instead of alleviating suffering, these bills will add to the woes of my constituents and Americans across the country.

We need to come together to find a way to help the people in this country keep their jobs and become gainfully employed, not slashing and cutting when there is no emergency that really warrants these measures. We must not balance the budget on the backs of the poorest and most vulnerable Americans, especially when closing common-sense loopholes could easily raise the revenue we need.

Every day, millions of Americans go to bed hungry because they have fallen into poverty. They were evicted from their homes and have lost their jobs. This Congress has turned a blind eye to their suffering and seems to be

determined to pile on more. When will we do the work of policy and put aside partisan politics? How can we look our constituents in the eye, knowing these changes will do them harm?

We are here to help solve the problems of America, not create more problems for this country. Legislators can do better; we must do better.

BRIANNA ESQUIBEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brianna Esquibel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brianna Esquibel is an 8th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brianna Esquibel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brianna Esquibel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. PATRICK T. McHENRY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. McHENRY. Mr. Speaker, on March 14, 2013, I was unavoidably absent from the House and missed rollcall votes 70, 71, and 72. Had I been present, I would have voted "aye" on rollcall votes 70, 71, and 72.

On March 15, 2013, I was unavoidably absent from the House and missed rollcall votes 73, 74, and 75. Had I been present, I would have voted "nay" on rollcall votes 73 and 74, and I would have voted "aye" on rollcall vote 75.

BRANDON HELLER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brandon Heller for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brandon Heller is an 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brandon Heller is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brandon Heller for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE LIFE OF SYLVIA MEHAS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. COSTA. Mr. Speaker, today, along with my colleague, Mr. NUNES, we pay tribute to the life of Sylvia Mehas who passed away on March 9, 2013 at the age of 94. Sylvia will be remembered in the hearts of many as a passionate woman who loved her heritage, family, and faith.

Sylvia grew up in an immigrant family that was from a small village in Greece. Her roots were from the old country; therefore, strong values and morals were instilled in Sylvia early on. Sylvia knew the importance of hard work, and she understood that a little tough love was necessary every once in a while. Her children: Tulla, Peter, and Georgia, appreciate their mother for the lessons she taught them and for the principles that are now ingrained in them.

Sylvia was married to her late husband, George, for over 53 years. Together, they were very involved in their church, St. George Parish. George served as a President, and Sylvia taught Sunday school, and served on the parish council for five years as Treasurer and Vice President. In addition, Sylvia was a founding member of the church choir. She sang in the choir for 25 years. Sylvia's Greek Orthodox faith was the foundation for her life, so she cherished the opportunities she had to serve at the church.

Fresno's Greek community was an integral part of Sylvia's life. She was co-chair of the Annual Grecian Food Festival, chair of the Greek Community Booth for Passport Fresno and Downtown Fresno Centennial, and she was a member of the Daughters of Penelope, where she served as President and District Lt. Governor.

Civic engagement was also very important to Sylvia. She served on numerous boards and committees. She was a past President of the Federation of Republican Women and an elected member of the Republican Central Committee. Sylvia was proud of her beliefs, but she was not against hearing other peoples' thoughts and arguments. She was happy to sit and talk with anyone. Sylvia served on the Fresno Grand Jury, Fresno County Solid Waste Committee, Fresno City Urban Design Task Force, Fresno City Citizen's Commission, Fresno County Reorganization Committee, and Fresno Chamber of Commerce



Legislative Committee and Local Government Committee.

Beyond her participation in the community, Sylvia also ran two successful businesses with George. The Fresno Malt Shop and the Athenian Restaurant were staples in downtown Fresno. Sylvia and George worked hard to keep them up and running because they understood the important lessons they were teaching their children about hard work.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join Mr. NUNES and myself in paying tribute to the life of Sylvia Mehas. Sylvia's leadership, guidance, and kindness will be greatly missed by many.

50 YEARS LATER, WE MUST WORK  
TO FULFILL THE PROMISE OF  
GIDEON

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 18, 2013*

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to commemorate the 50th Anniversary of *Gideon v. Wainwright*. This Supreme Court case established that all Americans have a right to counsel in criminal trials—even if they cannot afford it. The *Gideon* decision was clear: American citizens moving through the criminal justice system deserve appropriate representation under the law.

Unfortunately, fifty years after this case was decided, that promise of *Gideon* has not been fully realized. Today, ever increasing numbers of American citizens fall through the cracks in our justice system, sitting behind bars because they did not have access to legal representation.

On this important anniversary, we must commit ourselves to ensuring that all Americans have meaningful access to legal representation so that they are not left at the mercy of a justice system that is difficult to navigate and weighted against them. As Michelle Alexander's explains in *The New Jim Crow*, "tens of thousands of poor people go to jail every year without ever talking to a lawyer." An article by Karen Houppert in this Sunday's Washington Post describes how "one man, accused of burglary, sat in jail for more than a year while waiting for an attorney to be assigned to him." I believe that those situations are unconscionable. Wealth should not be required buy access to a responsive justice system. All Americans should have ready, meaningful access to an attorney when their futures and interests are at risk.

We must make sure that the services aimed at assisting the poor are adequately funded. Attorney General Holder has quite accurately referred to the "crisis" facing services that provide legal services to the poor. Today, public defenders have caseloads that are often hundreds of cases above the numbers recommended by the American Bar Association. With staff stretched that thin, the level of service provided in any one case inevitably suffers. As is noted in *The New Jim Crow*, "...those who do meet with a lawyer for a drug offense often spend only a few minutes dis-

cussing their case and options before making a decision that will profoundly affect the rest of their lives." We must make sure that the attorneys who are assisting low-income individuals have the ability and resources to do so in a way that is meaningful and effective.

We must also commit ourselves to broadening the scope of cases that warrant a right to legal counsel. *Gideon* applies only to criminal cases—legal issues like home foreclosures, job loss, spousal abuse and parental custody are not covered. Individuals in these situations may lose their homes, their livelihoods, or worse, because they do not have access to representation.

While these cases are "civil" in nature, they often carry a very real risk of jail time. I believe that *Gideon* should be applicable in these situations, because individuals facing a potential loss of liberty deserve the right to representation.

The Legal Services Corporation, which provides civil legal services to people who cannot otherwise afford them, received \$70 million less in fiscal year 2012 than it did at its peak funding. This comes as the Legal Services Corporation is more strained than ever, helping low-income families dealing with the greatest economic crisis since the Great Depression. According to the New York Times, over 60 million Americans qualify for the Corporation's services, but 80% of the legal needs of the poor go unmet. Those numbers are disheartening and unacceptable and must be addressed.

I urge my colleagues to read the attached articles and to work to restore the meaning of the *Gideon* decision by ensuring that all individuals have meaningful access to legal counsel.

[From the Washington Post, Mar. 15, 2013]

INDIGENT CLIENTS SUFFER AS PUBLIC DEFENDERS STRUGGLE TO KEEP UP WITH CASELOADS

(By Karen Houppert)

In 1961, an itinerant man named Clarence Earl Gideon was accused of breaking into a pool hall in Florida and stealing some liquor, as well as money from a jukebox and a cigarette machine. He asked the judge in his burglary trial for a lawyer. He was too poor to hire one himself, *Gideon* said, but he needed help with his case. The judge said the state was under no obligation to provide him with an attorney. So *Gideon* represented himself, badly, and ended up in prison. But he fought his conviction—all the way to the Supreme Court, insisting that there was no such thing as a "fair trial" if both sides didn't have representation.

Monday marks the 50th anniversary of the landmark Supreme Court decision in that case, *Gideon v. Wainwright*, which established the constitutional right to free counsel for poor people accused of serious crimes. Most Americans are familiar with this result, thanks to television and movies; police officers say as they arrest someone: "You have a right to an attorney. If you cannot afford an attorney, one will be provided for you."

In the 1960s, complying with the ruling seemed quite possible. Sure, it would be expensive for local governments that had to oversee and fund such efforts. But the number of indigent folks accused of crimes was smaller and, arguably, more manageable. Cities and counties established public-de-

fender offices, staffed by salaried lawyers who were paid by the city, county, state or some combination of these; they also developed a roster of private attorneys whom judges appointed on an as-needed basis, paying an hourly rate; and some contracted with a single law firm or attorney for all local public defense.

It sort of worked.

But over time the war on drugs, the "three strikes" laws and the lock-'em-up mentality of politicians have led to indigent clients flooding the courts. Courts are overburdened, and across the country, lawyers for the poor are routinely buried beneath crushing case-loads and working in underfunded offices. Without adequate resources, it's hard to hire the investigators, experts or paralegals to mount a good defense. The stakes are high—for the man on death row to the teen picked up for marijuana possession.

Attorney General Eric Holder decried the "crisis" in indigent defense when he spoke to the American Bar Association last year. Programs across the country were "underfunded and understaffed," he said. Citing "insufficient resources, overwhelming caseloads and inadequate oversight," he worried about a breakdown: "Far too many public defender systems lack the basic tools they need to function properly."

The problems have been well documented. A 2009 investigation by the Constitution Project, the National Legal Aid & Defender Association and the National Right to Counsel Committee concluded that the system of providing counsel for the poor was broken and that defendants' constitutional rights were routinely violated. The groups drew from news articles, law reviews and myriad panicked reports that cities, counties and states had generated. Their report, "Justice Denied: America's Continuing Neglect of Our Constitutional Right to Counsel," documented instances in which public defenders carried as many as 500 active felony cases at a time (the American Bar Association recommends 150) and as many as 2,225 misdemeanor cases (the ABA recommends 400).

The recent economic crisis has exacerbated the problem. In New Orleans last year, the chief public defender had to lay off a third of his staff. Hundreds of people languished in jail for months, waiting for a lawyer to be appointed. One man had been there two months for possessing a joint. Another man, accused of burglary, sat in jail for more than a year while waiting for an attorney to be assigned to him.

These shortcomings greatly affect people's lives every day. In Washington state in 2004, a 12-year-old was accused of molesting his 5-year-old neighbor after the boys had played a game that, the younger one said, involved the older boy putting his hands down his pants. The 12-year-old's overworked public defender advised his client to quickly plead guilty. The lawyer carried 240 other criminal cases, never spoke to a witness, hired no investigator, spoke to no experts, met with his client's family for less than two hours and failed to speak to his client alone once; the court ordered the 12-year-old to register as a sex offender for the rest of his life, be tested for sexually transmitted diseases and attend sex rehab workshops. Six years later, on appeal, the state Supreme Court determined that the boy's counsel had been inadequate, and Washington is making strides in reforming indigent defense.

But plenty of cases are rushed through courts around the country, with equally disturbing results. The crisis in our courts raises questions about how we as a nation



define "justice." Will we pay lip service to the notion that everyone has a lawyer to represent them in court? Will we provide a warm body in a suit and tie to stand next to a defendant? Or do we equate "justice" with fairness—and provide folks who are accused of crimes with meaningful representation? Is the country committed to a level playing field, the adversarial system of justice in which both sides are properly armed to argue and from which truth emerges? Are we committed to making the system work as it is designed to?

In the 1800s, Mark Twain joked that "the law is a system that protects everybody who can afford a good lawyer." In many ways, unfortunately, that remains true today.

[From the New York Times, Mar. 16, 2013]  
RIGHT TO LAWYER CAN BE EMPTY PROMISE  
FOR POOR

(By Ethan Bronner)

Billy Jerome Presley spent 17 months in a Georgia jail because he did not have \$2,700 for a child support payment. He had no prior jail record but also no lawyer. In Baltimore last fall, Carl Hymes, 21, was arrested on charges of shining a laser into the eyes of a police officer. Bail was set at \$75,000. He had no arrest record but also no lawyer. In West Orange, N.J., last summer, Walter Bloss, 89, was served with an eviction notice from the rent-controlled apartment he had lived in for 43 years after a dispute with his landlord. He had gone to court without a lawyer.

Fifty years ago, on March 18, 1963, the Supreme Court unanimously ruled in *Gideon v. Wainwright* that those accused of a crime have a constitutional right to a lawyer whether or not they can afford one. But as legal officials observe the anniversary of what is widely considered one of the most significant judicial declarations of equality under law, many say that the promise inherent in the *Gideon* ruling remains unfulfilled because so many legal needs still go unmet.

Civil matters—including legal issues like home foreclosure, job loss, spousal abuse and parental custody—were not covered by the decision. Today, many states and counties do not offer lawyers to the poor in major civil disputes, and in some criminal ones as well. Those states that do are finding that more people than ever are qualifying for such help, making it impossible to keep up with the need. The result is that even at a time when many law school graduates are without work, many Americans are without lawyers.

The Legal Services Corporation, the Congressionally financed organization that provides lawyers to the poor in civil matters, says there are more than 60 million Americans—35 percent more than in 2005—who qualify for its services. But it calculates that 80 percent of the legal needs of the poor go unmet. In state after state, according to a survey of trial judges, more people are now representing themselves in court and they are failing to present necessary evidence, committing procedural errors and poorly examining witnesses, all while new lawyers remain unemployed.

"Some of our most essential rights—those involving our families, our homes, our livelihoods—are the least protected," Chief Justice Wallace B. Jefferson of the Texas Supreme Court, said in a recent speech at New York University. He noted that a family of four earning \$30,000 annually does not qualify for legal aid in many states.

James J. Sandman, president of the Legal Services Corporation, said, "Most Americans don't realize that you can have your home taken away, your children taken away and

you can be a victim of domestic violence but you have no constitutional right to a lawyer to protect you."

According to the World Justice Project, a nonprofit group promoting the rule of law that got its start through the American Bar Association, the United States ranks 66th out of 98 countries in access to and affordability of civil legal services.

"In most countries, equality before the law means equality between those of high and low income," remarked Earl Johnson Jr., a retired justice of the California Court of Appeal. "In this country for some reason we are concerned more with individuals versus government."

With law school graduates hurting for work, it may appear that there is a glut of lawyers. But many experts say that is a misunderstanding.

"We don't have an excess of lawyers," said Martin Guggenheim, a law professor at New York University. "What we have is a miserable fit. In many areas like family and housing law, there is simply no private bar to go to. You couldn't find a lawyer to help you even if you had the money because there isn't a dime to be made in those cases."

Even in situations where an individual is up against a state prosecutor and jail may result, not every jurisdiction provides lawyers to the defendants. In Georgia, those charged with failing to pay child support face a prosecutor and jail but are not supplied with a lawyer.

Mr. Presley lost his job in the recession and fell way behind on support payments for his four children. In 2011, he was jailed after a court proceeding without a lawyer in which he said he could not pay what he owed. He was brought back to court, shackled, every month or two. Each time, he said he still could not pay. Each time, he was sent back.

A year later, he contacted a public defender who handles only criminal cases but who sent his case to the Southern Center for Human Rights. Atteeyah Hollie, a lawyer there, got him released that same day, helped him find work and set up a payment plan.

An important service lawyers can provide defendants like Mr. Presley is knowledge of what courts want—receipts of medical treatment, evidence of a job search, bank account statements. On their own, many people misstep when facing a judge.

In Adel, Ga., a town of 5,000, child support court meets monthly. On a recent morning, a dozen men in shackles and jail uniforms faced Chuck Reddick, a state prosecutor, on their second or third round in court.

"In most cases, they simply can't pay," said John P. Daughtrey, who was sheriff here until losing an election in November. "An attorney could explain to the judge why jail is not the solution and how to fix it. As a sheriff, I want criminals in my jail, not a debtor's prison."

Mr. Reddick and Judge Carson Dane Perkins of Cook County Superior Court in Adel both said they would welcome lawyers for defendants because it would make the process clearer and smoother.

"If we could extend the right to a lawyer to civil procedures where you face a loss of liberty, that would be good," Judge Perkins said. "Lawyers can get affidavits from employers and help make cases for those who can't pay."

The Southern Center for Human Rights has filed a class-action suit seeking a guarantee of a lawyer for such cases in Georgia. Sarah Geraghty, a lawyer there, said the center

had received thousands of calls from Georgians facing child support hearings. Among them was Russell Davis, a Navy veteran with post-traumatic stress disorder who was jailed three times and lost his apartment and car while in jail.

Georgia also offers a case study on the mismatch between lawyers and clients at a time when each needs the other. According to the Legal Services Corporation, 70 percent of the state's lawyers are in the Atlanta area, while 70 percent of the poor live outside it. There are six counties without a lawyer and dozens with only two or three.

Mr. Bloss, who faced eviction in New Jersey, went to legal services, which won for him the right to stay in his apartment while his case is under appeal.

In Baltimore, where Mr. Hymes was accused of shining a laser at a police officer and assigned bail of \$75,000, first bail hearings do not include a lawyer. Tens of thousands are brought through Central Booking every year, facing a commissioner through a glass partition, who determines whether to release the detainee on his own recognizance or assign bail and at what level.

"For the poor, bail is a jail sentence," said Douglas L. Colbert, a law professor at the University of Maryland. A study he conducted on 4,000 bail cases of nonviolent offenders found that two and a half times as many detainees were released on their own recognizance and bail was set at a far more affordable level if a lawyer was at the hearing.

Mr. Hymes was relatively lucky. When he eventually faced a judge with the help of a public defender, bail was slashed to \$200 cash. It took his family a few weeks to pay. A student of Mr. Colbert's, Iten Naguib, acted as an intermediary.

"If there had been an attorney involved at the initial stages," Ms. Naguib said, "Mr. Hymes would likely have been released much earlier."

## THE HOUSTON LIVESTOCK SHOW AND RODEO

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Mr. POE of Texas. Mr. Speaker, when out-of-towners (especially those from up North) land in Houston in the month of March, the traditional Texas stereotype comes to life. Many Texans sport their Cowboy hats and boots year round, but even more so this month, because this is the time that we celebrate Texas history. March 2nd is Texas Independence Day and on March 6th, we remember the Alamo. March is also the month of the Houston Livestock Show and Rodeo. There is something special about all the pomp and circumstance that takes place on the streets of downtown Houston. It starts out with the trail riders and parade through downtown Houston. This year was a little different than years past and did not take place on Texas Avenue, but to me the old route will always symbolize the rich history of the rodeo. Texas Avenue is wider than other streets downtown. This was to accommodate the early longhorn cattle drives coming into town headed to the rail station.

There's a long history behind the Houston rodeo. It started in 1931 when a handful of

men had an idea to get together and have a "Fat Stock Show." Each year after, the show got a little bit bigger. While the show was originally held in the modest confines of the Sam Houston Coliseum, it has since had several distinguished homes. I remember the first year it moved to the "Eighth Wonder of the World," the Astrodome before finding home at Reliant Park, and when the king of country music, George Strait, thanked the Astrodome for hosting so many amazing years of Houston Rodeo by singing a "Cowboy Rides Away." It is amazing to think that in 1931, a few men just wanted to show off their livestock and help educate people about agriculture in Texas. Today, their simple idea has turned into the world's largest livestock exhibition, the world's largest regular-season rodeo, top musical performers, and one of Houston's most popular and profitable events. As a kid, I remember seeing Roy Rogers and Elvis at the Rodeo Spectacular.

The Houston Livestock Show provides an impressive economic boost. Last year, over 2 million people came to the Houston Rodeo. Aside from having a great time at the show, this pilgrimage to the rodeo draws people to our great city and boosts the Houston economy. The show alone brings in over \$320 million and create over 7,000 full time jobs. That is something to be proud of.

The Houston Rodeo's "founding fathers" in 1931 also wanted to establish a charitable event that provided for the educational and scientific advancement of Texas agriculture. They succeeded. Today, over its history, the Rodeo has given \$330 million to Texas' youth through scholarships, research, endowments, calf scramble participants, junior show exhibitors, school art participants and other educational youth programs. All the work behind the scenes is done by hundreds of volunteers.

A Texas-sized thank you to all of those who make the Houston Livestock Show and Rodeo what it is today. The Show is the world's largest livestock exhibition, world's largest barbecue cook-off, world's richest regular-season rodeo and the entertainment lineup is nothing to sneeze at either. This year, some music greats like Tim McGraw, Toby Keith and Dierks Bentley just to name a few, performed. Whether one is a volunteer, local Go Texan member, youth livestock participant, employee, organizer, sponsor or attendee—those contributions go well beyond the three weeks of the Rodeo. It's a Western celebration for us in Houston, Texas. It's almost like our Mardi Gras, just with boots and cowboy hats. The rodeo is truly something for everyone. After all, it's our cultural duty "to Rodeo Texas." For there is no place like Texas. And that's just the way it is.

SUPPORT OF THE CONGRESSIONAL  
BLACK CAUCUS ALTERNATIVE  
BUDGET FOR FISCAL YEAR 2014

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 2013

Ms. EDDIE BERNICE JOHNSON of Texas.  
Mr. Speaker, I rise today in support of the

Congressional Black Caucus Alternative Budget for Fiscal Year 2014. As we debate the various budget proposals this week, the CBC has developed a budget that will reduce the deficit, continue to foster growth in our economy, and strengthen our Nation's safety net.

The CBC's budget would raise \$1 trillion in new revenue and avoid the drastic sequestration cuts that took effect March 1. In addition to raising new revenue, our budget protects and strengthens critical domestic programs: Social Security, Medicare, Medicaid, and SNAP. These are critical programs that the American people depend upon, and are slashed beyond recognition in the Ryan budget.

In addition, a key factor in creating jobs is the continued investment in our Nation's infrastructure. The CBC's budget invests in rebuilding our crumbling infrastructure, as well as in transit and workforce development programs. These investments are crucial to bolstering our economy and protecting working families.

These priorities stand in stark contrast to those in the Ryan Budget. The Ryan Budget fails to replace the drastic spending cuts, cuts which would cost 750,000 jobs a year. The Republican budget also transfers the burden of the discretionary sequester to non-defense programs, further gutting the funding needed to pursue innovation and research, and to staff our country's air traffic controllers and food safety inspectors. By slashing these critical investments, we jeopardize domestic economic growth and the wellbeing of American families.

Mr. Speaker, the American people spoke loudly in November concerning the fiscal policies we should pursue. The American people rejected the Ryan Budget, and the misplaced priorities of the GOP.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 19, 2013 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### MARCH 20

10 a.m.

Committee on Commerce, Science, and Transportation  
Subcommittee on Science and Space  
To hold hearings to examine assessing the risks, impacts, and solutions for space threats.

SR-253

Committee on Environment and Public Works

Business meeting to consider S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States.

SD-406

Committee on Finance

To hold hearings to examine reforming the delivery system, focusing on the Center for Medicare and Medicaid Innovation.

SD-215

Committee on Health, Education, Labor, and Pensions

Business meeting to consider an original bill entitled, "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013", and S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine Hurricane Sandy, focusing on getting the recovery right and the value of mitigation.

SD-342

Committee on Veterans' Affairs

To hold hearings to examine Veterans Affairs mental health care, focusing on ensuring timely access to high-quality care.

SR-418

10:30 a.m.

Committee on the Judiciary

To hold hearings to examine the future of drones in America, focusing on law enforcement and privacy considerations.

SD-226

2 p.m.

Committee on the Judiciary

To hold hearings to examine building an immigration system worthy of American values.

SD-226

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine counterterrorism policies and priorities, focusing on addressing the evolving threat.

SD-419

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine aviation safety, focusing on the Federal Aviation Administration's (FAA) progress on key safety initiatives.

SR-253

MARCH 21	APRIL 9	
10 a.m. Committee on Energy and Natural Resources Business meeting to consider the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior. SD-366 Committee on Homeland Security and Governmental Affairs To hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management. SD-342 Committee on the Judiciary Business meeting to consider the nominations of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit, and Kenneth John Gonzales, to be United States District Judge for the District of New Mexico. SD-226	9:30 a.m. Committee on Armed Services To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-G50 10 a.m. Committee on Energy and Natural Resources To hold hearings to examine the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy. SD-366	closed session in SVC-217 following the open session. SH-216
10:30 a.m. Committee on Foreign Relations Subcommittee on East Asian and Pacific Affairs To hold hearings to examine Asia, focusing on democracy, good governance and human rights. SD-419 2:30 p.m. Select Committee on Intelligence To hold closed hearings to examine certain intelligence matters. SH-219	APRIL 11 9:30 a.m. Committee on Armed Services To hold hearings to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SD-G50 APRIL 17 9:30 a.m. Committee on Armed Services To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a	APRIL 23 9:30 a.m. Committee on Armed Services To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SD-106 APRIL 25 9:30 a.m. Committee on Armed Services To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SD-106 MAY 8 9:30 a.m. Committee on Armed Services Subcommittee on Airland To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-222

## SENATE—Tuesday, March 19, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, You are God, and all creation worships You. To You all angels, all the powers of Heaven sing in endless praise.

Draw the hearts of our Senators to You today so that they will trust You to guide their minds and control their wills. Replenish their strength, rekindle their enthusiasm for Your purposes, and renew their commitment to serve You with all their hearts. Whatever they plan or accomplish today, may it bring America closer to the righteousness that exalts any nation and away from the sins that bring reproach to any people.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of H.R. 933, the continuing appropriations legislation. The Senate will recess from 12:30 p.m. until 2:15 p.m. today for our weekly caucus meetings.

We are going to continue to work to see if we can get these amendments in order. We wanted to vote on them last night, but we hope to complete the CR very quickly.

I have not had an opportunity yet to speak to the Republican leader this morning, but very shortly I am going to move to begin work on the budget. Senator SESSIONS and Senator MURRAY are anxious to move forward on that.

I had a long conversation with Senator SESSIONS last night—and I speak to Senator MURRAY quite often—and there is no reason that 30 hours postcloture should be wasted. A Senator who doesn't like what went on before can have 1 hour, but we should not

waste our time as we have done so often by killing 30 hours. We should start the budget.

If people decide they are going to use the 30 hours and then another 30 hours—we have to have cloture not only on the substitute but on the bill itself, it is 60 hours—that would mean we would start on the budget sometime Thursday morning. We are going to do it. The 60 hours will be eaten up sometime Thursday morning. I hope we don't have to waste that time, but we are going to finish the budget before we leave here.

We have had conversations on both sides of the aisle about how we need a budget. Because we had the Budget Deficit Reduction Act, which set our 302(b)s, we didn't need to do our usual budget because we had one signed into law by the President. Regardless of that, there will be no more talk about not having a budget. We will have a budget. No matter how long it takes, we are going to do that before we leave for the Easter break.

As everyone knows, there is 50 hours under the budget act, which is statutory, and then afterward there could be a lot of amendments. So everyone should be aware we should start using some of this time to work on the budget, and we will do that. I will come and propound my consent shortly.

### MARINE BASE EXPLOSION

Mr. REID. Mr. President, in the late 1920s, there was a violent explosion in New Jersey at an ammunition depot of our military. Basically, it was the Navy at that time, and it was a very bad explosion. After that explosion, there was a decision made that storing our ammunition should be someplace else. After some work done by relevant committees in the House and Senate and working with the President, it was decided the best place to do that was in Nevada near a place called Hawthorne.

Hawthorne is, frankly, in a kind of remote place. That base has been there since about 1930. It was originally a naval ammunition depot where most of our ammunition was stored, and it is still there. It survived base closings—the BRAC work—and it was determined it was essential for the security of this Nation.

Anyone who flies over that area will see miles and miles of bunkers where ammunition is stored. Some ammunition is stored there from World War II. It is a wonderful place for storing ammunition because it is so dry so stuff can stay there for long periods of time.

I just met with the Chairman of the Joint Chiefs. They were very impressed

with this. It has also become a terrific place for tearing down ordnance—demil, they call it. In recent years, it has also been used as a training facility. The terrain is much like a lot of the desert in Afghanistan and Iraq and places such as that. We have had training exercises there for some time. It is very valuable.

Late last night, seven of our marines were killed in Hawthorne, and many others were injured in an explosion during a training exercise near the ammunition depot in Hawthorne, NV. We don't know exactly what happened, but we know it was a violent explosion. My thoughts are with those who were injured and, of course, the families of those who lost loved ones.

Marines all over the world are now focusing on the loss of their fellow marines. They are grieving their loss. Details are emerging, but at this time we don't know everything. The area has been blocked off. As I indicated, it was quite a big explosion. We will follow this news very closely. I will do whatever I can going forward to support the U.S. military and the families of the fallen marines.

It is very important we continue to train our military—it is so important—but one of the things that has happened due to the sequester is we have cut back on our training and maintenance. That is the way the sequester was written. The bill that is on the floor—we hope to pass today—helps that a little bit. At least for the next 6 months it will allow the military some degree of ability to move things around a little bit. We call it flexibility, which is good. But we have to be very vigilant. This sequester should go away.

We have already cut huge amounts of money in deficit reduction, which is not appropriate. Our military cannot train and do the maintenance that is necessary. These men and women are marines who are training in Hawthorne, and with the sequester, it is going to cut stuff back. I hope everyone understands the sacrifices made by our military. They make significant sacrifices by being away from home, their families, and their country. The sequester needs to go away.

### THE BUDGET

Mr. REID. Mr. President, for 4 years, the first priority for the country and Congress has been to improve the Nation's economy and strengthen the middle class. Our efforts have paid off. It has pulled us out of the great recession; however, unemployment is still too high. Over the last 36 months, businesses created 6.4 million new jobs—

good new jobs—but the economy is not back to full strength.

During the Bush years we lost a lot including our Treasury. When he took office, we had a surplus over 10 years of \$7 trillion. The 10th anniversary of the war in Iraq is today. That war cost us more than \$1 trillion, and we are paying for the loss of life and all the injured in many different ways. We cannot take chances with our recovery. We are pulling out of the mess economically that the President created by all the taxes and a war that was not paid for. We must renew our investments that have always made America strong, such as innovation and job training, education, preventive health care, new roads, bridges, dams, water systems, sewer systems.

To meet our country's long-term economic goals—including the deficit—we must enact policies that support a strong and growing middle class, and that is why this week the Senate will pass, as I indicated earlier, a budget, crafted by one of the most wise Senators ever to serve in this body, PATTY MURRAY of Washington. "Wise" is the word I chose perfectly for her because it does fit. The work she and her committee have done fully replaces the harmful sequester cuts I have just talked about with balanced and responsible deficit reduction.

The policy outlined in her budget—our budget—will save hundreds of thousands of jobs and safeguard communities by keeping police, air traffic controllers, meat inspectors, and firefighters on the job, but first we must avoid self-inflicted wounds so we can build on the success over the last 3 years. The Senate budget will continue the progress by creating new jobs, repairing crumbling roads, bridges, and train workers for high-skilled jobs. These investments are paid for by eliminating the loopholes that benefit the wealthy of America and the most profitable corporations.

I had the fortune to serve in the Senate with a man by the name of Bill Bradley, who is one of America's great all-time basketball players. I, of course, always wanted to be the athlete he was. I admired him so much and enjoyed my friendship with him. He came out today—this Rhodes Scholar and brilliant man—and said we need to eliminate \$1 trillion in taxes that are unfair and unnecessary. He said that. In addition to that, our budget also makes nearly \$1 trillion in responsible spending cuts across the Federal budget. Meaningful deficit reduction requires shared sacrifice which includes contribution from the wealthiest among us.

If someone owns a profitable corporation that ships jobs to China or India, Democrats in Congress cannot stop them. Go ahead and ship them. But we can keep them from getting the tax break for outsourcing, and that is what

we want to do. If they are successful enough to own a second home or yacht, more power to them. That is wonderful. That is an American success story. But Democrats in Congress do not feel we should subsidize these tax breaks for their vacation home or their boat. Ending these wasteful giveaways makes sense to most people. An overwhelming majority of Americans—including a majority of Republicans—support this balanced approach.

In the last 2 years, we have reduced the deficit by \$2.5 trillion. The Senate budget continues this effort without jeopardizing our economic recovery or breaking our promises to seniors and veterans. This budget keeps Medicare strong for today's seniors and preserves it for our children and grandchildren.

PATTY MURRAY is qualified to be budget chair for a number of reasons, not the least of which she was the chair of the supercommittee. She had 12 Members of Congress—6 Republicans and 6 Democrats—arrive at a grand bargain. She was pulled back because a week or so before they were ready to make their decision—which would have been spending cuts and revenue—we got a letter from virtually every Republican saying: No thanks. No revenue. So that failed.

She is qualified in many different ways to lead this committee. Her budget reflects Democratic values, and it honors the belief that success doesn't trickle down from the top; it grows out in the middle class. The Ryan Republican budget introduced earlier this week reflects an entirely different set of priorities—skewed priorities Americans have rejected time and time again. This is the third go-round. President Obama was reelected basically for a number of reasons but not the least of which is the Ryan Republican budget. They are at it again.

The Ryan budget would hand out more budget-busting tax breaks for the wealthy to pay for these wasteful tax breaks. It would end the Medicare guarantee. It would rob 50 million Americans of affordable health insurance. It would raise taxes on middle-class families. To appease the tea party, the Ryan Republican budget would risk lives and risk the recovery, and that is just too high a price to pay.

I was stunned this morning. A Republican Congressman writes an op-ed piece—I don't know if it was in the Times or the Post—saying that the Ryan Republican budget isn't good enough for the tea party and that it should be even more stringent. That is what we are faced with.

The work done by Chairman MURRAY reflects the priorities of the American people, not the wackos referred to also in the op-ed page of the Washington Post today by a person who has won a Nobel Prize for economics.

#### RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 933, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies, for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski/Shelby) modified amendment No. 26, in the nature of a substitute.

Toomey amendment No. 115 (to amendment No. 26), to increase by \$60 million the amount appropriated for operation and maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset.

Durbin amendment No. 123 (to amendment No. 115), to change the enactment date.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

#### THE BUDGET

Mr. MCCONNELL. Mr. President, last week I noted that the Senate Democratic budget was one of the most extreme, most unbalanced pieces of legislation we have ever seen, one that would never balance, ever, and one that would have a devastating outcome on the middle class.

I said that its centerpiece is a \$1.5 trillion tax hike that would be the largest in American history. Some on the other side have argued with this \$1.5 trillion figure. They say their budget only contains a \$1 trillion tax hike, which is a stunning and telling admission in itself. Just months after Democrats got hundreds of billions in new taxes, they now freely admit their intention to hit Americans with another \$1 trillion in tax hikes. But in reality, it would be more than that since their budget envisions \$1.5 trillion in new revenue. While the Democrats' math may be fuzzy, their intentions are unmistakable. Their massive tax hike would cost average middle-class families thousands in lost income and lost opportunity. And despite that massive hit to working families, the Democrats' budget would still not ever—ever—balance.

But that is just one of the reasons this budget is so destructive to the

middle class. Take spending for example. Americans know that a good way to create jobs and increase economic growth is to balance the budget and put our massive national debt on a path to elimination. Yet the Senate Democratic budget would actually increase spending by more than \$½ trillion—increase spending by \$½ trillion.

Put another way, Democrats want to take another \$½ trillion out of the economy, on top of all of the money they would take out with their tax increase, and put it in the hands of Washington bureaucrats and politicians to spend or waste as they see fit. And their budget would balloon the debt by 42 percent, increasing every Americans' share to a whopping \$73,000. They want to grow the government at the expense of the economy, and that is not the way to create jobs or get the private sector moving. In fact, by some estimates, this budget could result in more than 600,000 lost jobs if enacted.

Of course, the Senate Democratic budget won't prevent Medicare and Social Security from going bankrupt. It is not going to prevent Medicare and Social Security from going bankrupt.

So here is what we would get with the Democratic budget: No. 1, a massive tax hike and thousands less for middle-class families—a massive tax hike; No. 2, \$½ trillion more in big-government spending; No. 3, 42 percent more debt, with each American owing \$73,000; No. 4, more than 600,000 lost jobs.

Here is what we won't get: We won't get balance, just more and more unbalanced tax hikes. We won't get the kind of deficit reduction our country needs, just more spending to enrich the Washington establishment at the expense of Main Street. We won't get more jobs or a better economy or sensible reforms to prevent Medicare or Social Security from going bankrupt. And we certainly won't get a balanced budget.

Not only does the Senate Democratic budget never balance—ever—but top Washington Democrats now say they simply don't care about balancing the budget anymore. They just don't care about that. Well, Americans do care. A party that once cared about hard-working American families seems to have gone off the leftmost edge of the reservation with this budget. DC Democrats' priorities are just so far removed from the actual needs of middle-class Kentuckians and Americans who continue to struggle in the Obama economy.

I appreciate that the Senate majority has finally decided to put its ideas on paper. It took 4 years—4 years—to get a budget from them, and we now know why it took so long: because their ideas are so unbalanced and so extreme, so destructive to the economy Americans want us to fix.

We can help foster the conditions necessary to make the economy

healthier and create more jobs but only if Washington Democrats finally reach across the aisle to address America's real concerns in a truly balanced way. I hope that will ultimately happen because it is time to start making divided government work for the American people who elected it, and it is time to grow the economy, not the government.

#### PRESIDENTIAL VISIT

Mr. MCCONNELL. Mr. President, this week President Obama will travel to two of our closest allies—Israel and Jordan. His visit will come at a moment of great importance for each of our governments.

I join in conveying a message of congratulations to Prime Minister Netanyahu in having formed a new government, in restating our determination to use all available means to prevent Iran from acquiring a nuclear weapon, and in pledging to work with Israel to meet the regional challenge caused by civil strife within Syria. The fighting in Syria has produced refugee flows of at least 1 million people into Iraq, Turkey, Jordan, and Lebanon. Also of concern to Jordan, Israel, and other allies in the region is the flow of foreign fighters into Syria, especially the al-Nusra Front.

During his visit, I hope the President makes progress in working with our allies to address these threats that have developed while Bashar al-Asad remains in power and to begin the important planning to address the challenges that will come with his fall, such as how best to secure chemical weapons stockpiles.

None of these threats or challenges can be addressed with simple, easy answers, but I fully support America working with Prime Minister Netanyahu and King Abdallah to craft original strategy that serves all of our national interests.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise today to discuss something of deep importance to me and, I believe, to our country.

Last night the majority leader of the Senate came to the floor to speak on the continuing resolution, which is essentially the only bill we will consider this year to fund the government. It is over \$1 trillion in taxpayer money. He came to the floor and propounded a unanimous consent request that only contained a handful of amendments that could be brought to the continuing resolution. Many germane and, in my view, reasonable amendments that had been advanced and brought to the attention of both sides well in advance were denied an opportunity for a vote on the floor. Because of that, I objected to the consideration of the continuing resolution and the unanimous consent request.

Frankly, I think that when we are spending over \$1 trillion in the only funding bill we are going to vote on, essentially, this year—appropriations bill—we should be allowed to have votes on amendments, particularly germane amendments, as many of my colleagues have had, and my own amendment, which is one that would strike funding for, essentially, a missile to nowhere, which will never produce a missile program or a product our military will ever be able to use.

My amendment is very straightforward. The amendment would strike funding for the Medium Extended Air Defense System Program, called the MEADS Program, by \$381 million—These funds were appropriated for this program—and would actually transfer the funds to the operations and maintenance portion of the defense budget so the money could be used for our men and women in uniform for things they actually need as opposed to \$380 million for a missile to nowhere for which we will never get a result.

When we are almost \$17 trillion in debt, it is truly shocking that we would continue to spend money on a program the Army says it does not want. In fact, in the Defense authorization last year, the Armed Services Committee actually prohibited funding for the MEADS Program. This is something that was passed unanimously on a bipartisan basis last year in the Defense authorization bill that prohibited any further funding for this missile to nowhere. Yet it got included in the appropriations, in this continuing resolution, despite the fact that we are not going to get anything our warfighters can use from \$380 million of spending.

In fact, when Secretary Hagel was asked about whether the Pentagon would comply with this law, he said: Yes. Let's just review where we are with this program. The Army has already invested over \$2 billion for this program, and we are not going to get a result. It was underperforming.

So according to John McHugh, the Secretary of the Army, in 2011, he said:

The Army has invested over \$2 billion and that's only the partial cost of the program. Frankly, it was under performing.

What else has been said?

Frank Kendall, the Under Secretary of Defense for Acquisition and Technology, said:

MEADS is a program that the U.S. decided not to procure a year ago. . . .

So why, when our country is facing sequestration, when our men and women in uniform need to make sure the defense dollars we are providing them are actually resources that they can use for their needs to protect them, to protect our country, are we spending \$380 million on something we will not procure, for which we will not get a result? To me, this is outrageous. If we cannot cut spending for this, how are

we ever going to deal with the underlying drivers of our debt, with our nearly \$17 trillion of debt?

In fact, this is what the chairman of the Armed Services Committee has said. I have great respect for Chairman LEVIN, and he said this about the MEADS Program:

We feel strongly that it's a waste of money.

I stood up on the floor last night because I have bipartisan support for this amendment. This is not a Republican issue or a Democratic issue. This is about making sure we do not waste money at a time when our warfighters need the money for support and training, at the time they are facing sequestration and we are facing real threats to our country. We cannot afford to spend more money on a missile to nowhere.

So I am very proud I have bipartisan support from Senator BEGICH, Senator SHAHEEN. Yet it is shocking to me that I cannot get a vote—it is germane—that we cannot strike this funding or get a vote on this Senate floor to strike this funding from this continuing resolution and to make sure the funds actually go to the operations and maintenance portion of the defense budget so they can use this money, warfighters can use it for needs they actually have.

I also want to mention that the Council for Citizens Against Government Waste supports my amendment.

The CEO of Concerned Veterans for America has said: MEADS is the quintessential Pentagon program that lives on indefinitely despite the fact that it will never see the field of battle. With our Nation drowning in \$16.7 trillion worth of debt, Congress must undertake serious reforms to defense spending to maintain a sustainable fiscal path that preserves American power.

Concerned Veterans for America has supported this amendment.

Basically, this is common sense. This is the kind of thing people see at home and say: How could you possibly spend \$380 million on a missile to nowhere when we know our men and women in uniform can use those funds for equipment they can use in theater, for training they can use to be prepared?

It is really unconscionable that we will not allow a vote on the continuing resolution for something that has bipartisan support, for something that was actually struck by the authorization committee on both sides of the aisle, both in the House Armed Services Committee and in the Senate Armed Services Committee.

When the majority leader took to the floor last night, he said: Oh, we have made reasonable accommodations. I do not see what is reasonable about giving a handful of amendments with over \$1 trillion of spending.

On Wednesday, Senator MCCAIN brought forth an amendment—last

Wednesday, so almost a week ago—he brought forth an amendment to strike other unauthorized funds from the continuing resolution and to leave those funds for the military to use for priority items and for things our men and women in uniform actually needed. Do you know what happened? There was a motion to table brought against Senator MCCAIN's amendment. Essentially what he was trying to do is what I am trying to do today—to stop money that has not been authorized, to stop spending money when our men and women in uniform need us to allow them to use these resources for the basic needs they have. That is why he brought this amendment to the floor. Do you know what happened? There was a motion to table filed against his amendment, and I think there was a real shock on the floor from both sides of the aisle because on a bipartisan basis that motion to table failed because both sides of the aisle realized that when we are facing sequestration, when we are facing a dangerous world, when we owe it to our men and women in uniform, we cannot continue to fund things that are not priorities, we cannot continue to fund missiles to nowhere. And that amendment was eventually adopted by voice vote. This amendment is just like that amendment.

The American people are tired of us not allowing commonsense amendments to come to the floor for a vote. With \$1 trillion in spending, if we had started voting on amendments last Wednesday, after the floor was shut down—and I think there was a shock among leadership that Senator MCCAIN won his amendment on a bipartisan basis and was able to overturn the motion to table his amendment. If we had started voting on amendments then, we would have already passed the continuing resolution. So it is an absolute cop-out to say that we are somehow faced with a government shutdown, that somehow we cannot have votes on the Senate floor on amendments that are important, germane, and relevant.

Before I yield, I wish to support my colleague JERRY MORAN because he was also denied an amendment that is an important amendment. I am a cosponsor of that amendment. The FAA has notified 189 towers across the country that it is going to cease to fund the towers' operation because of the sequester. Senator MORAN has a commonsense amendment that would make sure it restores 95 percent of this funding by taking money from other areas in the FAA budget that will not disrupt operations.

Well, there is a tower in Nashua, NH, at Boire Field that was on the list of the FAA despite the airport's importance to both the United States and New England and despite a recent investment of over \$24 million by the FAA to upgrade the airport's runway.

Senator MORAN's amendment, which he is also being denied an ability to

bring on this floor to have both sides vote on—he has strong bipartisan support—this amendment would ensure that towers like the tower at Boire Field in Nashua, NH, my hometown, would continue to operate. Yet we will not be given a vote on this Senate floor despite the strong bipartisan support Senator MORAN has for his amendment, just as I have bipartisan support for my amendment.

So I have to ask, what is the problem? Why can't we just vote on the amendments—start voting, keep voting, get it done? We can pass the continuing resolution. We can continue to fund this government. But do you know what. We can make improvements to the continuing resolution by striking money for the missile to nowhere, by making sure the air towers that the FAA is shutting down continue to operate in this country.

I am sure my colleagues on both sides of the aisle have many more ideas as to how we can improve this continuing resolution, but the American people will never know about those ideas because we are on a Senate floor where we are not being allowed to vote, to vote on the amendments that matter to the American people, that strike wasteful spending, that improve this important piece of legislation.

I think if we had started voting last Wednesday, we would have already allowed every person in this Chamber to have a vote on their amendment, as the Senate was intended to operate. This is intended to be the most deliberative body in the world. Yet, if you cannot bring up an amendment that is germane to strike spending for a missile to nowhere, it really renders the operation of the Senate at this point not what the Founding Fathers intended, and it puts a gag on the American people; that their elected representatives cannot come here and get votes on things that are going to strike funding like this, that are going to make sure air towers continue to operate in this country.

I think we owe it to the American people that their elected representatives can come down here and get a vote on amendments that matter, that make a difference, that can improve this continuing resolution. Frankly, this notion that we cannot have votes on it—obviously, people do not want to have votes on it. They want to continue funding missiles to nowhere, whether it is their parochial interests or whatever interests that are driving them. It is wrong. We have to stop it.

Bring this amendment to the Senate floor. Let's vote it up or down now, and let's move forward.

Mr. President, I thank you for the opportunity to speak today, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.



The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BUDGET

Mr. SESSIONS. Mr. President, we were originally looking today to begin the presentation of the budget that came out of the Budget Committee, produced by the Democratic majority. It passed on a party-line vote. It was drafted by the majority in secret. It was produced and brought to the floor.

I see the distinguished floor manager of the bill is on the floor today. I certainly have no intention of interrupting the Senator's debate, but I was using the opportunity to speak in morning business, if that is all right.

Under the Congressional Budget Act, we need to produce a budget by April 15. There are 50 hours allowed for debate and an ability to offer unlimited amendments to that most important document. That is where we are. I had hoped we would start today. Now it looks as though we have floor disputes and things are dragging out.

I want to say how this can be handled. If the floor debate is not shortened, I would suggest we could come back the week of April 8 and complete our work by April 15 easily. That would be my suggested way to deal with the most important issue we face as a Nation, our financial future and the debt course we are on. That would be the right thing to do. If the majority leader is determined to move forward even into the weekend, we will be here. We are not going to concede any of the time that is set aside for debate, because this is the first budget that has been to the floor of the Senate in almost 1,500 days, over 1,400 days—4 years. We need to talk about where we are, where we are going as a Nation. So I want to say there will be no yielding of time on this side with regard to the opportunity to discuss the financial future of America.

The American people need to know about this. It should be done publicly. They need to know the choices we are dealing with, how tough they are, but what an opportunity we do have to get the country on a sound path without doing damage to the programs we value in America. We need an open process. The American people need to be engaged with it. But I have to say, it has absolutely been the policy of the majority in the Senate to do just the opposite. Senator REID said it would be "foolish" to have a budget. He has held that view for 4 years now.

The law requires us to have a budget by April 15. He has refused to do so because he did not want to be responsible for laying out a financial path for America. Those are the facts.

The House passed legislation that said: No budget, no pay. Now the Sen-

ate is moving forward with a budget, at least to get it out of the Senate and pass it out of the Senate, and then probably we will get paid.

It is important that the budget be moved. It should not be a pro forma act but a very serious evaluation of where we are. I want to say this to my colleagues as we confront the difficult choices facing our country: This is so important to me. I believe, based on a series of important studies in recent months, all of which having come to the same conclusion, that the debt level the United States has today is already pulling down economic growth. It is one of the reasons—maybe even the largest reason—that we have had such little economic growth.

Our debt to GDP ratio—the gross debt to GDP ratio—is over 100 percent. According to the Rogoff-Reinhart study that has been out there for a number of years, which was widely praised, which Secretary of Treasury Geithner told us was a very important study, and which maybe underestimated the risk our Nation faces, but has been universally praised—they say, when debt exceeds 90 percent of GDP, based on their studies of economies all over the world that have gotten into financial trouble, the result is a 1, maybe 2-percent drop in growth. The lack of growth of 1 percent represents 1 million jobs in America. So the difference between 2-percent growth and 3-percent growth is 1 million jobs. The difference of 2-percent growth and 4-percent growth is 2 million jobs, people unemployed, not getting work. Why? Because of the debt overhang that is out there, for a whole lot of factors too complex for us to discuss at this moment, but which are out there that begin to pull down growth.

So one of the reasons we need to decrease deficits in America and balance the budget is to create growth, create jobs, and create prosperity, whereas my Democratic colleagues contend the way to create jobs and create growth is to borrow more money and spend it on a stimulus package. In fact, they have got another stimulus package in the bill they passed out of the Budget Committee, another tax, another borrow-and-spend plan, \$100-plus billion.

This is a big difference in where we are. We cannot keep borrowing, to spend, to create some temporary sugar high. It all rubs off in the end. There are the studies out there. I mentioned Rogoff-Reinhart. That has been out several years and has been a topic of great discussion among economists and throughout the field. But in recent months, the International Monetary Fund, certainly not controlled by frugal Republicans, the European Central Bank, and the Bank for International Settlements, all have independently done studies. And those studies say that debt begins to slow growth. That is what they conclude—that debt slows growth.

Now if that is true, we have a problem, because they say you can carry a certain amount of debt and it does not slow growth, but if your debt reaches 90 percent of your economy, at least according to Rogoff and Reinhart and the numbers they were using—and, by the way, they were using gross debt, it is absolutely clear in their papers, and not the public debt—then you have slow economic growth.

Let us take a minute to discuss growth in public debt. The public debt is external debt of the United States and it is about 76 percent of our economy. The size of our growth of public debt amounts to almost the size of the economy—three-fourths of it. But if you take the gross debt of the United States, including borrowing from Social Security and Medicare and things like that, it is over 100 percent. What I want to say to you is that people have misinterpreted the Rogoff-Reinhart study over the last several years. They thought the debt figure they were referring to was the public debt.

The \$16 trillion we see on the debt clocks that show how it is increasing every year—the \$16 trillion, almost \$17 trillion now in debt—that is the gross debt, and it is over 100 percent of the economy. And they say growth slows every time—it slows relentlessly—we as a Nation run up too much debt and it gets that high. So the International Monetary Fund, the European Central Bank, the Bank for International Settlements may come at it slightly differently, but they all conclude that when debt levels reach as high as we have in the United States, growth slows.

Jobs are lost when growth slows, tax revenue is lost when growth slows, and people are not going to pay taxes if they are not working. Businesses that are not making profits are not going to pay taxes. If businesses are not expanding, not growing, not investing, not hiring, the economy is hampered and the tax revenue to the Federal Government is less, as a matter of fact. But most importantly, people are not working, jobs are not being created, and more people are on welfare. More people are dependent on the government—unemployment insurance—and that is not good.

Are we making some progress? Yes, we are making some progress. The economy had virtually no growth in the fourth quarter of last year—a stunning development. They are predicting a slow growth the first quarter of this year. Last year we were well below predictions. Last year our growth, I believe, was about 2.2 percent. Two years before that, the Congressional Budget Office predicted growth for last year would be around 4 percent. They were predicting 2 years ago that growth for 2013 would be over 4 percent, maybe 4.6 percent. That is what the prediction was. But now, as we enter 2013, it looks



as if we will be lucky to get much over 2 percent growth.

I am not saying I know with an absolute certainty that the debt is the factor they have to consider when they calculate our growth out of this recession. I don't know for sure. But I am telling you that Rogoff-Reinhart, the International Monetary Fund, the European Central Bank, the Bank for International Settlements—all of those—have concluded when debt is as high as we have in the United States it will slow growth. So I ask: What should we do to get America on a sound path to increase growth at a time we are discussing the budget? We should balance the budget and get on a course to reduce the debt significantly, and we should do it now. If we get that back down, which we can do, we will see more growth. We will see more jobs.

The idea that we should keep borrowing from the future to spend today in order to create growth only has to be said to understand how bogus it is, how irresponsible it is. Why don't we borrow three times as much and spend three times as much if this puts us on a sound path? It doesn't. It weakens us.

The Congressional Budget Office said—when this Congress, and not with my vote, voted for \$787 billion for the stimulus package—yes, if you borrow \$787 billion from the future and spend it today, you will get economic growth for a few years, but it quickly goes away. The money has been spent. The little lift in the economy is over very quickly. What is left then? CBO now estimates that we are carrying a total of \$830 billion, plus interest, from the stimulus, so now we are at \$1 trillion in new debt that we have to pay interest on every year and the growth benefit is long gone.

Now hear this, colleagues: Back when the President took office and he pushed through the stimulus package, they said over a 10-year period we would have less growth if we had a stimulus package than if we didn't have a stimulus package. Did you hear that, my colleagues? That is so important for us to understand. You cannot get something from nothing. Nothing comes from nothing. Nothing ever could, as Julie Andrews sang in the "Sound of Music." Nothing comes from nothing, nothing ever could.

So we borrow the money and spend it today and it is always with us unless we have a plan to pay down the debt, and we have no plan. So already we are about at the point where all the benefits of that stimulus of 3 years ago are gone and we are beginning to have the burden of carrying the debt indefinitely. I think the American people understand that. The people who don't understand that are the Paul Krugmans and the people who have been driving the agenda in the Senate and in this Congress to borrow and spend. We have to get our heads together on that subject.

Finally, I will point out that the budget that has been produced is totally promoted improperly. This budget came out of the committee, and it claims it reduces the deficit by \$1.85 trillion, but that is not accurate. It took me a long time, and I had to stay on the staff people for the Democratic majority, but eventually, when confronted with the facts, they had to tell the truth and they told the truth. The sequester cuts—that 60 percent of the Budget Control Act we agreed to 18, 20 months ago—is wiped out. Those cuts are eliminated. But they were really not cuts. They were reductions in growth of spending. But that reduction saved us about \$2.1 trillion, and the sequester part is \$1.2 trillion. So that is the \$1.2 trillion that is wiped out. That means we are going to increase spending \$1.2 trillion, and it is not scored in their budget as an increase in spending to offset the \$1 trillion in tax increases they have.

When you consider all of that, you will find this budget, with other gimmicks included in it, barely reduces the deficit at all—at best, maybe by \$300 billion. And over 10 years that amounts to about \$30 billion or \$40 billion in deficit reduction a year, when last year our deficit was \$1.2 trillion.

So this budget plan increases taxes, it increases spending over our current rate, and it does nothing to change the debt course of America. We need a plan that can balance the budget. We can do that and still increase spending every year. It will balance in 10 years if we stay disciplined, but that is not the plan on the floor right now. Our colleagues need to study this budget and should not be voting for a plan that makes no change in our debt course, that does not create growth, but simply borrows more.

I see my colleague, the Democratic whip, I will call him, on the floor, but I appreciate the opportunity to share these remarks.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my friend for yielding.

Earlier today my colleague from New Hampshire, Senator AYOTTE, came to the floor and spoke about the Medium Air Defense System known as MEADS. This is a program the United States has been developing for air defense with our NATO allies, so U.S. taxpayers are truly investing in this program, but our allies are as well.

I am new to this assignment as chairman of the Defense Appropriations Subcommittee, and I don't take any pleasure in what I am about to say, but it is a fact and we have to put the facts out before the American people. As we started developing this system, we reached the point where we concluded, the Department of Defense concluded, it wouldn't work. That happens. Some

of the greatest ideas turn out not to be feasible, and that is where we are at this point. The question that has been raised by Senator AYOTTE is: Well, if it doesn't work, why do you want to finish the research on it this year?

That is a legitimate question, and the vast majority of Americans would say: Of course, she is right, don't spend another penny on it. The problem is this: We entered into an agreement with our allies that if we terminated the program, there would be penalties assessed to the United States that we would owe to other nations that participated in funding the research, and it turns out the amount of money needed to finish the program is about equal to the penalties we would pay if we terminated it at this moment.

So we have tried to make the best of a very bad situation. The Department of Defense Appropriations Act for 2013 includes \$380 million—a reduction of \$20 million from the original request—for the Department to bring an orderly close to the Medium Air Defense System by either completing the development program or paying the termination.

This is a NATO program, as I said, that we jointly developed with the Germans and Italians. All of us thought this was a good idea and a good investment. It wasn't until we got into it that we realized it wasn't going to do what we thought it would do. The Department determined it would not procure MEADS but has requested funds for the rest of the year to conclude the program to live up to the agreement with our allies, who have also put money into this. The Department does plan to use the advanced technology we did develop here to upgrade other systems. So it is not a complete waste. And it shouldn't be because the taxpayers have their tax dollars on the line.

I share the frustration of many of my colleagues that we have spent so much money and so many years and have reached this point. But I will tell you, we don't want to build a system that doesn't work. We don't want to create false security. And we do want some honesty from those who are developing these systems if, in fact, something we have spent money on is not going to reach its completion.

The cost to finish the development of this program is almost exactly the same as the cost to unilaterally terminate it—a point not made by the Senator from New Hampshire.

She argues about all the savings from these programs in terminating it but doesn't talk about the termination costs we are liable for as a result of that termination. It is unrealistic to assume that you can terminate a major defense program with our allies and walk away without some obligation.

For example, when the Army's Future Combat Systems Program was terminated, the Department was legally

obligated to pay over \$500 million in termination liability. In return, we received several technologies that were incorporated into other programs. The same applies to MEADS but only if we fulfill our obligations and pay the termination liability. The Defense appropriations bill is fiscally responsible by providing the funding to the Army to bring this program to an orderly close instead of levying another bill on the Department in times of fiscal constraint.

I urge my colleagues, if the Ayotte amendment does come to the floor, to oppose it—not because I am asking them to vote for a program which we are in agreement is never going to reach the goal it was set out to reach but, rather, let's be honest about this. We are going to pay this money one way or the other. The Army has said, Give us the option to complete the program or pay the termination fee. That to me is a more reasonable approach.

I ask unanimous consent to have printed in the RECORD statements and letters from a variety of different sources, including the Department of Defense, on this program.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MINISTERO DELLA DIFESA AND  
BUNDESMINISTERIUM DER  
VERTEIDIGUNG.

Hon. LEON E. PANETTA,  
Secretary of Defense,  
Washington, DC.

Thank you for your continued support of the MEADS program. As you are fully aware of the present situation surrounding the MEADS Program, you will know that Germany and Italy have grave concerns about the outcome of the MEADS funding discussion in the USA. This is, unfortunately, not a new situation.

The results of the Design and Development (D&D) phase of the MEADS program remain vital for both Germany and Italy as they will be the basis for our future Air and Missile Defense System Architecture. As such they are fundamental for the German and Italian contribution to the "NATO integrated Air and Missile Defense", which is a key element of the Defense package agreed in Chicago by our heads of State and Government.

As Germany and Italy have been fulfilling their full commitments under the MoU, we hope and we do expect that the United States will live up to their MoU commitment as well. If the US does not fulfill its funding commitment for 2013, Germany and Italy would need to interpret this as a unilateral withdrawal. Under the terms of the MoU, Germany and Italy expect formal notification of the US intent to withdraw from the MoU (while funding up to the effective date of the withdrawal). In addition funding for all contract modification and termination costs incurred as a result of the US actions shall be paid by the United States.

We assure you, that this is not negligible. In a first estimate the current US position results in an economic damage to Germany and Italy of more than 400 Mio. US\$. This is a result of development activities, which cannot be executed due to the missing FY 2013 US funding and the termination liability for terminating those contracts earlier.

In addition, there are wider implications of the US withdrawing or breaking the MoU and this would set a bad precedent for future transatlantic cooperation in principle. In particular one result would need to be the reconsideration of multinational cooperation in the context of NATO's SMART Defense initiative. After the Canadian withdrawal from the NAEW&C and AGS programs, the current US position would represent the second evidence in one year of the lack of reliability and as such would set a bad precedent for future transatlantic cooperation in principle.

It should be of common interest not to risk the prominent and significant merits of continued transatlantic co-operation and collaboration between our nations. We rely on your intervention to ensure the timely and full availability of 2013 funds by the end of March 2013 (with no prohibition on expenditure of MEADS funds) so as not to disrupt harvesting of MEADS capabilities in order to enable future meaningful European contribution for NATO Air and Missile defense.

The three Nations' investments have been very fruitful to date, which included a successful 360 degree intercept mission in November 2012. We are in the final year of funding under this MoU and not funding this effort would put in jeopardy all of the significant investment made to date by our countries. After the restructuring MEADS has executed on schedule and within budget for more than 4 years now, which is remarkable in particular given the situation of the program after the US decision not to procure MEADS.

The successful completion of the MEADS activities should be in our common interests for a large variety of reason. The FY 2013 funds of the US are a prerequisite to achieve this goal.

Thank you for your leadership and support on this important defense and transatlantic issue.

Yours truly,

*Il Ministro della Difesa,  
Bundesminister der  
Verteidigung.*

EMBASSY OF THE FEDERAL REPUBLIC  
OF GERMANY, WASHINGTON, AND  
EMBASSY OF ITALY IN WASHINGTON,

*Washington, January 29, 2013.*

Hon. BARBARA A. MIKULSKI,  
Chairwoman, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR MADAM CHAIRWOMAN, First, let us warmly congratulate you on assuming the chair of the Senate Appropriations Committee. We wish you all the best in steering this important committee through all the challenges that lie ahead.

Among the many issues and decisions to be taken is one at the very center of transatlantic relationships, the future of the Medium Extended Air Defense System (MEADS). This joint development program has brought together three close NATO allies to provide their forces with state-of-the-art technology to meet future threats. The program has achieved important milestones, including a successful intercept test in November 2012.

Italy and Germany have met their MoU obligations by contributing more than 40 percent of the necessary funding for the program since it has started in 2004. A final decision by the U.S. Government to prohibit further funding for MEADS at this advanced stage would lead to a significant loss of technology for which we have commonly worked

so hard. It would also be perceived as a serious setback for transatlantic cooperation in general.

The U.S. Department of Defense has acknowledged this fact and requested further funding for MEADS in fiscal year 2013 to meet its international commitment and also to put itself and its partners in a position to harvest the technologies in which we have all significantly invested.

As the debate on an appropriations bill for the Department of Defense in 2013 continues, we greatly appreciate your consideration of these aspects.

In concluding, we would like to stress that both our governments continue to assume that all parties will ultimately abide by the agreement.

Sincerely,

DR. PETER AMMON,  
Ambassador of the  
Federal Republic of  
Germany.

CLAUDIO BISOGNIERO,  
Ambassador of Italy.

THE SECRETARY OF STATE,  
Washington, DC, September 19, 2012.

Hon. DANIEL K. INOUE,  
Chairman, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I concur with Secretary Panetta's letter of June 26 and support, within the Department of Defense budget allocation, funding the final year of Medium Extended Air Defense System (MEADS) development that includes key demonstrations, completion of documentation, and an orderly close of a program of significant importance to two of our important European allies, Germany and Italy. While we are encouraged by the recent Senate Appropriations Defense Subcommittee action recommending \$380 million in fiscal year 2013 funding for MEADS, we recognize this development will need to be reconciled with other Congressional actions.

Honoring our commitment for the final year of the MEADS "Proof of Concept" would signal the U.S. commitment to working with allies to cooperatively develop capabilities required for the challenges facing the NATO Alliance. Commitment of U.S. funds would enable and further encourage our European partners to make additional contributions to NATO missile defense. Failing to provide the final year of funding when we are so close to completion would send the wrong message to all of our allies and partners at a time when the global situation requires more, not less, cooperation.

The United States relies on our NATO allies to share the burden of defense of NATO territory and peacekeeping in coalition activities. Difficult domestic budget and economic situations make it imperative for allies to consider ways to work together to maintain and build new capabilities to defend against modern threats, like the proliferation of ballistic missiles. These are vital capabilities that many allies can only obtain if they work together to develop and acquire them. We made a commitment to two of our closest allies, Germany and Italy, to develop MEADS cooperatively, share development costs, and realize integrated coalition capabilities. It is critical that we honor our commitments.

At the NATO Summit in Chicago, allies declared an interim missile defense capability as an initial step toward establishing the NATO missile defense capability that allies agreed to develop at the 2010 NATO Summit in Lisbon. While the United States is making

a significant national contribution to this system through the European Phased Adaptive Approach, we expect and have requested additional contributions from allies to make the capability more effective and share the burden of missile defense protection of European NATO territory, populations, and forces.

Germany and Italy envision MEADS not only as an essential basis for their own future air defense capabilities, but more importantly as the basis for their respective contributions to NATO missile defense. The agreement to deploy a territorial NATO missile defense capability and its implementation are major achievements of U.S. and Allied policy. A decision by Congress not to provide or to prohibit funding MEADS at this late date would diminish the consensus reached in Lisbon and Chicago for this capability, discourage allies from participating in cooperative projects in the future, and ultimately, delay greater European contributions to NATO missile defense.

My staff is ready to answer any questions you or your staff may have.

Sincerely yours,

HILLARY RODHAM CLINTON.

—  
SECRETARY OF DEFENSE,  
Washington, DC.

Hon. DANIEL K. INOUE,  
Chairman, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your inquiries, I am writing to ask that you strongly support the President's Budget request for FY 2013 funding to complete the Medium Extended Air Defense System (MEADS) Design and Development (D&D) Proof of Concept (PoC) effort with Germany and Italy. The Department is seeking \$400.9 million in FY 2013 funds to honor the final year of our MEADS D&D Memorandum of Understanding (MOU) commitment that will enable completion of the MEADS development phase as it is currently planned. The PoC effort enables all three nations to obtain benefit from our collective program investment to date and will bring the development program to an orderly conclusion. Failure to fund our FY 2013 commitment will be viewed by our allies as reneging on our promises.

During the NATO Summit in Chicago on May 20, 2012, NATO Allies achieved a major breakthrough on missile defense—10 years in the making—by declaring an interim ballistic missile defense capability as an initial step towards establishing a NATO missile defense system. The European Phased Adaptive Approach will be a major contributor to NATO missile defense and is designed to protect the U.S. homeland, U.S. deployed forces, and our allies against the increasing threats posed by the proliferation of ballistic missiles. Where ballistic missile defense was once a controversial subject within the Alliance, we have reached consensus to operationalize this capability and have the Allies share the burden of deterring and defending against those who could threaten us with ballistic missiles. This is a major achievement of U.S. policy; a decision by Congress to prohibit any additional funding for MEADS at this late date would diminish the consensus reached in Chicago.

The United States relies on allies to share the burden of peacekeeping and defense in coalition activities and the development of effective defense capabilities that are of direct benefit to the United States. In this context, I believe that it is important to live up to our commitments to our allies. We made a commitment to two of our closest al-

lies, Germany and Italy, to develop MEADS cooperatively to achieve those objectives. Failure to meet our MEADS MOU FY 2013 funding obligations could negatively affect allied willingness to join future cooperative endeavors, bilaterally or through NATO, that have been strongly supported by the Administration and Congress at a time when cooperation through concepts such as Smart Defense is critical to ensuring NATO and its members are developing needed capabilities for the future.

In addition, failure by the United States to provide funding for FY 2013 likely would lead to a dispute with Germany and Italy, both of which have indicated that they would assert that the United States has unilaterally withdrawn from the MOU. On the other hand, full funding of the final year of the MEADS PoC would ensure that the United States receives a return on its 8-year investment in the form of a data archival package for future potential use on other U.S. air and missile defense improvements.

We must act now to avoid a situation that would cause harm to our relationships with two of our closest allies. My staff is ready to answer any questions you or your staff may have on MEADS.

Sincerely,

LEON PANETTA.

#### DIETARY SUPPLEMENTS

Mr. DURBIN. Mr. President, almost 1½ years ago I sent the Government Accountability Office a letter asking them to examine the FDA's Adverse Event Reporting System for dietary supplements.

Dietary supplements, vitamin pills, and mineral pills are common across America. There are shops all over Chicago and downstate Illinois selling these supplements, and many people—including myself—take a vitamin each day. Maybe it is good for me, maybe it isn't. I hope it is good. It is certainly not harmful. But there are thousands of dietary supplements for sale. They are not all made in the United States, and they are not all made to the highest specifications.

So we said to the Food and Drug Administration, We want you to collect information from American consumers if there is a problem. If there is a dietary supplement that is being sold and someone has an adverse event—in other words, a health event—that could be serious, report it to the FDA. If we receive more than one, it is worth taking a look at to see if there is a pattern emerging and we should take something off the shelf.

Today the General Accountability Office released a report assessing how the system is working on this adverse event reporting on dietary supplements, and they had some recommendations. This reporting system is an important surveillance tool the FDA uses to identify and respond to cases of serious adverse reaction, such as heart attacks, hospitalizations, and, in some cases, death.

Over the years the types of dietary supplements sold have evolved from some very basic formulas such as simple vitamin C and calcium supplements

to include products with potentially serious side effects, and even foods and beverages masquerading as dietary supplements that could pose a significant danger.

Take a look at these energy drinks that are for sale everywhere. Try to get past the cash register at your local gas station without running into a 5-Hour Energy drink or Monster Energy drink. And for some of them, when you turn the container back you will see it is not being sold as a beverage; it is being sold as a dietary supplement—in other words, like a vitamin or a mineral. There is a reason for that: because if it is sold as a beverage, FDA has different regulatory authority over the product and its ingredients. If it is sold as a dietary supplement, the regulations are not there in the same way as they would be for beverages.

Unfortunately, people are led to believe these products have all been approved by the FDA and pose no risk. In reality, unlike drugs or over-the-counter drugs, dietary supplements are not reviewed and tested by the FDA for safety or effectiveness before being sold to the American public. That will come as a surprise to a lot of people. Most dietary supplements today are safe and they are used by millions of Americans as part of their personal choice for a healthy lifestyle. That is not true of all supplements.

In 2002, a 16-year-old boy named Sean Riggins from Lincoln, IL, just a few miles away from my home in Springfield, died after taking a dietary supplement containing ephedra. Sean was a high school football player. Before playing in a game, he went to the local gas station and bought something called Yellow Jackets. It was a form of ephedra, clearly marketed to children to give them an energy boost. How often do you hear that? Sean washed the pills down with a bottle of Mountain Dew. Sean was unable to finish the football game that day and died of a heart attack.

Before his death, Metabolife—the largest manufacturer of supplements containing ephedra—claimed they had no ephedra-related adverse events to report. This was 2002. Under pressure, Metabolife later gave FDA over 13,000 ephedra-related adverse event reports that showed people taking their products with ephedra and getting sick.

In 2006, I worked with Senators ORRIN HATCH and TOM HARKIN to pass the Dietary Supplement and Nonprescription Drug Consumer Protection Act. The law requires dietary supplement manufacturers to report serious adverse events to the Food and Drug Administration.

Today's GAO report shows that since the law was enacted, serious adverse events reported to the FDA have increased dramatically, from almost 400 reports of serious events in 2007, to 6,307 between 2008 and 2011. The GAO

report highlights commendable efforts by the FDA to improve the safety of dietary supplements. In 2008, the FDA only conducted 120 inspections in the United States. By 2012, that number was up to 400 inspections. Between 2008 and 2011, FDA took 19 regulatory actions, including warning letters and injunctions, against companies that didn't report as required—such as reporting serious adverse events but omitting contact information on their labels. That is pretty basic, isn't it? When you buy a product like a dietary supplement, you ought to at least know who made it and how you can contact the people who made it. If something goes wrong or if there is a question and you need to contact someone, that basic information should be there.

In addition to outlining steps, FDA is taking steps to strengthen the Adverse Event Reporting System to protect consumers. The GAO report also suggests ways the FDA can improve this process. For instance, in some cases FDA has used these adverse event reports to inform actions to protect consumers. But the Agency could do more and develop ways to educate consumers about potentially harmful products.

The GAO report encourages the FDA to issue final guidance clarifying the definition of a conventional food and dietary supplement. The vague distinction between a dietary supplement and conventional food or beverage has created a murky growing market where some companies sell products potentially dangerous with unapproved ingredients, products such as Lazy Cakes, a brownie marketed as a dietary supplement—not as a brownie, but as a dietary supplement, that contains roughly 8 milligrams of the sleep aid melatonin, almost double the upper limit of the typical dose—and energy drinks sold in huge 16-, 24-, and 32-ounce cans right next to soda and Gatorade. Soda and Gatorade are regulated; the energy drinks are not. How would a consumer know?

The GAO report also encourages the FDA to work with the Poison Control Centers to establish a data-sharing agreement. This is a source of real frustration, and when I describe the situation you will understand why.

As you can imagine, when somebody feels sick after using a supplement, they don't usually call the Food and Drug Administration; they call a local hospital or the Poison Control Centers which are all across America. Between 2008 and 2010, Poison Control Centers heard from 1,000 more people who had experienced adverse events with dietary supplements than the Food and Drug Administration did. The Poison Control Centers information could be a meaningful contribution to the information the FDA is receiving about harmful products—information that can help us protect American con-

sumers. I encourage the Food and Drug Administration and Poison Control Centers to work together to share this information. Sadly, the Poison Control Centers are demanding millions of dollars that the FDA doesn't have to get access to the basic information about dangerous products sold in America that are causing harm to Americans. Holding back this information is not in the best interests of keeping America healthy and safe.

Moving forward, I am going to continue to work with the FDA to enhance the regulation of dietary supplements and ensure customers have the information they need to make informed decisions. Every time I come to the floor and say anything about dietary supplements, I can guarantee you that at some Web site somewhere they are saying, Here comes Durbin again. He is going to take your vitamin pills away. He is going to make it so you need a prescription to take vitamin C. Not the case at all. That is not what I am arguing for.

Let me tell you the bill I will reintroduce this year, the Dietary Supplement Labeling Act, would do. It addresses the growing concern of dietary supplements with misleading information and the bad actors selling it. This bill would require more information on labels. People using dietary supplements have the right to know if there is a risk associated with the product. Some ingredients may be safe for the general population but risky for groups such as kids or pregnant women, or the ingredients included in there might be dangerous for people with special conditions such as diabetes or high blood pressure.

The bill would also help curb the growing practice of foods and beverages with added ingredients masquerading as dietary supplements by directing the FDA to establish a definition for conventional foods. This definition would clarify for industry, consumers, and even the FDA what products are foods and which products are dietary supplements. Today you can't tell.

If you have the time and good eyes, go into that gas station and take a look at some of these energy drinks, and then look at the bottle of Gatorade or soda next to it in the case. One often regulated as a beverage, the other—the dietary supplement—is not.

Many people would be surprised to learn that the FDA doesn't even know how many dietary supplements are being sold in the United States. I will bet you the majority of American people are sure their government is testing those things that are on the shelves. Not necessarily. Most people don't know if a dietary supplement ingredient presents any serious health concerns. The FDA doesn't have the information to track down products containing these harmful ingredients in many circumstances. The Dietary Sup-

plement Labeling Act which I am introducing would require dietary supplement makers to give the FDA the name of each supplement they produce, along with a description, a list of ingredients, and a copy of the label. Is that onerous? Is that the heavy hand of government? If you want to sell a dietary supplement product in America, isn't it reasonable that you at least register the name of the product, its ingredients, the name and address of the company that can be reached if something goes wrong? That, to me, sounds very basic, and I hope my colleagues will consider supporting it. With that information, the FDA would be better equipped to protect consumers' health and to work with supplement manufacturers to address problems as they arise.

I visited dietary supplement companies in Chicago. I am impressed. They take it seriously. It looks as you would hope it would look, like a very sterile, professional environment with medical professionals on board. The same cannot be said of all the things we are importing from all over the world. If you take a look and see that the product was made in China, you may have some second thoughts about buying it or giving it to your children. We have had some scandals associated with adulterated products coming in from China. I would pause if that were the source of a dietary supplement. I would have more confidence if it is made in the United States, particularly by a reputable dealer that I have seen on the shelves in a local drugstore over and over again.

Let me reiterate. Most dietary supplements available in America today are safe and are used by millions of Americans as part of a healthy lifestyle. As I said, I am one of the consumers taking that dietary supplement multivitamin every morning. But the GAO report confirms there is still work to be done to enhance the FDA's Adverse Event Reporting System, and to ensure that people who take these products have the information they need to make healthy, informed decisions.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BUDGET

Mr. CORNYN. Mr. President, I am back on the Senate floor today with my favorite chart, one that I think is indicative of the fiscal dysfunction that is occurring here in Congress, particularly in the Senate, now marking 1,420 days without a budget. But people

should be encouraged that as a result of the House passing a “no budget, no pay” bill, it has finally prompted our friends across the aisle to mark up a budget in the Budget Committee that will come to the floor in the next few days, and we will be having a lot of important discussions and debates about budgets, taxes, and debt ratios.

I hope everyone remembers what this is really about. It is not just about numbers, it is about our obligation, our moral obligation to future generations of Americans.

I would just footnote that the President in a recent interview said that we do not have an immediate debt problem, and to say: Mr. President, the debt is discouraging and retarding economic growth which we need in order to get Americans back to work.

That is why unemployment is at 8 percent, roughly, with some 23 million Americans either out of work or underemployed, working part time when they would like to work full time. It is a national tragedy and why we need to get our fiscal house in order here so we can put America back to work and grow our economy and opportunity.

Like many in this Chamber, my father was a member of what we call the “greatest generation.” I think Tom Brokaw coined that phrase, talking about the World War II generation that fought and won a world war. My dad was a B-17 pilot, and on his 26th bombing mission over Mannheim, Germany, he was shot down and captured as a prisoner of war. Thank goodness that after 4 months he was released from captivity thanks to General Patton and his Army sweeping through that part of Germany at the end of World War II.

My father and others like him fought to ensure that his children and his grandchildren would grow up in a country that had greater opportunity than he himself and my mother had when they were alive. Indeed, that is every parent’s dream, that their children and their grandchildren will enjoy more opportunity, more freedom, and a higher standard of living than they themselves had. That is the reason why parents and grandparents sacrifice and why they work hard for their kids and grandkids—because of their hope and their belief in that dream. As a result, my dad and my mother and countless other members of the “greatest generation” left this country better off than they found it. The question for all of us today is, Will the present generation do the same? I certainly hope so, and I am doing everything I know how to do, as one Senator, to make sure we do.

As a parent, I want nothing but the best for my two daughters. My wife and I want and hope and pray for the best for them. As an American, I want to see every child, everyone’s sons and daughters, succeed and prosper. But right now we have, in effect, a war

being waged against America’s youth. I know some might consider that hyperbole or perhaps unnecessarily inflammatory, but let me explain to you why I do believe that you could logically conclude that we have been waging a war against America’s youth.

Consider the following: Our national debt is close to \$17 trillion. That means every child born in America today comes into this world owing \$53,000 in debt. Meanwhile, the Federal Government is spending more than \$200 billion a year on interest payments alone. The Medicare hospital insurance trust fund—Medicare—is projected to go bankrupt within 11 years, and we are looking at more than \$100 trillion in unfunded liabilities; that is, promises we have made to future generations, and we currently have no clue how to pay for those. That is what “unfunded liabilities” means.

We know the younger generation has virtually no hope that Medicare and Social Security will be there for them when they retire unless we act—and we must act. But rather than reform and protect our existing programs, such as Medicare and Social Security, the President chose in his first year in office to create yet another new entitlement program funded by a \$1 trillion tax increase. Of course, we all know it goes by the name of ObamaCare or, if you prefer, the Affordable Care Act, which I think, if you look at it, history will ultimately conclude was unaffordable—not the Affordable Care Act but the Unaffordable Care Act.

One impact of ObamaCare is that young people under the age of 40 are going to have to pay higher and higher health insurance premiums. You might ask how that is possible since they are the healthiest people in America today. This is a phenomenon known as age banding, which says under ObamaCare that seniors can pay no more than three times what young healthy people pay for their health insurance. But it is no secret that older Americans incur higher medical expenses by virtue of their advancing years. Yet they can only pay three times what young healthy people pay for health insurance. That will lead to much higher premiums for young people in America. Indeed, one recent survey found that premium costs for young and healthy Americans “will increase on average by 169 percent.” I have no way of knowing whether that prediction will be entirely accurate, but I can promise that health insurance premiums for young, healthy Americans will continue to rise under the current law known as ObamaCare.

Such a dramatic rise in health insurance premiums will come at a time when young workers and middle-class families are already struggling to make ends meet. After all, the median household income in America has fallen by more than \$2,400 since June 2009.

In other words, average households in America are not just treading water, maintaining their place, they are losing, they are taking on water, and they are \$2,400 poorer today than they were in June 2009.

Not only will ObamaCare drive up insurance premiums for younger Americans, it also is destroying jobs. In fact, we already have evidence that many full-time jobs are being reduced to part-time jobs in preparation for ObamaCare’s costs and regulation. In particular, in many places where young people get a start in their work life—working in restaurants, working in hotels, working for retailers—those very same employers are now replacing full-time jobs with part-time jobs in order to avoid the crushing costs of ObamaCare. So this will hurt younger Americans more than anyone else.

Then there is this: While unemployment is, generally speaking, about 7.9 percent—the Congressional Budget Office expects it to go up to 8 percent by the end of this year—fewer and fewer people are still looking for jobs. It is called the labor participation rate. You can go online and look at the Bureau of Labor Statistics, and they will show you that the number of people looking for work as a percentage of the population is as low as it has been for 30 years. So not only are people having a hard time finding full-time work, if they can find work at all, some have simply given up.

A new study shows that the unemployment rate among teenagers is over 25 percent now, and a new study shows that Americans in their twenties and thirties are accumulating savings at a much slower rate than their parents did. What we find among many young Americans and not-so-young Americans is that they are living off of their 401(k) or retirement savings now at unprecedented rates.

I ask my colleagues, is this really the future we want to leave our children and grandchildren? Will this leave them better off than we were or will it leave them worse off? I know that no one in this Chamber and no American in this country wants to leave their children and grandchildren worse off than they are. That is why we have to do everything we can to reverse the Federal overreach of the past 4 years and to boost economic opportunity with policies that will promote fiscal health and strong, broad job creation and upward mobility. In other words, we need to embrace policies that expand our economy and not government. We do not need people more dependent on government, we need more people independent and prospering on their own because we have a growing economy that provides opportunities for them to work, to save, and to support their families and deliver to their children and grandchildren greater prosperity than they inherited from their

parents. That is the future Americans want, and that is the future we must strive to deliver.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I rise today to discuss an amendment that has been filed by my friend Senator MORAN that I am proud to support. This amendment would stop the Federal Aviation Administration from targeting air traffic control towers across the country, including the towers that are considered to be in the Contract Tower Program under sequestration.

As I have said before on this floor and will continue to say, many of these problems will be resolved, I am convinced, if the Appropriations Committee does its work and that work is recognized and debated on the floor. And I hope we will not be having this same kind of discussion on October 1 when we begin the new spending year.

But the impact of sequestration—cutting from this account—is real. Senator MORAN's amendment is important. It is something that could impact the communities served by these towers. This amendment tries to ensure that these communities are not impacted.

In our State, there are contract towers in Missouri—in Branson, in Joplin, in Colombia, in Jefferson City and Saint Joseph. All those could be affected, depending on how the FAA administers this cut in the contract tower line. A number of other airports in Missouri, including Springfield, downtown Kansas City, and downtown St. Louis, could lose their towers in the after-midnight service, and those planes that now land there after midnight would either not do that or would do that without the support of the tower they have now that assists in landing.

This amendment of Senator MORAN would protect those towers as well as the federally funded portion of 16 cost-share towers, which also could be closed at the end of this fiscal year. Specifically, this amendment takes \$50 million from one place in the FAA—in fact, it is \$50 million in research and capital funds—that is money that could easily be set aside for this short period of time so that these towers do not close—and then Senator MORAN would add \$50 million in the Federal Aviation Administration operations account. The amendment makes it clear that the Contract Tower Program and contract tower cost-sharing programs are subject to the 5-percent sequestration cuts but, again, would transfer

enough money within accounts that there should be money to keep these important towers open in Missouri, in Kansas, in Maryland, in Alaska. Many States—almost every State has something that would be impacted by this contract tower section.

This \$50 million would be more than 95 percent of the estimated money necessary to be sure that the contract tower program and the cost-share program would stay in place. If someone was using one of these airports and bought a ticket to travel out of one of these airports, or if someone is a general aviation customer at one of these airports, the tower is one of the ways they would expect their tax dollars to be spent.

What Senator MORAN is trying to do is find a way to do that which still allows sequestration to occur and still keeps the spending below the spending cap in the law. It is exactly in sync with the spirit of the law as well as the letter of the law. This just tries to solve a problem.

I wish to solve this problem in another way, by saying that Federal funds and employees who are involved in public safety have to be prioritized as people who show up, and we are going to move forward with that particular view legislatively if we cannot get it added to this spending bill which takes us from now until the end of the year.

It is my hope we are not talking next year about how we get to the end of the year because we figured out how to get to the end of the year at the beginning of the year. That does not sound like an incredible goal for the Senate to have. But in a Senate that has not voted on a single appropriations bill for 16 months, updating the spending—5 of the 12 bills spend 70 percent of the money—in this continuing resolution is in the spirit of what our new chairman and our new ranking member want to do, and what the Senate should want to do, which is to deal with these things in the regular way.

I would very much like to see Senator MORAN's amendment included in what we are doing today. Just as importantly, I want to work with Senator MORAN to see that as we look toward October 1, these kinds of issues don't have to become a regular part of our process, but the kind we look back on and say: Remember we failed to do our job the regular way and all the problems that created? Let's get back to regular order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before the Senator from Missouri leaves the floor, I wish to make a comment.

First of all, I would personally like to thank him for all of his cooperation in trying to help move this bill forward within the Senate. It is characteristic

of both him and the spirit in which Vice Chairman SHELBY and I have undertaken this effort. We have tried to work together to get this bill disposed of in an orderly way in order to avoid a government shutdown. It is not the bill we like, but it is the bill that was presented to us. At the same time we are beginning to establish both a tone, a decorum, and a process so we can get back to regular order.

I share the frustration of the Senator from Missouri in that we are dealing with a really big bill. The legislation that is pending here includes all 12 of the separate appropriations bills. It is very difficult to parse them out and to have rational conversations on matters of policy.

I hope as we get to October 1, which is our fiscal New Year's Eve, we will have had an orderly disposal of all 12 of the bills. I truly believe we can agree on the process and procedure. We can and should have a debate on policy. There should be a debate on funding. I am not one who likes to contain debates or contain amendments, but the clock is ticking.

We have two big issues before us. One issue is the funding for the rest of the fiscal year—fiscal 2013—and then we have the budget for fiscal 2014 which Senator MURRAY and Senator SESSIONS want to bring to the floor. I would like it if we could bring our bill to an orderly close and move to the budget debate so when we take our Easter-Passover break, if we do that, we will have shown the people of America that we can govern by disposing of two major policy considerations with decorum, dignity, civility, and pretty robust conversation.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. (Ms. HEITKAMP). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here, once again, to sound an alarm about carbon pollution's damage to our oceans and to our climate. It is past time for Congress to wake up to our responsibility as elected officials and as stewards of this planet.

The alarm has been sounded by the scientific community which overwhelmingly warns about the effects of our carbon dioxide emissions on our atmosphere and oceans. Our defense and



intelligence communities warn of the threats posed by climate change to national security and international stability. Economists recognize the distortion of energy markets that overlook the true cost of carbon pollution, and government accountants now list climate change as a threat to our fiscal stability.

Today, as we enter the Passover and Easter season and as Catholics the world over celebrate the selection of a new Pope, we turn to voices of faith. They too call upon us. They call upon us to heed the moral imperatives of protecting creation and seeking justice for all people. They call upon us to reflect on our faith, on our relationship to our world and each other and on our responsibility to future generations, and they call upon us, as President Obama reminded us in his inaugural address, to “preserve our planet, commanded to our care by God.”

I lay no claim to religious authority, but I must believe this: Something that harms others, something that disturbs God’s creation, something that stands on lies and greed—protecting that must not be consistent with God’s will.

In his 2010 World Day of Peace message entitled “If You Want to Cultivate Peace, Protect Creation,” Pope Benedict XVI called upon the faithful:

... [t]o protect the environment, and to safeguard natural resources and the climate ... while at the same time taking into due account the solidarity we owe to those living in the poorer areas of our world and to future generations.

In his inaugural mass this morning, Pope Francis said:

Please, I would like to ask all those who have positions of responsibility in economic, political, and social life, and all men and women of good will: let us be “protectors” of creation, protectors of God’s plan inscribed in nature, protectors of one another and of the environment.

As early news reports indicated, the new Pope chose his papal name Francis out of respect for Saint Francis’s sense of obligation to God’s creation. He noted in one of his very earliest comments that our relationship with God’s creation is not so good right now. Of course, the Pope is not the only one.

Ecumenical Patriarch Bartholomew I of Constantinople, the spiritual leader of the world’s Orthodox Christians, also reminds us to remember those most affected by climate change:

Climate change is much more than an issue of environmental preservation. Climate change constitutes a matter of social and economic justice.

In the United States, hundreds of evangelical leaders signed the Evangelical Climate Initiative statement which declares: “Love of God, love of neighbor, and the demands of stewardship are more than enough reason for evangelical Christians to respond to the climate change problem with moral passion and concrete action.”

The Hindu Declaration on Climate Change affirms that “the dire problems besetting our world will all be magnified manifold by the predicted impacts of climate change.”

Buddhist leaders, including the Dalai Lama, urge both individual and institutional transformation to confront what they call “the gravest challenge that humanity has ever faced: the ecological consequences of our own collective karma.”

As Rev. Fletcher Harper of the interfaith coalition GreenFaith explains, all faith-based communities have a spiritual connection to the natural world. For example, Sheikh Ali Gomaa, the internationally respected Egyptian Islamist, sees this connection as central to a faithful life. I will read:

If we take seriously our role as God’s deputies on Earth, not just by benefiting from the environment, but by preserving it and ensuring that other communities and generations will have the same possibilities to drink clean water, breathe fresh air, and live in a world that is in harmony with itself and with ourselves, we may hope to be among those who are beloved to God due to their care for his creation.

For many, faith compels work toward fairness and justice for all living beings, regardless of nationality or social status, and encourages us to consider the effects of our actions on future generations.

For many individuals all over the world, the fight against climate change is a moral call. As Americans, we have a tradition of calling upon our own deeply held spiritual convictions to address our society’s greatest moral challenges. People of faith are answering that call, from major denominational governing bodies down to local parishes and synagogues.

Representative HENRY WAXMAN and I, as part of our work on the Bicameral Task Force on Climate Change, recently wrote to 300 groups to ask for their views on actions the Federal Government could take to reduce carbon pollution and strengthen our resiliency to climate change. A number of those organizations which answered are religious organizations.

I ask unanimous consent to have printed in the RECORD excerpts of letters from six of these groups.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COALITION ON THE ENVIRONMENT AND  
JEWISH LIFE AND JEWISH COUNCIL  
FOR PUBLIC AFFAIRS,

New York, NY, February 20, 2013.

REP. HENRY A. WAXMAN AND SEN. SHELDON WHITEHOUSE,  
Co-chairs, Bicameral Task Force on Climate Change.

DEAR SENATORS WAXMAN AND WHITEHOUSE: Thank you for requesting our input. The Coalition on the Environment and Jewish Life (COEJL) and Jewish Council for Public Affairs (JCPA) are pleased to respond to the Task Force’s request for input on federal policy responses to climate change.

COEJL deepens and broadens the Jewish community’s commitment to the stewardship and protection of the earth. COEJL has been an initiative at the Jewish Council for Public Affairs since 1993. Through a network of 27 national organizations (including all major denominations) and 125 community agencies, COEJL is mobilizing the Jewish community to address today’s energy and climate change crisis. Through its role in the National Religious Partnership for the Environment (NRPE), COEJL works closely with our colleagues at the Evangelical Environmental Network, National Council of Churches, and US Conference of Catholic Bishops. JCPA is the public affairs arm of the organized Jewish community and serves as the national coordinating and advisory body for the 14 national and 125 local agencies comprising the field of Jewish community relations.

Today, COEJL’s priorities are to mobilize the Jewish community to address the climate crisis through advocacy for appropriate legislation as well as action to reduce our own greenhouse gas emissions. COEJL challenges and supports Jewish organizations to pursue sustainability in their facilities, operations and programs in order to protect the earth for future generations.

COEJL’s Jewish Energy and Environment Imperative, signed by over 50 Jewish community leaders in 2012, states that “the need to transform the world’s energy economy while addressing global climate change is not only a religious and moral imperative, it is a strategy for security and survival.” Next month, COEJL is bringing . . .

COMMITTEE ON DOMESTIC JUSTICE  
AND HUMAN DEVELOPMENT

Washington, DC, February 21, 2013.

Hon. HENRY WAXMAN,  
Co-Chair, Bicameral Task Force on Climate Change, Ranking Member, Committee on Energy and Commerce.

Hon. SHELDON WHITEHOUSE,  
Co-Chair, Bicameral Task Force on Climate Change, Chairman, Subcommittee on Oversight, Senate Committee, Environment and Public Works.

DEAR REPRESENTATIVE WAXMAN AND SENATOR WHITEHOUSE: At the request of Cardinal Dolan and as chairman of the Committee on Domestic Justice and Human Development, I am responding to your letter dated January 31, 2013. We thank you for your leadership to address climate change and for the opportunity to share our suggestions for effective measures to address the moral and environmental challenges of climate change with this Bicameral Task Force.

Effective measures to address climate change are urgent and necessary. Evidence continues to point toward significant damaging impacts from climate related events in the United States, across the globe, and particularly for the poorest developing countries. Some poor nations and small island states already experience these impacts as a matter of survival for their people and cultures.

People living in poverty in communities served by Catholic Relief Services (CRS) already suffer the tragic consequences of climate change. Increasingly limited access to water, reduced crop yields, more widespread disease, and increased frequency and intensity of droughts and storms all make the lives of the world’s poorest people even more precarious. CRS, which supports projects in almost 100 countries, already assists many communities to adapt to the consequences of climate change.

In signaling the moral dimensions of this issue and advocating for the needs of the most vulnerable, the Catholic Church brings a distinct perspective to this urgent matter. Throughout his pontificate, Pope Benedict XVI demonstrated strong leadership on climate change in his teaching office and through efforts to reduce the Vatican's own carbon footprint. In his 2010 World Day of Peace Message, *If You Want to Cultivate Peace, Protect Creation*, he pointed to the urgent moral need for solidarity with creation and those affected by climate change. The pope insists, "To protect the environment, and to safeguard natural resources and the climate, there is a need to act in accordance with clearly-defined rules . . . while at the same time taking into due account the solidarity we owe to those living in the poorer areas of our world and to future generations" (no. 7).

The United States Conference of Catholic Bishops (USCCB) is guided by the teaching of Pope Benedict XVI and the principles articulated in the USCCB's statement, *Global Climate Change: A Plea for Dialogue, Prudence and the Common Good*. This statement notes that, "At its core, global climate change is not about economic theory or political platforms, nor about partisan advantage or interest group pressures. It is about the future of God's creation and the one human family." As pastors and people of faith, we are not experts on the science, technical remedies and particular provisions of legislation or regulatory measures to address climate change. Our efforts seek to link care for creation and care for "the least of these." As is noted in the bishops' statement, "Action to mitigate global climate change must be built upon a foundation of social and economic justice that does not put the poor at greater risk or place disproportionate and unfair burdens on developing nations."

For the USCCB, a fundamental moral measure of any policy to address climate change is how it affects the poor, in our country and around the world. Well-designed policies can both reduce the severity of climate change and protect the most vulnerable. The USCCB supports strong leadership by the United States in enacting policies that protect poor and vulnerable people from bearing the impacts of climate change and from the human and economic costs of any proposed legislation to respond to climate change.

The USCCB asks the U.S. Congress and the federal government to consider the following principles as they shape policies and measures to address climate change:

Prudence requires us to act to protect the common good by addressing climate change at home and abroad.

The consequences of climate change will be borne by the world's most vulnerable people and inaction will worsen their suffering.

Policies addressing global climate change should enhance rather than diminish the economic situation of people in poverty.

Policies should create new resources to assist poor and adversely affected communities to adapt and respond to the effects of global climate change in the U.S. and in vulnerable developing countries.

Policies to address climate change should include measures to protect poor and vulnerable communities from the health impacts of climate change, including increased exposure to climate-sensitive diseases, heat waves and diminished air quality.

Participation by local affected communities in shaping policy responses to address climate change and programs for adapting to climate change is essential.

Technology should be made available to people in the most vulnerable developing countries to help them adapt to the effects of climate change (adaptation) and reduce their greenhouse gas emissions (mitigation).

We appreciate your commitment to address this urgent global challenge confronting the human family. The USCCB stands ready to work with you, members of Congress, and the Administration to ensure that needed climate legislation both cares for creation and protects "the least of these."

Sincerely yours,

MOST REVEREND STEPHEN E. BLAIRE,  
Chairman,  
Committee on Domestic Justice and Human  
Development.

EVANGELICAL ENVIRONMENTAL  
NETWORK,  
New Freedom, PA, February 20, 2013.

Hon. SHELDON WHITEHOUSE,

Hon. HENRY WAXMAN,

Co-chairs, Bicameral Task Force on Climate  
Change, Capitol Hill, Washington, DC.

DEAR SENATOR WHITEHOUSE AND CONGRESSMAN WAXMAN: On behalf of the Board and staff of the Evangelical Environmental Network (EEN) I write to thank you for your service to our country, in particular for your leadership on climate change, including your co-chairmanship of the Bicameral Task Force on Climate Change. In your capacity as Co-chairs, you have asked us to provide "ideas for actions the federal government can take to address climate change." This letter is our response to your request.

#### A. THE GREAT MORAL CAUSE OF OUR TIME

We consider overcoming climate change by keeping the temperature rise to 2°C above preindustrial levels to be the great moral cause of our time and the next great cause of freedom. EEN has been seriously engaged on this issue for over a decade, and it remains our top policy priority. We believe overcoming climate change is part of what it means to be a Christian today; it is part of loving God and our neighbors as ourselves, of respecting the sanctity of life given by God, including the unborn and those yet to be born.

#### B. SOWING THE SEEDS OF BIPARTISANSHIP

We note at the outset that one of the most important things the federal government can do is to act in a manner that enjoys or will eventually enjoy broad bi-partisan support to ensure that whatever actions are taken will carry forward into the future, regardless of which party holds power in the legislative and executive branches. No one knows better than we do how difficult this particular issue can be for the more conservative members of our society, including many Republicans. We know that bipartisanship on climate action is not easy. But it is necessary.

The simple truth is, those opposed to climate action have done a good job of having climate change viewed as a political issue, even a partisan one. We firmly believe that the need to act to overcome climate change is a moral issue, that it should be viewed morally rather than in a partisan fashion. Science helps us understand that there is a problem and the magnitude and urgency of the problem. The systemic nature, the magnitude, and the urgency of the problem require not only that individuals act in keeping with their values, but that government at all levels must act—especially the federal government. But the decision to act, both individually and through our various levels of government, is a moral one. This is a moral

cause whose solutions require government policies in keeping with freedom.

As such, we implore you as statesmen to help move our country forward in a manner that sows the seeds of bi-partisanship to be reaped in the future. Let's work together to stay out of the partisan trap set by opponents of climate action.

#### C. WE MUST ACT STARTING NOW

Precisely because climate change is the great moral cause of our time and the need for action is urgent, we cannot wait to act until there is complete unanimity. Even in the absence of strong bipartisan support today, actions must be taken now to keep us within striking distance of avoiding 2°C and help us adapt to the impacts that will occur. But such actions must always be taken with an eye towards eventual bi-partisan support, or that would lead to eventual bi-partisan solutions.

#### D. ACTION TO ADDRESS THE CAUSES: MITIGATION

##### 1. Preference for Market-based Mechanisms

As conservatives, we believe in using the least amount of government power necessary to achieve the common good. Since the issuing of the Evangelical Climate Initiative statement in 2006, EEN has endorsed the use of market-based mechanisms to put a price on carbon, thereby allowing the dynamics of the marketplace to find the most efficient and least-costly ways of overcoming climate change. As such, we favor cap-and-trade or a carbon tax as preferred choices over regulation when it comes to addressing the causes, or climate mitigation.

But we are past time for serious action on climate mitigation, and thus our country must move forward even if Congress is currently unable to price carbon via a market-based mechanism.

##### 2. EPA Regulations, a Second Best Option

Therefore, we strongly urge the Environmental Protection Agency (EPA), under its authority contained in the Clean Air Act (CAA), to issue a rule on existing sources that would be finalized in 2014. We further urge the EPA to require strong emissions reductions that keep our country's contribution in striking distance of 2°C, thereby enhancing freedom in the future by reducing impacts. But, also in keeping with freedom, we urge that states be given maximum flexibility as to how emissions can be reduced.

Strength of resolve, flexibility in implementation, infused with freedom—these should be the watchwords for the EPA's regulation of existing sources. Remaining steadfast on the \* \* \*

FRIENDS COMMITTEE ON  
NATIONAL LEGISLATION,  
Washington, DC, February 20, 2013.

DEAR SEN. WHITEHOUSE AND REP. WAXMAN: FCNL is delighted that you have formed the bicameral Task Force on Climate Change. We are thankful for your leadership on climate disruption—the greatest challenge humanity has ever faced—and look forward to working with you to ensure that Congress does its part to address it. We are honored to be invited to respond to the questions you have posed.

In recognition of the gravity and immensity of climate disruption, the questions posed first merit contextual background—much of which you know all too well—yet bears repeating, for without it, the tangible paths of specific negotiations and actions in present day circumstances can turn in unexpected directions or end in inadequate places.



## CONTEXT

As you know, the scientific community feels the world is unable to stay below the 2 degree Celsius target that the global political establishment set in Copenhagen as the maximum global temperature increase acceptable to avoid serious and catastrophic disruptions of Earth's ecosystems and in turn human societal systems. Some scientists, observing and monitoring present day manifestations of climate disruption, feel that this target is now too lenient. Other scientists think it's too late to prevent catastrophic consequences on human civilization even if world GHG emissions halted right now.

Yet human civilization is increasing global GHG emissions in quantities exceeding the worst case scenario posited in the IPCC's Fourth Assessment Report. The International Energy Agency says we must keep in the ground 2/3rds of the world's proven fossil fuel reserves to prevent catastrophe, yet some nations and corporations aggressively and successfully pursue policies to the contrary. Few if any national or international policies are in place to abate these trends. Grim is the understated description of these circumstances.

What must be done?

The ideal and mandatory goal is for the world to urgently and dramatically reduce global greenhouse gas emissions (e.g., by transitioning to renewable energy sources, energy efficient buildings and technologies, and protection of carbon sinks like rainforests), and for significant resources and expertise to be directed towards building the resilience of human infrastructure and critical ecosystems to prepare for and withstand the impacts of phenomena generated or exacerbated by climate disruption. With regard to the first aspect of this goal, some suggest reductions more ambitious than that proposed in prior comprehensive climate legislation, e.g., 80% reductions in global GHG emissions by 2025, not 2050. \* \* \*

NATIONAL COUNCIL OF THE CHURCHES  
OF CHRIST IN THE USA,

Washington, DC, February 25, 2013.

Hon. SHELDON WHITEHOUSE,  
Co-Chair, Bicameral Task Force on Climate Change, Chairman, Subcommittee on Oversight, Committee on Environment and Public Works.

Hon. HENRY WAXMAN,  
Co-Chair, Bicameral Task Force on Climate Change, Ranking Member, Committee on Energy and Commerce.

DEAR SENATOR WHITEHOUSE AND REPRESENTATIVE WAXMAN: The National Council of Churches (NCC), on behalf of its 37 Christian denominations, is grateful for your leadership on the issue of global climate change and the opportunity to provide input regarding potential actions and legislation that can respond to the global climate crisis. We are appreciative of your continued commitment to bring this issue to the forefront for both houses of Congress.

The NCC, through its Eco-justice Program, has, for more than 30 years, sought to address the issue of global climate change with a focus on reducing greenhouse gas emissions to prevent the worst impacts of climate change, ensuring economic protections for those living in poverty as we shift to a low-carbon future, and preparing communities at home and abroad for those climate impacts that we can no longer prevent. In 2006, the NCC along with an interfaith coalition developed its Faith Principles on Global Warming. This document lifts up justice, stewardship,

sustainability and sufficiency as guiding tenets for our work and ministry on climate change and has informed the following recommendations.

A central component of the NCC's efforts is focused on minimizing our contribution to global climate change by reducing heat-trapping pollutants both in our congregations and at the national level. This is critical if we are to achieve climate justice and prevent the worst impacts of climate change.

In order to effectively address climate change, the United States must incorporate the principles of mitigation and adaptation at every level and in every branch of government. We currently have a number of administrative options available to us through federal agencies that should be used to reduce greenhouse gas emissions.

Currently there are a variety of policies that could be both adopted and enforced by federal agencies would limit greenhouse gas emissions. First, the Environmental Protection Agency (EPA) should use its authority under the Clean Air Act to address methane released from energy extraction processes such as mountaintop removal coal mining and hydraulic fracturing. Both processes release significant amounts of methane, a gas often found in fossil \* \* \*

THE REGENERATION PROJECT

INTERFAITH POWER & LIGHT,

San Francisco, CA, February 20, 2013.

Rep. HENRY WAXMAN,  
Sen. SHELDON WHITEHOUSE,  
Bicameral Task Force on Climate Change,  
Washington, DC.

DEAR SEN. WHITEHOUSE AND REP. WAXMAN: Thank you for forming the Bicameral Task Force on Climate Change and for including Interfaith Power & Light in your request for ideas for actions the federal government can take to address climate change.

As President Obama said in his inaugural speech, we are "commanded by God" to preserve the planet. In his State of the Union address he further said, "for the sake of our children and our future, we must do more to combat climate change". We are encouraged that the president sees this as a moral issue. People of faith agree and support bold action. The president's call for Congress to act opens an opportunity, and we thank you for your leadership to advance that action.

In response to your questions we have listed some ideas for your consideration, below.

1. What actions or policies could federal agencies adopt, using existing authorities, to reduce emissions of heat-trapping pollution?

We urge Congress to support proposed EPA standards on carbon pollution from new power plants and ensure timely action to limit carbon pollution from existing power plants and oil refineries.

2. What actions or policies could federal agencies adopt using existing authorities, to make our nation more resilient to the effects of climate change?

A coordinated strategy involving FEMA, Department of Agriculture, DOT, DOE, and EPA to help prepare communities for the impacts of climate change could be productive. Communities must become more resilient, more equipped for storms and high heat events, droughts and transportation challenges. Supporting local food infrastructure, cooling centers for urban areas, and shelters with their own power sources (preferably renewable) could help communities cope with extreme weather events that disrupt food, transportation and electricity infrastructure.

Superstorm Sandy offered lessons in this regard, and could be used as a case study to

be better prepared for future events. However, each community is different, and local communities should be encouraged to come up with their own preparedness strategies. A public campaign coming from the government that declares the climate issue is real, and response is urgent might move more Americans to understand that we need to act. This should be framed as a moral issue, not an environmental or scientific one.

3. What legislation would you recommend Congress enact to strengthen the ability of federal agencies to prevent and respond to the effects of climate change?

We suggest legislation to advance energy efficiency and renewables and to upgrade the electrical grid which would allow for more renewable energy to come to market. In order to level the playing field between renewable energy and traditional fossil fuels, we suggest legislation that would limit the amount of subsidies to oil, coal and gas and redirect these subsidies to renewables. Legislation could also remove barriers to investment in renewable energy, so that wind and solar and other clean energy development can benefit from Master Limited Partnerships and Production Tax Credits.

The Department of Energy could also be directed to help low-income communities and households, as well as nonprofits, take advantage of energy efficiency and renewable energy solutions by providing rebates rather than tax-credits. The upfront cost is currently a major barrier to low-income households, houses of worship, and other nonprofits that want to weatherize, retrofit their facilities or install solar or on-site wind.

4. Additionally we suggest legislation to secure and direct robust funding for international climate adaptation and mitigation. The U.S. must maintain and increase our investments in critical international actions to the impacts that are already being felt, particularly in developing countries and the most vulnerable communities. These investments are essential to promoting global solutions to climate change; protecting our national interests and economic competitiveness, shared security, and development goals; and enabling developing countries and vulnerable communities to plan and prepare for climate-related disasters and losses. In addition, the U.S. should ensure that all our international investments promote low-carbon development pathways and support climate resilience and preparedness, especially for the most vulnerable communities. This is not only our responsibility as a global leader, it is a moral imperative.

I want to assure you that our 40 state affiliates and thousands of congregations view a swift and equitable transition to a clean energy economy as our moral responsibility, and are prepared to support your efforts every step of the way. Thank you for your important work to steward God's Creation and protect our children's future.

With faith,

THE REV. CANON SALLY BINGHAM,  
President.

Mr. WHITEHOUSE. The Coalition on the Environment and Jewish life and the Jewish Council for Public Affairs wrote to us that "the need to transform the world's energy economy while addressing global climate change is not only a religious and moral imperative; it is a strategy for security and survival."

The United States Conference of Catholic Bishops says:

At its core, global climate change is not about economic theory or political platforms, nor about partisan advantage or interest group pressures. It is about the future of God's creation and the one human family.

The bishops ask Congress to consider seven principles in shaping responsible climate change policies:

No. 1, addressing global climate change means protecting the common good.

No. 2, climate change will hit the most vulnerable communities the hardest.

No. 3, we must seek solutions that enhance rather than diminish the economic standing of the poor.

No. 4, new resources must be made available to poor communities to adapt to the effects of a changing climate.

No. 5, we must protect vulnerable peoples from the negative human health effects of climate change.

No. 6, local affected communities should have a voice in shaping the response to climate change.

No. 7, technological solutions to reduce carbon emissions and adapt to a changing climate must be made available to the people of developing nations.

That is from the United States Conference of Catholic Bishops.

We heard from the Quaker Friends Committee on National Legislation. They wrote that climate change is "the greatest challenge humanity has ever faced."

The Evangelical Environment Network urges immediate, bipartisan action saying:

The simple truth is, those opposed to climate action have done a good job of having climate change viewed as a political issue, even a partisan one.

We firmly believe that the need to act to overcome climate change is a moral issue, that it should be viewed morally rather than in a partisan fashion.

The National Council of the Churches of Christ, representing 37 Christian denominations, calls for a national policy that "lifts up justice, stewardship, sustainability and sufficiency as guiding tenets."

Interfaith Power and Light, a national faith-based campaign against global warming, tells us that its "[40] state affiliates and thousands of congregations view a swift and equitable transition to a clean energy economy as our moral responsibility, and are prepared to support [the Task Force's] efforts every step of the way."

These religious leaders and groups are, unlike Congress, not sleepwalking through history. Faith groups throughout America are acting on their sense of spirit, justice, and stewardship, and are mobilizing locally to combat and prepare for the effects of climate change.

In my home State, Rhode Island Interfaith Power and Light provides free energy audits, training workshops, and online information about imple-

menting and maintaining energy efficiency programs for houses of worship. The Jewish Alliance of Greater Rhode Island's Community Relations Council is working to reduce the carbon footprint of Rhode Island synagogues by 14 percent by next year.

In East Providence, RI, the Newman Congregational Church made some simple changes, such as installing occupancy sensors and better lighting, and experienced a 25-percent reduction in electricity costs.

Last year, the Beneficent Congregational Church of the United Church of Christ in Providence undertook an ecumenical Lenten carbon fast. This spring, from Easter to Pentecost, the congregation will be taking part in the United Church of Christ's national campaign of volunteering and environmental advocacy.

These urgent calls from religious leaders of so many faiths, and these conscientious actions by individual houses of worship, demonstrate the powerful connection men and women of faith feel to the wonders of creation and to our fellow humankind. For some, this connection derives from a connection to a higher power. For others, it is hope for future generations or a commitment to justice for all living things.

I once heard a colleague here in Congress brush off the warnings of science about climate change saying: "God's still up there," implying that there is no need to worry about climate change. Well, if God is still up there, what better use of the gifts of moral reasoning that we have been given as His people than to protect His creation—and one another—from harm?

As we sing in the old hymn:

Field and forest, vale and mountain,  
Flowering meadow, flashing sea,  
Chanting bird and flowing fountain,  
Call us to rejoice in Thee.

We are each called in our own way to wake up and to do the right thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I want to comment on the comments of the Senator from Rhode Island.

First of all, I know it is so heartfelt and so genuine, and I want to thank him for that. And I want to thank him for approaching it from a faith-based standpoint about this fragile ecosystem we live on called planet Earth. He has brought a perspective, with that chart he has of the Earth, that it is so beautiful and yet it looks so fragile. As a matter of fact, when you look at the rim of the Earth from the perspective in space, you see a thin film, and you realize that is what sustains all of life, which is the atmosphere. Even with the naked eye from space, you can see how we are messing it up.

I could see, coming across Brazil, the color differentiation where they were

destroying the Amazon. Then I could look to the east at the mouth of the Amazon and see the effects of the extra silt that discolored the waters of the Atlantic for hundreds of miles.

So the Senator brings a great perspective, and I thank him for it.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, if I may respond by thanking the Senator from Florida for his kind remarks. He is the only Member of this body now or ever to have seen that view of our planet from the space capsule in which he looked down on Earth. He has spoken with enormous eloquence and passion about what that experience meant to him, both on the floor and to us in our caucus. I am very grateful for his kind remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I want to say, first of all, we have had three astronaut Senators. We have Senator BILL NELSON, who just spoke so eloquently about the planet and the way he saw it, we have had our own very beloved and hero with the right stuff, Senator John Glenn, and also Senator Jake Garn, our wonderful colleague who retired many years ago but was also on the VA-HUD Committee. When I first came to the Senate, Senator Garn was one of the Members from the other side of the aisle who helped me learn the Senate and he gave me a tremendous introduction to the space program.

In fact, we went, in a bipartisan way, to every space facility in this country so we could learn: what were the great assets we had, how we needed to fund them, and what was the future of the American space program.

So we have had three Senators who were certified astronauts and actually went into space. We have had other Senators who have been in orbit. Some maybe still are out there somewhere.

But I say to my two colleagues, with my feet firmly on the ground, we want to thank them for what they are doing to save the planet. Because of the advocacy talked about by the Senator from Rhode Island and the Senator from Florida, we, in the Commerce, Justice, Science bill, which I fund—which funds not only the American space program but also funds the National Science Foundation—we need to understand our great planet.

Another great astronaut, Sally Ride—a very happy and blessed memory who passed away last year—was asked by NASA to do a strategic plan. What should NASA be looking at? Should we be going to Mars? Dare we go even further? Venus? What about, should we do it with human beings? Should we do it with robots?

Dr. Ride came back with many suggestions, one of which was, she said we

should study planet Earth as if it were a planet in our solar system. She said there was a great belief that there was even intelligent life on planet Earth, and we will continue to search for it from time to time here.

But, really, Dr. Ride encouraged us to look at our own planet, and our own planet as if those from outside of our solar system were looking at us. Because she said that what every astronaut feels—and I have talked to many, along with Senators NELSON, Glenn, and Garn—is that when they go up and see the majestic universe that God has created, their greatest thrill is to look back on planet Earth, and how touching and how moving it is, and how we want to protect it.

We need to protect it because there is life on this planet. There is the life of human beings, and there is the life of the bounty that God has given us in both the sea and on the land in agriculture or in others that help take care of us, and we are now called to take care of them.

I pledge to them, if we can work together on a bipartisan basis, it is really not about global warming, it is about saving the planet. We need to look at all of our science across all of the subcommittees and say: What are the best practices that nourish us and nourish our planet and nourish the way we wish to continue to proceed in the 21st century?

I believe science and technology leads the way. It is a great gift given to us: the gift of reason and the gift of discovery. So let's all work together, and I thank the Senators for what they said.

Mr. WHITEHOUSE. I thank the Senator.

Ms. MIKULSKI. Madam President, we are now a few minutes before we are going to recess for the luncheon hour.

POPE FRANCIS

I want to comment briefly to say for those of us of the Roman Catholic faith this is, indeed, a great day. We now have a Pope who has been formally invested as the leader of our church: Pope Francis.

We know there are many Members of the Senate who would have liked to have gone to that investiture. But duty called and we are here bringing to a close our debate on the continued funding resolution to make sure we are funded through fiscal 2013 in an orderly, agreed-upon way and move to our big budget debate.

But Pope Francis is calling us today, as he has in other sermons, to think about the poor, the elderly, the children, and the vulnerable in our society, as well as the very planet. So we say to His Holiness, we really wish him well. We wish him well in the ministry we believe he will provide to the world. But we should also take heed to this message about the children, about the elderly, and about those who are vulnerable populations.

Again, we think what we have in here, our step, is an appropriations that will guarantee funding through fiscal year 2013. I do not want to link it to His Holiness's message. We wish him well. But I also wish now we could do what we could in these closing hours. We have been guaranteed 30 hours of debate—we have used probably about 5—that we look at how we can bring this debate to a close in an agreed-upon way on both sides of the aisle so we can then move on to the budget debate of fiscal year 2014.

I am sorry, I did not know the Senator from Kansas was here. We will not recess until the Senator has a chance to speak.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I thank the Senator from Maryland, my chairwoman.

I spoke last night on an amendment I have continued to ask be made in order on this continuing resolution. As I indicated last night, we are going to spend in excess of \$1 trillion in this bill, and I am hoping that my amendment, and perhaps others, could be made in order yet during this postcloture 30-hour period of time.

One of the concerns that has been raised is whether, if my amendment were adopted, this would create difficulties in the House of Representatives for the final passage of the continuing resolution. I am pleased to be on the floor, particularly with the chairwoman being here, the Senator from Maryland, to indicate that I now have indications from the Speaker's Office that they would have no objection to the amendment I continue to offer, that I hope will be made in order, that I hope a vote will be taken on related to the air traffic control towers.

Also in the period of time since I last spoke, we have numerous Members of the Senate who have now joined as cosponsors of this amendment. The number is now 14 Democrats and 12 Republicans. The number continues to grow. And I have had a number of conversations with particularly Democratic Members of the U.S. Senate who indicate to me: Why can't your amendment be made in order?

So I am hoping, as Members of the Democratic Caucus and the Republican Conference meet during this 12:30 lunch period, that perhaps there is still an opportunity for this issue to be resolved.

I would indicate once again that, while I listened to the suggestion of the majority leader this morning that we move to the budget during this 30-hour postcloture timeframe, in the absence of some agreement related to this amendment, I will object to moving to the budget until the 30 hours expire.

I also have indicated publicly that I will object to the next 30 hours—the

next opportunity in which unanimous consent is requested as we get back to the base bill. It is not my nature to be an obstructionist. This is an amendment that matters greatly. It has been determined by the Parliamentarian to be germane and, in my view, ought to be made in order.

Just as the chairwoman talked about bipartisan efforts, this is one that clearly is bipartisan and apparently bicameral. So I am hoping to utilize the rights as a Member of the Senate to see that there still is an opportunity for this amendment to be considered. I would say that the reason this matters so much in this timeframe is that I am of the view, and I think it is shared by many, in the absence of this amendment being adopted and included in this continuing resolution, and the continuing resolution being passed, that the control towers will be eliminated on April 7, and there will be little if any opportunity for the Appropriations Committee then to restore funding to, in a sense, a program that no longer exists.

There are many of the topics I share with my colleagues here about the consequences of the sequester. I am willing to work with them to see that we move money from one place to another to solve that problem. In the absence of that happening, there is still an opportunity for the Appropriations Committee and ultimately the Congress in the appropriations process to solve those problems. But should April 7 come, the 179-plus contract towers are eliminated. Then it seems highly unlikely to me that any appropriations process would include money for a program that is no longer in existence.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I appreciate the tenacity and persistence of the Senator from Kansas in being an advocate for his constituents. I would hope that during this noon hour—I can give no promises. There are leadership concerns on both sides of the aisle. But we have to acknowledge the Senator is a real fighter for what he believes in. We admire that. How that gets translated will be subject to further discussion during this noon hour.

#### RECESS

Ms. MIKULSKI. Madam President, I ask unanimous consent that the Senate stand in recess until 2:15 for the respective party conferences to discuss important issues.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

There being no objection, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, we have been listening to our good friend from Kansas concerning this contract air traffic control tower amendment. I think there is no better example to use when talking about a bureaucracy taking something that everybody wants, that is very inexpensive, and using that to try to force people to do something that should never have happened.

In terms of the contract air traffic control towers, this is not just a rural issue. This is something that can happen all around. It happens that I have six in my State of Oklahoma and up in Kansas I believe they have five, but the fact is this is a major safety issue. We have a huge, bloated bureaucracy in the FAA. Yet we are saying we have to close a handful of towers and let people be uncontrolled. I know a little about that; it is what I did for a living. It is totally outrageous.

So we have an amendment, Senator MORAN and I, to redirect the money within the FAA budget. There would be no additional cost. It would rescind \$23.8 million from FAA facilities and equipment. Now, I ask, are facilities and equipment more important than actually having an active control tower in these congested areas? Also, it would take \$26.2 million from FAA research and development. Well, I can assure you this is more significant, and no one looking at this would rationally say it is not. So I encourage my good friend from Kansas to pursue this.

Similar to this is something that I, along with several Democrats—the primary one being KAY HAGAN—am concerned about, and that is what has happened in terms of a decision that was made by the Secretary of Defense to take out the tuition assistance. This is a very small amount of money for our troops who are over there serving now.

This is kind of interesting because I was a product of the draft. My service was not voluntary when I was in, and I thought a total voluntary force would not be effective. As I found out, it was. Well, one of the main reasons people do sign up—a lot of people say: Yes, I want to serve my country. A lot say: Yes, I want a career in the Army, Navy, Marines, or Air Force. However, they also want to advance themselves. They want an education, and in many cases, the only way they can get one is to have this tuition assistance program.

I can recall being over in the mess halls in Afghanistan and actually out

in the field in Afghanistan where we have some 200,000 Army troops there now who are participating in this program. This is not an expensive program. All we want to do is make sure we give what was taken away from those individuals who are trying to better themselves, trying to better their lives, perhaps work toward a career in the military.

Stop and think about the amount of money that could come out of, say, some of the green initiatives. How many people know that our Navy was forced to pay \$29 a gallon for 450,000 gallons of fuel when you can buy it on the market for \$3? All these things. Do we have any business having a bio-refinery built by the Federal Government? These are all things in this budget, and any one of them would be far more than the assistance we are giving our troops for their tuition.

We are circulating a letter that draws attention to this, and we have Democrats and Republicans—just about even—saying: Mr. Secretary of Defense, go ahead and rescind that. We have a lot of waste we need to get rid of, but this is not waste. Our troops' preparation for the future is not a waste of our taxpayer money.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

THE BUDGET

Mr. HATCH. Madam President, our national debt currently stands at nearly \$17 trillion. It is difficult to believe it has reached that level. What is more difficult to believe is that there is anyone in this country who can look at that number and not feel a sense of urgency to address our Nation's spending and debt problems. Yet, as we begin to debate the first budget resolution in over 4 years, it seems there are many in this very Chamber who seem to think the size of our debt is no big deal. If you take a good look at the budget we are debating this week, there is really no other conclusion to draw. The raw overall numbers make a pretty convincing case that the authors of this budget see no real need to change course when it comes to our debt.

The budget before us maintains our current unsustainable spending and debt trajectory. It doesn't balance, not at any point. Its goal is to grow government, not jobs and the economy. Under this budget, the national debt would increase by more than \$7 trillion over the 10-year window; that is, if we are lucky. In 2023 the debt would be over \$24 trillion and rising rapidly. How can anyone bring a budget such as this to the floor—one that massively increases our debt without even a faint attempt to reach balance at any time—and claim to be fiscally responsible?

But that is not all. I haven't even gotten to the worst part yet. True enough, this budget will do some pret-

ty irresponsible things, but the real story is what this budget doesn't do. Everyone knows the main drivers of our national debt are our entitlement programs—Medicare, Medicaid, and Social Security. That fact has been confirmed by the Congressional Budget Office, the programs' boards of trustees, and every serious economist or analyst who has spent longer than 5 minutes looking over our Nation's finances. Over the next 10 years, we will spend \$6.8 trillion on Medicare, \$4.4 trillion on Medicaid, and \$11.2 trillion on Social Security, for a combined total of \$22.4 trillion. That is trillion with a "t."

Medicare by itself is extremely problematic. While the percentage of workers paying into Medicare has been in decline for over a decade, 10,000 seniors join the program each and every day. According to the budget we are debating this week, Medicare will account for \$504 billion this year alone. Now, that comes out to about \$1.4 billion a day. Over the next 10 years, Medicare spending will increase by over 70 percent, according to the Medicare Payment Advisory Commission's most recent report. By the end of that time, we will be spending more every year on Medicare than on our entire national defense. Even President Obama, who has generally been reticent to consider real changes to Medicare, has admitted that absent reform, the program will be bankrupt within 10 years.

The story is not any better with Medicaid. In 2013, once again according to the very budget we are debating, Federal spending on Medicaid will account for about \$265 billion, and if you include what States are spending on Medicaid, that is \$450 billion. That is \$1.2 billion a day for just this one program. Over the next 10 years, Federal Medicaid spending as a share of the U.S. economy is set to grow by 37 percent, according to OMB. By 2020, 84 million people—nearly one out of every four Americans—will be dependent on Medicaid.

With Social Security, we have a problem, facing more than \$20 trillion in unfunded liabilities over the long term. In the short term, the disability insurance trust fund within Social Security is projected to be exhausted by 2016. That means that in about 3 years, the disability insurance benefits will, by law, have to be cut by 21 percent. All combined Social Security trust funds will be exhausted by 2033, at which time all Social Security benefits will have to be cut by 25 percent.

So it isn't just that we are spending a lot of money on these programs, it is that these programs are structurally unsustainable. That is why the Director of the nonpartisan Congressional Budget Office has referred to our health care entitlements as our "fundamental fiscal challenge." It is why the Social Security Board of Trustees,

which includes a number of high-ranking officials in the Obama administration, has said with regard to Social Security that “legislative action is needed as soon as possible.”

Entitlement reform is not an option, it is a necessity. It is not a matter of politics, it is a matter of math. America’s social safety net is coming apart at the seams, and if these programs are going to be there for future generations, they need serious structural reforms. If we do that now, it will be much easier than if we wait too much longer.

This isn’t new information. It isn’t privileged or classified. Anyone paying attention to our Nation’s fiscal situation is aware these challenges exist. So what do the authors of the Senate budget propose that we do about it? The answer, unfortunately, is nothing.

Here is a perfect illustration—the Murray budget entitlement plan. We are going to have \$22.4 trillion at the end of 10 years. Well, let me just say for a second that if you look at that chart, you will see, as I have stated, that we are projected to spend a total of \$22.4 trillion on Medicare, Medicaid, and Social Security over the next 10 years. That is the red bar on the chart. All total, the Democrats’ budget would reduce Medicare spending by \$46 billion and spending on Medicaid by \$10 billion. It would make no changes whatsoever to Social Security.

Adding those numbers together, the Democrats would reduce entitlement spending by only \$56 billion over the next 10 years or by 0.2 percent. That is the yellow bar, if you can see it, right here on the chart. You heard that right, Madam President. The budget resolution before us would reduce entitlement spending by two-tenths of 1 percent over the 10-year budget window.

Here is the Murray entitlement spending versus the baseline. If you look at this next chart, you can see the path in entitlement spending over the next 10 years in blue. It is the upper line here. That is Medicare, Medicaid, and Social Security spending, all combined, with no changes to our budget. The Murray budget spending path for entitlements is in red. It is this little sliver right here. That is the Murray budget. See the difference? The answer, of course, is that you cannot. Put simply, this budget ignores our unsustainable entitlement spending and allows it to continue on a path that will bankrupt these programs.

The Democratic majority has opted to continue to look the other way as our entitlement programs collapse under their own weight. This is simply irresponsible, and it is an insult to middle-class Americans who rely on these programs and want to keep them protected.

In January 2009, President Obama, when speaking on entitlements, said:

... what we have done is kick this can down the road. We’re now at the end of the road, and we’re not in a position to kick it even further.

With this budget, the Democrats are refusing to even acknowledge that there is even a can that needs to be kicked. The budget doesn’t even pay lipservice to the need for reforms in our entitlement spending. It ignores the problem entirely.

Indeed, if you read the documents accompanying this resolution, you will find nothing even suggesting there are any problems with these programs. Instead, you will find a multitude of statements accusing Republicans of wanting to “weaken” Social Security, “dismantle Medicare,” or make “Draconian cuts to Medicaid.”

There is a lot of talk about keeping promises but literally no mention of how these promises can or will be paid for. And there is no recognition that this budget sets in place benefit cuts of over 20 percent for disabled American workers in a few short years, while watching other threads of the social safety net fray as trust funds become exhausted. Anyone supporting this budget will be sending a clear message to younger generations of Americans, which is that they don’t really care whether the safety net will be there for them.

This budget is further evidence of what has become a key difference between Republicans and Democrats. Over the last 2 years, Republicans have united around the principle of entitlement reform. We put forward plans that make tough, and sometimes politically difficult, decisions in order to preserve programs such as Medicare, Medicaid, and Social Security for future generations. Republicans haven’t chosen this path out of political convenience, that is for sure. This is simply what the reality of our fiscal situation demands. Rather than acknowledging this same reality, Democrats have opted to attack and vilify any Republican who even suggests that changes to these programs are necessary. They have continued the same talking points of the past, claiming that all of our Nation’s fiscal problems can be solved simply by asking the so-called rich to pay a little more in taxes. All the while, according to Democrats, there do not need to be any substantive changes to entitlements. They have pursued this course even as our debts continue to mount along with the evidence that suggests their approach simply is not working.

The budget we are debating this week is proof not only that the Democrats are more interested in politics than solutions but also that their policies simply won’t work in the real world. This budget would do all the things Democrats say they want to do to grow the government. It would raise taxes by as much as \$1.5 trillion. And, once again,

it would leave Medicare, Medicaid, and Social Security just as they are. Yet, in the end, this budget never balances.

Under this budget, our Nation’s debt would continue to grow, making it more difficult to respond to real crises or emergencies in the future. In the end, our entitlement programs would continue on their path to bankruptcy, and we would end up with an even bigger government that we cannot pay for.

The Washington Post editorial page, not typically known for being overly critical of the Democrats’ policies, assessed this budget, saying:

Partisan in tone, and complacent in substance, [the budget] scores points against Republicans and reassures the party’s liberal base—but deepens these senators’ commitment to an unsustainable policy agenda.

The editorial concluded by saying that this budget

... gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country’s long-term fiscal predicament.

I couldn’t have said it better myself.

The American people have waited for over 4 years for the Senate Democrats to produce a budget. After all that time, we now finally have on paper their blueprint for America’s future. Unfortunately for the American people, the blueprint does not address our Nation’s most pressing fiscal challenges. Instead, it would continue an unsustainable status quo in terms of both policy and politics. This budget will not grow the economy and jobs; it will grow the Federal Government. This budget will never attain balance; it just taxes more and spends more. This budget will not reduce our debt; it buries the middle class even further in debt. This budget will not preserve the safety net for future generations; it allows entitlement programs to perish.

That being the case, I urge my colleagues on both sides of the aisle to reject this budget and demand a more responsible plan for our country. We need to do better around here.

Admittedly, we need to have both parties working together. We used to do that. I used to be part of that; I wouldn’t mind being part of that again. But we have got to find some way of getting together and getting these fiscal problems under control. We can’t continue to grow the Federal Government, and we can’t continue to ignore the structural defects of Social Security, Medicaid, and Medicare that are eating us alive and are going to really eat us alive over the next 10 years, and there isn’t a thing in this budget that does anything to solve this problem.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, we are waiting for the two party conferences to conclude and for the majority leader to come to the floor and kind of talk about the path forward. Let me outline the pending business here.

We are now continuing the 30 hours mandated under cloture on the continuing funding resolution. Other Senators have come to the floor and spoken quite passionately about the budget that Senator MURRAY and Senator SESSIONS have worked on. I am eager to get to that discussion, too, because it will be about the fiscal funding for 2014 and the path ahead.

The way we get to the budget is to finish the bill I have pending. The methodology for getting to that is for yielding back the 30 hours. So if you want to get to the budget—which I really want to—let's yield back the time under the 30 hours. Right now it is scheduled to expire sometime after midnight. We can talk about talk, we can talk about bills, or we can actually move expeditiously to conclude the continuing funding resolution. Because, remember, when we finish our business on the continuing funding resolution, it must return to the House for them to say yea or nay to our substitute which we are sending back.

I know we are waiting for the leaders to come. We have had great cooperation on both sides of the aisle. I am very appreciative of the cooperation I have received within the Democratic caucus and the cooperation from the other side, which we too have done. But if you want to get to the budget, let's yield back time on the continuing funding resolution.

I know the Democratic leadership will be here momentarily and others are waiting for what the leader has to say. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. AYOTTE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Madam President, I rise today to address some comments that were made. I came to the floor earlier to talk about \$380 million of funding for the MEADS Program, which is the missile to nowhere. I sought, and continue to seek, to offer an amendment to the continuing resolution and the appropriations bill before the Senate right now to strike that funding, and then to transfer the funding from this missile to nowhere to the operations and maintenance fund so that our troops can use the money for important needs they have, especially in light of sequestration.

My colleague from Illinois, Senator DURBIN—for whom I certainly have great respect—came to the floor earlier to counter what I had to say. In fact, the Senator from Illinois said essentially that the U.S. taxpayers have truly invested in this program, and he suggested that if we were to cancel funding for this missile to nowhere, we would be incurring damages, or that our allies who have entered into this MEADS Program with us—under the agreements we have entered into, our allies—in particular the Germans and the Italians—would be able to seek damages from us, so, therefore, we would incur damage costs by terminating it.

I want to point out, first of all, not just in my view, this is wrong based on the plain language of the memorandum of understanding we have with our allies.

In fact, I go back to first-year contracts class in law school. When you have an agreement with someone, you start with the language of your agreement and the language of the contract. The language of the contract of the memorandum of understanding we have on the MEADS Program in 2005 with Germany and Italy says very clearly:

The responsibilities of the participants will be subject to the availability of funds appropriated for such purposes.

So a first-year contract student would know that if we do not appropriate funds for the missile to nowhere, then we will not have legal obligations to our allies. In fact, that is essentially what the Department of Defense said to us when they wrote in a report to Congress about this with regard to the 2013 funding.

Please understand the history of this. In 2012, in the Defense authorization, the defense committee said very clearly: This is it. We are not going to fund a program anymore that is not going to get us a result. We are not going to waste taxpayer dollars anymore. So understand, this is the end of our obligation.

As a result, the Department of Defense said clearly to the Senate Armed Services Committee:

[I]f Congress does not appropriate FY 2013 funding, the U.S. DOD [Department of Defense] would take the position that the FY 2012 funds represent the U.S. DOD's final financial contribution under the MOU. The U.S. DOD would also take the position that failure to provide FY 2013 funding would not be a unilateral withdrawal from the MOU . . .

So contracts 101, very clearly, if we cut off the appropriations for the missile to nowhere and make sure that this fund goes to actually something our warfighters need and can use, we will not be subject to a claim by our allies because we expressly protected the taxpayers in the 2005 MOU that was entered into.

In addition, I will say that there is another portion of the agreement

itself. Section 5 of the 2005 MOU states that our maximum commitment from the United States had to be \$2.3 billion. Yet between 2004 and 2011, we have already spent \$2.9 billion on a missile to nowhere that we are not going to get a result from. So not only do we have no responsibility because we clearly put in that if we did not appropriate for this, then we would not have further responsibilities under the MOU, but in addition to that, we have already paid \$2.9 billion, and the MOU says our responsibility is only \$2.3 billion.

So I come to the Senate today to say, with great respect to my colleague from Illinois, his claim that somehow terminating this contract is going to subject the United States to damages is wrong and is not supported by the plain language of the agreement, and we should not continue to fund a missile to nowhere.

I will end with this. If you look at the history of this MEADS Program, what has happened? The House Armed Services Committee said in 2013—excuse me, the 2013 authorization: End funding for this program—zero. The Senate Armed Services Committee said: End funding for this program. It is a missile to nowhere. Zero. The House Defense Appropriations Subcommittee said: End funding for this; We are not going to appropriate for this. Zero.

The only committee that has appropriated for this is the Senate Subcommittee on Defense Appropriations, and if we stop that appropriation, we can end the missile to nowhere. That is what my amendment is about. That is why I hope we will have an amendment and a right to be heard on the continuing resolution. I wish to make sure money goes into the operations and maintenance fund so it can be used for our troop needs during a difficult time in addressing sequestration.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, yesterday the Senate invoked cloture on the appropriations bill we have been working on for several weeks. Now what we are doing is burning, wasting 30 hours postcloture. During the postcloture time, each Senator has the right to speak for 1 hour. It is obvious there are 100 of us, so we all can't speak. Senators who do not like the bill and want to express their views as to why it is a bad bill, they get 1 hour.

This is truly a waste of time. It always is a waste of time, but it is a waste of time now because we have so much important work to do. Next in line is the budget resolution. We have heard speeches over here. Oh, gee, have we heard speeches. We need the Democrats to do a budget. No one mentions, but that is OK—no one mentions we did not have a budget resolution; we had President Obama sign a law that took



care of our budget problems. But we want to satisfy the Republicans and we want to get to that budget debate.

I talked this morning about what a terrific job Chairman MURRAY has done on this bill. It has been outstanding. But the budget is here by virtue of a law that was passed. There is 50 hours permitted for debate on the budget. Then we can have a lot of amendments after all debate time is over.

Republicans said let's do the budget debate and we say let us do it. Why should we sit around here and look at each other and do nothing? My friend, the ranking member of the Budget Committee, the junior Senator from Alabama, said let's do it after Easter. We are going to do this. We are going to do this before we go home for Easter. If we want to use the whole 60 hours, we will start the debate on the budget sometime Thursday morning and we will have 50 hours and a lot of votes. If that is what they want to do, we can do that, but why put the Senate through that? Why put the Senate through wasting 60 hours?

I wish to make clear to all Senators that we are going to continue working on this, the CR and the budget resolution, until we complete them. When we come back, we have lots of stuff to do. We have gun legislation. We have the WRDA bill, which I am told is going to be reported out of that committee, Environment and Public Works, on a bipartisan basis led by Senators BOXER and VITTER.

That is a strange, unusual marriage, but I am happy to hear that. It is an important bill.

We have to do immigration. We have to do appropriations bills. We have a lot to do. The Senate will not leave—the third time I am telling everyone here—for Easter-Passover recess until we complete the budget. If that means because of the delay in this bill we wasted 60 hours, we will be voting here Thursday, Friday, Saturday, Sunday—whenever we have to do it. My hope would be that we can complete this appropriations measure and move on to the budget resolution this afternoon. But the least we should be able to do is begin debate on the budget. The least we should be able to do is the debate. We have been through these lots of times, some of us, and a budget.

During the first 50 hours, not much is going to happen unless there is an agreement that the time for voting will not be counted against 50 hours. If there is no agreement there, there will be no amendments. What I would like to do is have amendments offered during the 50 hours and have whatever the time is for voting, which is usually 10 or 15, sometimes 20 minutes, that will be counted against the 50 hours. But if we do not do that, then what we will have is just 50 hours of PATTY MURRAY and JEFF SESSIONS talking to each other and whoever wants to join in the conversation.

I hope we can begin debate on this. I have a couple unanimous consent requests. I have alerted the Republicans I would be doing this.

I ask unanimous consent that notwithstanding cloture having been invoked on the Mikulski-Shelby substitute, the following amendments be in order: Mikulski-Shelby No. 98, as modified with the changes that are at the desk; and Pryor-Blunt No. 82, this deals with food inspectors, meat inspectors, an important amendment that these two Senators feel strongly about as do a number of us; that no other first-degree amendments to the substitute or the underlying bill be in order; that no second-degree amendments be in order to any of the amendments listed above prior to the vote; and that there be 30 minutes equally divided between the two leaders or their designees prior to votes in relation to the amendments in the order listed; that upon disposition of the Pryor-Blunt amendment No. 82, the Durbin second-degree amendment to the Toomey amendment be withdrawn—that is amendment No. 115; that the Senate proceed to vote in relation to the Toomey amendment, No. 115; that all amendments, with the exception of the substitute, be subject to a 60-affirmative-vote threshold; and upon disposition of the Toomey amendment, the Senate proceed to vote on the Mikulski-Shelby substitute amendment, as amended; that if the substitute amendment, as amended, is agreed to, the cloture motion on the underlying bill is withdrawn and the Senate proceed to vote on passage of the bill as amended.

That is my request.

The PRESIDING OFFICER. Is there objection?

Mr. MORAN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. MORAN. Let me ask the majority leader if the two amendments listed in his unanimous consent, No. 98 and No. 82, are considered, then following that we would move to final action on the bill—on the substitute as potentially amended; is that accurate?

Mr. REID. That is correct.

Mr. MORAN. While I am not opposed, certainly, to the Pryor-Blunt amendment—I am a sponsor of that amendment—because that would then waive the 30 hours and move to final action, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kansas.

Mr. MORAN. I have objected to the unanimous consent request, and in addition to my concern that while there are amendments that are fine with me if they are made pending and brought before the floor for a vote, I would object because we would move to final action; but I also would object because

the amendment I have offered in regard to control towers is not included in the unanimous consent request.

Mr. REID. I am glad the Senator clarified that because it sounded as if he did not have an objection to this, and I was going to say he could still have his 30 hours, but I got his objection.

I ask unanimous consent notwithstanding cloture having been invoked, at 4 o'clock today it be in order for the Senate to begin consideration of S. Con. Res. 8, the budget resolution for fiscal year 2014; that any time used for consideration of S. Con. Res. 8 during the postcloture period on H.R. 933 also count toward postcloture time on H.R. 933; further, that on Tuesday, March 19, at a time to be determined by the majority leader after consultation with the Republican leader, the Senate will resume consideration of H.R. 933.

The PRESIDING OFFICER. Is there objection? The Senator from Kansas.

Mr. MORAN. Madam President, I object.

Mr. REID. Madam President, this is one of the amazements of the American people. There is nothing—nothing going to happen during how many hours is left in the 30 hours—nothing. Why, logically, would anyone have an objection to going ahead with the budget resolution? We are looking at each other—not very often, because nobody is on the floor. It is things such as this that are going to cause the Senate to have to reassess all these rules. Right now we accomplish so little. I am disappointed in my friend, for whom I have the greatest respect, my friend from Kansas, whom I know and knew in the House very well. He is a fine person. I like him a lot. I know how strongly he feels about this. But strong positive or negative feelings should not stop the progress of what we are trying to do to help the country.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, it will not be long—of course it might be longer than it appears to be, but at least this week we were supposed to be considering the budget resolution and hopefully before the week is out we will. It has been 4 years since the Senate has passed a budget. The Senate deficit majority has been devoid of leadership on this matter. While American families and businesses compile a budget each and every year, the Senate deficit majority has shirked its responsibility, producing a budget has even been called “foolish,” by the Democratic majority leader.

After years of record deficits and debt, I think the American people disagree with the fact that the Senate has not taken up a budget for the last 3 years, even though the law requires every year for the Senate to adopt a budget. Thankfully, this year it looks as if we are going to have this debate and adopt a budget.

While we are about to debate a budget resolution, a few hours or a few days away, the President has not even proposed his budget for consideration. The Budget Committee, of which I am a member, did not hear from a single administration witness in preparation of this budget that the Senate will be working on. That is a new historical low, for which the Obama administration can take credit. House Budget Chairman RYAN has produced a budget. Chairwoman MURRAY produced a budget. It is quite remarkable that the President has yet to submit a budget, even though the law requires it be done by February 4.

The President plans to release his budget the week of April 8, 2 months overdue. This will be the first time a President has failed to submit a budget until after the House and the Senate have acted.

Once again, on fiscal issues, the President is leading from behind. He set a new low for fiscal responsibility. During the past 4 years, we spent well beyond our means. The gross Federal debt has increased by \$6 trillion as a result. Unless we change course, we will add another \$9 trillion over the next 10 years. The gross debt is now and maybe by then will still be larger than the U.S. economy. It is approaching levels where economists agree deficits and debts are causing slower economic growth.

During the past 4 years, we witnessed President Obama's theory of economic stimulus. We saw massive expansion of government and deficit spending. President Obama and the Democratic leadership in Congress pushed spending up to 25 percent of the economy in recent years and an \$800 billion stimulus bill was a big part of that. That bill was pushed through in the name of economic growth. It was supposed to keep unemployment below 8 percent. It did not keep unemployment below 8 percent because, in fact, the legislation written was more an appropriations bill than a stimulus bill.

It didn't create the sustainable job growth it was supposed to. It was one big ineffective spending bill. The economic growth it was supposed to stimulate never materialized. Now we are dealing with a deficit and debt caused by that failed stimulus bill.

Despite this failure, the President and the Senate deficit majority seem even more fixated on growing the government. According to the economic policies of President Obama, the government needs to grow even bigger to help our economy. It is not going to work. The overriding belief of the administration is that economic growth will only come through private wealth confiscation that supports an even bigger and more intrusive government.

If government just gets a little bigger and a little more involved in every facet of our economy and of our lives,

that will surely increase the economic prosperity of Americans, right? Of course not. The problem is raising taxes only extracts private capital from job creators and small businesses. Small businesses happen to be where 70 percent of the new jobs are created. So if we want to create new jobs, why would we take capital out of a sector where job creation can occur and bring it to the government where it is spent wastefully by often inefficient and bloated bureaucracies? The higher taxes are robbing the unemployed of needed jobs. The government they support does not create economic growth or self-sustaining jobs.

This 4-year spending binge we have been on has led to deficits that crowd out private investment which would otherwise be used to grow the economy and create jobs. The government doesn't create self-sustaining jobs; the government only creates government jobs. The private sector creates jobs. Wealth is created in the private sector. It is the responsibility of the government to create an environment for job growth and opportunity—opportunity for entrepreneurs who then create jobs.

Instead of raising taxes, what this country needs is more taxpayers. We get more taxpayers by reducing the unemployment, and we do that by keeping money in the private sector. Besides that, the government can provide this environment by instituting the rule of law, protecting property rights and a patent system. There are many other things I could probably mention as well. The government consumes wealth. It does not create wealth through economic freedom. Entrepreneurs and individuals are free to innovate and prosper.

This budget fails to recognize these simple principles. The budget presented by the deficit majority makes no effort to reduce the deficits, reduce spending, balance the budget, or grow the economy. Instead, this budget seeks to grow government by taxing more and spending more. It is time we all recognize that government exists to serve the needs of the people rather than people serving the needs of their government. There are some who believe government is the only creator of economic prosperity. If others have achieved success, by default they must be the cause of others' hardships. This type of class warfare—demagoguery, as it is—is harmful to America and our future. It seeks to divide America.

The budget presented by the deficit majority is partisan business as usual. It would tax success by adding another \$1 trillion. It increases government spending, it ignores the subject of our health care entitlements, and this whole approach is simply not good for advancing America's economy. It places no priority on ever bringing our budget into balance. The deficit majority speaks at length about growing the

economy and creating a middle class. Their budget is perfectly backward. It does nothing to address economically harmful deficits and debt or the drag it creates on the economy, and it includes as much as \$1.5 trillion in job-killing tax hikes.

The majority claims this revenue can be collected without harming the economy by closing loopholes. The fact is that regardless of how it is described, a \$1.5 trillion tax increase will affect the middle class, harm the economy, and not create jobs. A \$1.5 trillion tax hike—while economic growth is slow and unemployment remains at 7.7 percent—is a reckless formula and will further devastate the economy. Even worse, the tax increases will not be used to balance the budget. Higher taxes support even higher spending.

This is a typical tax-and-spend budget. This budget was crafted as if we don't even have a spending problem or a debt crisis. This budget assumes everything is just fine and everything will work out if we simply proceed forward on the current path of tax and spend. This budget represents a missed opportunity. Don't take my word for it. Editorial writers across the country have made similar statements about this budget.

A Washington Post editorial called it a complacent budget plan. They wrote that the majority budget fails to recognize the long-term fiscal problems:

Partisan in tone and complacent in substance, it scores points against Republicans and reassures the party's liberal base—but deepens these senators' commitments to an unsustainable policy agenda.

In short, this document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

The Chicago Tribune had a similar description in their editorial. They described it as a deficit of ambition:

The Democrats, unfortunately, are feigning fiscal responsibility instead of practicing it. What is needed is a lot more ambition than the Murray plan reflects.

If Democrats don't like the Republican plan for balancing the budget, they should produce their own.

Finally, a USA Today editorial referred to the budget as a namby-pamby budget that underwhelms at every turn:

The Murray budget neither balances the budget nor reins in entitlements. Its one-to-one ratio of spending to tax increases might sound balanced, but the spending cuts are not actual reductions. They are merely reductions in the expected rate of growth.

All this makes the Murray budget barely a Band-Aid.

And that one-to-one ratio that is quoted in the USA Today editorial reminds me—and let me explain this—of where they raise \$1 of taxes for \$1 of cuts, which reminds me of the President's own position on that which he stated just before the election in his meeting with the Des Moines Register



editorial board and suggested that we raise taxes \$1 and cut expenditures \$2.50.

How do we go—just before the President is elected—from a \$2.50 reduction for every \$1 increase to a one-to-one ratio now? I hope when the President submits his budget on April 8 that he sticks to that ratio of \$2.50 to \$1.

I am sure we will hear the term “progrowth” applied to this budget when we hear from people speaking on the other side of the aisle. The only thing it can mean is growth in the size and scope of the Federal Government and growth in the national debt. We will also hear the term “balanced.” Please don’t be fooled. The deficit majority is not speaking about a balanced budget. Their understanding of balance is higher taxes and higher spending.

This budget does not tackle runaway spending. It raises taxes, not to balance the budget but to spend more and more. This budget will grow the government, harm economic growth, and increase the debt. After 4 years of contemplating a budget resolution, I would have expected a more fiscally responsible budget. The American people deserve much better.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering H.R. 933 postclosure.

Mr. LEAHY. Thank you.

Mr. President, I couldn’t help but think, watching the debate, that it has been more than 2 weeks since we had an all-too-familiar stalemate in Congress that prevented the passage of commonsense legislation. As a result, it triggered the across-the-board budget cuts better known as sequestration.

When these automatic budget cuts first became a possibility, everybody said that no Congress would be irresponsible enough to allow them to go into place. Well, in the weeks leading up to sequestration, we heard almost daily from Federal agencies, defense contractors, and Members from both sides of the aisle about how harmful these cuts would be.

Notwithstanding the talk about how ridiculous it is to let them go forward, the deadline for sequestration has come and gone. Now the focus appears not to be upon the wide swath of harm that is beginning to descend on communities across the Nation but instead on the closure of White House tours

and whether we are going to have the Easter egg roll. Come on.

I hope the American public and I hope the press and everybody else will focus on how serious these cuts are. In fact, to simply accept and avoid fixing these indiscriminate and harmful cuts is irresponsible. They are slowly being implemented, and they have already begun to affect our States and communities.

I was up in Vermont this weekend for 3 days, and I was all over the State. Everywhere I went—just as I do every day—I heard from Vermonters about the consequences for their jobs, for their children, for their communities.

I have heard from Vermont families who have begun to plan for the furloughs that will hit their family budgets; through no fault of theirs—these are hard-working, honest Vermonters—but because Congress has failed to act.

I have heard from community organizations about the difficult decisions they will have to make in the weeks ahead. It should alarm everyone that reductions are expected, for example, in the number of children being served by Head Start.

I have heard from young scientists at the University of Vermont who have already been denied research grants because of sequestration.

Vermonters facing already high rents are facing a 7-year wait for section 8 housing assistance. Until the sequester is resolved, housing authorities in Vermont will not be granting any new rental vouchers, and hundreds of Vermonters are going to lose this vital lifeline.

To put it in reality, at my home in Vermont, overnight we had 8 or 9 inches of snow. During the next 24 hours, we had another 8 or 9 inches. Once it got past 15 inches, we actually had schools close. This is very unusual. But think of the people who do not have housing, what that is doing to them. It is an unfortunate, needless reality.

I have heard about the impact sequestration is having on our military families in Vermont, as some members of the National Guard prepare for furloughs. These are Guard members who have been called up and are willing to serve in Iraq and Afghanistan, putting their lives on the line for America, but now they prepare for furloughs and reductions in staff who provide services to their families. Then we have the elimination of the Army tuition assistance program that serves veterans—a promise we made to our men and women in uniform when they were willing to stand up and go into combat for America.

These are the impacts felt in the small State of Vermont so far. We haven’t yet seen the consequences for Vermont schools and how sequestration will affect students and teachers. We haven’t yet felt the true impact on

funding for the grants that support our law enforcement people, our job search assistance, the Meals on Wheels programs, or those programs that provide lifesaving vaccines.

Members have filed amendments to the spending bill we are currently debating to attempt to insulate and protect programs that impact their States most, but they want to do it at the cost of other States. We need to stop looking at how we can save just a single program and get back to the table and negotiate a sensible, balanced approach that addresses deficit reduction in a responsible way and not on the backs of the most vulnerable Americans. We cannot simply cut our way out of this deficit.

We created the situation partly by putting two wars on the Nation’s credit card. This morning it was estimated that the war in Iraq is going to cost \$2 trillion. It is the first war in our Nation’s history where we went to war and said: We don’t have to pay for it. We will just borrow the money.

Vietnam and Korea were very unpopular wars. Yet we still passed the taxes to pay for them. In Iraq—although it is going to be over in a matter of weeks and we don’t have to pay for it 10 years later—thousands of Americans were killed and wounded, to say nothing about our allies and tens of thousands—hundreds of thousands of Iraqis, and we are stuck with a \$2 trillion bill and growing, all on borrowed money.

The only people who pay the price in that war for America are the brave men and women who serve there and their families. They pay a huge price. We don’t have a draft, so most families didn’t get touched by it. Certainly a lot of people have made a lot of money on that war. They didn’t pay a price. And the people, including people who were in the administration at the time who lied to the Congress about what was there—weapons of mass destruction, a connection with 9/11, things they knew were untrue—they simply lied about it, and we ended up having that war. There is \$2 trillion.

Do not tell me now—the same people who voted for that war—do not stand here and tell me how we have to take the money out of medical research in America to pay for it, how we have to take the money out of educating our children to pay for it, how we have to take the money out of seniors who need help to pay for it, how we have to take the money out of repairing our bridges and roads in America to pay for it.

My answer to them is you voted for that; you should be willing to pay for it.

We have already reduced the debt by \$2.5 trillion, with the vast majority of those savings coming from spending cuts. The American people want and expect us to take a balanced approach.

They know it is not wise to protect endless corporate loopholes and tax breaks for the wealthiest Americans instead of investing in our schools, our factories, our roads, and our workers.

I think of the billions of dollars we spend on roads and bridges, for example, in Iraq and Afghanistan. As one Vermonter said: Yes, we spend billions to build roads and bridges in Iraq and Afghanistan, and then they blow them up. Build them here in the United States—in Vermont or West Virginia or Oklahoma. We Americans will take good care of them.

There is a simple bottom line: Putting our fiscal house in order, which we should do, has to go hand in hand with targeted, commonsense steps to promote economic growth, create jobs, and strengthen the middle class—all things President Obama and Democrats in both Houses of Congress are eager to do. But we need some cooperation from the other side of the aisle. We need cooperation. Putting on mindless autopilot the crucial decisions about what should be our budget and growth priorities is a terrible and dishonest way to treat the American people. It is a recipe for economic dysfunction. It threatens tangible harm to millions of families and for communities across the Nation.

Difficult decisions are in front of us. Every single Member of the Senate should go back and read their campaign promise of: Oh, of course, I will face up to difficult questions. Really? We are stalled here. People want to filibuster rather than face difficult questions, but we have to face them. We cannot punt them. We in Congress need to put aside talking points and turn to the task of replacing these harmful autopilot cuts with sensible and balanced budget decisions. Instead of slogans, let's have some substance. The American people expect more from Congress, and they certainly deserve a lot more from Congress.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I come to the floor today to talk about the important budget debate we will have this week here in the Senate. We hope to get on that soon. We are disposing of some of last-year's budget work before that. But I think this is an important moment for the Senate because it has

been 4 years since we did this; 2009 was the last time the Senate acted on a budget. During the time which has lapsed, we have added \$6 trillion to our national debt. I would like to think as we get into this budget debate, we could do something about that. Unfortunately, the budget that is going to be put before us by the Senate Democrats doesn't do anything to address the debt.

I think perhaps the reason we are finally doing a budget here is because there was a No Budget No Pay Act passed earlier this year which required that a budget be passed. It was moved by the House of Representatives and drew attention to the fact that the Senate hadn't for 4 years done a budget, and suggested that before the Senate get paid, it actually ought to do its work and pass a budget. So we are here now for the first time in 4 years.

Unfortunately, the budget that has been proposed by the chair of the Senate Budget Committee fails to balance the budget and instead means more taxes, more spending, and more debt. That is a formula we have heard before.

If you look at the last several years, we have added \$6 trillion of debt since President Obama took office. We have seen tax increases already of about \$1.7 trillion if you combine the tax increases associated January 1 with the fiscal cliff, and then couple that with the tax increases that were included in the President's health care bill—\$1.7 trillion in new taxes, \$6 trillion in new debt, a runup in spending unlike anything we have seen in recent history. So you would think, given the fact that we have seen debt, spending, and taxes go up over the past several years, we would actually get a budget that is finally focused not on growing the government but on growing the economy. But the Senate Democratic budget does exactly that—it grows the government, not the economy.

Their proposal contains more of the same big spending and big government policies that have led to a dismal average economic growth rate of just eight-tenths of 1 percent over the past 4 years. That has been the economic growth on average for the first 4 years of President Obama's first term, eight-tenths of 1 percent. Less than 1 percent is what the economy has grown over that time period.

A better approach when it comes to putting forward a budget would be to advance a budget that actually is focused on growing the economy, not the government. Over the next few days we are going to have an opportunity to debate and improve this budget proposal on the Senate floor. I look forward to that debate.

As it stands today, the Senate Democrats' budget increases spending by 62 percent over the next decade; it raises taxes by \$1.5 trillion—and that is in addition to the \$1.7 trillion in tax in-

creases we have already seen enacted under President Obama. Even with the enormous tax increase, the Senate Democrats' budget would result in \$7.3 trillion in new debt over the next decade. So you have a 62-percent increase in spending, you have \$1.5 trillion in new taxes, and a \$7.3 trillion debt, in addition to the debt we hand down to our children and grandchildren.

The amazing thing about that, even with this enormous tax increase, is the budget would never balance, which begs the question: What is balanced about a budget that never balances?

You hear the Democrats come here on the floor of the Senate and talk about, We need a balanced approach. The President of the United States gets up all the time and talks about, We need a balanced approach. What is balanced about a budget that never balances? That is a fundamental question I would expect the American people to ask.

In contrast, the House Republicans will be enacting a budget this week through the House of Representatives. Hopefully, eventually something like it will get enacted. But it balances in 10 years. I think 10 years is a responsible, reasonable timeline to achieve a balanced budget, and I think most Americans who balance their budgets month in and month out would agree with that proposition.

The budget put forward by Senate Democrats also fails to target waste, fraud, and inefficiencies across the Federal Government. For each of the past 2 years, the Government Accountability Office has outlined hundreds of billions of dollars of wasteful and duplicative spending throughout the Federal Government. The Federal Government is a \$3.6 trillion enterprise, and there is plenty of waste to target and reform—low-hanging fruit most would agree is a complete waste of taxpayer dollars—but Senate Democrats have failed even to make an attempt at reining in this waste with their budget plan.

Budgets are a reflection of values. As Vice President BIDEN once said:

Show me your budget, and I will tell you what you value.

It seems from the Senate Democrats' budget that they value the same big spending and big government policies of the past 4 years that have prolonged this period of slow economic growth and high unemployment.

In contrast, the budget proposed by the Republicans in the House would balance the budget in 10 years—again, something I believe we ought to be able to do—and it grows the economy. It starts by cutting wasteful spending, which is not an extreme proposition and something we ought to be able to do.

The House Republican budget also reforms our broken Tax Code to promote economic growth, which will mean

more jobs, better pay, and more opportunities for hard-working Americans and middle-class families.

The House budget also recognizes that if Washington fails to take action, Medicare and Social Security are headed toward bankruptcy in the not too distant future.

I commend my colleagues in the House for the vote that they will have this week, and for recognizing that reality, that our seniors across this country and those who are nearing retirement age and those of younger generations of Americans are not going to be protected when it comes to the programs that someday they will rely upon if we don't make the changes and the reforms that are necessary to align those programs with the present and future demographics of this country. So the House budget strengthens those priorities.

The budget debate for fiscal year 2014 that we are going to have on the Senate floor this week presents an opportunity, an opportunity to solve our fiscal challenges, to move past the job-destroying policies of the past few years, and to grow the economy.

As I said earlier, average economic growth under this President has been 0.8 percent—eight-tenths of 1 percent—of the overall share of the economy. This is a reflection of the negative impacts high levels of spending and high annual deficits have had during President Obama's tenure.

Unfortunately, the proposal that will be before the Senate this week only continues and doubles down on those policies. In fact, there is evidence this is the opposite of what we should be doing.

Harvard Professors Alberto Alesina and Sylvia Ardagna have studied economies around the world and various fiscal adjustments that have taken place in some of these countries. They found targeted spending cuts have led to economic expansions, while tax increases have been recessionary.

According to these Harvard economists:

Spending cuts have a positive effect on private investment while increases to taxes . . . hurt investment through the labor market and firms' profitability.

The evidence is there. Growing the government will not solve our economic challenges. If that were true, we would have a much stronger economy today, because with the massive health care plan that passed a few years ago, with the trillion-dollar stimulus program that was put into place early on during the President's first term, and all the additional runup in discretionary spending that we have seen, we still have slow growth, high unemployment, massive amounts of debt, and many Americans who are struggling with their own personal economies and lower take-home pay.

The focus should be on growing our economy. That starts with passing a

budget that cuts spending and reforms the Tax Code in a way that promotes economic growth.

Again, I believe there is a better approach out there. The House of Representatives has put forth one. It is unfortunate that the Senate Democratic budget fails to address the long-term spending and economic problems facing this country and, instead, focuses once again on growing government.

In fact, the Washington Post editorial board had this to say of the Democrats' budget proposal:

In short, this document gives voters no reason to believe that Democrats have a viable plan—or even a responsible public assessment of—the country's long-term fiscal predicament.

Failure to act and solve our fiscal challenges could result in another damaging credit downgrade, thanks to the out-of-control spending, and such a downgrade would have a very negative effect on the American people. A credit downgrade would drive up interest rates across the board on everything from student loans to home mortgages. That means it would be more expensive to buy a home or a car, to send a child to college, or to pay down personal debt.

So as we get ready to debate the majority's proposed budget for fiscal year 2014 on the floor this week, I hope the Senate will take an honest look at the relationship between spending and economic growth. We need to put the Federal Government on a stable fiscal path in order to create the kind of economic certainty and the economic conditions we need to grow our economy and to create jobs.

The majority's budget goes in the opposite direction. It grows government instead of growing the economy. We need to be talking about a budget here in the Senate whose primary focus is to grow the economy, not to grow the government.

So this will give us a chance over the course of the next few days to present two very different visions for the future of this country: one that is based upon higher spending, higher taxes, more debt, and one that is focused on putting in place a responsible spending plan that protects and saves important programs such as Social Security and Medicare, that reforms our Tax Code in a way that encourages and promotes economic growth, and that puts policies in place that will actually get this economy growing and expanding again, get more Americans back to work, and increase the standard of living and the quality of life for future generations of Americans.

We can't do that if we can continue to borrow and spend like there is no tomorrow, and that is precisely what the Democrats' budget would do.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BEGICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. Mr. President, I was not planning to come down here. I was at several meetings. As we all have in our offices, I have the screen view of the floor to figure out what action might be occurring or not occurring. I kept looking. The floor was empty. The floor was empty. And I know that earlier this afternoon, the majority leader asked that we get on the budget so it is not an empty zone here.

I know people sitting up there behind me are wondering what is happening. What is happening is, the way these procedures work, which are ridiculous, you sit around and burn up time, let the clock just tick, tick, with no action because for some reason some people think this is strategic. It is not. It is what people are fed up with in this country.

The leader came down and said: Let's get on with the budget. I come down, it seems every day or so, and see the charts of how many days the budget hasn't passed or how many days we have not had a budget. Here we come and offer to get onto the budget, and the other side objects. It is probably the most frustrating thing for me to see and for my constituents to see in the conference room.

They say: What is happening on the floor?

And I have to say: Nothing, because they are not allowing us to get to the budget.

They complained for the last 2½ or 3 years, we never get to a budget. Here we have a chance. The budget will have lots of amendments and a lot of debate. Some have said: Let's wait until after Easter. I am not waiting until after Easter. I know it is tough for people because they want to get back and fundraise and all the other stuff they do, but, you know what? They wanted us to get to the budget, and we are ready to get to the budget. Let's get to the budget and have this debate.

But here we are. The camera is on me, one person, but the room is empty. It is amazing. The people behind me, quietly sitting up there observing because they are not allowed to say anything, are wondering what is going on, as are many of my constituents.

As a former member of the Budget Committee, I can tell you budgets are not easy. This budget—it doesn't matter where you may be on it—starts to cut the budget, starts reducing the deficit, and starts dealing with it. I am happy to debate it. I am not sure where I am going to be at the end of the day on this budget, but I am happy to debate it. Anytime today would be good. But instead, what people want to do,

through a parliamentary procedure, is just burn off hours. So people sit around waiting for the time to end. Then we come down and debate.

Mr. President, I know you are new. I am kind of new but not as new as you are, and it is probably what you hear back home, as I still do today, the frustration level at how this place operates. Here we are. We had a chance earlier this morning—earlier this afternoon to move forward on the budget, and they objected because they didn't want the two times between the CR and the budget—I know this is a little process thing, a little wonky—to simultaneously run. The fact is, we could have done that because obviously they care so much about the budget? They are not down here.

Maybe if we get to the budget, they would come down and talk about their objections, as I have. I said publicly that I am going to look at the budget that has come forward. I want to make sure there are enough cuts in there, make sure they are real cuts that last a long time because we have to get this budget under control, this deficit under control. We want to make sure we continue to move this economy forward with the right kind of sustainable budget over the long haul. I am happy to debate it. I am looking forward to it. My poor staff didn't know I was coming down here, and I said I am coming down anyway and walked down the hall and got frustrated because we could be doing this.

Here is what is going to happen. I can see it already. Come Thursday, we will be in a mad dash around here, turning around, working double time—which is fine—rushing amendments. Instead, we could have a deliberative process right now—right now on the budget. That is what we should be doing. That is what the American people want. That is what Alaskans tell me every day: Debate it and debate the issues.

I am anxious. Maybe we will ask again to get consent by the other side to get on with the budget, but they have already objected to that. I am shocked. I think the American people would be shocked. But no one is down here, so it is hard not to be shocked when there is no debate.

I wanted to come down here in a little bit of frustration and make my point heard, that we have a chance—we could have had a chance earlier today to start this budget debate. We did not. Now we are just waiting for the clock to tick. It is really somewhat embarrassing, as someone said in the Senate, that I came here to get stuff done, not to sit around waiting for time to run out because people want to use the process to drag on their political desires rather than what we should be doing here: getting on with getting this economy moving, making sure jobs are created, and doing everything we can to get the budget under control and

make sure the long-term sustainability of the government continues.

I thank the Chair for the indulgence, allowing me a couple of minutes down here to maybe rant and complain about a process that I thought was going to start at 2:30—and yet nothing. My guess is that they will not consent. They will burn the time. The American people will get frustrated. Then we will finally get into the debate, it will be rushed instead of having a long, good, positive deliberation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, Republicans have spent the last 2 years attacking Democrats for “not bringing up a budget resolution in the Senate,” despite the fact—I would add—that we had the Budget Control Act which took the place of the budget and the fact that those attacks were not very persuasive to the American people. Nonetheless, Republicans invested a lot of time, energy, and money pushing for a budget for a very long time. They could not agree amongst themselves on a lot of things, but they at least agreed the Senate should pass a budget.

The Senate Budget Committee has now passed a pro-growth budget resolution out of committee which was strongly supported by every Democrat and every Independent on the committee from the moderates to the progressives. They took a balanced approach that put jobs and the economy first. It tackles our debt and deficit responsibly and keeps the promises we all made to our seniors, families, and our communities.

Democrats know we are on the right side of this issue when it comes to policy. We know we are on the right side when it comes to what the American people want. We know our budget resolution reflects the values and priorities of the vast majority of the American people, and we are looking forward to a debate. We are confident that when we lay out our balanced and responsible approach and the House lays out their extreme approach—which actually doubles down on the failed and rejected policies of the past—the contrast will be clear and the American people will continue to stand with us as we work toward a balanced and bipartisan deal.

The reason I am here is because I am so disappointed we cannot start this debate and move the process so we can offer amendments and get going. This is an issue the American people want

to hear about and deserve to hear about. Senators should be able to come to the floor so they can debate and offer amendments. Based on what I heard from Republicans over the last 2 years, I thought they wanted this debate too.

So I am kind of surprised we are here running the clock on a continuing resolution. There is no one out here, no one talking, and we are twiddling our thumbs waiting for the clock to run out on time. We could be here having the debate the Republicans called on us to have so we can move it forward. We could do it tonight, tomorrow, Thursday, and probably be done by Thursday or Friday. Because of this delay, we now get to wait and watch the time run out until Thursday night.

We will be here Friday, Saturday, and Sunday doing this debate. I am sure our Republican colleagues will say: We should be doing this during the week when everybody is watching. We are here and ready to go. We want to have this debate. We want to have this discussion. I want to hear what they have to say. I would hope they want to hear what we have to say and then vote on a budget and move it out. But, no, we are here waiting, time running out, once again.

We are proud of our budget. We are ready to debate. I would hope our Republican colleagues would say: Yes, it is time to debate. Let's move this budget forward. We have been talking about it forever. Let's move this forward, and let's get this budget process going.

I am ready as chair of the Budget Committee. I know we as Democrats are ready to go. Let's yield back the time. Everyone knows what the end is going to be. Let's get it done. Let's get moving. Let's have the debate that is critically important to every family, every community, and to the future.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first, let me thank the chair of the Budget Committee, my friend and colleague from the State of Washington, Senator MURRAY, for her remarks and, even more, for her excellent work on putting together a terrific budget. That may be the reason our colleagues want to delay.

For 4 years, they have had a great time saying: You don't have a budget. You don't have a budget.

It was perhaps the only thing they had to say because the actual confines of their budget are so far away from what the American people want, they couldn't get into the details. After all, nobody wants to end Medicare as we know it. Nobody, as in the Ryan budget, wants to reduce taxes dramatically on the wealthiest Americans—39 percent to 25 percent—and then take away

deductions for middle-class people, good deductions that make sense, such as the mortgage deduction, the charitable deduction, the retirement deduction, and the health care deduction. No, no one wants to do that. And no one wants to eat our seed corn—cut money dramatically for things such as investment in education, in infrastructure, and in scientific research—in order to cut taxes on the very wealthy or keep existing narrow loopholes open, deductions for moving businesses overseas, stuff for the oil companies. They don't want to debate that, I guess. But now we have a budget because of the leadership of the chair of the Budget Committee and the members of her committee.

By the way, this is not a small group of Democrats. It runs from our most liberal Members to our most conservative Members, all united around a budget that is fiscally responsible. It meets the Simpson-Bowles restraints, the budget targets, it invests in jobs and the economy, and it closes loopholes and preserves the middle class's ability to grow and proceed.

So we now are in this 30-hour thing. We could actually be debating a budget while those 30 hours tick by. We don't have to be sitting here doing nothing. One of our colleagues said he would like to debate the budget 2 weeks from now. Why is he putting things off? Well, I guess if I had their budget and looked at it compared to our budget, that is what I would want to do, but that is not fair and it is not right.

So I just came to the floor to join my colleague from Washington in pleading with our colleagues: Let's have a real debate on the budget. The lines are sharply drawn. Our budget and their budget contrast. Let the American people hear the debate and decide what they like. We are pretty confident they will like ours better. They no longer have the talking point that we don't have a budget. Instead, they are now preventing us from actually talking about our budget. It is not fair. It is not fair, and it doesn't really help the process.

I know there are some Members on the other side of the aisle who have some objections to the CR in certain areas. We are all hurt by the CR, by the way, I would say to my colleagues. If we want to get rid of things such as the horrible things that are happening in the air traffic towers, vote on our budget. We do not do sequestration. We undo sequestration, and it might pave the way to doing more things this year. But to sit here and let the clock tick makes no sense.

One thing I can tell my colleagues: I know my good friend HARRY REID, and we are not going to kick the budget can down the road for 2 weeks. We will be here, whether it has to be Saturday night and Monday and Tuesday. We will be here. So they may as well let us

debate the budget. There is 50 hours. We can have a nice, full, open debate and then do our votes.

It is a logical request. I don't think there is any good argument against it. I haven't thought of one.

I urge my colleagues on the other side of the aisle—we would say, Mr. Republican leader, Mr. Republicans, let's debate the budget. Tear down the wall of not debating, and let us show our budget, you show yours, and let the American people decide.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I wish to add my words to those eloquently spoken by our Budget Committee chairman PATTY MURRAY and by one of our leaders here, the able Senator from New York, Mr. SCHUMER.

We have been waiting for hours and hours. I can only imagine what the public thinks when they look down on this floor and absolutely nothing is happening.

I came down here not knowing my friend and colleague was going to be here. I guess we both had the same sense of it, that we had to explain to the American people why this is happening. There is only one reason: Republicans are stalling and stalling and stalling and filibustering and filibustering and filibustering. But they are not doing a talking filibuster; they are just letting the clock tick. They are filibustering a very important bill to keep this government open. They say they want to keep the government open and they don't want to shut down, so why not get that vote done with?

Senator MIKULSKI has led us, in a beautiful way, with Senator SHELBY, in a very bipartisan fashion—let's vote on that bill, keep the government open, and, as Senator MIKULSKI said, show the country we can work together and get to the one thing the Republicans have been saying not for months but for years; that is, a budget.

The truth is, instead of doing a budget, we did the Budget Control Act, so of course we did a budget. As a matter of fact, the Budget Control Act was actually in many ways more specific than a budget.

But setting that aside, they went out on the campaign trail and attacked Democrats: Where is your budget? Where is your budget? Well, guess what. Under the able leadership of my friend from Washington Senator MURRAY, there is a budget, and it is well done, and it has strong deficit reduction and strong investments. It is balanced in a way the Ryan plan is not. It saves Medicare where he destroys it. It invests in education and infrastructure where he destroys that. His budget is a wrecking ball. Our budget, under the able leadership of Senator MURRAY, is an optimistic path to our future, not the pessimistic, painful plan Mr. RYAN

put forward in the name of the Republican Party.

Now the people are witnessing a filibuster. It is possible that we could end it, but I will tell my colleagues this: We are trying for some friendship and comity across the aisle right now. We want to keep the government open.

The Senator from Kansas stood here last night and said the reason he is filibustering—he never used that word, but the reason he is insisting that we spend 30 more hours, 40 more hours, 50 more hours on this last year's business, which is last year's appropriations bill, is because he demands to have a vote on his amendment, about which he feels very strongly. It has to do with making sure the sequester doesn't hit our air traffic control towers, meaning they can stay open. I agree with the Senator from Kansas; we should keep those air traffic control towers open. But I want to say to him—and maybe we have a chart here, if I can get to it—I want to say to my friend who isn't here who is leading the filibuster that this is where we are.

We want to restore those air traffic controllers. But I will tell my colleagues what I want to restore in addition to the air traffic controllers and the towers—he is right—I want to restore Head Start for 70,000 children. I want to restore 10,000 teacher jobs. I want to restore 7,200 special education teachers who are working with kids who desperately need help. I want to restore the title I funds that impact 1 million kids. I want to make sure we can conduct 424,000 HIV tests that are administered by the CDC. How does it make us a better country when people don't know if they are HIV positive and they spread that virus? How about the 25,000 breast and cervical cancer screenings that are not being done? These are the consequences of the sequester, in addition to the terrible consequences to the FAA.

I was here when the Republicans shut down the FAA, if my colleague remembers that. They shut it down, but suddenly they care about it. Good. I am glad they care about it. I care about it too. I haven't talked about the 804,000 outpatient visits to Indian health centers or 2,100 food inspections that are going to save lives. These are not happening because of sequester: 4 million meals served to seniors; 600,000 women and children who are not getting nutrition assistance because of sequester; national science grants cut, 1,000 of them; and \$902 million cut from loans to our small businesses, which are the job creators; and even 1,000 FBI agents and other law enforcement personnel.

So, yes, I say to my friend who is not here who is leading the filibuster, the Senator from Kansas—I hope he comes and shows up—I hear him. I feel the pain he feels for his State. I have a list I won't bore my colleagues with that just shows the cuts to my State. It is

painful. But how do we solve it? Not by amendment after amendment after amendment on a must-pass bill that the House has said to keep simple or the government shuts down—not that way but by turning to the Democratic budget, where Senator MURRAY and colleagues on her committee have restored those cuts, and they have found other ways to cut, better ways to cut, sensible ways to cut.

So I call on my friends on the other side of the aisle: If you want to wait 10 hours, 20, 30, 40, 50, 60, 70, 80 hours, it is your call. We will be here. We will be here. But we are not going to put off the passage of the budget. It is too important. We will be here until it is done.

I yield back the remainder of my time. I thank my colleague Senator MURRAY so much for her leadership.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to thank the Senator from California, the Senator from New York, and the Senator from Alaska, who was here just a short time ago expressing the same frustration.

We are ready to go. We have a budget, and we want to debate it. We believe, when the American public sees the values in our budget and what we are fighting for to make sure the middle class has an opportunity, that we balance our budget in a responsible way and work to manage our debt in a responsible way, that we can do that and build on the promise of hope that this country has always had, we are going to have a solid budget passed. We want to get started.

Where are our Republican colleagues on this empty floor? They are filibustering. They are counting down the hours so that sometime late Thursday night we can finish the continuing resolution after silence, silence, and more silence. It will pass. It has to pass. They all know that. We all know that. None of us love it, but we all recognize the situation we are in. We are ready to move to the budget tonight, tomorrow morning, have the debate, full and open, do the amendment process, or we are going to be doing it Friday, Saturday, and Sunday. Fine with us. We are ready to do it.

But for all of our Republican colleagues who said we do not have a budget, we do have a budget. We are ready to debate it. We are ready to talk about it. We are proud of it. We are ready to go. I would just ask our Republican colleagues, yield back the time, vote the way we are going to vote—everybody knows how they are going to vote at this point—give us an opportunity to get on the budget and to move it forward in a responsible way because at the end of the day, the clock is ticking on our country as well. We have families who want to know whether they are going to be able to

have the ability to send their kids to college or pay their mortgage. We have communities that want to know whether section 8 housing is going to be there for families who are struggling today. We have men and women in our military today who are wondering whether they are going to be furloughed. We have military hospitals that are telling soldiers who are coming home in the next few months that they may have to wait for appointments because of the furloughs that are taking place.

We are ready to move the budget. We are ready to get the country moving again. We are ready to get past this managing by crisis and shutdown and CRs and all these things and get back on the right path, but we cannot do it when there is a filibuster going on on the floor and we are not allowed to bring up our budget for debate and we are sitting here ticking off the clock in an empty, silent Senate.

I urge our colleagues to allow us to move forward on this. We are ready to go.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, all across America people are calling their cable providers and they are asking if they can get a refund for C-SPAN coverage of the Senate. There seems to be some concerns that there is no serious debate underway, no serious votes being taken, and the hours just continue to flow by.

I can understand the frustration of the American public watching this Chamber. We are going through a 30-hour interval. The Senate is kind of designed on 30-hour intervals, and this is the 30-hour interval before we enter the next 30-hour interval in the hopes that we will ultimately get to a vote. Does it have to be this way? Of course not. It should not be this way.

I understand the depth of feeling some Senators have about a variety of issues, and they have come to the floor to express them. In fact, I even agree with some of their positions. But there comes a point where you have to say: All right, I did not win my battle today. I am not going to get my day in court. Let's at least go on with the business of the Senate because, you see, we have an important responsibility ahead of us.

Senator MURRAY just spoke before me. She is chairman of the Senate Budget Committee. She has a Herculean task, and she is up to it. In fact, she has shown herself to be a very able

leader of the Budget Committee in producing a budget proposal for the next fiscal year. It is a balanced proposal. It is one that I think is sensible.

I have some background in this, at least by way of avocation. Having been a member of the Simpson-Bowles Commission, I sat through a year of committee hearings and debates that led to a vote on a proposal to reduce the budget deficit. So I have heard some of the arguments that have been made on both sides. I then joined a bipartisan group of Senators, the so-called Gang of 8, and we sat down to try to do the same, and we spent over a year doing exactly that. So I kind of know where this comes down.

My approach to this—an approach that is being followed by Senator MURRAY with her proposed Democratic budget resolution—is, yes, the deficit is a serious problem, the debt of America is a serious problem. When you borrow 40 cents of every \$1 you spend, it is unsustainable. So we have to deal with that issue and deal with it honestly. But first and foremost, let's do it in a fashion that builds the American economy, that creates good-paying jobs. If you want to find your way out of a deficit, put people to work first. When they are paying taxes as opposed to drawing benefits, that really tips the scales in the right direction in dealing with the deficit.

So what the Murray budget does, the Democratic budget resolution will do is make investments in what does produce jobs in America, and it is very obvious.

Education. Who is going to argue with that one? Is there a person standing in the Senate who did not rely on their own education and training to progress in life? And didn't you tell your son and daughter the same thing when they were making their life choices? Stay in school. Get a good education. So education is an investment. It is part of the Democratic budget resolution.

Secondly, the notion of research and innovation. One of the most heart-breaking parts of sequestration to me was when we took \$1.6 billion away from the National Institutes of Health. That is the organization that does the medical research to find new cures, new vaccines, new medical devices so people can survive when they have a diagnosis that could be fatal, to make sure children have a chance at a full life. We are cutting that in the name of budget deficit reduction, and that is troubling.

The third area is infrastructure. I spent the entire day with contractors from my State of Illinois, people who represent road builders, for example, bridge builders. They believe—and I do too—that investment in infrastructure pays off over generations. We just had a meeting on the waterway system, the Mississippi River, which is such an important part of national commerce. We



need to improve the dams and the locks on the Mississippi and the adjoining rivers, such as the Illinois.

So the Murray budget deals with investments—investments to build the economy, investments to spark economic growth—but then it goes on to seriously reduce the deficit. The goal in this, of course, is to not only meet but surpass the goal of the Simpson-Bowles budget commission in terms of deficit reduction. The way Senator MURRAY does it, of course, is in a balanced approach, which includes spending cuts, which must be part of it, as well as revenue. I think that is the sensible approach to it.

Unfortunately, on the other side, the argument is made that we just cannot raise any more revenue. I know better. Anyone who has taken a close look at the Tax Code in America realizes that we literally forgive tax obligations of over \$1 trillion a year in our Tax Code, some of them very worthy—the deduction for a home mortgage, for example; deductions for charitable contributions, for example. These things are worthy of our Tax Code. But there are other things that cannot even be explained. Why in the world would we put in our Tax Code a provision which says that if an American business wants to move jobs overseas, we will give them a tax break to do it? I do not think so. That should be a decision, if they make it, with no encouragement from our Tax Code. Rather, let's encourage businesses to stay in the United States.

Similarly, Senator CARL LEVIN of Michigan has really made a concerted effort to investigate and expose the offshore tax havens that cost us over \$300 billion a year in taxes owed to the United States. People who park their money in faraway places with strange-sounding names end up escaping tax liability. Why do we let that happen? The average family across America, the average business across America cannot escape and does not even try to escape this liability. Yet we built into the Tax Code these Cayman Islands, little fiascos in Bermuda and all the other places they head to. We could put an end to that in a hurry and bring revenue back to the United States to reduce the deficit.

So what Senator MURRAY and the Budget Committee talk about is generating revenue to reduce the deficit and making spending cuts.

In addition, Senator MURRAY and the Budget Committee will face the entitlement issues. They are important. If you just left the entitlements without change, the cost of health care would lead us to further bankruptcy in America. They are addressing it, as we should. While protecting the integrity of the programs, they are finding ways to save money to reach the goal.

Wouldn't this be a great debate to have on the floor of the Senate, to have that budget resolution before us, to ac-

tually have some votes on amendments? Well, it would be. But, unfortunately, because of the objection of several Republican Senators, we cannot get to it. So the clock is continuing to turn. We are watching hours slip away, and now we are facing the possibility of a weekend session because one or two Senators do not want us to bring this matter to a vote. That is unfortunate. It may be their right to exercise that kind of power in the Senate, but it is not fair. It is not fair to this institution or to the American people who count on us to do more than just waste time on the Senate floor. They count on us to use our time to solve problems.

So I urge my colleagues on the Republican side who are holding up these votes, who are engaged in this filibuster, for goodness' sake, let's move on, let's vote on the continuing resolution, and let's start the debate, the important debate on the budget resolution. Let's get this done.

For the longest time, we were preached to by Members on the other side about no budget resolution. I even heard a speech today by my friend from Texas, the senior Senator, talking about how derelict we have been in not bringing up a budget resolution. We want to. We are being stopped by Republican Senators. They are the ones who will not let us bring this to a vote. I hope they will change their minds, and soon. I would like to spend next week back in Illinois and with my family, as most Senators would, during the Passover and the Easter seasons. More importantly, I would like to get my job done before that happens. To do that, we ought to be working on the floor right now. Instead of an empty floor, it should be a floor filled with Senators debating the issues and voting on them. I think that is what we were elected to do, and I think the people watching on C-SPAN would like to see some activity on the Senate floor.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, I was puzzled earlier today when the Senate majority leader came to the floor to propose a unanimous consent request that we move forward with this continuing resolution. He is right, we should move forward with this. But I was puzzled by the fact that he said we have been standing around here looking at each other and we are not doing anything. We have not done anything on the Senate floor for the past 36 hours while we are trying to figure out

who has the right to offer an amendment and whether that amendment will be agreed to in part of this unanimous consent request limiting the time. The problem here is that we came to the Senate believing each Senator had the right to offer an amendment. That is what we are here to do, debate that amendment, then take a vote on that amendment and pass the amendment. It is not a question of I will not offer my amendment unless it passes. Let's debate it, see how each of us votes, and then go forward.

But the majority leader has essentially said he would decide how many amendments will be offered and which amendments will not be offered, denying Senators the opportunity to bring their amendment to the floor. There is an objection to the majority leader's request to move forward, because Senators have been denied that opportunity. That is not what the Senate is all about. That is not what people elected us to do. We have been in an empty Chamber talking to no one, or at best to each other, and not moving forward with funding this government for the next 6 months in this fiscal year. We are all ready to go forward, but we wish to have the right, particularly as the minority, to offer our amendments to this resolution which provides for this funding. I do not know how I am going to vote on all of these, because on some of them I am not sure what would be brought forward. But we are here to evaluate those, to make our best judgment, to vote our yeas or nays, to be able to explain to the people back home why we voted that way.

Apparently the majority leader has problems with some of these proposed amendments. Maybe he does not want his Members to have to vote on them because it is a tough vote politically. Well, what are we here for? We are not here to find consensus on everything that goes forward. We have different points of view. We will not always have consent to pass everything that is brought forward. We ought to be debating that. There are different visions here about how we ought to go forward. The solution to the problem of moving forward and getting this spending bill in place, which we obviously have to do, is to simply give Members the opportunities to propose their amendments, debate, vote on them, and move on.

Over these last 36 hours, how many of these amendments could we have been debating and voting on? We probably could have cleared out all of the amendments that were proposed by various Members in half that time or much less. And that is why we are here. We are a divided government, so there are going to be two sides to each issue. Standing around and having one person, the majority leader, decide whether he will subject his Members to a vote because he thinks that might put

them in a difficult political situation. His side can offer their amendments, we can offer our amendments. Hopefully, we are offering amendments for the good of the country and not for some political gain or “gotcha” amendments. But nevertheless, that is the right of a Senator, to offer whatever amendment he or she deems best in his or her own estimation.

We are sitting here facing a serious debt crisis. Some have said this debt crisis isn't here yet so we have more time to deal with it. I reject that. If \$16.7 trillion in debt isn't a crisis, I don't know what is. And at the rate we are going here in Washington, we don't have more time to waste.

But don't take my word for this. Just last week, we had a hearing in the Joint Economic Committee on the debt crisis. In the hearing, we found widespread agreement from witnesses across the ideological spectrum on a variety of issues, including the vital importance of dealing with our long-term debt in a timely fashion and reforming health and retirement security programs to rein in spending and preserve much-needed benefits. I am going to relate some of their testimony, because I think it's important to establish that there is some consensus here on how to move forward. Former Senator and former Senate chairman of the Budget Committee, Judd Gregg, who now serves as the co-chair of the Campaign to Fix the Debt, stated this:

On our current path, this nation goes bankrupt.

A similar statement to the one made by Judd Gregg, a Republican, was made by a Democrat, Erskine Bowles, who headed up the President's own fiscal commission, former Governor Bowles and former Chief of Staff to former President Clinton. He said about the looming debt crisis:

This is the most predictable financial crisis in the history of the country.

That was several years ago and nothing has gotten better since then. We just careen closer and closer to that tipping point. Senator Gregg says on our current path this Nation goes bankrupt. He also noted that mandatory spending is the primary driver of the debt when he said:

Unfortunately, all of the measures put in place have ignored smart entitlement reforms to control spending over the long-term and comprehensive tax reforms to make the tax code more efficient.

We have all heard that before from people all across the political spectrum. There is a growing consensus these elements must be addressed if we are to address our long-term debt problem.

Douglas Holtz-Eakin, former Director of the Congressional Budget Office, noted:

The level and projected growth of federal debt is a drag on current U.S. economic growth and a threat to future prosperity.

... the Nation, despite claims to the contrary, remains on a damaging debt pathway.

Dr. Holtz-Eakin countered arguments that reducing the debt is not urgent because the crisis is a distant threat by pointing out the following:

... the U.S. is already paying an economic price for the excessive federal debt.

He was referring to terms of slow job creation and growth. He went on to say:

The obvious conclusion is that additional deficit reduction is needed to avoid debt-driven economic stagnation.

He called for the following action:

... a strategy that shifts the focus of spending control to the needed entitlement reforms and shifts the debate on taxes away from harmful higher marginal tax rates in favor of pro-growth tax reform.

Alice Rivlin, the first Director of the Congressional Budget Office and co-chair of the Debt Reduction Task Force for the Bipartisan Policy Center as well as a former resident of Indiana, insisted on the importance of a long-term budget plan that will halt the projected rise in debt. She said:

The prospect of debt growing faster than the economy for the foreseeable future reduces consumer and investor confidence, raises a serious threat of high future interest rates and unmanageable Federal debt service, and reduces likely American prosperity and world influence.

She stressed in her testimony the urgent need to act now to get the Federal debt under control before events overtake us.

A sense of urgency was unmistakably present during this hearing. We read about it in the paper every day. We read about it from columnists and hear it on the radio and television: Why can't you get together and get this thing solved and resolved so we can move forward? You are holding down the growth of the economy. You are keeping people out of work. We are at stagnant growth—half our historic average coming out of a recession.

We all know a significant percent of the money we spend here has to be borrowed from China, Saudi Arabia, from foreign entities. This is no way to sustain and maintain a healthy fiscal situation in this country.

Our final witness at the hearing, Simon Johnson, a senior fellow at the Peterson Institute for International Economics, called for significantly more long-term debt reduction than has been contemplated in many of the proposals thus far, suggesting that the U.S. should aim at a national debt in the range of 40 percent to 50 percent of GDP.

Let me repeat that. Simon Johnson said that more long-term debt reduction than has been contemplated in many of the proposals so far needs to be looked at, suggesting the United States should aim at a national debt in the range of 40 to 50 percent of GDP rather than our current 90 to 100. When

discussing how much time we have to act, Dr. Johnson said:

We have no idea . . . We should start now.

We absolutely should start now. We should be spending each day here working on a long-term debt reduction plan, because unlike the haphazard, rushed legislation we have seen over the past few years, a real, credible, long-term fiscal plan cannot happen overnight. It requires bold spending reforms. It must include a way to restructure programs like Medicare and Social Security so we can prevent them from going bankrupt and preserve benefits for current and future retirees.

Let me state that again. Those of us who have stood up and taken a stand on dealing with these so-called political suicide issues—Medicare, Medicaid, and Social Security—are saying we need to do something now to prevent these programs from becoming insolvent, to prevent benefits from having to be reduced or massive tax increases on the next generation to be imposed in order to keep them solvent. We want to deal with that now so we don't undermine these programs.

Those who say we should not touch Medicare are not being truthful with current and future beneficiaries of that program. The same is true for Social Security. They are saying, we don't want to make the tough decision now to address some of these problems and make sensible reforms. We will be gone when this comes undone. What they are saying to people is that we are going to turn our heads to the plight of future beneficiaries, and even to current beneficiaries of these programs by not doing anything.

It is time we worked together to find a solution to this. I think there is a consensus that comprehensive tax reform—an area that I believe both sides can find common ground. Comprehensive tax reform is absolutely essential, as our witnesses all stated, to providing the growth element so this country and this economy can begin to grow. Additional revenue will come in from a more prosperous nation and from a greater rate of growth, and that will help us reduce our deficit spending, it will help us move toward a balanced budget, and keep us from continuing the plunge into more debt and more deficit.

Comprehensive tax reform is the best way to reduce the debt, grow the economy, and make America more competitive. Grow the economy—not more government. That is what makes us more competitive and puts more people back to work. That is what puts us on a path to American prosperity.

These things will not be easy. It will require time and it will demand political will courage. So let's get moving. The Senate majority leader needs to stop wasting time, allow Members to offer and vote on amendments so we



can get to regular business of the Senate done and focus on the larger priority—growing this economy. Your Members, our Members—ones we like, ones we don't like. We are sent here to make the tough choices, to make our yes or our no and represent people back home. That is what the Senate is all about.

So instead of standing here speaking to an empty Chamber and letting the clock run down so these amendments can be closed out and never offered under this bill, we should be debating these issues. In doing so, we can get to the point where we will have our final vote and, hopefully, we will be funding the government going forward. It is called regular business and that ought to be our focus.

Growing this economy and strengthening it for future generations is the challenge before us. It is the challenge of our time. We need political will and courage and boldness to go forward, but it is absolutely essential for the future of this country. I suggest that instead of standing around doing nothing, we begin to address these issues.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for up to 15 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I noted last week the Republican leader came to his desk and spoke about the budget and described our Democratic budget as a leftwing manifesto.

We have done \$1.8 trillion in spending cuts already. We raised \$600 billion—one-third of that—in revenue by restoring the Clinton-era tax rates for families earning over \$450,000 a year. So in the balance between spending cuts and new revenues, it is already 3 to 1 in favor of spending cuts. In our budget, we propose to fill the gap of the remainder with 50 percent spending cuts and 50 percent revenue and that is a leftwing manifesto.

The Republican budget changes Medicare into a voucher program. The Republican budget cuts nondefense discretionary spending to levels lower than at any time since OMB started keeping track a half century ago. The Republican budget would set annual domestic spending at rates lower than 1962, when there were no Pell grants at all, when 30 percent of American seniors lived in poverty. But that is not

extreme. A Democratic budget that is 50–50 spending cuts and revenues, that is a leftwing manifesto.

The Democratic budget has \$975 billion in new spending cuts and it has \$975 billion in new revenue in order to close that budget gap 50–50. That means, including the deficit reduction we have already done of \$1.8 trillion, we will be, in total, at \$4.3 trillion in deficit reduction, which is probably just a little bit over the target that most of the experts have given us to hit. About \$2.8 trillion of the \$4.3 trillion will come in spending cuts, \$600 billion has come in new tax revenue, and \$975 billion will come from loopholes, for a total of \$1.6 trillion coming from new revenues. Some leftwing manifesto, \$1 trillion more in spending cuts than revenue at a time when billionaires in America are paying lower tax rates than brick masons. If that is a leftwing manifesto, then the leftwing needs to fire its manifesto writers. That is some pretty high rhetoric.

We know where the word “manifesto” comes from, of course. It comes from the Cold War and the Communists—50 percent spending cuts, 50 percent revenue—and the rhetorical hint is that we Democrats with our budget are a bunch of Commies. That is high rhetoric indeed, and it is not coming from some fringe Senators in their rank and file. This is the Republican leader of the Senate.

In the face of the obvious facts of the balance of our budget, why might the rhetoric be getting so high? What might the Republicans be getting so touchy about? Let's look at where we get the rest of our revenue for our 50–50 budget.

We got the first \$600 billion from restoring the Clinton-era tax rates, a time of huge economic success for our country for folks over \$450,000 in income. Where do we get our \$975 billion in new revenue? We go to the Republican treasure trove. We go to Ali Baba's cave for corporations and the rich. We go to the tax earmarks and the special deals that special interests have, year after year, squirreled away in the Tax Code.

People think: How much can that be? What can it mean when we have money going through the Tax Code and out but not coming to the government in revenues? What is in Ali Baba's cave? How big is the treasure trove? Have a look.

This is the amount of money the U.S. Government collects in taxes from individuals—\$1.09 trillion. Here is how much goes back out the backdoor of the Tax Code to people who have loopholes, special rates, deductions in the Tax Code that helped them: \$1.02 trillion—virtually the same. For every \$1 of revenue the United States collects in actual revenues from individual taxpayers every year, another 94 cents goes back out through the loopholes

and the deductions and the special rates, a grand total every year of more than \$1 trillion. Since we budget over a 10-year period, it is \$10 trillion in this budget period.

On the corporate side, for every \$1 of revenue the United States collects in actual revenues from corporations, another 87 cents goes back out the backdoor of the Tax Code through loopholes and special rates and deductions. Again, because we do this over—every year, \$157 billion. Again, because we do this over 10 years, that is more than \$1.5 trillion. If we add these two together, it is more than \$11.5 trillion in the budget period. If we presume some modest growth in the economy over those 10 years, that number gets to about \$14 trillion.

So Ali Baba's Tax Code cave of tax spending is very big. There is lots of treasure squirreled away in it, and that doesn't even count the billions of dollars that corporations and wealthy tax avoiders hide offshore so it never even gets into the tax equation. The IRS has pegged that recently at about \$385 billion a year.

There is one little building in the Cayman Islands that Chairman Conrad used to refer to regularly when he was chairman of the Budget Committee. One little building in the Cayman Islands, maybe 5 stories tall, where over 18,000 companies claim to be doing business. One can imagine what kind of business they are doing there. That is how \$385 billion a year never even appears in the tax equation.

This spending that gets done through the Tax Code that does not get reviewed by annual appropriations, it gets squirreled away in there and it is there to stay. It is a big treasure trove indeed—not counting offshoring, probably \$14 trillion in a 10-year budget period for those who are clever and connected enough to get their special deals, their tax earmarks, into the Tax Code.

We take out of that, call it \$14 trillion—at a minimum \$11.5 trillion—\$975 billion, about 7 percent. That is how much of it, this little red slice, is what we take to balance the budget for deficit reduction. The problem is the Republicans do not want us to look into their treasure trove. Ali Baba's cave of tax tricks is where the juicy earmarks are for special interests. Do you want to know why Mitt Romney had to fiddle his taxes to get up to a 14-percent tax rate—which, by the way, is a lower tax rate than a solitary hospital orderly pays walking down the halls of Rhode Island Hospital at night. How does he get it so he has to fiddle his taxes to get up to a rate lower than a hospital orderly pays? How do Romney and the hedge fund billionaires pull off that trick? Look in Ali Baba's cave for the carried interest exception.

Do you want to know where ExxonMobil, which is the richest and

most profitable corporation in the history of the world—where ExxonMobil gets its hands into the American taxpayers' pockets? Look at the Big Oil subsidies in Ali Baba's cave.

Do you want to know how corporate jets get special favored tax treatment compared to the commercial jets that ordinary mortals fly? Look at the accelerated depreciation schedules in Ali Baba's cave of tax tricks. If using the phrase "leftwing manifesto" seems a little strident, a little exaggerated about a budget proposal for 50 percent spending cuts and 50 percent revenues and you want to inquire why, look no further than the Republican treasure trove of corporate and special interest tax earmarks heaped up in Ali Baba's cave.

We are knocking at the door. We are knocking on the door of Ali Baba's cave, which so far has been untouched. We have done all spending cuts and a little bit of tax rate increases for families over \$450,000 back to the Clinton-era rates. We have not touched, yet, Ali Baba's cave. What we are saying as Democrats is that Americans paid in deficit reduction spending cuts what they are going to lose in services and in benefits, \$1.8 trillion, and they will pay in another \$975 billion in cuts under our Democratic proposal. We are saying that folks earning over \$450,000 a year income saw their tax rates go up to Clinton-era levels, and they are paying in another \$600 billion in deficit reduction. Now we want to go into Ali Baba's cave of tax earmarks and out of at least \$11.5 trillion, probably more like \$14 trillion, and if you throw in the offshoring that takes you up to \$17 trillion, \$18 trillion—we want to take less than \$1 trillion out over 10 years to help reduce our budget deficit.

So the Republicans are getting anxious. The alarms are ringing in the special interests and the Republicans are rushing to the trenches to defend their special interests and their cherished tax earmarks. The best defense being a good offense, that is how a balanced deficit reduction plan that in sum has \$1 trillion more in spending cuts than in revenues suddenly becomes a leftist manifesto.

We just had the hearings in the Budget Committee on our budget. If you listened on that committee, the Republicans said it plainly. They did not mince words: Not a penny of tax loopholes, not a penny from Ali Baba's cave of tax treasures can go for deficit reduction—not a penny. That is their rule.

They will say they are willing to move the treasure around a little bit in Ali Baba's cave so long as it all gets used for corporations and the wealthy. Again, that is not a guess. That is in the Republican budget—none of the goodies squirreled away by the special interests over the years in Ali Baba's cave for deficit reduction—none; all of

it to lower tax rates for corporations and the rich, the ones who mostly benefit from the treasure in Ali Baba's cave to begin with. They are willing to spread the treasure around a little as long as it stays in the hands of big corporations and the rich.

We are at the gates of Ali Baba's cave, this treasure trove of Tax Code special deals and earmarks for the rich and the well connected. We are at the place where the lobbyists wheel the sweet corporate tax deals. We are knocking on the door of a \$14 trillion tax spending area that has been, so far, left completely untouched in deficit reduction and so our Republican friends are getting a little twitchy.

Come on, tell us, out of nearly \$14 trillion in tax spending and earmarks, can't we just put a little bit toward the deficit? Just 7 percent? Under their own budget, they take 41 percent of it and give it back in the form of lower high-end tax rates, lowered rates for big corporations and the rich. Can't we do just 7 percent for deficit reduction? I thought the deficit was so important, but maybe not when it comes to our friends protecting the interests of the big corporations and the rich.

Madam President, I also wish to speak about the continuing resolution and its provisions relating to Commerce, Justice, and Science appropriations. Specifically, I want to highlight how the continuing resolution will support continuing advances in the field of digital forensics.

The continuing resolution is accompanied by a series of explanatory statements that detail Congress' intent behind the raw numbers of the resolution itself. The explanatory statement for the Commerce, Justice, and Science provisions in turn incorporates portions of the Appropriations Committee report on the earlier Commerce, Justice, and Science bill. "[L]anguage included in . . . Senate Report 112-158," the explanatory statement provides, "that is not changed by this explanatory statement or this Act is approved." Neither the explanatory statement nor the continuing resolution change language from Senate Report 112-158 regarding computer forensics. The language from Senate Report 112-158 therefore states the intent behind this portion of the continuing resolution.

This is what Senate Report 112-158 says:

Cell Phone Digital Evidence—As smartphones and the Internet have become integral parts of daily life, these technologies have also become an integral part of a majority of criminal acts and enterprises, from drug deals by text to child pornography websites. Because more than 95 percent of all criminal cases are investigated and prosecuted at the State and local levels, the Committee is concerned that without the Department's support, the ability of State and local law enforcement to effectively investigate and prosecute cases involving dig-

ital evidence and computer-based crimes will diminish. The Committee encourages the Department to prioritize State and local assistance toward computer forensics and digital evidence training and investigations surrounding drug and violent crimes, and crimes against children.

Collaborative Efforts To Fight Cybercrime—According to the Norton Cybercrime Report 2011, more than 69 percent of online adults have been a victim of cybercrime in their lifetime, resulting in an annual price of \$388,000,000,000 globally. The Committee is aware of the important progress that has been made in the fight against cybercrime by collaborative efforts that bring together prosecutors, researchers, and DOJ in a multidisciplinary effort to identify and prosecute cybercrimes such as 'phishing.' These collaborative efforts involve experts in computer forensics that help to identify the source of phishing, train prosecutors in the intricacies of the crime and how best to prosecute cybercriminals, and conduct research to stay ahead of cybercriminals and their ever changing tactics. The Committee believes these collaborative efforts have made good progress against cybercrime and encourages the Department to continue funding these important initiatives.

I applaud Chairwoman MIKULSKI for stressing the importance of computer forensics training and research, first as the Chairwoman of the Commerce, Justice, and Science Appropriations Subcommittee and now as chairwoman of the full Appropriations Committee. I am very grateful for her leadership on this important issue.

The report clearly identifies the need for continued Justice Department attention on this subject. This is particularly the case in light of the severe cybersecurity threats facing our Nation. Like the Norton report cited by the committee, a recent report by the security firm Mandiant highlighted the growing threat to our national economic security posed by cyber attacks launched by criminal organizations and foreign countries. Every day, sophisticated hackers are attempting to steal America's secrets, its intellectual property, and the identities of our citizens. As FBI Director Robert Mueller has stated, "[w]e are losing data, we are losing money, we are losing ideas and we are losing innovation. Together we must find a way to stop the bleeding." Digital forensics tools that help attribute the source of an attack and the extent of the damage caused will be an important element of any cybersecurity solution.

Digital forensics tools also help law enforcement investigate and prosecute more traditional crimes. Criminals use smartphones and computers to engage in all kinds of criminal acts and enterprises, from drug dealing to child pornography. Even when criminals do not use modern electronics in the commission of the crime, digital forensics can provide useful evidence relative to, for instance, the whereabouts and intent of the offender, or the participants in a conspiracy. Federal, State, and local

law enforcement thus must have access to digital forensics tools and appropriate training to investigate and prosecute these crimes effectively.

For the last decade, the Justice Department has funded extremely important research in these areas. For example, its National Institute of Justice, or NIJ, has funded research on tools for scanning for child pornography; forensic tools for mobile cellular devices; data forensics for cloud computing; technologies to identify and defeat encryption methods used by criminals; and forensic tools for seizing digital evidence in a forensically sound way. NIJ also has funded invaluable training that equips state and local law enforcement to tackle the cybercrime and digital forensics issues that they encounter in their criminal investigations. I believe that NIJ and the Justice Department more broadly must support this research and training going forward. I am very pleased that the continuing resolution we are considering today likewise prioritizes this important work.

Again, the fact that the continuing resolution does this is a testament to Chairwoman MIKULSKI's leadership in this field. She has been a champion of effective law enforcement for a long time. She now is bringing the same leadership to bear on cybersecurity and criminals' use of emerging technologies. I also would thank Senator SHELBY, who is the ranking member of both the full Committee and the Commerce, Justice, and Science Subcommittee, for his work on this important issue. As a result of their collaboration, the continuing resolution will support a broad range of important Federal initiatives. It is very good news that research and training on digital forensics will be one of them.

Mr. DURBIN. Madam President, the Medium Air Defense System is a NATO program we jointly develop with the Germans and Italians. They have made clear if the United States does not fulfill its funding commitment for 2013, Germany and Italy would interpret this as a unilateral withdrawal, and they have stated this in writing to Congress.

The Memorandum of Understanding among the U.S., Germany and Italy clearly states that a "withdrawing Participant will pay all Contract modification or termination costs that would not otherwise have been incurred but for the decision to withdraw."

This is a standard clause for cooperative international agreements. In fact, it is usually included at the insistence of the U.S. to ensure long-term commitment of our Allies so they do not withdraw on joint programs, leaving the U.S. to pay the bills. It is included in agreements on the Excalibur program; technologies and systems for AEGIS-equipped ships; and the Global

Positioning System. It will also be included when the U.S. and Israel enter an agreement on the Iron Dome missile defense program.

There is precedent. Following its withdrawal from the NATO Alliance Ground Surveillance Memorandum of Understanding, Canada was assessed a fiscal penalty, even though a development contract had not yet been awarded. The MEADS program has contracts with industry that, if canceled, will require the payment of termination liability. To think that we would get out for free is unrealistic. If we take the funding out of this program, we leave the Army a bill that it will have to pay.

MEADS is not a "missile to nowhere." Last November, MEADS conducted a successful intercept test that demonstrated advanced technologies for air defense. The Department of Defense has informed us the missile used in the MEADS program will be incorporated into the aging Patriot system next year.

The United States has not paid more for the program than what was agreed to in the MOU. The U.S. share of the program is \$2.32 billion in 2004 dollars, which when adjusted for inflation is closer to \$2.9 billion in today's dollars.

Finally, premature withdrawal from MEADS sends the wrong signals to our allies when the U.S. has been asking them to do more on missile defense. Secretary Panetta sent the Senate Defense Appropriations Subcommittee a letter last June, echoed by a letter from Secretary Clinton in September, which specifically asks Congress not to terminate MEADS at this time, as it would undermine a new and fragile consensus achieved by the U.S. with its NATO Allies in Chicago last spring.

I agree with my colleague from New Hampshire now, more than ever, we need to be vigilant about how and where federal defense dollars are spent. Prohibiting funding for this final installment of MEADS research is the wrong way to approach this, but I look forward to working with her and other Senators as we develop the fiscal year 2014 spending bills.

Mr. REED. Madam President, before I begin, I want to thank Chairwoman MIKULSKI. She has demonstrated both leadership and resolve in her new role and in assembling this bill under very challenging circumstances.

Overall, this bill provides a total of \$1.043 trillion for discretionary spending, and it reflects a number of reductions that the Appropriations Committee had to make in order to accommodate the \$4 billion cut to the discretionary spending caps mandated by the January agreement on the so-called "fiscal cliff." In addition, because of a point of order raised by Senator TOOMEY last year, the emergency designation was removed for \$3.5 billion in disaster and mitigation funding in the

Superstorm Sandy appropriations bill. I opposed this point of order because I believe disaster funding should be treated as an emergency, as it has been in disasters past. Because we fell three votes shy of the 60 needed to waive the point of order, we must now absorb \$3.5 billion in cuts in this bill. That will have real impacts on critical programs.

Moreover, I am deeply disappointed we have not been able to come up with a commonsense and balanced solution to turn off sequestration. These crippling across-the-board spending cuts 7.8 percent for defense programs and 5 percent for domestic discretionary programs will be applied to virtually every discretionary program in this bill. If left unaddressed, they will translate into an estimated 750,000 fewer jobs across this country, including in my home State of Rhode Island, where the unemployment rate is just under 10 percent.

I was one of a majority of Senators who voted for a reasonable solution to replace sequestration with a balanced mix of revenues and spending reductions. I am frustrated that a minority in this Chamber blocked this plan, which would have prevented the self-inflicted job losses and economic pain of sequestration. Now, in order to avoid a government shutdown on March 27, we must forge ahead and pass the best appropriations bill we can, despite these limitations.

Even in the face of these limitations, the Senate bill represents a better path because it makes responsible investments and saves jobs.

Without the funding provided in this bill to meet the funding levels promised in MAP-21, last year's transportation authorization bill, we would lose an additional 25,000 jobs. As chairman of the Interior Appropriations Subcommittee, I worked to provide \$2.4 billion in funding for clean water and drinking water projects, \$336 million more than the President requested. This investment, when combined with state matches and leveraging, will support 849 projects and 130,000 jobs.

Let me turn to the Interior title of this continuing resolution in more detail. The CR provides \$29.8 billion, which is an increase of \$650 million over the Subcommittee's FY 2012 allocation.

While that amount is a 2 percent increase, most of it, approximately \$600 million, is needed to fully fund the 10-year average for fire suppression. In addition, we must also absorb the cost of \$423 million appropriated as part of the September continuing resolution to repay fire borrowing that occurred in FY 2012.

Even though the subcommittee's allocation rose, so did the costs of programs we must fund. The House was able to avoid tough decisions for the Environmental Protection Agency and Interior funding in its CR because it

had an even larger allocation for this title. But it only accomplished that by shortchanging other important investments in other titles, including transportation, child care, education, health research, police, and firefighters.

Lest anyone be confused by the House's new-found commitment to the EPA and other environmental priorities, one should only review the devastating cuts it made to these programs in its initial FY 2013 committee-reported Interior Appropriations bill.

With the resources available and the challenges we face, I believe we in the Senate have funded all agencies in the Interior Appropriations title fairly, and we have still been able to achieve a number of important environmental goals.

As I have already noted, we have been able to provide a solid level of funding for infrastructure through the clean water and drinking water State revolving funds.

We were able to hold funding levels steady for grants that help States run their environmental programs at \$1.1 billion. These funds create jobs at the State level and provide for enforcement of our Federal pollution control laws.

As I mentioned, we also fully funded the 10-year average of fire suppression for both the Interior Department and Forest Service, in anticipation of a tough fire season.

We were able to include \$53 million in new funding to hire doctors, nurses, and support staff at newly constructed Indian Health Service facilities. These funds will allow seven facilities to open their doors to patients that would otherwise sit vacant.

I am pleased to say this bill also includes language to extend the authorizations of 12 national heritage areas so they will continue to receive their partnership grant funding from the National Park Service.

We want to make sure these heritage areas continue to thrive, so I am proud we were able to extend their authorizations in this bill. And it is worth noting that these grants don't require new funding they are already paid for within the existing National Park Service budget.

This is important in my State, with the John H. Chafee Blackstone River Valley National Heritage Corridor, but for many others, as well.

Finally, land and water conservation funding is sustained at the FY 2012 level of \$322 million.

Of course, there are tradeoffs within this bill, and places where we had to sustain cuts below the FY 2012 enacted level.

This is in part due to the hand we were dealt by the President in the budget he submitted for FY 2013. We accepted cuts proposed by the administration for several programs, including construction programs and Superfund.

The Senate bill funds the EPA at \$8.34 billion, which, while a reduction of \$107 million from the FY 2012 level, is the amount requested by the President for FY 2013. Additionally, the Senate bill spares the agency from the debilitating cuts set in the FY 2013 House Interior bill, which funded the EPA at a level that is \$1.29 billion less than FY 2012. Yes, that is a billion.

Unfortunately, however, those reductions alone were not enough to meet our obligation to provide an approximately \$1 billion increase for fire. We had to make cuts to other operating programs in the bill cuts that I know will only be more difficult because they will come in addition to sequestration.

Before I conclude, I want to address a few other aspects of this bill and the consequences of continuing resolutions and the sequester.

A major reason we are now confronting such huge deficits is the utter collapse of our financial markets beginning in 2008. Some of this collapse occurred because parts of our financial system were either lightly or barely regulated such as our derivatives and subprime mortgage markets.

However, we also learned the severe costs of having an under-resourced and outmatched Securities and Exchange Commission and Commodity Futures Trading Commission.

I still remember an April 2008 hearing with former SEC Chair Christopher Cox, in which he stated the SEC didn't need more resources meanwhile Bernie Madoff was scamming more and more victims in the largest Ponzi scheme in history, and Lehmann Brothers was levered 30-1 and hiding its precarious financial condition through repurchase agreements.

By starving the SEC and CFTC of resources, we are repeating the mistakes of the recent past.

The CFTC is already suspending its examinations of key market participants and "shelving" enforcement actions because of budget constraints. The impact of static funding along with the sequester will further erode its oversight. Indeed, under the CR, the CFTC will operate with a budget that is 37 percent less than the administration says it needs.

The case of the SEC is more disturbing. While subject to appropriation, the SEC has no impact on the deficit since its expenditures are offset by transaction fees applied to the industry. With the impacts of the sequester, the SEC will operate at 20 percent less than the administration has requested. This failure to appropriately fund the SEC will do nothing to improve the fiscal situation. At the same time, our economy and our capital markets will be more vulnerable. That makes no sense.

If we want American markets to be the most liquid, transparent, efficient,

and orderly in the world, we need to provide the cops on the beat—the SEC and CFTC with an adequate and stable source of funding.

I also want to speak about the impacts CRs can have on specific programs because they offer no nuance or flexibility. That has been shown to be the case this year with the Weatherization Assistance Program, a program that creates jobs and helps provide energy efficient retrofits to low-income individuals and families.

President Obama described the program this way in a 2009 interview: "[Y]ou're getting a three-fer. Not only are you immediately putting people back to work but you're also saving families on [their] energy bills and you're laying the groundwork for long-term energy independence. That's exactly the kind of program that we should be funding."

Under the Recovery Act, we invested \$5 billion in this program, which annually received only \$175 to \$200 million. As the program worked through this infusion, funding for the regular program was scaled back. In FY 2013, funding will be only \$68 million even before the sequester is applied. Since there will no longer be carry-over from earlier years, there will not be enough funding to mount a viable program in all 50 states. That's not only regrettable, it is also counterproductive to our goals to create jobs and increase energy efficiency. I hope we can work with the Department of Energy to find ways to sustain the program in 2013 as we seek to address the shortfall in 2014.

Finally, while this should be the case for all of our spending priorities, I want to note that this package includes a full defense appropriations bill that provides DOD with the funding for programs it needs. I am particularly pleased that the bill provides funding to build two *Virginia*-class submarines in FY 2013 and to purchase equipment for two submarines in FY 2014, which will ensure that we will have the capital resources and workforce in place to move forward. This also retains thousands of good paying jobs for highly skilled workers in my State and elsewhere.

There is much to comment on about the tough choices we have had to make in this bill and the sequester cuts that loom over every discretionary program. Given the very challenging circumstances we face, Chairwoman MIKULSKI has done her best to craft a bill that can clear the Senate and hopefully get to the President's desk so that we can avoid a government shutdown, which would be even more disastrous.

#### TRIBAL SCHOOL CONSTRUCTION

Mr. FRANKEN. Madam President, I rise today to discuss tribal school construction funding—an issue that is central to the academic wellbeing and intellectual development of tribal children across the country.

It goes without saying that all kids need clean, safe places to study.

And making sure that every child gets a good education, in a safe, clean environment will benefit our economy and our society as a whole. Unfortunately, many Indian kids attending schools run by the Bureau of Indian Education are forced to study in aging facilities that should be replaced.

As Senators, we have responsibilities to all children in our States to ensure that they all have access to safe and clean school buildings. The Federal Government has a particular responsibility to the tribes that includes taking care of tribal schools. That is why I offered an amendment to the continuing resolution with Senators TOM UDALL, TIM JOHNSON, KLOBUCHAR, HEITKAMP, and HEINRICH, to secure funding for tribal school buildings that need to be replaced.

In these times of tight budgets, everyone is making sacrifices. Programs across the Federal Government are forced to make difficult cuts and to do more with less. School construction is one small but vital program that I believe should continue to be funded. I was disappointed that the administration's fiscal year 2013 budget did not include funding for Indian school replacement construction.

I ask the Senator if it would be fair to say that the absence of funding for tribal school construction replacement in this CR should not be seen as a lack of support for this activity in future appropriations bills?

Mr. REED. Yes, that is correct.

Mr. FRANKEN. The continuing resolution we are now considering is needed to get us through the last 6 months of this fiscal year. It is my hope that as we return to a more regular appropriations process for fiscal year 2014, we can refocus on this important priority to support Indian school construction. I ask the Senator, would he be willing to work with me and our colleagues on that?

Mr. REED. Yes, I will welcome the opportunity to work with the Senator and our colleagues here in the Senate on priority needs within the Interior bill, including American Indian and Alaska Native health and education issues, to the extent possible given the overall budget constraints we face.

Mr. FRANKEN. I thank the Senator for committing to work with us.

#### WEATHERIZATION ASSISTANCE PROGRAM

Mr. REED. Madam President, I would ask my colleague, Senator MIKULSKI, Chairwoman of the Appropriations Committee, if she would join me and our colleague Senator COLLINS in a colloquy on the Weatherization Assistance Program.

Ms. MIKULSKI. Madam President, I would be pleased to join my colleagues.

Mr. REED. I thank the Chairwoman.

I know a major reason that the Chairwoman wants to get back to reg-

ular order is that continuing resolutions are blunt instruments that do not allow for the adjustments for specific programs. One place where that has played out is in the Energy and Water Development bill, specifically with respect to the Weatherization Assistance Program.

I know the chairwoman has long supported the weatherization program, which helps provide energy efficient retrofits to low-income individuals and families. It also provides jobs, which is so important given the continuing challenges in our economy.

President Obama described the program this way in an interview in 2009, "[y]ou're getting a three-fer. Not only are you immediately putting people back to work but you're also saving families on [their] energy bills and you're laying the groundwork for long-term energy independence. That's exactly the kind of program that we should be funding."

Under the Recovery Act, we made a one-time investment of \$5 billion in this program, which has historically received \$175 to \$200 million in annual appropriations. As the program worked through this infusion, funding for the regular program was temporarily scaled back. In FY 2013, funding for the program will be only \$68 million even before the sequester is applied. Since there will no longer be carry-over funds available, there will not be enough funding to mount a viable program in all 50 States. That is regrettable, particularly when the Senate bill contained \$145 million, \$6 million more than the budget request. It is also counterproductive to our goals to create jobs and increase energy efficiency.

I would ask the Chairwoman if she would work with us and the Department of Energy to find ways to sustain the program through appropriate reprogramming so that it does not cease to be a 50-State program. I would also ask if she would work with us in fiscal year 2014 to see how we can support this important initiative. Before I yield to the Chairwoman to respond, I would ask Senator COLLINS if she would like to comment.

Ms. COLLINS. I would like to echo Senator REED's comments and thank the Chairwoman for her support of the Weatherization Assistance Program.

This program is currently facing significant funding challenges and its viability in many States is threatened. Weatherization plays an important role in permanently reducing home energy costs for low-income families and seniors, lessening our reliance on foreign oil, and training a skilled workforce. The current funding level represents a substantial reduction for the program, and the ability of the program to continue to deliver services is in serious jeopardy.

I too would like to ask the Chairwoman if she would work with us and

the Department of Energy to find ways to sustain the program through appropriate reprogramming, so that low-income families and seniors in every State can continue to receive the energy savings from the weatherization of their homes.

Ms. MIKULSKI. I thank the Senators for their comments and would be pleased to work with them on this important issue and ways to maintain a 50-State weatherization program.

Mr. REED. I thank the Chairwoman for that response. I look forward to working with her, Senator COLLINS, and others to support this program in fiscal year 2013 and during the fiscal year 2014 funding cycle.

#### PLANT PROTECTION ACT

Mr. TESTER. Madam President, I wish to engage my colleague, Chairwoman MIKULSKI, in a colloquy. I thank the Senator for her important work in bringing this bill to the Senate.

However, I would like clarification on Section 735 of Division A of the bill. This provision requires that the Secretary of Agriculture, if requested, issue temporary permits or temporary deregulation in the event a genetically engineered crop deregulation is set aside or vacated as unlawful. As you know, I oppose this provision and have deep concerns about its impact. I wish to confirm my understanding, even though this provision does not operate through a restriction of funds in this act, it is in effect only for the duration of the continuing resolution.

Ms. MIKULSKI. The Senator is correct.

Mr. TESTER. I thank the Senator.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I ask unanimous consent that at 11:15 a.m. tomorrow, all postcloture time on the Mikulski-Shelby substitute amendment be considered expired, the Durbin second-degree amendment to 115 be withdrawn with no other second-degree amendment in order; that the Senate proceed to vote in relation to the Toomey amendment No. 115; that upon disposition of the Toomey amendment, the Senate then proceed to vote on the Mikulski-Shelby substitute amendment, as amended; that upon disposition of the substitute amendment, the Senate proceed to the cloture vote on the underlying bill; finally, if cloture is invoked, the 30 hours postcloture begin to run as if cloture were invoked at 1 a.m. on Wednesday, March 20.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING LAWRENCE E. NEWMAN

Mr. LEVIN. Madam President, the enduring imprint of a life well lived is the positive impact one has on those closest to them. The way you live your life and the people you touch along the way speak convincingly long after we are gone. Such is the case with Lawrence Newman. By all accounts, he was a loving husband and family man; a strong Christian who devoted much of his time to his church, Hartford Memorial Baptist; and a proud Postal employee for more than 30 years. It is with this in mind that Senator STABENOW and I celebrate his life.

Lawrence Newman was a Detroit native through and through. He was born on May 22, 1935, in Detroit and spent much of his life there. He graduated from Cass Tech in Detroit in 1957 and then went on to study at the University of Detroit. Soon after, he was drafted into the Army and served his Nation honorably until his discharge in 1964.

After serving his country, Lawrence secured employment with the U.S. Postal Service. He would go on to spend three decades helping to ensure the Postal Service continues to meet its obligation to provide efficient service to the people of Detroit and Michigan. In addition to working for the Postal Service, Mr. Newman served as a member of the board of directors of the Detroit Postal Employee Credit Union and of the National Association of Postal Supervisors for many years.

It is clear Lawrence Newman held his Christian beliefs dear. He not only spent four decades as a member of Hartford Memorial, he also served on Hartford Memorial's board of trustees, eventually earning the distinction of trustee emeritus, and as the church's official photographer.

And so we take this moment to remember Lawrence Newman. He leaves behind a wonderful family, including his loving wife of 51 years, Shirley

Jane, and 2 sons, David and Daryl. He will be dearly missed, and Senator STABENOW and I are honored to recognize a man who has meant so much.

#### TRIBUTE TO MELISSA DORE

Ms. STABENOW. Madam President, I rise today in celebration of my staff member, Melissa Dore, who is retiring after working with me throughout most of my years in the U.S. Senate.

Melissa started as a staff member in my East Lansing office and immediately impressed us with her ability to connect with people when they called. Hers was often the first voice constituents heard when contacting me and her natural ability to be compassionate and empathetic made their first impression a good one.

Melissa's compassion and tenacity made her a natural choice to work with those who contacted me for help with their Social Security or Medicare benefits. Time and time again, I have seen her go to bat for people and get answers about their cases and resolve very tough problems. Melissa is someone who cares deeply and her commitment shows in the results she gets for people. There probably isn't a week that goes by where we do not receive a thank you note or I don't get stopped by someone who tells me about the difference her advocacy has made.

My staff and I will miss her presence in the office and her passion for helping others. I also know that the many families in Michigan whose lives she touched as well as those she worked with in agencies and in my office will miss her.

After leaving the Senate, Melissa looks forward to spending more time with her family and dogs, traveling and going to her cottage in Northern Michigan. She is very creative and I know her passion for quilting will result in many beautiful creations.

I am sad because I am losing a valued member of my staff, but I am happy to see her move on to new life experiences, and I wish her the best of everything.

#### RECOGNIZING PRICE OF FREEDOM MUSEUM

Mr. BURR. Madam President, I rise today to recognize the Price of Freedom Museum in China Grove, NC. The Price of Freedom Museum strives to pay tribute to those Americans who have made the ultimate sacrifice in the fight for freedom.

Bob Mault began collecting and preserving uniforms and military artifacts from all branches of the armed forces more than 40 years ago. These artifacts were first showcased in Mr. Mault's gas station in the 1970s, with the hope that others who saw these artifacts might be able to truly understand the price of freedom.

Thanks to the efforts of Mr. Mault's friend Frank Albright, many volunteers and donations, these military artifacts have now found a home at the Old Patterson School Complex, and I understand the historical collection now consists of more than 5,000 military artifacts—each representing a very unique and individual story. This collection now provides an educational and patriotic experience for all who see it.

It is always inspiring to hear of the efforts made by American citizens to pay tribute and give life to the stories of those who have made the ultimate sacrifice in service to their country. We must always endeavor to remember those who have died so that we may live in freedom.

#### ADDITIONAL STATEMENTS

##### REMEMBERING VICTIMS FROM CALIFORNIA'S PUBLIC SAFETY COMMUNITY

• Mrs. BOXER. Madam President, today I ask my colleagues to join me in paying tribute to Jeremiah MacKay, Michael Crain, Monica Quan, and Keith Lawrence—four extraordinary members of Southern California's public safety community who were tragically killed by the same deranged gunman. It is heartbreaking to lose these brave heroes, who dedicated their lives to protecting our families and our communities.

Jeremiah MacKay, a San Bernardino County sheriff's deputy, was a 14-year veteran of the force. He served at the Yucaipa sheriff's station and was a bagpiper and officer in the Inland Empire Emerald Society, which provides financial assistance for the families of fallen law enforcement officers. A native of San Bernardino and a graduate of Rim of the World High School in Lake Arrowhead, Jeremiah was a proud husband and father known for his love of family and his infectious laugh.

Michael Crain was a Riverside police officer who served as a patrol officer and a member of the Special Weapons and Tactics, SWAT, Team. During his 11-year tenure with the Riverside City Police Department, Officer Crain also served on the University Neighborhood Enhancement Team and as a Helicopter Observer, Field Training Officer, and Firearms Instructor. A decorated retired Marine sergeant, Officer Cain is remembered by his colleagues as a consummate family man who loved nothing more than coaching his son's baseball team or attending his daughter's dance recitals.

Monica Quan was the daughter of attorney Randal Quan, a former captain with the Los Angeles Police Department who had represented the shooter during his unsuccessful appeal of dismissal from the Los Angeles Police Department. Monica, a former high



school and college basketball star, was the assistant women's basketball coach at California State University, Fullerton.

Keith Lawrence, Monica Quan's fiancé, was a public safety officer at the University of Southern California who had attended the Ventura County Sheriff's Academy and trained with the Oxnard Police Department. He and Monica met when both played basketball at Concordia University, and they had recently become engaged.

On behalf of the people of California, whom they served with such valor and distinction, I send my deepest condolences to the families and friends of Jeremiah MacKay, Michael Crain, Monica Quan, and Keith Lawrence.●

#### REMEMBERING LORAN BAKER AND ELIZABETH BUTLER

● Mrs. BOXER. Madam President, today I ask my colleagues to join me in paying tribute to Loran "Butch" Baker and Elizabeth Butler, two members of the Santa Cruz Police Department who were recently killed in the line of duty. These extraordinary officers dedicated their lives to their family, community, and Nation. Their courage and dedication inspired all who were lucky enough to know them, and they will be deeply missed.

A 28-year veteran of the Santa Cruz Police Department, Detective Sergeant Baker was one of the most experienced and respected officers in Santa Cruz. He loved his job and served as a friend and mentor to many Central Coast law enforcement officials, including his son, Adam, who in 2010 joined the department as a community service officer. Detective Sergeant Baker was in turn inspired by his son, noting that he saw in Adam glimpses of himself when he had first started police work. Father and son relished working together. Adam called his dad "Sarge" at work, and the two had mailboxes next to each other marked "Baker" and "A. Baker."

Detective Sergeant Baker, a graduate of San Jose's Bellarmine College Preparatory and Fresno City College, patrolled Pacific Avenue, Santa Cruz's downtown strip and he was easy to spot. As one friend noted, "Even in the dead of winter, he always wore his signature shorts." Detective Sergeant Baker also worked in community services and hostage negotiations, served as a field training officer, and was one of the founding members of the DUI Enforcement Team. He was well known for his fantastic sense of humor, his infectious laugh, and his commitment to the community that loved him so much.

Detective Butler, a 10-year veteran of the Santa Cruz Police Department, grew up in Los Angeles and moved to Santa Cruz in 1992 to attend UC Santa Cruz, where she graduated as a community studies major. Filled with ideal-

ism and a passion for helping others, she first focused her talents on community development lending with the non-profit Opportunity Fund and then Wells Fargo Bank, before settling into her career with the Santa Cruz Police Department. During her tenure, she worked as a patrol officer, hostage negotiator, downtown foot and bike officer, and agent assigned to the Santa Cruz County drug task force.

Detective Butler dearly loved living and working in Santa Cruz. She savored the morning buns rolled in sugar from Kelly's French Bakery and the sweeping views of Santa Cruz from atop a roller coaster at the Santa Cruz Beach Boardwalk. "I enjoy living and working in Santa Cruz because one can enjoy the ocean, the mountains, interesting people, and a healthy lifestyle all in one spot," she once wrote. Detective Butler was known by friends and family as warm, caring, and funny. Above all, she loved spending time with her partner and two young sons.

On behalf of the people of California, whom they served so valiantly, I extend my deepest sympathies to Detective Sergeant Baker's wife, Kelly, and three children, Adam, Ashley, and Jillian; Detective Butler's partner, Peter, and two sons, Joaquin and Stellan; and their extended families, colleagues, and friends.●

#### REMEMBERING ALBERT "CAP" LAVIN

● Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of Albert "Cap" Lavin, a high school and college basketball star, dedicated English teacher, and loving husband, father, and grandfather. Cap passed away on February 10, 2013 at the age of 82.

Cap Lavin was a San Francisco Bay Area native through and through. Growing up in San Francisco's Richmond District, Cap played pickup basketball games at Rochambeau Playground before becoming a star player and All-City guard on St. Ignatius College Preparatory's basketball team. He was so good that he was named St. Ignatius's player of the decade for the 1940s. He continued to hone his basketball skills at the University of San Francisco, where he played for two Hall of Fame coaches in the early 1950s and was later inducted into the USF Dons Hall of Fame.

Following college, Cap turned his love of reading into a 43-year-long career as an English teacher at the University of California Berkeley, San Francisco State University, Dominican University, and Drake High School in San Anselmo, his true home, where he taught English for 40 of those 43 years. Though his students at Drake kept him busy, Cap also found the time to author 19 books and co-found the Bay Area Writing Project at UC Berkeley.

After inspiring generations of students, Cap retired from Drake in 1997.

In retirement, Cap and his wife, Mary, enjoyed exploring the Bay Area, hiking, biking, taking tai chi classes, and going to the opera, the symphony, and lectures in San Francisco. Those who knew Cap will always remember him as a generous, inspiring, and passionate man full of zest for life. His contributions to the sports world, academia, and the San Francisco Bay Area community will never be forgotten.

I extend my deepest condolences to Cap's loving wife, Mary; his children Rachel, John, Mark, Ken, Suzanne, and Steve; and his many grandchildren.●

#### TRIBUTE TO MAJOR NATHAN KLINE, RETIRED

● Mr. CASEY. Madam President, I wish to acknowledge the remarkable lifetime commitment of a Pennsylvania constituent to our Nation's security and veteran community. Maj. Nathan Kline, United States Air Force, Ret., has a total of 42 years of active and ready reserve service. His military career began at the age of 18 when he enlisted in the U.S. Army Air Forces in November 1942. During the war, he served as a B-26 Marauder bombardier and navigator who saw action during the D-day Invasion and the Battle of the Bulge. Serving on 65 missions, his aircraft was shot down twice. His actions during the war earned him a Distinguished Flying Cross, 10 Air Medals, and 4 Battle Stars for the European-African-Middle Eastern Campaign Medal. Years later, the French Ambassador would welcome Major Kline into the Legion of Honour as recognition to his endeavors that contributed to the liberation of the people of France.

After experiencing war firsthand, no one would have blamed Major Kline if he had withdrawn from service to live a quiet life in peace. Instead, he remained active in the military and continues to work hard to promote a society that respects its veterans and the sacrifices that they have made. Even in his advanced age, he continues to serve as an advocate on behalf of veterans and their families. As a founding member of the Lehigh Valley Military Affairs Council, LVMAC, he has raised money and created scholarships to help the families of those deployed, organized the assembly and shipment of care packages to deployed servicemembers, and assisted veterans in finding meaningful employment.

Major Kline helps veterans of all generations. He fights for the well-being of today's veterans and recognizes the challenges they face, including PTSD and TBI. Our veterans have paid a high price for our American ideals and freedom. Major Kline has never forgotten what he fought for when he enlisted in the service over 70 years ago. The reason why he fought for his country

above the skies of Normandy is the same reason why the young servicemember today fights for his Nation in the hills and mountains of Afghanistan. I cannot express this sentiment any better than Major Kline when he said, "the Greatest Generation will always be embodied in the hearts, minds, and souls of whoever our fighting troops are and wherever they might be."

I share the story of Major Kline not just because of his heroic actions during the Second World War, but also because of his continued commitment to service. The commitment that a member of our military makes is usually not limited to service during war, but is often for life. Major Kline is a shining example of these principles.

Sequestration and budgetary constraints threaten our defense budget and our support for veterans. We as a nation must ensure that we do not drastically affect the pay, medical care, and family programs of our active, reserve, and retired veterans. These men and women have served us before, and if Major Kline is any indication, they will continue to serve our communities for generations to come. For this reason and many others, we owe it to our Nation to ensure that our veterans are always supported and never forgotten.●

#### REMEMBERING MARIELLA POSEY

● Mrs. MURRAY. Madam President, I would like to pay tribute to an inspired community leader, a passionate political activist and a tireless public servant to the great State of Washington, Ms. Mariella Posey.

Mariella was born June 23, 1936, in Hammond, IN. She was a graduate of Northwestern University, where she took night classes during her 20-year tenure working at World Book in downtown Chicago.

In 1984, Mariella's passion for politics took flight when she began volunteering with Paul Simon's campaign for the U.S. Senate. After a successful election, Mariella packed her bags and moved to Washington, D.C. where she served in the newly minted Illinois Senator's office until December 1996.

Then, in November 1997, Mariella joined my staff as our office manager, where she served the people of the Evergreen State for 12 excellent years until 2009. In the office, she was best known for her meticulous oversight of the budget while relying on her trusty typewriter and adding machine.

However, what she may be most remembered for was her steadfast commitment to the city of Alexandria, serving on the NorthEast Citizens' Association since 1986 and on the board since 1991. Mariella also served as NECA's co-secretary, co-treasurer, co-chair of the Land Use Committee, vice president and as their president. She

took on issues large and small—including the location of a new stadium for the Washington Nationals and the Potomac River coal plant.

While she lived a private life, Mariella was not shy about her love for her cats and dogs and could always be found in front of the television at three o'clock watching her favorite show, *As the World Turns*.

Mariella passed away on Jan. 28, 2013 at the age of 76. She is survived by her long-time friend and roommate, Sylvia Sibrover. She will be missed dearly by not only myself, but by my staff—both former and current.

I would like to ask my colleagues to join me in paying homage to Mariella Posey. She lived a long and full life and I will always be grateful for her service in the U.S. Senate.●

#### REMEMBERING FRED KARL

● Mr. NELSON. Madam President, last week the State of Florida lost a dear friend, Fred Karl. I was honored to be asked by Fred's family to participate in his service and would like to share with you what I shared with them:

Listen to what some of the people of Florida have said about Fred Karl . . .

"His word was his bond . . ."

"No one questioned his integrity . . ."

"He was always helping others . . ."

"He was a legislative reformer who fought but genuinely liked his nemesis, Senator Dempsey Barron . . ."

"He was idealistic, but a realist . . ."

These are the thoughts of Floridians who knew and loved Fred Karl and appreciate his exceptional public service.

His smooth, lilting baritone belied the fact that he was a tank commander in World War II in the fierce Battle of the Bulge.

He ran for Governor—as a champion of education—but he couldn't amass the funds to beat Haydon Burns. Education was a passion. No wonder. His mother, Mary Karl, was an educator. Her school, Mary Karl's Vocational School, later became the community college and today is Daytona Beach State College.

He almost died because of medical mistakes in a hospital. The irony was later, when another hospital got into trouble; it was Fred who rescued them.

He was a smart savvy lawyer for almost everyone, more often than not turning around their near destruction toward success.

When Hillsborough County called upon Fred to be their attorney, he was able to restore honesty and integrity to a local government that had suffered from the corruption of its commissioners and judges.

He has been a blessing to the people of Tampa Bay—just as he has been a blessing to the people of Florida while serving in the Legislature and then on the High Court.

I remember Fred running for our state's Supreme Court.

At the time he was campaigning for himself, he was also promoting a constitutional amendment to have justices appointed instead of elected.

He later recalled "on one hand, I was saying please elect me to the court, [on the other] I was saying vote for the amendment that does away with this election." To Fred,

it was demeaning to see our judges out there raising campaign money.

He would later say: "Here was somebody aspiring to sit on the Florida Supreme Court and making decisions about life and death and about constitutional matters . . . and I was out glad-handing and back-slapping like I was running for dog catcher."

Well there's no doubt, Fred Karl was rare. And he always saw public service as one of the highest callings.

He was a public servant we could trust—a man who personified honesty and integrity . . .

So much so, his counsel was sought from the governor's mansion to the mayors' offices to the suites of Florida's newspaper publishers.

"There's no higher form of public service than the honest practice of politics," Fred said.

And Fred practiced what he preached!

And in so doing, he made a magnificent and cherished contribution to Florida's history.

To so many of us here today, he was our friend. He was our confidant.

But above all he was a devoted husband; a loving father; and, a beloved grandfather and great-grandfather.

May the family be granted strength to bear their loss. And let all of us all be forever grateful that Fred Karl touched our lives.●

#### SOUTH DAKOTA STATE UNIVERSITY JACKRABBITS

● Mr. THUNE. Madam President, today I wish to honor the South Dakota State University men's and women's basketball teams on winning their respective 2013 Summit League Championships. This marks the Jackrabbits fifth consecutive women's Summit League Title and the men's basketball team's second consecutive Summit League Title. The Jackrabbits are also the only team in Division I to have both their men's and women's teams repeat as conference tournament champions this year.

The SDSU women's basketball team has a long history of success, including winning all five Summit League Tournaments since moving up to NCAA Division I. South Dakota State University, which concluded the regular season with a 22-7 overall record, won the Summit League Conference with a 14-2 record. With the tournament victory the Jackrabbits will go to their fifth NCAA Tournament in as many years.

Certainly, this successful season would not have been possible without the hard work of the players. The members of the 2012-2013 South Dakota State University women's basketball team are: Anne Aamlid, Gabrielle Boever, Mariah Clarin, Chloe Cornemann, Leah Dietel, Ashley Eide, Jessica Hart, Tara Heiser, Katie Lingle, Steph Paluch, Hannah Strop, Megan Stuart, Rachel Walters, and Megan Waytashek.

Although this accomplishment was truly a team effort, I would like to pay special recognition to their coach Aaron Johnston, who in his 13th season recorded his 300th win and became



SDSU's all-time winning head coach. Coach Johnston's current record is 315-106. I also would like to congratulate assistant coaches Katie Falco, Mike Jewett, and Carissa Nord.

The SDSU men's basketball team has seen much recent success of its own. The Jacks posted a regular season record of 22-9 en route to its first regular season Summit League Conference championship, with a conference record of 13-3. Also, following a 73-67 win over rival North Dakota State University in the tournament championship, the Jacks have reached the NCAA tournament for the second year in a row.

SDSU's successful season could not have been possible without the dedication and determination of the players. The members of the 2012-2013 South Dakota men's basketball team are: Jake Bittle, Brayden Carlson, Connor Devine, Matt Donlan, Jordan Dykstra, Joey Feilmeier, Tony Fiegen, Marcus Heemstra, Zach Horstman, Cory Jacobsen, Taëvaunn Prince, Ruben Silva, Chad White, Joshua White, and Nate Wolters.

Finally, I would like to congratulate Coach Scott Nagy on winning his first Summit League Conference regular season title as well as his second consecutive tournament championship as head coach of the Jackrabbits. I also would like to congratulate assistant coaches Brian Cooley, Austin Hansen, Rob Klinkefus and graduate assistant Nick Goff.

The coaches and student athletes of SDSU's men's and women's basketball team should be very proud of all of their remarkable achievements this season. On behalf of the State of South Dakota, I am honored to congratulate the Jackrabbits on their impressive seasons and wish them the best of luck in the NCAA Tournaments. Go Jacks!●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 2:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to

the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 18. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

H. Con. Res. 19. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-831. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "U.S. Department of Transportation's Report to Congress and the National Transportation Safety Board Responding to Issues on the National Transportation Safety Board's 2013 Most Wanted List"; to the Committee on Commerce, Science, and Transportation.

EC-832. A communication from the Director of Industry Analysis, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Steel Import Monitoring and Analysis System" (RIN0625-AA93) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-833. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorages; Captain of the Port Puget Sound Zone, WA" ((RIN1625-AA01) (Docket No. USCG-2012-0159)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-834. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Artificial Island Anchorage No. 2 Partial Closure, Delaware River; Salem, NJ" ((RIN1625-AA00) (Docket No. USCG-2013-0032)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-835. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Updates to Standards Incorporated by Reference; Reapproved ASTM Standards; Technical Amendment" ((RIN1625-AB98) (Docket No. USCG-2012-0866)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-836. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Inland Waterways Navigation Regulation; Sacramento River" ((RIN1625-AB95) (Docket No. USCG-2012-0952)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-837. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Reporting Re-

quirements for Barges Loaded With Certain Dangerous Cargoes, Inland Rivers, Ninth Coast Guard District; Stay (Suspension)" ((RIN1625-AA11) (Docket No. USCG-2013-0019)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-838. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Housatonic River, Bridge Replacement Operations; Stratford, CT" ((RIN1625-AA11) (Docket No. USCG-2012-0824)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-839. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone, Potomac and Anacostia Rivers; Washington, DC" ((RIN1625-AA87) (Docket No. USCG-2012-0938)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-840. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; MODU KULLUK; Sitkalidak Island to Kiliuda Bay, Alaska" ((RIN1625-AA00) (Docket No. USCG-2012-1088)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-841. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Grain-Shipment Vessels, Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2013-0010)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-842. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Woldenburg Park, Mississippi River, New Orleans, LA" ((RIN1625-AA00) (Docket No. USCG-2012-1013)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-843. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY" ((RIN1625-AA09) (Docket No. USCG-2012-1040)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-844. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Indian Street Bridge Construction, St. Lucie Canal, Palm City, FL" ((RIN1625-AA00) (Docket No. USCG-2012-0828)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-845. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2013-0011)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-846. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana" ((RIN1625-AA00) (Docket No. USCG-2012-0904)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-847. A communication from the Acting Principal Deputy Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a notification of a delay in the completion of a report relative to the Fiscal Year 2014 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

EC-848. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Iranian Financial Sanctions Regulations; Final Rule" (31 CFR Part 561) received in the Office of the President of the Senate on March 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-849. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-850. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Banking, Housing, and Urban Affairs.

EC-851. A communication from the Chair of the Medicaid and CHIP Payment Access Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Medicaid and CHIP"; to the Committee on Finance.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. JOHNSON of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

\*Mary Jo White of New York, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2014.

\*Richard Cordray of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER (for himself and Mr. WICKER):

S. 602. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. HATCH, Mr. JOHANNIS, Mr. CRAPO, Mr. BURR, Mr. INHOFE, Mr. COATS, Mr. ISAKSON, Ms. AYOTTE, and Mr. WICKER):

S. 603. A bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. KIRK, Mr. INHOFE, and Mr. CORNYN):

S. 604. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND:

S. 605. A bill to improve Federal dairy programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON (for himself and Mr. ENZI):

S. 606. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to loans made from a qualified employer plan, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. LEE):

S. 607. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

By Mr. CARDIN:

S. 608. A bill to amend title XVIII of the Social Security Act and title XXVII of the Public Health Service Act to improve coverage for colorectal screening tests under Medicare and private health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 609. A bill to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHANNIS (for himself, Mr. INHOFE, Mr. PORTMAN, Mr. BLUNT, Ms. COLLINS, Mr. BURR, Mr. WICKER, Mr. ROBERTS, Mr. COBURN, Mr. COCHRAN, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BOOZMAN, and Mr. BARRASSO):

S. 610. A bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 611. A bill to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and for other purposes; to the Committee on Indian Affairs.

By Mr. DURBIN (for himself and Mrs. GILLIBRAND):

S. 612. A bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare

identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. HIRONO):

S. 613. A bill to increase the mileage reimbursement rate for members of the armed services during permanent change of station and to authorize the transportation of additional motor vehicles of members on change of permanent station to or from nonforeign areas outside the continental United States; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. WYDEN, Mr. MORAN, Mrs. HAGAN, Mr. COONS, Ms. HIRONO, Mr. MURPHY, Ms. COLLINS, Ms. MURKOWSKI, and Mr. ROBERTS):

S. 614. A bill to require the continuation of tuition assistance programs for members of the Armed Forces for the remainder of fiscal year 2013; to the Committee on Armed Services.

By Mr. BLUMENTHAL:

S. 615. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Ms. HEITKAMP, Mr. MORAN, and Ms. COLLINS):

S. 616. A bill to provide incentives to physicians to practice in rural and medically underserved communities and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. RUBIO):

S. 617. A bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes; to the Committee on Foreign Relations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself and Mrs. MURRAY):

S. Res. 80. A resolution expressing support for the designation of March 2013 as "National Middle Level Education Month"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNIS (for himself, Ms. STABENOW, Mr. COCHRAN, Mr. BAUCUS, Mr. ROBERTS, Mr. BROWN, Mrs. GILLIBRAND, Mr. CHAMBLISS, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BENNETT, Mr. DONNELLY, Mrs. FISCHER, Mr. THUNE, and Mr. COONS):

S. Res. 81. A resolution commemorating March 19, 2013, as the 40th anniversary of National Ag Day; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. RUBIO):

S. Con. Res. 9. A concurrent resolution recommending the posthumous award of the Medal of Honor to Sergeant Rafael Peralta; to the Committee on Armed Services.

#### ADDITIONAL COSPONSORS

S. 20

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 20, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 109

At the request of Mr. VITTER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 132

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 232

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 296

At the request of Mr. LEAHY, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 330

At the request of Mrs. BOXER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 336

At the request of Mr. ENZI, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 344

At the request of Mr. WICKER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-

percent ethanol, and for other purposes.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 395

At the request of Mr. DURBIN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 395, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 419

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 419, a bill to limit the use of cluster munitions.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 470

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Ohio

(Mr. PORTMAN) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 582

At the request of Mr. HOEVEN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Mississippi (Mr. WICKER), the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 582, a bill to approve the Keystone XL Pipeline.

S. 597

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 597, a bill to ensure the effective administration of criminal justice.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 7

At the request of Mr. MORAN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade.

S. RES. 60

At the request of Mrs. BOXER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue

to strengthen enforcement of sanctions legislation.

#### AMENDMENT NO. 55

At the request of Mr. MORAN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 55 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

#### AMENDMENT NO. 74

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 74 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

#### AMENDMENT NO. 82

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

At the request of Mr. MORAN, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, *supra*.

At the request of Mr. HOEVEN, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, *supra*.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. LEE):

S. 607. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Electronic Communications Privacy Act Amendments Act of 2013—a bill to strengthen the privacy protections for email and other electronic communications. Last year, the Judiciary Committee favorably reported substantially similar legislation with strong bipartisan support. I thank Republican Senator MIKE LEE for cosponsoring this important privacy bill. Senator LEE and I understand that protecting Americans' privacy rights is something that is important to all Americans, regardless of political party or ideology. I hope that all Senators will support this bill and that the Senate will pass this privacy legislation this year.

Like many Americans, I am concerned about growing and unwelcome intrusions into our private lives in

cyberspace. I also understand that we must update our digital privacy laws to keep pace with these threats and the rapid advances in technology.

When I led the effort to write ECPA 27 years ago, email was a novelty. No one could have imagined the way the Internet and mobile technologies would transform how we communicate and exchange information today. Three decades later, we must update this law to reflect the realities of our time, so that our Federal privacy laws keep pace with American innovation and the changing mission of our law enforcement agencies.

My bill takes several important steps to improve Americans' digital privacy rights, while also promoting new technologies, like cloud computing, and accommodating the legitimate needs of law enforcement. First, the bill requires that the government obtain a search warrant based on probable cause to obtain the content of Americans' email and other electronic communications, when those communications are requested from a third-party service provider. There are balanced exceptions to the warrant requirement to address emergency circumstances and to protect national security under current law.

Second, the bill requires that the government promptly notify any individual whose email content has been accessed via a third-party service provider, and provide that individual with a copy of the search warrant and other details about the information obtained. The bill permits the government to seek a court order temporarily delaying such notice in order to protect the integrity of ongoing government investigations. In addition, the bill permits the government to ask a court to temporarily preclude a service provider from notifying a customer about the disclosure.

The bill contains several important provisions to ensure that the reforms to ECPA do not hinder law enforcement. The bill adds a new notice requirement to the law that requires service providers to notify the government of their intent to inform a customer about a disclosure of electronic communications information at least three business days before giving such notice. Furthermore, to help law enforcement investigate and prosecute corporate wrongdoing, the bill adds civil discovery subpoenas to the existing tools that the government may use to obtain non-content information under ECPA.

In addition, the bill makes clear that the government may also continue to use administrative, civil discovery and grand jury subpoena to obtain corporate email and other electronic communications directly from a corporate entity, when those communications are contained on an internal email system. Lastly, the bill also provides that the

search warrant requirement in the bill does not apply to other Federal criminal or national security laws, including Title III of the Omnibus Crime Control and Safe Streets Act of 1986, commonly known as the Wiretap Act, and the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et seq., commonly known as FISA.

Since I first put forward proposals to update ECPA in early 2011, I have worked to make sure that these updates carefully balance privacy interests, the needs of law enforcement and the interests of our thriving American tech sector. During the past 2 years, I have consulted with many stakeholders from the Federal, state and local law enforcement communities, including—the Department of Justice, the Federal Trade Commission, the Securities and Exchange Commission, the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, the Association of State Criminal Investigative Agencies, and the National Sheriffs Association. I have also consulted closely with many leaders in the privacy, civil liberties, civil rights and technology communities who support these reforms.

The 113th Congress has an important opportunity to address the digital privacy challenges that Americans face today. We should do so by enacting the commonsense privacy reforms contained in this bill.

When the Senate Judiciary Committee favorably reported the Electronic Communications Privacy Act on September 19, 1986, it did so with the unanimous support of all Democratic and Republican Senators. At the time, the Committee recognized that protecting Americans' privacy rights should not be a partisan issue.

In that bipartisan spirit, I am pleased to join with Senator LEE in urging the Congress to enact these important privacy reforms without delay. Senator LEE and I are joined in this effort by a broad coalition of more than 50 privacy, civil liberties, civil rights and tech industry leaders from across the political spectrum that have also endorsed the ECPA reform effort. I thank the Digital Due Process Coalition, the Digital 4th Coalition and the many other individuals and organizations that have advocated for ECPA reform for their support. I hope that all Members of the Senate will follow their example, so that we can enact this digital privacy bill with strong, bipartisan support.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 607

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Electronic Communications Privacy Act Amendments Act of 2013”.

**SEC. 2. CONFIDENTIALITY OF ELECTRONIC COMMUNICATIONS.**

Section 2702(a)(3) of title 18, United States Code, is amended to read as follows:

“(3) a provider of remote computing service or electronic communication service to the public shall not knowingly divulge to any governmental entity the contents of any communication described in section 2703(a), or any record or other information pertaining to a subscriber or customer of such service.”.

**SEC. 3. ELIMINATION OF 180-DAY RULE; SEARCH WARRANT REQUIREMENT; REQUIRED DISCLOSURE OF CUSTOMER RECORDS.**

(a) IN GENERAL.—Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

“(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS.—A governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by the provider only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure.

“(b) NOTICE.—Except as provided in section 2705, not later than 10 business days in the case of a law enforcement agency, or not later than 3 business days in the case of any other governmental entity, after a governmental entity receives the contents of a wire or electronic communication of a subscriber or customer from a provider of electronic communication service or remote computing service under subsection (a), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective, as specified by the court issuing the warrant, the subscriber or customer—

“(1) a copy of the warrant; and

“(2) a notice that includes the information referred to in clauses (i) and (ii) of section 2705(a)(4)(B).

“(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

“(1) IN GENERAL.—Subject to paragraph (2), a governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber or customer of the provider or service (not including the contents of communications), only if the governmental entity—

“(A) obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure;

“(B) obtains a court order directing the disclosure under subsection (d);

“(C) has the consent of the subscriber or customer to the disclosure; or

“(D) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the

name, address, and place of business of a subscriber or customer of the provider or service that is engaged in telemarketing (as defined in section 2325).

“(2) INFORMATION TO BE DISCLOSED.—A provider of electronic communication service or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or any means authorized under paragraph (1), disclose to a governmental entity the—

“(A) name;

“(B) address;

“(C) local and long distance telephone connection records, or records of session times and durations;

“(D) length of service (including start date) and types of service used;

“(E) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

“(F) means and source of payment for such service (including any credit card or bank account number), of a subscriber or customer of such service.

“(3) NOTICE NOT REQUIRED.—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.”; and

(2) by adding at the end the following:

“(h) RULE OF CONSTRUCTION.—Nothing in this section or in section 2702 shall be construed to limit the authority of a governmental entity to use an administrative subpoena authorized under a Federal or State statute or to use a Federal or State grand jury, trial, or civil discovery subpoena to—

“(1) require an originator, addressee, or intended recipient of an electronic communication to disclose the contents of the electronic communication to the governmental entity; or

“(2) require an entity that provides electronic communication services to the officers, directors, employees, or agents of the entity (for the purpose of carrying out their duties) to disclose the contents of an electronic communication to or from an officer, director, employee, or agent of the entity to a governmental entity, if the electronic communication is held, stored, or maintained on an electronic communications system owned or operated by the entity.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2703(d) of title 18, United States Code, is amended—

(1) by striking “A court order for disclosure under subsection (b) or (c)” and inserting “A court order for disclosure under subsection (c)”; and

(2) by striking “the contents of a wire or electronic communication, or”.

**SEC. 4. DELAYED NOTICE.**

Section 2705 of title 18, United States Code, is amended to read as follows:

**“SEC. 2705. DELAYED NOTICE.**

“(a) DELAY OF NOTIFICATION.—

“(1) IN GENERAL.—A governmental entity that is seeking a warrant under section 2703(a) may include in the application for the warrant a request for an order delaying the notification required under section 2703(b) for a period of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

“(2) DETERMINATION.—A court shall grant a request for delayed notification made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses; or

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of the delay of notification granted under paragraph (2) of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

“(4) EXPIRATION OF THE DELAY OF NOTIFICATION.—Upon expiration of the period of delay of notification under paragraph (2) or (3), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective as specified by the court approving the search warrant, the customer or subscriber—

“(A) a copy of the warrant; and

“(B) notice that informs the customer or subscriber—

“(i) of the nature of the law enforcement inquiry with reasonable specificity;

“(ii) that information maintained for the customer or subscriber by the provider of electronic communication service or remote computing service named in the process or request was supplied to, or requested by, the governmental entity;

“(iii) of the date on which the warrant was served on the provider and the date on which the information was provided by the provider to the governmental entity;

“(iv) that notification of the customer or subscriber was delayed;

“(v) the identity of the court authorizing the delay; and

“(vi) of the provision of this chapter under which the delay was authorized.

“(b) PRECLUSION OF NOTICE TO SUBJECT OF GOVERNMENTAL ACCESS.—

“(1) IN GENERAL.—A governmental entity that is obtaining the contents of a communication or information or records under section 2703 may apply to a court for an order directing a provider of electronic communication service or remote computing service to which a warrant, order, subpoena, or other directive under section 2703 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive for a period of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

“(2) DETERMINATION.—A court shall grant a request for an order made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses; or

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of an order granted under paragraph (2) of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

“(4) PRIOR NOTICE TO LAW ENFORCEMENT.—Upon expiration of the period of delay of notice under this section, and not later than 3 business days before providing notice to a customer or subscriber, a provider of electronic communication service or remote computing service shall notify the governmental entity that obtained the contents of a communication or information or records under section 2703 of the intent of the provider of electronic communication service or remote computing service to notify the customer or subscriber of the existence of the warrant, order, or subpoena seeking that information.

“(c) DEFINITION.—In this section and section 2703, the term ‘law enforcement agency’ means an agency of the United States, a State, or a political subdivision of a State, authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law, or any other Federal or State agency conducting a criminal investigation.”.

#### SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act shall be construed to apply the warrant requirement for contents of a wire or electronic communication authorized under this Act or an amendment made by this Act to any other section of title 18, United States Code (including chapter 119 of such title (commonly known as the “Wiretap Act”)), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or any other provision of Federal law.

By Mr. CARDIN:

S. 608. A bill to amend title XVIII of the Social Security Act and title XXVII of the Public Health Service Act to improve coverage for colorectal screening tests under Medicare and private health insurance coverage, and for other purposes; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise today to introduce the Supporting Colorectal Examination and Education Now, SCREEN, Act. This legislation promotes access to colon cancer screenings in an effort to help prevent colorectal cancer, save lives, and reduce costs for families, the Medicare program, and the health care system. I strongly urge my colleagues to support this critical piece of legislation.

Colorectal cancer affects far too many Americans. The rate of colon cancer deaths is shocking—taking the lives of over 50,000 people this year alone, according to the American Cancer Society.

Fortunately, colorectal cancer is highly preventable with screening, and colon cancer screening tests rank among the most effective preventive screenings available. A recent study in the New England Journal of Medicine found that removal of precancerous polyps during a screening colonoscopy may reduce colon cancer deaths by over 50 percent. Early detection and intervention are key to preventing colon cancer. Colonoscopy screenings are different from other types of preventive or screening services because pre-cancerous polyps found during a

screening are removed during the same visit, thus preventing a potential cancer from developing and helping to ensure detection, intervention, and prevention.

Congress recognized the value of colon cancer screenings and, through bipartisan legislation that I authored in 1998, established a Medicare benefit for screening. The problem is that only half of individuals coveted by the Medicare program receive a screening colonoscopy, even though a Medicare colorectal cancer screening benefit is available. According to the Centers for Medicare & Medicaid Services, CMS, Medicare claims show that only 52 percent of beneficiaries have had a colorectal cancer screening test. Many barriers account for this, including patient education on screenings and operational issues within the Medicare program, but colorectal cancer has become too widespread and we have reached the time to take action to promote prevention and save lives. Ensuring that individuals receive colorectal cancer screening tests is critical to this goal.

In addition, detection and intervention through proper colonoscopy screening should reduce costs to the Medicare program and health care system overall. Once colon cancer develops, the direct costs of treating colon cancer are starting—reaching \$4 billion in 2010. A recent study published in the New England Journal of Medicine concluded that colorectal cancer screening has been shown to reduce Medicare long-term costs.

Congress must help promote access to colorectal cancer screenings and help increase the number of persons receiving these life-saving screening tests. The SCREEN Act takes many steps to increase the rate of colorectal cancer screenings and help prevent colon cancer, while also reducing Medicare costs.

The SCREEN Act first waives cost sharing for Medicare beneficiaries receiving colorectal cancer screenings where precancerous polyps are removed during the visit. Currently, Medicare waives cost-sharing for any colorectal cancer screening recommended by the U.S. Preventive Services Task Force, USPSTF. Colorectal cancer screens have a grade “A” recommendation by USPSTF. However, if the doctor finds and removes a precancerous polyp during the visit, the procedure is no longer considered a “screening” for Medicare purposes—and the beneficiary would be forced to pay the Medicare coinsurance. In February 2013, the Administration announced that private insurers participating in State-based health insurance exchanges must waive all cost sharing for colon cancers screenings where a polyp is removed. This bill promotes a similar policy by waiving Medicare cost sharing for diagnostic and screening colorectal cancer tests.

Additionally, the SCREEN Act extends Medicare coverage to include an office visit or consultation so that a Medicare beneficiary may sit down and discuss the screening with a doctor prior to the colonoscopy procedures. One of the major barriers to increasing colorectal cancer screening rates is a patient’s lack of knowledge and the “fear of the procedure.” This pre-procedure visit is not only good clinical practice but also would help increase patient utilization of colorectal cancer screening. This visit allows the individual to ask questions about the procedure, assures selection of the proper screening test, and increases beneficiary education and test preparation. There is no reason for a Medicare beneficiary to be seeing his or her physician for the first time only just before being sedated for the procedure.

The SCREEN Act also provides incentives for Medicare providers to participate in nationally recognized quality improvement registries so that our Medicare beneficiaries are receiving the quality screening they deserve. Congress and other organizations can look to the SCREEN Act as a model for Medicare reimbursement reform as the bill reimburses providers in a budget neutral manner based on the quality of the procedure and not volume of services.

Promoting access to colorectal cancer screening will help ensure detection and intervention of this highly preventable disease and reduce costs to the health care system. I ask my colleagues to join in support of this fight to end colorectal cancer by cosponsoring this important legislation.

By Mr. DURBIN (for himself and Mrs. GILLIBRAND):

S. 612. A bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I join my colleague, Senator KIRSTEN GILLIBRAND, to introduce the Social Security Number Protection Act of 2013, a bill that would remove Social Security numbers from Medicare cards to address a leading cause of identity theft among our Nation’s seniors.

It is estimated that 11.6 million Americans were victims of identity theft in 2011, up from 10.2 million in 2010. We know that the misuse of Social Security numbers is one of the primary drivers of this crime. In many of these cases, identity thieves obtain them from Medicare cards.

Today, over 49 million beneficiaries carry their Medicare cards with them in their purses and in their wallets. These cards display a Medicare identification number, which consists of



their Social Security number with a one- or two-digit code at the end, leaving beneficiaries particularly vulnerable to identity theft should a card be lost, stolen, or left in plain sight.

With identity theft on the rise, we can't make it this easy for thieves. Unfortunately, the Centers for Medicare and Medicaid Service, CMS, has fallen behind many other public and private organizations in better protecting seniors from identity theft by continuing to display Social Security numbers on Medicare cards. The Department of Defense, the Veterans Administration, and private insurers have all figured out how to transition to individual identification cards that don't include Social Security numbers.

In 2005, I offered an amendment to the Fiscal Year 2006 Labor-HHS-Education appropriations bill to require CMS to remove Social Security numbers from Medicare cards. Although my amendment was adopted with a rollcall vote of 98 to 0, the final bill directed CMS to report to Congress on the steps necessary to remove the numbers. CMS provided that report in October 2006.

Six and a half years have passed since CMS first explored taking steps to remove Social Security numbers from Medicare cards. The Inspector General of the Social Security Administration took CMS to task in 2008 for its inaction and confirmed the risk that display of the numbers on Medicare cards poses to seniors. The Social Security inspector concluded that "immediate action is needed to address this significant vulnerability." CMS has since issued another report, but it has failed to take action.

The Social Security Number Protection Act of 2013 establishes a reasonable timetable—3 years—for CMS to begin removing Social Security numbers from Medicare cards. It also gives CMS flexibility in determining the method by which it makes this change, enabling it to pursue an option that minimizes burdens while maximizing cost effectiveness. The bill also prohibits CMS from displaying Social Security numbers on all written and electronic communications to Medicare beneficiaries.

I urge my colleagues to cosponsor this important legislation and work with me to advance this long overdue change. CMS already requires that beneficiaries receiving benefits through Medicare Part C and Part D do not display individuals' Social Security numbers. Further, it has 6 years' worth of reports and cost data that it can use as tools to make these changes happen. We should extend this protection to all beneficiaries and help safeguard our Nation's seniors from becoming victims of identity theft in the future as quickly as possible.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 612

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Number Protection Act of 2011".

#### SEC. 2. REQUIRING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO PROHIBIT THE DISPLAY OF SOCIAL SECURITY ACCOUNT NUMBERS ON MEDICARE IDENTIFICATION CARDS AND COMMUNICATIONS PROVIDED TO MEDICARE BENEFICIARIES.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and begin to implement procedures to eliminate the unnecessary collection, use, and display of social security account numbers of Medicare beneficiaries.

(b) MEDICARE CARDS AND COMMUNICATIONS PROVIDED TO BENEFICIARIES.—

(1) CARDS.—

(A) NEW CARDS.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that each newly issued Medicare identification card meets the requirements described in subparagraph (C).

(B) REPLACEMENT OF EXISTING CARDS.—Not later than 5 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that all Medicare beneficiaries have been issued a Medicare identification card that meets the requirements of subparagraph (C).

(C) REQUIREMENTS.—The requirements described in this subparagraph are, with respect to a Medicare identification card, that the card does not display or electronically store (in an unencrypted format) a Medicare beneficiary's social security account number.

(2) COMMUNICATIONS PROVIDED TO BENEFICIARIES.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall prohibit the display of a Medicare beneficiary's social security account number on written or electronic communication provided to the beneficiary unless the Secretary determines that inclusion of social security account numbers on such communications is essential for the operation of the Medicare program.

(c) MEDICARE BENEFICIARY DEFINED.—In this section, the term "Medicare beneficiary" means an individual who is entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title.

(d) CONFORMING REFERENCE IN THE SOCIAL SECURITY ACT.—Section 205(c)(2)(C) of the Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the end the following new clause:

"(xii) For provisions relating to requiring the Secretary of Health and Human Services to prohibit the display of social security account numbers on Medicare identification cards and communications provided to Medicare beneficiaries, see section 2 of the Social Security Number Protection Act of 2011."

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 80—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 2013 AS "NATIONAL MIDDLE LEVEL EDUCATION MONTH"

Mr. WHITEHOUSE (for himself and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 80

Whereas the National Association of Secondary School Principals, the Association for Middle Level Education, the National Forum to Accelerate Middle Grades Reform, and the National Association of Elementary School Principals have declared March 2013 to be "National Middle Level Education Month";

Whereas schools that educate middle level students are responsible for educating nearly 24,000,000 young adolescents between the ages of 10 and 15, in grades 5 through 9, who are undergoing rapid and dramatic changes in their physical, intellectual, social, emotional, and moral development;

Whereas those young adolescents deserve challenging and engaging instruction, knowledgeable teachers and administrators who are prepared to provide young adolescents with a safe, challenging, and supportive learning environment, and organizational structures that banish anonymity and promote personalization, collaboration, and social equity;

Whereas the habits and values established during early adolescence have a lifelong influence that directly affects the future health and welfare of the United States;

Whereas research indicates that the academic achievement of a student in eighth grade has a larger impact on the readiness of that student for college at the end of high school than any academic achievement of that student in high school; and

Whereas, in order to improve graduation rates and prepare students to be lifelong learners who are ready for college, a career, and civic participation, it is necessary for the people of the United States to have a deeper understanding of the distinctive mission of middle level education: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors and recognizes the importance of middle level education and the contributions of the individuals who educate middle level students; and

(2) encourages the people of the United States to observe National Middle Level Education Month by visiting and celebrating schools that are responsible for educating young adolescents in the United States.

#### SENATE RESOLUTION 81—COMMEMORATING MARCH 19, 2013, AS THE 40TH ANNIVERSARY OF NATIONAL AG DAY

Mr. JOHANNES (for himself, Ms. STABENOW, Mr. COCHRAN, Mr. BAUCUS, Mr. ROBERTS, Mr. BROWN, Mrs. GILLIBRAND, Mr. CHAMBLISS, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BENNET, Mr. DONNELLY, Mrs. FISCHER, Mr. THUNE, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

## S. RES. 81

Whereas, in 1973, the National Ag Day program was established to increase public awareness of the vital role of agriculture in the United States;

Whereas the agriculture industry is part of the very fabric of the United States, driving the economy, fostering ingenuity, and preserving the deepest values of the people of the United States;

Whereas the average farmer in the United States today feeds nearly 150 people, a dramatic increase from just 25 people per farmer in the 1960s;

Whereas the agriculture industry in the United States produces an incredible variety of meats, grains, fruits, vegetables, dairy, beans, nuts, seeds, and other important foods;

Whereas more than 2,000,000 farmers and ranchers contribute more than \$300,000,000,000 to the United States economy every year; and

Whereas farmers comprise less than 2 percent of the population of the United States, yet produce more than enough food for the people of the United States and hundreds of millions of people around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the National Ag Day program for its annual celebration of agriculture in the United States;

(2) honors the researchers, entrepreneurs, businesses, and innovators who support farm families in the United States and help drive the agriculture economy; and

(3) celebrates family farmers and ranchers, who are the backbone of food production in the United States and produce the safest, most abundant, and most affordable food supply in the world.

#### SENATE CONCURRENT RESOLUTION 9—RECOMMENDING THE POSTHUMOUS AWARD OF THE MEDAL OF HONOR TO SERGEANT RAFAEL PERALTA

Mrs. FEINSTEIN (for herself and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

## S. CON. RES. 9

Whereas, in November 2004, the Marine Corps led combat operations to retake the insurgent stronghold of Fallujah, Iraq, as part of Operation Phantom Fury;

Whereas Marine Corps Sergeant Rafael Peralta and thousands of other Marines entered the city of Fallujah, coming into immediate contact with the enemy and engaging in some of the most intense combat in the entire Iraq war;

Whereas Sergeant Peralta, serving with 1st Battalion, 3rd Marines, cleared scores of houses for days, and on November 14, 2004, asked to join an under-strength squad;

Whereas, the following morning, a close-quarter fight erupted as Sergeant Peralta and his squad of Marines cleared their seventh house of the day;

Whereas Sergeant Peralta, attempting to move out of the line of fire, was hit in the back of the head by a fragment from a ricocheted bullet;

Whereas the insurgents, in the process of fleeing the house, threw a fragmentation grenade through a window, landing directly near the head of Sergeant Peralta;

Whereas Sergeant Peralta reached for the grenade and pulled it to his body, absorbing

the blast and shielding the other Marines who were only feet away;

Whereas, on November 15, 2004, Sergeant Peralta made the ultimate sacrifice to save the lives of his fellow Marines;

Whereas Sergeant Peralta was posthumously recommended by the Marine Corps and the Department of the Navy for the Medal of Honor;

Whereas 7 eyewitnesses confirmed that Sergeant Peralta smothered the grenade with his body, with 4 of the accounts, taken independently, stating that Sergeant Peralta gathered the grenade with his right arm;

Whereas the historical standard for awarding the Medal of Honor is 2 eyewitness accounts;

Whereas, in 2008, the nomination of Sergeant Peralta for the Medal of Honor was downgraded to the Navy Cross after an independent panel determined that Sergeant Peralta could not deliberately have pulled the grenade to his body due to his head wound, despite 7 eyewitness accounts to the contrary;

Whereas, in 2012, new and previously unconsidered evidence, consisting of combat video and an independent pathology report, was submitted to the Department of the Navy;

Whereas based on the new evidence, a review of the case was initiated;

Whereas, in December 2012, the upgrade from the Navy Cross to the Medal of Honor for Sergeant Peralta was denied, despite an announcement of the support of the Department of the Navy for the upgrade;

Whereas the citation for the Navy Cross awarded to Sergeant Peralta states, “without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade to his body, absorbing the brunt of the blast and shielding fellow Marines only feet away”;

Whereas Sergeant Peralta wrote to his brother in the days preceding his death, saying, “I’m proud to be a Marine, a U.S. Marine, and to defend and protect the freedom and Constitution of America. You should be proud of being an American citizen”;

Whereas Sergeant Peralta, who was born in Mexico and immigrated with his family to San Diego, California, enlisted in the Marine Corps on the same morning he received his proof of permanent residence, commonly known as a green card; and

Whereas Sergeant Peralta and his fellow Marines are an inspiration for their service, selflessness, and sacrifice: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) honors Sergeant Rafael Peralta, a Mexican-American who enlisted in the Marine Corps on the same day he received his permanent residence status, for his dedication to the Marine Corps and the United States, and for upholding the highest standards of military service;

(2) recognizes that the courage and selfless actions of Sergeant Peralta in combat saved the lives of his fellow Marines;

(3) concurs with the Marine Corps and the Department of the Navy that the actions of Sergeant Peralta are in the spirit and tradition of the Medal of Honor;

(4) maintains that eyewitness accounts confirm that Sergeant Peralta deliberately pulled the grenade to his body and, consistent with previous Medal of Honor awards, the eyewitness accounts should be the leading and deciding factor in evaluating the nomination of Sergeant Peralta for the Medal of Honor; and

(5) recommends that Sergeant Peralta posthumously be awarded the Medal of Honor.

Mrs. FEINSTEIN. Mr. President, I rise today with Senator RUBIO to submit a resolution recommending the posthumous award of the Medal of Honor to Sergeant Rafael Peralta, United States Marine Corps.

My friend and colleague from California, Representative DUNCAN HUNTER, will introduce this resolution in the House and I am proud to work with him on this important matter.

Our resolution recognizes that Sergeant Peralta’s courageous and selfless actions in combat saved the lives of his fellow Marines.

Our resolution concurs with the Marine Corps and the Department of the Navy that Sergeant Peralta’s actions are in the spirit and tradition of the Medal of Honor; maintains that, consistent with previous Medal of Honor awards, the eyewitness accounts confirm that Sergeant Peralta deliberately pulled the grenade into his body and that eyewitness accounts should be the leading and deciding factor in evaluating Sergeant Peralta’s Medal of Honor nomination; and recommends that Sergeant Peralta be posthumously awarded the Medal of Honor.

Sergeant Peralta was a true American hero.

He was born in Mexico and immigrated as a young child with his family to San Diego, CA.

He embraced his new life and anxiously awaited the opportunity to serve his adopted country and give something back.

In fact, on the very day he received permanent legal resident status in the United States, he joined the United States Marine Corps.

Sergeant Peralta deployed to Iraq as a scout team leader assigned to Alpha Company, 1st Battalion, 3rd Marine Regiment.

In November 2004, Sergeant Peralta and his battalion were involved in intense house-to-house fighting in an effort to reclaim Fallujah, Iraq from insurgents.

After clearing scores of houses for days, he asked to join an under-strength squad.

Upon entering their seventh house of the day, Sergeant Peralta’s squad came into direct contact with insurgents and he was hit in the back of the head by a fragment from a ricocheted bullet.

As insurgents fled the house they threw a grenade through a window which landed near Sergeant Peralta’s head. Despite his wounds, he was able to reach for the grenade and pull it under his body to absorb the blast.

He was killed instantly but his sacrifice saved the lives of his fellow Marines.

For his selflessness and heroism, Sergeant Peralta was recommended for



the Medal of Honor by his local commanders, the Commandant of the Marine Corps, the Secretary of the Navy, and the Chairman of the Joint Chiefs of Staff.

Now, the historical standard for awarding the Medal of Honor is two eyewitness accounts. Sergeant Peralta has seven.

Seven eyewitnesses gave sworn statements attesting that Sergeant Peralta smothered the grenade and placed it under his body in order to absorb the explosion.

Four of those accounts, taken independently, state that he pulled the grenade to his body with his right arm.

Nevertheless, an independent panel formed by then Secretary of Defense Robert Gates determined that Sergeant Peralta could not have deliberately pulled the grenade to his body because he was immediately incapacitated after being shot in the head.

Secretary Gates agreed with its conclusions and Sergeant Peralta was awarded the Navy Cross instead of the Medal of Honor.

Yet, despite the panel's findings, the citation for the Navy Cross agrees with the eyewitness accounts and states that "without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade to his body, absorbing the brunt of the blast and shielding fellow Marines only feet away."

In fact, his family has refused to accept the Navy Cross and has worked tirelessly to ensure that Sergeant Peralta's actions are not forgotten and properly recognized with the Medal of Honor.

In 2012, Representative HUNTER submitted new and previously unconsidered evidence, including combat video and an independent pathology report, to the Department of the Navy.

Dr. Vincent DiMaio of San Antonio, Texas volunteered to review the case for Sergeant Peralta's family and submitted the report.

He concluded that, in all medical probability, Sergeant Peralta was not immediately incapacitated after being shot, and, in fact, reached for the grenade and pulled it under his body.

After a new review of the evidence, the Department of the Navy once again recommended Sergeant Peralta for the Medal of Honor.

Unfortunately, Secretary of Defense Leon Panetta denied the request.

I have the utmost respect for the judgment of Secretary Gates and Secretary Panetta. On this matter, I just take a different view and I urge our new Secretary of Defense, Chuck Hagel, to take another look at this matter.

I do not take the awarding of the Medal of Honor lightly. Indeed, the Medal of Honor is our country's highest and most prestigious military award.

It says something to me that seven eyewitnesses verified that Sergeant Peralta absorbed the blast of the grenade and saved the lives of his fellow Marines.

It says something to me that the citation for the Navy Cross backs up the eyewitness accounts.

It says something to me that Sergeant Peralta was recommended for the award by his local commanders, the Commandant of the Marine Corps, the Secretary of the Navy, and the Chairman of the Joint Chiefs of Staff.

It says something to me that the Secretary of the Navy has even publicly stated that he believes Sergeant Peralta deserves the Medal of Honor.

Sergeant Peralta gave his life for our country and his fellow Marines. His actions in combat and the evidence make it clear to me that he has gone above and beyond the call of duty and is deserving of the Medal of Honor.

In the days before his death, he wrote to his brother saying "I'm proud to be a Marine, a U.S. Marine, and to defend and protect the freedom and Constitution of America. You should be proud too of being an American citizen."

Let us honor this American hero and show our pride in being Americans by passing this resolution.

I urge my colleagues to support this resolution.

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to advise you that the Senate Committee on Energy and Natural Resources will hold a business meeting on Thursday, March 21, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider the nomination of Sally Jewell to be the Secretary of the Interior.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 19, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 19, 2013, at 10 a.m. to conduct an executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 19, 2013, at 10 a.m. to conduct a hearing entitled "Bipartisan Solutions for Housing Finance Reform?"

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 19, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 19, 2013, at 10:30 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's 2013 Trade Agenda."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Can We Do More to Keep Savings in the Retirement System" on March 19, 2013, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 19, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on March 19, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition

Policy and Consumer Rights, be authorized to meet during the session of the Senate on March 19, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The American Airlines/US Airways Merger: Consolidation, Competition, and Consumers."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on March 19, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 19, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Developments and Opportunities in U.S. Fisheries Management."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 19, 2012, at 10 a.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, "Syria's Humanitarian Crisis."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCES, AND INVESTMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on March 19, 2013, at 3 p.m., to conduct a hearing entitled "Streamlining Regulation, Improving Consumer Protection and Increasing Competition in Insurance Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

40TH ANNIVERSARY OF NATIONAL AG DAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 81 submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 81) commemorating March 19, 2013, as the 40th anniversary of National Ag Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 81) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, MARCH 20, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day, and that following leader remarks, the Senate resume consideration of H.R. 933, the continuing appropriations bill, with the time until 11:15 a.m. equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, there will be three rollcall votes in relation to the CR tomorrow at about 11:15 a.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:39 p.m., adjourned until Wednesday, March 20, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

PATRICIA E. CAMPBELL-SMITH, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE LAWRENCE BASKIR, RETIRING.

ELAINE D. KAPLAN, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE CHRISTINE O. C. MILLER, TERM EXPIRED.

MICHAEL KENNY O'KEEFE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JOAN Z. MCAVOY, RETIRED.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE LINDA KAY DAVIS, RETIRED.

DEPARTMENT OF LABOR

THOMAS EDWARD PEREZ, OF MARYLAND, TO BE SECRETARY OF LABOR, VICE HILDA L. SOLIS, RESIGNED.

DEPARTMENT OF STATE

CATHERINE M. RUSSELL, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR AT LARGE FOR GLOBAL WOMEN'S ISSUES.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. SUSAN J. HELMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DAVID L. MANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be brigadier general*

COL. ERIK C. PETERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRENTLY F. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. CHRISTIE L. NIXON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIGADIER GENERAL JEFFREY L. BANNISTER  
BRIGADIER GENERAL SCOTT D. BERRIER  
BRIGADIER GENERAL GWENDOLYN BINGHAM  
BRIGADIER GENERAL JOSEPH A. BRENDLER  
BRIGADIER GENERAL CLARENCE K. K. CHINN  
BRIGADIER GENERAL EDWARD F. DORMAN III  
BRIGADIER GENERAL TERRY R. FERRELL  
BRIGADIER GENERAL CHARLES A. FLYNN  
BRIGADIER GENERAL GEORGE J. FRANZ III  
BRIGADIER GENERAL CHRISTOPHER K. HAAS  
BRIGADIER GENERAL THOMAS A. HORLANDER  
BRIGADIER GENERAL THOMAS S. JAMES, JR.  
BRIGADIER GENERAL OLE A. KNUDSON  
BRIGADIER GENERAL JONATHAN A. MADDUX  
BRIGADIER GENERAL THEODORE D. MARTIN  
BRIGADIER GENERAL KEVIN G. O'CONNELL  
BRIGADIER GENERAL BARRY L. PRICE  
BRIGADIER GENERAL JAMES M. RICHARDSON  
BRIGADIER GENERAL MARTIN P. SCHWEITZER  
BRIGADIER GENERAL RICHARD L. STEVENS  
BRIGADIER GENERAL STEPHEN M. TWITTY  
BRIGADIER GENERAL PETER D. UTLEY  
BRIGADIER GENERAL GARY J. VOLESKY  
BRIGADIER GENERAL DARRYL A. WILLIAMS  
BRIGADIER GENERAL MICHAEL E. WILLIAMSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CHARLES M. GURGANUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JOHN E. WISSLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. RONALD L. BAILEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. STEVEN A. HUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. KENNETH J. GLUECK, JR.

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. TERRY J. BENEDICT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. (LH) JOSEPH W. RIXEY

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

JONATHAN F. POTTER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

HILARIO A. PASCUA  
GERARDO C. RIVERA

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

JAMES D. PEAKE  
ALI K. SONMEZ

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

JOHN D. PITCHER

*To be lieutenant colonel*

CHRISTINA M. CAWLEY  
JEANNE C. DILLON  
JOHN T. McDONNOLD

*To be major*

CHARLES E. CLARK  
DEREK A. WOESSNER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

MARK L. ALLISON  
RICHARD J. AMOTT  
DOUGLAS H. FLEISCHFRESSER  
ANTHONY V. JACKSON  
RANDALL V. SIMMONS, JR.  
JOSEPH J. STREFF

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

PHILLIP E. APPLETON  
KEVIN C. BERKMAN  
JAMES R. CHAPIN, JR.  
CHRISTOPHER W. LUHMAN  
FRANCIS P. POLASHEK  
KENNETH S. PONS  
ERIC C. RIVERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JAMES ACEVEDO

ROBYN L. ACKERMAN  
MELINDA J. ACUNA  
JI E. AHN

STEVEN D. AKERS  
OLUWEMIMO AKINBAYO  
DEAN H. ALEXANDER  
DEATAE A. ALLEN  
KENNISHA N. ALLEN  
CATHY G. ALSTON  
RORI N. ALSTON  
JUAN A. AMADOR  
ALEXANDER J. AMATO  
GREGORY B. ANDREWS  
XKOSHAN L. ARNOLD  
DEREK L. ASHE  
TIMOTHY S. ATKINSON  
TERA S. AUTREY  
JARROD C. BAILEY  
TYRONE E. BALLARD  
AUSTIN J. BANFORD  
AMEICA L. BANKS  
STEPHEN A. BARAN  
JAMES J. BARR  
RANDALL S. BARTEL  
MARCUS J. BARTLETTE  
JOSHUA L. BASTMAN  
JOSEPH P. BAUMBACH  
STEVEN J. BEAM  
HERNANDO BELLO  
MICHAEL B. BENDER  
SARAH R. BENNETT  
JUSTIN T. BERGEN  
DENNIS W. BERNACKI  
DAVID A. BETANCOURT  
THOMAS A. BEYERL  
CLARENCE M. BLACKBURN  
ADAM G. BLEVINS  
PAUL R. BLUMENHAGEN  
BRANDON D. BOATWRIGHT  
TAMMY S. BOGART  
SCOTTY BOLER  
ANITA R. BOONE  
TARA J. BOWMAN  
CORINTHIA A. BOWSER  
EARL GLENN A. BOWSER  
JOSTIN A. BOYD  
GEORGINIA S. BRADSHAW  
BRIAN L. BRAITHWAITE  
THOMAS D. BREWINGTON  
ZACHERY A. BRISCOE  
ANDRE O. R. BROWN  
JEREMY P. BROWN  
JOSEPH L. BROWN  
JOSEPH W. BROWN  
KEITH W. BROWN  
KYLE W. BROWN  
PAUL A. BROWN  
KEVIN L. BRUMMETT  
GERALD L. BRYANT  
WILLIAM F. BRYSON, JR.  
HERNAN D. BUENO  
ROBERT D. BURGER  
JOHN W. BURNETT  
ALICIA M. BURROWS  
MICHAEL R. CALDWELL  
JOEL CALOFIGUEROA  
THOMAS M. CAMPEAU  
JOSE G. CARDENAS  
TONY CARODINE  
MICHAEL J. CARROLL  
TED L. CHA  
NICK J. CHAISSON  
TREVOR L. CHAMBERS  
JONATHAN C. CHEEK  
THOMAS A. CHO  
MICHAEL H. CHON  
MONICA K. CLAYTONROJAS  
PAUL E. CLUVERIUS  
MICHAEL S. COATS  
DANIEL W. COLE  
MELISSA C. COMISKEY  
CHRISTOPHER D. COOK  
COREY A. COOKS  
ROBERT M. COOKSEY  
BRADLEY J. COOPER  
BRICE A. COOPER  
CORBIN E. COPELAND  
FRANCISCO J. CORDERO  
ALBERTO CORDOVA  
NATHANIEL P. COSTA  
ANA M. COWAN  
ALAN CRABTREE  
ROBERT A. CRAPANZANO  
RYAN M. CROSBY  
DANIEL E. CROSS  
PATRICIA D. CRUZ  
JOSEPH H. CULLINGFORD  
MARCIA L. DAILEY  
DEBORAH A. DALEY  
JONATHAN A. DANIELS  
ANDREA B. DARLING  
MICHAEL G. DAVIDSON  
MANDOLYN R. DAVILA  
EDGAR DAVILARIVERA  
BRENT L. DAVIS  
LASHELL Y. DAVIS  
OLIVER E. DAVIS  
TIMOTHY G. DAVIS  
NGOYE N. DAYO  
RYAN M. DEBONIS  
JENNIFER L. DENNIS  
CHRISTOPHER J. DENTON

SHANE D. DERING  
GUSTAVO DIAZ  
TIMOTHY C. DICK  
JOEL A. DICKEY  
GERARD J. DOW, SR.  
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THOMAS H. EDDY  
MEGHAN V. EDERLE  
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JOHN A. ELKO  
PAUL J. ELLIOTT  
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MICHELLE L. ELWOOD  
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WILLIAM P. FISHER  
SHEREE L. FITTS  
NOKENS FLEURIEAN  
CHRISTOPHER L. FLORES  
JOSHUA W. FORD  
FELICIA L. FOSTER  
JAIME S. FOSTER  
CHERYL FOSTON  
KENNETH B. FOWLER  
TROY F. FOX  
KARENSA D. FOXX  
EVAN H. FRANCHITTI  
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MOSI L. FRANKLIN  
WALTER J. FRAZIER  
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ROBERT E. FREEMAN, JR.  
JULIA M. FURMAN  
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GUSTACIA A. GABRIEL  
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MICHAEL A. GALVIN  
TANIA S. GARCIA  
PHILLIP A. GARNER  
FRANKLIN D. R. GARRETT II  
MICHAEL R. GARRETT  
NEWTON GASSANT  
CHRISTIAN L. GATBONTON  
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ALEJANDRO I. GENTRY  
JAMES E. GERLING  
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DESMOND M. GITTENS  
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EMPERATRIZ HENRIQUEZ  
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KRISTINE M. HINDS  
TIFFANY N. HINES  
LARRY W. HIRT  
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CHAUNCEY K. HODGE  
KEVIN L. HOFFMAN  
BRIAN L. HOLLANDSWORTH  
CRISTOFFER S. HONAN

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 AMY N. HOOD  
 KEVIN A. HOWELL  
 JAMES D. HUBBARD  
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 MAURICE L. HUDSON  
 RYAN T. HULSE  
 WARREN G. HUMMEL  
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 DERRICK G. JACKSON  
 LOUIS J. JACKSON  
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 IAN J. JARVIS  
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 MARY E. JOHNSON  
 ROBERT L. JOHNSON  
 JERRY L. JONES  
 MICKII D. JONES  
 RICHARD E. JONES  
 VERSHUNDA J. JONES  
 JACQUELYNN D. JORDAN  
 JONATHAN W. JUDY  
 LAURA L. KEENAN  
 JOANN M. KENNEDY  
 AARON M. KIA  
 JASON S. KIM  
 KENNETH M. KIM  
 COLTON D. KINNINGER  
 JONATHAN E. KIRKLAND  
 BOBBY W. KIRKPATRICK  
 THOMAS A. KNOTHE  
 JOSEPH D. KNOWLTON  
 LAUREN A. KOBAN  
 MICHAEL G. KOFOD  
 EDWIN L. KOLEN  
 DANIEL L. KOSTERS  
 WENDALL R. KRIEGER  
 JOHN C. KUMP  
 SEAN S. KWOUN  
 BART S. LAJOIE  
 CHARLES S. LAWRENCE  
 DONALD M. LEE  
 JUNG S. LEE  
 SHAWANDA N. LEE  
 JIMMIE B. LEONARD  
 HELEN L. LILLY  
 JONATHAN H. LINDSLEY  
 LUKE A. LISELL  
 FELIX LOPEZ  
 LENORE LOPEZ  
 SERGIO O. LOPEZGARCIA  
 BENJAMIN T. LOVING  
 ENRIQUE LOY  
 DERRICK E. LUCARELLI  
 NICHOLAS J. LUCAS  
 PETER G. LUFT  
 MARLON J. LYLES  
 DONALD C. MACHEN  
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 RYAN R. MAIN  
 CHRISTOPHER G. MANGANARO  
 MARISSA B. MANTANONA  
 CHRISTOPHER R. MARK  
 HARRY MARS  
 MICHAEL J. MARTIN  
 MICHAEL J. MARTIN  
 MICHAEL W. MARTIN  
 MICHAEL A. MARTINEZ  
 MICHELLE E. MARTINEZ  
 RAPHAEL T. MARTINEZ  
 CARLOS J. MARTINEZNIEVES  
 ROGELIO A. MATA  
 HILDRED S. MATHEWS  
 TROY E. MATHIS  
 SHANE T. MATLOCK  
 MARK A. MAULDIN  
 JOHN R. MAURO  
 LORRAINE S. MAURO  
 CHRISTOPHER R. MAY  
 SHAWN P. MCANIFF  
 WENDI L. MCBRIDERENTSCHLER  
 DAVID E. MCCORMICK  
 MCFERRIN D. MCDONALD  
 HEATHER A. MCDUGALL  
 PHILIP M. MCDOWELL  
 JENNIFER A. MCINTYRE  
 SCOTT M. MEDLIN  
 LUKE V. MEDVEGY  
 BILLYJAY N. MERCADO  
 ZACHARY C. MERRILL  
 TIMOTHY E. MESSER  
 AMY C. MILLER  
 ERICA L. MILLER  
 JASON M. MILLER  
 LADSON F. MILLS  
 ANTHONY P. MINDERMAN  
 ALFREDO P. MIRANDA  
 REGINALD J. MITCHELL  
 THOMAS M. MOHLER  
 CHRISTINE G. MOORE  
 DAVID B. MOORE  
 IZAR MOORE  
 NICHOLAS L. MORGAN  
 GEOFFERY G. MOSLEY  
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 SHARONDA E. MOZEE  
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 BETH A. NELSON  
 KEVIN N. NELSON  
 NICHOLAS R. NETHERY  
 DANIAL L. NEWLON  
 MINH V. NGUYEN  
 CLYDEADRIAN NICKYSON  
 LONNIE G. NIPPER II  
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 STEPHEN K. NOEL  
 JI H. OH  
 ROMAN OLESNYCKYJ  
 JOHN K. OMOHUNDRO  
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 MICHAEL A. PACHUCKI  
 ERIC R. PAHNKE  
 GRAHAM C. PARKER  
 TAMMY F. PARKER  
 EMMA PARSONS  
 DAVID S. PATERSON  
 JEREMY C. PAUL  
 GUSTAVO A. PAULINO  
 JONATHAN R. PEIFER  
 WADE PERDUE, JR.  
 ANTWON L. PERSON  
 JANET PETEFOX  
 TIMOTHY PETERSEN  
 SHAWN O. PEYNADO  
 THOMAS H. PFARR  
 LUCIANO F. PICCO  
 WINFIELD S. PINKSTAFF  
 JAVIER F. PLA  
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 DEHAVEN W. POLLARD  
 EMILY S. POOLE  
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 SEAN J. QUINN  
 GERSON S. RAMIREZ  
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 DEAN R. RAY  
 WILLIAM T. REASONER  
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 CHINEKA R. REID  
 ANDY REYES  
 JULIO J. REYES  
 ANTONIO L. REYNOLDS  
 MARCELLA A. REYNOLDS  
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 BRYAN E. RIDDLE  
 ALPHONSE T. RIDEAU  
 ANDREW D. RIECK  
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 JUANANTONIO R. RIVERA  
 OLGA L. ROBERSON  
 CLEONUS A. ROBERTS  
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 DANIEL B. ROBINSON  
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 JOHN R. ROOD  
 JASON T. ROOT  
 MARIANO ROSARIO  
 BRYSON R. ROSSOL  
 ORANDE S. ROY, SR.  
 TRAVIS W. RUDGE  
 MICAH P. RUE  
 ARDREANNA M. RUIZ  
 JESSICA L. RUSSELL  
 PRESTON J. RUTHERFORD  
 TROND S. RUUD  
 AMBER L. RYDER  
 SUN RYU  
 THEODORE P. SAGER  
 ARACELIS SALADIN  
 ADAM A. SALAZAR  
 LAMAR S. SALES  
 MANUEL D. J. SANCHEZDIAZ  
 JOSHUA M. SANDLER  
 MARK A. SCHAUMBURG  
 CARISSA A. SCHESSOW  
 STEVEN M. SCHNURR  
 JULIANE C. SCHWETZ  
 ALLISON R. SCOTT  
 MARK L. SCOTT, JR.  
 CASEY M. SECKENDORF  
 GARRY L. SEEBURGER  
 KODY W. SESSIONS  
 AAMER SHEIKH  
 JAROD H. SHELTON  
 DOUGLAS R. SHONK  
 MISHENDA S. SIGGAL  
 DANIEL A. SIMONS  
 TAYLOR R. SIMPSON  
 XEON O. SIMPSON

MICHAEL J. SKIFF  
 SHANNON M. SMART  
 JOHN D. SMITH, JR.  
 KYLE A. SMITH  
 KIMBERLY A. SOER  
 JOHN T. SOMMERVOLD  
 BRADLEY B. SON  
 MICHAEL SPEARS  
 RITA E. SPEIGHT  
 NICHOLAS J. STACHLER  
 JODY E. STACY  
 THOMAS K. STAGNARO  
 MELISSA J. STEELE  
 KEVIN J. STEIN  
 JOHN P. STEPNIIEWSKI  
 SARAH E. STEVENSON  
 OLIVER STOLLEY  
 JAMES E. STRICKLAND  
 BILLY W. STROUTH  
 EDWARD P. STRZALKOWSKI  
 RYAN D. SUNDERMAN  
 JASON A. SUPNET  
 DARRELL K. SUTTON  
 ANDREW R. SVILOKOS  
 HOWARD M. SWANSON, JR.  
 ROBERT L. SWEARINGEN  
 ABRAHAM T. SWEENEY  
 KHAMOY SYSENGCHANH  
 HUNG J. TA  
 BONITA A. TAPLIN  
 LIONEL A. TAYLOR  
 CARSON L. TENNEY  
 MARK A. TERWILLEGER  
 ANTHONY S. THACKER  
 EBONY S. THOMAS  
 RYAN S. THOMAS  
 ADAM R. THOMPSON  
 KELLY L. THOMPSON  
 RICHARD N. THORNBERG  
 RICHMOND F. THORNTON  
 WENDA THROCKMORTON  
 DANIEL E. TORRES  
 LAWRENCE TORRES  
 LAKISHA D. TOUSSAINT  
 DANIEL F. TOVEN  
 KIMBERLY R. TRICE  
 PATRICK A. TURNER  
 PHILIP T. TURNER  
 DAVID A. VANAKIN  
 NICKLAS J. VANSTRAATEN  
 VINCENT E. VASSAR  
 SHILO S. VELASQUEZ  
 EMANUEL VELEZ  
 JUDE T. VERGE  
 GARY P. WADE  
 HOWARD F. WADE  
 CHARLES G. WAITES  
 BENJAMIN J. WALKER  
 MICHAEL C. WALLET  
 CARLOS G. WANDEMBERGH  
 DAWN M. WANDEMBERGH  
 JOHNNY B. WARD  
 AMANDA D. WATKINS  
 ADRIAN N. WATTS  
 MATTHEW E. WERNERT  
 SU C. WHETSELL  
 JOHN C. WHITEHEAD  
 SAMUEL L. WIGGINS  
 AARON A. WILLIAMS  
 BRANDON C. WILLIAMS  
 BRYAN F. WILLIAMS  
 CHRISTOPHER M. WILLIAMS  
 GLANDIS E. WILLIAMS  
 JOHN M. WILLIAMS II  
 JUNDI J. WILLIAMS  
 KATHERINE R. WILLIAMS  
 MORTISHA M. WILLIAMS  
 SHARRON D. WILLIAMS  
 TOBY M. WILLIFORD  
 BRENT J. WILSON  
 DANIEL C. WILSON  
 TAML A. WILSON  
 ANDRE D. WINDING  
 MARK J. WINKER  
 MATHIS F. WRIGHT  
 MICHELLE R. WYLIE  
 LINDA S. WYNN  
 LAWRENCE C. YARNALL III  
 JAMES H. YAW, JR.  
 NICHOLAS P. YERBY  
 SHAWN YONKIN  
 JOON S. YOON  
 PETER S. YOON  
 LARRY H. YU  
 JEDIDIAH M. ZAFFKE  
 THEODORE L. ZAGRANISKI  
 MATTHEW A. ZAYD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

GARLAND A. ADKINS III

FRIEDLANDER R. Z. ALESSI  
CHRISTOPHER M. ALEXANDER  
JESSE R. ALLGEYER  
ROBERT F. ALTMAN  
CRAIG ANDERSON  
JEFFREY G. ANDERSON  
SCOTT T. ANDERSON  
TALON G. ANDERSON  
ANGELEE M. ANDOE  
CREESY V. ANTOINE  
ALEXANDER N. APOSTLE  
MICHAEL I. APTAKER  
MATTHEW C. ARABIAN  
LUIS F. ARRIOLA  
MATTHEW P. AUBRY  
FRANK C. BAEZ  
TRAVIS R. BAILEY  
ALAN M. BAIRLEY  
CHRISTOPHER J. BALDWIN  
JOHN L. BANNISTER  
HECTOR BARAJAS  
JAVAN A. BARKER  
ANNE M. BARLIEB  
JOHN W. BARLOW  
BRIAN L. BARNETT  
MICHAEL L. BARNETT  
JACOB E. BARTON  
ALIJA BASIC  
STEPHANIE L. BAUGH  
DAVID S. BECKNER  
DAVID W. BELL  
STEVEN C. BELL  
JASON L. BENESH  
JOHN I. BENNER  
BARBARA P. BENSON  
DAVID W. BERGERON  
JOSEPH L. BILLINGSLEY  
ANDREW T. BLICKHAHN  
JAMES M. BLUE  
SIRIUS T. BONTEA  
BRIAN P. BOSSE  
MARK A. BOTTORFF  
BRIAN J. BOURQUE  
CHRISTINA M. BOWSER  
EDWARD P. BOYD  
GERALD G. BRADEN  
LAVONE S. BRADSHAW  
AARON S. BRAGG  
ODENE C. BRATHWAITE  
CHRISTOPHER J. BRAUNSTEIN  
CLEOPHUS K. BRELAND  
CAROLYN B. BRONSON  
DAWN E. BROOKS  
GLORIA L. BROWN  
JUSTIN A. BROWN  
NATHAN E. BROWN  
SPENCER BROWN  
KERRY K. BRUNAIS  
BLAKE D. BRYANT  
MATTHEW L. BRYANT  
CORTIS B. BURGESS  
ALEXANDER D. BURGOS  
SAMMIE J. BURKES  
ROBERT S. BURNETT  
RUSSELL J. BURNETT  
VALENCIA L. BURNS  
DAVID R. BUSTAMANTE  
CHANTALINE P. CABAN  
RYAN J. CALDWELL  
IAN A. CAMPBELL  
MILTON A. CAMPBELL, JR.  
JASON F. CANO  
CHRISTOPHER J. CARBONE  
VICTOR J. CARRERAS  
AMELIA D. CARTER  
CASEY Y. CARTER  
DONALD P. CARTER  
RANDALL L. CARTNER  
GARY W. CARTY  
LELAND S. CASE  
ANTHONY R. CATO  
JOSE F. CEPEDARAMOS  
MARLA G. CHAN  
SOKHOM CHHIM  
BEN H. CHOE  
ADAM R. CHRISTENSON  
AARON B. CHRISTIAN  
SCOTT A. CHRISTMAN  
AGNES C. M. CHU  
STEPHEN W. CHU  
DONALD W. CINNAMOND  
JERMAINE A. CLARE  
WYLLIE K. CLOUGH  
KIMBERLY D. CLUVERIUS  
JABBAR N. COLBERT  
CLAIRE L. COLONGONZALEZ  
JOHN T. COOLEY  
JOSEPH A. COSCI, JR.  
JEFFREY R. COULTER  
ADAIR L. COX  
CHET W. CRAW  
JAMES M. CREASON  
SAKURA CREEDON  
PENNY S. CROMWELL  
CHRISTOPHER M. CROOKSHANKS  
ANTONIO CRUCET III  
ANGELIC CRUTCHFIELD  
DENNIS M. CURRY  
TODD E. DAHMANN  
GARY A. DALES  
RACHELLE L. DANIELS  
CHRISTOPHER R. DARLING

ERIK M. DAVIS  
JONATHAN M. DAVIS  
JEREMIAH L. DEARING  
DANIEL S. DEATRICK  
CYNTHIA L. DEHNE  
SHALANDA K. DELRIO  
RYAN P. DELANEY  
JOSEPH J. DEMERATH  
LESLEY J. DENIS  
BRADLEY D. DENISAR  
MICHAEL T. DENISON  
JASON C. DEROSA  
SETH N. DESILETS  
SHERINA D. DIAMOND  
RENE DIAZ  
BRADLEY W. DIEBOLD  
IAN M. DIETZ  
SHAWN W. DILLINGHAM  
ANTHONY C. DIMMICK  
CHRISTOPHER M. DISHONG  
ANDREW D. DONOVAN  
ANDREW J. DORNSTADTER  
ANDREA G. DOVER  
JACOB R. DRESSEL  
ROBERT L. DROLET  
NOAH M. EBAUGH  
ANTHONY E. EBBING  
MAC H. ECHIPARE III  
MARQUAY EDMONDSON  
MICHAEL D. EDWARDS  
ALEX J. EISIMINGER  
ALBERT G. ELAM III  
SUZANNE M. ELDRIDGE  
SANQUANETTA L. ELLIS  
EDWARD T. ENGLAND  
JOEL C. EVANS  
ANDREW P. FABER  
EFFEBY A. FALL  
LUCAS B. FALLOT  
MATTHEW S. FECHTER  
STEVEN N. FEIGH  
JARED N. FERGUSON  
KAREEM Y. FERNANDEZ  
MICHAEL C. FISH  
BRADLEY R. FISHER  
NEAL J. FISHER  
SALVATORE A. FORLENZA  
KRISTOFER D. FOSMOE  
MICHAEL O. FREELAND, JR.  
JEREMY W. FREEMAN  
KENNETH R. FRENCH  
THERESA N. FULLEN  
MINDI C. FURNIER  
JAMES G. FYFFE  
WALDO D. GALAN  
JACQUELYN R. GALLIHER  
GREGORY S. GALSTAD  
NANCI L. GANDY  
GERARDO GARCIA GUTIERREZ  
TRACY N. GARDNER  
EMMET J. GARIEPY  
CARLOS G. GARTH  
JOHN A. GAYDA  
JOSEPH A. GIBSON  
RICHARD W. GIBSON  
JAMES S. GILL  
CHRISTOPHER M. GIN  
MATTHEW K. GIVENS  
DANIELLE N. GONZALEZ  
RICHARD A. GONZALEZ  
NICHOLAS D. GOSHEN  
FRANCESCA A. GRAHAM  
WILLIAM D. GRATE  
RYAN M. GRAY  
CHRISTOPHER K. GREEN  
KEVIN E. GREEN  
CHRISTIAN M. GREGOIRE  
ADAM R. GREGORY  
JOSHUA J. GRIGG  
BRENDAN M. HAGAN  
JONATHAN D. HALEY  
JASON K. HALUB  
LISA R. HALVORSON  
HENRY HAMA  
RUSSELL W. HAMANN  
ROBERT T. HAMILTON  
PATRICK D. HANSON  
PATRICK K. HARDIN  
BRADLEY J. HARDY  
TIMOTHY B. HARTNETT  
BRIAN J. HATALLA  
ETHAN F. HAYES  
JAMES W. HAYES  
CHRISTOPHER J. HAYMON  
DOUGLAS C. HEALY  
JASON R. HEHL  
SAMUEL A. HEIDER  
MICHAEL W. HEIN  
RICARDO HENRY  
NATHAN P. HEPLER  
STEVEN E. HERR  
STEVEN J. HERSHFELDT II  
PETER D. HIGBIE  
OLIVER B. HIGHLEY  
JAMES C. HILL  
NATHAN A. HILLEGAS  
JACOB S. HINA  
GREGORY R. HINNERSHITZ  
BENJAMIN T. HOFFER  
DAVID M. HOLBROOK  
DAVID E. HOLBROOKS  
BENJAMIN R. HOPPER

JESSICA E. HOUK  
DION A. HOUSTON, SR.  
JONATHAN P. HOWARD  
RYAN A. HOWRY  
MICHAEL S. HUBBARD  
CLIFTON J. HUBBERT  
MICHAEL R. HUDSON  
BUCK HUGHES  
DENNIS M. HUNT, JR.  
GAYLE A. HUNT  
DEMETRIUS A. HUNTSPOON  
WESLEY T. HUTCHINSON  
NOAH S. HUTTO  
STEPHEN S. HWANG  
CLARENCE D. INGE, JR.  
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JAMES A. JABLONSKI  
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JASON D. JAMES  
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LOUIS L. JENKINS  
TIMOTHY M. JENKINS  
RICHARD JIMENEZ  
MICHAEL K. JOHN  
AMANDA R. JOHNSON  
CODY R. JOHNSON  
DANIEL W. JOHNSON  
DAVID W. JOHNSON  
JASON M. JOHNSON  
JOSHUA D. JOHNSON  
PURVIS L. JOHNSON  
LEVI C. JONES  
RICHARD C. JONES  
ELVIN JUAREZ  
GILBERT JUAREZ  
CELIA JUDD  
JOSEPH C. KACHMAR II  
JIMMY R. KACKLEY  
KEITH M. KACMAR  
PANAGIOTI I. KALOGIROS  
NOELANI N. KALUHIWA  
DEREK M. KAMACHI  
SEAN P. KAUBISCH  
JONATHAN P. KAYL  
JEFFREY D. KEENAN  
JACKIE N. KELLEY  
ROBERT L. KELLUM  
FRANKLIN J. KESSLER  
JOSEPH K. KIDDER  
ROSALYN S. KING  
LISA M. KIRBY  
MICHAEL S. KLIPSTEIN  
AQUILA KNOPF  
OWEN W. KOCH  
MICHAEL S. KOLTON  
KELSEY L. KORNEGAY  
JOSEPH J. KOSTURKO IV  
NICHOLAS J. KRAMER  
JAMES H. KRANICH  
STEVEN D. KREEGER  
HITOSHI KUMAGAI  
KEITH B. LAMBERT  
WALTER F. LANDGRAF  
RODNEY A. LANDRUM  
MICHAEL LANGAN  
CLARENCE E. LANGLEY III  
DONELL D. LANGLEY  
JAMES G. LAPOINTE  
STACY S. LARDIZABAL  
MATTHEW A. LAROCCO  
JASON R. LATHEY  
MICHAEL J. LATHROP  
LEA J. LATO  
ZEROY LAWSON, JR.  
JULIE A. LAYTON  
MARYCATHERINE LEACH  
SCOTT E. LEE  
RICHARD A. LEHMANN  
MICHAEL G. LEMAY  
ZACHERY B. LEONARD  
ANDREW G. LERCH  
TODD R. LETELLIER  
WAYNE S. LETT  
WAIMAN LEUNG  
KARI E. LEWIS  
JEFFREY Z. LI  
CHRISTIAN A. LIGHTSEY  
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RANDALL A. LINNEMANN  
SHAD K. LLOYD  
SHAWN W. LONERGAN  
ADAM S. LOUTZENHISER  
JOHN E. LUCKIE  
ERIK V. LUEDTKE  
PHILLIP H. LUKENS  
SERGEY L. LUZHANSKIY  
JASON C. MACCONNELL  
OMOLOLU O. MAKINDE  
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 TROY E. MASON  
 MOHAMED B. MASSAQUOI  
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 LEON H. MATTHIAS  
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 TAMEIKA MCNAUGHTEN  
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 DAVID T. MILLER  
 MARC W. MILLER  
 MATTHEW O. MILLER  
 MICHAEL A. E. MILLER  
 SETH MILLER  
 JASON N. MILLS  
 GEORGE MIRANDA  
 CHRISTIAN M. MITCHELL  
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 SARAH K. MOFFIT  
 MATTHEW D. MOGENSEN  
 DANIEL MONROY, JR.  
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 RIKKI A. OPPERMAN  
 GINO R. OREZZOLI  
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 COLBY PEPOIN  
 JONATHAN Q. PEREZ  
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 THEODORE PERRY  
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 LUIS A. QUINTANA  
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 DAMONICA C. RAY  
 SHANNON W. REICKERT  
 ANTHONY P. REINHARDT  
 MAXIMILLIAN A. RENARD  
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 RONALD R. REZAC  
 JENYA M. RHONE  
 HEATHER J. RICHARDS  
 JAY R. RICHARDSON  
 KOURTLAWN D. RICHARDSON  
 LUIS D. RIVERAFONSECA  
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WILLIAM RODRIGUEZ  
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 ANDREW M. SAWYER  
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 FRITZ J. SCHULTES  
 JOSEPH M. SCHULTZ  
 WILLIAM B. SCOTT  
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 AARON D. SELPH  
 PRESTON J. SEXTON  
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 JUSTIN S. SHAFER  
 TEREMUURA T. SHAMEL  
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 CHAN Y. SHIN  
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 DEONAND S. SINGH  
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 GARRETT W. SLACK  
 THOMAS M. SLYKHUIS  
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 DANIEL J. SMITH  
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 SYLVAN A. SMITH  
 DWIGHT R. SMITHBARROW  
 JOHNPAUL A. SMOCK  
 STEPHEN T. SNYDER  
 JEFFREY S. SODERLING  
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 VICTOR E. SOMNUK  
 JAMES A. SPANNAGEL  
 STEVEN S. SPEECE  
 MORGAN J. SPRINGGLACE  
 JAMAR M. STAGGERS  
 DAVID E. STATON  
 TIMOTHY K. STATON  
 SHARRON L. STEWART  
 BRIAN M. STIERITZ  
 KRISTINA L. STOKES  
 HENRY C. STRICKLAND, JR.  
 KYLE D. STRUNK  
 CHRISTOPHER J. STUBBS  
 ALEX J. SULLIVAN  
 MAIA M. SUSUICO  
 JARED D. SUTTON  
 JONATHAN R. SWOYER  
 VICTORIA S. SZILAGYI  
 MINNIE E. TANNER  
 GILL T. TATMANTYREE, JR.  
 MARLOW M. TAYLOR  
 RICHARD C. TELESKO  
 BRENT J. TEMPLE  
 DANNY P. THEBEAU II  
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 JOHANNA L. THOMPSON  
 MARK E. THOMPSON  
 OSCAR D. THOMPSON  
 EDWARD W. TIMMONS  
 SHAWN E. TOENYES  
 MICHAEL S. TOMSIK  
 JAMES M. TORRES  
 JOSE L. TORRES  
 CHRISTOPHER P. TOWNSEND  
 SHAUN M. TRINKLE  
 JASON E. TUCKER  
 JESSICA F. TURNER  
 LANCE C. TURNER  
 ERIC S. TY  
 RONALD C. UNDERWOOD  
 MATTHEW D. UTLEY  
 JOSEPH P. VALIMONT  
 SEAN S. VANDENDRIES  
 WILLIAM B. VAUGHN, JR.  
 THOMAS E. VELD  
 JEREMY K. VISKER  
 JOHN R. VOS  
 JESSTON R. WAGNER  
 MATTHEW N. WALENTA  
 AMBER M. WALKER  
 BENJAMIN S. WALKER  
 MERRILL W. WALKER  
 MICHAEL S. WALKER  
 CHARLES B. WALSH II  
 TRAVIS R. WALTER  
 JASON R. WARD  
 THOMAS B. WARD  
 JEFFREY D. WARSTLER, JR.  
 DONNE E. WATSON  
 JAMES R. WATSON IV  
 DANIEL S. WATTERS

JUSTIN R. WEHRHEIM  
 DANIEL L. WEISS  
 RAYMOND J. WELSH  
 WILLIAM S. WHITESSEL  
 JUDY A. WICKENS  
 JOHN F. WIEBELD  
 SAMUEL R. WILBOURN  
 DAVID D. WILKINSON  
 ANNETTE Y. WILLIAMS  
 CHRISTIAN D. WILSON  
 JAMES C. WILSON  
 TIMOTHY C. WILSON, JR.  
 JERAMY A. WINK  
 BENJAMIN C. WISNOSKI  
 WARREN A. WITHROW  
 JAMAR E. WRIGHT  
 EINAR J. WULFSBERG  
 KYLE M. YANOWSKI  
 SCOTTY J. YARBROUGH  
 SEAN M. YARROLL  
 DANIEL R. YOUNG  
 DEREK R. YOUNG  
 JONATHAN D. YOUNG, JR.  
 WOJCIECH ZAJAC  
 ANDREW P. ZAPP  
 JOHN D. ZEHNPENNIG  
 JUSTIN ZEVENBERGEN  
 LEVI D. ZOK

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 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

STEVEN J. ACKERSON  
 ANDREA ACOSTAMORALES  
 AARON E. ADAMS  
 BRUCE D. ADAMS  
 STEVEN J. ADAMS  
 RICHARD O. ADANSI  
 CASANDRA Z. ADES  
 CHRISTOPHER C. ADKINS  
 NATHAN T. ADKINS  
 JOSHUA J. AESCHLIMAN  
 DAVID J. AHERN  
 LUIS D. ALBINO  
 LANE M. ALDINGER  
 CHAD T. ALEXANDER  
 SETH M. ALLEN  
 ERICH J. ALMONTE  
 PAULINA ALVAREZ  
 NEALY J. AMBRON  
 GLENN O. ANDERSON  
 JENNIFER K. ANDERSON  
 KRISTOFFER E. ANDERSON  
 KYLE W. ANDERSON  
 LUCAS R. ANDERSON  
 MICHAEL D. ANDERSON  
 THOMAS D. ANGSTADT  
 PETER A. ANZOVINO  
 NATHAN P. APPLEBAUM  
 CHRISTOPHER M. ARATA  
 GABRIEL A. ARAUJO  
 MELBOURNE J. ARLEDGE, JR.  
 JONATHAN B. ARMSTRONG  
 STEPHAN J. ARNOLD  
 ANDREW J. ARTIS  
 ROBERT L. ASHLEY  
 DANIEL J. ASHMORE  
 JAMES B. ASHTON  
 DAMION O. ATCHISON  
 ROGER ATEs  
 MARK B. ATKINSON  
 DEREK C. AUSTIN  
 LONI R. AYERS  
 JUSTIN K. BAKAL  
 GREGORY B. BAKER  
 WILLIAM C. BAKER  
 MATTHEW W. BANDI  
 MATTHEW R. BARINGHAUS  
 JUSTIN D. BARNES  
 GARRETT A. BARR  
 SETH E. BARRETT  
 MICHAEL A. BARRY  
 CHRISTOPHER E. BATCHELOR  
 ROBERT T. BATTY  
 CORBETT W. BAXTER  
 JAMES D. M. BEALL  
 JAMES M. BEAN  
 REBECCA E. BEARD  
 DAVID J. BEAUDOIN  
 PAUL J. BENFIELD  
 JACK H. BENFORD  
 CHAD A. BENNETT  
 KEITH R. BENOIT  
 BIXLER C. BENSON  
 IAN H. BENSON  
 KRIS J. BERGEMANN  
 ALEXANDER M. BERTELLI  
 ADAM T. BET  
 ANDREW P. BETSON  
 GREGORY E. BEW

ROBERT J. BICKFORD  
 CHARLES G. BIES  
 LORI L. BIGGER  
 WILLIAM T. BIGGERS II  
 WILLIAM A. BIGGS, JR.  
 CHRISTOPHER M. BIGOTT  
 PATRICK BILLMANN  
 NICOLAI BIRCH  
 DANIEL B. BLANKENHORN  
 DOUGLAS A. BLEVINS  
 EDWIN H. BODENHEIM  
 JOHN M. BOEHNERT  
 ERIC S. BOENITZ  
 ANDREW R. BOISSONNEAU  
 PHILIP J. BOLDT  
 JOSEPH W. BORG  
 MARK S. BORN  
 RACHEL R. BOWERS  
 BRETT M. BOYLE  
 JOHN C. BOYLE  
 TODD F. BRADFORD  
 ZACHARY D. BRAINARD  
 DOUGLAS J. BRAZIER, JR.  
 MARK P. BREUGEM  
 OBADIAH H. BRIANS  
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 NATHAN E. BROOKSHIRE  
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 CRAIG W. BRYANT  
 CARMEN T. BUCCI  
 RUSSELL A. BUCKHALT  
 JASON M. BUCKINGHAM  
 RYAN J. BUCKINGHAM  
 BRADFORD K. BUGADO  
 ANDY BUISSEIRETH  
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 DONNA J. BUONO  
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 RICHARD D. BUSTAMANTE  
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 TIMOTHY A. BUTLER  
 DANIEL L. BYARS  
 JOSEPH M. BYERLY  
 JASON A. BYRD  
 MARCUS D. BYRNE  
 DANIEL P. CAFFAREL  
 RYAN A. CALHOON  
 DENNIS J. CALL II  
 PETER J. CALVELLO  
 MICHAEL T. CAMPBELL  
 SHAWN R. CAMPBELL  
 KATHLEEN R. CANDELA  
 TALGIN L. CANNON  
 WESLEY R. CANNON  
 BRIAN P. CANNY  
 HECTOR E. CANTILLO  
 JIMMIE L. CANUPP  
 NATHAN CAPESTANY  
 EDWIN E. CARCEDOMAZARIEGOS  
 JACOB T. CARLISLE  
 ORLANDO CARMONA  
 JAMES P. CARRIER  
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 DAVID W. CARTER  
 ROBERT D. CARTER  
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 CHRISTOPHER W. CHAMBERS  
 SEAN C. CHANG  
 STUART C. CHAPMAN  
 SETH L. CHAPPELL  
 MATTHEW S. CHASE  
 ALAN K. W. CHEUNG  
 DAVID M. CHICHETTI  
 AARON W. CHILDERS  
 ASHLE I. CHRISTIAN  
 MARK S. CHRISTIANSEN  
 JOHN W. CHRISTIE  
 JUSTIN C. CHRONISTER  
 FREDERICK L. CLAPP III  
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 BRIAN E. CONNOLLY, JR.

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 CHAVESO L. COOK  
 CHRISTOPHER M. COOK  
 CRAIG V. COPPOCK  
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 CHRISTOPHER M. COUCH  
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 ZACHARY L. DADISMAN  
 JAMES D. DAILEY  
 TAM C. DAM  
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 JAMES R. DANIELS  
 DAVID M. DARBY  
 MICHAEL J. DARGAVELL  
 PETER W. DAVIDOVITCH  
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 BRIAN C. DODD  
 JONATHAN E. DOIRON  
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 SCOTT J. DOLNY  
 JEFFREY W. DONAHUE  
 THOMAS A. DOUGLAS  
 ANDREW K. DOUGLASS  
 CHRISTIAN B. DRENNEN  
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 JOSEPH J. DUMAS  
 CHRISTOPHER C. DUNCAN  
 RICHARD W. DUNCAN  
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 BRIAN J. DYER  
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 CHRISTOPHER D. EVANS  
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 CHARLES E. GREER  
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 RANDALL S. GRIGGS  
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 LOUISPHILIPPE L. HAMMOND  
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 KEVIN HANKTON  
 BRIAN HANRAHAN  
 JERRE V. HANSBROUGH  
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 BRIAN J. HARRIS  
 WILLIE HARRIS III  
 YOLANDA M. HARRIS  
 MICHAEL L. HARRISON  
 BRIAN D. HARTMAN  
 BENJAMIN K. HASSELL  
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 CHRISTOPHER A. HAYNES  
 JOSHUA C. HAYWARD  
 MICHAEL G. HAZELL  
 JOHN J. HEIDENREICH  
 TIMOTHY J. HEISLER  
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 DEBORAH R. HERZOG  
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 RONALD N. HIJDUK, JR.  
 ISSAC A. HILES  
 JESSE A. HILL  
 SEAN R. HILL  
 JOHANN W. HINDERT  
 JONATHAN P. HITCHCOCK  
 DEVEN S. HOEVERS  
 CALVIN R. HOOVER, JR.  
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 TIMOTHY J. W. HORN  
 CHRISTOPHER P. HORNSBY  
 ISAAC S. HOWARD  
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 JACOB A. HUGHES  
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 MICHAEL F. HUTSON  
 TIMOTHY A. IANNAcone  
 ALIKA K. ICHINOSE  
 TODD L. IMPERIALE  
 JOHN C. INTILE  
 JAY A. IRELAND  
 DESMOND R. JACK  
 BENJAMIN R. JACKSON  
 LUKE T. JACKSON  
 SHAUN F. JACKSON  
 ANGEL K. JACKSONGILLESPIE  
 LATOYA M. JACKSONMANZEY  
 MICHAEL L. JACOBS II  
 PAUL M. JACQUES  
 ANTHONY JAMES  
 MATTHEW M. JAMES  
 VERNON J. JAMES  
 STEFFANIE M. JEBB  
 DAVID M. JENNINGS  
 RONALD A. JILLARD  
 BOBBY W. JOHNSON  
 CAMERON M. JOHNSON  
 JACKELINE X. JOHNSON  
 JAMES M. JOHNSON II  
 LEE M. JOHNSON, JR.  
 SELWYN JOHNSON  
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 ANDREW G. JONES  
 GARY D. JONES  
 RAYMOND C. JONES  
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 JEFFREY M. KAIN  
 DAJIRO KANASE  
 OLIVER N. KARP  
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 BENJAMIN A. KATZENBERGER  
 ROBERT A. KAZMAREK  
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 APRIL D. KEARNEY  
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 JAMIE L. KELLEY  
 MICHAEL J. KELLY  
 ROBERT C. KELLY  
 RYAN V. KELLY  
 MICHAEL R. KELVINGTON  
 MICHAEL P. KENDALL  
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 LUCAS J. KENNEDY  
 KRISTOPHER W. KERKSICK  
 MATTHEW J. KIKTA  
 MATTHEW D. KILLORAN  
 COURTNEY L. KILUK  
 FREDERICK J. KIM  
 JAE Y. KIM  
 MICHAEL B. KIM  
 MIKOLA J. KING  
 KYLE L. KIRKPATRICK  
 WAUKEMSHA Q. KIRKPATRICK  
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 DAVID M. KITZMAN  
 BENJAMIN W. KLANDRUD  
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 CHRISTOPHER E. KLICH  
 ROBERT C. KNAGGS  
 JOHNATHON S. KNAPTON  
 KURT S. KNOEDLER  
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 MATTHEW J. KNOX  
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 ANDREW J. KUEN  
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 JEREMY D. LAWTHORN  
 TIMOTHY J. LAWRENCE  
 TIMOTHY W. LAWSON  
 LUCAS N. LECOUR  
 JE K. LEE  
 LOUIS H. LEE  
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 JAMES L. LEISTER  
 STEVEN H. LESTER  
 PETER J. LESZCZYNSKI  
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 PAUL E. LINDBERG  
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 BRAD J. LOSNER  
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 KEVIN J. LOWTHER  
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 BENJAMIN MAHER  
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 JUSTIN D. MALONE  
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 AUSTIN P. MAPLES  
 LUIS D. MARIN  
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 JOSEPH L. MARSHALL  
 DEREK C. MARTIN  
 JONATHAN D. MARTIN  
 TODD J. MARTIN  
 GUILLERMO E. MARTINEZ  
 JASON MARTINEZ  
 JUAN L. MARTINEZ  
 MATTHEW J. MARTINSON  
 LAYNE W. MATTHEWS  
 ANDREW J. MAXA  
 CHADWICK L. MAXEY  
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 ANTHONY MAYNE  
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 BRENDAN J. MCINTYRE  
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 CORY N. MCCLAUGHLIN  
 JOHN M. MCCLAUGHLIN  
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 SHAWN P. MCNICOL  
 MICHAEL R. MEADOR  
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 BENJAMIN D. MEIER  
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 RYAN L. MENDENHALL  
 PAUL J. MENDOZA  
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 SCOTT M. MESSARE  
 ADRIAN A. MEYER  
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 BRIAN R. MILETICH  
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 RYAN E. MINCKLER  
 MARK J. MINGEE  
 EDWIN L. MINGES  
 BRIAN D. MITCHELL  
 DAPHNE C. MITCHELLWRIGHT  
 TIMOTHY M. MITROKA  
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 BARRON J. MOFFITT  
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 CHAD A. MONROE  
 LEE D. MONZON  
 KENNETH E. MORAN  
 CHADWICK H. MOREHEAD  
 JOHN A. MORGAN  
 RYAN L. MORGAN  
 SHIGENOBU T. MORINAGA  
 GABRIEL L. MORRIS  
 JOSEF N. MORRIS  
 JOHN R. MORROW

STEPHEN M. MORSE  
 PAUL B. MORTON  
 MICHAEL H. MOSTAGHNI  
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 JILL K. MUDGE  
 SONIE L. MUNSON  
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MICHAEL Z. TIONGCO  
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ANN J. VOGANSAMPSON  
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IAN M. WAGONER  
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CORY W. WALLACE  
ANTHONY J. WARNER  
COREY B. WARREN  
THOMAS R. WARREN  
WILLIAM W. WASH  
CHRISTOPHER J. WATKINS  
JOSHUA D. WEAKLAND  
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GEORGE S. WEBB  
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MICHAEL J. WEIPERT  
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MARK H. WELCH  
MICHAEL M. WELLOCK  
SIMON P. WELTE  
HERMAN B. WEST  
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JOSHUA J. WHIDDON  
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NATHAN H. WHITNEY

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ERIC J. WICKTORA  
SHAUN M. WILD  
JOSHUA I. WILES  
JOSHUA R. WILHELM  
JAMES R. WILLIAMS  
JAYSON N. WILLIAMS  
KAREEM V. WILLIAMS  
MICHAEL S. WILLIAMS  
NICHOLAS C. WILLIAMS  
THOMAS M. WILLIAMS  
JAMES G. WILLIAMSON  
KAMILI M. WILLIAMSON  
BYRON W. WILSON, JR.  
JAMES C. WILTSE  
BRADLEY J. WINN  
STEPHEN J. WINTER  
JOSEPH S. WITMER  
JODI L. WITT  
SCOTT E. WOHLFORD  
KEVIN A. WOLF  
ELIZABETH A. WOMBLE  
NOBLE B. WONSETLER  
JESSE L. WOOD  
WILLIAM W. WOOD  
LORILYN M. WOODS  
MATTHEW E. WOODS  
CLINTON R. WOODY  
DAVID C. WOODY  
LAMARIUS D. WORKMAN  
GARRICK C. WORST  
RICHARD A. WUKMIR  
PHILIP J. WYANT  
SHAILIN YNACAY  
SAONG G. YOU  
NEIMAN C. YOUNG  
TALON C. YOUNG  
ANNETTE N. YOUNGBLOOD  
JOSEPH A. YURKOVICH  
DAVID J. ZALLO  
JOHN M. ZDEB  
NICHOLAS J. ZIEMBA  
CHRISTOPHER W. ZIMMER  
DANIEL T. ZIMMER  
CHRISTOPHER D. ZOTTER

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JOSEPH R. PRIMEAUX, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JEROME R. PILEWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JEREMY J. AUJERO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be captain*

GARY S. PHILLIPS

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

GENEVIEVE BUENAFLORE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

FREDDIE R. HARMON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

CATHERINE W. BOEHME

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

TODD W. MILLS

MARVIN W. WHITING

## HOUSE OF REPRESENTATIVES—Tuesday, March 19, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of New York).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 19, 2013.

I hereby appoint the Honorable CHRIS COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, this week is the 10th anniversary of the unnecessary war in Iraq. I urge my fellow Members and the American public to watch MSNBC's documentary, "Hubris: The Selling of the Iraq War," on Friday night of this week at 9 o'clock. The documentary sheds light on the manipulated intelligence that got us into Iraq.

Unfortunately, we have not learned from all we lost in Iraq, as President Obama has also committed us to an additional 10 years in Afghanistan thanks to a strategic security agreement he made without Congress voting on it or even debating it.

This weekend I read two articles that really spoke to the corruption happening in Afghanistan. One was an AP article I read in my hometown paper titled: "U.S. Helicopter Crashes in Afghanistan Killing One." And the other is from The New York Times titled: "Afghans Protest U.S. Special Forces: Complaints about Night Raids Sparked Cause for Withdrawal."

I will quote from the first article:

The crashes come as United States officials are grappling with tough talk from President Hamid Karzai whose recent anti-American rhetoric has complicated relations at a time when international troops are withdrawing from the war.

The article continues saying:

Karzai started the week by accusing the United States and the Taliban of being in collusion on two deadly suicide bombings last weekend in an effort to create instability and give security forces an excuse to stay.

Karzai is one person we cannot trust, and yet we are funding him \$8 billion a month. The New York Times article states that Karzai issued a statement that "referred to U.S. forces in Afghanistan as 'infidels,'" echoing language used by the Taliban.

Mr. Speaker, I just do not understand why more Members of the House are not more concerned about President Obama's 10-year security agreement to keep our troops in Afghanistan until 2024—10 more years after 2014—2024. It makes absolutely no sense. We are financially broke as a Nation.

I am currently in the process of finding out exactly how much money it is going to cost the American taxpayer to keep our troops in this corrupt country for another decade past 2014. Whether the cost is \$1 or \$1 trillion is too much.

Congresswoman ROSA DELAUNO and I have introduced H.R. 125, the Congressional Oversight of Afghanistan Agreement Act of 2013, to make sure that the President does not bypass Congress as he continues to do, but gives us a chance to debate any security agreement that will keep our troops in Afghanistan past 2014.

Mr. Speaker, it is our job as Representatives to make sure the voices of the American people are being heard, and it is only fair that we have a debate in Congress on how long our country's future involvement with Afghanistan will continue.

Mr. Speaker, as always, I bring down a poster that shows the cost of war. In this case, you can see these marines, Mr. Speaker, carrying a coffin, a flag-draped coffin. How many more coffins have to be carried by the soldiers and the marines and the airmen and the Navy of this country when the American people demand that Congress pull our troops out of Afghanistan? It is too long to be there until 2014; it is too long to be there until 2024.

May God bless our men and women in uniform, and God please wake up Congress to bring our troops home.

### 10-YEAR ANNIVERSARY OF THE IRAQ WAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, although I rise to honor the 10th anniversary of the Iraq war, what I really want to do today is ask: Why? Ten years ago, I stood on this floor and said we were entering a war under false pretenses. No weapons of mass destruction later, I have never been so sad as to be right.

We took out Saddam Hussein with as much forethought as we gave to arming him just a few years earlier. We scooped him out of office and thought a new democracy would suddenly flower in its place.

Last week, Robert Dreyfuss wrote an article in The Nation that I would like to enter into the CONGRESSIONAL RECORD. He explains that the CIA is currently training Syrian rebels, some of whom have Sunni fundamentalist ties, at the same time that it is fighting Sunni rebels in Iraq. Recently, dozens of Syrian soldiers fled to Iraq, only to be killed by Iraqi Sunnis. He asked the question:

When will the United States learn that it doesn't know enough about the Middle East to go charging in there, seemingly without a clue about what it all means?

So here we are: 10 years of neoconservative hawks preaching that we can franchise American democracy and freedom; 10 years of quicksand diplomacy; 10 years of wrong answers, and we still don't know the question.

What has been the cost of all of this? And I don't mean financially. Because, yes, we've spent probably a trillion or more on this war, or will. Yes, as we speak, we are cutting food assistance to kids in this country and funding for R&D that would drive our economy. But we can't appropriate a sum of money to fix the real cost of Iraq. We can't pay back the lives of 4,486 American men and women who have died there, or the roughly 2,000 broken soldiers who came home and took their own lives.

The wounded—physically and mentally. The soldiers who didn't know how not to be a soldier. The families living with a hole in their hearts, and the families living with someone they no longer recognize. Ten years of young men and women leaving their families, living in hell, and coming home to unemployment and to homelessness. To a country that has forgotten it's at war at all. To a country that

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

seems to think a yellow ribbon magnet on their bumper is the only kind of support that our troops need.

And the cost in Iraq? Untold deaths. Let me rephrase that: unknown deaths. We can only guess at the destruction that we have left in our wake: 115,000 Iraqis? 600,000? You can find a number. What was the long-term impact of that on their environment, water, and health. What happens when someone lives in constant fear of becoming collateral damage?

Today, Iraq is a sad shadow of a society that once boasted the best infrastructure in the region. Instability and violence fester on this very day, and now it teeters on the brink of an inevitable civil war.

This is the legacy of our last 10 years, and I still don't understand why. I hope this anniversary will remind us that a whole new generation of veterans are waiting to help reintegrate into civilian life. I believe it's time to elevate our level of commitment to these veterans.

I am introducing a bill to create a commission on veterans care to investigate what we as a society can do to help our men and women come home. I hope it will remind us that no lives, regardless of nationality, should be taken lightly. I hope it will remind us as to why the next time. And I hope it won't take another war to get that answer.

[From The Nation, March 13, 2013]

#### THE CIA TAKES OPPOSITE SIDES IN SYRIA AND IRAQ

By Robert Dreyfuss

What, really, could be more bizarre than this: as the United States ramps up its aid to Syria's rag-tag rebels, whose backbone is comprised of radical Islamists and Sunni fundamentalists, some with ties to Al Qaeda, the CIA is busily engaged in combat inside Iraq with the very same radical Islamists and Sunni fundamentalists, some with ties to Al Qaeda.

Yep, that's right.

We're backing the same guys in Syria that we're fighting in Iraq.

Of course, we shouldn't be involved in Iraq in any way, shape or form, but try telling that to the CIA. According to the Wall Street Journal:

The Central Intelligence Agency is ramping up support to elite Iraqi antiterrorism units to better fight al Qaeda affiliates, amid alarm in Washington about spillover from the civil war in neighboring Syria, according to U.S. officials.

The stepped-up mission expands a covert U.S. presence on the edges of the two-year-old Syrian conflict, at a time of American concerns about the growing power of extremists in the Syrian rebellion.

The Journal notes that this isn't an accident. It was the result of a carefully thought-out White House decision:

In a series of secret decisions from 2011 to late 2012, the White House directed the CIA to provide support to Iraq's Counterterrorism Service, or CTS, a force that reports directly to Iraqi Prime Minister Nouri al-Maliki, officials said.

The CIA has since ramped up its work with the CTS—taking control of a mission long

run by the U.S. military, according to administration and defense officials. For years, U.S. special-operations forces worked with CTS against al Qaeda in Iraq. But the military's role has dwindled since U.S. troops pulled out of the country at the end of 2011.

The paradox, obviously, is that Maliki, the guy we're helping in Iraq, is an ally of Iran's and is sympathetic to President Assad of Syria. That's because were the Sunni-led rebels in Syria to seize Damascus and topple Assad, they'd turn their wrath next door against the Shiite-led Maliki regime, and funnel weapons and fighters to support the Sunni-led rebels in Iraq.

That's not stopping the United States, though, from boosting the fortunes of the Syrian rebels by funneling aid and support to them and coordinating the flow of weapons from Saudi Arabia, Qatar and Turkey. Meanwhile, as The New York Times has been reporting for a while, the same CIA that is trying to squash the Sunni rebels in Iraq is actually training Sunni rebels in a secret program in Jordan, to fight in Syria.

Oddly enough, the rest of the media hasn't picked up on the Times reports on the CIA training efforts in Jordan, and the Times itself hasn't elaborated. How many gangsters is the CIA training in Jordan? What are they doing?

It all comes together in the recent reports that dozens of Syrian soldiers, loyal to Assad, who fled into Iraq recently, were then massacred by Iraqi Sunni crazies.

We blundered, bungling, into Iraq in 2003 without knowing really a damn thing about the country we invaded. When will the United States learn that it doesn't know enough about the Middle East to go charging in there with guns, seemingly without a clue about what it all means?

□ 1010

#### A CALL FOR A BALANCED BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montana (Mr. DAINES) for 5 minutes.

Mr. DAINES. Mr. Speaker, I arrived here in Washington, D.C., to serve the people of Montana and my country with a bit of a different resume than many folks have here in Washington. You see, I've spent the past 28 years in the private sector working to grow businesses, having to balance a budget and create good jobs.

I loved my job in the private sector. But when I looked at Washington and the path our economy and our country was on, I knew that things needed to change. So I ran for Congress because the challenges facing our Nation were far too great to just sit back on the sidelines.

As Montana's small businesses know, you can't spend more than you take in. Year after year of Federal deficits with no end in sight doesn't lead to prosperity, doesn't lead to growth—it leads to financial ruin.

I'm also the father of four great kids—two in college and two in high school. They know that as a family, we have to plan ahead for the future. We need to create a budget and then live within our means. These are the same principles that my parents passed down

to me. These are the values that Montana families live by each and every day.

Those values are exemplified in Montana's own State legislature, where the only constitutionally required duty is passing a balanced budget. In fact, when our legislature in Montana adjourns in just a little over a month, they will have given Montana a balanced budget, just like they did last year and the year before and the year before that. It seems simple: live within your means and spend no more than you take in. But it's not so easy here in Washington.

Right now we're presented with two very different visions for our country, two visions that will lead to two very different outcomes for this country. One vision calls for more taxes taken out of the pockets of hardworking American families and more government spending, which adds to the trillions of dollars in debt that will be handed down to the next generation.

Our friends on the other side of the aisle talk about a balanced approach, but they refuse to even balance their own budget.

Our vision calls for a stop to Washington's failed policies and reckless spending. It says American families and small businesses understand you can't spend more than you take in, that you need to balance your budget. It's time for Washington to do the same.

This vision seeks to protect the things that we value most, to keep the promises that we've made to our seniors and to our veterans—I'm the son of a U.S. Marine—while at the same time allowing us to leave a better future to our kids and our grandkids. That's the vision I want to work toward, and that's why I'm proud to support the House Budget Committee's proposals which we will be voting on later this week.

This isn't about passing a budget for one year just one time. This is about creating lasting solutions that help grow our economy and put our country back on track. That's what this budget will do.

#### SAVING OUR INFRASTRUCTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Mr. Speaker, as I speak here on the floor, the American Society of Civil Engineers is releasing a report card for America's infrastructure.

The gentleman who spoke before me talked about the legacy that we leave to our country and about growth in the Nation. Well, this is an incredible legacy we're leaving and creating, which is an unbelievable deficit in our Nation's infrastructure. We've gone from No. 1 in the world post-World War II

with the Eisenhower era, the national interstate program, to No. 26 in the world. We are spending less of our gross domestic product on infrastructure investment than many Third World countries. It's not only an embarrassment; it is hurting our economy and our growth.

Now, if your kid came home and said, Hey, Dad, guess what? I got my report card. Here it is. Good news. Good news. Oh, it's good news. I went up to a D-plus. A D-plus—that's where America's infrastructure is.

We have a projected deficit over the next 7 years of about \$1.6 trillion. That's an unbelievable, unimaginable number, \$1.6 trillion. That's as much money as the war in Iraq cost us, an unnecessary and wasteful war. We can't afford to invest in our infrastructure, but we're rebuilding the infrastructure in Afghanistan. There's something wrong with this picture.

According to the American Society of Civil Engineers, if we don't address this investment gap in all of our infrastructure, by 2020 the economy will lose \$1 trillion in business sales, 3.5 million jobs will be lost or foregone and there will be \$3.1 trillion less in gross domestic product. If we invested \$1.6 trillion, we would get 100 percent return on our investment and 3.5 million more jobs. Not bad, but the people on that side of the aisle don't believe in rebuilding America's infrastructure. They have some wacko theory here of what they call "devolution." We shouldn't have a national transportation policy, no. It should be done by the 50 States. Well, we already tried that. It didn't work too well. That's when Dwight David Eisenhower said we needed an national interstate system, and we built it. Now it's falling apart.

There are 140,000 bridges that need substantial repair or replacement and 40 percent of the pavement on the National Highway System is at the point where there are potholes big enough to put your car in. Maybe if the White House limousine falls in one of those holes we'll get a little more action down there in terms of funding our infrastructure. I've been trying to get them to take a position on this.

We are looking at something even more extraordinary. In 2015—we've been paying for infrastructure out of a trust fund. It hasn't added to the deficit. But it raises taxes. Oh, my God. We can't have taxes for something like that, can we? Not on that side of aisle.

Well, if we don't do something about it, the trust fund is going to drop below zero sometime in 2014, which means we are not going to invest any more in our National Transportation System. For one year we'll go from \$50 billion, which is not sufficient to even deal with the deterioration, let alone build out a better, more efficient 21st century infrastructure, to \$7 billion. That's hundreds of thousands of jobs

gone. That's an acceleration in the deterioration of the system.

We're going to have to talk about revenues. It's the only way to solve that problem, unless you want to devolve it to the 50 States and have the States build interstates that don't match up or maybe they won't build the interstates at all. We don't know what kind of plan is coming from that side of the aisle. But I do know that we need to make these investments. As I already pointed out, we can get a 100 percent rate of return.

It's pretty simple. We would just index the existing gas tax, which hasn't changed since 1993. Yeah, we're paying nearly 4 bucks a gallon. It will be 5 bucks a gallon by Memorial Day. And the money is going into the coffers of ExxonMobil and the other big oil companies. It isn't going to repair infrastructure.

We haven't raised that tax in 20 years. If we just indexed it to construction cost inflation and indexed it to fleet fuel economy, we could issue bonds paid off by that increment on the gas tax. It would be about a penny a year a gallon. When I was driving to work one day and they were changing the cards up there, they were raising it a nickel a gallon just as I drove by. At a penny a gallon, I think most Americans would be willing to pay for that if they knew it was going to save 3.5 or create 3.5 million jobs and put this country back on track and get rid of some of the delays and the congestion and the detours and all the other problems we have.

So let's pay attention to this scorecard, to this report card. If your kid came home with a card like this, you'd do something about it. Congress better do something about it.

□ 1020

DONALD FOISIE—1ST CAVALRY DIVISION SOLDIER—PATRIOT—TEXAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, it was June 1950 when the North Koreans decided they would invade their neighbors to the south, South Korea. The war had started—even though the world community called it a "police action"—but it was a war, and of course South Korea was in trouble. They called 911, and as it has been in history, when you call 911, the United States answers. The Americans went to South Korea to protect our ally South Korea.

In August of the same year, some Americans were occupying Hill 303. Most Americans have never heard of Hill 303. Let me tell you about it.

Hill 303 was being occupied by the 2nd Battalion, 5th Cavalry Regiment,

1st Cavalry Division of the United States Army. It was a small group because America didn't have a lot of troops in South Korea. We weren't ready for this war. The North Koreans, with the aid of the Communist Chinese later, overran the hill—and the Americans, some stayed, some withdrew. One of the individuals who stayed on that hill was a friend of mine by the name of Donald Foisie.

Donald Foisie and his other comrades refused to give ground. The hill was overrun. The North Koreans took the hill. Donald Foisie and one of his friends hid in a rice paddy. They used bamboo canes to get air, and they stayed there for a long time. Unbeknownst to him, 45 other American soldiers had been captured by the North Koreans. And after they were captured, they were lined up in front of a ditch, with their hands tied behind their backs, and they were machine-gunned down in that gully. Later, the Americans retook the hill. They found Donald Foisie and found his murdered comrades.

That was in August of 1950. Things haven't changed much in the Koreans. The North Koreans still have sights on South Korea, but that's another story.

Sergeant Donald Foisie was wounded several times, and received the Purple Heart that day. He stayed in the United States Army until 1962. He came back to Atascocita, Texas—down the street from me—and he had several businesses. He worked for a corporation in Houston. That corporation was an international corporation, and from time to time they would fly the flag of the country that they were hosting that day. When Donald Foisie saw that one of those flags, on one day that he was working, was the Red Chinese—as he called them—Communist flag, he refused to go to work. He didn't believe that the Chinese flag ought to fly on American soil. That's the kind of guy he was.

He spent the rest of his life letting Americans know about the Korean war. Last year, he was at Creekwood Middle School in Kingwood, Texas where the Creekwood Middle School kids honored the veterans of Hill 303—those who were murdered—and had a memorial. He was there, along with many South Koreans, and Ambassador Park from South Korea and myself were there.

Last year, he also attended the Memorial Day service at the veterans cemetery in Houston, and this is where that photograph was taken. He was saluting a crowd of several thousand who had given him a standing ovation after his story was told. You see, he looks pretty good. He's 81 in this photograph. This week, Donald Foisie, United States Army, 1st Cavalry Division—he's still wearing his hat—died. He will be buried this Friday at this same cemetery that he was standing in and honoring on Memorial Day.

He was quite a guy. He was married to Rita for 60 years. He had three kids—Donna, Daniel, and David. He wrote several books. He was in the air-conditioning business, and he worked as a security guard when his knees got bad. But he spent most of his life letting America know about his buddies in Korea in 1950—“the forgotten war,” as he called it. He wants us to remember what occurred many years ago when young Americans—kids—went over to lands they’d never seen and fought for people they had never known, all in the name of securing liberty and America’s interest.

So, today, we honor Sergeant Foisie and his family for his service in the United States Army, for being a true patriot, a true American, a great Texan, and a person who never gave ground.

And that’s just the way it is.

#### 10-YEAR ANNIVERSARY OF IRAQ WAR

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE of California. Today is a solemn anniversary, a tragedy that began 10 years ago when President George W. Bush launched a war of choice in Iraq, driving our country into a costly, bitter conflict based on falsehoods and hyperbole. It took President Obama’s fulfilling his campaign promise to end the Iraq war, and we are grateful that he brought the war to an end, but we must not forget how we got into the war in the first place so that these mistakes are not repeated.

We were told there were weapons of mass destruction. We were warned about mushroom clouds. Now, I offered an amendment at the time that would have taken us down a different path. It would have required the United States to work through the United Nations, using inspectors and maximizing diplomacy and inspections to determine whether or not Iraq was developing weapons of mass destruction. Unfortunately, my amendment failed by a vote of 72–355.

What happened from there? We all know the tragic consequences: President Bush dragged this country into an unnecessary war. No weapons of mass destruction were ever found. The costs of the Iraq war soared far beyond what was projected, and we lost 4,400 American troops in Iraq, and over 32,000 were wounded, not to mention Iraqis.

Once the war started, many of us in Congress quickly organized. Led by Congresswoman MAXINE WATERS and my good friend former Congresswoman Lynn Woolsey and myself, we founded the Out of Iraq Caucus. Over 80 Members joined. Thankfully, on May 25, 2005, Congresswoman Woolsey introduced the first amendment to bring our troops home. From what I remember,

there were about 132 votes that that amendment received, but that was not enough to stop the war. It was our way, though, to join the hundreds of thousands of people who marched and protested against what they knew was a war based on misleading information by the Bush administration. Many in this House supported my amendment every year to cut the funding for combat operations and to only appropriate funding for the safe and orderly withdrawal of our troops and our contractors.

Now, we would have saved hundreds of lives had this body used the power of the purse strings to stop this war. Shame on us. Ten years later, today, the full consequences and costs of the Iraq war remain to be seen.

According to a new study by the Watson Institute at Brown University, the war in Iraq has cost \$1.7 trillion, with an additional \$490 billion in benefits owed to our veterans. Most importantly, we paid for this war most tragically in loss of life and injury, and we poured billions of dollars into nation-building in Iraq with little oversight or accountability. The Special Inspector General for Iraq Reconstruction issued his final report to Congress last month, detailing the billions of United States tax dollars lost to waste, fraud, and abuse.

Speaking with an Iraqi official, Special Inspector Stuart Bowen was told: You can fly in a helicopter around Baghdad and other cities, but you cannot point a finger to a single project that was built and completed by the United States.

Unfortunately, these lost opportunities and tragic mistakes are not behind us. As the daughter of a 25-year veteran of the Armed Forces, I recognize the sacrifices our young men and women have made in Iraq and continue to make in Afghanistan. I am deeply concerned with the widespread incidences of PTSD and the alarming suicide rates among our returning veterans. We need to honor our troops who served and show our support by giving our men and women who served the best health care, the best educational opportunities and the best jobs available. They deserve nothing less.

It is my hope that this reckless and shortsighted decision will mark a turning point in American history and that we will never again wage an unnecessary war. We must use all the tools of American power in resolving disputes, including diplomacy, and we must have sufficient congressional debate. We only debated this go-to-war resolution for probably a couple of hours. We need more debate and oversight before ever putting another U.S. soldier in harm’s way.

Finally, Mr. Speaker, just like in Iraq, there is no military solution in Afghanistan. We need to bring the war in Afghanistan to an accelerated end

and bring our troops home now. Dr. Martin Luther King, Jr., in expressing his sentiment during a different war, said: The bombs in Vietnam explode at home—they destroy the hopes and possibilities of a decent America.

So let us put this decade of perpetual warfare behind us, invest in our veterans, our children, and get about the business of nation-building here at home.

□ 1030

#### CONGRATULATING DR. JOSEPH SCHRODT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, every time I walk onto this floor, it is such an honor and a privilege to be able to represent the great citizens of central and southwestern Illinois, the citizens that have given me this opportunity that humbles me every time we walk through those doors and every time we are able to stand here in this institution and offer what our visions for America are. There are vast differences in our visions for America between many parties. Fortunately, though, there are a lot of similarities and our willingness to begin working together to craft a vision for America that the hardworking taxpayers of this country want and deserve.

But another great honor that this institution allows is to actually honor some of those hardworking taxpayers in our district on a regular basis. It gives us an opportunity to talk about the many things that those in our districts do on a regular basis. They don’t ask for recognition; they just do it because it is the right thing to do.

And that’s why today I stand here, Mr. Speaker. I want to congratulate Dr. Joseph Schrodt of Decatur, Illinois, for being honored by the American Medical Association for his 50-year anniversary of graduation from medical school. While Dr. Schrodt’s dedication and commitment to the medical profession through the years is a tremendous accomplishment, I would be remiss if I didn’t take this opportunity to also thank Dr. Schrodt for all he and his family have done for the entire Decatur area.

Dr. Schrodt’s contributions to the area are too many to mention, but his advocacy and hard work on behalf of students and education is something we should all strive to emulate. Whether it was his time spent serving on the board of my alma mater, Millikin University and their board of trustees, or the Richland Community College Foundation Board, or he and his late wife Martha’s work to see the health education wing at Richland Community College come to fruition, Dr.

Schrodt's impact in the Decatur area will be felt for generations.

So I take this time today, Mr. Speaker, to offer my thanks to Dr. Schrodt and his family for all that they have done and all that they continue to do, and offer my heartfelt congratulations to Dr. Schrodt for this tremendous accomplishment.

#### THE RYAN BUDGET AND SNAP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, budget resolutions are moral documents. They lay out a vision of how each party sees the future and where our priorities should lie. Since this is budget week, the week when we will vote on a number of different competing visions for America, it is the right time to talk about the misguided priorities laid out in the Republican budget as presented by Chairman PAUL RYAN.

Once again, Chairman RYAN has proposed a budget that guts low-income programs. The Ryan budget not only does not end hunger now, it actually makes hunger in America worse than it is today.

Simply put, we are currently not doing enough to end hunger now. There are over 50 million hungry Americans in this country; 17 million are kids. Over 47 million rely on SNAP, formerly known as food stamps, to put food on their tables. Without this program, real hunger—the actual absence of food—would be much worse.

The Great Recession is the primary reason hunger is so bad today. Now, don't get me wrong; hunger has been getting worse since the Presidency of Ronald Reagan. We almost eradicated hunger in America in the late 1970s, but hunger has been getting steadily worse in the decades since. But the Great Recession, the worst economic period we've faced since the Great Depression, resulted in millions more hungry people, millions of people who had to turn to SNAP as the safety net that prevented them from going without food altogether.

Recognizing that hunger is a real problem and that we need to end hunger now, I would hope that any budget proposed in this Congress would, at the very least, do no harm to those who are struggling the most in our current economy. Yet the Ryan budget slashes SNAP once again. This should come as no surprise. This is basically the same budget he has introduced over the past few years—and the same budget that voters have rejected over and over again. Yes, Mr. Speaker, this is the same budget that turns Medicare into a voucher, the same budget that repeals the Affordable Care Act, and the same budget that gives even more tax breaks to the wealthiest Americans. And, Mr.

Speaker, it's the same budget that turns SNAP into a block grant.

Some of my Republican friends will provide false arguments about what the Ryan budget really does. They'll say that this just gives Governors flexibility, or they're just combating fraud, waste, and abuse. Mr. Speaker, the real goal of the Ryan budget, and of some of my Republican friends who support it, is to end SNAP as we know it.

SNAP is not just a simple antihunger program; it is among the more effective and efficient, if not the most effective and efficient, Federal program. SNAP has a historically low error rate. Trafficking is going down, and prosecutions of SNAP trafficking are clearly visible as USDA works to reduce that problem. SNAP is a countercyclical program. That means that enrollment increases as the economy worsens. It is a true safety net program, and it has a side benefit of being a stimulus program. Every SNAP dollar spent results in another \$1.72 in economic activity.

Yes, SNAP can use some improving, but the wholesale and shortsighted changes included in the Ryan budget are not the answer. The Ryan budget actually cuts \$135 billion from SNAP over the next 10 years—\$135 billion. That's not a haircut; that's a meat-ax. It's an 18 percent cut, a cut that will cause real harm to low-income families who otherwise could not afford food.

The cuts in the Ryan budget will have a real impact on poor Americans and struggling working families because millions of people on SNAP work for a living. They earn so little that they still qualify for Federal assistance. If they apply these cuts solely to eligibility, these cuts would mean that 8 to 9 million people would be cut from SNAP. If these cuts are applied solely to benefits, then all 47 million people on SNAP would see an average cut of \$24 per person per month. That adds up to a cut of almost \$1,100 per year for a family of four. That may not seem like much to a Congress that has a ton of millionaires, but a \$1,100 cut will do real, serious harm to people whose budgets are already stretched to the limit.

Cuts like these are not just misguided, they're cruel. Combined with cuts to other low-income programs that are included in the Ryan budget, these SNAP cuts will absolutely make hunger in America worse. As we consider a budget, at the very least, we should do no harm, but we really should be striving to make every American's life better. That's our job. Cutting SNAP not only doesn't make anybody's life better, it actually does real harm, harm that will manifest in a less educated population, a sicker Nation, and a Nation that ultimately has to spend more on the hungry simply because we decided to bring austerity to a program that doesn't deserve to be cut.

We are a great country, Mr. Speaker. We are great because we have a tradition of caring about the most vulnerable among us. Let us not turn our backs on one of our greatest traditions. This assault on poor people must come to an end. This assault on the hungry, many of whom are kids and senior citizens, must come to an end.

Mr. Speaker, I believe we can end hunger now if we find the political will to do so. The Ryan budget does the opposite. It cuts a vital antihunger program for crass political reasons, an act that makes hunger worse. Let us instead pass a budget that lifts people up, not one that keeps people down.

#### DECISION TIME IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 5 minutes.

Mr. JEFFRIES. Mr. Speaker, this is decision time in America. We are at a fork in the road, and we have an opportunity to go in either one of two directions. In one direction, the Democratic approach, we can take a balanced approach to dealing with the economic situation that we find ourselves in and our deficit. The other direction, the GOP approach, is to balance the budget on the backs of the most vulnerable amongst us. The Democratic plan will put Americans back to work. The Republican plan will put Americans out of work. It's decision time in America. We can go in one of two different directions.

Now, a balanced approach to deficit reduction has at least four elements to it:

First, invest in the American economy.

Second, increase revenues by closing corporate loopholes that are unfair, unreasonable, and unnecessary.

Third, we can reduce expenditures in a manner that is sensitive to the fragile nature of our economic recovery. We must reduce expenditures in a way that recognizes we still have a long way to go in order to recover, and the meat-cleaver approach advocated by my friends on the other side of the aisle will not make the decision better; it will just make the situation worse.

□ 1040

Lastly, the Democratic approach, the balanced approach, stands up for important social safety net programs like Social Security, Medicare, and Medicaid that have nothing to do with the economic situation that we find ourselves in right now.

Why should we invest in the American economy?

Well, we don't have an immediate deficit crisis in America right now. We've cut \$2.5 trillion from our deficit over the last several years; and we're prepared, on this side of the aisle, to reasonably do more.

But don't overhype the problem. In fact, objective economists have indicated we don't have an immediate deficit problem in America right now. The Speaker of the House of Representatives has conceded that we don't have an immediate deficit crisis in America right now.

Just on Sunday, the chairman of the Budget Committee acknowledged that we don't have an immediate deficit crisis in America right now. That's why we're pursuing a balanced approach.

What we do have is a jobs crisis. Over the last 4 years, under the leadership of President Obama, we have come a long way, almost 6 million private sector jobs added. But we still, of course, have a long way to go.

Let's just look at the landscape. Corporate profits are way up. The stock market is way up. The productivity of the American worker is way up. Yet unemployment remains stubbornly high, and consumer demand remains stagnant.

That's why the Democratic approach is to invest in our economy, invest in education, invest in job training, invest in transportation and infrastructure, invest in research and development, invest in technology and innovation, invest in the things that will continue to make America a leader in the 21st century.

If you invest in our economy, then you will increase jobs for the American worker. If you increase the jobs available to the American worker, consumer demand will increase. If consumer demand increases, the economy will grow; and if the economy grows, the deficit will decline, and so, too, will our debt as a percentage of GDP.

This is decision time in America; and, clearly, the best decision that we can make is a balanced approach to dealing with our economic problems today.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 42 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at noon.

#### PRAYER

Reverend Alisa Lasater Wailoo, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

As we begin our work today, we pause to give thanks for: each world

leader, especially Pope Francis beginning his tenure today, each political party, each Congressperson and their staff, each individual citizen they represent, and all their diverse gifts and disparate needs.

As we begin our work here today, we ask You to reveal: where we've become desensitized to the struggles of Your children, where we've let pride prevent holy possibilities, where we've chosen self-preservation over challenging partnerships.

As we begin our work here today, remind us: that Your limitless love overcomes our limitations, that You have a dream for Your globe that surpasses our wildest imaginations, that You can work through the minutia of detailed legislation and the grand vision of this Nation.

So as we begin our work today, we pray that we may do so ready to trust the lead of Your tender and tremendous love.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HORSFORD. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HORSFORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. WENSTRUP) come forward and lead the House in the Pledge of Allegiance.

Mr. WENSTRUP led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### BUDGET PLAN

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, the American people, regardless of political affiliation, expect elected leaders in Washington to offer a plan to reduce mounting deficits and revive our stagnant economy. House Republicans agree and have offered another responsible plan to balance the budget with responsible reforms.

Meanwhile, the best plan Senate Democrats can come up with continues to spend more money than we take in. They call for a balanced approach, and yet their budget never balances and includes \$1.5 trillion in new taxes. At least Senate Democrats have finally come around to offering a plan, after spending the last 4 years on the sidelines. The President has yet to submit his budget to Congress, already 6 weeks behind his legal deadline.

Budgets offer a picture of how government plans to steward taxpayer money. The Senate budget asks for higher taxes to fund higher spending, to finance ever-growing government.

My constituents are tired of the cavalier and unserious approach that has become all too common in Washington. I'm pleased that the House Republican majority continues to take its responsibilities seriously and produce budgets which balance, getting us back on track to fiscal sanity and a healthy economy.

#### ADDRESSING OUR UNEMPLOYMENT CRISIS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 807 days since I arrived in Congress to address jobs, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis. More than 12 million American families do not have the luxury of waiting on this issue. They are devastated. There are five students in my district who graduated from Harvard in 2011, and they're still looking for work. Think of the lost talent.

It's time for Congress to understand that unemployment is an urgent national crisis. It results in lost tax revenue, higher government expenditures, and unbearable levels of human suffering.

Mr. Speaker, our real deficit is unemployment. Let's eliminate this true deficit by bringing the President's American Jobs Act to the floor for a vote. It deserves a vote.

Mr. Speaker, our mantra should be: jobs, jobs, jobs.



## HONORING MARTIN MUMAW III

(Mr. BUCSHON asked and was given permission to address the House for 1 minute.)

Mr. BUCSHON. Mr. Speaker, I rise today to honor an exceptional Hoosier, dedicated public servant, and a good friend of mine, Martin Mumaw III—a man with a strong desire to help others and a man who has been a tremendous asset to the Eighth District of Indiana.

Martin has dedicated over 40 years of service to Indiana, the Eighth District, and Daviess County Republican Parties. He is currently serving his fourth term in elected office as Daviess County treasurer. He also has worked with many civic organizations and within the Republican Party as precinct committeeman, county chairman, and member of the Eighth District Central Committee.

His public service and civic engagement have been a means by which Martin has improved the lives of those around him. His dedication and service led former Indiana Governor Robert Orr to name him “Sagamore of the Wabash” in 1988, an award for distinguished public service.

While his public service has been tremendous, Martin is probably best known for his fellowship, kind heart, and sense of humility. He’s never met an enemy and is the first to extend a helping hand.

I’m proud to stand here today to honor Martin’s history of service, a history to which we all owe a debt of gratitude. God bless you, Martin Mumaw.

## GOP BUDGET

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Two thousand dollars; \$2,000 is what you will lose if the Republican PAUL RYAN budget goes through.

What does \$2,000 mean to you?

For a single mom, it could mean the difference between feeding her family or seeing her kids go hungry. For hard-working Americans, it could mean the car payment, or gas money, or prescription drug money that you need to pay each and every month. But to the GOP, \$2,000 is the amount they are taxing middle-class families in their “new budget,” the PAUL RYAN budget.

But not everybody has to pay more. The truth is that in this budget, if you’re an oil company or corporation taking jobs overseas or a yacht owner, you have nothing to fear with the GOP budget. Your lifestyle is totally secure.

Once again, working families will pay more so the rich can pay less. For the sake of middle class Americans, we must oppose the Ryan budget.

## HONORING THE LIFE OF TOM GRIFFIN

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, next to me is a photo of Doolittle Raider Tom Griffin’s memorial service I recently attended in Green Township, Ohio. Tom Griffin was an inspiration to everyone who had the honor to know him. I had the great pleasure to meet with and talk to Tom many times over the years. We shared the podium quite often at Memorial Day services, for example, and at veterans’ events all over the community.

Tom was a man who literally lived history. In those darkest early days of World War II, when Tom and 79 other Doolittle Raiders took off from the deck of the USS *Hornet*, they had no idea whether they would survive the day.

The American people back then got a much-needed boost when they learned of the heroics that took place that day over Japan. But Tom cringed at the word “hero.” He felt that he was just doing what he’d been trained to do. And Tom Griffin went on to risk his life for his country for years following the Doolittle raid, culminating when he was shot down over Sicily and spent 22 months in a German POW camp.

Tom recently said, “What a life I’ve lived.” May we all strive to live a fraction of the life that Tom Griffin did. May God bless Tom Griffin.

□ 1210

## AMERICAN SOCIETY OF CIVIL ENGINEERS REPORT CARD FOR AMERICA’S INFRASTRUCTURE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the American Society of Civil Engineers report card is out for the quality of America’s infrastructure, and the results are a national disgrace and an embarrassment. America gets a D grade for the quality of its infrastructure.

According to the World Economic Forum, we’re 24th in infrastructure quality. In 2001, we were No. 2, and we also had a budgetary surplus.

There are 69,000 structurally-deficient bridges in this Nation. Every second of every day, seven cars drive on a bridge that is structurally deficient; but the Republican budget plan that will be voted on this week cuts infrastructure spending by 32 percent per capita over the next 10 years.

The United States Chamber of Commerce that represents the so-called job creators estimates that we will lose \$336 billion in economic growth over the next 5 years.

China spends 9 percent of its economy on infrastructure; Europe, 5 per-

cent; the United States less than 3 percent.

Moreover, you just spent \$89 billion rebuilding the roads and bridges of Afghanistan, and \$69 billion rebuilding the roads and bridges of Iraq, and you propose to cut infrastructure spending per capita by 32 percent.

This is a national disgrace and embarrassment.

## HONORING THE LIFE OF MAJOR TOM GRIFFIN

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute.)

Mr. WENSTRUP. Mr. Speaker, in 2008, at 92 years old, Major Tom Griffin stood up at a Veterans Day event in Cincinnati, and he told his story as one of the Doolittle’s Raiders that attacked Tokyo after the Japanese attacked Pearl Harbor.

Managing to bail out after the attack and making his way to China, Tom returned to the U.S., deployed once again, this time to Europe, and was a POW for almost 2 years. Tom Griffin never said, why me; but, rather, why not me?

Growing up in the Depression, Tom Griffin learned to put service above himself. Over the years, I saw Tom tend to other veterans as they aged, and he was there for their final separation from service on Earth.

Tom Griffin has completed his Earthly mission. However, the positive effects of his work will never perish. But are we worth the sacrifice made by Tom Griffin and so many others?

Will history show that we treasured the gift of freedom that he handed us?

We all need to commit to ensure that Tom Griffin’s efforts on behalf of freedom will not have been in vain. May he be able to look down at us and say, well done.

Tom Griffin, you led a good life. You were a good man and the greatest of Americans. Thank you, and God bless you, Tom Griffin.

## WOMEN’S HISTORY MONTH

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, I come to the floor today to recognize the contributions that women have made to our society throughout history. As this month marks both Women’s History Month and the American Red Cross Month, I want to take this opportunity to celebrate the lasting contribution of one woman, the founder of the American Red Cross, Clara Barton.

Clara Barton was a true leader, a woman of poise and purpose. During the Civil War, Ms. Barton found common ground by helping everybody in



the wake of disaster. She provided medical supplies to the injured, food assistance to the hungry, compassion for all.

Since its founding in 1881, the Red Cross has been a reliable lifeline for Americans and the citizens of our world. Clara Barton passed away in 1912 at the age of 90, but her legacy lives on. It should serve as a reminder to women and to men that the business of helping others is a business worthwhile.

To the women in my district and throughout the country, thank you for your confidence, thank you for your leadership, thank you for your compassion that has helped us move forward.

#### HONORING THE LIFE AND SERVICE OF MARTY STUMBAUGH

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, I rise today to honor the memory of Marty Stumbaugh from Cabot, Arkansas.

A hero is someone who is admired for their courage, nobility, and service to others. Firefighters have long been admired for these traits, and Marty Stumbaugh was a shining example. His life's work was to serve his community as a firefighter. Marty did his job each day with a sense of responsibility and honor.

In addition to serving his community fighting fires, Marty was a former justice of the peace in Lonoke County and constable in York Township. Marty was president of the Cabot Professional Firefighters Association and a member of Mt. Carmel Baptist Church.

Family was the most important part of Marty's life. Marty loved his wife, Mindy, and their two children, Mason and Macy, more than life. Additionally, Marty had close relationships with his siblings: Netta, Karla, Robbin, Corky, Stubby, and Stewart.

Mr. Speaker, please join me and the entire community of Cabot, Arkansas, in honoring the life and service of Marty Stumbaugh.

#### NATIONAL AGRICULTURE DAY

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, on National Agriculture Day, we honor the hardworking efforts of America's farmers, farm workers and processors who provide our family with safe and affordable healthy foods.

As a third-generation San Joaquin Valley farmer, I'm proud to represent our agricultural way of life that drives our economy. More than half of the Nation's fruits and vegetables are grown in California. The San Joaquin Valley produces over \$25 billion in gross value

per year, which creates jobs and helps feed our Nation.

Each American farmer needs over 144 people, and they're doing it environmentally safer than ever before. It's more important than ever to remind people that our agricultural economy still touches every part of our lives.

Take a moment today to think about the hand that picked the tomato, or the dairyman, and thank them for that glass of milk. These are among the hardest working Americans that I know.

Let me, again, thank the farmers, the farm workers, and the food processors on National Agriculture Day for your hard work in putting the food that we eat on America's dinner tables.

#### SERIOUS BUDGETARY ISSUES FACING OUR NATION

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise today to address the serious budgetary issues facing our Nation. It seems many in this town have forgotten what a budget is, so I thought I'd provide a quick reminder.

Webster's Dictionary defines "budget" most simply as a plan for the coordination of resources and expenditures—a plan for the coordination of resources and expenditures. It's fairly straightforward, and something the American people understand. Frankly, it's something House Republicans understand.

Mr. Speaker, every year since I've been a Member of this body, we have passed a responsible budget. Once again this year, the House Republican budget reduces government spending and gets our debt crisis under control. This, in turn, helps secure the future for our children and grandchildren and creates more jobs and opportunities today.

Senate Democrats finally came to the table and introduced a budget. Unfortunately, it never balances, despite the fact that it raises taxes by \$1.5 trillion.

We're still waiting on a budget from the President, though I suspect we'll see a March Madness bracket from him before we see a budget.

Mr. Speaker, Americans deserve a real budget, and I plan to continue fighting to ensure they receive one.

#### THE REPUBLICAN BUDGET IS NOT A PATH TO PROSPERITY

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, what's the message?

The message is that Congressman RYAN's budget is not a path to prosperity for our country.

Why? Because we lose with jobs. His 10-year budget destroys 2 million

American jobs, according to the Economic Policy Institute.

We lose with families and children, because families and children who have income below \$200,000 would have to face a tax increase averaging more than \$3,000 a year.

We lose with seniors. According to the AARP, as they stated, the GOP budget will shift costs to seniors and end the Medicare guarantee. Removing the Medicare guarantee of affordable health care coverage seniors have contributed to through a lifetime of hard work definitely is not the answer.

Mr. Speaker, the American path to prosperity is not for citizens to lose, as we do under the Ryan budget, but to move forward, as set forth in the Democratic alternatives.

□ 1220

#### CALL FOR A BALANCED BUDGET

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, a "balanced approach" should not be hard-working Americans give and government takes. This year, the Federal Government will collect a record \$2.7 trillion. Federal spending will far surpass this. Continuing to increase revenue while Federal spending grows, with no end in sight, is not a balanced approach. The balanced approach that we should pursue is a budget that balances and a budget that protects the present and builds for the future.

We're presenting a budget that moves to that end and actually balances by slowing the rate of spending increases. This is a concept that the Washington elite will label as extreme. Yet this is a concept that American families call common sense, and something they do every week. American families have watched government grow and their budget shrink. That's not right.

Why is a budget that balances important for the American people? The answer is found in examples that we see now going on in Western Europe. Governments that overspend and, as a result, underperform hurt the people that they're designed to help the most. Our budget will prevent this type of financial crisis from happening in our country. It will keep the promises to our families and seniors and protect the future of the American Dream.

#### CLIMATE CHANGE

(Mr. GRIJALVA asked and was given permission to address the House for 1 minute.)

Mr. GRIJALVA. Later today, we're going to begin consideration of the Republican budget, a plan that not only voucherizes Medicare but retains \$40 billion in subsidies to the oil industry

and requires approval of the Keystone XL pipeline. At a time when climate change is affecting more and more people throughout the country, the majority is committed to keeping our economy dependent on fossil fuels and ignoring the serious challenge that it represents. The \$75 billion in damages from Superstorm Sandy, the ongoing drought in much of the West, including my home State of Arizona, don't seem to be enough evidence that it's time for serious action.

Climate change is global. A United Nations report indicates that because of climate change, 3.1 billion people will be in extreme poverty by 2050. If we want to make a sizable dent in the human contributions to climate change, we have to start making those responsible for pollution accountable and pay for it. This is the sort of leadership the American people are looking for from Congress. Climate change is real. It is not a problem that will go away. We cannot ignore it. We have to face it head on and not bury our heads in Canadian tar sands.

#### A BALANCED BUDGET IS GOOD FOR THE COUNTRY AND ITS PEOPLE

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, as I visited 100 businesses in 100 days last summer, the families who operate and work in those businesses were frustrated with Washington's inability to live within its means. The Federal Government's overspending is hurting their ability to grow. Why? Because small business owners know that there's no such thing as a free lunch. They know that the Federal Government's overspending will come back to us in the form of higher taxes and unfunded entitlements and a weaker economy.

House Republican plans reduce government spending and enact much-needed reforms. Perhaps most importantly, they balance the budget within 10 years.

According to a recent op ed in The Wall Street Journal:

The spending restraint and balanced-budget parts of the House Budget Committee plan would boost the economy immediately.

It is time Washington starts being part of the solution. A balanced budget is good for the country and good for its people.

#### IN MEMORY OF THE VICTIMS AT HAWTHORNE ARMY DEPOT

(Mr. HORSFORD asked and was given permission to address the House for 1 minute.)

Mr. HORSFORD. I come to the floor with a heavy heart today. I am deeply saddened by the loss of life as the re-

sult of an explosion during a live-fire training exercise at Hawthorne Army Depot last night, which is located in the northwest part of Nevada's Fourth Congressional District.

I had the honor and privilege of visiting the depot in January and meeting with the fine men and women who work there. The families of those affected are in my thoughts and prayers, and I hope for the recovery of those who are in critical condition and who are receiving medical care as I speak. The losses we have learned about this morning are painful. We have lost seven marines. Others are wounded. My office is in contact with the Governor of Nevada, local officials, and military command to receive updates on the situation.

My thoughts and prayers are with the community of Hawthorne. I will be leaving as soon as possible to return to Nevada to be with our grieving community and servicemembers. I ask for this body's prayers and thoughts for our men and women in service.

#### OBAMACARE AND JOBS

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, last week, the Health Subcommittee investigated how the new health care law, ObamaCare, is impacting job growth and worker opportunities across the country. The results are not good. The recovery continues to be well below what we need to keep up with workers entering the marketplace. Youth unemployment remains very high, and ObamaCare is showering employers with new red tape.

In our hearing, restaurant group owner Tom Boucher from New Hampshire testified about his struggles. So far, he has spent more than 100 hours with human resources staff trying to prepare for the law. The anticipated economic burden has delayed his plans to open a new restaurant. These are good jobs that could have been created.

ObamaCare is perversely discouraging companies from hiring full-time workers. Many job seekers find that they can only find part-time work right now. We need a dynamic economy creating good private sector jobs. Instead, ObamaCare is forcing employers to spend more time worrying about taxes and accounting and hiring part-time employees. That's not the reform our ailing economy needs.

#### FUNDING THE NATIONAL INSTITUTES OF HEALTH

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. People sometimes ask why we can't find common ground. There's an area we should be able to

find common ground on—and we don't—and that's funding for the National Institutes of Health, which is going to be cut in the sequester by close to a billion dollars. There was an amendment in the Senate that tried to put funding back in the continuing resolution for NIH, and it failed on a party-line vote, with 54 Democrats and Independents voting "yes" and 46 Republicans voting "no."

Republicans say the reason they want to cut spending and voted the sequestration in is we're putting a debt on the next generation. Let me submit, Mr. Speaker, that the research that's done at the National Institutes of Health to find cures for cancer, heart disease, diabetes, Alzheimer's, AIDS, and post-polio cures and treatments will affect the next generation more than this generation.

We talk about the Department of Defense. The Department of Defense should be the National Institutes of Health, because the enemy is disease, and we need to conquer it and keep our loved ones alive and keep ourselves alive and have better cures.

We talk about infrastructure—and I support that—but the most important infrastructure is the infrastructure of the human body. And that's what the National Institutes of Health works on. We should work together and fund the National Institutes of Health for all of our constituents.

#### COMMENDING MISS TEEN MONTANA, ABBI HELLAND

(Mr. DAINES asked and was given permission to address the House for 1 minute.)

Mr. DAINES. Mr. Speaker, I rise today to congratulate Abbi Helland, a remarkable young woman from Glasgow, Montana, who was recently named Miss Teen Montana International. Abbi is the daughter of Pete and Allison Helland and the granddaughter of Montana's former Congressman, Ron Marlenee, and his wife Cindy.

Abbi is passionate about reading and making sure that Montanans of all ages have access to books. She'll be working with our State's schools, libraries, and book stores to promote reading education and to support the "I Love to Read Week" in Montana communities. She also will work to install programs to send books overseas and to expand access to books for Montana's seniors.

Abbi is a true example of the spirit and drive that we value in my home State of Montana. She'll represent our State well as our ambassador to the Miss Teen International competition in Chicago this July.

Congratulations, Abbi. We're proud of you.

## VOTE AGAINST THE REPUBLICAN BUDGET

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, every budget should be viewed through the lens of the American people. The hard-working Floridians I represent want to know: Does the Ryan budget put Americans back to work or back on unemployment? The moms and dads I represent want to know: Does the Ryan budget invest in our children or does it ignore our outdated public schools? The small business owners I represent want to know: Does the Republican budget fix our rigged Tax Code or does it protect special interest loopholes? The retirees I represent want to know: Does this budget protect Medicare or does it abandon seniors in the face of skyrocketing health care costs?

The answer is: no. No, the Ryan budget will not put people back to work. No, it doesn't invest in our schools. No, it does not end special interest giveaways. No, it does not protect Medicare.

The Ryan Republican budget does not stand by our communities, and it doesn't invest in our future. That's why I urge my colleagues to vote "no" on the Republican budget.

□ 1230

## A BALANCED BUDGET

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, we teach the importance of a balanced budget to our schoolchildren, such as those we have today, but apparently this basic financial principle is not good enough for our President, who says he won't even chase a balanced budget for the sake of balance.

Mr. Speaker, to help the President find a better reason, I would suggest we examine the economic damage caused by runaway public debt. In 2011, Greece, Italy, and Portugal each amassed public debt greater than 90 percent of their economic output. For Greece, the debt was a stunning 165 percent of their gross domestic product. All three countries are now undergoing wrenching austerity and suffering through prolonged recessions and unemployment.

What would this scenario look like for hardworking American families? The burden of unsustainable public debt and increased taxes would lead to higher interest rates on mortgages, car loans, and other credit. Ignoring this problem would bring on higher inflation, reducing the purchasing power of American families and inflicting the most pain on the poor and middle class.

Mr. Speaker, we must support our families. We must support a balanced budget.

## RYAN BUDGET ATTACK ON NEVADA SOLAR PROJECT

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, I rise today in opposition to the Republican budget that's being debated this week and, in particular, to the unfair and inaccurate attack on a clean energy company that's located in my home State of Nevada. The Republican proposal refers to the Solar Reserve project as "an ill-fated venture."

Had he done his homework, Budget Committee Chairman RYAN would have discovered that this cutting-edge solar project is not ill-fated but, instead, has a long-term contract with our State's largest utility. It has created 450 good-paying jobs for Nevadans and is running on schedule and under budget.

The assertions being made in the Republican budget undermine the success of renewable energy programs, the jobs they create, and the investment they represent in our Nation's future energy needs.

In Las Vegas and across the country, Americans have made it clear that our budget should be a path forward for a strong middle class and a serious investment in the next generation of Americans.

Let's reject these mathematical gimmicks and unsubstantiated attacks and get to work on a real budget.

## TRUST ACT

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise today to share something that has been on my heart and will, in the coming days, be at the heart of my first bill introduced in the House. When Members of Congress break the law, they break trust: they break trust with their colleagues, hurting our ability to work together; they break trust with the American people who sent them here; and they break trust with the Constitution they swore to uphold.

I will be introducing the TRUST Act. This bill is simple. It does not distinguish between types of offenses or the possible reasons behind them. It makes clear that a Member of Congress convicted of any felony will forfeit the taxpayer-funded portion of their pension.

If our servicemen and -women who lay their life on the line for our Nation lose their pension with a dishonorable discharge, should not Members of Congress be held to the same standard?

These days with public opinion of Congress at record lows and public debt at record highs, the TRUST Act is a place to start in restoring the faith of the American people to their govern-

ment. I am pleased to present this opportunity to my colleagues to restore trust to taxpayers, and I ask them to join me in this effort.

## WASTE IN IRAQ

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I rise today to honor the service and sacrifice of the nearly 5,000 coalition troops, including 28 of my brothers and sisters from Hawaii, soldiers like First Lieutenant Nainoa Hoe of Kailua or Sergeant Deyson Cariaga from Honolulu, whom I had the honor of serving with, who paid the ultimate price during Operation Iraqi Freedom.

Today marks the 10th anniversary of the American invasion of Iraq. And while this war has largely faded from the headlines, we must take every opportunity to learn from our experiences. There are many lessons we should learn, one of the most egregious being the serious waste, fraud, and abuse of taxpayer dollars, waste that was apparent to those of us on the ground as well as to outside experts. An alarming report this month by the special inspector general for Iraqi reconstruction also determined at least \$8 billion of our reconstruction funds have been wasted.

In Congress today, we have an opportunity to learn from that lesson. We have to pursue commonsense ways to balance our budget without hurting our middle class families, endangering our national security, or shortchanging our veterans. We must focus on our mission to serve the people who sent us here and honor our servicemembers and their families who have made immeasurable sacrifices in the service of our country.

## BALANCE THE BUDGET

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I remember when \$1.4 trillion was a lot of money. 1.4 trillion dollars is the amount of money the Federal budget increases under the House Republican budget proposal—an average of \$140 billion a year, 40 percent over the decade. But listening to my House Democratic colleagues, you would believe our budget cuts spending to the bone. You would believe that our Federal Government can't survive on a penny less than a \$2.1 trillion increase.

Admittedly, that \$700 billion is a lot of money. It's 50 percent more than requested under the House Republican budget proposal. But it is important to remember that every penny of that \$700 billion is borrowed from the future of the young people growing up in this great country today.

Mr. Speaker, families all across America balance their budget. The Federal Government should balance its budget, too.

#### FEDERAL BUDGET

(Mr. BONNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONNER. Mr. Speaker, around the country this time of year, it is known as March Madness as the NCAA basketball tournament is about to begin. But it is March madness in Washington as well, as the debate starts today over what kind of country we are going to leave to our children and grandchildren.

Later this afternoon, the House begins this conversation in earnest with a debate over the Federal budget. For the third year in a row, House Republicans will offer a budget that will balance, and this time we are putting forward a plan that will do so in 10 years. We do this by making careful cuts in spending and without raising your taxes.

Unfortunately, the President hasn't submitted his budget yet; although he was required by law to do so on February 4. And the proposed Senate budget raises taxes by \$1.5 trillion without ever balancing.

Mr. Speaker, the pathway to getting our country back on track begins today. Let's remember America's children and grandchildren as we engage in this important debate.

#### FORT HOOD

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, 3½ years ago, our Nation was viciously attacked when an Islamic extremist opened fire on our troops at Fort Hood. We lost 14 innocent Americans that day, 12 military servicemembers, one civilian, and an unborn child.

Since the attack, the Fort Hood community has seen and felt an outpouring of support from across the State of Texas and the Nation, but not from the Federal Government. Currently, the troops killed and wounded in this horrible attack are denied the treatment, benefits, and honors granted to soldiers who are attacked overseas in a declared combat zone. The Pentagon deems this attack "workplace violence" rather than "combat violence."

This is shameful, and Americans should be outraged by the administration's refusal to acknowledge this wrong. Our troops were attacked on U.S. soil in a blatant terrorist attack, and we owe it to these patriots and all who wear the uniform to provide for them. They willingly and admirably put their lives on the line every day to protect our freedom.

I urge my colleagues to pass H.R. 705, the Fort Hood Victims and Families Benefits Protection Act, and start providing the needed assistance for the victims and families of this terrible tragedy. Our troops deserve better.

May God bless all who serve.

□ 1240

PROVIDING FOR CONSIDERATION OF H. CON. RES. 25, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014; PROVIDING FOR CONSIDERATION OF H. RES. 115, PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 113TH CONGRESS; AND FOR OTHER PURPOSES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 122 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 122

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours of general debate confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Brady of Texas and Representative Carolyn Maloney of New York or their respective designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may

have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to adoption without intervening motion except amendments offered by the chair of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. On any legislative day during the period from March 22, 2013, through April 8, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved;

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment; and

(c) bills and resolutions introduced during the period addressed by this section shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred by the Speaker at a later time.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. Each day during the period addressed by section 2 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 5. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirtieth Congress. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit which may not contain instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the ranking member from New York, pending which time I yield myself such time as I may consume. During consideration of this resolution, Mr. Speaker, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, that was a mouthful as the Clerk was reading through this resolution, and it was an exciting mouthful. I'm not sure that folks actually were able to get from just the prose the excitement that is in this rule today.

What this rule provides for is two very important things. I'm going to take them in order of my personal passion, but they're both equally important. Number one, this rule provides that every single Member of this House—not just Republicans, not just Democrats, not just folks who are favored, not any particular category—but every single Member of this House who represents a constituency back home had an opportunity to submit their own budget for the United States of America.

So often, the problem in this town is not enough good ideas, Mr. Speaker. We don't have that problem today because every Member of the House that chose to submit a budget is going to have their budget considered and debated on the floor of this House if we pass this rule today.

Now, that is only five budgets, Mr. Speaker, five plus the Budget Committee's mark, because it's not easy to put together a budget. A lot of folks talk a good game about what they would do if they were king for a day; but when you try to craft your own budget, you've got to put, literally, money where your mouth and ideas are.

In this rule, we make in order a Congressional Black Caucus substitute budget, a Progressive Caucus substitute budget, and a substitute budget by the ranking member of the Budget Committee, the gentleman from Maryland (Mr. VAN HOLLEN). We make in order a budget introduced by Mr. MULVANEY from South Carolina that tries to capture the essence of what the Senate is working on right now, and we make in order a budget produced by the Republican Study Committee. All of those exist as an alternative to the budget that was produced by the Budget Committee.

Mr. Speaker, I have the great pleasure of sitting on the Budget Committee. What you see here in my hand is the Budget Committee report. We produced this on March 15. It's bound and it's published. They did a very nice job. It's been proofread, and the minority has had a chance to add their views. That was March 15 that we produced this budget.

But as we sit here today with March quickly leaving us, what we do not have yet is a budget from the United States President. I only point that out, Mr. Speaker, to say I understand that it's hard to produce a budget. I know because I produced one in this cycle. I had the great pleasure of working with a team that produced the Republican Study Committee budget and produced the House budget. So in a time period where the President has failed to follow the legally required mandate of introducing a budget by the first week of February, I've had the great pleasure of producing two budgets.

My friends on the Progressive Caucus have produced a budget. My friends on

the Congressional Black Caucus have produced a budget. My friend, Mr. VAN HOLLEN, has produced a budget. And I think it is fair when we ask in this debate why we have been denied a chance to look at the President's budget. We didn't see it in February. We didn't see it in March. Word has it now we might see it in April.

It's hard work to produce a budget, but it's important work. In fact, it's legally required work. I take great pride not just that the House will meet its statutory deadline, but that we're meeting it in this very open and honest forum as this rule proposes.

But the second thing this rule does, Mr. Speaker, is it provides for consideration of the committee funding resolution. This Congress doesn't have a penny to spend except for pennies that we take from the American taxpayer. That's the only place any revenue comes into this United States Government. Part of that revenue goes to fund this very institution.

Thrift begins at home, Mr. Speaker. Before you and I arrived in this body, Mr. Speaker, the committee process here in this House was authorized to spend \$300 million a year. Now, the committees do amazing work. It's important work to produce reports like this Budget Committee report, and they do the oversight on the executive branch. I don't for a minute suggest that the work that the committee structure does isn't critical to the functioning of our Republic. But every single account in the United States Government has to be looked at, examined, critiqued, and reformed if we are to get our fiscal books back in order.

The very first committee funding resolution you and I had a chance to vote on, Mr. Speaker, we reduced that committee funding from \$300 million back in the 111th Congress down to around \$260 in the 112th.

□ 1250

Here we come down again to \$240 million in this resolution. In the 26 now short months that you and I have served in Congress, Mr. Speaker, this body has examined its own books and reduced its spending by 20 percent on committees. That is not an easy task. That's not a task that came lightly. That's a task that has taken tremendous effort by both the majority and the minority.

But my question is, Mr. Speaker, if we can do it, as the American people expect us to do, what could the executive branch do? If we in the people's House can take 20 percent out because our constituents have demanded that we view every single dollar with an eye toward thrift, what could the executive branch do if only they would partner with us as we begin the leadership right here in this body?

None of the easy decisions are left, Mr. Speaker. The only decisions left to

be decided in this budget, to be decided in this rule, are the hard decisions. We have provided in this rule the opportunity to consider every alternative that Members have proposed to decide these solutions, Mr. Speaker.

With that, I encourage my colleagues to support this rule, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Through numerous budget resolutions and campaign pledges and appearances on Sunday talk shows, the majority has made clear that their vision for America is a vision that says the Nation can no longer care for our seniors, that we must halt vital scientific research and that we should let our bridges and schools crumble because we can't afford to invest in the future.

In short, I believe that it is an extreme and cynical version for America and one that I strongly reject.

For more than a decade, the needs of our country were neglected while the majority led two unfunded wars and gave unaffordable tax breaks to millionaires and billionaires, and we now have the cost for the last war in Iraq of \$3 trillion borrowed. In all the discussions on the deficit and what bad shape we are in, nobody ever talks about that war and how that has kept us from rebuilding the infrastructure in the United States that cries out for it.

These two decisions unraveled the balanced budget achieved by President Clinton and exploded our Nation's debt. Now after a decade of reckless financial management, the majority is proposing another budget that is as unserious as it is extreme.

Take, for example, the field of scientific research. More than 50 percent of our economic growth since World War II can be attributed to the development and adoption of new technologies, yet the budget proposes drastic cuts to research at the National Institutes of Health, the National Science Foundation and the National Aeronautics and Space Administration, among others.

As any scientist will tell you—and I am one—you cannot turn research on and off like a faucet. Across the Federal Government, researchers are on the brink of discoveries that could cure diseases or open entire new fields of commerce. But under the majority's budget, that valuable research will be ended and these important discoveries will probably not be made in the United States.

The majority wants to impose such cuts on top of cuts contained in the sequester, even though the effects of the sequester are just beginning to be felt. For example, in the coming weeks, airport control towers will begin to close, affecting flight schedules and stranding travelers. Many of these towers are

located in the rural parts of our country where there are no other alternatives for long-distance travel.

In addition, border patrol agents will be furloughed, which not only affects security but the success of our economy. According to the Congressional Research Service, more than \$1.3 billion a day in trade crosses the U.S.-Canada border. This trade is dependent upon the effective operation of our border security agents. The effects of the sequester are already impacting trade by causing backups at the border and leaving goods and supplies stranded en route to their destination.

Furthermore, it is often forgotten that 5 years after I-35 collapsed above the Mississippi River, we have still failed to repair our crumbling infrastructure.

Earlier today, the American Society of Civil Engineers released a 2013 report card for America's infrastructure. They found that one in eight bridges in my home State of New York is structurally deficient and one in nine bridges across the United States is the same. A very prominent engineer stated just this past week that there are bridges in major cities in areas of the United States which he would not cross for fear of falling into the water. At the same time, more and more engineers and transportation experts are warning that our bridges will soon be too unsafe to cross unless we act.

These bridges aren't alone. Everything from schools to airports to train stations and highways are literally crumbling before our eyes.

Water systems in many of the major cities in parts of the United States are almost a century old and almost unusable.

Think, Mr. Speaker, for a moment, think of the jobs that would be created, as badly as we need them to put people back to work, if we could not decide to starve again our country's needs and instead start to rebuild the needs and put people back to work.

I think it's inexcusable that instead of responding to the crisis that we have, the majority spent the last 2 years lurching from crisis to crisis and repeatedly introducing legislation such as today's budget legislation that guts investment in the Nation's infrastructure instead of putting us back to work rebuilding the country.

A telling illustration of the failed approach is that they have included the repeal of the Affordable Care Act as the central tenet of their budget proposal. During the 112th Congress, the majority held more than 30 votes in the last 2 years just to repeal the Affordable Care Act, eating up valuable time and costing taxpayers millions of dollars in the process. Despite this expensive folly, the majority wants to do it again. In order to balance the budget, the majority believes we should repeal the lifesaving law and once again legal-

ize health insurance discrimination based upon preexisting conditions, force young adults off their parents' health insurance and open the doughnut hole for our Nation's seniors.

Mr. Speaker, before we were able to pass the health care bill, eight States and the District of Columbia in the United States considered domestic violence to be a preexisting condition and insurance companies were not required to cover victims. Are we going to go back to that if this repeal is achieved?

The majority also wants to cut financial assistance to students in need. The budget cuts Pell Grant assistance by \$83 billion over the next 10 years and allows the interest rates on need-based student loans to double. In a time when we are falling so far behind all other industrial countries in the number of persons who go to college, the United States that used to be first now is about 12th.

By all objective measures, drastic and extreme cuts such as these can be seen as unnecessary cruelty not needed to balance the budget. Indeed, just this past weekend both Speaker BOEHNER and Budget Committee Chairman PAUL RYAN said on Sunday television shows that this Nation does not face a debt crisis. When asked about it yesterday, Chairman RYAN indicated that, yes, he had said that.

So despite saying that to everybody, scaring America half to death, keeping businesses from being able to plan the future, they continue to promote a dystopian vision of the future in order to convince Americans that we have to adopt their extreme policies today. It is under this guise that the majority proposes their most extreme transformation of America's social safety net in today's budget.

Once again this year, the majority proposes to end Medicare as we know it and turn the promise of guaranteed health care into a voucher program. Unlike Medicare, the majority voucher program would not guarantee seniors access to the health care they need. I think we thoroughly discussed that last year when it failed and certainly during the last election when it failed. This would drive senior citizens into the market with a defined income that they could use to buy their own insurance if they were physically or mentally able to do so.

This is the same failed proposal, and it has been opposed by Americans, as I said, at the ballot box. But we continue today to defy the wishes of the American people with a quest to end Medicare as we know it, and it should be a telling reminder of where priorities lie.

These extreme cuts stand in sharp contrast to the tax reform contained within their budget. According to the Center on Budget and Policy Priorities, in order to enact the majority's tax reform and to not increase the deficit, middle class families would have to

pay \$3,000 more a year and the wealthiest Americans receive a \$245,000 tax break.

□ 1300

Once again, the majority has shown they would rather take away vital programs from our Nation's most vulnerable than raise a single dollar in taxes on America's wealthiest citizens.

Mr. Speaker, such a budget is neither original nor serious, nor is it acceptable to the American people. We've been down this road before, and it is discouraging and dangerous that the majority insists that we go down it yet once again. I strongly urge my colleagues to oppose the majority's budget proposal and today's rule.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds just to refer the gentlelady to the House Budget Committee report.

If she were to read just the first few pages, she would see that spending increases under this budget by \$500 billion in the next 5 years and by \$1.5 trillion over the next 10. I promised myself I would count how many times we heard the words "extreme cuts" applied to what is a half-trillion dollars in new and additional spending, but I confess I've lost track already today.

With that, I would like to yield 5 minutes, Mr. Speaker, to the chairman of the Rules Committee, a man who crafted this rule that has allowed all ideas on the budget to be considered today. He would be the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman from Georgia, who sits on the Rules Committee and who also sits on the Budget Committee and is doing an awesome job on behalf of this body and the people of Georgia.

Today, the American people have a chance, really, to see firsthand the rolling out of what we call the Ryan budget. PAUL RYAN, who is the chairman of our Budget Committee, once again leads, I believe, the intellectual thought process on talking about the future that we should have in this country. Certainly, the budget is that primer—that guiding post, that opportunity for us to lay out a philosophy about what Republicans stand for. Today, the American people are having a chance to hear from our colleagues, the Democrats.

Of course, as you listen to our colleagues—our friends, the Democrats—talk, everything about a budget, if you're a Republican, is about harming the middle class, is about ruining the country, is about our heading in the wrong direction. That is because they've taken the simple approach. They will try and fund everything; they will try and fund hospitals; they will fund airports; they will fund schools. They will do all of these amazing things, but the facts of the case are



that that process and that future do not work.

Yesterday, PAUL RYAN, before the Rules Committee, very carefully argued the point that really is embodied on this slide, which talks about a responsible way forward for this country, because, you see, we have the authority and the responsibility to make sure that what we do sustains our future: that it's something that creates not only more jobs but opportunities for the future of not just ourselves but of our children and our grandchildren.

For 4 years, this House was led by Democrats, and you can see the laws that they passed and the amazing amount of spending that it would place upon our country. We don't even show in here individually where Social Security is as that will go bankrupt—Medicare, bankrupt; Medicaid, insolvent; our inability to be able to pay for our future by creating jobs today.

The free enterprise system is exactly what Republicans support and believe in because that is the American Dream—not government spending and government jobs but, rather, a vibrant free enterprise system whereby there are employers who want to hire people to become employees, to have careers, to then make this country better and stronger. The way you do that is by lowering government spending, by having a public-private partnership, not by having the Federal Government be responsible for everything from a one-size-fits-all health care industry to the government control of every part of our lives.

So, yesterday, PAUL RYAN—very effectively, I believe—came before the House Rules Committee and talked about a vision forward. What's very interesting is that everybody else talked about let's just stick it to the rich. Let's raise taxes trillions of dollars. Let's go and stick it to special interests, like people who provide gasoline at the pump, and raise taxes on oil companies. Well, ladies and gentlemen, every time you raise taxes, you raise prices, and every time you raise prices, the consumer has to pay more for it. These are the ideas that make America less able to be prepared for its future and that cost more money.

That's why, when you look at this slide, you see where the laws already enacted by the Democrats are leading America to where we will be functionally bankrupt. We are following the European model—exactly what they have done over there for a number of years—and now we are seeing firsthand Iceland, Greece and, just yesterday, Cyprus. This is the pathway down which our friends, the Democrats, if they get their say, will lead us.

Republicans, through PAUL RYAN, spoke about we want to make sure that Medicare, that Social Security, that the free enterprise system are alive and well by making these plans and the

process therein ready for the employers and the workers of tomorrow. That is what we are talking about. We are talking about reforms that will ensure the things that the American people want and need—and, yes, even at the National Institutes of Health so that they will be prepared for our future.

Mr. Speaker, this is what we're talking about today. I can't wait until PAUL RYAN and the Republicans engage Democrats on the floor with facts and figures. This is a primer to what we'll see.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to a member of the Committee on the Budget, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentlelady for yielding and for her continued tremendous leadership on the Rules Committee.

I rise in strong opposition to the rule; and I think the previous speaker, the chairman of the Rules Committee, really laid out why I'm totally opposed to this rule and the bill.

As a member of the Budget Committee, let me just say that I've had a chance to study this GOP budget, which is full of choices that would undermine our Nation's future for the continued benefit of special interests, the wealthy and, yes, big oil companies—oil subsidies. It creates more income inequality, and it shreds the safety net. It is in keeping with the overall effort we've seen over and over again to dismantle government, increase inequality and leave the most vulnerable people on their own.

We should reject this very warped vision of America, and we should call this budget for what it is. Republicans call it a Path to Prosperity, but it really is a path to poverty for the middle class, for working families, for children, and for our seniors.

Mr. Speaker, the majority did not support the amendment that I offered in the Budget Committee that would set a goal of cutting poverty in half in 10 years, which listed and reaffirmed those government-supported programs, such as the earned income tax credit, which lifts people out of poverty even though we tried to come to some agreement on language; but, quite frankly, if they supported that goal, they would have accepted my amendment, and their budget would have made some radically different choices.

The reality is we hear the rhetoric that claims to support a goal of ending poverty while at the same time making devastating cuts that put more people into poverty. The fact of the matter is you cannot pretend to fight poverty while you make brutal cuts to the very programs that lift millions of Americans out of poverty.

The Republican budget would make devastating cuts that will increase child hunger, cut off millions of seniors

from access to health care, and throw struggling families off TANF during the middle of a jobs crisis. Blocking Medicaid, turning Medicare into a voucher program, and gutting food assistance to our children and our seniors will not reduce poverty. It will just make it worse.

When you look at this Republican budget, for example, it takes 66 percent of the budget cuts from programs for people with low or moderate incomes. It would cost 2 million jobs in 2014, and it would slash \$135 billion over 10 years by cutting 8 million to 9 million people from the SNAP program—our nutrition program, our food stamps program—which is one of the most effective anti-poverty programs in the United States.

The American people deserve more. They deserve a budget that creates jobs, a budget that creates opportunity for all, not a budget that creates more poverty. So I urge my colleagues to vote "no" on this rule and to vote "no" on this budget because it is a pathway to poverty.

□ 1310

Mr. WOODALL. Mr. Speaker, I yield myself 1 minute. If I can just ask my colleague from California before she leaves, and I have the great pleasure of serving with her on the Budget Committee, and I would certainly disagree with most of her characterizations about the work product there, and look forward to dispelling those tomorrow, but today with this rule, I heard you encourage our colleagues to reject this rule. This is, of course, a rule that has made every single idea of every single Member who had a budget plan in order. Does that not satisfy the gentlelady's need for a full and open debate on our budget priorities?

Ms. LEE of California. Will the gentleman yield?

Mr. WOODALL. I'm happy to yield to the gentlelady.

Ms. LEE of California. I don't think I mentioned a full and open debate. What I wanted to talk about was the rule that allows for the presentation of this budget and listed all of the support programs that really keep people out of poverty. And also the fact that yes, we tried, as you know, in the committee to put together an amendment that would actually do that on a bipartisan way. But you can't ignore the fact that we need SNAP. We need food assistance for children and women. We need all of those programs.

Mr. WOODALL. Reclaiming my time, I would not ignore those at all. I believe we have made priorities of those in this budget. I look forward to debating that tomorrow.

With that, I yield 5 minutes to the gentleman from Oklahoma (Mr. COLE), another one of my colleagues on the Budget Committee.

Mr. COLE. Mr. Speaker, I thank my friend for yielding.

I have the privilege, as Mr. WOODALL mentioned, of serving with him on the Budget Committee and serving with him on the Rules Committee, and being a fellow member of the Republican Study Committee with him. And I want to thank him for all he's done, quite frankly, to fashion both the Ryan budget and the RSC budget, and to bring us such an excellent rule today.

Writing a budget in the end is always about making choices. And, fortunately, this rule provides this House with multiple choices, a variety of options, and a great deal of time for debate. We'll have an opportunity to debate the budget offered by our friends in the Congressional Black Caucus. We're going to have an opportunity to debate the Progressive Caucus's budget, the Republican Study Committee's budget, and what we think will be the Senate budget—or at least as close to it as we can determine at this time. Obviously our friends on the other side of the aisle will present their substitute budget, and we'll have the underlying budget, the so-called Ryan budget, the Republican budget. So I think those are a lot of choices that this body will have to work through in the next couple of days. I'm proud that this rule allows that degree of choice and facilitates debate.

Personally, I support both the Republican Study Committee budget, and should it fail to achieve majority, the underlying Ryan budget. Both of them make tough choices. First and foremost to me, they both come into balance. Now our Republican Study Committee budget, which my friend Mr. WOODALL had more to do with than any other Member in crafting, comes in a little faster. I actually think that's a good thing. But the Ryan budget also comes into balance within 10 years. That's important not just for the sake of bookkeeping; it's important because we all know that private sector growth depends on the confidence that taxes aren't going to continually go up, and that the public sector will remain in check.

I think by giving that kind of assurance, both of those budgets facilitate what I know all of us want, and that's the creation of more and better jobs for the American people. After all, if budgets that never balanced and record deficits got job creation, we would be coming off the four best years in modern American history because we've had four \$1 trillion deficits in a row, another that will "only be" \$850 billion this year. That has yielded us less than 2 percent growth a year. We all know if we took the number of Americans that have left the workforce and recalculated our unemployment rate, it wouldn't be 7.8 percent; it would be about 10.5 percent.

So the path that my friends on the other side recommend doesn't work, and the balance in both the RSC bud-

et and the Ryan budget are a much more promising course. And they achieve that balance while not raising taxes. I think that's very important, too. We certainly aren't undertaxed in this country. Now my friends on the other side clearly believe that we are. They are going to offer multiple tax increases in all their budgets. I like a budget that does not require tax increases.

Finally, both these budgets, the Republican Study Committee budget and the Republican budget, come to grips with the reality that we have to reform entitlements. Now we have our preferred way of doing that, but there could be others. Unfortunately, our friends on the other side are largely silent about that important choice.

As my friend, Mr. WOODALL, mentioned in his remarks, the Ryan budget in particular is hardly a radical budget. It's going to increase spending every single year over a 10-year window by about 3.5 percent. The main Democratic alternative is at about 5 percent. Can't we live at 3.5 percent and have a balanced budget in 10 years as opposed to going to 5 with higher taxes and not balance the budget within that 10-year window?

Again, I'm proud of my Democratic colleagues for joining in the debate. I appreciate the fact that they're going to put multiple budgets on the floor. I wish the President's budget was available. I'm going to assume some day it will be. It should've been here months ago, quite frankly. But sooner or later he will get it into debate.

In my view, all of the Democratic budgets are unacceptable for three very simple reasons: each and every one of them calls for much bigger government, much bigger than we've had historically, and all of them call for higher taxes. And frankly, most of them never, ever, ever balance at all—not in 10 years, not in 20, not in 30. So effectively, our friends are offering more expensive government, bigger government, and an eternal and ever-expanding debt. I don't think that's a choice that the American people want to make.

I want to urge support of this generally excellent rule. It provides every Member of this House an opportunity to participate in this important debate. I want to urge passage of the Republican Study Committee budget, and failing that, the underlying Ryan or Republican budget.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR), a member of the Appropriations Committee.

Ms. KAPTUR. I thank Ranking Member SLAUGHTER for yielding me this time and rise in strong opposition to the rule and the underlying bill that essentially is the Ryan budget.

I want to say to the prior speaker that the way you balance budgets is to

put people back to work. This budget, the Ryan budget, will actually cause 750,000 more people to be added to the ranks of the unemployed. When you have 12 million people in our country who've been out of work for a long time or they can't find a decent-paying job, you can't balance budgets with that level of unemployment. This is an anti-growth budget.

I want to focus my remarks, however, mainly on senior citizens and the impact of this budget on seniors. The Ryan budget turns a very cold heart to America's senior citizens. It ends the Medicare guarantee. It throws nearly 50 million Americans receiving earned health care benefits through Medicare to the cruel marketplace and rising health care prices. And it takes away the 10-year guarantee of Medicare's solvency that we passed in the Affordable Care Act. Forty-one million Americans over the age of 65 will be affected, as will 9 million disabled Americans receiving Social Security benefits. That's evidence of a cold heart.

Now the poorest citizens in America are senior women over the age of 80 years. Over half of Medicare's beneficiaries earn annual incomes of less than \$23,000. The Republican Ryan budget doesn't even see them.

The Ryan budget hurts the poorest seniors by putting senior farmer's market nutrition coupons, for example, on the chopping block. To qualify for \$50 to buy fresh fruits and vegetables, a senior has to earn less than \$15,000 a year. Now, under that budget, 863,000 more seniors will be cut off of a fragile lifeline of coupons for better nutrition. Fifty dollars.

The Ryan budget already cut a million meals for fragile seniors across this country. Now, the Ryan budget piles more harm on them.

Meanwhile, Wall Street titans, who took our Nation to the brink, have earned record bonuses, millions and millions and millions of dollars. So it's \$50 for seniors, or multibillions for those who have so much already. That's not even on the scale of justice.

The Ryan budget will cause more illness among our seniors. Seniors will be forced to pay thousands of dollars for medicines they can't afford. It will eliminate free preventive screenings for seniors for cancer and diabetes. So America will yield more illness. The Ryan budget will eliminate free annual checkups for seniors who can't afford to pay for a checkup, and it'll stop free mammograms and prostate screenings for them. It's a cold-hearted budget for seniors.

□ 1320

The Ryan budget will hurt them. It is bad for Medicare. It is bad for seniors. It's bad for our country.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlewoman another minute.



Ms. KAPTUR. I urge my colleagues to join me in voting against this rule and the underlying budget. Stand up for America's seniors. You know, if you go to any food bank in this country, senior citizens are coming in at an increasing rate of 37 percent. Just look at the lines.

I ask every one of my Republican colleagues this weekend, when you go home, go to your food banks. Look who's in line. Ask yourself what you're going to do to fix the budget for our senior citizens across this country.

Stand up against the coldhearted Republican budget. It's really the forces of darkness at work in here. Open your eyes to what is happening across this country. Vote against this rule and vote against the underlying budget.

Stand up for the seniors of America. In every family in this country, they've earned the right to have a worry-free existence. This budget hurts them.

I urge my colleagues to vote against the Ryan budget and vote against this rule.

Mr. WOODALL. Mr. Speaker, I yield myself 2 minutes to speak to accusations of forces of darkness. I've found in my time that light is one of those great illuminators. How convenient in that route.

And I would just refer folks to the budget that's posted online. It's [budget.house.gov](http://budget.house.gov).

Mr. Speaker, as you know, the budget report is there that goes through line item by line item by line item and increases spending, not by the 5 percent that current law would do it, that current law that is sending our children and our grandchildren to bankruptcy, but increases spending by 3.5 percent instead. And within that, the gentlelady from Ohio, Mr. Speaker, is absolutely right. We've got to make priority choices about where it is we want our dollars to go.

But I would say to the gentlelady—and I know her heart is pure as she talks about the investment and where she wants to make it in this country—tell me what it is that you and I are willing to pay for today, and let's make that investment.

You know, I think about Hurricane Sandy, for example, all those families in need that we wanted to help; and, you know, we didn't raise a single penny here to do it. We asked our children and our grandchildren to pay for every nickel.

I don't need encouragement to visit those food banks. I've been there already, and I know exactly what the gentlelady's talking about.

Ms. KAPTUR. Will the gentleman be kind enough to yield?

Mr. WOODALL. I'd be happy to yield to the gentlewoman.

Ms. KAPTUR. Well, then you've seen them in the line. You've seen the senior women in the line in all these food banks, a third of an increase, sir.

Mr. WOODALL. Reclaiming my time, indeed I have. I've seen our neighbors there filling those needs as well.

Again, it is so frustrating to me, Mr. Speaker, in this body, we do not argue about who are the poorest and the neediest among us. We know with certainty who those folks are. What we argue about is whether it's your and my obligation to feed and clothe those folks, or whether we should pass that obligation along to our children and our grandchildren.

And I say, Mr. Speaker, it is immoral. It is immoral for us to ask our children and our grandchildren to pay bills for charity that you and I are not willing to do ourselves today.

I'm so pleased that this rule has made every idea available on the floor of the House for a vote today, but we must choose to do it ourselves. The time for passing the bill to our children and grandchildren is long gone.

I reserve the balance of my time.

Ms. SLAUGHTER. I'm pleased to yield another minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentlewoman for yielding me time.

I would say to the gentleman, what you said was very, very important, because we do have choices in a budget. And you know, sir, at the food banks around this country, there isn't enough food being provided. They're absolutely at the edge. There isn't enough to go around. That's where the Government of the United States has to come in.

We can't ask our seniors to have any less meals. We can't ask our seniors to take any other nutrition cuts. There simply isn't any slack there.

Now, maybe you live in a community that's more affluent, I'm not sure. I represent three of the lowest income communities, urban areas in this country, and I see what's happening there. And you know, if you look at the amount of subsidy going out to the producers in our country, we could nick that just a little bit, and we could find the funds to help our seniors.

I would invite you to Ohio. I would invite you to see a State that still has 7 percent unemployment and what happens at these food banks. It's vitally important that we not cut help for senior citizens. There isn't any loving child or grandchild in this country that wants to hurt their grandmother or their mother or father.

I think that your budget is misguided, and I would commend the gentleman, please look at those lines. Restore the funds I'm asking for. And I invite you to Ohio.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds just to say to the gentlelady, my sister and brother-in-law and two beautiful nieces live in Athens, Ohio, one of the poorest regions in southern Ohio. I know exactly what the gentlelady is saying.

We do have to make these choices, and I commend our friends in the Con-

gressional Black Caucus budget and the Progressive budget for laying out their guidelines for raising taxes by \$4 and \$6 trillion, respectively, to try to pay for some of those priorities; but even in those budgets, they still never balance.

I'm saying that you and I today, from the great wealth that is in this country today, have a chance to either pay for things that we think are important or borrow money from our children and our grandchildren to pay for things that we think are important. You and I are closer to death than we are to birth. These bills are going to be paid by our children and our grandchildren. And today, for example, the President's budget, we've never seen a budget that projected paying back even a penny over the next 75-year window.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield myself an additional 30 seconds, Mr. Speaker.

I would welcome the opportunity to work closer across the aisle than we are here today to address those needs that we all agree on. I would say to the gentlelady, our disagreement is not on whether or not those needs exist; it's whether or not you and I are obligated, morally, spiritually, as a function of our community, to serve those needs or whether we can pass that bill on to others.

I know the gentlelady has a strong passion for doing that. I hope she would join with me so that we can do it together, not ask someone else to do it.

Ms. KAPTUR. Will the gentleman kindly yield just for a couple of seconds here—

Mr. WOODALL. I would be happy to yield to the gentlelady.

Ms. KAPTUR.—Just to say that the first obligation is to feed the hungry, feed the hungry. And I don't think the gentleman would want to have on his conscience any harm to the senior citizens of this country, so I'd ask you to rereview your budget and fix it.

Mr. WOODALL. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Committee on the Judiciary.

Ms. JACKSON LEE. I thank both of my colleagues. I thank the gentlelady and the manager of this rule.

I vigorously rise to oppose this rule, the underlying bill, the Republican proposal for a budget. And I really do speak from the heart, because when you go home, it is often the best time of the service to your Nation because you get to see hardworking Americans, no matter what region you live in. And so I'm very proud to associate myself and support the Van Hollen Democratic budget substitute, the Congressional Black Caucus, and the Congressional Progressive Caucus.

The singular theme that rides through all of these budgets, which is the very question that is raised, whether or not it's a teenager coming out looking for a summer job; whether or not it's a college student with their bright, new diploma holding it up, looking for America's great opportunity; or whether it's someone who has worked for a period of time, well-qualified, but just can't find the job to get back into the market. I know there are those who are listening, my colleagues, who have constituents like that. Every single budget, including the Van Hollen budget, the Democratic budget, helps to create jobs, gets rid of the sequester and, in actuality, brings back the 775,000 or 750,000 jobs lost by the Ryan budget, plus more.

The Congressional Black Caucus focuses on maintenance for public transit and highway and airports, creating jobs. The Congressional Progressive Caucus focuses on making work pay and emergency unemployment compensation.

But here's the story that I think is under the underlying Ryan budget—good friend of ours, of course, we work together—and the underlying premise.

I am tired of raising up the generational fight. Just because the Greatest Generation fought in World War II, are we to say to our children and grandchildren, "You know what, we don't want to burden you when the military calls you, when your Nation needs you; we don't want to burden you?"

□ 1330

There's no way to protect what our grandchildren and children will have with this budget, other than the fact that the Democratic budget invests in people.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlelady 1 additional minute.

Ms. JACKSON LEE. When you have a preschool program, when you have programs that transition women out of their homes after raising their children and into jobs, when you have a program that allows young people with a college degree to get a job, when you have programs that invest in infrastructure and build highways and bridges that America is begging for—like the Hoover Dam—that our grandchildren and children will receive in America, that we invested in, they'll receive a gift. And they'll be able to work with their hands and their minds, and they will have the ability to pay down any debts and they'll close any deficit. And they'll be grateful to do it, because America will be the greatest Nation that it can.

Don't constantly pound us with our grandchildren and our children. Right now, today, America can afford to pay for what we are doing in the Van Hollen Democratic budget because we are

creating jobs, we're building infrastructure, we're making America greater—the very America that people around the world admire.

So I want to vote for a growth budget. I want to vote for one that reduces unemployment under 5 percent. I want to vote for one that lifts America so that our children and grandchildren will have the benefit of all that we've done for them, and they'll have the benefit of paying for what America promises.

Vote for America's promise. Vote against the Ryan budget.

Mr. WOODALL. Mr. Speaker, at this time it is my great pleasure to yield 5 minutes to a new member of the Rules Committee, but a senior member and leader of this House, the gentleman from Texas, Dr. BURGESS.

Mr. BURGESS. I thank the gentleman for yielding and certainly thank him for leading this rule on the floor this afternoon.

This is an important vote we're going to have today. The rule that will bring various budgets to the floor is a very fair product. As the gentleman knows, as we sat through the hours of debate in the Rules Committee last night, this is not just the product of the Budget Committee that is coming to the floor. It's not just Chairman RYAN's budget that is coming to the floor. But these are budgets that have been proposed by a number of different groups within the Congress—the Congressional Black Caucus, the Progressive Caucus, the Democratic substitute, the Senate budget is going to be offered as a substitute, where people can vote, and the Republican Study Committee. At the end of all that time, if none of the budgets receive the majority vote in the House of Representatives, then and only then will the product of the Budget Committee be voted on by the entire House. My expectation is that that is the budget that will pass.

But our argument here today is not over what is contained within the Budget Committee's product anymore than it is what's contained with the Progressive's budget product. After all, what we're voting on today is the rule that will allow us the ability to debate these differences in philosophy on the floor of this House tomorrow, on C-SPAN, transparent for all the country to see; and they'll be able to see the big philosophical differences that exist.

We heard in the Rules Committee last night that it's unfair to bring the Senate budget to the floor of the House for a vote because the Senate budget has not been voted on on the floor of the Senate and that obstructionist Republicans in the Senate will keep the Senate from voting; but, actually, that's not true. The Senate, under its own rules, can bring the budget to the floor of the Senate and pass it with a simple majority. That's a 50-plus-1 majority. There's not enough Republicans

in the Senate to block that or any other budget.

So the discussion that it's unfair to bring the Senate budget to the floor of the House to vote on before the Senate has a chance to vote, the Senate could have voted on their budget at any time. The Senate could have voted last year for a budget. The Senate could have voted the year before for a budget. They chose not to because they did not want to put it out for the American people to see what their core philosophical belief is, which is that you have to raise taxes by a trillion dollars on the American people in order to pass a budget.

We hear it time and time again that the greatest antipoverty program in this country is a job. The growth that is provided for in the budget that will be debated upon—and I hope pass tomorrow—we can't discount the importance of that growth.

I just came from a hearing in the Energy Subcommittee of Energy and Commerce. We were fortunate to hear from one of the members of the Railroad Commission in Texas. The Railroad Commission doesn't have anything to do with trains anymore. It has all to do with energy. And Commissioner Smitherman from Texas was at the committee hearing, and I asked him a question. I said, In the Ryan budget that we will hear about tomorrow, there is an estimate of \$11 billion over the next 10 years that will be paid to the Federal Government because of development of oil and natural gas on Federal lands. I said, I'm from Texas. That number seems a little bit light to me. I would expect the amount of revenue produced on Federal lands from oil and gas production, assuming we don't legislate it out of existence through the Environmental Protection Agency. And he said, In Texas, the 2-year budget figure for oil and gas severance taxes is \$7 billion.

Well, that would be a significantly greater amount than the \$11 billion estimated in the Ryan budget. I asked Mr. RYAN about this last night at the Rules Committee. This is the amount that is allowed under Congressional Budget Office expectations. But, honestly, if we free up the energy that we have available within our own shores, within our own borders, that is a jobs program that would go a long way towards producing that unemployment rate of 5 percent that the gentlelady from Texas just referenced.

I know this because in the district that I represent in north Texas, gas production from a geologic formation known as the Barnett shale has yielded significant economic benefits and significant employment as a result. In fact, when the Nation entered into a recession in December of 2007, constituents in my district basically read about it in the newspapers because it wasn't until 12, 13, or 14 months later when

the price of natural gas came down so low that we actually felt the recession in Texas.

So let's utilize that energy that's at our disposal. Life without energy is cold, brutal, and short. We have the ability to produce energy on our own shores. One of the things where I think we can look to the Ryan budget for leadership is allowing that energy to be produced on Federal lands.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time. May I inquire from my colleague if he has further requests.

Mr. WOODALL. I will say to the gentlelady I do not have further requests for time.

Ms. SLAUGHTER. In closing, Mr. Speaker, my Democrat colleagues and I have spoken at length today about the dangerous shortcomings of the budget proposal of Mr. RYAN. Fortunately, Representative CHRIS VAN HOLLEN, the ranking member of the Budget Committee, has an alternative proposal that significantly reduces the Nation's deficit while creating jobs and protecting programs like Medicaid and Medicare. And unlike the majority's proposal, Mr. VAN HOLLEN's budget repeals the sequester, which is estimated to cost the Nation 750,000 jobs this year.

Mr. VAN HOLLEN has repeatedly tried to avert the sequester. He has come to the Rules Committee numerous times with proposals to replace the sequester with responsible budget cuts and has been repeatedly denied the opportunity to have an up-or-down vote on the House floor.

By voting for Mr. VAN HOLLEN's budget, every Member of this Chamber can vote to do away with the sequester. On behalf of the thousands of Americans who are facing pay cuts, furloughs, and job losses, I urge my colleagues to repeal the sequester today and vote to balance the budget in a responsible way.

Mr. Speaker, while the majority would like you to believe that a looming debt crisis is imminent, it is simply not true. Even this last weekend, both Speaker BOEHNER and Budget Committee Chairman PAUL RYAN said on television there is no immediate budget crisis facing our Nation. Please think of that, my colleagues, as you vote.

In acknowledging this reality, it is important to realize that it is possible to make investments in our economy today, create jobs, repeal the sequester, and still reduce our deficit in a responsible and balanced way.

In closing, I urge my colleagues not to be scared by the rhetoric that sometimes we hear. Instead, I urge my colleagues to support one of the multiple budget proposals that reduce our deficit responsibly while creating jobs today and protecting the important programs like Medicaid and Medicare for generations to come.

I yield back the balance of my time.

□ 1340

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to thank the gentlelady for being with me on the floor today.

I'll say that we sometimes have some controversy in the Rules Committee, Mr. Speaker. There's a lot of responsibility that lies in the Rules Committee. With 435 folks here in this Chamber, and we all would like to have our say—and we'd all like to have our say probably more than once—the Rules Committee is tasked with managing that debate.

I'll tell you, I think the rule we passed last night is the best rule we've done all year long. Now, my colleague from New York may think I'm damning it with faint praise. But I would say that having this open debate that we will have tomorrow on budgets is about the best we can do in this institution, Mr. Speaker. To allow every single idea, every single individual from the most junior Member who was just elected 2 months ago to the most senior Member who has been here 40 years, if you have a budget idea, you get to have it heard on the floor of the House. In this case, Mr. Speaker, that's going to be six budgets we're going to look at tomorrow.

Now, Mr. Speaker, I believe having an open process is important. We made in order the Progressive Caucus budget. That Progressive Caucus budget raises taxes by \$5.7 trillion—unashamed, unabashed. Tough economy; let's raise taxes by \$5.7 trillion, and let's increase spending even more than we are today. I'm glad that that budget is going to be here on the floor.

The Congressional Black Caucus raises taxes \$4.2 trillion. Mr. VAN HOLLEN's substitute raises taxes \$1.2 trillion.

As you saw from the chart that the chairman of the Rules Committee had on the floor of the House earlier, Mr. Speaker, we don't have a tax problem in this country, we have a spending problem in this country. If we took everything from everybody, we still wouldn't have enough money to pay for all of the promises that previous Congresses and previous Presidents have made. What that translates into is fear.

We can do better for the American people than election after election to scare them with the looming bankruptcy of programs that they depend on. Yet we know the Social Security Disability Insurance program—already out of money, Mr. Speaker. The Medicare program—which my mom and dad depend on—going out of business in 2023. The Social Security retirement program, Mr. Speaker, not enough money to fund future promises. We have a chance to either ignore those promises or embrace those challenges.

I will tell you we do not have a crisis in this country; we have an opportunity in this country to do the things that we have long known we needed to do.

In 1983, Mr. Speaker, Republicans and Democrats came together, extended the life of the Social Security program and provided certainty and security to another generation of America's seniors. We have an opportunity tomorrow to do the same thing for the Medicare program, or to kick the can down the road and ensure uncertainty, crisis, and fear in yet another generation of Americans who depend upon these programs.

I urge all my colleagues, Mr. Speaker, to support this rule that will allow every single idea to be considered tomorrow. And when you come to the floor tomorrow, choose that budget that makes the tough decisions.

It takes no courage at all to let someone else pay the bills, Mr. Speaker. It takes no courage at all to let the next generation sort out the problems. The courage is coming together today to say, even though the weight is going to fall on our shoulders to solve the problem, we owe it to the next generation. We owe them nothing less.

With that, Mr. Speaker, I urge all of my colleagues to support this rule. I yield back the balance of my time and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 43 minutes p.m.), the House stood in recess.

□ 1415

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 2 o'clock and 15 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 122; adopting House Resolution 122, if ordered; and agreeing to the Speaker's approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

# PROVIDING FOR CONSIDERATION OF H. CON. RES. 25, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014; PROVIDING FOR CONSIDERATION OF H. RES. 115, PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 113TH CONGRESS; AND FOR OTHER PURPOSES

THE SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 122) providing for consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023; providing for consideration of the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 223, nays 189, not voting 19, as follows:

[Roll No. 79]

## YEAS—223

Alexander	Cassidy	Fleming
Amash	Chabot	Forbes
Bachmann	Chaffetz	Fox
Bachus	Coble	Franks (AZ)
Barletta	Coffman	Frelinghuysen
Barr	Cole	Gardner
Barton	Collins (NY)	Garrett
Benishek	Conaway	Gerlach
Bentivolio	Cook	Gibbs
Bilirakis	Cotton	Gibson
Bishop (UT)	Cramer	Gingrey (GA)
Black	Crawford	Gohmert
Blackburn	Crenshaw	Goodlatte
Bonner	Culberson	Gosar
Boustany	Daines	Gowdy
Brady (TX)	Davis, Rodney	Granger
Bridenstine	Denham	Graves (GA)
Brooks (AL)	Dent	Griffin (AR)
Brooks (IN)	DeSantis	Griffith (VA)
Broun (GA)	DesJarlais	Grimm
Buchanan	Diaz-Balart	Guthrie
Bucshon	Duffy	Hall
Burgess	Duncan (SC)	Hanna
Calvert	Duncan (TN)	Harris
Camp	Ellmers	Hartzler
Campbell	Farenthold	Hastings (WA)
Cantor	Fincher	Heck (NV)
Capito	Fitzpatrick	Hensarling
Carter	Fleischmann	Herrera Beutler

Holding	Mica	Salmon
Hudson	Miller (FL)	Scalise
Huelskamp	Miller (MI)	Schock
Huizenga (MI)	Miller, Gary	Schweikert
Hultgren	Mullin	Scott, Austin
Hunter	Mulvaney	Sensenbrenner
Hurt	Murphy (PA)	Sessions
Issa	Neugebauer	Shimkus
Jenkins	Noem	Shuster
Johnson (OH)	Nugent	Simpson
Johnson, Sam	Nunes	Smith (NE)
Jones	Nunnelee	Smith (TX)
Jordan	Olson	Southerland
Joyce	Palazzo	Stewart
Kelly	Paulsen	Stivers
King (IA)	Pearce	Stutzman
King (NY)	Perry	Terry
Kingston	Petri	Thompson (PA)
Kinzinger (IL)	Pittenger	Pitts
Kline	Poe (TX)	Thornberry
Labrador	Pompeo	Tiberi
LaMalfa	Posey	Tipton
Lamborn	Price (GA)	Turner
Lance	Radel	Upton
Lankford	Reed	Valadao
Latham	Reichert	Wagner
Latta	Renacci	Walberg
LoBiondo	Ribble	Walorski
Long	Rice (SC)	Weber (TX)
Lucas	Rigell	Webster (FL)
Luetkemeyer	Roby	Wenstrup
Lummis	Roe (TN)	Westmoreland
Marchant	Rogers (AL)	Whitfield
Marino	Rogers (KY)	Williams
Massie	Rogers (MI)	Wilson (SC)
McCarthy (CA)	Rohrabacher	Wittman
McCauley	Rokita	Wolf
McClintock	Rooney	Womack
McHenry	Ros-Lehtinen	Woodall
McKeon	Roskam	Yoder
McKinley	Rothfus	Yoho
McMorris	Royce	Young (AK)
Rodgers	Runyan	Young (FL)
Meadows	Ryan (WI)	Young (IN)
Meehan		
Messer		

## NAYS—189

Andrews	Dingell	Larson (CT)
Barber	Doggett	Lee (CA)
Barrow (GA)	Doyle	Levin
Bass	Duckworth	Lewis
Beatty	Edwards	Loebach
Becerra	Ellison	Lofgren
Bera (CA)	Enyart	Lowenthal
Bishop (GA)	Esty	Lowe
Bishop (NY)	Farr	Lujan Grisham
Blumenauer	Fattah	(NM)
Bonamici	Foster	Lujan, Ben Ray
Brady (PA)	Frankel (FL)	(NM)
Braley (IA)	Fudge	Maffei
Brown (FL)	Gabbard	Maloney
Brownley (CA)	Galleo	Carolyn
Butterfield	Garamendi	Maloney, Sean
Capps	Garcia	Markay
Capuano	Grayson	Matheson
Cardenas	Green, Al	Matsui
Carney	Green, Gene	McCarthy (NY)
Carson (IN)	Grijalva	McCollum
Cartwright	Gutierrez	McDermott
Castor (FL)	Hahn	McGovern
Castro (TX)	Hanabusa	McIntyre
Chu	Hastings (FL)	McNerney
Cicilline	Heck (WA)	Meeks
Clarke	Higgins	Meng
Clay	Himes	Michaud
Cleaver	Holt	Moore
Clyburn	Honda	Moran
Cohen	Horsford	Murphy (FL)
Connolly	Hoyer	Napolitano
Conyers	Huffman	Neal
Cooper	Israel	Negrete McLeod
Costa	Jackson Lee	Nolan
Courtney	Jeffries	O'Rourke
Crowley	Johnson (GA)	Owens
Cuellar	Johnson, E. B.	Pallone
Cummings	Kaptur	Pascarelli
Davis (CA)	Keating	Pastor (AZ)
Davis, Danny	Kennedy	Payne
DeFazio	Kildee	Perlmutter
DeGette	Kilmer	Peters (CA)
Delaney	Kind	Peters (MI)
DelBene	Kirkpatrick	Peterson
Deutch	Kuster	Pingree (ME)
	Larsen (WA)	Pocan

Polis	Schwartz	Tonko
Price (NC)	Scott (VA)	Tsongas
Quigley	Scott, David	Van Hollen
Rahall	Serrano	Vargas
Rangel	Sewell (AL)	Veasey
Richmond	Shea-Porter	Vela
Roybal-Allard	Sherman	Velázquez
Ruiz	Sinema	Visclosky
Ruppersberger	Sires	Walz
Rush	Slaughter	Wasserman
Ryan (OH)	Smith (WA)	Schultz
Sánchez, Linda	Speier	Waters
T.	Swalwell (CA)	Watt
Sarbanes	Takano	Waxman
Schakowsky	Thompson (CA)	Welch
Schiff	Thompson (MS)	Wilson (FL)
Schneider	Tierney	Yarmuth
Schrader	Titus	

## NOT VOTING—19

Aderholt	Fortenberry	Miller, George
Amodei	Graves (MO)	Nadler
Collins (GA)	Harper	Pelosi
DeLauro	Hinojosa	Sanchez, Loretta
Engel	Langevin	Smith (NJ)
Eshoo	Lipinski	
Flores	Lynch	

□ 1444

Mr. VISCLOSKEY and Ms. SPEIER changed their vote from “yea” to “nay.”

Mr. WILSON of South Carolina changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 189, not voting 18, as follows:

[Roll No. 80]

## YEAS—224

Alexander	Cole	Gibson
Amash	Collins (NY)	Gingrey (GA)
Bachmann	Conaway	Gohmert
Bachus	Cook	Goodlatte
Barletta	Cotton	Gosar
Barr	Cramer	Gowdy
Barton	Crawford	Granger
Benishek	Crenshaw	Graves (GA)
Bentivolio	Culberson	Griffin (AR)
Bilirakis	Daines	Griffith (VA)
Bishop (UT)	Davis, Rodney	Grimm
Black	Denham	Guthrie
Blackburn	Dent	Hall
Bonner	DeSantis	Hanna
Boustany	DesJarlais	Harris
Brady (TX)	Diaz-Balart	Hartzler
Bridenstine	Duffy	Hastings (WA)
Brooks (AL)	Duncan (SC)	Heck (NV)
Brooks (IN)	Duncan (TN)	Hensarling
Broun (GA)	Ellmers	Herrera Beutler
Buchanan	Farenthold	Holding
Bucshon	Fincher	Hudson
Burgess	Fitzpatrick	Huelskamp
Calvert	Fleischmann	Huizenga (MI)
Camp	Fleming	Hultgren
Campbell	Flores	Hunter
Cantor	Forbes	Hurt
Capito	Fox	Issa
Carter	Franks (AZ)	Jenkins
Cassidy	Frelinghuysen	Johnson (OH)
Chabot	Gardner	Johnson, Sam
Chaffetz	Garrett	Jones
Coble	Gerlach	Jordan
Coffman	Gibbs	Joyce

Kelly	Nugent	Scott, Austin	Schiff	Smith (WA)	Vela	Crenshaw	Lamborn	Rogers (AL)
King (IA)	Nunes	Sensenbrenner	Schneider	Speier	Velázquez	Cuellar	Lankford	Rogers (KY)
King (NY)	Nunnelee	Sessions	Schrader	Swalwell (CA)	Visclosky	Culberson	Larsen (WA)	Rogers (MI)
Kingston	Olson	Shimkus	Schwartz	Takano	Walz	Daines	Larson (CT)	Rohrabacher
Kinzinger (IL)	Palazzo	Shuster	Scott (VA)	Thompson (CA)	Wasserman	Davis (CA)	Latta	Rokita
Kline	Paulsen	Simpson	Scott, David	Thompson (MS)	Schultz	Davis, Danny	Levin	Roskam
Labrador	Pearce	Smith (NE)	Serrano	Tierney	Waters	DeGette	Loeback	Ross
LaMalfa	Perry	Smith (TX)	Sewell (AL)	Titus	Watt	Delaney	Loftgren	Rothfus
Lamborn	Petri	Southerland	Shea-Porter	Tonko	Waxman	DeBene	Long	Roybal-Allard
Lance	Pittenger	Stewart	Sherman	Tsongas	Welch	DeSantis	Lowenthal	Royce
Lankford	Pitts	Stivers	Sinema	Van Hollen	Wilson (FL)	DesJarlais	Lowe	Ruiz
Latham	Poe (TX)	Stockman	Sires	Vargas	Yarmuth	Deutch	Lucas	Runyan
Latta	Pompeo	Stutzman	Slaughter	Veasey		Diaz-Balart	Luetkemeyer	Ruppersberger
LoBlundo	Posey	Terry				Dingell	Lujan Grisham	Ryan (WI)
Long	Price (GA)	Thompson (PA)				Doggett	(NM)	Salmon
Lucas	Radel	Thornberry	Aderholt	Fortenberry	Lynch	Doyle	Lujan, Ben Ray	Scalise
Luetkemeyer	Reed	Tiberi	Amodei	Graves (MO)	Miller, George	Duckworth	(NM)	Schiff
Lummis	Reichert	Tipton	Collins (GA)	Harper	Nadler	Duncan (SC)	Lummis	Schneider
Marchant	Renacci	Turner	DeLauro	Hinojosa	Pelosi	Duncan (TN)	Maloney, Sean	Schock
Marino	Ribble	Upton	Engel	Langevin	Sanchez, Loretta	Ellison	Marchant	Schrader
Massie	Rice (SC)	Valadao	Eshoo	Lipinski	Smith (NJ)	Ellmers	Marino	Schwartz
McCarthy (CA)	Rigell	Wagner				Enyart	Markey	Schweikert
McCaul	Roby	Walberg				Esty	Massie	Scott (VA)
McClintock	Roe (TN)	Walden				Farenthold	McCarthy (CA)	Scott, Austin
McHenry	Rogers (AL)	Walorski				Fattah	McCarthy (NY)	Scott, David
McKeon	Rogers (KY)	Weber (TX)				Fleischmann	McClintock	Sensenbrenner
McKinley	Rogers (MI)	Webster (FL)				Fleming	McCollum	Sessions
McMorris	Rohrabacher	Wenstrup				Foster	McHenry	Shea-Porter
Rodgers	Rokita	Westmoreland				Frankel (FL)	McKeon	Sherman
Meadows	Rooney	Whitfield				Franks (AZ)	McKinley	Shimkus
Meehan	Ros-Lehtinen	Williams				Frelinghuysen	McMorris	Shuster
Messer	Roskam	Wilson (SC)				Gabbard	Rodgers	Simpson
Mica	Ross	Wittman				Gallo	McNerney	Sinema
Miller (FL)	Rothfus	Wolf				Garamendi	Meadows	Smith (NE)
Miller (MI)	Royce	Womack				Garrett	Meehan	Smith (TX)
Miller, Gary	Runyan	Woodall				Gerlach	Meeks	Smith (WA)
Mullin	Ryan (WI)	Yoder				Gibbs	Meng	Southerland
Mulvaney	Salmon	Yoho				Goodlatte	Messer	Speier
Murphy (PA)	Scalise	Young (AK)				Gosar	Mica	Stewart
Neugebauer	Schock	Young (FL)				Granger	Michaud	Stutzman
Noem	Schweikert	Young (IN)				Graves (GA)	Miller (MI)	Swalwell (CA)
						Grayson	Miller, Gary	Takano
						Grimm	Moore	Thompson (PA)
						Guthrie	Moran	Thornberry
						Gutierrez	Mullin	Tierney
						Hahn	Mulvaney	Titus
						Hall	Murphy (PA)	Tonko
						Hanabusa	Napolitano	Tsongas
						Harris	Negrete McLeod	Upton
						Hastings (WA)	Neugebauer	Van Hollen
						Heck (WA)	Noem	Vela
						Hensarling	Nunnelee	Wagner
						Higgins	O'Rourke	Walden
						Himes	Olson	Walorski
						Horsford	Palazzo	Walz
						Huffman	Pascarell	Wasserman
						Huizenga (MI)	Payne	Schultz
						Hultgren	Perlmutter	Watt
						Hurt	Perry	Waxman
						Issa	Peters (CA)	Weber (TX)
						Johnson (GA)	Petri	Webster (FL)
						Johnson, E. B.	Pingree (ME)	Welch
						Johnson, Sam	Pitts	Wenstrup
						Kaptur	Pocan	Westmoreland
						Kelly	Polis	Whitfield
						Kennedy	Pompeo	Williams
						Kildee	Posey	Wilson (FL)
						King (IA)	Price (NC)	Wilson (SC)
						King (NY)	Quigley	Wolf
						Kingston	Rangel	Womack
						Kline	Reichert	Woodall
						Kuster	Rice (SC)	Yoho
						Labrador	Richmond	Young (FL)
						LaMalfa	Roby	Young (IN)

## NOT VOTING—18

□ 1453

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. COLLINS of Georgia. Mr. Speaker, on rollcall No. 77 on H. Con. Res. 18, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted “aye.”

On rollcall No. 78 on H. Con. Res. 19, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted “aye.”

On rollcall No. 79 on moving the previous question for H. Res. 122, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted “aye.”

On rollcall No. 80 on H. Res. 122, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted “aye.”

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 272, nays 133, answered “present” 1, not voting 25, as follows:

[Roll No. 81]

YEAS—272

Andrews	Ellison	Lujan, Ben Ray	Alexander	Boustany	Carney	Amash	Conyers	Fudge
Barber	Enyart	(NM)	Bachmann	Brady (TX)	Carter	Andrews	Costa	Garcia
Barrow (GA)	Esty	Maffei	Bachus	Brady (IA)	Cartwright	Barr	Cotton	Gardner
Bass	Farr	Maloney,	Barber	Bridenstine	Cassidy	Bass	Courtney	Gibson
Beatty	Fattah	Carolyn	Barletta	Brooks (AL)	Castro (TX)	Beatty	Crawford	Gingrey (GA)
Becerra	Foster	Maloney, Sean	Barrow (GA)	Brooks (IN)	Chabot	Benishek	Crowley	Gowdy
Bera (CA)	Frankel (FL)	Markey	Barton	Brown (FL)	Chaffetz	Bishop (NY)	Cummings	Green, Al
Bishop (GA)	Fudge	Matheson	Becerra	Brownley (CA)	Chu	Brady (PA)	Davis, Rodney	Green, Gene
Bishop (NY)	Gabbard	Matsui	Bentivolio	Buchanan	Cicilline	Broun (GA)	DeFazio	Griffin (AR)
Blumenauer	Gallo	McCarthy (NY)	Bera (CA)	Bucshon	Cleaver	Burgess	Denham	Griffith (VA)
Bonamici	Garamendi	McDermott	Bilirakis	Bustos	Coble	Butterfield	Dent	Hanna
Brady (PA)	Garcia	McGovern	Bishop (GA)	Calvert	Cole	Duffy	Edwards	Hartzer
Braley (IA)	Grayson	McIntyre	Bishop (UT)	Camp	Collins (NY)	Edwards	Farr	Hastings (FL)
Brown (FL)	Green, Al	McNerney	Black	Cantor	Conaway	Castor (FL)	Fincher	Heck (NV)
Brownley (CA)	Green, Gene	Meeks	Blackburn	Capito	Connolly	Clarke	Holt	Herrera Beutler
Bustos	Grijalva	Meng	Blumenauer	Capps	Cook	Clay	Holt	Holding
Butterfield	Gutierrez	Michaud	Bonamici	Cárdenas	Cooper	Clyburn	Forbes	Honda
Capps	Hahn	Moore	Bonner		Cramer	Coffman	Fox	Hoyer
Capuano	Hanabusa	Moran				Cohen		
Cárdenas	Hastings (FL)	Murphy (FL)						
Carney	Heck (WA)	Napolitano						
Carson (IN)	Higgins	Neal						
Cartwright	Himes	Negrete McLeod						
Castor (FL)	Holt	Nolan						
Castro (TX)	Honda	O'Rourke						
Chu	Horsford	Owens						
Cicilline	Hoyer	Pallone						
Clarke	Huffman	Pascarell						
Clay	Israel	Pastor (AZ)						
Cleaver	Jackson Lee	Payne						
Clyburn	Jeffries	Perlmutter						
Cohen	Johnson (GA)	Peters (CA)						
Connolly	Johnson, E. B.	Peters (MI)						
Conyers	Kaptur	Peterson						
Cooper	Keating	Pingree (ME)						
Costa	Kennedy	Pocan						
Courtney	Kildee	Polis						
Crowley	Kilmer	Price (NC)						
Cuellar	Kind	Quigley						
Cummings	Kirkpatrick	Rahall						
Davis (CA)	Kuster	Rangel						
Davis, Danny	Larsen (WA)	Richmond						
DeFazio	Larson (CT)	Roybal-Allard						
DeGette	Lee (CA)	Ruiz						
Delaney	Levin	Ruppersberger						
DeBene	Lewis	Rush						
Deutch	Loeback	Ryan (OH)						
Dingell	Loftgren	Sánchez, Linda						
Doggett	Lowenthal	T.						
Doyle	Lowe	Sarbanes						
Duckworth	Lujan Grisham	Schakowsky						
Edwards	(NM)							

NAYS—133

Hudson	McDermott	Ryan (OH)
Huelskamp	McGovern	Sánchez, Linda
Hunter	Miller (FL)	T.
Israel	Murphy (FL)	Sarbanes
Jackson Lee	Neal	Schakowsky
Jeffries	Nolan	Serrano
Jenkins	Nugent	Sewell (AL)
Johnson (OH)	Nunes	Sires
Jones	Pallone	Slaughter
Jordan	Pastor (AZ)	Stivers
Joyce	Paulsen	Stockman
Keating	Pearce	Terry
Kilmer	Peters (MI)	Thompson (MS)
Kind	Peterson	Tiberi
Kinzing (IL)	Pittenger	Tipton
Kirkpatrick	Poe (TX)	Turner
Lance	Price (GA)	Valadao
Latham	Radel	Vargas
Lee (CA)	Rahall	Veasey
Lewis	Reed	Velázquez
LoBiondo	Renacci	Visclosky
Maffei	Ribble	Walberg
Maloney,	Roe (TN)	Waters
Carolyn	Rooney	Wittman
Matheson	Ros-Lehtinen	Yoder
Matsui	Rush	Young (AK)

ANSWERED "PRESENT"—1

Owens

NOT VOTING—25

Aderholt	Grijalva	Nadler
Amodei	Harper	Pelosi
Collins (GA)	Hinojosa	Rigell
DeLauro	Langevin	Sanchez, Loretta
Engel	Lipinski	Smith (NJ)
Eshoo	Lynch	Thompson (CA)
Fortenberry	McCaull	Yarmuth
Gohmert	McIntyre	
Graves (MO)	Miller, George	

□ 1501

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. GRAVES of Missouri. Mr. Speaker, on Tuesday, March 19, I missed 3 rollcall votes. Had I been present, I would have voted "yea" on #79, 80, and 81.

## DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE TWENTY EIGHTH CONGRESSIONAL DISTRICT OF TEXAS

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted a privileged report (Rept. No. 113-22) on the resolution (H. Res. 127) dismissing the election contest relating to the office of Representative from the Twenty Eighth Congressional District of Texas, which was referred to the House Calendar and ordered to be printed.

Mrs. MILLER of Michigan. Mr. Speaker, I call up House Resolution 127 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. WOODALL). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The text of the resolution is as follows:

H. RES. 127

*Resolved*, That the election contest relating to the office of Representative from the

Twenty Eighth Congressional District of Texas is dismissed.

Mr. BRADY of Pennsylvania. Mr. Speaker, I agree with the majority that this election contest should be dismissed and that it stands before us without merit. The Contestant notified the House that he should be the winner of the election not based on the finding of any solid evidence but based on rumors, conjecture and hearsay.

Contestant also raises accusations of misconduct by law enforcement and election officials without proof. The Contestant does not support any of his arguments with specific credible evidence. Based on this, I am voting to grant the Contestee relief by disposing of this contest.

My only regret is that the House was not able to dismiss this frivolous contest earlier in the 113th Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

## PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 113TH CONGRESS

Mrs. MILLER of Michigan. Mr. Speaker, pursuant to House Resolution 122, I call up the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 122, the resolution is considered as read.

The text of the resolution is as follows:

H. RES. 115

*Resolved*,

## SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED THIRTEENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Thirteenth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$10,072,374; Committee on Armed Services, \$13,127,070; Committee on the Budget, \$10,277,648; Committee on Education and the Workforce, \$13,905,526; Committee on Energy and Commerce, \$19,041,032; Committee on Ethics, \$6,040,918; Committee on Financial Services, \$14,788,964; Committee on Foreign

Affairs, \$14,776,224; Committee on Homeland Security, \$14,067,176; Committee on House Administration, \$9,201,120; Permanent Select Committee on Intelligence, \$8,779,516; Committee on the Judiciary, \$14,154,032; Committee on Natural Resources, \$13,111,658; Committee on Oversight and Government Reform, \$17,880,874; Committee on Rules, \$5,714,816; Committee on Science, Space, and Technology, \$10,565,510; Committee on Small Business, \$5,985,376; Committee on Transportation and Infrastructure, \$16,364,614; Committee on Veterans' Affairs, \$6,097,092; and Committee on Ways and Means, \$16,846,822.

## SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2013, and ending immediately before noon on January 3, 2014.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,036,187; Committee on Armed Services, \$6,563,535; Committee on the Budget, \$5,138,824; Committee on Education and the Workforce, \$6,952,763; Committee on Energy and Commerce, \$9,520,516; Committee on Ethics, \$3,020,459; Committee on Financial Services, \$7,394,482; Committee on Foreign Affairs, \$7,388,112; Committee on Homeland Security, \$7,033,588; Committee on House Administration, \$4,600,560; Permanent Select Committee on Intelligence, \$4,389,758; Committee on the Judiciary, \$7,077,016; Committee on Natural Resources, \$6,555,829; Committee on Oversight and Government Reform, \$8,940,437; Committee on Rules, \$2,857,408; Committee on Science, Space, and Technology, \$5,282,755; Committee on Small Business, \$2,992,688; Committee on Transportation and Infrastructure, \$8,182,307; Committee on Veterans' Affairs, \$3,048,546; and Committee on Ways and Means, \$8,423,411.

## SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2014, and ending immediately before noon on January 3, 2015.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,036,187; Committee on Armed Services, \$6,563,535; Committee on the Budget, \$5,138,824; Committee on Education and the Workforce, \$6,952,763; Committee on Energy and Commerce, \$9,520,516; Committee on Ethics, \$3,020,459; Committee on Financial Services, \$7,394,482; Committee on Foreign Affairs, \$7,388,112; Committee on Homeland Security, \$7,033,588; Committee on House Administration, \$4,600,560; Permanent Select Committee on Intelligence, \$4,389,758; Committee on the Judiciary, \$7,077,016; Committee on Natural Resources, \$6,555,829; Committee on Oversight and Government Reform, \$8,940,437; Committee on Rules, \$2,857,408; Committee on Science, Space, and Technology, \$5,282,755; Committee on Small Business, \$2,992,688; Committee on Transportation and Infrastructure, \$8,182,307; Committee on Veterans' Affairs, \$3,048,546; and Committee on Ways and Means, \$8,423,411.

(c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—

(1) REVIEW.—None of the amounts provided for in section 1 for a committee named in

subsection (b) may be available for expenses of the committee after March 15, 2014, unless the chair or ranking minority member of the committee appears and presents testimony at a hearing of the Committee on House Administration held prior to such date to review the committee's use of the amounts provided for in section 1 during the first session of the One Hundred Thirteenth Congress and to determine whether the amount specified in subsection (b) with respect to the committee should be updated on the basis of the review.

(2) **WAIVER.**—The Committee on House Administration may waive the application of paragraph (1) to any or all of the committees named in subsection (b).

#### SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

#### SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

#### SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.

(a) **ESTABLISHMENT.**—There is hereby established a reserve fund for unanticipated expenses of committees for the One Hundred Thirteenth Congress.

(b) **BALANCE.**—The balance of the reserve fund under this section shall be equal to the sum of the following:

(1) The amount by which the amount made available for "House of Representatives—Committee Employees, Standing Committees, Special and Select" for fiscal year 2013 exceeds the amount that would be made available for "House of Representatives—Committee Employees, Standing Committees, Special and Select" by division C of the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013 (H.R. 933, as passed by the House of Representatives on March 6, 2013), as reduced pursuant to the provisions of division D of such Act.

(2) The amount by which the amount made available for "House of Representatives—Committee Employees, Standing Committees, Special and Select" for fiscal year 2014 exceeds the amount made available for "House of Representatives—Committee Employees, Standing Committees, Special and Select" for fiscal year 2013.

(c) **ALLOCATION TO COMMITTEES.**—Amounts in the reserve fund under this section shall be paid to a committee pursuant to an allocation approved by the Committee on House Administration.

#### SEC. 7. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 251A or 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any change in appropriations for the purposes of such section 1.

The **SPEAKER** pro tempore. The gentlewoman from Michigan (Mrs. MILLER) and the gentleman from California (Mr. VARGAS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that

all Members have 5 legislative days to revise and extend their remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in very strong support of House Resolution 115, which is providing for the expenses of certain committees of the House of Representatives for the 113th Congress and which authorizes committee budgets for the 113th Congress.

Earlier this month, Mr. Speaker, the Committee on House Administration held two very lengthy and very informative days of hearings with our chairmen and with our ranking members from all of the 19 House committees. Each of them testified about their respective budgets, the commitment to uphold the longstanding two-thirds, one-third allocation between majority and minority offices; and most importantly, Mr. Speaker, they talked about doing more with less, which is a topic that we are all very, very familiar with.

This funding process and these discussions significantly impact the legislative process as these committees are where, of course, the legislation that comprise much of our work begins, where our vital oversight functions occur, which is why throughout this process we adhered, Mr. Speaker, to two very important principles. First of all, we said we need to live within our means, and then prioritizing the finite resources that we have provided to us in the Congress by hardworking American taxpayers.

As we all know, sequestration went into effect on March 1, 2013, and Congress must live with further cuts, just as every other agency of government must live with similar cuts. As a result of the sequester, the total committee authorization level must be reduced by approximately 11 percent, in the 11 percentile range. And that means if we authorize above that amount, then we will have to take the money from somewhere else.

When ensuring that committees have adequate resources, obviously, we have to consider their legislative objectives; we have to consider their anticipated workload and authorize the finite resources available in a way that best suits the needs of the House of Representatives as a whole.

Although the sequestration is not certainly the ideal way to cut spending, cuts are imperative. They must happen. Our government is too big, too involved, and too costly. As those who are charged with the care of taxpayers' dollars, we need to lead by example, and we must control our spending. We must live within our own means.

Now, this may be a far more strict budget than many had hoped or antici-

pated, but like so many Americans, we are coping with our circumstances, and we are making cuts to our budgets in a way that any American business or American family would have to, as every local unit of government, every State around the country has had to do. Certainly during these very trying economic times, we also have to make value judgments and budget accordingly.

To match the available post-sequestration funding level, the total authorization amount for House committees must be reduced, as I say, by about 11 percent from the 2012 level; and, therefore, with very few exceptions, each committee authorization has been reduced, again, within that 11 percent range or certainly within a percentage point or so of the 11 percent.

Based on the anticipated workload for the 113th Congress, the Budget Committee, the Committee on Ways and Means, and the Select Committee on Intelligence have been given very much smaller reductions, a very slight reduction from the 11 percent. But every committee certainly will be faced with important oversight responsibilities for 2013. However, given that getting our economy moving again and defending this Nation are the foremost priorities that we face, the dire need for tax and entitlement reform to help grow our economy, to create good-paying private sector jobs and the increasing cyberthreats to our digital infrastructure, it was determined by our committee that these three committees certainly are the tip of the spear in doing some of the most important work for the American people.

We must remain, as well, committed to leading by example in cutting government waste, rooting out inefficiencies, and conducting essential and efficient oversight of our vast administrative agencies.

House Resolution 115, Mr. Speaker, we believe fulfills that mission. I would also point out that this House resolution not only reduces committee expenditures, but it also authorizes total committee funding for the 113th Congress at a level which is lower than 2005. I think that bears repeating—a level lower than 2005. By comparison, overall nondefense discretionary spending by the executive branch has actually increased 16.7 percent since 2008—quite a big difference there.

As I said before, as chairman of the Committee on House Administration, I certainly understand the challenges of stretching committee resources, and I have a very deep appreciation for every committee's ability to absorb these cuts and their commitment to functioning at a high level, even with the reduced resources that they have, and that is due certainly in no small measure to the outstanding leadership that we have with each committee chairman and each ranking member on all



of our committees, really, all committed to delivering a very high level of service to the American people.

Some of my colleagues, I know, have voiced their opposition to this measure calling for a freeze in committee spending. They say that freezing spending for committees at 2012 levels is a more balanced approach. But since sequestration, we just don't have the money to cover a freeze. We do not have the money.

So I would simply state that spending beyond our means, in my opinion, is not a balanced approach. In fact, I would say it's a bit irresponsible. As I said before, every American family, every small business, every State and local unit of government must live within their means, and so must the U.S. House of Representatives.

□ 1510

Mr. Speaker, again, this resolution has required us to make some very difficult but very necessary decisions. And I want to personally thank, and certainly all of our committee members thank, each chairman and each ranking member who testified before our committee, and our committee staffs as well, who are often unrecognized for the vital work that they do.

I would urge, Mr. Speaker, all of my colleagues to support House Resolution 115, living within our means and prioritizing our finite resources like the rest of America.

Mr. Speaker, I reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, I rise in opposition to House Resolution 115 and yield myself such time as I may consume.

Mr. Speaker, House Resolution 115 represents the next step in a slow march towards making House committees incapable of conducting the oversight with which they are charged and further limiting the power of this equal branch of government.

Mr. Speaker, with these cuts, we are not talking about the loss of new equipment, the next computer, or printer. No. With these cuts, we are talking about gutting our capacity to do the jobs we were sent here to do by the American people. The work product of our committees is only as good as the talented men and women that we are able to employ. And they are very able.

The House is lucky to have such a well-seasoned and skilled group of individuals carrying out the people's business. In fact, this is one of the things we always agree on—the quality of the people that work in these committees. It is at the highest level. But for how long?

If this resolution passes, there will be a 21.3 percent reduction in funding for committees since the 111th Congress. More appalling is the 26 percent cut the Judiciary Committee will sustain dur-

ing the same time, particularly as they move forward to address comprehensive immigration reform that we all seem to agree on now and the initiatives to reduce gun violence.

As the chairman of the Rules Committee stated last week when he testified before our committee, "We do not have something we can cut or manage on a moving forward basis. We have by and large taken ourselves down to the bare bones." Now we're down to the bare bones. Repeatedly, we heard from committee chairs that the only thing they have left to cut are personnel expenses.

The Veterans' Affairs chairman stated, "We have no choice but to find these savings in our personnel budget."

And the chairman of the Committee on Foreign Affairs said:

We want to make certain that those individuals who will make a sacrifice and come up here and work for a reduced wage will stay with us. There is a question of how long, deeply, we can cut.

Of course there is a question, and I think the question is before us.

The chairs and ranking members of the House have been responsible stewards—we have heard that already—and they have been. And they have achieved incredible savings. But this resolution's lack of funding also hurts our ability to find governmentwide cost savings.

In fact, it does just the opposite. The committees conduct oversight over billions and billions of dollars of Federal spending and have found savings within their respective agencies. However, without high quality people that have the institutional knowledge and expertise, they will sacrifice the ability to perform strong, responsible oversight.

The chairman of the Oversight and Government Reform Committee illustrated this best when testifying about the savings his auditors were able to provide the government. He stated:

Cutting back for us is, in fact, an opportunity to lose the very auditors that will guarantee you multiple savings. We would like to work with the committee to allow us and other committees to find similar savings. But we must ask that you not allow the audit committee to be reduced when, in fact, we can return you more than 1,000 times our budget.

One thousand times. In Mark, it is only 100 times. Fourfold in other parts of the Bible. Here is 1,000 times.

Mr. Speaker, Members on both sides of the aisle have embraced the idea of doing more with less. We have all grappled with the idea of not filling empty positions, denying requests for travel and forgoing necessary technology upgrades in our offices. But there is a point where additional cuts undermine our ability to do our jobs effectively.

Based upon the testimony that we have received during our committee funding hearings, I believe that there is a bipartisan agreement that this funding resolution could represent that

breaking point. In the end, the American people will be the ultimate victims.

I urge my colleagues to defeat this resolution. I urge a "no" vote, and I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, it is my pleasure at this time to yield as much time as he may consume to an outstanding member of the House Administration Committee, the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the chair for yielding.

Mr. Speaker, I rise in strong support of House Resolution 115, but I appreciate, quite honestly, the concerns just raised. And let me try to address some of them, if not all of them.

There are victims in this country, for sure. But the real victimization will occur if this House, if this Congress, if this President does not get ahold of the deficit and debt situation that we are incurring. Right now, we are in the middle of debating different budgets, the priorities that we have as parties, as Americans, et cetera.

On the one hand, we have a budget that balances in 10 years—radical for this town. On the other side, we have budgets that never, ever balance. If we don't get ahold of these deficits so we can finally start attacking the debt, and if we continue to leave to future generations our bills—to me, Mr. Speaker, the most immoral thing I can think of, really, that we can do in civic life is to leave our bills for future generations to pay. There will be the victimization.

Yes, we are going to have a hard time at the committee level, and certainly even with our MRAs that have been cut in the past, to try to do our work. But what I heard in these committee hearings from our chairmen and our ranking members each is that they pledge to continue their legislative and oversight activities despite these budget cuts. So there is not going to be any victimization here with this House resolution.

The other thing this House resolution does is finally lets us lead by example, Mr. Speaker. How can we have a national family discussion? How can we have a discussion about the morality of leaving our bills for future generations to pay if we are not willing to suck some of it up ourselves? And, yes, we are doing it. Do you know who else is doing it? The military.

I would like to say here on the floor of the House that those excuses should now be taken off the table. We are leading by example in what we have cut through our MRAs already and this House resolution. And guess what? So has the military.

Let's finally get to a discussion and action, more importantly, regarding the real drivers of our debt—the social entitlement programs of Medicare, Medicaid, and Social Security. And,



yes, many of our constituents will say, Hey, wait a minute. Don't call those social entitlement programs. We paid into those, therefore, we should get out. And that is true. But what is also true is that on average—let's take Medicare, for example, Mr. Speaker—we are paying in about 40 percent, again, on average, of what we are taking out. It is immoral, wrong, to let that 60 percent get paid for by people who don't even yet exist and, therefore, don't have a say in the matter.

House Resolution 115 lets us lead by example so that we can finally get to the rest of the conversation about the drivers of our debt. Guess what else? The interest we owe ourselves as private citizens—and, more increasingly, other countries like China, countries that don't necessarily have our best interest at heart, nor should they have to have our best interest at heart—we are paying more to them in interest because of this debt than we are spending on homeland security, education, and roads combined.

That breeds weakness, that fosters instability, that creates victimization. House Resolution 115 will give us the moral authority and the real authority to continue having this discussion, to lead by example, which is so well needed in this country right now at this time. The fact of the matter is, we shouldn't have to have oversight of the budgets of the executive branch if the executive branch and this President were to lead and recognize the debt that we are in, the deficits that we run, and rein in his own people, rein in his own organizations, create a culture of doing more with less.

□ 1520

As it has been famously stated by a former Governor in Indiana: people will never miss the government that has been cut.

It goes without saying, with regard to individualism, people can do more for themselves and people can do more for each other than any faraway Federal Government program can. Let's continue leading by example. Let's continue this fiscal fight that we are engaged in. Let's pass—let's strongly support—House Resolution 115.

Mr. VARGAS. Mr. Speaker, I yield such time as he may consume to the ranking member of the Committee on House Administration, the gentleman from Pennsylvania (Mr. BRADY).

Mr. BRADY of Pennsylvania. I thank the gentleman for yielding and for his work on the committee. I am pleased he is managing this bill today. It's good for the next generation of Members to learn the procedures of the floor this way—putting them right in the line of fire.

I would also like to thank the chairman for how she handled our marathon hearings. I've had her job and know how difficult it is to be juggling the

schedules of all our fellow Members and of our fellow chairmen and ranking members.

Mr. Speaker, I rise, though, in opposition to this resolution. We have cut committee funding for the last 3 years. We are past the point of cutting what we want, and we are now into cutting what we need—our ability to attract and retain expert staff.

I asked the same question to every ranking member and every chairman who came in front of us. I asked them, if they're into cutting their personnel, whether or not they've thought in their own minds if it would hurt them in the jobs that they could do and in the jobs they do for the American people on those committees. Every man and woman said it would be an issue for them, that they would have a problem. Again, we cut in 2012 and gave people positions at lower salaries. These people, without question, make double, triple, four times the amount of money they can in the public sector. They're dedicated—they're dedicated people—but sometimes dedication doesn't pay the bills that they do acquire and that they do have.

Their main concern was keeping people on their staffs who had institutional knowledge, people who had the knowledge of how this House works. As you all know, when you first get here, it can be a quagmire—you don't understand what's happening; it moves too fast—but these men and women who are here for many years, they do know that, and they keep this train running. To hurt them and not be able to retain them would be a major, major disservice with just the institutional knowledge that they have.

Again, I get it. I understand the cutting. I understand we've got to cut some other people, but if we cut these staff members—the people who have been here—and try to attract other people who can do the jobs that our committee staffs do, I think that it would be hurting the American people.

We need to defeat this resolution and give the committees the appropriate resources that they need to do their basic work and to do what the people sent us here to do.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

The fact of the matter is that this is all the money that we have to spend. Believe me, I am sympathetic to the arguments that it would be nice if our committees didn't have to make any cuts. Again, if we don't make some cuts because of the sequestration, this money has to come from somewhere else. I guess we're sort of looking for other ideas of offsets for those who are saying that we should not pass this resolution.

What kinds of things would they offset?

We've certainly watched the White House close tours to groups because

they said the sequester impacted the Secret Service's ability to protect the President when the American people came into the White House. I don't know if they're suggesting we should close the Capitol Building or what have you. I don't think that kind of suggestion would go very far.

But, again, where do you offset if you're not going to cut any spending here?

I will also say this: I come from southeast Michigan, which arguably was ground zero during the most painful economic transition, certainly in my lifetime, that happened in our Nation here recently, and we're trying to get ourselves out of that. We were number one in all of the categories you didn't want to be number one in. If I'd have told our local county or our local units of government that they'd have to cut 11 percent, they would say thank you, because they've cut anywhere from 30 to 40 percent. There were just incredible amounts of cuts that happened. Furloughs have happened with employees. That has been going on for years, actually. That's my neighborhood.

When we think about the amount of borrowing that we're doing as a Nation—as everybody knows, we are now to the point of \$16 trillion in national debt with no end in sight, and we've been running deficits for, certainly, the last 5 years of well over \$1 trillion and, in many cases, \$1.5 trillion annually, and we're borrowing 42 cents on every dollar that we spend—if we do not have the political will to make any kind of cuts ourselves to where we can't even cut our own committee budgets here in the House while these kinds of cuts are being absorbed by other areas, I just think that this resolution will be a very vivid demonstration of the differences of what we think “leading by example” actually means.

I will tell you as well, as a grandmother, I do not want to look at my two little grandchildren and say, Hey, do you mind paying the bill, because I don't have the political will. I just can't do it. Too hard for me. I don't want to break a sweat here. Would you mind paying?

I'll tell you, Mr. Speaker, that I just cannot get to that place. I think this resolution is very, very important. I recognize the painful cuts that are happening. It's not easy. That's why the American people sent us here—to have the political will and to make the hard decisions. I would hope that my colleagues would support this resolution.

I reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, I yield 5 minutes to the Democratic whip and the former ranking member of the Committee on House Administration, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, let me say at the outset that I heard the gentlelady from Michigan's comments. I have three grandchildren of my own and two great grandchildren. The gentlelady said we don't want to turn to them and say, We don't want to pay our bills. You pay them.

That's what we did in '01 and '03. We cut revenues. We cut revenues deeply. We didn't cut spending—we increased spending—on the theory that the people who were going to get the benefit were voting and that the people who were going to get paid and who were going to have to pay the bill weren't voting. It worked to some degree; but we didn't pay, as the gentlelady suggested we ought to, our bills. As the gentlelady probably knows, we had a provision in place which said we ought to pay as we go. If we buy a war, we ought to pay for it. If we buy a tax cut, we ought to pay for it. If we buy a prescription drug, we ought to pay for it and not ask my children or my grandchildren or your children or your grandchildren to pay for it. I agree with the lady, but that's what we've done.

Now we are about the process of undermining the people's government by slashing its funding so it cannot provide the services that the people want and need and vote for, and now we will slash the ability of this House to do what the people expect us to do. I'm sorry the former Secretary of State left the Chamber. He's the Secretary of State. He says we ought to lead by example. By golly, I'll tell you: the people in my constituency, they hope we're not the example of how to work. They hope we're not the example of the dysfunction that they ought to follow, that we're not the example of "do it my way or no way," which is what we've been doing.

The people of the United States of America send us here, and they want us to make sure that we adopt policies that will help them and their families, that will create jobs and grow our economy. That's what they want. What the people of the United States also want is to make sure we can conduct the oversight of their government. That's our responsibility. The previous gentleman said, Well, the executive ought to lead, and then we wouldn't need to do oversight. I didn't get that, frankly, at all. The executive is a separate and equal branch of government, but we are the first branch of government. We are article I. We are the people's House. We represent the people, and they expect us to make sure their government is operating properly. To the extent that year after year we reduce our ability to conduct the oversight necessary to ensure that the people's government is operating consistent with law and on behalf of the people of the United States—to the extent that we undermine that ability—

we undermine free government, a free people, a free country.

□ 1530

We undermine the ability of this government to make sure that the executive is doing the right thing. And to the extent that the population of this country keeps growing, as it does every year, it needs us to be on the job. And what we're saying, of course, is: Well, we have a sequester. Sequester starts with "S"; it stands for stupid. It is an irrational policy that we've adopted. And we've adopted it. It just didn't happen. It didn't come out of the air. It didn't fall from the trees. We adopted sequester. It's an irrational, ineffective, inefficient, negative policy that we've not only allowed to go into place, but in the budget we passed, we adopted it one more time, not by mistake but by policy. It was a bad policy. I didn't vote for it. It's irrational.

I tell people around the country, you know, it's like the family has a budget. You have a food budget and you have a movie budget. Somebody loses their job and so your income goes down. So what you do is you sit around the table and say: We'll cut food by 10 percent and movies by 10 percent. What rational human being would do that? Nobody. They'd say we're not going to go to the movies this month so we can put food on the table and make sure that our family is well fed.

But that's not what we're doing. The sequester that we're now pursuing, somewhat mindlessly, in my opinion, with respect to our ability to do the job that the people expect us to do, is to cut food by 10 percent and movies by 10 percent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VARGAS. I yield an additional 1 minute to the gentleman.

Mr. HOYER. My friends, I rise in opposition to this resolution. I want the American people to know we've cut committee funding for 2 years in a row because we understand that we're asking everybody to notch in their belt by one or two notches, and we ought to do the same. And we have. But if you undermine the people's ability to do their job, you're going to be in trouble.

Woodrow Wilson once wrote: "Congress in session is Congress on public exhibition."

That's what we are here, we're on public exhibition. The TV is on, people are watching us, and people are seeing us.

But what Woodrow Wilson also said was: "Whilst Congress in committee rooms is Congress at work."

That's where we really do our work. We vote on it here, but committees are critically important creatures of oversight and of action.

I think the gentlelady is a good Member of this House, and she's been given a tough responsibility. She laments the

fact that we have no money. We have no money because we said we didn't need it; we have no money because we can operate government without it.

Mr. Speaker, I hear your gavel, and I will close, but I urge my colleagues to vote against this resolution. Let's make sure that the Congress of the United States can do the job that the people expect.

Mr. Speaker, I rise in opposition to this committee funding bill, which would hurt the ability of Congress to do its work effectively.

This bill would cut the funding for House Committees by an additional 11% in order to meet the irrational demands of sequestration—on top of huge cuts imposed last Congress.

Committees have lost around a quarter of their funding in the past few years, and this has meant fewer staff positions and the possibility of furloughs.

Most, I think, do not realize just how important committees are to the work we perform on the American people's behalf.

Woodrow Wilson once wrote:

Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work.

Eroding the ability of committees to do their work seriously limits the ability of Congress to engage in the people's work.

The Speaker and majority leader have said many times that this House ought to follow regular order.

To do so, we must have strong and fully functioning committees.

I urge my colleagues in both parties to oppose this bill.

Mrs. MILLER of Michigan. Mr. Speaker, I appreciate the minority whip's comments. I have great regard for him as well. I thought it was interesting, Mr. Speaker, listening to him talk about the President's sequester as an irrational kind of a thing. Of course, it was the President's idea. I don't dispute that it is not the best way to cut spending. Many may say it's an irrational approach. Again, the President's sequester, the President's idea.

Mr. HOYER. Will the gentlelady yield?

Mrs. MILLER of Michigan. I yield to the gentleman.

Mr. HOYER. Just so we're pretty accurate, as the gentlelady knows, your side offered a bill which was called Cut, Cap, and Balance. The alternative in Cut, Cap, and Balance was sequester. I didn't vote for that. I'm not sure how the gentlelady voted on it. It passed this House overwhelmingly with Republican support and with opposition on our side before Jack Lew suggested to HARRY REID that that might be one way to get off the lack of action in making sure that America paid its bills. The only reason I interrupt the gentlelady is because I think it is important to understand that your Cut, Cap, and Balance, passed before that suggestion was made, included sequester as the fallback if we didn't reach the numbers. If it's the President's, it's

the President's via Cut, Cap, and Balance which your side of the aisle passed and sent to the Senate as presumably good policy.

I thank the gentlelady for yielding. She was very kind to do that.

Mrs. MILLER of Michigan. I thank the gentleman for pointing out the sequencing of the sequester, the President's sequester, the President's idea of the sequester, and I appreciate that. I still say with the President's sequester that what's going to happen with this vote is a very vivid demonstration, again, of who is actually committed to doing more with less. My colleague, the gentleman, the minority whip, also has given us sort of a historical lesson of various things in his observation of the way things had gone earlier on, and I would point something out as well since we are talking about committee budget cuts.

In 2007 when the other party, the Democrats, took control of this House, they immediately increased the amount of spending on committees by 8.9 percent, almost 9 percent; immediate increase. Then in 2009 as they kept control of the Congress, again they increased committee spending, that time by 8.9 percent. Now keep in mind, this was at a time—which I had mentioned previously, being from southeast Michigan—everybody else, it seemed like, certainly every State government, every local unit of government, every school district, many, many businesses, certainly American families, were making cuts. That was not happening here with committee spending.

In 2010, this House shifted control. The Republicans took control. And what did we do with committee spending as a way to show that we wanted to do more with less, that we understood that we needed to get a handle on this out-of-control Federal spending, we actually cut committee budgets by 9.5 percent for the 112th Congress, and as we are debating now, another 11 percent cut that we're looking at.

This is at the same time that the House, under Republican control, has also cut what we call our Members' representational allowances, our MRAs, which has been very painful for all of us as well. We cut 5 percent, then in the 6 percentile. Now just a couple of weeks ago, effective immediately with the sequester, another in the 8 percentile cuts for all of us. All of us are doing more with less. And believe me, I understand there's no sympathy for Members of Congress, but I certainly point that out.

At the same time if you look at non-defense discretionary for the executive branch, almost a 17 percent increase during that same time. So I just think when we look at this resolution, we see how important it is. Again, I am not minimizing how painful it will be for the committees, but it's really the new

reality, I think, and it's important for those of us here in the people's House to do the people's work with the amount of money that we have available, and to do it to the very best of our ability. And I know certainly Republicans and Democrats are committed to doing that.

With that, I reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman.

Mr. Speaker, you and I were in Rules last night when I made the statement that I'm going to make here today. When I was a child, I learned that you can be penny-wise and pound foolish.

What winds up happening here is for a protracted period of time, we have not been able to retain the kind of staff, the hardworking people that really do the grinding work in committees, as Mr. HOYER pointed out, and we leave them without the ability to get a raise. And I don't know about you all, but what's going to wind up happening with my staff is some of them are going to get better jobs because they are better served by going into the private sector.

If we want to retain good people, we have to pay good people. And at a time when the public is more aware of what we are doing and making more demands, as rightly they should upon us, we decide to put ourselves in a position to not be able to serve the public.

In the final analysis, some of what we are doing is trying to save our Republican colleagues. They get two-thirds of whatever it is that we're talking about. But we should not be ashamed of what we do here. We deserve the honesty that we would want the American public to expect of us as we conduct our work.

□ 1540

Mrs. MILLER of Michigan. Mr. Speaker, I reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, I yield myself such time as I may consume.

First of all, I'd like to thank the chairwoman from the committee. She was very gracious during the committee hearing, and I learned quite a bit from her. I want to thank her for that.

And I, in particular, want to thank the ranking member. The ranking member gave me the opportunity to speak here. That normally doesn't happen to freshmen, and I really appreciate that. He has a reputation of being very gracious and kind, and I appreciate it. It was certainly demonstrated here today.

I do have to respond, however. There was the issue of immorality that was brought up before, and as a former Jesuit, I'm very comfortable with that

type of language. And I believe it was said that leaving bills for other generations, future generations, was the most immoral thing we can do. I certainly would challenge that premise. I think there's a lot more immoral things that we can do. However, when you do take a look at the issue of immorality and saying that we're going to leave this huge deficit, this huge debt to future generations, I think that that is immoral.

However, it's interesting, the argument on the other side is just simply the argument of cuts and not revenue. So, for example, corporate jets, there are loopholes for them now. We could close them. It wouldn't hurt the millionaires and the billionaires to pay taxes on them. It wouldn't hurt them one bit. And that, of course, would cut—it would cut the debt, the deficit that we leave to these future generations, reducing the immorality. We could have the wealthy, instead of paying 12, 13 percent on average, pay what middle class people pay. That certainly would cut the debt and deficit significantly, reducing, once again, the immorality.

But it's interesting, talking about immorality. The Bible certainly speaks to that. In Amos, the prophet Amos, if you look it up, you'll see that Amos speaks about the anawim, and the anawim are God's little ones. The little ones, then, were the orphans and the widows. Because of the condition that they were in, it was very difficult for them to survive. And we then, or at that time, the Israelites, were going to be judged on how they treated the anawim.

That carries forward into the New Testament. If you look in Matthew, Matthew 25, they say: How are we going to be judged? How are we going to be judged?

Jesus makes it easy. He says: whatever you do to the least of my brothers, you did to me. Then he goes through a litany of things. He says: when I was hungry, you gave me to eat; when I was thirsty, you gave me to drink; when I was a stranger—interestingly, when I was a stranger, we're certainly having that conversation with immigrants today—when I was a stranger, you welcomed me; when I was ill, you cured me. Interestingly, too, when I was a prisoner, you came and visited me. It didn't say if you were innocent, by the way. It didn't say that. It said: when I was a prisoner, you came and you visited me. That's how we're going to be judged.

And these budgets, these budgets should go towards those values. That's what's moral, taking care of those that are thirsty and hungry, those that are strangers. And these committees work hard to make sure that happens, and they do a very good job. In fact, no one's argued that they don't; just the opposite. What we have heard from the

committee chairs is: don't cut us because we can do even a better job. And not only that, you're loading the work on us.

So I would conclude, and again thank the ranking member and certainly thank the chair for the opportunity. And I would urge my colleagues to defeat this resolution. I appreciate the opportunity, again.

I yield back the balance of my time. Mrs. MILLER of Michigan. Mr. Speaker, it's my pleasure, at this time, to yield 2 minutes to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. I've listened to this debate. It's primarily about the amount of money we spend on our committees here in the House. Taxes have just been inserted into it, and I have to respond to the comment about corporate taxes or tax breaks for corporate jets. It's an easy target. It's something the Democrats have repeatedly targeted in their budget resolution, something the President proposed to offset sequestration. And of course, the wealthy, with their big fancy corporate jets or corporate executives with their jets are easy targets.

But there is a lot of collateral damage any time this issue comes up. We forget about the people who fly those planes, the people who clean the planes, the people who fuel the planes, the people who run the facilities where those planes are hangared, the people who manage the flight operations, the people who manufacture those planes, which is, I would point out, the number one export industry in the State of Arkansas.

Much like in 1990 when the budget deal targeted the yacht industry in New England for a special luxury tax, it didn't raise the revenue that was projected. It did devastate that industry, leading to catastrophic layoffs, and resulted in the repeal of that measure within just a matter of months after it passed.

So while I appreciate the Democrats' desire to raise taxes every few months, I think that our spending crisis, or our debt crisis, is driven by spending, and we should be careful about singling out specific industries that provide good, high-paying jobs to hardworking Americans.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

First of all, I certainly want to thank Mr. VARGAS for controlling his time. Mr. Speaker, he did a very good job. We certainly welcome him to the committee and look forward to working with him, as we also thank the ranking member, Mr. BRADY, for his extraordinary work on behalf of the committee, and we look forward to continuing to work with him.

Obviously, we have a bit of a disagreement, Mr. Speaker, on the committee budget cuts here; but I cer-

tainly would also applaud the work of all of our chairmen of our committees, as well as all of the ranking members, who very diligently went through their budgets trying to make the appropriate cuts and will continue to do that now, when this resolution is certainly passed, as we go forward, I think, for all of us, really, trying to create a fiscally responsible level of funding here and, again, something that allocates resources in the very best way that we can, that allows this House to complete its work on behalf of the American people.

Again, Mr. Speaker, I would say, I believe that we are leading by example with this resolution today, and we need to show that the important work of government can certainly be done, and we can do it well with less. Doing more with less, that's a very well-used term, but it is certainly appropriate for this, during times of tight budgets.

So I would urge all of my colleagues to support this resolution, and I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of H. Res. 115, a resolution to fund the House standing and select Committees for the 113th Congress. As a member of the House Administration Committee, I have first-hand knowledge of the work that went into this resolution, and I urge my colleagues to join me in supporting it.

As you know, with the implementation of the sequester on March 1st, across-the-board spending cuts took effect. In the wake of this, the House Administration Committee had a chance to hear from our colleagues—the Chairman and Ranking Member of each House Committee—about how they would handle the impact of the sequester.

Mr. Speaker, I believe that the Committee acted in a deliberative and fair manner when determining Committee budgets for the 113th Congress. Each Committee serves an important function, and while all will have to continue to produce good work with less, I am confident that they will succeed.

In the 112th Congress, the House recognized that economic difficulties were forcing the nation to tighten its belt. Rather than continuing runaway spending, this body chose to demonstrate that we were serious about getting our fiscal house in order by enacting an 11.4 percent cut in Committee funding. Today's vote gives us an important chance to show that, while families across the country are struggling to make ends meet, the House plans to continue leading by example.

Mr. Speaker, I know that this resolution includes cuts that will force Committees to make tough decisions. However, when the government faces across the board cuts, this institution should not be exempt. I urge my colleagues to join me in supporting H. Res. 115.

The SPEAKER pro tempore. Pursuant to House Resolution 122, the previous question is ordered on the resolution.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. VARGAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 272, nays 136, not voting 23, as follows:

[Roll No. 82]

YEAS—272

Alexander	Gabbard	McNerney
Amash	Gallego	Meadows
Bachmann	Garamendi	Meehan
Bachus	Garcia	Messer
Barber	Gardner	Mica
Barletta	Garrett	Miller (FL)
Barr	Gerlach	Miller (MI)
Barrow (GA)	Gibbs	Miller, Gary
Barton	Gibson	Mullin
Benishek	Gingrey (GA)	Mulvaney
Bentivolio	Goodlatte	Murphy (FL)
Bera (CA)	Gosar	Murphy (PA)
Bilirakis	Gowdy	Neugebauer
Bishop (GA)	Granger	Noem
Bishop (UT)	Graves (GA)	Nugent
Black	Griffin (AR)	Nunes
Blackburn	Griffith (VA)	Nunnelee
Blumenauer	Grimm	Olson
Bonner	Guthrie	Owens
Boustany	Gutierrez	Pastor (AZ)
Brady (TX)	Hall	Paulsen
Braley (IA)	Hanna	Pearce
Bridenstine	Harris	Perry
Brooks (AL)	Hastings (WA)	Peters (MI)
Brooks (IN)	Heck (NV)	Peterson
Broun (GA)	Heck (WA)	Petri
Brownley (CA)	Hensarling	Pittenger
Buchanan	Herrera Beutler	Pitts
Bucshon	Higgins	Pompeo
Burgess	Holding	Posey
Bustos	Hudson	Price (GA)
Calvert	Huelskamp	Price (NC)
Camp	Huizenga (MI)	Quigley
Campbell	Hultgren	Radel
Cantor	Hunter	Reed
Capito	Hurt	Reichert
Carney	Israel	Renacci
Carter	Issa	Ribble
Cassidy	Jenkins	Rice (SC)
Chabot	Johnson (OH)	Rigell
Chaffetz	Johnson, E. B.	Roby
Cicilline	Johnson, Sam	Roe (TN)
Coble	Jones	Rogers (KY)
Coffman	Jordan	Rogers (MI)
Cole	Joyce	Rohrabacher
Collins (NY)	Kelly	Rokita
Conaway	Kilmer	Rooney
Cook	King (IA)	Ros-Lehtinen
Cooper	King (NY)	Roskam
Costa	Kingston	Ross
Cotton	Kinzinger (IL)	Rothfus
Cramer	Kirkpatrick	Royce
Crawford	Kline	Ruiz
Crenshaw	Kuster	Runyan
Cuellar	Labrador	Ryan (WI)
Culberson	LaMalfa	Salmon
Daines	Lamborn	Scalise
Davis, Rodney	Lance	Schneider
DeFazio	Lankford	Schock
Delaney	Latham	Schrader
DelBene	Latta	Schwartz
Denham	LoBiondo	Schweikert
Dent	Loeb sack	Scott, Austin
DeSantis	Long	Sensenbrenner
DesJarlais	Lucas	Sessions
Diaz-Balart	Luetkemeyer	Sewell (AL)
Doggett	Lujan Grisham	Shimkus
Duckworth	(NM)	Shuster
Duffy	Lummis	Simpson
Duncan (SC)	Maffei	Sinema
Duncan (TN)	Maloney,	Slaughter
Ellmers	Carolyn	Smith (NE)
Enyart	Maloney, Sean	Smith (TX)
Esty	Marchant	Southerland
Farenthold	Marino	Stewart
Fincher	Massie	Stivers
Fitzpatrick	Matheson	Stockman
Fleischmann	McCarthy (CA)	Stutzman
Fleming	McCaul	Terry
Flores	McClintock	Thompson (PA)
Foster	McHenry	Tiberi
Fox	McIntyre	Tierney
Frankel (FL)	McKinley	Tipton
Franks (AZ)	McMorris	Turner
Frelinghuysen	Rodgers	Upton

Valadao	Walz	Williams
Van Hollen	Weber (TX)	Womack
Veasey	Webster (FL)	Woodall
Wagner	Welch	Yoder
Walberg	Wenstrup	Yoho
Walden	Westmoreland	Young (IN)
Walorski	Whitfield	

## NAYS—136

Andrews	Holt	Pocan
Bass	Honda	Poe (TX)
Beatty	Horsford	Polis
Becerra	Hoyer	Rahall
Bishop (NY)	Huffman	Rangel
Bonamici	Jackson Lee	Richmond
Brady (PA)	Jeffries	Rogers (AL)
Brown (FL)	Johnson (GA)	Roybal-Allard
Butterfield	Kaptur	Ruppersberger
Capps	Keating	Rush
Capuano	Kennedy	Ryan (OH)
Cardenas	Kildee	Sánchez, Linda
Carson (IN)	Kind	T.
Cartwright	Larsen (WA)	Sarbanes
Castor (FL)	Larson (CT)	Schakowsky
Castro (TX)	Lee (CA)	Schiff
Chu	Levin	Scott (VA)
Clarke	Lewis	Scott, David
Clay	Lofgren	Serrano
Cleaver	Lowenthal	Shea-Porter
Clyburn	Lowey	Sherman
Cohen	Luján, Ben Ray	Sires
Connolly	(NM)	Smith (WA)
Conyers	Markey	Speier
Courtney	Matsui	Swalwell (CA)
Crowley	McCarthy (NY)	Takano
Cummings	McCollum	Thompson (CA)
Davis (CA)	McDermott	Thompson (MS)
Davis, Danny	McGovern	Thornberry
DeGette	McKeon	Titus
Deutch	Meeks	Tonko
Dingell	Meng	Tsongas
Doyle	Michaud	Vargas
Edwards	Moore	Vela
Ellison	Moran	Velázquez
Farr	Napolitano	Visclosky
Forbes	Neal	Wasserman
Fudge	Negrete McLeod	Schultz
Grayson	Nolan	Waters
Green, Al	O'Rourke	Watt
Green, Gene	Palazzo	Waxman
Grijalva	Pallone	Wilson (FL)
Hahn	Pascrell	Wilson (SC)
Hanabusa	Payne	Wittman
Hartzler	Perlmutter	Young (AK)
Hastings (FL)	Peters (CA)	
Himes	Pingree (ME)	

## NOT VOTING—23

Aderholt	Gohmert	Nadler
Amodei	Graves (MO)	Pelosi
Collins (GA)	Harper	Sanchez, Loretta
DeLauro	Hinojosa	Smith (NJ)
Engel	Langevin	Wolf
Eshoo	Lipinski	Yarmuth
Fattah	Lynch	Young (FL)
Fortenberry	Miller, George	

## □ 1613

Mrs. BEATTY and Mr. CONYERS changed their vote from “yea” to “nay.”

Messrs. ROE of Tennessee, PASTOR of Arizona, QUIGLEY, Ms. SLAUGHTER, Messrs. COLE and LOEBSACK changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WOLF. Mr. Speaker, today I was unavoidably detained and missed rollcall vote 82, on consideration of H. Res. 115, a resolution providing for the expenses of certain committees of the House of Representatives for the 113th Congress, because I was questioning the Director the Federal Bureau of Investigation in my capacity as chairman of the House

Appropriations subcommittee on Commerce, Justice, and Science. Had I been present, I would have voted “aye.”

Mr. GRAVES of Missouri. Mr. Speaker, I missed a rollcall vote today. Had I been present, I would have voted “yea” on No. 82.

# CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014

## GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 25, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 122 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution, H. Con. Res. 25.

The Chair appoints the gentleman from Washington (Mr. HASTINGS) to preside over the Committee of the Whole.

## □ 1614

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. Pursuant to the rule, the concurrent resolution is considered read the first time.

General debate shall not exceed 4 hours, with 3 hours confined to the congressional budget, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided by the gentleman from Texas (Mr. BRADY) and the gentlewoman from New York (Mrs. MALONEY) or their designees.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 90 minutes of debate on the congressional budget.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today I rise to bring forward and present the budget resolu-

tion for fiscal year 2014. We believe that we owe the American people a responsible, balanced budget, and that is precisely what we are bringing to the floor today. Our budget balances the budget within 10 years, and it does so without raising taxes. Balancing the budget will help us foster a healthier economy, and it will help us create jobs.

In fact, two leading economists at Stanford University today released a study analyzing our budget and its positive effects on the economy and jobs. In the first year, they said it would, “boost the economy immediately,” increasing growth of our economy by a whole percentage point, which translates into about 500,000 jobs right away. That’s about \$1,500 in extra take-home pay for families who are struggling to get by today.

By the end of the budget window, according to these economists at Stanford University, it would add 3 percent of economic growth to the economy. That’s 1.7 million jobs in 1 year alone and about \$4,000 more in take-home pay because of higher economic growth. More take-home pay means more control, more freedom, and more prosperity for families.

We are not simply here to balance the budget because we like looking at clean spreadsheets. It is not even an accounting exercise. The reason we are balancing the budget is to improve people’s lives. It is to bring needed health to the economy and to bring certainty to families and businesses so they can get ahead.

We know that a debt crisis is coming, Mr. Chairman. We know that it’s coming because we’ve watched what other countries have done when they continue to kick the can down the road and ignore the tough choices they need to make to get our fiscal house in order. We’re doing that.

Now, what are we trying to do specifically in our budget? We want to restore opportunity. We want to repair our broken safety nets so that they’re designed to get people out of poverty on to lives of self-sufficiency by reforming our welfare programs. We want to make sure that the seniors who are relying on programs as important as Medicare actually get the benefits they organized their lives around. We want to make sure that the next generation, those of us who follow our parents into retirement, actually have a Medicare program we can count on. And we have those bipartisan reforms here.

Everybody needs to pitch in, and everybody needs to propose a solution to our problem because, Mr. Chairman, if we don’t tackle this fiscal problem in America, it will tackle us.

Now, to their credit, the Democrats on the Budget Committee are bringing a budget to the floor. To their credit, the Progressive Caucus is bringing a budget to the floor. To their credit, the

Black Caucus is bringing a budget to the floor. To their credit, the Senate, finally, for the first time in 4 years, is bringing up a budget.

Budgets are about choices. The problem we have is not now that they're doing a budget—that's good news; that's great—it's what's in their budget. If you take a look at our budget—as I mentioned, our budget balances the budget. We believe a balanced plan is one that actually balances the budget. There is not another budget that's being offered here other than the Study Committee budget that actually balances the budget, other points notwithstanding.

Now, why do we balance the budget? Because we don't want our children to be drowning in debt. We want to make sure that this sea of red ink that the CBO is telling us is coming, we pay off our debt and give our kids a debt-free nation. That's what we do.

Take a look at the other budgets that are being offered. Let's take a look at the Senate Democrats'. That has a tax increase that's about \$1.5 trillion; that has a spending increase of about \$4.8 trillion off of our budget. If you take a look at the House Democrats', that's a \$1.2 trillion tax increase, with a spending increase of about \$4.896 trillion off of this budget. If you take a look at the Black Caucus budget, the CBC budget, that's a tax increase of \$2.8 trillion, with a spending increase of \$5.7 trillion, only to be outdone by the Progressive Caucus budget. That is a \$5.683 trillion tax increase with an \$8.698 trillion spending increase in their budget.

□ 1620

Taking more money from hard-working families to fuel more spending in Washington is not going to solve our budget crisis, is not going to balance our budget. It's more of the same. And more of the same means we have a debt crisis. When we have a debt crisis, everybody gets hurt. The people who are on the safety net, the seniors who have already retired, they're the ones who get hurt the first and the worst in a debt crisis.

This is a responsible plan. It's a plan for economic growth. It's a plan for tax reform. It's a plan to open up our energy stores that we have here so that we can be energy independent. We have vast amounts of energy reserves that we need to tap so we can put people to work, bring down gas prices, and stretch paychecks further.

We've got to control our spending appetite. We've got to reform programs like Medicare so they're solvent. We've got to reform our safety net so that it works to get people on their feet. That's what this budget does.

In a nutshell, instead of spending \$46 trillion over the next 10 years as we are currently poised to spend, we spend \$41 trillion. Instead of growing spending on

average at 5 percent a year, we grow it at 3.4 percent a year.

So for all of the predictions of doom and gloom and how evil and terrible and horrible our budget is, it increases spending every year by 3.4 percent a year instead of 5 percent a year. The difference is we balance the budget. The difference is we let families keep more of their own take-home pay. The difference is we make sure our kids inherit a debt-free future. The difference is we do what's necessary to create a healthy economy, more take-home pay, faster economic growth, and better jobs. That's why we are here, to balance the budget.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

Last fall throughout this country, we had a vigorous debate. President Obama laid out his vision of how we deal with some of our big challenges with respect to the economy and the budget, and Governor Romney did the same thing. Both of them said the American people face a very important and fundamental choice, and the American people chose.

They chose to support President Obama's vision of accelerating economic growth, putting more people to work, taking a shared-responsibility approach to our long-term deficits so we bring them down in a balanced and smart way, and they rejected the idea that we're going to move the economy forward by giving windfall tax cuts to the very wealthiest in the country and that somehow the benefits of that would trickle down and lift everybody up. They rejected that lopsided approach that balanced the budgets on the backs of everybody but the folks at the very top. It balanced the budget on the backs of our kids' education by slashing important investments.

In that category of spending that we make these important investments for our country and our future, they doubled the cut from the sequester. Those are investments in our kids' education. Those are investments in science and research to help power our economy. Those are investments to help modernize our infrastructure. They cut transportation by 15 percent when we have 15 percent unemployment in the construction industry.

Mr. Chairman, the American people rejected the kind of uncompromising, lopsided approach that we see once again presented here in the House. It is the same thing we've seen for the last 3 years, as if we hadn't even had a debate last fall.

In the Democratic alternative, we focus on the main issue right now and in the future. We don't only want strong economic growth in the future; we want to see accelerated job growth right now. We've seen some momentum

in the jobs market in the last couple of months, but the Republican budget will put the brakes on that growth.

The chairman of the Budget Committee can quote economists all he wants. There are economists that say it will do this or it won't do this or it will do that. But we have an umpire here in the Congress. We have a referee. It's called the Congressional Budget Office. They're nonpartisan. They're independent.

They tell us if you follow the approach of the Republican budget and keep the sequester in place through the end of this year, that by the end of this year we will have 750,000 fewer Americans working than otherwise. Why would we want to do that?

They tell us that if you take the approach followed by the Republican budget, that economic growth this calendar year will be cut by one-third. Why would we want to do that?

The Congressional Budget Office also tell us that a full half of our deficit this year is as a result of the fact that there are still lots of people looking for work who haven't found a job, and they project that three-quarters of the deficit next year in 2014 is as a result of the fact that you have too many people who are unemployed. So let's attack the root of the problem right now and help put people back to work rather than put the brakes on the economy. That's what our budget will do.

This calendar year, in addition to preventing the 750,000 lost, we will generate another 450,000 jobs by investing in the economy. Next year, the difference between our plan and our colleagues' plan is 2 million more jobs under our budget proposal.

We believe that you've got to deal with the budget deficit, and at the same time you also need to focus on the jobs deficit to help deal with the budget deficit.

We also reduce the deficit in a steady, sustained way. We do it with balance. We do it with targeted cuts. But we also do it, Mr. Chairman, by eliminating some of the tax breaks and tax expenditures for very high-income individuals.

We heard from Governor Romney and we heard from the chairman of the Budget Committee last fall and this year that there are trillions of dollars of tax expenditures that disproportionately benefit very wealthy people. Under the Republican plan, they say we're going to get rid of some of your tax expenditures for high-income people, but we're going to bring down your top rate. So in the end, the folks at the very top actually get a big windfall.

We say let's eliminate some of those tax breaks for very wealthy people in order to help reduce our deficit so when you combine that savings with targeted cuts, you can reduce it in a balanced way rather than increasing the tax burden on the middle class, which is what their budget will do.



We also want to make sure we keep our commitments to our seniors and not transfer the risk and cost of rising health care costs onto the backs of seniors as the Republican budget does.

We don't reopen the prescription drug doughnut hole, as the Republican budget does, which means that seniors with high prescription drug costs will end up paying thousands more out of pocket over the period of this budget.

In our budget, we make sure that student loan interest rates, which are set to double in July from 3.4 percent to 6.8 percent, we make sure they don't double. The Republican budget makes sure that they do. That will make college less affordable to millions of students.

Mr. Chairman, let me conclude by talking about the deficit impacts because the Republican budget does hit this—they say they're going to hit this political target of balance in 10 years. But it's a hoax because they say at the same time that their budget balances, that they're repealing all of ObamaCare, all of the Affordable Care Act.

The reality, Mr. Chairman, is they get rid of all the benefits of the Affordable Care Act. So the millions of Americans who would have had more affordable coverage, they won't get it; and the people who will no longer be excluded from getting coverage because of preexisting conditions, they'll make sure that they're denied coverage because of preexisting conditions because they take away the benefits.

But the dirty little secret, Mr. Chairman, is they keep the savings from the Affordable Care Act, from ObamaCare. Without those savings, that budget doesn't balance.

So if we did what our Republican colleagues here say they want to do, which is this instant—repeal ObamaCare—they wouldn't have a budget that was in balance. You don't have to take my word for it. The Heritage Foundation, a very conservative think tank, just issued this statement: "Perhaps the biggest shortcoming of this budget"—meaning the Republican budget—"is that it keeps the tax increases associated with ObamaCare." It keeps those.

It keeps all the savings in Medicare that were achieved as part of the Affordable Care Act where we achieved them by reducing the overpayments to the private insurance companies by changing the incentive structure to focus more on the quality of care rather than the quantity of care.

□ 1630

Do you remember all those Medicare savings that we heard our colleagues demagog in the last election last fall? They keep all those savings, and their budget wouldn't balance without them.

Our budget dramatically cuts the deficit and makes sure that our deficits are not growing faster than the econ-

omy, down to 2.4 percent by the end of the window. We stabilize the debt below where the CBO projects today. We stabilize 70 percent GDP. And, yes, we also will balance our budget in the same year that the Republican budget from last year balanced.

If this were just a race to balance the budget first, then people should vote for the Republican Study Group proposal—4 years. But if your priority is jobs and economic growth, as it should be as part of a measured and balanced approach to reducing the deficit, then you need to support the Democratic alternative.

Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to say the gentleman from Maryland is right: yes, we do balance the budget. Guilty, and proud to be guilty of that. We think balancing the budget is important.

More to the point, in the revenues we are saying we don't like this current Tax Code, so we can raise the same amount of revenue for the government with a better tax system, one that is pro-growth, one that creates jobs. That is precisely what the Ways and Means Committee is doing. That does not include the ObamaCare taxes, but it includes replacing the current revenue code that hurts jobs and hurts economic growth.

With that, Mr. Chairman, I would like to yield 3 minutes to a senior member of the Budget Committee, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the chairman for yielding.

Mr. Chairman, today I rise because today's budget is a budget that helps American families. I rise today to support a budget that recognizes that the status quo is not only unacceptable to American families, but it is also unsustainable to the economy.

This budget that is before us now will finally restore much needed certainty, certainly to the economy, promote fairness, and provide those American families with the opportunity they are looking for to prosper. Importantly, this budget stops spending money that we simply do not have. At the same time, it advances commonsense changes in proposals to strengthen our Nation's safety net programs. We do that for American families.

So the Path to Prosperity takes us the first step towards reversing the path to debt and decline that the President and his fellow Democrats have laid out for the American people. To say that President Obama and the Democrats over in the Senate have failed to lead this Nation in what is probably the most predictable economic crisis in our Nation's history would be a drastic understatement.

Why is that? On February 4, the President's budget was due. On March

19, the American people are still waiting. It was the fourth time in 5 years that this President has failed to basically follow the law of the land and to submit a budget on time.

It is interesting that the President's brackets are always on time. His budgets, not so much.

The Senate Democrats are not any better. It took them almost 4 years to produce a budget that increases government spending by \$265 billion, raises taxes on this country by almost \$1 trillion; and, at the same time, it has cut health care providers by almost \$300 billion.

Over the period covered by the budget, deficits under the Senate plan are going to be nearly \$4 trillion—yes, \$4 trillion larger than those under the House Republican budget that we are talking about right now.

Every family, every family in the country, every family in America, they understand the necessity of having a balanced budget. The President and Senate Democrats could surely learn by going back to their districts and learning from the example of American families across the country in how to set a budget. Families don't have the luxury of waiting for the next election. They don't have the luxury, if you will, of going through yet another cycle. Quite frankly, as we stand here today in Washington, neither does Washington.

Let's stop the spending insanity, if you will. Let's start putting the country back on track, and let's do this for the American family.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to the gentlelady from New York (Ms. VELÁZQUEZ), the ranking member of the Small Business Committee, who recognizes how important it is to keep our economy moving forward, not backwards.

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to this ill-conceived budget. For working families this project could mean a tax hit of \$2,000, making it harder for families to afford rent and put food on the table.

The GOP plan also shortchanges seniors, ending Medicare in 10 years. Equally problematic, the Affordable Care Act would be repealed, reducing health care assistance to 176,000 families in my district and preventing 68,000 young people in my part of New York from staying on their parents' insurance.

We can also expect our economy to take a hit with 2 million jobs vanishing next year alone. Is this what we need to get this economy growing again? And for small businesses, this budget will mean losses. Sixteen thousand small firms in my district will lose tax assistance when purchasing health care, and thousands of would-be entrepreneurs around the country will see

technical assistance and other services dry up, preventing the creation of new startups and blocking job creation.

Mr. Chairman, budgets should be about priorities. The American people rejected these flawed priorities last year when they voted to reelect President Obama. I urge my colleagues to vote “no” so we can approve a budget that is balanced, that is fair, that will create jobs, and that will move our Nation forward, together.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time, I would like to yield 3 minutes to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Mr. Chairman, I rise in strong support of this budget resolution.

I just want to take a moment, too, to applaud the chairman and the members of his committee, and especially the hardworking staff of his committee for producing this document—a mere little band of less than 30 staffers.

By contrast, the President, with all the vast resources at his disposal in the executive branch, is now, I think, into the sixth week beyond his deadline in which he cannot pass his own budget. I assume that he will one day submit something. I hope that we will have a chance to vote on it. I will be curious to see if our colleagues on the other side of the aisle can produce more than the zero votes that his budget produced last year.

The Senate, however, is even worse. They haven't produced a budget in 4 years. After seeing the budget that they will vote on, I now know, perhaps, why they did not produce such a document. It has over \$1.5 trillion in new taxes, almost \$1 trillion that are recognized, almost \$500 billion to replace sequestration in unspecified closures of so-called loopholes, and another \$100 billion in unspecified closures for new and ultimately failed stimulus spending.

And it never reaches balance—ever. The only thing we hear from balance on the Senate or the President is as a euphemism for new tax increases.

Finally, I want to point out that the last time the Senate passed a budget 4 years ago, I was a captain in the United States Army sitting at forward operating base Mehtar Lam in northeast Afghanistan. And I want to specifically single out the defense measures in this budget and to applaud, again, the leadership of the chairman and the Budget Committee for protecting our military, for giving it funding that it otherwise would not have and the flexibility it needs to help protect and keep this country safe. The Defense Department is the one area in government where the strategy should drive the budget, not the budget drive the strategy.

And the second way that it protects our military is from a debt crisis. This budget, as we have heard, is designed

to postpone and ultimately prevent a debt crisis caused by out-of-control reckless spending and anemic economic growth of the kind you have seen in countries in Europe already.

If that were to happen, not only would it impact families all across the country when their interest rates for mortgages and farms and small businesses and education increase, but it also would crowd out all other kinds of priorities in our Federal budget. So it would immediately impact, as well, our troops, their families, and our veterans.

□ 1640

Mr. VAN HOLLEN. Mr. Chairman, actually the Republican budget does follow some of our European friends, but follows them in the wrong way.

The strategy places like the U.K. have followed is an austerity approach—immediate deep cuts. And guess what that did? That sent them back into a recession. And again, the umpire around this place, the non-partisan Congressional Budget Office, said that if you take the approach in our Republican colleagues' budget, you'll have 750,000 fewer jobs by the end of this year. That is not a growth strategy. We cannot afford, here in the United States, the European-style austerity plan that is hurting those economies.

With that, I yield 2 minutes to the gentlelady from California (Ms. WATERS), the ranking member on the Financial Services Committee.

Ms. WATERS. Mr. Chairman, I thank Mr. VAN HOLLEN for yielding me this time.

Today I rise in strong opposition to the Republican budget, a budget that makes absurd claims to reducing the deficit by repealing crucial government authority to protect our economy. Lest we forget, the Lehman Brothers disorderly bankruptcy sparked the worst financial crisis since the Great Depression.

Should a megabank fail in the future, the Dodd-Frank Act specifically authorizes regulators to dissolve the failing firm, fire its executives, wipe out shareholders, and deny the claims of creditors. The gentleman from Wisconsin calls this a bailout—erroneously—concluding that the Dodd-Frank Act enshrines “too big to fail” when, in fact, it provides all of the necessary tools to end it. If Dodd-Frank actually did what the Republicans say, why does no large firm want to be designated as “systematically significant”?

The Republican proposal also deceptively suggests that a repeal of the liquidation authority generates real savings to the American taxpayer. The Dodd-Frank legislation designed this authority to pay for itself over time, with any initial up-front costs being completely recouped by selling assets

and imposing an assessment, after the resolution, on financial institutions with more than \$50 billion in assets. The law specifically states that taxpayers shall bear no losses from the exercise of any authority under the liquidation title.

Once again, the Republican budget is misleading and dishonest. The National Journal has called the Republican proposal a “budget gimmick,” and even The Wall Street Journal dismissed it as mere “budget quirks.”

If the authority to wind down a megafirm is repealed, the American taxpayer would be called on again to bear the risk of another financial crisis like in 2008, which the GAO found cost the U.S. economy \$13 trillion.

Mr. Chairman, I urge all of my colleagues to reject this Republican budget.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute to respond to my friend from Maryland.

He keeps saying that the CBO says this plan is going to cost 750,000 jobs. That's an analysis done on the sequester starting with looking at calendar year January through calendar year December. Well, where are we? This budget doesn't deal with fiscal year 2013. It starts in October. So he's using a comparison of a statistic that they use, the same kind of economic short-term analysis they used to say that the stimulus would create millions of new jobs. They're using the same kind of analysis and say the sequester will cost these jobs, and it's a cut that isn't even in this budget.

More to the point, the Senate Democratic budget has the same appropriations number we have in our budget for fiscal year 2014. The point is what the CBO does say over the long term, if you achieve this kind of deficit reduction that we are, a million new jobs a year by the end of the budget window—a 1.7 percent faster economic growth. CBO says that about this budget, about achieving this kind of deficit reduction. Stanford economists. You can create a million jobs a year. So you're seeing a consistent theme here: cutting spending and growing the economy and creating jobs.

With that, Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL), a senior member of the Budget Committee.

Mr. CAMPBELL. Mr. Chairman, I don't know if you've been to Spain or not, but I have, just once. It's a beautiful country—nice people, great food, and at one time a large, vibrant, and growing economy, but not today. Today in Spain, over half of the people under 25 years old can't find work. The unemployment amongst all ages in Spain is about what we had during the Great Depression—not the Great Recession, the Great Depression of the thirties. And people on government medical care there can't get it. They



can't get it when they want it because they've had to close a lot of their medical clinics in order to save money.

They had to do that because they waited too long to fix their fiscal problems. They waited until they had a debt crisis, and then they had to do what my friend from Maryland said: they had to impose an austerity program. They raised taxes and cut spending very quickly in a matter of just a year or so because that's what they had to do to continue being able to sell their debt.

That, Mr. Chairman, is exactly what we don't want to do. This is not speculation. This is not something we have to think about. It's there for us to see, and not just in Spain and Greece and Cyprus—in Japan, in a different form. It's there in other parts of the world. When you borrow so much money that people won't lend you any more, then you put in this austerity which causes these problems.

Unfortunately, that is what my friends on the other side of the aisle, their budgets will lead us to. More debts, more deficits, kind of a sugar high. They'll say: Oh, yeah, we're going to spend all this money; we'll create all these government jobs. For awhile we'll feel good, until the debt crisis comes, and then all that goes away.

What the Republican budget does is balance in 10 years, and not so that CPAs like me can achieve some symmetry that makes us feel good. It's because when you balance the budget, you set this balance up. It frees up the economy. People know that we're on that track to balance in 10 years. We won't have a debt crisis. People will know we won't have a debt crisis. The economy is freed up from the burden of too much debt, of knowing that there's a problem with no solution. There will now be a problem with a solution.

The economy will be freed up, both on the government side and on the private sector, and there will be more jobs and more jobs. That's what the Republican budget promises: an economy that grows and sustainable job creation, not a 1- or 2-year sugar high followed by a collapse. We've seen what not to do. We know the path not to take.

This Republican budget is the path we should take. I hope everyone will support it.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

First, I want to point out again that our Republican colleagues cannot have it both ways. You can't claim you're going to balance in 10 years and claim that you got rid of all of the ObamaCare provisions, because if you look at this chart, you'll see in the year 2023, 10 years from now, they claim a balance of about \$7 billion, right there. And yet if you look at this blue section here and the red section,

you've got the revenues from the Affordable Care Act, from ObamaCare, and the savings from Medicare that our colleagues campaigned against last fall, but they kept them right in their budget. Without those items, they don't come close to balance. In fact, they're about \$400 billion short, in the 10th year, from balance.

We believe you've got to focus on getting the economy moving right now. That's why we call in our budget for getting rid of and replacing the sequester now, so you achieve the same deficit reduction over a longer, more measured, targeted period of time and don't do damage to the economy. And we reduce the deficit in a steady way so that it's way down below the growth in the economy by the 10-year window; and we do it in a way that is balanced, meaning we ask for shared responsibility. So we do it through a combination of cuts, but also we do say, for folks at the very high end of the income ladder, we can get rid of some of those tax expenditures, tax expenditures that our Republican colleagues have talked about, but not simply to reduce the rates for high-income individuals, but to help reduce the deficit as part of a balanced approach.

□ 1650

Now, if you look at the math on the Republicans' tax reform plan, it drops the top rate for folks at the very top from 39 percent all the way to 25 percent. We know that's going to cost about \$4 trillion. They say they're going to make all that money up by taking tax expenditures away just from high-income people. The math doesn't work that way. You're going to have to increase taxes on middle-income taxpayers, or you're not going to hit your deficit target, one or the other.

So in the Budget Committee, we Democrats said, look, let's say to the Ways and Means Committee, when you do tax reform, don't raise taxes on middle-income taxpayers. And we had an amendment—I've got it right here—Protect the American Middle Class from Tax Increase. We said, if you're going to do tax reform, at least make the commitment that you're not going to increase taxes on middle-income families in order to finance tax breaks for the folks at the very top. Every one of our Republican colleagues on the committee voted "no" on that amendment. The committee's got lots of policy instructions on other stuff, but a policy request statement about not increasing taxes on the middle class, they all voted "no."

So we believe we have to reduce our deficits in a smart and vigorous but also balanced way, asking for shared responsibility going forward, not violating our commitments to seniors by reopening the doughnut hole, not by shredding Medicaid, which they cut by over \$810 billion, and which would be

one-third less in 2023 than it would otherwise be.

And, by the way, Mr. Chairman, I just want to remind people that two-thirds of Medicaid spending goes to seniors and individuals with disabilities.

So it's not a question of whether we reduce our long-term deficits, it's how we do it, and we do it in a balanced way. If this was just a race to be the first to balance, then you should support not the chairman's budget. Support the Republican Study Group, that other budget. But if your priority is to grow jobs and the economy, then you should support the Democratic alternative budget.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume to quickly respond.

So here's what my friend is saying, and I have three problems with what my friend from Maryland said. I have a problem with what he said in the beginning, in the middle, and in the end of what he said about all of what is happening here.

Here's his plan for economic growth: borrow more money and go and spend that money. Remember the stimulus? They're saying do it again. Then raise taxes. That's going to help the economy. Oh, and it's a balanced plan.

Here's the problem: their balanced plan doesn't balance the budget. We actually asked the CBO—they're claiming they will balance the budget in 2040. The CBO doesn't verify that. They're having to make assumptions that the CBO won't even back up to claim that they can somehow balance the budget.

But when I look at their deficits in their budget, yeah, they get the deficits going down in the first few years, and then it starts going back up. How on Earth do you tax \$1.2 trillion, net increase spending, and claim you're balancing the budget?

Look, we've been trying this economic program for a while. We tried the borrowing and the spending. That didn't work. We just hit the economy with a \$1.6 trillion tax increase. The economy's not roaring right now. And what they're saying is let's do that all over again.

We are saying, fix the Tax Code. Replace it with a pro-growth tax system that helps small businesses, that helps job creators, that helps families. Get government spending appetite under control. The government is supposed to be spending 5 percent a year, on average, over the next 10 years. That's too much. That's more than the family budget gets. We say bring it down to 3.4 percent a year.

And so when you take a look at all of the smoke and mirrors, all of the claims, none of the Democratic budgets that are being brought to the floor here ever, ever balance the budget. How is that a balanced plan?

Balancing the budget is what every family does. Balancing the budget is what every business does. Balancing the budget is what every local government does. Surely our Federal Government can do this.

And one of the key ingredients to growing this economy, to making American businesses, big and small, competitive so that they can create jobs and give people more take-home pay, is to reform our tax system.

With that, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), the chairman of the Ways and Means Committee, who is in charge of reforming our tax system.

Mr. CAMP. I thank the gentleman for yielding and for his leadership on this issue.

Mr. Chairman, I rise in support of a Federal budget that balances so we can strengthen our economy, create more jobs, and allow American workers to start seeing an increase in their paychecks again.

I know we can do it. I was a part of a team, a Republican Congress and a Democrat President, that balanced the budget for the first time in a generation. We focused on areas where we agreed and we made some tough choices, and we should do that again.

Balancing the budget is not just about the economy. It's about critical programs like Medicare and Social Security and the benefits they provide to millions of Americans. Social Security is already spending more money than it brings in, and the Medicare trust fund is going broke fast.

What does that mean?

Well, if Congress and the President don't act, America's seniors will face significant benefit cuts. That means smaller Social Security checks, up to 25 percent less, and fewer doctors willing to take Medicare.

So what should we do?

First, we pass a budget that balances, and that's what Republicans are doing. The Democrat substitute continues a policy of borrowing and spending and raising taxes and never gets to balance. Our budget, with pro-growth tax reform, has been scored by outside experts to create a million jobs in the first year alone.

Second, we need to look at the areas where we agree with the President and start making the reforms necessary to save programs like Social Security and Medicare.

The President said he's willing to use a different formula, chained CPI, to determine Social Security benefit increases. I know that policy will be included in the RSC budget. It's an area of agreement between the parties. Well, Mr. President, if we agree, then let's do it.

The same goes for reducing Medicare subsidies.

Mr. RYAN of Wisconsin. I yield the gentleman an extra minute.

The CHAIR. The gentleman's time has yet to expire, but the gentleman has 1 more minute.

Mr. CAMP. The same goes for reducing Medicare subsidies for wealthier seniors.

The American people expect us to make progress where we can. Let's not let our differences stand in the way. And if we agree on a policy, let's come together to start protecting and preserving critical programs like Social Security and Medicare.

Mr. VAN HOLLEN. Mr. Chairman, we actually have a kind of a yardstick that we can use to measure whether these budget approaches have a balanced approach, meaning that they ask for shared responsibility. You have the bipartisan Simpson-Bowles commission report, and they said we should reduce our deficits in a steady way through a combination of revenue, but also targeted cuts.

This Republican budget is totally lopsided. It provides tax windfalls to folks at the very top, and balances the budget at the expense of everybody else.

What we've proposed, actually, when you take into account the \$1.5 trillion in cuts we made over the last couple of years and the \$700 billion in revenue from January, and what we have in this budget, we actually have a higher ratio of cuts to revenue than that bipartisan Simpson-Bowles plan when you look at everything that's embedded in it. So that's measured against a bipartisan approach, and that gets us to where we need to be without hitting all the other priorities we have in our country.

With that, let me yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), the distinguished ranking member of the Ways and Means Committee, who has looked at these numbers backwards and forwards, and I look forward to his comments.

Mr. LEVIN. This Republican budget is tone deaf, the result of blind ideology. But, you know, I've been listening to what's been said so far today, and the Republicans say, but they don't say how. We've just heard, we know we can do it, but you don't say how.

□ 1700

So what we come up with on the Republican side is a mirage—and, I think, a dangerous one.

Let me give you have an example, talking about their proposals on taxes. Under their budget, the top rate is to be reduced from 39.6 percent to 25 percent. The AMT will be repealed. The corporate tax rate will be cut from 35 to 25 percent. But you won't find one syllable in the Republican budget on how all these tax cuts will be paid for. They don't identify a single tax policy that will end.

The Republican budget would mean a huge tax cut for the very wealthy—sev-

eral hundred thousand dollars a year—and leave a nearly \$6 trillion hole in the deficit that would lead to tax increases for middle-income families. That isn't balance. That's total imbalance. At the same time, Republicans propose cutting \$3.3 trillion from programs for people with low or moderate incomes, including hundreds of billions of dollars from food nutrition and Medicaid programs.

So I want to end by asking when the Republicans come and talk about their tax proposals, name a specific that they would address. It's not in the Republican budget. Name one, name two, name three. Otherwise, it's worse than empty.

Mr. RYAN of Wisconsin. I yield 3 minutes to a distinguished member of the Budget Committee, the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank Chairman RYAN for his distinguished leadership in bringing this budget to the floor. I rise in high support of it. I also am very proud. It's one of the highest honors I have had in my short time here to serve on this committee, not because of chairman RYAN only, but because of the members. By members, I mean Republican members and Democrat members. I note for the record that Mr. LEVIN is not a member of the Budget Committee. But there are great people who are. That's why it's perhaps because of some of that pride that I'm disappointed to hear the ranking member characterize the accomplishment—because that's what it is—the accomplishment of balancing within 10 years as some sort of political goal.

Families who are trying to put food on the table, neighborhood associations, nonprofits, and for-profit businesses, for that matter, that have to make a budget balance every day, every month, every year, I think should be offended by that characterization. It's not a political goal.

You know what's political, Mr. Chair? It's never balancing. You know what's political is the immoral idea that we are going to put more on our plate now, add up deficit after deficit, create a bigger and bigger debt, and then make people who don't even exist yet pay for it. Why is that political? Because, Mr. Chair, the people in the here and now can vote. Generations in the future, our grandkids who don't yet exist, can't vote. And that's what makes the other approaches we've heard about immoral, wrong, political. We balance. We balance within 10 years.

Now let's contrast that a bit—our responsible approach—to what the Senate Democrats have done, for example. Next year alone, the Senate Democrats' budget increases spending by \$162 billion above what we're spending today. Over 10 years it increases our debt by \$7.3 trillion from today's levels, despite a massive tax hike that they

have. And that tax hike adds \$1.5 trillion in new taxes. So even after that, they still add to the debt—our kids' debt, our grandkids' debt—by \$7.3 trillion.

Again, Mr. Chair, it never balances. After 4 years and \$6 trillion in debt since a budget was even last passed, the Senate Democrats' vague proposal leaves America with even more debt and government that never stops growing. Amazingly, after 4 years, the Democrats were unable to identify any real reforms—no tax reform and no entitlement reform. It's simply not a serious proposal.

I stand, again, in support of the House budget because it's responsible, it's real, it balances in 10 years, and it's the last thing from political.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Do you know what's wrong, Mr. Chairman? What's wrong is to pretend to the American people that you can have it all ways. What's wrong is to pretend that you've got a budget that's in balance in 10 years and pretend that you're getting rid of all of the Affordable Care Act, all of ObamaCare. What's wrong is going around the country demagoguing \$715 billion in Medicare savings, which we achieve by ending overpayments to private insurance companies and Medicare, and then using it to balance your budget and then saying, We didn't use it to balance our budget. That's what people don't like, is people trying to have it all ways.

We have taken an approach to steadily and rapidly reduce our deficits in a way that doesn't interfere and hurt economic and job growth right now. And we do it in a balanced way. And what I find astounding is to hear our Republican colleagues talk about the deficit and debt in one breath and then talk about all those tax breaks and expenditures that disproportionately benefit very wealthy people in the other breath and then say they won't close one single tax loophole for wealthy people for the purpose of reducing the deficit—not one dime in their budget for that purpose. And yet they're willing to hit Medicaid to the tune of \$110 billion. They're willing to hit the food and nutrition program by over \$100 billion. They're ready to hit transportation funding by over 15 percent in this budget window. And yet they're not willing to close one of those more than \$4 trillion in tax loopholes to reduce the deficit. I think that's wrong.

I yield 2 minutes to the gentlelady from Pennsylvania, a member of the Budget Committee (Ms. SCHWARTZ).

Ms. SCHWARTZ. The Federal budget is a statement of our priorities and our values as a Nation. The budget should be fiscally responsible and reduce the deficit, it should make investments to grow our economy, and it should meet our obligations to our seniors, to our

families, and to our future. And the Republican budget fails all three. The Republican budget threatens our Nation by undermining our economic growth and by shifting the financial burden for the deficit and for deficit reduction to our seniors and the middle class.

Republicans have made their choices clear: end Medicare as we know it, adding costs to seniors today and ending the Medicare guarantee tomorrow; slash investments for economic competitiveness; and give millionaires an average of \$400,000 in tax breaks. The Republican budget eliminates protections for millions of our sickest, frailest seniors who depend on nursing home and home health services. And the Republican budget will increase taxes for average middle class families by \$3,000. Their choices will cost 2 million jobs next year alone and decrease economic growth by 1.7 percent.

In contrast, the Democratic alternative preserves the Medicare guarantee; makes key investments in education, innovation, and infrastructure necessary for job creation and economic growth; and protects the middle class from large tax increases. The Democratic alternative reduces the deficit in a fiscally responsible and balanced way, without causing harm today and without threatening our economic competitiveness for the future. It reduces the deficit while meeting our commitments to our seniors, our frailest elderly, and our children.

I urge my colleagues to reject the Republican budget that threatens our seniors, our middle class, and our economic growth, and to vote for the Democratic alternative that builds on our great strengths as a Nation—an innovative, entrepreneurial business sector with a skilled, hardworking middle class. Vote for the Democratic alternative that builds on hope, opportunity, and security for all Americans.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute.

The gentlelady from Pennsylvania said that we're ending Medicare as we know it. I've got news for you: ObamaCare ended Medicare as we know it.

And what our budget does is it takes those statements from Medicare and makes sure it stays in Medicare, that it doesn't go fund another program. Stop the raid of Medicare, make sure that those savings, as the gentleman says, are necessary and worthwhile, and stay with Medicare to make it more solvent, to extend the life of the trust fund and not double-count it, to raid it to spend on ObamaCare.

□ 1710

Loopholes. I enjoy this conversation, because what we keep hearing is: close loopholes for the purpose of deficit reduction. What it really means is: take more money and spend it in Washington. We're saying: close loopholes to lower tax rates for everybody.

The problem with our Tax Code is it's not fair. If you have access, if you have good clout, you can get a loophole in the Code and pay lower taxes. If you're a family sitting home in Janesville, Wisconsin, you're paying whatever tax rate. We are saying the person or the business that has the same amount of income should pay the same kind of tax rate.

With that, I'd like to yield 3 minutes to the gentleman from Texas (Mr. WILLIAMS), a member of the Budget Committee.

Mr. WILLIAMS. Mr. Speaker, every business, every family, and every person in America eventually has to balance a budget. I am a small business owner; I still own a business. I have owned and operated my business for 41 years, and I balance my budget every month—and in many cases every day. The government should be no different.

Now, until we balance our budget, we don't know the true fiscal condition of our country, or our company, or our family. Just like a business that is overleveraged or a family that has overborrowed, deficit spending can obscure the real picture; but eventually the truth comes out. Once the numbers line up, you get an exact view of your fiscal condition. We've gone far too long without knowing our country's financial condition.

In the last 4 years, we've had trillion-dollar deficits. In 2011, our Nation's credit rating was downgraded. This year, our publicly held debt is on track to exceed 76 percent of GDP in 2013. Yet we still spend more money that we don't have, pushing the country towards a debt-driven financial crisis. If the Federal Government didn't have the ability to print money, we'd have a negative net worth, and we'd be in a weak financial position.

A budget is a blueprint. A budget is a roadmap; it's a plan. Our Nation's budget doesn't need to have balance as its end goal; it needs to be our starting point. It's the only way to guarantee that the public debt will not outgrow the economy, which would certainly crowd out private investment, raise interest rates, and increase inflation.

Now, I'm proud to stand in support of the Path to Prosperity. It's a responsible, balanced budget that is right for America. This budget balances, cuts wasteful spending, and fixes our broken Tax Code—all without raising taxes.

I applaud Chairman RYAN and my colleagues on the House Budget Committee for their tremendous work in presenting the American people with what they want—a budget that works. With this plan, we will apply the same principles that families and businesses use every day.

I predict our country's best financial days will surely be ahead of us, because unlike our Democratic friends, we balance. It means jobs, it means prosperity, and it means opportunity.

Small business and the people of America are begging for this budget.

Mr. VAN HOLLEN. Mr. Chairman, I would just point out to my colleagues that the Affordable Care Act, with the reforms it made to Medicare, we extended the life of the Medicare trust fund as part of that effort going forward.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Does that mean that money is not going to fund ObamaCare, and does that mean there's a \$716 billion hole in the funding of ObamaCare?

Mr. VAN HOLLEN. That means, as in your budget, that we will help reduce the deficit by whatever amount it was. But what we do not do in our budget is fund tax breaks for folks at the very top by raising them on folks in the middle.

Listen, let me say just one other thing here, Mr. Chairman. We've had four balanced budgets in this country in the last 40 years. It wasn't under President Reagan. It wasn't under the first President Bush. It wasn't under the second President Bush. It was 1998, 1999, 2000, 2001. It was under President Clinton. And then President Bush came in and did a big tax cut in 2001, putting us out of balance for a long period of time.

During the period of time when the budget was in balance the last four times out of 40 years, the revenue that was coming in was higher than it is in any year in the Republican budget that's before us now. What that tells you is that their budget approach is trying to seek balance on the backs of everybody else by really cutting into those important investments that have helped power our economy by violating important commitments to seniors and, in the end, by raising taxes on middle-income people. Why else would they not have joined Democrats in sending a policy statement to the Ways and Means Committee that says: When you go about eliminating tax preferences, don't hit middle-income taxpayers in the process.

In fact, Mr. Chairman, if you look at the mortgage interest deduction, for example, the mortgage interest deduction really helps middle-income people—homeowners. So in addition to saying: Ways and Means Committee, when you do tax reform, don't hit middle-income taxpayers, we specifically said: Don't take away the mortgage interest deduction for middle-income taxpayers. Again, all our Republican colleagues voted against that.

They've been talking about tax reform for 3 years now. We've never seen a piece of paper from them as to how they would do it, which is why we wanted to make sure that they don't do it in certain ways that help middle-income people. But no, can't do that.

So let's make sure that as we address our deficit issues, we do it in a way that calls for shared responsibilities, not another round of tax breaks for the wealthy on the backs of everybody else.

I now yield 2 minutes to the gentlelady from Wisconsin (Ms. MOORE), one of our distinguished members of the Budget Committee.

Ms. MOORE. Well, this is an austerity plan and an inequality plan, this Republican budget. I want people to behold the plunder of suckling babes—the young, elderly, the infirm, women, communities of color—by \$810 billion cuts in Medicaid and \$135 billion in SNAP. It is not humorous to me. I want you to beware of the claims that we're going to grow our economy by ending 750,000 jobs, by pillaring Pell Grants, and cutting off educational opportunity to students.

This is not a balanced budget. This is a budget blunder which plunders us into double-dip recession. I'll tell you, Ben Bernanke, our Fed chair, warns against these kinds of severe austerity cuts. If you don't believe him, take the word of Plato. He said: In a state which is desirous of being saved from the greatest of plagues, there should exist among the citizens neither extreme poverty, nor, again, excessive wealth, for both are productive of great evil.

So we plunge poor people into poverty and give \$245,000 tax breaks to the wealthiest. I think that qualifies for not only an austerity plan that can harm us, but it is the greatest inequality plan that this body has seen.

Mr. RYAN of Wisconsin. Mr. Chairman, I think the reference to Plato reveals a mindset that the country ought to be run by a handful of philosopher kings instead of the people.

I yield myself 10 seconds to simply say this budget, this plundering, evil, cutting budget increases spending, on average, 3.4 percent a year instead of 5 percent a year.

With that, I'd like to yield 3 minutes to the distinguished member of the Budget Committee, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding and for his leadership on this issue.

Mr. Chairman, this debate over the budget reflects a great struggle between American families and their government over whether they or the government can best spend the money that they have earned. This budget bends that struggle slowly back in favor of those families by returning to them a little of the freedom to spend more of their own money and make more of their own decisions once again.

The prosperity of American families is directly affected by government spending. Government cannot put a dollar into the economy that it first hasn't taken out of the economy.

□ 1720

It's true we see the government job that's created when government puts that dollar back in. What we don't see as clearly is the job that's destroyed when government first pulls that dollar out. We see those lost jobs as chronic unemployment and a stagnating economy.

Every billion dollars spent in Washington means taking \$9 from an average family, either in direct taxes or in tax-driven price increases as businesses pass along their costs to consumers. That means that \$1 trillion of new taxes that the Senate has proposed means \$9,000 per family. Now we're told, don't worry, that's all paid by businesses. But businesses don't pay business taxes, they only collect them. They pass them on to us as consumers through higher prices, to us as employees through lower wages, or to us as investors through lower earnings, usually on our 401(k)s. A trillion dollars of deficit, as we ran up last year, really means \$9,000 of future taxes for every family, robbing our children of their futures.

It's about time we started thinking about these numbers in family-sized terms, because ultimately these numbers have a very real impact on families who are struggling to balance their own budgets, to set their own priorities and to look after their own needs.

Now, these days, we've passed more than one-third of the cost of government on to our children, and we financed the remainder through a tax system in which politicians pick winners and losers through an appallingly unfair and distorted Tax Code.

This budget calls for doing away with these tax distortions that reward some and punish others, distortions that shift capital away from economic expansion and into the service of political interests. This budget calls for flattening and lowering tax rates to assure that no American family pays more than one-quarter of its earnings to the Federal Government.

Those nations that have adopted similar reforms have been rewarded with explosive economic growth. That means fairness for every American taxpayer and an economy unshackled from the burdens and political favoritism of our current system.

In short, freedom works, and it's time that we put it back to work.

Mr. VAN HOLLEN. Mr. Chairman, just to be very clear on what the Senate Democratic plan does and what the House Democratic plan does with respect to revenue, again, we heard from Governor Romney and others last year that there are about \$4 trillion in these distortions and preferences in the Tax Code that help very wealthy people. What we say is, we should get out some of that clutter, some of those preferences, and use some of that to help reduce the deficit. And we say at the

same time when you do tax reform, don't touch middle-income taxpayers, and when we asked our Republican colleagues to give us that assurance in the form of an amendment in the Budget Committee, they all voted "no."

So, yes, we think that you can eliminate some of the tax breaks and preferences that Mr. MCCLINTOCK just talked about, and you can use some of them to reduce the deficit. But the Republican budget won't use one dime of those to help reduce the deficit.

I now yield 2 minutes to the gentleman from Washington State who is both on the Budget Committee and on the Ways and Means Committee, Mr. McDERMOTT.

Mr. McDERMOTT. Mr. Chairman, you've got to ask yourself what we're doing here today. We're fearmongering again. We spent last week, we spent the last campaign, we spent the last number of years really presenting to Americans that we're in imminent doom, and gloom is coming to America. We're going to be the next Spain, we're going to be the next Italy, the next Greece and probably tomorrow the next Cyprus.

Our debt is so bad, we're told, that we have to take food out of the mouths of children through the nutrition program and send seniors out with vouchers to take care of their Medicare. And then this weekend, an epiphany occurred. Speaker BOEHNER came on television and told the American people, "we do not—we do not have an immediate debt crisis." And Mr. RYAN, the chairman, was asked, and he agreed.

They finally told the truth. This is not about debt. If the Speaker and Mr. RYAN are right, why are they feeding us this Austerity Kool-Aid all the time? Why are they sabotaging the economy by throwing hundreds of thousands of jobs away in the sequestration? Why are they stunting our future by cutting the legs off our R&D programs and the National Institutes of Health? Why are they asking seniors, kids, the sick and the poor to go without health care and food security to pay for a fantasy crisis?

Why? Because they have needed an excuse to do what they've been attempting for generations to do, and that is disable the safety net; to get rid of Social Security, to get rid of Medicare, to get rid of unemployment, and to get rid of everything that makes a social safety net in a civil society. This charade is built on the fundamental deception that we are on the brink of an economic apocalypse so that politicians can wipe out the programs that people need so that they can give tax breaks to the people at the top.

The Speaker knows it, Mr. RYAN knows it, and it's about time the American people know it. You need not be afraid. Vote "no."

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to say

that was pretty good scaremongering if I ever heard any.

Like I said, the whole purpose of balancing the budget is to prevent a crisis from happening in the first place. What happened to Europe? They kicked the can down the road. They spent more than they could take in. They borrowed until they couldn't borrow at affordable rates, and then a crisis hit. We know that's where we're headed.

Look, the federal budget is growing at about 5 percent a year, and the family budget is growing at about 2½ percent a year. We want to get the family budget on course with the federal budget or vice versa.

With that, I yield 3 minutes to the gentlewoman from Tennessee, a member of the Budget Committee and the Ways and Means Committee, Mrs. BLACK.

Mrs. BLACK. Mr. Chairman, nearly 23 million Americans are still struggling to find work, and millions more low- and middle-income Americans are struggling with the reality of depressed wages, higher food and gas prices, and rising health care costs.

It is clear that the President's tax-and-spend policies are putting the American Dream further and further out of reach of more and more Americans. It's hard to get ahead in America when you can barely get by—paying your rent, putting food on the table and getting to and from work.

I believe the status quo is not working, and I believe that the American people deserve better than the chronically high unemployment, record levels of debt, unrealized dreams and a diminished future.

That is why I stand here today to urge my colleagues to support the House Republicans' Path to Prosperity budget. The Path to Prosperity budget funds America's priorities. It protects important entitlement programs, it saves our social net, it repeals the President's budget-busting health care law, reforms our broken code and balances within a decade.

President Obama and the congressional Democrats say that they want to get America back to work and support a "balanced approach" to our fiscal problems. But they also support record deficits and budgets that never ever balance. Instead of government living within its means, the Democrats' budgets raise taxes to fuel more spending, and in turn, millions of Americans remain out of work. The only place that these failed policies will lead is to higher unemployment, depressed wages and a crushing debt crisis.

The majority of Americans are not satisfied with the current state of our economy, and they're not hopeful about the future. And who can blame them? I believe the American people deserve better than the status quo, and I believe the American people deserve

leaders here in Washington who are honest with themselves and their constituents about the challenges facing our Nation and what it's going to take to get this Nation back on track.

The CHAIR. The time of the gentlewoman has expired.

Mr. RYAN of Wisconsin. I yield the gentlewoman an additional 30 seconds.

Mrs. BLACK. I urge the House to pass the Path to Prosperity budget and for the President to work with the congressional Republicans to balance the budget so that we can start to create the conditions for economic growth, job creation and more opportunities for current and future generations of Americans.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

We heard earlier about the United States becoming Spain and others have compared it to Greece. The reality is that right now the danger is that we follow the European austerity measures that we've seen do damage to economies like that in the U.K., and that's what our Republican colleagues are calling for in their budget.

□ 1730

Yes, we need to reduce our long-term deficits, but we also need to make sure we keep the facts straight. And in the Republican budget pamphlet this year, they show this big tidal wave of red ink, which I believe the chairman showed earlier today, that's based on an outdated Congressional Budget Office analysis that doesn't take into account much of the deficit reduction we've done over the last couple of years, including the revenue in the fiscal cliff agreement. That's why the organization FactCheck.org said that the Republican budget proposal exaggerates future growth of the Federal debt in a chart contained in their newly released budget plan.

So we need to keep this in perspective, and that's what we do in our budget: we focus on economic growth now and economic growth in the future. And, yes, because of the reduction in the rate of increase in health care costs and using, actually, an assumption that the discretionary parts of our budget and mandatory we assume grow faster than the chairman asked the CBO to project, our budget comes into balance the same year as the Republican budget last year came into balance, but we do it without balancing it on the backs of other essential priorities that are important to the American people.

With that, I yield 2 minutes to a terrific new member of the Budget Committee, the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. I rise today to join my Democratic colleagues on the House Budget Committee to staunchly oppose the budget proposal we have considered last week in committee.

Mr. Chairman, I was not in Congress last year when the budget was considered in the House, but it sure seems like my Republican colleagues want to make sure I didn't miss a thing since the proposal before us today represents little more than the same recycled, unrealistic policies that have been rejected by both the Congress and the American people.

This is a budget based on bad math and unrealistic assumptions. It keeps the savings and revenue from the Affordable Care Act, but it repeals its benefits to the people. It cuts taxes for the wealthiest without identifying how they'll pay for the trillions, and it takes almost a trillion dollars in unspecified cuts that will likely target programs for the needy and disadvantaged. With all those unrealistic assumptions, I am surprised there's not a provision that requires leprechauns to steal the pots of gold at the end of rainbows and then to count that as revenue. Mr. Chairman, that could have been a trillion dollars and you'd have a surplus now.

Mr. Chairman, while the math may be bogus, the budget will have real and serious effects on the people of Wisconsin. It keeps the sequester in place, which costs the people of Wisconsin 36,000 jobs; and across America, that's 2 million jobs. It will turn Medicare into a voucher program, forcing 850,000 Wisconsin seniors out of traditional Medicare, eventually, people like my mother. And it will raise taxes on middle class families by more than \$3,000 while giving the richest a \$245,000 tax break.

We need to balance the budget responsibly by getting people back to work. That's the best way to reduce our deficit. We need to create jobs. Economists of both stripes say we should do it and the CBO says we should do it. We need to get it done.

I urge my colleagues to reject the backward-looking plan from our friends on the other side of the aisle and, instead, embrace a forward-looking plan on job growth.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute to say I simply dispute my friend from Wisconsin's interpretation.

This is the chart the gentleman from Maryland was talking about. Guess where we got this chart from? The Congressional Budget Office. It's the most recent numbers they've given us. Will they give us new numbers this summer? Yes. And guess what? It's still going to show a whole bunch of red ink. We can't wish away this debt problem. One year of spending and \$3 for every \$2 that you're taking in, you've got a problem. We've got to deal with that.

We know we're giving the next generation an inferior standard of living. If we keep down this path, we will have a crisis, yes. That's not fearmongering. The gentleman was talking about the fiscal commission. Erskine Bowles,

President Clinton's chief of staff, says this debt is a cancer on society, that we will have a crisis. The problem is: there are Democrats who agree with the facts; it's not the Democrats who are writing these budgets, though. That's our problem.

Mr. Chairman, we're going to have to come together sooner or later to deal with this. That's why I want to yield 4 minutes to the vice chair of the Budget Committee, a gentleman who's offered lots of wisdom on this committee, the doctor from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I want to thank Mr. RYAN for his remarkable leadership on this and many other areas.

Mr. Chairman, it is no wonder that folks are confused out there. I tell you, there is so much misinformation that is coming, and the fearmongering that is coming from the other side is truly remarkable. So let's try to set the record and the motive straight.

Republicans care about seniors starting at devastating reductions in Medicare under current law. Republicans care about workers and middle class folks fighting to make ends meet with increased gas prices and increased food prices and on and on. Republicans care about young people struggling to get started in careers and being crushed by government rules and regulations. Republicans care about students getting out of school and not being able to get a job in their field. Because we care about seniors and workers and single moms and young people and students, because we care about all Americans, we present this responsible, balanced budget.

Budgets, Mr. Chairman, are about priorities. Priorities that the American people overwhelmingly support include getting Federal spending under control—poll after poll tells you that—getting our economy moving again so we can get folks back to work, and getting our debt crisis under control so that we may preserve the American Dream for future generations. These are precisely the priorities of our House Republican budget, the Path to Prosperity.

This Path to Prosperity is the way to responsibly balance our budget. American families all across this great land know that the Federal Government shouldn't spend more than we take in, and we agree.

Let's look at a couple of specific items.

Our friends talked on the other side about loopholes. We're interested in closing loopholes, you bet. The gentleman from Maryland says not one dime of closing loopholes will go to reduce the deficit on our side. He's absolutely wrong, Mr. Chairman. He's just wrong. I've had this discussion with him. He is simply wrong. It's really sad that he perpetuates that misinformation.

Second, taxes. The gentlelady from Pennsylvania said that we were inter-

ested in raising taxes by some remarkable amount. I can't even remember what it was. In fact, we don't. We actually balance the budget without raising taxes.

Mr. Chairman, they can't have it both ways. They can't say that our plan is not specific enough on taxes and then say it's so specific that we increase taxes by a specific amount. The fact of the matter is, Mr. Chairman, as you know and our friends on the other side of the aisle know, it's the Ways and Means Committee that develops the tax plan. That's why the Budget Committee doesn't address it.

As a physician, I can tell you, Mr. Chairman, that taking \$716 billion from Medicare and spending it on something else means that seniors are not going to have the kind of quality health care that they need, and that's why we go get that \$716 billion. We'll bring it right back to the Medicare program. It's imperative to do that to keep quality health care in this country.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield an additional 30 seconds to the gentleman.

Mr. PRICE of Georgia. Then, finally, they talk about slashing and severe cuts to spending. Mr. Chairman, our budget increases spending by 3.4 percent every single year, on average, and we do that because that's the number that you need in order to bend the curve down so that we do indeed get to balance.

Mr. Chairman, the Path to Prosperity ensures that we're honoring America's most important priorities. Our budget saves and strengthens and secures Medicare. We protect national security. It cares for the poor and the sick by repairing America's safety net programs. And we expand economic opportunities for all.

We believe in the industriousness and the ingenuity and the dreams of the American people. It's time that we have a government that is worthy of the people that we represent.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

Let's start with taxes. What the Republican budget does is provide a windfall tax break for folks at the very top. People listening can do the math. You're dropping the top tax rate from 39 percent to 25 percent right off the bat. That's about a cut of one-third in the top rate for millionaires. That's a huge loss of revenue.

How do they make up that revenue? Well, if you're going to really make sure you don't increase the deficit, math tells you you're going to increase taxes on middle-income people to help pay for those tax breaks, which is exactly why we offered an amendment in committee saying, okay, Ways and Means Committee, when you do tax reform, don't raise taxes on middle income folks. They voted against that.

There are lots of other provisions in the Republican budget that provide guidance to other committees, but they didn't want to provide them that guidance.

□ 1740

So the point is that they provide tax breaks to the folks at the very top while leaving middle-income folks vulnerable; but on net, they do not close one tax loophole out of those four trillions to reduce the deficit. Do you know how we know that, Mr. Chairman? Because their revenue line is constant with the baseline. So Mr. PRICE is just dead wrong when he says they close tax loopholes to increase revenue for the purpose of reducing the deficit. It's not in there. It's just dead wrong.

Now let's get the record straight about what the Republican budget does to different groups that Mr. PRICE referenced:

Seniors. Here is what the AARP, the largest organization representing seniors, says about what the Republican plan will do:

The chairman's proposal fails to address the high costs of health care and, instead, shifts costs on to seniors and future retirees. Removing the Medicare guarantee of affordable coverage seniors have contributed to through a lifetime of hard work is not the answer.

That's the AARP.

The Medicaid cuts. There are \$810 billion in cuts. Again, I'll remind people that two-thirds of that goes to seniors and people with disabilities. Here is what the nonpartisan, independent Congressional Budget Office said would be the impact of those kinds of cuts:

It means, because they block-grant the program to States with a lot less money, States would need to increase their spending on these programs, make considerable cutbacks in them or both. Cutbacks might involve the reduced eligibility for Medicaid and CHIP—that's children's health—the coverage of fewer services, lower payments to providers, or increased cost sharing by beneficiaries, all of which would reduce access to care.

So whether it's in Medicare or in Medicaid, we violate commitments to seniors in this budget.

He talked about kids and education. Their budget would allow in July the doubling of the student loan interest rate from 3.4 percent to 6.8 percent, making college less affordable. Our budget makes sure there is not that doubling.

Also, we had an earlier conversation with Ms. MOORE about the impact of people in poverty. I'll just give you one example:

In the category of the budget that helps with the Women, Infants, and Children program—this is the program that helps pregnant women and women with very young children get nutrition assistance—they double the sequester cut. Then they tell us it's not going to have any impact—not on that and not

on doubling the sequester cut on the National Institutes of Health and the research they do. Somehow, magically, all that will be funded even though you double the sequester cut—more than double it—in that category of the budget.

So their budget, while providing these windfall tax breaks to the folks at the very top, and their budget, while slowing down economic growth in the economy right now, also means we undermine other important priorities in our country.

I would now like to yield 2 minutes to a new, distinguished member of the Budget Committee, the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. I rise to oppose the Republican budget for a very fundamental reason: it would be devastating to the health and well-being of America's seniors.

This budget raises seniors' costs for preventive services; it reduces access to nursing home care; and it reopens the Medicare prescription drug doughnut hole, which means that, for seniors with high prescription drug costs, they could end up paying on average \$13,000 more over the next 10 years. The Republican budget also tries, once again, to end the guarantee of affordable coverage under Medicare by converting that program into a private sector voucher that will not keep up with costs; and that's going to leave seniors, who are on fixed incomes, holding the bag.

The Republican study group budget is even worse. It forces chained CPI on Social Security. What "chained CPI" means is, quite simply, reduced benefits for seniors who've paid into the system, earned those benefits, need them, and are counting on them.

Mr. Chairman, I cannot vote for a budget that protects billions of dollars in special interest tax breaks for the wealthy and for the most powerful corporate interests while reducing benefits for seniors and shredding the social safety net.

My 83-year-old mom is like millions of seniors around this country. She did her part by working hard all her life, paying into the system, paying her taxes; and when she retired, she counted on a guarantee that her government would honor its end of the bargain. I intend to make sure that it does. We can reduce the deficit without forcing extra costs on the middle class, seniors and the most vulnerable in our society, and that's why I'm supporting the Democratic budget alternatives, which do four essential things:

One, they honor our commitment to seniors; two, they focus on jobs and economic growth, which is a far better way to balance our budget; three, they maintain our safety net; finally, fourth, they keep us on the path of health care reform, which is going to bend the costs that are creating these problems.

Mr. RYAN of Wisconsin. I yield myself 1 minute.

Mr. Chairman, another chart. The red line shows where spending is going. These are Congressional Budget Office numbers. The green line shows our historic revenues. The blue line shows the additional revenues that President Obama has called for. He has already gotten a big chunk of this—he just got \$617 billion—but even if we got all the tax increases that President Obama and his allies in Congress are calling for, it wouldn't even pay for a fifth of all the deficit spending that's coming.

This is where spending is going. We are spending ourselves into a debt crisis. We will never, ever balance the budget if we keep spending growing at the pace it's growing right now. We have to do something about this because, if we don't, our families will receive a bankrupt country; economic growth will slow; and our kids will be guaranteed a diminished future. We owe it to our countrymen, to our economy, to our kids to get this under control.

With that, I would like to yield 3 minutes to a member of the Budget Committee, also a member of the Appropriations Committee, the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. I do want to thank Mr. RYAN for his leadership on this budget.

Mr. Chairman, we've talked a lot about the big picture. I want to make it personal.

In the early 1990s, I lost my job in a corporate merger. For about 48 hours, I moped around, feeling sorry for myself; but then, one morning, my wife and I got up. We made a pot of coffee, and we got out a sheet of notebook paper, and right down the middle of the page we drew a line. On one side, we wrote down: this is what we have coming in. On the other side, we wrote down: this is how we're going to spend it. We shed some tears that morning as we made difficult decisions. The reason I tell that very personal story is that there is no question in my mind that, today, there are Americans sitting at their kitchen tables—with that same piece of paper, shedding those same tears.

Before I got here, I served in the State senate. I chaired the Appropriations Committee, and I worked with the Democrat chairman in the State house as we made difficult decisions in balancing our State budget. Families, State legislatures, small businesses around this Nation are making those difficult decisions. They have every reason to expect their policymakers in Washington to do the same thing.

I support this budget proposal because it does make tough decisions and balances our budget. I support this proposal on behalf of my mom and dad, who worked all of their lives and paid into a system, and their government



made them a promise that said when you get to age 65, we're going to provide you with health care. Yet the actuaries for that system say that their government is in danger of not being able to honor its promise.

I support this budget on behalf of my parents because this budget says we repeal a system of unelected bureaucrats that will make health care decisions for them. I support this budget on behalf of my children and their peers who are entering the workforce, yet are facing job creators with an uncertainty of what's coming out of Washington. I support this budget on behalf of my two grandchildren, to whom I will not be part of passing on a debt that will jeopardize their future.

We hear our friends on the other side of the aisle say, Well, what we need to do is raise taxes so that we can spend more. We're going to tax this current generation \$1.5 trillion more. We're going to tax future generations so that we can spend more.

That is not the right approach. That's why I support this budget.

□ 1750

Mr. VAN HOLLEN. Mr. Chairman, just to be clear in terms of the Democratic proposals, if you take our budget proposal here together with the work that we have done over the last couple of years, which reduces spending by over \$1.5 trillion, \$700 billion in revenue, take that all together, means \$4 trillion in deficit reduction over that amount, over the period of the window, and we do it in a balanced way. We don't do it the same time we are providing windfall tax breaks to folks at the very top. We don't do it on the backs of other important priorities. We do it by growing the economy and asking for shared responsibility, so we have shared prosperity in this country.

I now yield 1½ minutes to the gentleman from Georgia, a member of the Judiciary Committee, Mr. JOHNSON.

Mr. JOHNSON of Georgia. Thank you, Mr. Ranking Member.

Mr. Chairman, I rise in opposition to the so-called Ryan budget Path to Prosperity, which really should be called the Ryan budget "Mainline to Misery for the Middle Class." Budgets are a reflection of our Nation's values, and it is clear that the House Republicans chose to favor the ultrawealthy over the weak, the sick, the poor, and the elderly.

Mr. Chairman, this is just more of the same old, same old: more tax breaks for the wealthy, an end to Medicare as we know it—they don't care anything about Medicare—broken promises to our seniors, and higher taxes on the middle class.

For the middle class, this Ryan budget is a road to ruin. For the middle class, this Ryan budget is a shortcut to suffering. Issuing vouchers for health care and gutting programs for low- and

middle-income Americans at the expense of budget-busting tax cuts for the wealthy is not the best way forward for our Nation.

I look forward to supporting the Democratic budget, which reduces the deficit in a balanced way while strengthening the economy, bolstering the middle class, and investing in our future.

Mr. RYAN of Wisconsin. There are too many points to refute, so I won't bother trying.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin, a member of the Budget Committee, Mr. RIBBLE.

Mr. RIBBLE. I thank the chairman for yielding.

It has been quite an afternoon already: slash, cut, tone deaf, burn, plunder, shred, eviscerate, end Medicare as we know it, balance the budget on the backs of our seniors, and then my favorite, austerity Kool-Aid. There has been enough hyperbole in this room today, I should have brought my boots.

Let's talk about austerity. We talk a lot about the least fortunate about us, the concern for seniors and for veterans and the most needy. This is what the budget actually does. These are the real numbers. I have read the real budget—not somebody's report on the budget, but the real budget.

This is what we do for veterans. We increase from \$145 billion to \$187 billion. That's a 20 percent increase, a 20 percent increase over a decade. That is a \$1.675 trillion commitment to our veterans.

Then I heard we are going to end Medicare as we know it. Well, \$509 billion to \$864 billion in Medicare over a decade, if this is austerity Kool-Aid, I don't know how you can define \$6.656 trillion as austerity Kool-Aid.

I have heard a lot of people say I'm concerned about my mom. My colleagues have said it on both sides of the aisle. I want you to know, moms, we have got your back to the tune of \$6.656 trillion. We are here for you.

Let's look at Social Security. We hear that Social Security is going to be in trouble. Well, this budget goes from \$854 billion to \$1.423 trillion. So what does that come out to? Well, it is just a meager \$11.15 trillion over the next decade on Social Security alone.

So what does that do for these three programs? Three programs, Mr. Chairman, this is our austerity Kool-Aid: \$19,481,692,000,000 on three programs, nearly \$3 billion more than the accumulated national debt in the last two centuries. If this is leaving our seniors behind, if this is leaving the most fortunate behind, I don't even know what we can do to make it right other than this.

Mr. Chairman, I am proud of the budget you have put together, and you achieve balance, including meeting these demands for the least fortunate in our society.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I think Mr. RIBBLE made some very, very important points for all of us in this debate, and that is: the reason you see spending rising in both budgets is primarily because we have so many more baby boomers becoming eligible for Medicare and Social Security. In fact, what this chart shows is that, over the 10-year window, you are going to see about a 33 percent increase in the number of people eligible for Medicare and about a 30 percent increase in the number of people who are eligible for Social Security.

So what we say in our budget is that, if we are going to meet our commitments to these seniors but also reduce our budget deficit, we have to do it in a balanced way. Because if we meet these commitments and at the same time are trying to reduce our deficit, one way to do it is the way the Republican budget does: to more than double the sequester cut in all the areas that are important to growing our economy, our infrastructure investment, our kids' education, science and research. They also cut Medicaid, which affects a lot of those seniors on Medicare. About 20 percent of those seniors are also on Medicaid.

But it is at the end of that 10-year window that our Republican colleagues then move to their voucher plan, premium support—I don't care what you call it. The only way you are going to achieve any savings compared to the baseline number, CBO baseline that the chairman showed you, the only way you are going to do it is if you are capping the amount you are going to get so that seniors have to eat the costs and take the risks of rising health care.

There is a better way to address that issue, and that is the way we approach it in our budget. And that is to build on the kind of reforms that we made in the Affordable Care Act in ObamaCare, which have helped and contributed to reducing the rapid rise in per capita health care costs and which, as I pointed out earlier, our Republican colleagues included in their own budget.

So, yes, we have to deal with these drivers of costs, including health care. But the way we propose to do it is not by transferring or offloading those rising health care costs on the backs of the seniors, but by moving Medicare away from a strictly fee-for-service system toward one where we reward the value of care over the volume of care. And that has achieved significant savings, and it has done so without any negative impact to Medicare beneficiaries. So very different approaches to this issue.

Mr. RIBBLE pointed out there is spending going up that is to meet these commitments. But if you don't take a balanced approach like we do, you can



only address those issues by undermining other very important national priorities, priorities that have always had bipartisan support in the past.

I now yield 1½ minutes to the gentleman from Texas, a member of the Financial Services Committee, Mr. GREEN.

□ 1800

Mr. AL GREEN of Texas. Mr. Chairman, I thank the ranking member for the time.

Mr. Chairman, depending on your point of view, there is something in this budget for you to like and to love. If you like repealing the Affordable Care Act and replacing it with nothing, then you love this budget.

If you like having senior citizens pay more for their pharmaceuticals in the twilight of life, then you love this budget.

If you like having 26-year-olds and under come off of the insurance policies that they're currently on with their parents, then you love this budget.

If you like the notion that health care should become wealth care in the richest country in the world, where one out of every 100 persons is a millionaire, then you love this budget.

If you like the whole concept of having voucher care, as opposed to Medicare, then you really love this budget.

My dear friends, I neither love it nor like it. I'm against it, and I won't vote for it.

Mr. RYAN of Wisconsin. That was very entertaining.

Mr. Chairman, I yield myself 1 minute.

There are two ways to deal with Medicare essentially. And I think most people would agree, Medicare has a big problem. It's going bankrupt. And the gentleman from Maryland talked about demographics and health inflation.

ObamaCare changed Medicare as we know it. ObamaCare puts a board of 15 unelected bureaucrats in charge of Medicare. These bureaucrats, by law, are given the assignment to require Medicare cuts each and every year to hit the targets that will lead to denied care for current seniors.

We disagree with that. We think patients and their doctors should be in charge of their health care. We believe in choice and competition so that seniors have guaranteed coverage options to make sure that they can have a plan that best meets their needs.

Now, is this some pie in the sky theory?

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself an additional 1 minute.

Let me show you a chart.

By the way, a voucher is, you get a check and then you go buy something. No one's proposing that. It's a good poll-tested word.

Premium support is a bipartisan solution, the only bipartisan idea offered on how to save Medicare. It's how the prescription drug law works today.

When the prescription drug law was passed, it was expected to cost about \$100 billion when we began, on an annual basis. What happened to the actual cost?

It came down 41 percent below cost projections. Let me say that again. The prescription drug law came in 41 percent below cost projections. Name me a government program that comes in 41 percent below cost.

Why did this one do that?

I'll tell you why. Seniors got to choose the plan that meets their needs.

The plans, the drug-providing plans, had to compete against each other for the seniors' business. They compete, so they lowered their prices, they improved their quality. Customer satisfaction is at an all-time high. And lo and behold, costs went down.

The CHAIR. The time of the gentleman has again expired.

Mr. RYAN of Ohio. I'll give myself 30 more seconds to say we believe in putting seniors in charge of their health care, not 15 bureaucrats. Our budget does not change the Medicare benefit for anybody in or near retirement.

But to guarantee that that promise can continue to be made for my mom and the other moms that we've been talking about, to guarantee that it's there for my generation and my kids' generation, you have to reform the program, and that's why we want this bipartisan idea that has proven to work, versus giving the control to 15 bureaucrats.

With that, I yield 3 minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Chairman, balancing our budget goes way beyond taxes and spending. It will define who we are as a Nation and ensure prosperity and opportunity for all Americans going forward.

According to two prominent Stanford University economists, John Cogan and John Taylor, the Ryan budget would raise gross domestic product by 1 percentage point by 2014.

Well, just what does that mean?

They explained it. It's equal to about \$1,500 for every household in the United States—\$1,500 for every household in the United States. By 2024, they estimated GDP would increase by 3 percentage points, to \$4,000 per household. That growth, that kind of growth can't be ignored.

Putting our budget, moreover, our economy, on a sustainable budget, is a moral imperative, and we owe it to the men and women retiring tomorrow, as well as my newest granddaughter, who will be born in April.

The Ryan budget also recognizes that our current tax structure is holding our Nation's prosperity back. I applaud the goal of collapsing our Tax Code to

just two lower rates of 10 and 25 percent.

We need pro-growth policies that will grow our economy and create jobs. Tax reform is the answer. At the end of the day, we don't need more taxes; we need more taxpayers, and new jobs will do just that.

Containing the size, scope, and cost of government has got to be a priority here. The more money siphoned from the economy to support government programs means less money in the economy to support private investment, innovation, job creation and wealth for all Americans. We've done this before and we can do it again.

I listened with a little bit of incredulity as I listened to the gentleman from Maryland do a little bit of revisionist history. He talked about the late nineties, and gave the credit to the President for balancing the budget.

Well, I was here in the Republican House of Representatives, the first Republican House of Representatives in 40 years, and I like to take a little bit of credit for that too. I think that the Republican Congress got the ball rolling.

But at the end of the day, I don't care if the President takes the credit for that. In fact, after we passed welfare reform three times, finally, the President kind of came along, kicking and screaming, and he signed welfare reform into law. And 50 percent fewer families in America have to rely on welfare. They have jobs.

I'd like to see us balance the budget, not just for my children, but for my grandchildren. And I'll tell you what: if President Obama's willing to do that with us, like President Clinton reached across the aisle to a Republican Congress, I will be happy to be the first in line to give him credit for that because I believe all America will benefit.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I just want to respond to a few of the comments from the chairman with respect to Medicare and health care costs.

As we indicated earlier, we've seen a dramatic slowing in the per capita interest in health care cost. That's a good thing. That's, in part, we believe, a result of changes in the Affordable Care Act and, as a result of that, the so-called Independent Advisory Board that our colleagues misleadingly refer to as a bunch of bureaucrats won't even have any job to do for at least 10 years, probably longer.

Now, if health care costs per capita start rising more quickly, then their task—and this is a group of health experts and others—their task is to propose a way to reduce those health care costs, and they're specifically instructed not to have a negative impact on beneficiaries.

And by the way, it specifically says, if Congress has a better way to do it, go

for it. That's what the law says. We think that that's a better approach than handing everything over to insurance companies.

And the Republican plan to give seniors a voucher, premium support—I don't care what you call it, it's bad news because seniors will be getting this thing, but the value of that thing doesn't keep up with the rising health care costs.

Now, the chairman mentioned prescription drug part D. It came in under projected cost. One reason was you had more generic drugs on the entire market, not just the Medicare market. But the other, major reason was, guess what? There were 25 percent fewer people enrolled in part D. So you had fewer participants and so, obviously, it costs less. Twenty-five percent.

Now, it's simply wrong to say that the Republican voucher plan for Medicare is like part D prescription drug, or like the Federal Employee Health Benefit Plan, which we've heard about many times before, because the difference is, and it goes to the core of this issue, both those plans, part D and the Federal Employee Health Benefit Plan, have provisions that ensure that the premium that is provided by the government, or Medicare, keeps up on a percentage basis with rising health care costs. That's why it's called premium support, and that's why the Republican plan is not premium support because it does not keep up with rising health care costs, if they're going to claim the savings it makes.

And here's a chart that illustrates this. This is current Medicare. Seniors are putting in a certain amount, and they're guaranteed a certain percentage of support from Medicare.

□ 1810

Here's the plan for Federal employees and Members of Congress: Members of Congress and Federal employees put in around 25 percent and the program picks up the other 75 percent. And as costs go up, the Federal Government still picks up 75 percent. Here's what happens with a voucher program where the value of what you get doesn't keep up with the percentage rise in health care costs. You, the beneficiary, the senior, pay more and more. And that's the only way it can work if you're at the same time going to show that congressional budget chart that shows all that spending out into the future. The only way you can bring that down under the plan is to cap the value of premiums. And that's not premium support; that's a voucher. And that's the end of the Medicare guarantee.

I now yield 2 minutes to a great new member of the Budget Committee, the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the ranking member for yielding and thank him for his extraordinary leadership.

Mr. Chairman, budgets should reflect our priorities and our values. It should protect American families by investing in education, infrastructure, science and research, clean energy, and housing. Budgets should be designed to grow our economy and get people back to work.

This Republican budget does not reflect the values of our great Nation. It will hurt our economy and it will hurt the American people. As Yogi Berra said, "It's déjà vu all over again." More of the same. More tax cuts for the richest Americans, billions in subsidies for Big Oil, tax policies that benefit companies that ship American jobs overseas at the expense of the middle class and the working poor.

As a reflection of our Nation's values, our Federal budget should honor the commitment we've made to our seniors; but this Republican proposal would end the guarantee as we know it, shifting rising health care costs to seniors. We should be educating our next generation of leaders to enter the workplace successfully, and we should be making meaningful and serious investments in rebuilding our Nation's crumbling infrastructure, our bridges, roads, and schools so it will put people back to work in well-paying middle class jobs that help support a family.

But this budget makes deep cuts in rebuilding America and in education. According to the Center for American Progress, the Republican budget proposal on the floor today would cut \$1.2 trillion from investments in education, science, and infrastructure, hurting our economy. And some have projected that it would result in the loss of 2 million jobs.

The budget before us today does not reflect our values as a Nation. I urge my colleagues to vote against it and to support the Democratic alternative. It's a budget that really speaks to the highest ideals of America—the kind of America that will provide the best education for our kids, that will discover new cures for disease, that will develop new, clean energy sources, that is committed to rebuilding our crumbling roads, bridges, and ports, and an America that honors our promise to our seniors and to our veterans.

I urge my colleagues to support the Democratic alternative and vote against the Republican Ryan budget.

Mr. RYAN of Wisconsin. I yield myself 1 minute.

I enjoy the back-and-forth on Medicare. Let's not forget that under our proposal there's no cap on Medicare growth for current seniors. We don't have the cap like ObamaCare does. ObamaCare caps Medicare and then has this board of 15 bureaucrats decide how to affect current seniors to make it live within its cap to its price controls. We don't do that. We say leave Medicare alone. People like my mom organized their lives around this program

and retired on it. Don't change a thing. Don't put some cap with bureaucrats price-controlling it. The premium support we're talking about, that's for future seniors. And if you're poor, if you're sick, if you're middle income, you get a lot more subsidy—total coverage for poor people—than the wealthy.

I keep hearing all this talk about wealthy. We say the wealthy should pay more for their own premiums than everybody else. That helps us save Medicare for the next generation. These are ideas that actually have bipartisan support—the only bipartisan idea on how to save Medicare versus the rationing from the IPAB board.

With that, I would like to yield 3 minutes to the gentlelady from Tennessee, a member of the Budget Committee and a member of the Commerce Committee, Mrs. BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from Wisconsin, our chairman, for the outstanding work that he has done, and to all of my colleagues on the House Budget Committee for how diligent we've been in bringing forward a budget that is responsible and is a credit to our citizens and to the American people.

I think it really is quite amazing when you listen to some of this rhetoric. Mr. Chairman, it is so evident from listening to this debate that we have friends across the aisle who just really believe that government can never get enough of the taxpayers' money. I don't think they can tell you how much is enough, because they're always going to find ways and reasons and new programs and new ventures or investments, as they like to call them, to spend that money on.

Every time we talk about accountability and responsibility of the House to manage the people's money in an accountable and responsible way, they start to talk like that money is theirs, and that we're talking about taking that money away from them. But it's the people's money. And what the American people have said is they want to see this government on a spending plan that is going to be accountable and is going to be responsible. And they want a budget that is going to balance and they want us to get this deficit spending and our national debt under control. Now, the document that we're bringing forward is something that is going to do that. And it's going to do it in the appropriate way because we meet our obligations and we honor the commitments and the promises that have been made.

I heard someone talk about shredding the social safety net. Well, Mr. Chairman, quite frankly, when our friends across the aisle brought forward ObamaCare, they're the ones that took a whack into that social safety net by making those spending cuts in Medicare and pushing that money over to

stand up a new program. We don't stand for that because what we will do is preserve Medicare, as the chairman has said, for today's seniors and give younger workers an option that is going to honor the work that they are doing now in paying into that system.

I think it's important that we look at how this is going to affect our children and our grandchildren. I have two grandsons, Jack and Chase. They're here this week. I'm delighted they're here in budget week because the decisions that we make this week are going to be decisions that they're going to bear the burden of. Money we spend is money they will pay back. It's imperative that we be responsible to our children, to our grandchildren, to future generations and meet the obligations we have today.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

It's extraordinary how many times we have to point out that the Republican budget before us today contains the Medicare savings that were first demagogued last fall during the Presidential campaign. We hear them attacked here on the floor of the House by our Republican colleagues, and yet they're in the Republican budget. In fact, they're in this Republican budget. And what's more, their budget wouldn't balance without them, which is why they cannot have it both ways and claim their budget is in balance and they're getting rid of ObamaCare.

Now, while they're keeping the savings, they are getting rid of all the important benefits in the Affordable Care Act that will provide more affordable health care, which will make sure people can't be denied coverage because of preexisting conditions, will make sure that kids can stay on their parents' insurance policy until they're age 26.

For 3 years in a row, we've had a bill from our Republican colleagues called Repeal and Replace: repeal ObamaCare, but replace it with something else that provides affordable care. Three years. We've never seen replace. There is no replace. You can look through the Republican budget. There's no replace. Just like for 3 years they tell us they've got a tax reform plan that's going to magically provide these big tax cuts for people and not hit middle-income taxpayers. Not one piece of paper out of the Ways and Means Committee in 3 years.

So, Mr. Chairman, it's a little tiresome to continue to hear people criticize savings that we achieve without touching beneficiaries, which our colleagues include in their budget and which extended the life of the Medicare trust fund by more than 8 years.

I now yield 1½ minutes to somebody who knows a lot about the importance of Medicare and Social Security, the gentlelady from Illinois, a member of the Energy and Commerce Committee, Ms. SCHAKOWSKY.

□ 1820

Ms. SCHAKOWSKY. Mr. Chairman, the Ryan Republican budget reflects everything that the American people rejected in the last election: asking nothing from the wealthiest Americans and rich corporations that ship our jobs overseas, while turning Medicare into a voucher program and slashing investments that create real jobs.

Inequality is at its highest point since the Great Depression, and yet this budget would make it worse. Here's the top 1 percent. Since 1979, look at how their income has gone up—277.5 percent. This is the bottom 99 percent. You see a little bit of increase, but you see where the money has gone.

Well, households making more than \$3.3 million would get an average tax cut of \$1.2 million. Those who make less than \$22,000 would get \$40, and a third of them would get no tax cut at all. Meanwhile, critical support programs for seniors and the poor would be cut, including drastic cuts to Medicaid and the food stamp program.

I urge my colleagues to oppose the Ryan Republican budget. It's pure March madness, and not in a good way.

Mr. RYAN of Wisconsin. I yield myself 1 minute.

The gentleman is correct in saying that the savings that are in the Affordable Care Act for Medicare we apply back to Medicare. That's correct. We think that money should stay in Medicare to extend its solvency and not be raided from Medicare to spend on ObamaCare.

He says we keep the savings but we don't keep any of the benefits. President Obama said that premiums would go down by \$2,500 if we passed ObamaCare. They've gone up by \$3,000, on average. I don't call that a benefit.

The costs of the bill have gone from \$938 billion to \$1.88 trillion. It's a budget buster. It doesn't pay for itself. I don't think that's a benefit.

Next year, young people are expected to see their premiums go up by 145 percent to 189 percent. I don't think that's a benefit either.

So, yes, we don't want these benefits. We don't think turning Medicare over to a board of 15 unelected bureaucrats to cut it in ways that will surely lead to denied care for current seniors is a benefit. That's why I want to yield 2 minutes—well, that's not why, but I also want to yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN), a former member of the Budget Committee.

Mr. STUTZMAN. Mr. Chairman, I rise in strong support today of the balanced budget put forward by my friend and chairman, PAUL RYAN, and the reasonable and practical approach that this Budget Committee has taken while they budget hardworking taxpayer dollars.

Mr. Chairman, this budget debate goes deeper than spreadsheets and fo-

cuses on the longevity of the American Dream.

Today, we are considering a Republican budget that actually balances in 10 years, calls for pro-growth, pro-job tax reform, and strengthens Medicare for our seniors and future generations, while in the Senate, HARRY REID and PATTY MURRAY are considering a budget that never balances. It increases taxes by \$1 trillion and lets Medicare and Social Security race towards bankruptcy. And it turns Medicare into a program that rations benefits to seniors.

Make no mistake, Washington is approaching \$17 trillion of debt and more than 12 million Americans are unable to find work. The decisions we make will either sink us deeper into debt or put us on a path that encourages job creation and restores the belief that, if we work hard and make tough choices, our kids will inherit a stronger country.

Mr. Chairman, the choice is clear. If Hoosier families balance their budgets, Washington doesn't have an excuse. It's time the President and the Senate offer real solutions for hardworking Hoosier families.

I commend Chairman RYAN and the House Budget Committee for their hard work, and I urge my colleagues to support the resolution.

Mr. VAN HOLLEN. Mr. Chairman, I now yield 2 minutes to another terrific new member of the Budget Committee, the gentlelady from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I rise in opposition to the Republican budget plan. This misguided and cruel plan abandons the economic recovery. It is a path to greater disparity, and it protects the affluent while further squeezing the middle class.

We cannot afford this Republican budget. According to the Economic Policy Institute, it will cost us 2 million jobs in 2014. This is on top of the 750,000 jobs we will lose this year due to sequestration.

The Republican budget attacks the various industries where the largest job growth should be occurring. We need to invest in critical infrastructure like the health care system as a key way to create jobs here at home and protect our most vulnerable.

According to a 2012 Bureau of Labor Statistics study, the health sector is going to be the leader in job growth throughout the rest of this decade. Unfortunately, the path once again chosen by Republicans in this Congress will put job growth in jeopardy.

The Center on Budget and Policy Priorities estimates that the budget plan under consideration cuts \$2.5 trillion from health care by 2023. How? It turns Medicare into a voucher program and it block grants Medicaid to States. This will force health care providers to

cut jobs and to reduce services to their patients.

With an aging population that will require greater care, we should be investing in critical infrastructure like health care and other programs like disease and care management, which have and will continue to reduce spending in Medicare.

So let's be clear: this budget wreaks havoc on health care systems in this country, it hurts patients, and it devastates future job growth in the health sector.

Lastly, this plan also chooses to arbitrarily balance the budget in 10 years, which is harmful to our fragile economy and middle class families. The notion that 10 years is the magic number to balance the budget is ludicrous. It is similar to telling mortgage holders who are responsibly paying their mortgage that, instead of having 30 years to pay it off, now they have 10. Would they be able to? Many of them would end up losing the house. That is exactly what the Ryan budget does and why, to the Nation's budget and to our economy, it puts us under water.

Instead, I would encourage all of my colleagues to support the Van Hollen substitute, which is a balanced approach that leads to job creation and is the right way forward.

Mr. RYAN of Wisconsin. I yield 4 minutes to the gentleman from California (Mr. CALVERT), a member of the Budget Committee and also the Appropriations Committee.

Mr. CALVERT. Thank you, Mr. RYAN.

This is what principled, visionary, responsible leadership looks like. I commend Chairman RYAN and the entire team for this budget and for insisting on regular order. I also congratulate this body for finally forcing the Senate to do something—introduce a budget.

We owe it to our fellow Americans to be honest about the complex fiscal challenges and options before us. That's why today's debate is one of the most important we will have this year.

Nearly every day I hear from my hardworking constituents from southwestern Riverside County who have struggled tremendously over the last 5 years. Despite the challenges they face, they continue to make ends meet by making tough fiscal decisions, whether it's for themselves, their families, or for their businesses.

Most Americans don't understand why their elected officials can't do the same. Instead, they see us jumping from one crisis to the next, putting their lives and their well-being on a constant roller coaster. Frankly, I don't understand it either.

You can't hide from the statistics. You don't have to be on the Budget Committee to understand our fiscal situation. A balanced budget is not a radical idea; it's a responsible one that the citizens of Riverside County and those

around this country practice themselves.

Economists across the spectrum agree that our current path is leading us to a debt crisis should we fail to act. Make no mistake: we're on the warning track, and we should reverse course before we slam into the wall. All Americans should have real concern about what this means for the future prosperity of their own families and of our own Nation.

Under the Obama administration, U.S. public debt as a percentage of GDP is over 70 percent and growing.

□ 1830

As we've seen with European nations, there appears to be a tipping point in the debt-to-GDP ratio, and at our current rate we are nearing dangerous territory. The reserve currency status of the dollar and our rank among world economies will only carry us for so long.

So what effect does this level of debt have on an economy and its citizens when things go south?

All you have to do is look at countries like Cyprus, Spain, and Greece. In the case of Greece, you see a depressed environment where the unemployment rate is over 26 percent; severe austerity cuts and overhauls have gutted worker benefits and the safety net system, harming seniors and the country's poorest populace; taxes on families and businesses have increased at a sharp rate; and divisive and violent social unrest has become commonplace. Most recently, we have seen a proposal to bail out Cyprus banks that would raid the savings accounts of its own population.

These are the realities of a debt-ridden country. These are the realities of liberal policies that tax too much, spend too much, borrow too much, and produce far too few jobs. We cannot afford the path that we're on.

Thankfully, we have time to change America's course, and the House Republican budget provides a 10-year plan. It puts the brakes on our unsustainable spending levels, lays out thoughtful program reforms to ensure essential government services are solvent for generations to come, prioritizes a comprehensive restructuring of our Tax Code to simplify the system, and improves our fiscal condition in a way that will allow our economy to grow providing opportunity to those that work hard no matter what station in life they start at.

Fortunately, after being prodded along, the Senate is joining the House in this conversation after a 4-year absence. I don't favor their approach to the task before us—a plan that never balances with more failed stimulus spending and additional tax hikes. I suspect the President's budget will be similar, once we finally we receive it. However, we welcome their proposals

because we will have clear options laid before the American people, and we can have a comprehensive and honest discussion about future choices.

Vice President BIDEN famously said: Show me your budget and I'll tell you what you value. Well, with no budget submitted, we're all forced to conclude that the White House values delay and obfuscation.

Even given this nonfeasance, as an optimist I know this process will allow us to find common ground. Addressing issues of this magnitude is never easy or pretty, but it is a process worth taking. House Republicans continue to stand ready to work with the President and our Democratic colleagues in Congress to meet the complex challenges before us so that we can get our Nation back to a path to prosperity. Thankfully, the House Republican budget does exactly that.

With that, I urge a "yes" vote on H. Con. Res. 25.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Vermont, who's been very focused on these budget issues, Mr. WELCH.

Mr. WELCH. I thank the gentleman, and I thank Mr. RYAN.

The focus and goal of this budget, as I understand it, is to eliminate the debt. That's a worthy goal. In fact, we all share it. But this budget, in my view, lacks ambition for other challenges. What about stagnant wages? Middle class declining? Lack of jobs? These are all fundamental issues that face the American economy.

The middle class is shrinking. Wages now are what they were as a level of our economy as they were in 1966. Just a week ago, when we voted for the sequester, it was a day when American profits were at a record higher than they had been since the 1950s, but American wages were back at 1966 levels.

There is an assertion here that we lack credibility and that we're taxers and spenders. I reject that. But let me remind the folks on the other side that a lot of the policies got us to this debt: a war in Iraq on the credit card, Afghanistan on the credit card, two tax cuts for the wealthy promising benefits to everybody else never paid for, and Medicare part D on the credit card. Then we had the collapse of the economy. Those were not our policies. Those were the policies of a previous President who erased a record surplus.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. WELCH. These are credibility questions, but there's also an economic policy question. There are two assumptions in this budget. One is that austerity will lead to prosperity, that getting the debt down by any means possible and any cuts possible will get us to the Promised Land; it's the pot of

gold at the end of the Tea Party rain-bow. There is no evidence for that whatsoever.

The second is a faith-based conviction that if you give tax cuts to wealthy people that will trickle down to the rest of us. No experience has shown that that can be successful.

We should be cleaning up the Tax Code. We should be fighting waste, fraud, and abuse. Whether it's in the Pentagon or in the health care system, we should be doing that together. This budget does not give us that chance.

Mr. RYAN of Wisconsin. I yield myself just 30 seconds to say that austerity is what we're trying to prevent from happening. That's the irony of this debate.

Austerity is what happens after the debt crisis hits. Austerity is what is happening in Europe. Austerity is cranking up taxes, slowing down your economy and cutting benefits on senior citizens after they've retired. That's what austerity is. That's what they call it.

We're preventing that. We're preempting that. The goal of this budget is a reasonable plan to balance the budget, to grow the economy, and to create more take-home pay so families can prosper.

With that, I yield 3 minutes to a new member of the Budget Committee, the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Thank you, Mr. Chairman. I'm honored to serve on the House Budget Committee. I'm honored to advocate on behalf of this budget.

There's one thing for sure: we can't keep going the way we are. If you look around the world, if you look at countries like Cyprus, Spain, Portugal and Greece, you will see the consequence of unrestrained spending.

The Republican plan balances in 10 years. The plan offered by the Senate never balances. And when we say "balance," we mean matching revenue to spending, not spending more than you take in. When our colleagues across the aisle talk about balance, they use it as a code word for a tax increase.

The Republican plan offers protections across the spectrum of American life. It offers our seniors the protection of making our promises good in Social Security and Medicare. No one will deny—OMB will tell you and the CBO will tell you—the Medicare trust fund is going broke. It will expire in 11 short years; and the longer we wait to deal with that, the worse the problem becomes.

It protects our middle class through tax reform and through repealing the ObamaCare law with its onerous regulations and taxes. It will structure our system for economic growth. We will stop hemorrhaging American jobs overseas, and we will bring American jobs back to these shores. It's one thing if

we lose jobs because of low wages overseas. We don't ever want to compete in that arena. It's another if we lose jobs because our government is inefficient, bloated, and expensive.

Finally, it protects our most vulnerable. It protects our young people. I agree with then-Senator Obama when he said it was immoral to continue to incur these massive debts. Of course, since he said it, our debt is multiples of what he was decrying at that time.

We are piling mountains and mountains of debt on our children and our grandchildren to fuel our addiction to spending. It's got to stop, and it's got to stop now.

I'm proud to stand for this Republican budget, and I urge its passage.

Mr. VAN HOLLEN. Mr. Chairman, under our budget proposal, the deficit is dropping rapidly, but we also address the jobs deficit so that we make sure more people get back to work. With respect to the Medicare trust fund, I would just point out the Affordable Care Act, ObamaCare, extended the life of the hospital trust fund by 8 years. And if Republicans did what they said they want to do, which is repeal it, they would shorten the life of the trust fund to 2016. But even though they don't want to tell us, they apparently have kept that in.

I now yield 1½ minutes to the gentleman from Connecticut who has worked so hard to make sure that college is affordable to students in this country, Mr. COURTNEY.

□ 1840

Mr. COURTNEY. Mr. Chairman, as we talk about the issue of young people and debt, one thing is very clear: for 7½ million young Americans who receive subsidized Stafford student loans, in 103 days the interest rate on those subsidized student loans is going to double from 3.4 percent to 6.8 percent.

We have before us now two budgets. One budget, the Democratic budget brought out by Mr. VAN HOLLEN, protects the lower rate. The other budget, by the majority party, allows that rate to double to 6.8 percent.

The Federal Reserve Bank of New York came out with a study just a few days ago which shows, in fact, that the student loan debt for young Americans has tripled over the last 8 years.

We have one budget which protects Pell Grants, which reduces the need to borrow money to pay for college, and we have the other budget from the majority party which freezes Pell Grants at \$5,665 a year. Any parent like myself who has kids in college, any student who is in college who believes that over the next 10 years that tuition is going to stay flat obviously has no understanding of what the trends are and have been over the last 20 years in terms of State withdrawal for higher education support, and what's actually happening out there in the real world.

We have one budget which speaks to the monumental challenge of young people who are trying to improve themselves and get ready for the workplace of the future; we have another budget which is blind to those challenges and which will reduce college to a system of haves and have-nots.

We must invest in young people in the future. The Democratic budget, which protects the lower interest rate and the subsidized Stafford Student Loan program, understands that. The majority budget, which allows those rates to skyrocket, which freezes Pell Grants so that young families from poor backgrounds will not be able to afford the cost of college, again leaves this country basically behind in the competition for high-value jobs, for jobs that require skills, whether it's in science, technology, engineering and math or other areas of curriculum.

The fact of the matter is for young people, there is only one budget which speaks to them and addresses their needs—that's the Democratic budget that is brought out by Mr. VAN HOLLEN.

Mr. RYAN of Wisconsin. I yield myself 30 seconds to say the interest rate cliff in student loans was put in law by the Democrats in the first place.

If we bring legislation to the floor that is paid for to deal with it like we did last year, I would assume we have every reason to believe that we'll pass it.

With that, I yield 3 minutes to a new member of the Budget Committee, the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, I'm happy to hear my friends across the aisle talk about investing in our future and investing in our economy. But when they talk about that, I think we have to be clear that that's code for borrowing and spending more money.

We should truly talk about the cost of this debt. We all know today that we owe \$17 trillion in debt, and if the Federal Reserve stopped printing money, the actual cost to service this debt, to pay the interest payments would be about \$500 billion.

You go out 10 years and our debt is going to be \$25 trillion. And minimally to service our interest payments on that debt 10 years from now, it's going to cost us \$750 billion a year, or \$7.5 trillion over 10 years.

If you talk about the cost of interest payments every year to service the debt, that's \$750 billion that isn't going into education, it's not going into health care, it's not going into roads or schools or helping our poor. It's \$750 billion that goes to interest payments.

When you talk about investing in our future, we're not doing that. We are mortgaging our children's future. But let's be clear. There is someone who is investing in their future—it's the Chinese. They're investing in their future

by buying American debt. So when my little girls, my little 2-year-old Mari Vi and my 4-year-old Paloma, when they get to be our age, they're going to have this weight of interest and debt around their neck and they're going to pay those payments back to those Chinese preschoolers.

This is not responsible. And to hear my colleagues across the aisle stand up and talk about a balanced approach that continues this course of massive red, this is what our children inherit and say this is what we want to give to them?

Listen, if you ask moms around America, Is this what you want for your children? Is this what you want them to inherit? Is this how you want them to invest their tax dollars? They would resoundingly stand up and say, Heck no. Be responsible. Pay off the debt. We don't want them to have their massive tax dollars go to interest payments.

My friends across the aisle, they talk again about borrowing and spending and investing in our economy. When they use that language, it sounds eerily familiar to the same language they used 4 years ago. This is the same argument that was used to borrow a trillion dollars to help us grow our economy, create massive new jobs.

The bottom line is that that trillion-dollar stimulus failed. We want a responsible approach, balance the budget, grow our economy and put our hard-working middle class families back to work. The Republican budget actually does that.

I ask all my colleagues to actually support the Republican budget.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume to respond to a couple of things that were just said.

The first is that when President Obama was sworn in—in fact, before he even put his hand on the Bible a little more than 4 years ago, we were losing over 700,000 jobs every month. The economy was actually spiraling downward at a faster rate than it was at the time of the Great Depression. And thanks to the resilience of the American people and the emergency actions taken by the President and others, we stopped the free fall, we turned the corner and there have been 36 consecutive months of private sector job growth, more than 6.4 million jobs created.

We didn't get any help from our Republican colleagues when we had to make tough decisions to prevent the total collapse of the economy. Now that we've seen some momentum in the job market, we have a Republican budget that's going to put the brakes on that growth. That's according to the Congressional Budget Office. By the way, their budget includes the assumption of those continued sequestration levels into the next year.

Let's talk about China for a minute. I got a letter the other day from the

CEO of a major biotech company. Here's what he said. He said that over the last couple of years because of the reduction in our national investment in science and research, he laid off 1,000 people. And because of the continuing sequester, they've imposed a hiring freeze right now. Those are jobs that now will not be created that would have been otherwise if we hadn't had the Republican approach to the sequester.

You know the real kick? I heard Mr. DUFFY talking about China. They're hiring people in China. Not because of lower Chinese wages, but because China has decided to make science and health care funding a national priority. In other words, the Chinese are copying the secrets to our success, things that help our economy grow, things that are slashed in the Republican budget. Did I say "slashed"? Yeah. Because they cut that portion of the budget by more than two times the sequester. That's a fact.

If we're talking about competing with the Chinese or the Indians or the Europeans or anybody else who is out there, one of our global competitors, let's not allow them to borrow the secrets of our success while we're ignoring them here at home.

I now yield 2 minutes to a terrific new Member of the Budget Committee, someone who has been focused on and leading a lot of our anti-poverty efforts, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Chairman, let me thank our ranking member for your tremendous leadership and for yielding. And I also thank Chairman RYAN for a very spirited markup.

I rise in strong opposition to the Ryan budget. And let me just say as a new member of the Budget Committee, I've had the opportunity now to really get into the weeds of the budget, which really is full of choices, but those choices would undermine our Nation's future for the continued benefit of special interests and the wealthy.

The bottom line: that's what this budget does. It would dismantle government, it would increase inequality and leave the most vulnerable people on their own.

We should reject this warped vision of America, and we should call this budget for what it is. Republicans call it a "path to prosperity," but it really is a path to poverty for the middle class, for working families, for children and for our seniors.

□ 1850

The fact of the matter is, you cannot pretend to fight poverty while you make brutal cuts to the very programs that lift millions of Americans out of poverty.

The Republican budget would make devastating cuts that will increase child hunger, cut off millions of seniors

from access to health care, and throw struggling families off TANF during the middle of a jobs crisis. The Republican budget proposes yet another \$6 trillion tax cut for the top 1 percent in our country while focusing 66 percent of their cuts on shredding our Nation's critical safety net for our children, our seniors, our disabled, and the poor. This budget would also cost 2 million jobs, and it would slash nutrition and food assistance programs for 8 million to 9 million people.

Mr. Chairman, block-granting Medicaid, turning Medicare into a voucher program, and gutting food assistance to our children and our seniors will not reduce poverty; it will make it much, much worse. Our Democratic budget will close special interest tax loopholes in order to raise the critical revenues that we need to invest in the American people.

The CHAIR. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. I yield the gentlelady another 30 seconds.

Ms. LEE of California. Thank you very much.

Let me just conclude by saying that fully supporting our safety net programs, like Medicare, Medicaid, SNAP, and Social Security, will reduce poverty, grow the middle class, and renew economic prosperity for all Americans.

Unlike Republicans, Democrats simply do not believe that gutting the very programs that support poor and low-income families would reduce poverty, programs such as the child tax credit and the earned income tax credit. The Van Hollen Democratic alternative budget creates 1.2 million jobs this year; it reduces the deficit by 2.4 percent; and it makes huge key investments in our future.

Mr. RYAN of Wisconsin. Mr. Chairman, let me yield myself 1 minute.

Look, I very much appreciate the gentlelady from California and where she comes from on this issue. I believe her heart is in the right place. We, too, want to make sure that we get rid of poverty. We, too, want to make sure that people get on with their lives, get on that ladder of life so that they can get out of poverty and on to good lives. That's our aim here.

Now, here is what we see. We have spent trillions of dollars on this war on poverty. We're spending \$1 trillion a year at all levels of government to fight poverty, and what have we gotten for this? We have 46 million people in poverty. The poverty rates in America are at a generational high. So rather than measure our poverty-fighting efforts by how much money we throw at programs, by inputs, why don't we start thinking about measuring it by outputs, by how many people we are helping to get out of poverty? By any measurement, this isn't working.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself another minute to say that we need to rethink our premise here. Are we simply perpetuating poverty by treating its symptoms; or shouldn't we look at what has worked in the past—what communities are doing to make a difference—and get behind those ideas?

Let's fight poverty by taking the root causes of poverty in order to break the cycle of poverty and to get people out of poverty. Those are the ideas that we are talking about here. This is not a numbers thing. This is not a budget-cutting exercise. This is taking those ideas that were so successful in reducing child poverty in the welfare reform and applying them to the other programs that have not been reformed.

Giving States more flexibility, having work requirements and job-training requirements and block grants and time limits, what did that do? All the predictions of doom and gloom were there, but we lowered child poverty. We helped get single moms back to job-training programs so they could get back to work. This is why we reform job-training programs. This is why we call for reforming our safety net—because our goal, like her goal, is to get people on with their lives so they can reach their potential.

With that, I would like to yield 3 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Chairman, I am honored—yea, I am thrilled—to stand and speak on this subject. It is the primary reason that I ran for Congress, and I think it is the defining issue and the most critical argument of our day.

We are at a crossroads in our history. I believe that this time is that important. What we do at this moment will determine the future of our Nation. It will determine the future of our children. It will determine the future or the death of the American Dream.

Stephen Covey, one of the great innovators and business leaders of our generation and a man who happens to be from my home State of Utah, popularized a time management concept called the “urgent-important matrix.” The point of this was to help us focus on those things that are both urgent and important and to let the other things go.

Frankly, as a Congress, we do a terrible job at that. We often legislate based on the crisis of the moment, lurching from one manmade crisis to another, and the budget is a great example of that. For years, we have treated this as if it is neither urgent nor important, as if it could go on forever; but we know that that's not true.

We also know now what this President believes. He doesn't think it's important to balance our books. He doesn't think it's important to cut our debt. He has no intention of cutting any spending. Not only does he not intend to balance our budget, but he de-

rides and dismisses those of us who think that it's important to our future; but Americans understand this, and it's not that hard.

Please listen to me on this because this is so important: a Nation that is bankrupt cannot provide for the security of its citizens. A Nation that is bankrupt cannot provide for the poor and the needy among them.

I speak now primarily to my colleagues on the other side of the aisle: if you care about the poor—and I know that you do. By the way, I do as well—then care enough to help them in the long run, not just for the next few years. There is nothing compassionate about letting Medicaid or Medicare go into bankruptcy. There is nothing compassionate about letting Social Security fail, but that's what's going to happen if we don't have the courage to fix this thing. We have to fix it now. This is both important and urgent.

Many of us had hoped that the President would lead on this matter, but he has chosen not to. It's not in his nature; he is much more comfortable leading from behind. Since he won't lead, those of us in Congress will.

I admire Chairman RYAN. I thank him for his courage in tackling a challenge that has terrified Congress for years—reforming entitlements in a way that will save them for our children.

We have a window within which we can make a difference. We can save America. We can save the American Dream. Please, let us have the courage to do that. That is why I support Chairman RYAN's budget and urge my colleagues to do so as well.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

The President has been crystal clear. His top priority is to grow the economy, to put more Americans back to work, to strengthen the middle class, to have rising middle class wages and upward mobility in this country. By attacking the jobs deficit, we can also bring down the budget deficit because we know from the nonpartisan Congressional Budget Office that more than half of our deficit this year is due to the fact that you still have a lot of people out of work who are looking for work, which is why it's so counterproductive to adopt the approach that our Republican colleagues do.

By not replacing the sequester, the Congressional Budget Office tells us we will lose hundreds of thousands of jobs just by the end of this calendar year, and those jobs are the most important things to be available to help strengthen the middle class and lift people out of poverty. But in lifting people out of poverty, it's also important to provide a little bit of support that they can stand on as they climb that ladder of opportunity. Unfortunately, this budget cuts into a lot of those legs on that stool of support, and nobody under-

stands this issue better than our colleague.

So she may respond, I yield 30 seconds to the gentlelady from California (Ms. LEE).

□ 1900

Ms. LEE of California. Mr. Chairman, first, let me just say that I appreciate the chairman, Mr. RYAN, saying that he knows my heart is in the right place. But I also want him to know that the facts speak for themselves.

We have this chart right here, and it demonstrates very clearly that 18 million more people would be living in poverty had it not been for those initiatives in this budget that you completely cut out: SNAP, the refundable tax credits, and the broad selection of other programs. Eighteen million more people would be in poverty.

Also let me just say that a budget is a moral document. They reflect the values of who we are as Americans.

The CHAIR. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. I yield an additional 15 seconds to the gentlelady.

Ms. LEE of California. I thank the gentleman.

Why would we want to impose 66 percent of the cuts in your budget on low-income individuals and the poor? That does not make any sense. That is just morally wrong.

Finally, I just have to say that the ranks of the poor began to grow under the Bush administration.

The CHAIR. The time of the gentlewoman has again expired.

Mr. VAN HOLLEN. I yield an additional 15 seconds to the gentlelady.

Ms. LEE of California. In 2005, I formed the Out of Poverty Caucus because I saw the Bush economic policies and what, in fact, they were beginning to do. We had probably 42 or 43 Members who joined that caucus. And so I just have to say to you, Mr. Chairman, that this didn't just begin. The ranks of the poor began to grow as a direct result of the economic policies that this budget wants to return to.

Mr. RYAN of Wisconsin. Mr. Chairman, Federal spending rises each and every year by 3.4 percent under this budget instead of 5 percent.

With that, I would like to yield 3 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), a member of the Budget Committee.

Mrs. HARTZLER. Mr. Chairman, thank you for your efforts to lead us to a Path to Prosperity. When I'm home in Missouri in the Fourth District, I hear people say things like:

I have to balance my budget, how come Washington doesn't?

And: It's time for our government to live within its means.

And they might say: At home, we're having to tighten our belts; Washington should, too.

Well, I have good news: I agree, and this budget reflects those concerns and those priorities.



As a member of the Budget Committee, I'm proud to support a responsible budget that promotes economic growth while reducing wasteful spending. Currently, the Federal Government borrows 36 cents out of every dollar that it spends, and that puts us at an astonishing \$16 trillion in debt. This creates anxiety and uncertainty at a time when unemployment is at 8 percent and a lot of families are hurting. We must end the government's reckless borrow, tax, and spend policies. Our budget balances in 10 years, and we do it without ever increasing taxes.

Senate Democrats released a budget that actually increases taxes by \$1 trillion, and never, ever balances. This is worst than the status quo. Washington must stop spending money it doesn't have. We must target the real problem this country faces, and that's uncontrollable spending. Instead of continuously taxing hardworking Americans more, we must pursue meaningful reforms and pro-growth initiatives. Our budget does that.

The keys to this budget are growth initiatives to create jobs and proactive steps to preserve and protect Medicare and Medicaid for the future. Colleagues across the aisle like to claim that this is a voucher system, which is false. The Path to Prosperity reforms Medicare for future beneficiaries by offering them the same kind of health care as current Federal workers and Members of Congress. Future seniors are provided guaranteed issue health coverage where no one will be denied coverage based on health status or preexisting conditions. They will be able to choose from a wide range of options, one of which will include traditional Medicare, if they choose to do that. The government will pay all or part of their premium.

Our updated Medicare plan would also give substantial help to the poor, who would qualify for greater premium relief than the wealthy. This will save the program from bankruptcy while fulfilling our commitment to health care security for seniors. The Democrat plan is to kick the can down the road and jeopardize this important program for our seniors. Our plan is right for senior citizens, and it's right for our future.

Additionally, we take steps to preserve Medicaid, and we send it back to the States in the form of a block grant to allow local and State control over this very important program to provide flexibility to help low-income individuals, rather than forcing States to fit into one-size-fits-all programs. It's important that we get people back to work, and our budget does that as well by consolidating and enhancing job-training programs and endorsing pro-growth tax reform.

The CHAIR. The time of the gentlewoman has expired.

Mr. RYAN of Wisconsin. I yield an additional 30 seconds to the gentlewoman.

Mrs. HARTZLER. But one of the best parts is it gets our priorities right, and it provides for the common defense. There are only a few things that we should be doing here, and it provides that. It replaces and repeals the President's sequester and makes sure that our men and women in uniform have what they need.

So I encourage my colleagues to support this bill that gets our economy growing, has our priorities right, protects and preserves those programs for our seniors, and provides for the common defense.

Mr. VAN HOLLEN. Mr. Chairman, let's be very clear. If you give States one-third of the amount of money that they are currently getting from Medicaid and ask them to do the same job, which is what this budget would do just 10 years from now, and increasingly down that path, you will, as the non-partisan, independent Congressional Budget Office said "reduce access to care." That's the bottom line.

With respect to the voucher program, premium support, again, I don't really care what label you attach to it; the impact is the same. If you want to achieve the out-year budget savings that our colleagues claim to achieve, you've got to put a cap on that amount, which is what their plan would do and which makes it entirely different than the plan we have for Members of Congress and Federal employees, and the plan that most people in the private sector have as well.

As this red line shows, the amount of support you would get would drop dramatically relative to rising health care costs, and that's why we don't call it premium support because it doesn't provide support.

I now yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee.

Ms. JACKSON LEE. I thank the gentleman for his leadership, and I certainly thank the Budget Committee for the work that they have done.

I'd make the argument that clearly we have a dilemma in focus and commitment and direction. I call the other budget the budget that has a sense of lacking of what people truly need. The Democratic budget is a budget that speaks to what people need, and it cares about people. It also cares about family economic security. Under the budget that Mr. RYAN is offering, the Republican budget, 3 million Texas seniors will see Medicare end as they know it, 50 million seniors across America.

But frankly, this is the real key on how the GOP budget really works: \$500 billion in their so-called balancing is taken from the Affordable Care Act in the fiscal cliff deal. That's how they say they reached budget, so that means

they'll undermine millions of Americans who will not have health care. That's the budget that does not concern itself with family economic security.

Then if we want to look again at the idea of safety net programs, rather than giving Americans an opportunity to stand on their own feet, the Republican budget literally cuts the programs that help reduce poverty. So it is not one that cares about economic security for our families.

Then, Mr. Chairman, if you want to really see what works, it really works when we talk to the top 2 percent.

The CHAIR. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON LEE. When you look at the tax rate under President Clinton, that was 39.6 percent, and we created 20.8 million jobs. The Republican budget is a jobs killer. Then you have where we had a 35 percent tax rate, and you lost 580,000 jobs under George Bush. Here's the Democratic budget, the Van Hollen budget. We focus on creating jobs. We replace the sequester, 750,000 jobs, reduce the jobs deficit by 450,000, and our total net is 1.2 million net jobs. Family economic security is the Van Hollen budget. I ask my colleagues to vote for the Democratic budget.

Mr. RYAN of Wisconsin. I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the distinguished majority leader.

Mr. CANTOR. Mr. Chairman, I thank the gentleman from Wisconsin for his continued leadership on the issue of the fiscal outlook for our country, on the issue of the moral obligation that we have to our children. And next, to address the growing mountain of debt that unfortunately they're facing.

Mr. Chairman, I would say that this debate that we're having is a debate of contrasts. When you look at the two budgets, in this Chamber and you look at the budget that is underway across the Capitol, ours is a budget that balances.

□ 1910

Just as people at home around their kitchen table at the end of the month have to do with their checkbook every month, we believe the same is true. We balance this budget within 10 years.

The other side calls for more taxes. The other budget that is being discussed in the other body, in fact, creates \$1 trillion of new taxes.

And the question for the American people really is which budget do you think grows the economy, which budget do you think helps folks gain some certainty, helps folks get back to work, helps folks who are relying on some of the programs that this body knows, because its budget office is telling us are going to go away unless we act? It is



clear, the choice is clear, and the contrast couldn't be clearer.

I would like to respond, Mr. Chairman, to some of the suggestions by Members on the other side of the aisle that somehow our budget doesn't address the needs of those who are most in need. In fact, the opposite is the truth. Our budget protects the social safety net programs. The other budget on the other side of the aisle does nothing to respond to the alarms that have been issued by our budget counters and CBO and others year in and year out. Social Security, Medicare, Medicaid—all are on life support if we don't act.

Our budget, and the chairman of our Budget Committee, has been a champion to say, let's be responsible, let's help those who are in need, let's preserve the social safety net, the programs that make America who she is. It is our budget that helps those in need, Mr. Chairman, not the other side of the aisle.

Let's look at the question of tax reform. The people of this country have spoken out on this issue. They want a fairer and simpler Code. What Chairman RYAN has done in this budget is provided a prescription for doing just that: a broadening of the base, a lowering of the rates, and, yes, Mr. Chairman, an insurance in our budget that we are going to get rid of the special interest loopholes that have put Washington in the business of choosing favorites.

I think all of our constituents know that is not what they elect us to do. They want to see an even playing field for all. They want everyone—everyone—in this country to have a fair shot.

If you compare tax reform in the position that we take in our budget to that which the other side is proposing in this body and in the one across the Capitol, I think it is very clear: higher taxes without the reforms necessary versus what we are trying to do, which is even the playing field, giving everybody a fair shot to go and earn success.

The choice is very clear, Mr. Chairman, that our budget provides some certainty for the future for the moms and dads out there who are desperate to know that we are doing our job in Washington on their behalf; that we are going to address this fiscal situation so that they can get on about their lives; so that they can see their kids have a better education; so that they can access the health care that they have come to know, and for those who don't have the health care, can actually have a system that will lower costs and provide real prospects for quality health care, not the kind of health care designed by this Affordable Care Act that we are going to see come into effect.

So, again, I want to thank Chairman RYAN of the Budget Committee, the gentleman from Wisconsin, for his dog-

ged attention to this very, very alarming question of how we are going to grow our economy and doing it in a way that is thoughtful, that is well put, and has the specifics to go and do the job.

Mr. Chairman, that is something that we have not seen from the other side. We have certainly not seen that from the White House. They haven't even presented the budget yet. And that is unacceptable.

I urge my colleagues to support the budget coming out of our Budget Committee under the leadership of Chairman RYAN.

Mr. VAN HOLLEN. Mr. Chairman, let me just say a word about the health care provided in the Affordable Care Act. That means that you can stay on your parents' policy until you are 26, so if you have a terrible accident the family is not bankrupted. That means that if you have preexisting conditions, you are not denied coverage by the insurance companies.

We keep hearing, "repeal all those benefits and some day we will get around replacing them." We have heard that for 3 years. There is nothing in this budget about replacing.

I think the majority leader asked the right question: Which budget grows the economy? And I would just like to read from what the majority leader said on the floor of this House last year about the sequester. Here is what Mr. CANTOR said:

Under the sequester, unemployment would soar from its current level up to 9 percent, setting back any progress the economy has made.

Then he cites a study showing that 200,000 Virginian jobs are on the line.

Well, guess what? The Republican plan leaves in place the deep sequester cuts. That is why by the end of this year we will see 750,000 fewer jobs, including a lot fewer jobs in Virginia, as Mr. CANTOR acknowledged.

Why in the world we would want to do that when we have people struggling to find work, I don't know. Because in the Democratic budget, we replace the sequester so that we save those jobs. In fact, we invest more in jobs going forward.

On the tax issue—here is a headline from the other day in The Washington Post—a nonpartisan group did a study: "GOP Tax Cuts Would Benefit Very Wealthy." And that is the bottom line. Tax breaks for the folks at the very top—all those loopholes we talked about closing—not one loophole closure to help reduce the deficit in a balanced way.

I would now like to yield 1½ minutes to the gentleman from Tennessee, who has been working on these issues and working for working families, Mr. COHEN.

Mr. COHEN. Thank you, Mr. VAN HOLLEN. I appreciate the time.

The thing that disturbs me the most about this budget is its inability to understand what our priorities should be.

The Republican budget keeps the defense budget at \$550 billion. There is no question we need a Defense Department, but I don't think the other side understands what the real enemy is. The enemy to my constituents and each of us is not lurking overseas. It is disease. And to each American who will suffer from or has a family member suffering from Alzheimer's or AIDS or cancer or heart disease, diabetes, Parkinson's, post-polio, or whatever, they want cures and treatments.

The National Institutes of Health are cut in this budget by at least \$1.6 billion. It is a \$30 billion budget. The Defense Department is \$550 billion.

I submit to you, Mr. Chairman, our enemy is disease. The department of defense for the human being and the human body is the National Institutes of Health. It is someplace the two parties should be able to come together and agree that we need to fund research, which creates jobs and finds cures and treatments.

The other side talks about what this is going to do to children and grandchildren. I have heard people talk about their children and grandchildren and what their mothers would want. Their mothers want their children to live long lives and not to suffer from cancer and to get cures and to get treatments.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman another 30 seconds.

Mr. COHEN. The cures and the treatments are going to benefit the next generation and the generation after that more than this generation. This is a place where spending dollars creates jobs, saves lives, and benefits future generations. Most research that has been done in this country that has come up with cures and treatments has been funded by the government or at least helped by the government, and that continues to this day.

People say we should be different than Cyprus and Greece and Spain and Portugal; and we are, because we funded those researches and we have come up with the cures and the treatments. That is why this is the greatest country on the face of the Earth. We need to see that the National Institutes of Health are funded at a greater level and not diminished.

The CHAIR. The Chair would remind the Committee that the gentleman from Wisconsin has 11 minutes remaining and the gentleman from Maryland has 7½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I would just note for the record that funding on discretionary levels like that are set by the Appropriations Committee, not the Budget Committee, so those levels will be set later by the Appropriations Committee.

I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. PERRY).

□ 1920

Mr. PERRY. Thank you for yielding, Mr. Chairman.

I deeply care about my mother, who's on Social Security and Medicare, and my two little girls, who are counting on their daddy to make sure that those programs are available when the time comes, and, of course, for the constituents that are counting on me to make sure that those programs are available for them. So I commend Chairman RYAN on his leadership in drafting a budget that responsibly addresses our national debt and ensures that my own children and all the residents of the Fourth District of Pennsylvania are not burdened with Washington's spending problem any longer.

This legislation balances our budget in 10 years. I know some folks are saying, Why 10 years? And I say, Why not ever in your budgets? Why not ever? It reduces spending and makes responsible reforms to mandatory spending programs.

For the past few weeks, I've heard from hundreds of constituents, including my very own mother, about how this budget will change Social Security for current beneficiaries, and I want to make clear that the Ryan budget does not do that. It does not cut Social Security. But I will remind everybody that the Social Security Disability Insurance fund will be insolvent by 2016. That's 3 years from now. So if you're 21 years old, when you're 24, it's insolvent. If you're 45 years old, when you're 48, it's insolvent.

The Medicare part A trust fund will be exhausted by 2024. This is not a long time away for young people or old people. I had to remind my mom that, if these programs were not reformed, there would be nothing left for her grandchildren, there would be nothing left for her son, and very likely there will be nothing left for her. This legislation makes those reforms responsible by allowing Medicare recipients the opportunity to choose options specific to their needs, and it repeals the President's plan to have a group of unelected, unaccountable bureaucrats to slash Medicare benefits for seniors, including my mom.

It also repeals the President's health care law, which has placed an undue burden on our job creators and their families. Penn Waste, a company in the district I represent, has told me that ObamaCare health care costs, the Affordable Health Care law, will cost their employees a minimum of \$68 a week more right now. That's a meal out with your family. That's an extra tank of gas in your car.

This budget also ensures our servicemen and -women are protected by providing \$560 billion for defense spending in fiscal year 2014, an amount consistent with America's military goals and strategies.

This budget is responsible. The Senate budget, the Democrat budget, each

one starts at no less than a trillion dollars in new spending. I urge everybody to support the Ryan budget.

Mr. VAN HOLLEN. Mr. Chairman, I now yield 2 minutes to a terrific new member of the Budget Committee, the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Maryland for his leadership.

We are at a fork in the road and there are two stark choices. The Democratic plan promotes progress for the many; the Republican plan promotes prosperity for the few. The Democratic plan will put Americans back to work; the Republican plan will put Americans out of work. The Democratic plan takes a balanced approach to deficit reduction; the Republican plan will balance the budget on the backs of children and working families and seniors and the sick and the afflicted.

Whenever we make that observation, our friends on the other side say that we are trying to scare the American people by communicating misinformation. It's a very cute observation, but it has no factual basis. Let's just check the record.

The Republican plan cuts higher education spending by \$168 billion. That's not a scare tactic. That's reality.

The Republican plan embraces \$85 billion in random sequestration cuts that will cost the economy 750,000 jobs. That's not a scare tactic. That's reality.

The Republican plan will cut spending on Medicaid by \$810 billion—a program, by the way, that disproportionately benefits poor children, seniors, and the disabled. That's not a scare tactic. That's reality.

The Republican plan will turn Medicare into a voucher program, but because that voucher will not keep up with the cost of health care inflation, it will deny beneficiaries what they are receiving today. That's not a scare tactic. That's reality.

And that is why the Republican plan is designed to balance the budget on the backs of the most vulnerable in our society, and it should be rejected. I urge a “no” vote.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I would like to yield 2 minutes to the gentlelady from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. I thank the chairman for the hard work that he and the House Budget Committee have done on this incredible effort for a new plan to balance the budget in 10 years.

This proposal invites our friends across the aisle, President Obama, and the Senate to commit to the same commonsense goal. The 2014 House Republican budget sets a responsible precedent by ensuring our government lives within its means, just like millions of Americans across this country and just like my constituents back in North

Carolina. I hear from them every day and they ask me: Why can't the Federal budget be balanced? Why can't Washington get its spending under control?

This proposal sets real, practical goals that will stop spending money we don't have, fix our broken Tax Code, protect and strengthen important priorities like Medicare and national security, reforms welfare programs like Medicaid so that it can deliver on the promises to deliver to those who are in most need. It also does repeal the President's health care plan and allows us to put in place real, sensible, patient-centered reforms for health care.

The House Republican budget reduces the deficit by \$4.6 trillion over the next 10 years. This budget offers a plan to expand opportunity and creates jobs. While not sufficient by themselves, policy reforms at the Federal level can help foster an environment that promotes economic growth. This budget seeks to equip Americans with the skills to succeed in the 21st century economy and grow that economy.

Mr. Chairman, I support this bill and I believe the American people are looking for this leadership here in Washington, because they know that bureaucrats here in Washington do not know what they know back home.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to a new Member of Congress, who is on the Veterans' Committee, the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Thank you, Mr. VAN HOLLEN.

I rise to address the so-called Path to Prosperity that this body is now debating.

I'm struck by the beltway media bubble that calls this plan bold and its creator, Mr. RYAN, a serious policymaker who isn't afraid to make the tough decisions. My Republican colleagues call this proposal brave and necessary, but I could not disagree more. I don't believe it's brave to break the promises we made to our seniors. I think it's dangerous. I don't believe it's necessary to cut funding for police, firefighters, and programs for low-income citizens. I think that's foolish. I don't believe that it's wise to provide tax credits for private jets and luxury yachts.

My colleague, Mr. RYAN, seems to be living in an alternate reality. He thinks that we can fund the Federal Government at 19 percent of GDP with an aging population whose health care costs are at 18 percent of GDP. Even conservative idol President Reagan funded the Federal Government at 22 percent of GDP when there was no retiring baby boom generation and health care costs only amounted to 1 percent of GDP. Would Mr. RYAN accuse President Reagan's administration of “wild government spending?” I don't think so.

The GOP budget boils down to three steps: phase one, cut spending; phase two, I'm not sure what their plans are; phase three, prosperity.

There's a gaping hole in Mr. RYAN's logic. His thinking is incomplete. How is cutting funding for infrastructure, education, and health care a Path to Prosperity?

Mr. Chairman, a century of evidence shows that austerity will not lead to prosperity. Democrats offer alternative proposals that deal with the real crisis in America—the jobs crisis.

□ 1930

A plan to reach full employment is the true path to prosperity. I urge a "no" vote on the Ryan budget.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I'd like to yield 2 minutes to the gentleman from Kansas (Mr. YODER), a member of the Appropriations Committee.

Mr. YODER. Mr. Chairman, I rise in support of this budget proposal.

Before I came to Washington, DC, I was the Appropriations Committee chairman of the Kansas State Legislature, where we were required each year to balance our State's budget. We were like a lot of Kansas families; we couldn't spend more money than we bring in—quite a novel concept.

As a Member of Congress, I have stood in disbelief, much like most Americans, at the wanton disregard for balancing the Federal budget. Frankly, Mr. Chairman, it is astonishing. In the last 50 years, we've only balanced the budget six times. That's why I'm so happy that we finally have a budget before us that balances. Not only does it balance, it pays off the national debt down to zero.

Now, I support a balanced budget amendment to the Constitution to require Congress to do its job and make sure that we don't spend more than we take in. Opponents of that amendment often say we don't need the Constitution to require us to do our work, to balance the budget. We have all the tools to balance the budget now. Great. This is our opportunity to prove it. Let's come together and do our jobs.

Americans are sick and tired of the standard lame Washington excuses of why we couldn't do our jobs and balance the budget. How can you keep going home and blaming others, blaming the other side for the fiscal state of our Nation?

The facts are, Mr. Chairman, besides the RSC budget, this is the only budget being presented that balances and pays the debt down to zero. So we are hearing speech after speech today that criticizes this balanced budget without offering a balanced alternative.

Mr. Chairman, each day, hard-working Americans get up to do their jobs. They work long, hard hours. They put food on the table. They raise their families, and they pay lots of taxes. Is

it too much for them to ask for us to balance our books, to spend their tax dollars wisely?

Let's chart a debt-free future for this country. Let's rebuild our economy. Let's honor the work and commitment of the American taxpayers, and let's stand together for a balanced budget.

Mr. VAN HOLLEN. Mr. Chairman, may I inquire as to how much time remains on each side?

The CHAIR. The gentleman from Maryland has 3½ minutes remaining, and the gentleman from Wisconsin has 4 minutes remaining.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

We've had a good and healthy debate today. I want to go back to the question that was posed by the Republican leader, Mr. CANTOR: Which of these budgets does more to help the economy? Which budget helps put more people back to work?

Well, we know that the austerity approach taken in the Republican budget will result in 750,000 fewer Americans working by the end of this year and 2 million fewer Americans working next year, compared to the alternative that the Democrats are proposing, which would replace the sequester. So you achieve the same amount of deficit reduction, but you don't do it in a way that results in slowing down economic growth in this country this year, next year, or the year beyond. We tackle the budget deficit by dealing with the jobs deficit right now and then taking a balanced approach into the future.

Let's talk about taxes. The Republican budget will give another windfall tax break to the very wealthiest people in this country. In order to make up the revenue lost, they will inevitably have to increase the tax burden on middle-income taxpayers unless they're going to put their budget out of balance. Now, just to safeguard against that, we offered an amendment that said, when you do tax reform, don't raise taxes on middle-income families. Every Republican on the Budget Committee voted against that.

We can address our priorities and reduce the deficit in a smart, consistent way without violating our commitments to seniors, without reopening the prescription drug doughnut hole so people with high drug costs will have to shell out lots more—thousands over the period of this budget. We can do it without making the interest rate on student loans double this July. We can do it without cutting our investment in transportation by 15 percent when we have all these unmet needs and 15 percent employment in the construction industry. We know we can do all those things and reduce our deficit the smart way because we do it in the House Democratic budget, which dramatically drops the deficit so that it's growing much slower than the econ-

omy, stabilizes the debt at 70 percent of GDP, and, yes, balances the budget the same time the Republican budget last year balanced. What a conversion to hit this political target this year after all the talk last year. And the reason—and the fundamental difference here—is that, by trying to drive to that political target, they end up balancing the budget on the backs of everybody else—commitments to seniors, investment in our economy, investment in the future.

At the end of the day—and we showed the numbers earlier, Mr. Chairman. They can't have it both ways. They can't say their budget balances in 10 years and at the same time they repeal ObamaCare, because the \$715 million in savings from the Affordable Care Act, from ObamaCare, is embedded right in their budget.

The trillion dollars in revenue from that they say they're going to pull out of the air. But if we repealed ObamaCare today, it would be out of balance by over \$500 billion. So let's focus on the task at hand, put people back to work. Let's have a Tax Code that makes sense for the middle class. And let's keep our commitment to seniors and grow this economy.

Mr. Chairman, I ask that people reject the lopsided Republican plan and adopt the balanced approach presented by the Democratic Caucus.

I yield back the balance of my time.

The CHAIR. The gentleman from Wisconsin is recognized for 4 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

I also want to thank my friend from Maryland for a lively debate. He and I have done this so much we can probably finish each other's sentences.

Washington is arrogant. There is an arrogance here in the Federal Government. It's an arrogance that says we know how to run things better in Washington; we should run everything here. We reject that.

We believe in the principle of federalism, which is contained in our Constitution. We think that people who are closer to the problems can probably do a better job of fixing problems.

I have a letter from the Governor of Utah, a letter from the Governor and Lieutenant Governor of Iowa:

This budget will replace the rigid, one-size-fits-all Federal programs and instead offers the States the flexibility they need to make these programs work for the people they serve.

This budget gives States maximum flexibility in areas like Medicaid, food stamps, TANF so States can determine the optimal way to provide services to these unique populations.

We want to empower people closer to the problem to help solve these problems because you know what? We're not fixing these problems.

The other measure of arrogance in Washington is only in Washington is

reducing the increase of spending a huge cut. Only in Washington is growing spending for the Federal Government at 3.4 percent a year instead of 5 percent a year a massive cut. You know what? Government's growing just fine. The Senate Democrat budget says let's grow spending at 4.7 percent a year instead of 5. That's supposed to be progress.

The family budget is growing at less than 2.5 percent for the next 10 years. That's the best projection we've got, the most generous one. If the family budget is only growing 2.5 percent and the Federal Government is growing about 5 percent, this is imbalance. This is arrogance. We should ask our Federal Government to do just what our families do and balance the budget. That's the responsible thing to do.

Now, let's take a look at what our friends on the other side of the aisle are doing. The one consistent theme of all of these budgets that are being offered by Mr. VAN HOLLEN, by the other Democrats, by the Senate Democrats is tax more and spend more.

The Senate Democrat budget, that comes in the cheapest one of them all. Increase net spending—remember, we have a trillion-dollar deficit, a debt crisis in the future. What do they say? Let's net increase spending above where we are and let's raise taxes \$923 billion.

The House Democratic budget, let's have a net spending increase of \$476 billion and let's raise taxes \$1.2 trillion.

□ 1940

The Congressional Black Caucus budget: let's raise spending \$1.99 trillion and have a tax increase of \$2.9 trillion. Or the Progressive Caucus budget—that one really takes the cake—let's have a \$4.65 trillion spending increase only to be slightly outdone by a \$5.683 trillion tax increase.

This is what they're saying: ignore the deficit, ignore the economy, all the answers lie in Washington, take more from hardworking small businesses, take more from families, spend it in Washington, and, oh, by the way, we don't have a crisis. That's just scare-mongering.

Do you know what? Try telling that to our children and our grandchildren who are guaranteed to get a lower standard of living if we don't fix this mess. Try telling that to the struggling workers, the families, the people in poverty in America today who aren't cutting it in this economy.

Balancing the budget helps us promote a healthier economy to create jobs and get people back on their feet again, and that's exactly why we're proposing and passing this budget.

I yield back the balance of my time.

The CHAIR. All time has expired.

The gentleman from Texas (Mr. BRADY) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) each

will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Chairman, I yield myself as much time as I may consume.

During the annual debate on the budget resolution, the House assigns 1 hour to the Joint Economic Committee to assess current economic conditions and evaluate how the budget resolution, if implemented, would improve the outlook for America's economy. As chairman of the Joint Economic Committee during the 113th Congress, I'm pleased to lead this discussion.

For more than 2 years, the Joint Economic Committee has demonstrated that the current recovery we're in is the weakest of all recoveries lasting at least 1 year since World War II in terms of economic growth, in terms of jobs, and in personal income for families.

Let's examine the following three charts. In each, the red lines depict the current recovery where we're headed right now; the navy blue lines depict the average of all the other recoveries since World War II, and the sky-blue line depicts the average of these recoveries.

Since the recession ended 3½ years ago, our real economy, the real GDP, has grown by a mere 7.5 percent. That's this one. But during the comparable period, real economic growth averaged more than double that, 17.5 percent in other postwar recoveries. It is a huge gap between where we are today as a Nation and just the average, C-student, middle-of-the-road recovery of the past. We are lagging far behind. There is a serious growth gap.

President Obama often boasts that his recovery has generated 6.4 million jobs in the private sector since we hit a low in February 2010. But if you look at previous postwar recoveries, just apples to apples, the average increase in private jobs over the comparable time would have generated an equivalent of 10.4 million jobs. This is the comparison. These are the jobs of the current recovery. This is just the average. And that blue-shaded area is the range between the very worst, the one we're in, and the very best, which is a lot more jobs. In fact, today, this recovery compared to the average, we're missing 4 million jobs in America. We're missing more than \$1 trillion out of our economy because of the current recovery in this growth gap.

In fact, if this recovery had been merely average, middle-of-the-road, instead of having fewer jobs on Main Street than when the recession began, which is where we're at right now, fewer jobs on Main Street, private payroll employment would have been at an all-time high if this would have just been an average recovery.

Sluggish economic growth and job creation have also slowed personal in-

come growth, the money that you earn as a family. In recoveries since 1960, disposable income, real disposable income, apples to apples, per person, grew by \$3,500 over 43 months. But during the same period, this is where the average income for families has grown; but look where we are under the current recovery. During the same period, for the current recovery, personal income growth for a family, it isn't \$3,500, it's about \$416. So this current recovery is taking a real toll on families and taking a real toll on our economy and on jobs.

Now, think what is more worrisome than this economy's weak performance is the ability of our economy to grow and create private-sector jobs in the future. Economic evidence shows that it may have permanently fallen. In the most recent "Budget and Economic Outlook," the Congressional Budget Office lowered its estimate for our long-term growth rate as a Nation, the potential GDP, from its average since 1950 of 3.3 percent. They lowered it and our future to 2.3 percent.

Now, one percentage point may not sound like much, but it has a huge effect on our economy, on our jobs, and on the ability of the Federal Government to pay its bills.

Think about it like this: at America's traditional 3.3 percent growth rate of the past half a century, our real economy doubles every 22 years. But at this new normal, this new slower rate of 2.3 percent, it takes almost 32 years to double in size. That's a decade longer; that's a decade slower.

A permanent growth gap of 1 percent translates into one-third slower growth for our young people seeking to find their first job and for families hoping to reach their American Dream. A permanent growth gap of 1 percent means our economy will be \$20 trillion smaller in 2052. That's actually a growth gap for 1 year larger than the entire American economy today.

It also means it will be harder to balance the Federal budget since a permanent growth gap of 1 percent means the loss of a whopping \$93 trillion from our Federal coffers, again, over the next four decades. Think about \$93 trillion today. The unfunded liability for Social Security, Medicare, and our Federal pensions in today's dollars is only \$87 billion. So the prospect of a "new normal" for America's economy in which our future growth permanently slows by one-third should be a red flag for all Americans.

We are told in school growing up that in Shakespeare's play, a soothsayer told Julius Caesar to beware the ides of March, the 15th. Ironically, this year, President Obama released his "Economic Report of the President" on that ominous date, and buried in this report are some startling admissions and some dire warnings for the American people. Unlike Caesar, this Congress should take heed.

First, the President's report acknowledges that the current recovery is indeed the weakest since World War II, as Republicans on the Joint Economic Committee have been saying now for more than 2 years. This growth gap is real, and it's widening. Second, our economy's ability to grow in the future, the growth rate of potential GDP, has decreased. The President admits that.

□ 1950

Unfortunately, President Obama then seeks to blame this new normal on everything other than his economic leadership. The report attributes two-thirds of the decrease to demographic factors, specifically an aging population and a slower rate of net immigration. The report attributes the remaining one-third to just about everything that's ever occurred in the last 5 years.

Demographic factors account for some of the new normal. But if you think about it, our potential economy for the future, it's a function of how many hours that are worked in America and the growth of the workers, how productive they are. In turn, what drives that productivity of the American worker is if businesses invest in new business, new equipment, new buildings, new software. That drives jobs along Main Street.

The policies of the Obama White House—higher taxes; the unwillingness to propose real solutions to save Social Security and Medicare for future generations; the prospects of higher costs and regulations due to the President's new ObamaCare law; how we regulate our local banks; global warming regulations; and suppression of energy production on Federal lands and waters, America's lands and waters—have generated so much uncertainty, and it's really squelched new business investment in America. Unlike real personal consumption, nonresidential investment from the business community still remains below what it was before the recession began.

Mr. Chairman, this new normal for America, the growth gap that we're in today, the prospect that America will grow slower in the future is unacceptable. Republican Members of this House are working to accelerate growth. A big step we can take forward tonight is to pass the House budget. It is a responsible, balanced budget.

By estimations, it will raise our economic growth by 1 percent in the next year. That's significant. It will add \$1,500 in new purchasing power for households. And if you look over the long term, the next 10 years, the House budget could well add up to 3 percent to our economic growth and \$4,000 per household in real income people don't have today, real gains that they don't have today.

The truth of the matter is the roadblocks to America's future are still in

place: the prospect of higher taxes; the failure to reform and save our entitlements; ObamaCare with all the new taxes, new regulations; higher costs for families; and the fact that we're not pursuing tax reform, at least from this White House, with the Ways and Means Committee and House Republicans in this budget to move toward a fairer, simpler tax code that closes tax loopholes and does it not to fuel spending but rather to fuel lower rates for families and small businesses and make us competitive again as a Nation.

This budget resolution, this responsible and balanced budget developed by the Budget Committee chaired by PAUL RYAN, is the first step toward a brighter economic future for our children and grandchildren.

I reserve the balance of my time, Mr. Chairman.

Mrs. CAROLYN B. MALONEY of New York. I yield myself such time as I may consume as I'm pleased to represent the Democratic point of view in this budget.

We now have before this Congress the choice of two profoundly different paths forward for the American economy. One based on severe austerity for the many and deep cuts in programs for the vulnerable that is offered by Chairman RYAN and our friends from across the aisle. No new revenues are included in Mr. RYAN's plan.

The other proposal, offered by the Budget Committee Ranking Member CHRIS VAN HOLLEN and the Democrats, is based on a balance of targeted spending cuts, the closing of loopholes and the elimination of costly tax expenditures that benefit the very few. It uses a balance of spending cuts and new revenue.

This is perhaps the most important choice that Congress will make this year. It will determine what kind of country we're going to be, what kind of economy our children will inherit and what kind of place we will make for ourselves in the world.

But before we examine our differences, let's look at the things we can all agree on: the long-term structural deficit needs to be addressed. On that there is no question; there is agreement. We need to spur economic growth, which is vital. Without it, there's no hope. More jobs and opportunities need to be created. The recovery is leaving too many people behind. And wasteful spending needs to be eliminated and costs need to be controlled. On these things we can all agree. All these things need doing. This is not our argument.

Our disagreement is over how to do it and how long it should take. It's also helpful to remember how we got here and how far we've come under progress under the Obama administration.

As you can see from this chart—and I call it the "V chart"—from December of 2007 through December of 2009, the

economy lost a staggering 8.7 million jobs. That red section represents what was going on at the end of the Bush administration. The blue section shows what happened when President Obama took office. You can see there was quite a turnaround. Instead of going down, we started going up and gaining jobs. In fact, there have been 36 months of private jobs gained in 36 months.

During this last 3-year period here, the private sector has added nearly 6.4 million jobs. Just last month, the private sector added 246,000 jobs. So we've been moving in the right direction, from the deep red valley into the hope of moving forward, and that is where we are now.

The unemployment rate is down almost 2.5 percentage points from its peak in October of 2009. Our economy came very close to falling into the abyss, but since the depths of the Great Recession, as you can see from this chart, we are making progress.

As you can see from the next chart, the economy has recorded 14 consecutive quarters of GDP growth. Again, we are moving in the right direction. Key sectors such as manufacturing and construction have rebounded. In 2012, the Case-Shiller Home Price Indices rose by 7.3 percent. A recovery is clearly underway. But where do we go from here, and how do we speed things up?

Let's look first at the proposal from Representative RYAN and the Republicans. From what I see, there are only three things wrong with it: its priorities, its math, and its vision for America. The Ryan budget is based solely on massive cuts to domestic investments; cuts to programs that service and benefit the working millions and help the most vulnerable; and cuts in tax rates to benefit the fortunate few.

For many who are struggling now, the Ryan plan would lead to a slow economic death, death from a thousand cuts. It is absolutely impossible to cut your way to prosperity. The Ryan plan would make deep and painful cuts to vital domestic programs. It would change the food stamp program—a program that helps millions—into a block grant and cut its funding by \$135 billion.

Medicare, as we know it, would come to an end. The Ryan plan includes a voucher system that would increase out-of-pocket health care costs by over \$5,000 per senior. Here's what the AARP had to say about the Ryan budget and Medicare:

Chairman Paul Ryan's proposed budget fails to address the high cost of health care and instead shifts costs onto seniors and future retirees. Removing the Medicare guarantee of affordable health coverage seniors have contributed to through a lifetime of hard work is not the answer.

□ 2000

Cuts to Medicaid could affect as many as 60 million people annually. Half of these are children; and of the

adults on Medicaid, more than two-thirds are women.

The Ryan plan repeals the Affordable Care Act, which would sharply cut the overall level of health care available to tens of millions. Yet, to make his budget balance, RYAN counts the \$716 billion in Medicare savings from the Affordable Care Act. It's a hoax of epic proportions. Repealing the Affordable Care Act would return us to a time when insurance companies could charge women more—it's called "gender rating"—just for being women. Repealing the Affordable Care Act would also eliminate the ban on discrimination against those with preexisting conditions, the ability to remain on parents' health plans until age 26, and the expansion of Medicaid. Then, while tens of millions of Americans would be struggling under the harsh new austerity measures, the Ryan plan would cut the tax bills for the most fortunate.

Last year, the Joint Economic Committee estimated that RYAN's tax plan would lower taxes for millionaires by about \$300,000 while raising taxes for individual taxpayers earning between \$50,000 and \$100,000 by over \$4,000. How fair is that?

At a time when income inequality is widely viewed as a very serious problem in our country, the Ryan plan would make it worse. The gap between the haves and the have-nots would grow larger under the Ryan plan. The Ryan plan would ask tens of millions to bear additional burdens—pay additional taxes—and face additional hardships while it cut taxes for the fortunate few and preserved loopholes for Big Oil and spent an additional half-trillion dollars on the military over the next 10 years.

Then, at the end of a decade of painful cuts, according to the nonpartisan Tax Policy Center, the Ryan budget would have managed to actually add \$5.7 trillion to the deficit. A close look at the math makes it clear that the Ryan budget can't recoup the revenue lost from its tax cuts without imposing large tax increases on middle class families. The Tax Policy Center was unwilling to speculate on where the lost revenue would come from. In addition, the Economic Policy Institute estimates that the Ryan budget would kill 750,000 jobs this year, 2 million next year, and would decrease the gross domestic product by 1.7 percentage points.

The priorities of this budget are all wrong. It kills jobs, stifles growth and adds to the deficit, all while making life harder for seniors, women, children, and the most vulnerable in our society.

The math of the budget just does not add up. Simple arithmetic tells us that the only way to pay for Mr. RYAN's proposed tax cuts for the fortunate few is to eliminate many of the deductions

that middle class families count on to pay for housing and health care and to save for their retirements. The Ryan tax plan would further burden those who are struggling by substantially lowering taxes for the most fortunate—and that's not spin. That's just plain math.

The vision this budget offers of America is totally at odds with who we claim to be. It's a vision of a country where the government is indifferent to the suffering of many while only paying attention to the demands of the few.

Then there is the other plan that is before us, the Democratic plan, with a balanced set of priorities—a better vision for the future found in the budget offered by House Budget Committee Ranking Member CHRIS VAN HOLLEN. It takes a balanced approach with targeted spending and new revenues. It would cut waste, add jobs, and spur the economic growth of the economy.

It would reduce the deficit by an additional \$1.8 trillion without jeopardizing the recovery or harming the middle class. It includes \$1.2 trillion in new revenue obtained, not by tax increases, but by closing loopholes and eliminating wasteful spending that benefits the wealthiest Americans and the largest corporations. It eliminates \$4 billion in annual tax breaks to the oil and gas industry, an industry that is making profits. They don't need a tax break. In fact, they are making enormous profits.

So why does the Ryan budget give them a government subsidy? The Democratic plan invests in infrastructure, education, job training, and innovation. It is designed, first and foremost, to help create jobs and to strengthen the economy. The House Democratic budget also makes critical investments in our future.

\$200 billion is invested in infrastructure, education, job training, and innovation, helping to create jobs and strengthen the economy. These investments include \$80 billion for an education jobs initiative, \$50 billion for transportation needs, and \$10 billion for an infrastructure jobs bank. As Federal Reserve Chairman Ben Bernanke has said many times over the past few years, simply pursuing deep cuts in the short term will slow the rate of economic growth, bring down revenues and lead to less deficit reduction.

We have two paths before us. We can choose a path of austerity and indifference that will limit economic growth and increase inequality; or we can choose one of inspiration and inclusion that invests in our country and creates opportunities for everyone.

I choose opportunity over austerity. I urge my colleagues to reject the Ryan budget and to support the budget offered by Mr. VAN HOLLEN and the House Democrats.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Chairman, I yield 3 minutes to a key member of the Joint Economic Committee, the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I appreciate the gentleman for yielding.

I want to shed a little light on what has been discussed on the floor tonight, Mr. Chairman. We are hearing a lot of conversation about Medicare.

We have to be clear that, in ObamaCare, this was the largest health care reform bill this country had ever seen. It's going to spend \$2 trillion of deficit spending over the next 10 years. With that massive new health care reform bill, guess what? Medicare is going broke in 10 to 12 years. So with this great health care reform, they didn't have enough foresight to save our seniors' Medicare program, the program they've actually paid for over the course of their lifetimes. I think our seniors deserve better than what they've received in ObamaCare.

We hear a lot about what we've done with the \$716 billion in ObamaCare. Let's be clear between the two plans.

My friends across the aisle want to take \$716 billion of savings from Medicare—take that money out—and use it for a different set of people in ObamaCare. They want to use it for people who didn't pay for the program. On our side of the aisle, we want to take that savings and use it for our seniors—it's their money; they deserve to get it—and we use it to shore up the program. This makes sense.

You talk about facts and numbers, think back to what the President told us with regard to ObamaCare. He said, Listen, you're going to see your health care costs go down by \$2,500 a year per family of four. The truth? What happened? Health care costs went up by \$3,000 a year for a family of four. That's a \$5,500 turnaround for a family of four in his health care reform bill. Listen, that's a lot of money for hardworking American families.

Let's talk about what else has been discussed by my friends across the aisle.

□ 2010

If you recall the stimulus bill, a trillion dollars in spending, remember, we were supposed to spend a trillion dollars and get an unemployment rate by 2013 of 5.2 percent. Well, the reality is we're sitting at 7.7 percent. But if you add back in everybody who has stopped looking for work because they can't find it because this has been one of the longest and lamest recoveries since the Great Depression, it's actually up at 10 percent. Listen, these policies and these promises haven't worked for the American people.

Let's talk about taxes. We have a plan that will reform the Tax Code. It will make it fairer, flatter, simpler,

easier to use, and we root out the loopholes, take away the preferences and the exemptions. We get away from crony capitalism. A fairer code. You have a chance to vote for that kind of tax reform in our budget.

But let's compare that to what my friends across the aisle propose. Well, a trillion dollars in tax increases in ObamaCare, \$600 billion of tax increases in the fiscal cliff.

The CHAIR. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield an additional 2 minutes to the gentleman.

Mr. DUFFY. And another \$1.2 trillion in this new proposal, for a total of \$2.8 trillion of new taxes. Mr. Chairman, we've seen this before. This is tax-and-spend liberalism at its finest.

I think the American people understand what has happened in this very slow recovery. This is a chart that the chairman showed earlier, but you see the growth rate and the red line of what we've seen in this recovery, and you see the average growth rate of other recoveries from other recessions. And the difference is 4 million jobs between this recovery and the average recovery. Well, that's 4 million families that don't have work, that aren't paying for food on the table and a roof over their head. These are real people and real families in places like central and northern Wisconsin that have been impacted by this economy.

As Chairman RYAN talks about, we have a choice of two futures, and my Democratic colleagues across the aisle want this massive debt and deficit to be the future for our children. We think there's a better way. We look at being responsible and paying off our debt in a way that's going to work, not just for this generation, but for future generations.

What are we doing? We owe \$17 trillion in debt. We borrow \$1 trillion every year, and there's no end in sight, and we're printing money to buy our debts. And you say keep going, keep printing, keep borrowing, keep spending. This is going to end well, you tell us, or you tell our American families. Give me an example of where printing, borrowing, and spending ends in economic growth, prosperity, wealth, or sustainable jobs.

Let's go back to fiscal responsibility. Let's live within our means in this country, pay down our debt, do what's responsible, and leave our children a brighter future.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, the Republican House budget merely shifts health care costs to families. It makes no attempt to bend the curve to lower health care costs, and the voucher program for Medicare will only mean that seniors will be paying more for health care, by some estimates as much as \$5,900 per person, and that's why the AARP and other independent organizations that

track health care benefits for seniors are so opposed to it.

I now yield 7 minutes to the distinguished gentleman from the Great State of Maryland, ELIJAH CUMMINGS.

Mr. CUMMINGS. I want to thank the gentlelady for yielding.

Over the past 3 years, nearly 6 million new jobs have been added to the American economy, and the unemployment rate has fallen to 7.7 percent. Although this is real progress from where we were during the financial crisis inherited by President Obama, we can do far more to boost economic growth and continue to create jobs.

The American people deserve a budget that supports economic growth, responsibly reduces long-term deficits, and ensures equal opportunity for all. Chairman RYAN's recent budget does not satisfy any of these goals. Instead, it will slow economic growth, increase the unemployment rate, cut critical investments in our Nation's future, and harm our seniors, all while protecting the interests of the wealthiest Americans.

The Ryan budget would lower the top tax rate for the rich while hitting middle-class families with thousands of dollars in additional taxes every year. Nearly 30 million middle-income Americans would lose their health insurance because of the repeal of the Affordable Care Act, and tens of millions of the poorest would lose coverage because of RYAN's plan to gut Medicaid. We can do better.

It would destroy the commitments we've made to our Nation's seniors by turning Medicare into a voucher program. It would shift the rising costs of health care onto those very Americans who have already suffered deep financial shocks in the recent fiscal crisis. Many of them have lost their homes, lost their health insurance, lost their jobs, lost equity in their homes, lost their savings, and now the Ryan budget would break another promise to them.

In a fairly cynical move, the Ryan budget would repeal those provisions of the Affordable Care Act that would expand access to care, while keeping in place all the revenue generated by the act.

The Ryan budget also guts investments in science, education, infrastructure—all critical to job creation and economic growth, as well as to the future of our children. If you don't believe it, go talk to the doctors at NIH, the ones who worry about whether they'll be able to complete the research that they're doing. One that I talked to just a few days ago was telling me just a few years ago there were certain types of cancers that were deadly, and now because of the research at NIH, they're chronic. I don't know how you put a price tag on somebody's life.

This budget would reduce non-defense discretionary spending, including

core social services that middle-class families rely on, by an additional \$700 billion over the next 10 years below the senseless cuts already required under the sequester.

And his plan, Mr. RYAN's plan, repeats past attacks on Federal employees by cutting the workforce by 10 percent over the next decade and requiring Federal workers to contribute an additional \$132 billion to their retirement plans.

To justify these proposals, the majority continues to argue that policies that support austerity, such as sequestration, will solve our fiscal problems and magically create prosperity for all. In fact, these stale theories will do nothing but harm hardworking Americans and our seniors, and that is why the American people resoundingly rejected this theory just this past November, not very long ago.

Last week, the Joint Economic Committee convened a hearing to examine constructive measures to stabilize our economy and decrease our long-term Federal debt. Testifying before our committee was Alice Rivlin, very well respected, who served as the founding Director of the Congressional Budget Office, Director of the Office of Management and Budget, and Federal Reserve Vice Chair. She explained that discretionary spending is not a driver of future deficits and that cutting discretionary spending would not slow projected increases in future Federal spending. Instead, Ms. Rivlin expressed concern that additional cuts at this time would have a restraining effect—those were her words—on our economic recovery, threatening to trigger a new recession. We can do better than that.

□ 2020

Similarly, the Federal Reserve Chairman, Ben Bernanke has warned many times over the past few years that pursuing deep cuts in the short-term will slow the rate of economic growth, bring down revenues, and actually lead to less deficit reduction overall. I didn't say that, Chairman Bernanke said that.

Certainly, I agree that Congress must act to put our fiscal house in order, but we must do this in a balanced manner that increases economic stability and certainty in the marketplace. To ensure economic growth, these policies must include a mixture of appropriate revenue increases and targeted spending cuts.

I don't think there's one Member of Congress that disagrees that we must cut spending, but we also must address our fiscal issues in a balanced way. And when we cut, we must cut as if we were the most skilled heart surgeon performing the most delicate operation on a critical patient so that the patient does not die.

To that end, Democrats have put forward a balanced approach to cut spending responsibly, increase revenues and



create jobs, like Congressman VAN HOLLEN's plan and Senator MURRAY's plan, which achieve new significant savings by eliminating tax loopholes and cutting wasteful spending.

The CHAIR. The time of the gentleman has expired.

Mrs. CAROLYN B. MALONEY of New York. I grant the gentleman as much time as he may consume.

Mr. CUMMINGS. At the same time, they continue critical investments in infrastructure, education, job training, innovation, all of which will help to strengthen long-term economic growth.

The fastest and most effective way to stabilize the economy and reduce deficits is to put Americans back to work. That is why we need to strengthen the fiscal policies that will support growth, rather than adopting policies that will destroy jobs.

Finally, the only path forward is for Democrats and Republicans to work together to draft a reasonable budget that offers hope and prosperity for all Americans, rather than tax cuts for the rich and crumbs to the rest.

I urge my colleagues to reject the Ryan budget so that we can craft a budget that works for all Americans.

Mr. BRADY of Texas. Mr. Chairman, I yield myself as much time as I may consume.

You know, we did have an interesting hearing in the Joint Economic Committee about the growth gap in America, about the thought and prospect that America's future growth could shrink by as much as a third, the damage it would do for families, to our economy, to our ability to pay our bills as a Nation.

And when we asked the four witnesses, all from different backgrounds and different philosophies, we asked them a simple question.

One, do you believe higher tax increases, more tax increases, would help the American economy today? Not one of them said it would.

And we asked them, what do we need to reassure our investors and put America back on a firm financial path? They all said, you need to act now on reforming Social Security and Medicare for the long haul.

And I said, so when is now? And they generally agreed by June or July. I mean, now.

The Republican budget does that. The Democrat budget ignores our problems, ignores the advice of four distinguished economists.

Earlier tonight a claim was made that some of the budgets are indifferent to the suffering of many. I want to address the suffering of many in today's America, under today's recovery.

Take a look at this. Since the bottom of the recession, the President often likes to boast that he has created over 6 million jobs along Main Street in America. But what he doesn't talk

about much is that, in that same period, this Nation has forced over 8 million families on to food stamps, simply to have food on their table, simply to keep hunger from their door.

You are more likely, as a family under this recovery, to be forced to apply for food stamps than to actually walk into the door of a company that's offering you a job. That's not the sign of a healthy recovery. That's the suffering that occurs under today's recovery that this President has led. That's the growth gap's impact on real people.

Let's take a look at families income, because that's so important to paying bills today, not just that you have a job, but, you know, are you getting ahead? Are you falling behind?

Look at this chart. This shows the growth gap and the impact on families. Up to this date, the worst economic recovery that we had since World War II, a family, by now, would have gained back almost \$2,000 in disposable income, real income they can spend. Under the best recovery, they would have almost \$5,000 in their pocket. Just average, middle-of-the-road, C-grade recovery, nothing to talk about, a family ought to have now over \$3,500 more gained back in their paycheck.

But look what they have—\$461, and that's all, in the last 3½ years. That's what they've gained back, \$10 a month. So more families are being forced to go on food stamps. Those who have jobs are going nowhere in this recovery.

Let's look at Wall Street. The Federal Reserve is printing money right and left, buying our own debt, buying up credit, allocating, picking winners and losers around this country, continuing to pour money into the system.

So what's happened?

Let's put that family income against the Wall Street income. In this economic recovery, look at Wall Street. Look at the Standard & Poor's total return, look how high it is. It continues to grow.

But look at Main Street. Look at a per-person income, where it's gone over the last 3½ years. Again, almost nowhere.

If you like this economic recovery, if you like the fact that, as Wall Street roars, Main Street families are left behind, then don't change anything. Continue higher taxes, more stimulus spending, borrowing every dollar it seems that we spend.

You'll leave the President's health care law in place, put new regulations on Main Street, and this is what we'll get more of, families that continue to fall further and further behind, families who are looking for a job, and they either drop out completely and give up working, or they're forced onto food stamps, families that watch Wall Street grow wealthier as they gain what, \$10 a month in their paycheck?

The Republican budget changes the course of not just our financial posi-

tion as a country, it changes the course for our economy, adding immediately 1 percent growth, closing that growth gap here in this first year, adding more income, \$1,500 to a family, and over the next 10 years, doing dramatically more, both for families and the economy.

That's what the Republicans' budget is about. It's about changing the growth gap, closing it, and giving our families a fighting chance again.

I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY. I yield 7 minutes to the gentleman from the great State of Maryland, JOHN DELANEY, a new member of the Joint Economic Committee.

And may I inquire how much time remains on our side?

The CHAIR. The gentlewoman, prior to yielding the time, had 7½ minutes remaining.

Mr. DELANEY. Mr. Chairman, I want to thank my friend and colleague from New York for yielding me this time. And I also want to thank my friend and colleague from Texas for his leadership on the committee.

Too often, Mr. Chairman, we talk about our budget in absolute terms, and we don't talk to the American people about what budgets really are, which are choices. As we go through each line item of revenues and each line item of spending, we tend to characterize these things in very dramatic terms, as if any change, up or down, on any line of revenue or any line of spending, would have catastrophic implications.

We don't have an honest dialogue with the American people about what budgets really are, which are choices and statements of priorities, which is why, in my opinion, this Congress, and the administration, have failed to recognize the two dominant themes facing our country and our world right now.

□ 2030

The first is the fundamental need to change the fiscal trajectory of this country across the long term, and the second is the need to invest in our future and our children to prepare them for a world that is fundamentally changed because of globalization and technology.

We cannot do these two things—we cannot change the fiscal trajectory of this country and we cannot make investments in our future and our children—unless we do two things: first, reform the entitlement programs in this country; and, second, take actions to raise revenues.

Last year, 13 percent of the American population was over 65. In 2030, 20 percent of the American population will be over 65. This singular fact dominates our whole discussion around our fiscal future.

Just to put this into perspective, if we don't change the trajectory of our entitlement programs, in 10 years they



will consume 70 percent of our spending and literally crowd out every other priority we have as a country. And just to put this in a sharper focus, right now, as a country, if you add up all the spending at the Federal, State, and local level on Americans over 65, that number is \$27,000 a year. If you do the same math on Americans under 18, that number is \$11,000 a year. That is a 2½ to 1 ratio of statements of priorities that we are making in our budget.

Just to be clear, I don't come here thinking we should spend less on the elderly. I don't come here thinking that we should be cutting taxes. I actually think we should be raising taxes. But we fundamentally have to change the trajectory of entitlement spending in this country if we want to invest in our future.

Prior to coming to Congress, I spent two decades in the private sector. I started and led two companies that became New York Stock Exchange listed companies and, in the process, created several thousand jobs. That experience taught me two important lessons: first, we have to look at the facts, always; and, second, we have to think about the future, and we have to plan for the future.

I have already talked about the facts. Now I want to talk a little bit about the future.

If we want to create good jobs and reverse some of the trends that the gentleman from Texas just talked about and demonstrated to us, we have to make investments in making this country more competitive. That is the fundamental issue facing our country right now, Mr. Chairman, is to make this country more competitive.

To do that we have to do several things:

First, we have to continue to invest and reform our educational system. There has never been a stronger correlation in our country's history between having a good education and getting a job.

Second, we need a national energy policy to ensure that we have clean and inexpensive energy across the long-term. If you look at the history of successful economies, the two most important numbers are the cost of money and the cost of energy.

Third, we have to reform our immigration system.

Fourth, we have to invest in our infrastructure.

To do these things requires investments. We will fundamentally not be able to make these investments unless we, as I said, reform our entitlement programs and raise revenues.

We are confronted with two choices in our budgets, and these are insufficient choices. The American people deserve better. On one hand, we have a choice where we don't recognize the reality of where the entitlement programs are going, and the other choice

is we slash and cut the critical investments we need to make to have a future. We can do better.

Each party likes to take the high ground on a balanced approach, but what does that really mean? To me, a balanced approach means several things.

First, we need additional revenues through measures like the Buffett rule, by closing certain corporate tax loopholes while also lowering corporate tax rates. The Buffett rule levels the playing field, does not raise rates, but it makes sure that there is parity in terms of taxes that are paid; and it will do a significant amount towards closing the income inequality gap in this country, and it will produce more revenues. That is the first thing we have to do.

The second thing, we do need to reform on entitlement programs, and we should do four things. We should means test; we should raise the cap; we should change how the cost of living adjustment is calculated; and we should change the retirement age, not for people who do manual labor, but for everyone else. That is the second thing we need to do.

The third thing we need to do is we need to look at our discretionary spending and our defense spending, and we need to make these expressions of our priorities around our future. Some of that will require additions; some of that will require subtractions.

These are things we need to do to have a balanced approach. This is the choice that this Congress should have, an approach that invests in our future and changes the fundamental trajectory of our entitlement programs while taking care of those most vulnerable. That, to me, is a balanced approach.

I am proud to be a Democrat. I am proud to be a Democrat because of our historical fight for those left behind and because of our view that we have to invest in our future. I would like my party to lead on fundamental reform to these entitlement programs, and do it now, so we don't have to affect current beneficiaries or people who are close to being beneficiaries. I want to take those savings with additional tax revenues and invest it in our future, invest it in our children, invest it in making this country more competitive so that we can create jobs that have a good standard of living.

Mr. BRADY of Texas. Mr. Chair, I am prepared to close, so I would be glad to reserve at this time so the former chairman of the Joint Economic Committee may close.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman.

Mr. Chairman, the Democratic budget has its priorities in the right place. It puts people and jobs first. The Democratic budget makes the numbers work for everyone by taking a balanced approach that includes not only cuts, but

badly needed revenue. And the Democratic budget has a vision for the future that aspires to have this country lead the world in education, energy, innovation, and quality of life. It makes investments, and that means it takes some risks. But it also is a budget that confidently proclaims we are still the country of big dreams, high ideals, and limitless opportunities for everyone who is willing to work hard, play by the rules, and do their fair share.

I support the Democratic budget, and I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the former chairman of the Joint Economic Committee, Congresswoman MALONEY, for her leadership, and continue to enjoy working with you on these economic issues.

Tonight, we have talked a lot about the growth gap and about the prospect that America's future could be much dimmer. The truth is fiscal challenges facing our Nation are great, but they are not insurmountable if we are willing to take the necessary steps, if we are willing to be less popular, willing to do the right thing. As I said in my opening statement, the single most important thing we can do for families for America to start paying its bills as a government is to take the restrictor plate off our economy.

This recovery is substandard, the weakest since World War II. The growth gap is large and growing. The private sector jobs gap is large and growing. The gap in personal income for families is large and growing. We are adding more people to food stamps than we are getting jobs since the bottom of this recession.

That is no way to build a strong middle class. It is a formula for making people more dependent on the Federal Government. That may be some people's vision of America's future, but not ours.

So, if we are to change the future economic growth of America upside, if we are to increase economic growth in jobs and income growth, we need to restore the promise of economic opportunity in optimism. That is what the Republican budget does. It shrinks the Federal Government where it is fat and wasteful, and it grows the economy in ways that Americans can prosper. That is why the Republican budget is pro-growth and includes pro-growth tax reform, and it is key to a new era of American prosperity. It is a responsible balanced budget, which I strongly support.

Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chair, I rise today in support of the Budget Resolution, which balances the budget in 10 years.

We must get our fiscal house in order, and that starts with a plan to reduce spending responsibly—allowing to grow at 3.4 percent instead of 5 percent.

This budget cuts \$5.7 trillion in spending and reforms Medicare to save it for future generations while preserving the traditional model for those at or near retirement.

The Federal Government has to deal with the tough issues and make responsible decisions to restore balance.

I thank Chairman RYAN and the Budget Committee for supporting key transportation initiatives in the resolution.

Transportation specific provisions:

House Budget Resolution supports MAP-21 funding levels until it expires at the end of 2014. MAP-21 reformed our Federal transportation programs by eliminating unneeded programs, streamlining the project approval process, and putting the highway trust fund on sound financial footing through 2014.

The budget resolution acknowledges that maintaining the long term solvency of the Highway Trust Fund and the tradition of the fund being user fee supported is a priority for the Congress as it begins to work on reauthorizing MAP-21.

Budget also contains language supporting the innovative financing mechanisms for transportation included in MAP-21 such as public private partnerships and the TIFIA program.

I look forward to working with Chairman RYAN and the Budget Committee, as we move the Nation toward fiscal responsibility and a growing economy.

Mr. McKEON. Mr. Chair, I rise in support of the Path to Prosperity—our House plan to balance the budget in ten years, restore our economy and grow jobs. As Chairman of the House Armed Services Committee, I am particularly gratified to see this plan provide for our men and women in uniform and our national security by replacing deeply harmful sequestration cuts to our national defense with other commonsense reforms.

Since 9/11 our military has been operating at a very high operational tempo around the world keeping this country's citizens safe from those who seek to do us harm—from deadly attacks by al-Qaeda to the sabre rattling of Iran and nuclear provocations of North Korea. But back home as our economy slowed and our deficit rose, this Administration began to question our role in the world and called for substantial reductions to our national defense. While we agreed that everything should have been on the table in order to address this Nation's deficit spending, defense has represented only 18% of our national budget, while our military has absorbed 50% of the cuts to date.

Which is why it is so important today that House Republicans stand unified, both fiscal and national security conservatives, on the goal of replacing arbitrary, automatic across-the-board cuts to our military. This House Republican budget, as does its counterpart from the Republican Study Committee, provides \$560.2 billion in defense funding for fiscal year 2014. This is the amount my Committee called for in our views to Chairman RYAN, and an amount consistent with our military responsibilities. Over the next decade, we provide over \$6 trillion to fund our nation's defense. While this is significantly less than the levels in previous budget resolutions passed by the House, it is \$500 billion more than will be available under sequestration. It allows our

military to execute the current national defense strategy and avoids the hollow force and unacceptable level of strategic and operational risk our commanders have warned us about in hearings before our Committee.

I want to thank Chairman RYAN for his unyielding dedication and belief in this country and in American exceptionalism. Absent his vision and absent this House budget, in just four short years, we will be paying more in interest on our debt than our national security. I urge members to support this budget and one of Congress's core constitutional responsibilities—to provide for our common defense.

Mr. CONYERS. Mr. Chair, I rise today in opposition to H. Con. Res. 25, the Ryan Republican Budget, and the coarse meanness it embodies. I rise today in defense of those who are the subject of this legislation's contempt. I rise today in support of the New Deal, the Great Society, and the programs that have pulled our people out of poverty and our Nation out of depression—the programs that Mr. RYAN's budget demolishes to pay for tax breaks to the already wealthy.

There is so much wrong with the Chairman's budget I do not know where to start. It attacks the poor, the working, and middle class; it guts programs that protect our seniors, our children, and our environment; it relies upon fuzzy math and budgetary tricks that are not befitting of federal legislation. It is quite simply a perfect distillation of the disdain its authors have for everyone who is not a millionaire.

Mr. RYAN's budget is one of the cruelest that has been introduced in the House of Representatives. It shifts Medicare to a voucher system, which virtually assures that many seniors will be unable to receive the care that they need. It destroys two million jobs with the same wrongheaded austerity measures that have Europe standing on the precipice of economic calamity. It hands a six-figure tax cut to millionaires. But then you see the other side of the Chairman's budget—the fantasist side. That is the side that imagines all those tax cuts will be paid for by eliminating deductions; the side that imagines that those deduction eliminations will not harm the middle class; the side that imagines that after a majority of Americans roundly rejected this "tax cuts now, tax revenues later" platform last fall, it is a good time to double down.

Earlier this week my friends across the aisle seemed to admit a hard to swallow fact: they are out of touch with Americans. The report that came out Monday suggested that Republicans need to reach out to a broader segment of society; that they need to court voters outside the insular world of the million dollar a year club. Given that a majority of Americans last fall cast their vote for a Democratic President, a Democratic Senator, and a Democratic Representative—I would tend to agree. But let me offer you some friendly advice about outreach—the answer is not to keep making the same base attacks on the poor we heard last summer and last fall. The answer is not to weaken Medicaid and TANF; the answer is not to weaken Social Security, or turn Medicare into a voucher system; and the answer is not to eviscerate all labor laws—as the Republican Study Committee budget would. The answer is none of the above—the answer is

creating a budget that helps more than just the small crescent of the wealthy who make it into rooms where they can hear about how much better they are than 47% of Americans.

If you want answers, take a look at the budgets put out by the Congressional Progressive Caucus' "Back to Work Budget" and the Congressional Black Caucus' "Pro-Growth, Pro-People, Pro-America Budget." If you want to show Americans that your party cares for those who are not already millionaires, you need to provide the answers they are asking for. Those answers involve federal investment in the programs critical to having Americans who are prepared in mind, body, and spirit to build a new economy for the next generation. Those answers address concerns about our educational system, our infrastructure, and the critical services that will make sure our children are prepared to lead the world in the 21st Century. Those answers understand that any changes to Social Security need to be made separate from the yearly budget process. Those budgets understand that Social Security is a multi-generational pact—not a "pay for" and that it should not be changed to reflect the whims of a particular wing of a particular party.

The answers that the American people are looking for reflect the fundamental proposition they voted for last fall—that those who have benefited the most from our society's bounty are blessed to have the most to give back.

The American people recently spoke to the Budget Committee Chairman, but sometimes I wonder if he was listening.

As much as you may wish that it is the answer to your political problems and the economic issues facing our country, the answer Americans are searching for does not involve continuing to repeal the Affordable Care Act again and again and again—you'll excuse me if I don't say "again" for each time my friends across the aisle have voted to repeal the ACA. It would seem a rather pointless exercise and it would take quite a while. While we may be tired of the gimmicks and the pointless political theatre, we are not too tired to defend a century of progress. You cannot exhaust the conviction of Americans that Social Security is a promise to our seniors; that Medicare should not be a voucher; that Medicaid should not be a block grant left to the states; and that children should not be left to fend for themselves. These repeated attempts to do so are wastes of our, and by extension, America's time.

I know sometimes it is tempting for my friends across the aisle to engage in name-calling and class warfare: implying that those who need federal services are lazy, laying about on hammocks. But not everyone is born into a family made wealthy through government infrastructure contracts. Some children are born to parents who simply are not prepared to provide all the skills and knowledge that our modern society requires of students, workers, and citizens. That is where Medicaid and CHIP come in: ensuring that children grow up healthy. That is where food assistance comes in: ensuring that children are not too hungry to learn, too hungry to care about their future. That is where Head Start comes in: ensuring that children receive the early engagement critical to success.

When we consider the Chairman's budget—I want us to think what we would want for our

own children if we were rendered unable to help them. I hope you will consider that question. What if it was my child who needed the programs I am cutting to give six-figure tax cuts to everyone who makes more than a million dollars a year? What if it was my child who was struck by a chronic ailment—but they could not get treatment? What if it were my child who needed the support I am now denying to other people's children? No, we would want them to have the services protected and improved in the Congressional Black Caucus and the Congressional Progressive Caucus' budgets. Whether you care to admit it or not, no child who goes to sleep hungry or in pain is comforted by the thought that millionaires have a few extra hundred thousand dollars in their banks.

So instead of Chairman RYAN's budget, which guts federal assistance to the poor and threatens to plunge us into a deep recession, I encourage all my colleagues to endorse the budgets offered by the Congressional Black Caucus and the Congressional Progressive Caucus. These bills get Americans back to work; they invest in infrastructure improvements and repairs which necessity dictates must happen eventually. They know that the key to addressing our deficit is not cuts, but economic growth, that is why the Congressional Black Caucus adopts my Humphrey-Hawkins legislation, which puts every American who wants a job to work. And they provide trillions in deficit reduction over the next decade, but they do so through cuts and revenues that reflect a balanced approach. For example, they keep the Bush-era tax cuts for those making less than a quarter-million dollars a year. And they treat the income of hedge fund billionaires just like they treat the income of a bus driver, something even President Ronald Reagan supported.

I want to praise these budgets for their focus on the future. In the great choice that we face as a Nation, they do not simply abdicate responsibility as H. Con. Res. 25 does. They do not simply shovel money to the wealthiest Americans in ruinous tax breaks that are all but assured to explode the deficit—instead, they invest. They invest in infrastructure across the nation; they invest in our youth, providing increase in Pell Grants and workforce training; they invest in our public servants, the men and women who teach our children, guard our streets, and pull us from burning buildings. And they actually pay for all that with specific proposals rather than accounting gimmicks.

Mr. Chair, let us end the division. Let us end the giveaways to those already lucky enough to make more than a million dollars a year. Let us come together—not just some, but all of us—and pass a budget—one that benefits not just some, but all of us. I urge all my colleagues to vote against H. Con. Res. 25, and for the CBC and CPC alternatives.

The CHAIR. All time for general debate has expired.

Mr. BRADY of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DESANTIS) having assumed the chair,

Mr. HASTINGS of Washington, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, had come to no resolution thereon.

□ 2040

#### COMPETING BUDGETS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity to address an empty House, but perhaps a few are watching C-SPAN.

We've just heard a fascinating 4-hour discussion on economic policy. A fundamental part of our work here in Congress is to set the economic policy for the United States. As we listened to that 4-hour debate and discussion, there were a lot of charts and a lot of economic theory on both sides: small government versus an active, investing government; the growth of taxes, or the lack thereof; a discussion about jobs and the like. I'd like to first start my discussion this evening on what we ought to be doing. That is the purpose of all of this.

I harken back to the 1930s, a period of time when the Nation was in a very serious Depression, unemployment was rampant, and there was a lot of pain and suffering throughout this Nation. Franklin Delano Roosevelt was the President at the time. Today, we are in a somewhat better situation, but still there's a lot of pain, a lot of unemployment, and a lot of families in desperate situations. Back in the thirties, Franklin Delano Roosevelt put forth his New Deal. He articulated—at least a part of it—with what I call “The Test.” He said:

The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have little.

That's a value statement. That's a statement about how he saw the role of government, and I agree with him.

Our task here today, as we debate tomorrow and the next 2 days what the economic policy of America will be, we ought to harken back to what Franklin D. Roosevelt said in the 1930s: “The test of our progress.” “The test of our progress.”

What are we to do? Are we to follow policies that would enrich the wealthy even more? And we have one such proposal before us; it's the Ryan Republican budget. It would slash the top tax

rate from 39 percent to 25 percent and add another quarter of a million dollars of income annually to those who are making over 400—or over \$1 million a year. I think that goes counter to what Franklin Roosevelt said:

The test of our progress is not whether we add more to the abundance of those who have much.

The remaining portion of that proposal by Mr. RYAN would put a greater burden on the working men and women and the poor, and it's done in two ways. One way is to remove those tax write-offs that the middle-income, that the working men and women have, significantly reducing those and cutting off those programs that people without jobs depend upon—from unemployment insurance to food stamps and to other benefits that they have—so much so that their actual tax burden would rise by somewhere between \$2,000 to \$3,000 a year. Franklin Roosevelt said the test of our progress is “whether we provide enough for those who have little.”

So if we are to believe that our role in government is to provide, to assist, to help, to bring up those who have little—the men and women who are unemployed, the families that have lost their homes, those who are searching for a well-paying job—if that is the test of our progress, if that is our value and our purpose, then I think we'd better think about a different economic policy than is presented to us by the Republicans. I would like to spend some time discussing that this evening.

First of all, there's an immediate situation in which the sequestration—which I have voted repeatedly to end, and many of my colleagues have also—is inherent in the Republican proposal. That sequestration will bring pink slips to 750,000 Americans in this year, the 2013 year; 750,000 Americans will lose their jobs. So if the test of our progress is to help those who have little, well, the Republican budget adds 750,000 people to those who will have very little. They would lose their job.

So why would we do this? Why would we do any economic policy that would add 750,000 people to the unemployment rolls? It makes no sense if you want to grow the economy. If you want to reduce your tax revenues and increase your deficit, I suppose this is one way to do it, but it's not a very good way.

I will tell you that in my district, at Travis Air Force Base, where men and women are going to lose their jobs, where 20 percent of their pay will be cut, it's a very serious problem for our Nation's defense. Because from that Air Force base, the big C-5As and the C-17s that carry men and women and equipment across this globe to fight our wars, to protect our Nation, they will be sitting on the ground. They will not be doing their training. They will not be prepared to carry out their task in defending this Nation.

Why would we do that? It makes no sense to me. Whether it has to do with

the test of our progress or our values or our Nation's defense, why would we want to move a policy that would send 750,000 people through the unemployment lines? It makes no sense to me at all.

I was home in my district this last weekend and I was talking to some elderly people that attended one of my meetings. They were asking me, Is it true that you guys are going to cut Medi-Cal?—which is the Medicaid program in California. I said, No, not us guys; but, yes, there is a proposal in Congress to seriously cut Medicaid, and therefore Medi-Cal. They said, Don't they understand that that's how my husband is supported in the nursing home? What are we to do if those cuts force him out of the nursing home?

Well, the reality is that that could happen, because we have a budget on the floor that 435 of us will be voting on in the next couple of days that actually will reduce the Medicaid—and, therefore, Medi-Cal in California—by a third, a third cut. Therefore, that lady who was concerned about her husband's care in the nursing home will find a problem.

□ 2050

She and perhaps many, many others—not perhaps, definitely—many other senior citizens are going to find their opportunity to have care in a nursing home removed. It's a very serious issue because who are those people that are going to see their Medi-Cal, or across this Nation, Medicaid support significantly reduced by one-third? Well, here they are. Two-thirds of them are seniors and people with disabilities. We're not talking about welfare and all that goes with that. We're talking about seniors and men and women in this Nation that have such disabilities that they cannot care for themselves. These are the people that are going to be hurt. Another 20 percent of them are children.

Why? Why would this House vote for a budget that would harm seniors, the disabled and children? Why would we do that? Perhaps the argument that you heard over the last 4 hours is, well, we need to deal with the deficit. Yes, we do. But do we need to deal with it in this way, that we go after seniors, we go after people with disabilities that cannot care for themselves and children and take it to them? And at the very same time in the very same piece of legislation give the superwealthy an additional, extraordinarily large amount of money that the average worker in the United States would have to work 5 to 6 years to equal the tax reduction given to those who are earning a million dollars? And for those that are earning a billion dollars, it is add three to four more zeros to their tax reduction.

Why would we do that? It makes no sense. It is not the American value. It's

not what FDR said should be the test of our progress—seniors, children and disabled. Why would we do that?

When you look at that budget and you look at that proposal a little more, what do you see? The seniors, not those who are in nursing homes without income, but seniors, the average senior. The average senior in the United States has a median annual income of \$22,800—median. Half of the seniors in this Nation have an annual income of less than \$22,800. Half of them have more than that.

So where are we with the proposal that we'll be voting on in the next couple of days from our Republican colleagues? It is a proposal that will end the Medicare program as we know it, and all Americans who are not yet 55 years of age will never see the Medicare guarantee that is available to those Americans that are now 65 and 55 years or older, the Medicare guarantee of a health care program that has, since its inception in 1964, taken nearly all of the seniors in this Nation out of poverty when together with Social Security.

Before there was Medicare in 1964, there was rampant poverty among seniors. I've said on this floor before, and I'll say it again tonight, one of the searing memories in my mind was a trip when my father took me to the county hospital in Calaveras County in the 1950s to visit my neighbor, a rancher, who could no longer take care of himself. He didn't have the money, he was poor, and he wound up in the county hospital. There was a ward, perhaps 20 seniors in the worst possible condition without adequate medical care, simply lined up bed to bed to die.

What are we doing here? What are we doing? Why would we set up a program to end one of the most important, valuable programs to every American citizen? That is the promise of Medicare, a comprehensive medical program for them to take care of their health in their senior years. Why would we end that and turn it over to the health insurance industry?

Now, I was the insurance commissioner in California for 8 years. I know the health insurance industry, and I know their number one purpose: it's profit. They continually will put profit before people, and yet the proposal that is given to us by the Republican majority is to take every American under the age of 55 and give them a voucher so that they can go to those rapacious health insurance companies and try to get an adequate health insurance policy.

The guarantees that are in the Affordable Care Act would be wiped out by their legislation. The guarantees of an adequate insurance program, the end of discrimination based upon age and preexisting conditions, gone, wiped out. What are they thinking? What are they thinking? Do they understand

what the American senior is going through? I think not. I think not. When you consider who those seniors are, I don't understand. I do not understand.

Now, there's an alternative, there's an alternative put forward by our Democrats on this side. You've heard it discussed here in the previous 4 hours. It is an equivalent that is a reflection of the basic American value of taking care of each other, of helping each other, the value of a community, a small community perhaps like I live in in California, the community of Walnut Grove, or the large community of all of us, over 300 million Americans, where we care for each other, where we test our progress by making sure that all of us are lifted up, not just the superwealthy, not just those who have everything they could possibly need—I understand they may want more—but rather to provide the basic needs of these who have nothing or little—health care, food, shelter, and clothing.

That's where we're coming from. We do it in a way that actually reduces the deficit over time, brings back into a reasonable balance the annual appropriations and the revenues of this government, does it in a way that meets the needs of this generation and future generations, does it in a way that makes the critical investments that grow the economy, rather than stifle the economy by pulling out of the economy, as our Republican colleagues would, the essential elements of economic growth.

There are five of them. I've talked about this for more than 25 years in California and beyond. Those critical investments in present and future economic growth are simple, but they are powerful, and they are absolutely necessary. They are education, research, infrastructure, manufacturing—making things here in America—and change. Those are the five elements. And now that we're here at the Federal level, we must add to that our Nation's security, defense and others.

Let me put a couple of things up here. Growing the economy: growing the economy requires that we invest in infrastructure. This is both immediate and long term.

□ 2100

When we invest in infrastructure, we put people to work now. We can do this. Men and women and companies and contractors are ready to go to work. The skilled labor force is there. All they need is for this government to fund a substantial infrastructure program, and that's precisely what the Democratic budget does. It adds \$50 billion now to the appropriations for this year and creates an infrastructure bank so that we can have a public-private partnership to build those infrastructure programs that have a cash flow: sanitation projects, water

projects, toll bridges, toll roads, airports. Many of the infrastructure programs that this Nation desperately needs can be financed with an infrastructure bank. For those that cannot be financed with a public-private partnership, we can and we must use our general fund revenue to build the infrastructure.

For every dollar we invest in infrastructure, we immediately return to the economy \$1.57. Don't take my word for it. Take Mark Zandi's word, an economist for Moody's Analytics.

Nobody has debated that point. So why don't we invest in the infrastructure? When we do so, we will be safer. We'll have safer airports; our roads will be safer, they'll be paved; and the potholes, not all will disappear, but over time. We will improve our highway system. And our bridges, many of which are deemed to be insufficient and unsafe, can be repaired and rebuilt. And in the process, we've laid the foundation for future economic growth.

On the education side, it is exactly the same. On the education side, if we educate our children, if we have the best education program in the world, something very good will happen to this Nation. First, we will be competitive.

If we fail to educate our workforce, there is no way that we can be competitive. Yet, the budget being proposed by our Republican majority slashes the education programs in this Nation. And for those who are in college or have graduated, they would double the interest rates on student loans. What are they thinking?

On the other hand, our Democratic budget would actually increase funding this year for education, keeping teachers in the classroom, giving schools the opportunity to improve. In the infrastructure program, there are facilities and the opportunity in higher education to continue to keep students in school.

For those who need additional training in the work programs, the Workforce Investment program would be augmented, and we would be able to provide the upgrade in skills and education for those who are unemployed so that they would have a chance to get a job in a growing economy. We envision a growing economy where jobs are created. We know that this year the difference between the budget that we're proposing and the budget that our Republican colleagues are proposing is a difference of 1.2 million jobs.

With the continuation of the sequestration, 750,000 jobs will be lost. We end that. That's 750,000 on the plus side. And with the investments in education and infrastructure, we would add another 400,000 to 500,000 jobs. That's 1.2 million jobs. There's a big difference here: Americans going back to work and Americans being laid off.

We also know that the future economy demands that this Nation become

and continue to be the most aggressive, robust research Nation in the world. We are today. No one, no other country, no other university in any other country can match the research that's done in the United States. It is that research that has kept this economy ahead, has kept us moving forward, yet here again we see a departure in how to grow this economy, how to create jobs.

Our budget, our proposal would continue to fund the research programs and, in fact, augment them more than what is currently available in today's appropriations. On the other hand, there are slashes to the research budget.

Today, farmers from my district, today researchers at the University of California at Davis, today the head of the Northern California Resource Conservation District organization came to my office and said, We need your help. We need your help to deal with a very real problem in California. Over the years for a variety of reasons, the aquifers, the underground water tables of California have been contaminated with nitrates, nitrates from the farm, nitrates from fertilizer, dairies and the rest.

There is a requirement, in fact a necessity, to reduce that contamination and, in fact, to eliminate it. However, in order to do so, fundamental research in the way in which plants take up nitrogen needs to be undertaken so that the nitrogen fertilizer that is applied to the fields matches the amount of nitrogen that the plants actually need. And that varies from soil condition to soil condition. Yet, in the budget that's been proposed by our Republican colleagues, there is a \$45 million diminution, reduction in the available research money at the University of California at Davis, critical research needed by farmers so that they don't unnecessarily fertilize their fields, so that they accurately match the needs of their plants to the amount of fertilizer they apply. In so doing, they reduce the contamination that is a serious health problem in many parts of California.

Which path do we go on? Do we invest in energy research critical to this Nation? It was, in fact, past research conducted by the United States Government, the U.S. Geological Survey and the Department of Energy that created the knowledge and the techniques for fracking, which has opened up a vast resource through this Nation, a gas resource, natural gas resources, as well as oil.

Research is fundamental: energy research, agricultural research, research in health care, research in the way in which we conduct our communications system. All of these things are fundamental, yet a choice will be made in the next few days which path we go on.

The fourth point I wanted to make is this: Manufacturing. Manufacturing

matters. Manufacturing is where the middle class is. Manufacturing is where we built the great American middle class, making things, cars, refrigerators and the more advanced things such as high-speed trains and the like. We need to return this Nation to a manufacturing Nation. This is the creation of wealth. Using research, new products, new technologies, new ways in which we can make things, advanced manufacturing technology, we can rebuild the great American manufacturing sector.

We lost 9 million manufacturing jobs in the last 20 to 25 years. America can't afford that. We need tax policies. We need policies that encourage manufacturing in the United States. It was 2½ years ago that we passed legislation that eliminated many of the tax breaks that corporations had to offshore jobs. We need to finish that job. The President said clearly in his State of the Union message we need to provide tax breaks for on-shoring, bringing those jobs back to America, and end the remaining tax breaks that corporations get for off-shoring. In so doing, we build our economy and we help to balance the budget by bringing tax revenues back to this Nation.

□ 2110

Manufacturing matters. Billions of dollars of our tax money are spent every year on goods and services, many of which are not made in America.

Why in the world would we spend our tax dollars on steel that's manufactured in China to build the San Francisco-Oakland Bay Bridge? This is 43 million tons of steel, maybe 3,000 to 6,000 jobs in China, not in the United States—American tax money spent. It goes on and on. We need a strong Make It in America, Buy It in America policy so that our tax money is spent on American-made products and services, not on foreign made. Now, if you want to spend your own money out there, fine—buy whatever you want to buy—but if you're going to spend American taxpayer money, then we should spend that money on American-made equipment.

That is precisely the policy that we are offering here in the United States as we move our infrastructure programs forward and as we move forward with our energy development—our solar and our wind and other advanced energy systems. It is to use our tax money to build American manufacturing, once again, here in our Nation. So manufacturing matters, and we will Make It in America when, once again, it is made in America. It is very fundamental.

So these are the things: education, infrastructure, research, manufacturing, and change. We have to be willing to change in many, many of our policies.

How can we pay for this? Here is one novel idea. We can end those tax

breaks that are given to individuals and to corporations that are no longer necessary.

The oil industry over the last decade earned \$1 trillion in profit. This is the Big Five. It's not all the small ones. It would be much higher if you added the small ones. We are in the midst of an energy boom right now—oil, natural gas. We are producing more energy of natural gas and oil than we have in the last two or three decades. Also, the oil companies are doing pretty well, yet they continue to receive billions of dollars a year—perhaps as much as \$5 billion, \$4 billion for the Big Five in the oil industry—of your tax money to support them as their profits have added up to over \$1 trillion. This is just the Big Five in the last decade.

Why would we do that? Why would we continue to use our tax money to support the oil industry? They get enough at the pump from us. They don't need a tax break. Let's take that tax break, turn it around and put it into tomorrow's energy systems, into supporting the green technologies—the solar, the wind, the conservation programs, the electric car systems, the batteries that will power those systems in the future—as we transition our economy from where we were to where we must be in the future. That's just one example of the tax breaks that are not necessary, and there are numerous other ones.

Why would we give Wall Street hedge fund billionaires an additional tax break where their real income—I mean, not capital gains, but their earned income—is taxed at capital gains rates rather than at an income tax rate? Why would we do that? We should end those kinds of tax breaks that are not necessary for economic growth and shift that money into deficit reduction or into assisting those future industries that we need to have or, perhaps, into research or education.

These are all strategies for the future, and they affect my communities that I represent. The infrastructure programs are crucial to my communities. I represent 200 miles of the Sacramento River. The second-most flood prone part of this Nation, the second-most at-risk cities in this Nation are in my district.

One proposal would reduce the infrastructure money needed to upgrade the levees to provide the protection for human life and property. Another proposal is to invest in infrastructure. One proposal is to cause layoffs and to take out those civil servants who are working in the Army Corps of Engineers and to say, For 20 percent of the time, you're going to be furloughed; you're not going to work. So the Army Corps of Engineers' work necessary to design, to oversee and to push forward the projects that I need in my district in order to protect my citizens will be delayed. It will be delayed through the next storm season.

We pray we won't have a flood, but why should we even have to pray when our proposal on the Democratic side would fully fund those civilians in the Army Corps of Engineers who are necessary to push forward the projects to protect Sacramento, to protect Marysville, to protect Yuba City, and to provide the money—the Federal share of the cost—of rebuilding and upgrading those levees? I'm not the only place in this Nation that is faced with that. We saw recently Superstorm Sandy, and we know the horrible impact that that had on New Jersey, New York, and the surrounding areas. We need to rebuild. We need to put that infrastructure in place because we know there will be additional superstorms in the future.

We are looking at a fundamental policy here, a fundamental question of our values as Americans. Are we going to have an investment strategy that grows the American economy and puts people back to work and protects Americans? Whether they are poor or impoverished, whether they are children or seniors, are we going to put in place policies that meet their basic needs? And for those future seniors, will they have the promise of Medicare? That is a question before the House of Representatives that in the next 3 days will be answered.

I pray and I work with my colleagues to see to it that we have a growth agenda, that we have an agenda of jobs, that we have an agenda to care for those who have little, and that we honor this value:

The test of our progress is not whether we add more to the abundance of those who have much. It is whether we provide enough for those who have too little.

Mr. Speaker, I yield back my remaining time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGEL (at the request of Ms. PELOSI) for today and the balance of the week on account of official business traveling with the President to Israel.

Mr. COLLINS of Georgia (at the request of Mr. CANTOR) for today and March 18 on account of a death in the family.

Mr. HARPER (at the request of Mr. CANTOR) for today on account of a home emergency.

#### ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 20, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

751. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2012, pursuant to 10 U.S.C. 113 note; to the Committee on Armed Services.

752. A letter from the Under Secretary, Department of Defense, transmitting results of a meeting of the Economic Adjustment Committee to consider additional funding sources for the Defense Access Roads program; to the Committee on Armed Services.

753. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General George J. Flynn, United States Marine Corps, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

754. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Ex Parte Cease and Desist and Summary Seizure Orders-Multiple Employer Welfare Arrangements (RIN: 1210-AB48) received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

755. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Filings Required of Multiple Employer Welfare Arrangements and Certain Other Related Entities (RIN: 1210-AB51) received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

756. A letter from the Administrator, Department of Energy, transmitting a report on "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran", pursuant to 22 U.S.C. 68513(a) Public Law 112-81, section 1245(d)(4); to the Committee on Energy and Commerce.

757. A letter from the Secretary, Department of Health and Human Services, transmitting the 2012 Actuarial Report on the Financial Outlook for Medicaid; to the Committee on Energy and Commerce.

758. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky; 110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0700; FRL-9788-6] received March 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

759. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; 110(a)(1) and (2) Infrastructure Requirement for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2012-0237; FRL-9787-6] received March 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

760. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Energy Labeling Rule (RIN: 3084-AB15) received March 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.



761. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List [Docket No.: 121219726-2726-01] (RIN: 0694-AF85) received March 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

762. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report for Fiscal Year 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

763. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the District's Workforce Development Programs"; to the Committee on Oversight and Government Reform.

764. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the Department of Small and Local Business Development's Fiscal Year 2011 Performance Accountability Report"; to the Committee on Oversight and Government Reform.

765. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the annual report for Calendar Year 2011, in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

766. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the annual report for Calendar Year 2012, in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

767. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Residential, Business, and Wind and Solar Resource Leases on Indian Land (RIN: 1076-AE73) received March 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

768. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Courts of Indian Offenses [Docket ID: BIA-2013-0001] (RIN: 1076-AF16) received March 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

769. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Amendment to the Standards of Identity for Distilled Spirits [Docket No.: TTB-2012-0002; T.D. TTB-112; Ref: Notice No. 127] (RIN: 1513-AB33) received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

770. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Work Opportunity Tax Credit Transition Relief [Notice 2013-14] received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

for printing and reference to the proper calendar, as follows:

Mrs. MILLER of Michigan: Committee on House Administration. House Resolution 127. Resolution dismissing the election contest relating to the office of Representative from the Twenty Eighth District of Texas (Rept. 113-22). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CRAWFORD (for himself, Mr. GRIFFIN of Arkansas, Mr. WOMACK, and Mr. COTTON):

H.R. 1244. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi (for himself, Mr. MEEHAN, and Mr. RICHMOND):

H.R. 1245. A bill to amend title 49, United States Code, to require that individuals seeking training in the operation of certain aircraft be checked against the terrorist watchlist to ensure that such individuals are non-threats to aviation; to the Committee on Homeland Security.

By Ms. NORTON:

H.R. 1246. A bill to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office; to the Committee on Oversight and Government Reform.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. GIBSON):

H.R. 1247. A bill to amend the Federal Crop Insurance Act to support crop insurance for specialty crops, and for other purposes; to the Committee on Agriculture.

By Mr. PAULSEN (for himself, Mr. TIBERI, Mr. BOUSTANY, Mr. PITTS, Mr. CHABOT, Mr. DUNCAN of Tennessee, Mr. ROE of Tennessee, Mr. ALEXANDER, Mrs. BLACKBURN, Mr. HARPER, Mr. WESTMORELAND, Mr. ROSS, Mr. LATHAM, Mr. MCKINLEY, Mr. CONAWAY, Mr. JONES, Mr. GIBBS, Mr. NUNNELEE, Mr. WOMACK, Mr. SCHOCK, Mr. SESSIONS, Mr. BROWN of Georgia, Mr. LATTA, Mr. YODER, Mr. BARR, Mr. COLLINS of New York, Mr. BURGESS, Mr. GERLACH, Mr. GRIFFITH of Virginia, Mr. JOHNSON of Ohio, Mr. LONG, Mr. MCCAUL, Mr. STUTZMAN, Mr. LAMBORN, Mr. BUCSHON, and Mr. HARRIS):

H.R. 1248. A bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself, Ms. LORETTA SANCHEZ of California, Mr. CARTER, Mr. BARROW of Georgia, Mrs. ELLMERS, Mr. CUELLAR, Mr. DIAZ-BALART, Mr. ROKITA, Mr. RIBBLE, Mr. HINOJOSA, Mr. ROGERS of Michigan, Mr. WOMACK, Mr. GRIFFITH of Virginia, Mr. HUIZENGA of Michigan, and Mr. WALBERG):

H.R. 1249. A bill to amend section 403 of the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself, Mr. SCHIFF, Mr. HANNA, Mr. HUELSKAMP, Mr. LOEBSACK, Mr. OWENS, Mr. FARR, Mr. POMPEO, Mr. LONG, Mr. KING of Iowa, and Mr. KING of New York):

H.R. 1250. A bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NEGRETE MCLEOD (for herself, Mr. HINOJOSA, Mr. GRIJALVA, Mrs. NAPOLITANO, Ms. WILSON of Florida, Mr. LOWENTHAL, Mr. BEN RAY LUJAN of New Mexico, Mr. VARGAS, and Mr. TAKANO):

H.R. 1251. A bill to authorize the Secretary of Veterans Affairs to make grants with minority serving institutions for the purpose of establishing verified delivery systems to address social and academic problems facing veterans enrolled at such institutions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHIMKUS (for himself and Ms. DEGETTE):

H.R. 1252. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POE of Texas:

H.R. 1253. A bill to prohibit foreign assistance to Pakistan until the tuition assistance program of the Department of Defense is fully funded; to the Committee on Foreign Affairs.

By Mr. HUDSON (for himself and Mr. PITTENGER):

H.R. 1254. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits plan; to the Committee on Education and the Workforce.

By Mr. GARY G. MILLER of California (for himself and Mrs. MCCARTHY of New York):

H.R. 1255. A bill to enable Federal and State chartered banks and thrifts to meet the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. CONAWAY, Mr. CARNEY, and Mr. DAVID SCOTT of Georgia):

H.R. 1256. A bill to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

By Ms. DEGETTE (for herself and Mr. WHITFIELD):

H.R. 1257. A bill to amend title XVIII of the Social Security Act to reduce the occurrence of diabetes in Medicare beneficiaries by extending coverage under Medicare for medical nutrition therapy services to such beneficiaries with pre-diabetes or with risk factors for developing type 2 diabetes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. BORDALLO, Mr. ELLISON, Ms. LEE of California, Mr. SIREN, Mr. VARGAS, Mr. HASTINGS of Florida, Mr. LOWENTHAL, and Mr. SABLON):

H.R. 1258. A bill to strengthen communities through English literacy and civics education for new Americans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LARSON of Connecticut (for himself, Mr. COURTNEY, Ms. DELAUNO, Mr. HIMES, and Ms. ESTY):

H.R. 1259. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Natural Resources.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1260. A bill to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. WATERS, Mr. DINGELL, Mrs. LOWEY, Mr. CAPUANO, Mr. ELLISON, Ms. MOORE, Mr. SHERMAN, Ms. SEWELL of Alabama, Mr. CLAY, Mr. CLEAVER, Mr. FOSTER, Ms. NORTON, Ms. SCHAKOWSKY, Mr. RUSH, Ms. TSONGAS, Mr. TONKO, Mr. VAN HOLLEN, Mr. CONYERS, Mr. RANGEL, Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. SERRANO, Mr. BLUMENAUER, Mr. NADLER, Mr. HONDA, Ms. ESHOO, Mr. CICILLINE, Mr. MCGOVERN, Mr. BISHOP of New York, Mr. HOLT, Mr. MORAN, Mr. COHEN, Ms. CHU, Ms. MATSUI, Mr. LANGEVIN, Ms. LORETTA SANCHEZ of California, Mr. VEASEY, Ms. JACKSON LEE, Ms. BASS, Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. RYAN of Ohio):

H.R. 1261. A bill to amend the Truth in Lending Act to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY:

H.R. 1262. A bill to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI (for herself, Mr. LANCE, Mr. WAXMAN, Mr. ENGEL, Ms. DEGETTE, and Ms. JENKINS):

H.R. 1263. A bill to increase access to community behavioral health services for all

Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 1264. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 75 percent; to the Committee on Energy and Commerce.

By Mr. O'ROURKE (for himself, Mr. WILSON of South Carolina, and Mr. GIBSON):

H.R. 1265. A bill to require the continuation of tuition assistance programs for members of the Armed Forces for the remainder of fiscal year 2013; to the Committee on Armed Services.

By Mr. OWENS:

H.R. 1266. A bill to amend title 40, United States Code, concerning the calculation of transactions for the lease of land ports of entry and international bridges, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO:

H.R. 1267. A bill to delay and phase-in increases in flood insurance premium rates under the national flood insurance program for certain properties, and for other purposes; to the Committee on Financial Services.

By Mr. PALAZZO:

H.R. 1268. A bill to amend the Internal Revenue Code of 1986 to provide a credit for qualified flood mitigation expenses incurred with respect to certain residences for which the chargeable premium rate under the national flood insurance program is increasing and to provide increased funding for mitigation programs; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADEL (for himself, Mr. AMASH, and Mr. MASSIE):

H.R. 1269. A bill to prohibit the use of lethal military force against citizens of the United States located within the United States; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROBY (for herself, Mrs. ELLMERS, Mr. GIBBS, Mr. GARDNER, Mr. BROOKS of Alabama, Mr. KINZINGER of Illinois, and Mr. GRIFFIN of Arkansas):

H.R. 1270. A bill to provide for greater transparency and honesty in the Federal budget process; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO:

H.R. 1271. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax as an incentive to part-

ner with educational institutions to provide skills training for students; to the Committee on Ways and Means.

By Mr. WELCH (for himself, Mr. COURTNEY, and Mr. OWENS):

H.R. 1272. A bill to support State and tribal government efforts to promote research and education related to maple syrup production, natural resource sustainability in the maple syrup industry, market promotion of maple products, and greater access to lands containing maple trees for maple-sugaring activities, and for other purposes; to the Committee on Agriculture.

By Mr. WELCH (for himself and Mr. WALZ):

H.R. 1273. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize and improve the Rural Energy for America Program; to the Committee on Agriculture.

By Mr. WHITFIELD (for himself and Ms. DEGETTE):

H.R. 1274. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. BECERRA, Mr. VALADAO, Mr. TURNER, Mr. JONES, Mr. GRIMM, Mr. CÁRDENAS, Mr. VARGAS, Mr. PETERS of California, Mrs. NAPOLITANO, Mr. COOK, Mr. KINZINGER of Illinois, Mr. GALLEGOS, Mr. GRIJALVA, Mr. MILLER of Florida, Mr. CALVERT, Mr. GUTHRIE, Mr. WILSON of South Carolina, Mr. DIAZ-BALART, Mr. MURPHY of Pennsylvania, Mr. LAMALFA, Mr. SOUTHERLAND, Mr. DENHAM, Mr. AMODEI, Mr. ISSA, Mrs. ROBY, Mr. RUNYAN, and Mrs. DAVIS of California):

H. Con. Res. 26. Concurrent resolution recommending the posthumous award of the Medal of Honor to Sergeant Rafael Peralta; to the Committee on Armed Services.

By Mr. MORAN (for himself, Mr. DUNCAN of Tennessee, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mr. WOLF, Mr. CONNOLLY, Ms. NORTON, Mr. SCOTT of Virginia, Mr. CICILLINE, Mr. WALZ, Mr. BISHOP of New York, Mr. COLE, and Mr. GERLACH):

H. Con. Res. 27. Concurrent resolution supporting the formation of a bipartisan Presidential Commission to study the establishment of a National Museum of the American People; to the Committee on Natural Resources.

By Mr. HUNTER (for himself, Mr. TURNER, Mr. FRANKS of Arizona, Mr. KINZINGER of Illinois, Mr. PETERS of California, Ms. DUCKWORTH, Mr. GRIMM, Mr. AUSTIN SCOTT of Georgia, Mr. GIBSON, Mrs. HARTZLER, Mr. MURPHY of Pennsylvania, Mr. CONAWAY, Mr. COFFMAN, Mr. GALLEGOS, Mr. WITTMAN, and Mr. STIVERS):

H. Res. 128. A resolution honoring the service and sacrifice of members of the United States Armed Forces on the occasion of the 10th anniversary of the start of Operation Iraqi Freedom and Operation New Dawn; to the Committee on Armed Services.



By Mr. LONG:

H. Res. 129. A resolution expressing the sense of the House of Representatives that the Congress should not pass any legislation that would tax or confiscate personal savings accounts, including retirement accounts such as Individual Retirement Accounts (IRAs) and 401k plans, certificates of deposit (CDs), or other personal savings to provide financial relief for private businesses; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CRAWFORD:

H.R. 1244.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. THOMPSON of Mississippi:

H.R. 1245.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. NORTON:

H.R. 1246.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1247.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. PAULSEN:

H.R. 1248.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. McMORRIS RODGERS:

H.R. 1249.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. GRAVES of Missouri:

H.R. 1250.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (General Welfare) and Clause 3 (Commerce)

'Congress shall have the power to . . . provide for the . . . general welfare'

'Congress shall have the power . . . to regulate Commerce'

The Medicare Audit Improvement Act makes several changes to the way hospital audits are conducted which involves at least three parties: a hospital, a private Medicare

contractor who conducts audits and the Center for Medicare and Medicaid Services. During the auditing process, transactions take place between these parties which is what constitutes this bill as regulating commerce. Further, Medicare is considered to be constitutional as part of providing for the general welfare and therefore any changes to Medicare would fall under this provision as well.

By Mrs. NEGRETE MCLEOD:

H.R. 1251.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article 1, Section 8, Clause 14 of the United States Constitution.

By Mr. SHIMKUS:

H.R. 1252.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POE of Texas:

H.R. 1253.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 9, Clause 7

By Mr. HUDSON:

H.R. 1254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution.

By Mr. GARY G. MILLER of California:

H.R. 1255.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. GARRETT:

H.R. 1256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Ms. DEGETTE:

H.R. 1257.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

By Mr. HONDA:

H.R. 1258.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. LARSON of Connecticut:

H.R. 1259.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1260.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 the Commerce Clause

By Mr. MARKEY:

H.R. 1262.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Ms. MATSUI:

H.R. 1263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. NORTON:

H.R. 1264.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 18 of section 8 of article I of the Constitution.

By Mr. O'ROURKE:

H.R. 1265.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this legislation is Article I, Section 9, Clause 7 and Article I, Section 8, Clause 12.

By Mr. OWENS:

H.R. 1266.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PALAZZO:

H.R. 1267.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause of Article I, Section 8.

By Mr. PALAZZO:

H.R. 1268.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause of Article I, Section 8.

By Mr. RADEL:

H.R. 1269.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to the following provisions of the United States Constitution:

Article 1, Section 8, Clause 11; Article 1, Section 8, Clause 14; Article 1, Section 8, Clause 18;

By Mrs. ROBY:

H.R. 1270.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress in regards to appropriations, as enumerated in Article I, Section 7, Clause 1, Article I, Section 8, Clause 1, and Article I, Section 9 of the United States Constitution.

Article I, Section 7, Clause 1 (Bills of Revenue):

"All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills."

Article I, Section 8 (Enumerated Powers of Congress):

"The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 9 (Limits on Congress):

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. TAKANO:

H.R. 1271.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. WELCH:

H.R. 1272.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 1273.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. WHITFIELD:

H.R. 1274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

AND

Article 1, Section 8, Clause 3

The Congress shall have the Power \* \* \* to regulate Commerce with foreign Nations, among the several States, and with the Indian tribes.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BRIDENSTINE.  
H.R. 61: Mr. LANKFORD.  
H.R. 104: Mr. ISRAEL.  
H.R. 118: Mr. PRICE of North Carolina.  
H.R. 147: Mr. POE of Texas, Mr. LATHAM, and Mr. GOODLATTE.  
H.R. 175: Mr. RENACCI and Mr. POSEY.  
H.R. 176: Mr. JORDAN.  
H.R. 183: Ms. MCCOLLUM.

H.R. 258: Mr. KILMER, Mr. MARINO, and Mrs. BROOKS of Indiana.

H.R. 292: Mr. DEUTCH and Mr. CARSON of Indiana.

H.R. 311: Mr. LATHAM.

H.R. 321: Mr. PASCRELL and Mr. CÁRDENAS.

H.R. 324: Mr. BILIRAKIS, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BRIDENSTINE, Mr. BURGESS, Mr. CHABOT, Mr. CHAFFETZ, Mr. COBLE, Mr. COOK, Mr. COTTON, Mr. DENT, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FLORES, Mr. FRELINGHUYSEN, Mr. GARRETT, Ms. GRANGER, Mr. HALL, Mr. HULTGREN, Mr. HURT, Mr. JORDAN, Mr. LANKFORD, Mr. MCCARTHY of California, Mr. MCCAUL, Mr. MCHENRY, Mr. MICA, Mr. PITTS, Mr. PRICE of Georgia, Mr. RADEL, Mr. RENACCI, Mr. ROE of Tennessee, Mr. ROKITA, Mr. ROSKAM, Mr. STIVERS, Mr. TERRY, Mrs. WAGNER, Mr. WILLIAMS, Mr. WOMACK, Mr. YODER, Mr. YOUNG of Alaska, Mr. BARTON, Mrs. CAPITO, Mr. DESANTIS, Mr. FINCHER, Mr. GIBBS, Mr. GRIMM, Mr. SAM JOHNSON of Texas, Mr. KELLY, Mr. LONG, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MULLIN, Mr. PALAZZO, Mr. ROHRBACHER, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SHUSTER, Mr. UPTON, and Mr. YOUNG of Florida.

H.R. 335: Mr. LIPINSKI and Mr. FARR.

H.R. 346: Mr. MESSER, Mr. RAHALL, Mr. BRIDENSTINE, Mr. FORBES, and Mr. POE of Texas.

H.R. 357: Mr. TAKANO, Mr. JOHNSON of Ohio, and Mr. COURTNEY.

H.R. 360: Mr. WILSON of South Carolina, Mr. HARPER, Mrs. ELLMERS, Mr. ROE of Tennessee, Mr. COLLINS of Georgia, and Mrs. BLACKBURN.

H.R. 375: Mr. FATTAH.

H.R. 385: Ms. SEWELL of Alabama.

H.R. 392: Mr. LYNCH and Mr. HUFFMAN.

H.R. 401: Mr. JOHNSON of Ohio.

H.R. 449: Mr. MASSIE.

H.R. 452: Mr. LEVIN, Ms. EDWARDS, Mr. TIERNEY, Ms. WILSON of Florida, Mr. QUIGLEY, Ms. CLARKE, Mr. MICHAUD, Mr. THOMPSON of California, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. CONNOLLY, and Mr. HASTINGS of Florida.

H.R. 460: Ms. SLAUGHTER and Mr. ISRAEL.

H.R. 474: Mr. LARSON of Connecticut and Mr. PRICE of North Carolina.

H.R. 483: Mr. GOODLATTE.

H.R. 493: Mr. RAHALL, Mr. FORBES, and Mr. BRIDENSTINE.

H.R. 503: Mr. MILLER of Florida.

H.R. 507: Mr. SALMON.

H.R. 523: Ms. GRANGER and Mr. LANKFORD.

H.R. 525: Mr. STOCKMAN.

H.R. 527: Mr. DUNCAN of South Carolina.

H.R. 540: Mr. HUFFMAN.

H.R. 543: Mr. PETERS of California and Mr. KING of Iowa.

H.R. 567: Mrs. HARTZLER.

H.R. 569: Mr. BARBER.

H.R. 570: Mr. BARBER.

H.R. 574: Mr. MCINTYRE.

H.R. 578: Mrs. BROOKS of Indiana.

H.R. 580: Mr. ROTHFUS, Mr. OLSON, and Mr. MARINO.

H.R. 582: Mr. MCHENRY, Mr. ROGERS of Alabama, Mr. YOUNG of Florida, and Mr. POE of Texas.

H.R. 594: Mr. RIGELL, Mr. YOUNG of Alaska, Ms. MCCOLLUM, and Mr. RENACCI.

H.R. 627: Ms. CHU, Mr. RYAN of Ohio, Mrs. BEATTY, Mr. CARTWRIGHT, Mr. GRAYSON, Mr. OWENS, Mr. KILDEE, Mr. DEFazio, Ms. MENG, Mr. SCHIFF, Mr. HOLT, Mr. HANNA, Mr. LOEBACK, Ms. TSONGAS, Ms. EDWARDS, Mrs. CHRISTENSEN, Ms. MATSUI, Mr. CLAY, Mrs. NEGRETE MCLEOD, Ms. SCHAKOWSKY, Mrs. MCCARTHY of New York, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 630: Mr. NADLER, Mr. FATTAH, and Mr. MCINTYRE.

H.R. 631: Mr. MICHAUD.

H.R. 634: Mr. DAVID SCOTT of Georgia.

H.R. 637: Mr. POLIS.

H.R. 647: Mr. MESSER, Mr. WENSTRUP, Mr. CARNEY, Mr. MCCAUL, Mr. PEARCE, Mr. GALLEGO, and Mr. CÁRDENAS.

H.R. 649: Mr. LOWENTHAL and Mr. HUFFMAN.

H.R. 659: Mr. REED.

H.R. 664: Mr. REED.

H.R. 666: Mr. CÁRDENAS.

H.R. 683: Mr. BARBER.

H.R. 685: Mr. CULBERSON and Mr. FARENTHOLD.

H.R. 688: Mr. PETRI, Ms. MENG, Ms. HERERA BEUTLER, Mr. GRAYSON, and Mr. CARSON of Indiana.

H.R. 693: Mr. STEWART and Mr. DESJARLAIS.

H.R. 714: Mr. MURPHY of Florida.

H.R. 721: Mrs. MILLER of Michigan, Mr. COURTNEY, Mr. MCCAUL, Mr. BROWN of Georgia, and Mrs. ROBY.

H.R. 724: Mr. KENNEDY, Mr. MAFFEI, Mr. LOEBACK, Mr. CLAY, and Mr. LEVIN.

H.R. 736: Mr. HOLT.

H.R. 742: Mr. MURPHY of Florida.

H.R. 755: Mr. PETRI and Mr. HULTGREN.

H.R. 761: Mr. BUCSHON, Mr. DUNCAN of South Carolina, and Mr. NUNNELEE.

H.R. 763: Mr. CONAWAY, Mr. YOUNG of Florida, Mr. PITTINGER, and Mr. LANKFORD.

H.R. 766: Mr. DELANEY.

H.R. 772: Mr. COBLE, Mr. CONYERS, Mr. CONNOLLY, and Mr. POE of Texas.

H.R. 783: Mr. FARR and Mr. WELCH.

H.R. 800: Mr. LATHAM and Mr. MCHENRY.

H.R. 811: Mr. SIRE.

H.R. 813: Mr. O'ROURKE, Mr. LYNCH, and Mrs. KIRKPATRICK.

H.R. 818: Mr. STEWART.

H.R. 824: Mr. LABRADOR.

H.R. 833: Mr. MARCHANT, Mr. HONDA, and Mr. ANDREWS.

H.R. 836: Ms. LINDA T. SÁNCHEZ of California.

H.R. 850: Mrs. CAROLYN B. MALONEY of New York, Mr. CROWLEY, Ms. LORETTA SANCHEZ of California, Mr. JEFFRIES, Mr. HUNTER, Ms. DUCKWORTH, Mr. GRAVES of Missouri, and Mr. WOODALL.

H.R. 896: Mr. PAYNE.

H.R. 900: Mr. COHEN and Mr. HOLT.

H.R. 903: Mr. POE of Texas.

H.R. 918: Ms. WILSON of Florida and Mr. POCAN.

H.R. 920: Mr. BARBER.

H.R. 924: Mr. HOLT.

H.R. 927: Mr. PEARCE.

H.R. 940: Mrs. ROBY, Mr. PITTINGER, and Mr. CRENSHAW.

H.R. 955: Mr. LOWENTHAL and Mr. VARGAS.

H.R. 958: Mr. KILMER and Mr. POLIS.

H.R. 961: Mr. NADLER, Mr. GRIMM, Mr. PAYNE, and Mr. JOYCE.

H.R. 963: Ms. LEE of California.

H.R. 968: Mr. MCNERNEY.

H.R. 974: Mr. DEFazio.

H.R. 986: Mr. FORTENBERRY.

H.R. 990: Mr. TIERNEY.

H.R. 992: Mr. DAVID SCOTT of Georgia, Mr. CONAWAY, and Mr. GARRETT.

H.R. 999: Mr. POE of Texas.

H.R. 1003: Mr. RIBBLE.

H.R. 1005: Mr. BROWN of Georgia.

H.R. 1015: Ms. BONAMICI and Mr. COURTNEY.

H.R. 1020: Mr. RICHMOND, Mr. MORAN, and Mr. LUETKEMEYER.

H.R. 1024: Mr. LANGEVIN, Mr. MATHESON, Mr. SCHRADER, and Ms. SCHWARTZ.

H.R. 1026: Mr. PEARCE, Mr. LATTA, and Mr. CRAWFORD.

- H.R. 1033: Ms. GRANGER.  
H.R. 1038: Mr. MCNERNEY, Mr. AUSTIN SCOTT of Georgia, Mr. BENISHEK, Mr. HONDA, and Mr. HASTINGS of Washington.  
H.R. 1039: Mr. CRAWFORD and Mr. GRAVES of Missouri.  
H.R. 1040: Mr. MILLER of Florida.  
H.R. 1063: Mr. COLE, Mr. DIAZ-BALART, Mr. CRAMER, Mr. COFFMAN, and Mr. AMODEI.  
H.R. 1072: Mr. MEADOWS, Mrs. HARTZLER, and Mr. PEARCE.  
H.R. 1093: Ms. JACKSON LEE, Ms. SHEA-POR-TER, Mr. MCGOVERN, Mr. BRADY of Pennsylv-ania, Mr. COHEN, Ms. MENG, Ms. HAHN, Mr. DEUTCH, Ms. SCHAKOWSKY, Ms. SINEMA, and Mr. POCAN.  
H.R. 1094: Mr. COURTNEY, Mr. CÁRDENAS, Mr. COHEN, Mr. QUIGLEY, Mr. PETERS of Cali-fornia, Mr. TIERNEY, Mr. CONNOLLY, and Mr. CARTWRIGHT.  
H.R. 1096: Mr. RANGEL.  
H.R. 1097: Mr. MEADOWS and Mr. POE of Texas.  
H.R. 1102: Ms. KUSTER, Ms. CHU, Mr. BERA of California, and Ms. FRANKEL of Florida.  
H.R. 1108: Mr. VARGAS.  
H.R. 1123: Ms. LOFGREN, Mr. JOHNSON of Georgia, and Mr. JEFFRIES.  
H.R. 1130: Mr. SCHOCK, Mr. FINCHER, Mr. PRICE of Georgia, Mr. HARRIS, Mr. TIBERI, Mr. BILIRAKIS, Mr. AL GREEN of Texas, Mr. SWALWELL of California, and Mr. FORBES.  
H.R. 1138: Mr. QUIGLEY.  
H.R. 1144: Mr. GENE GREEN of Texas.  
H.R. 1146: Ms. MOORE.  
H.R. 1179: Mr. GRIJALVA, Mr. LARSON of Connecticut, Ms. SCHAKOWSKY, Mr. CICILLINE, Ms. DELAURO, Mr. NOLAN, Mr. LANGEVIN, Ms. NORTON, and Mr. LOEBSSACK.  
H.R. 1201: Ms. SPEIER, Mrs. KIRKPATRICK, Mr. POLIS, and Mr. ENYART.  
H.R. 1204: Mr. PAYNE and Mr. GRIMM.  
H.R. 1209: Mr. RYAN of Ohio, Mr. DEFazio, Mr. CHABOT, Mr. HALL, Mr. STOCKMAN, Mr. MILLER of Florida, Mr. REED, Mr. CUMMINGS, and Mr. BRADY of Pennsylvania.  
H.R. 1220: Mr. CARTER.  
H.R. 1223: Mr. JONES.  
H.R. 1242: Mr. BENISHEK and Mr. RODNEY DAVIS of Illinois.  
H.J. Res. 20: Ms. NORTON.  
H.J. Res. 21: Mr. COOPER and Ms. NORTON.  
H. Con. Res. 23: Mr. ROKITA and Mrs. WALORSKI.  
H. Res. 10: Mr. JEFFRIES.  
H. Res. 30: Mr. FATTAH, Mr. NEAL, and Mr. TAKANO.  
H. Res. 31: Mr. RUSH.  
H. Res. 36: Mr. KINGSTON and Mr. DESANTIS.  
H. Res. 51: Mr. CONNOLLY.  
H. Res. 71: Mrs. CAROLYN B. MALONEY of New York.  
H. Res. 76: Mr. STIVERS.  
H. Res. 90: Mr. FARR, Ms. MATSUI, Ms. SEWELL of Alabama, Mr. BRADY of Pennsylv-ania, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, and Mr. LEWIS.  
H. Res. 100: Mr. CONNOLLY and Mr. RANGEL.  
H. Res. 104: Ms. BORDALLO.  
H. Res. 126: Mr. LANCE.

## EXTENSIONS OF REMARKS

## TRIBUTE TO MAX REED

## HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Iowan Max Reed of Bellevue for being selected as a Star of Life by the Iowa Emergency Medical Services (EMS) Association.

Ahead of National EMS Week in May, the American Ambulance Association has recently recognized our nation's best emergency responders, who embody the example of honorable and professional service in their communities. Stars of Life, like Max, are selected by their paramedic, emergency medical technician (EMT), and ambulance service personnel peers to represent them in Washington, D.C. as they meet with Members of Congress.

A founder of the Bellevue Ambulance Service in 1972, Max is the only "founding father" of the 46 volunteer member service still actively responding to the community's calls. Mr. Reed has completed every level of EMT in our great state and has truly seen it all. From consoling grieving friends and families of accident victims to comforting new parents as their babies are brought into this world, there is no doubt Max's work has led him to become one of his community's greatest advocates. A CPR instructor since 1973, Mr. Reed assists his community with CPR instruction and education, as well as several other events related to his work, including EMS Education Days and Operation Prom, just to name a couple. Max's selfless efforts have helped grow the Bellevue Ambulance Service's location from a small section in the local fire department to a new independent building that he helped design. Of course, Max would say he could have never attained this level of success if not for the love and support of his wife, Mary.

Mr. Speaker, for over 41 years Mr. Reed has unselfishly given his time and talents to ensure his community is well cared for. Max's co-workers count him as a mentor, an advisor and a great friend, and I find it no surprise they have entrusted him with the distinction of representing them and their shared passion this week in Washington, D.C. as a Star of Life. Max's leadership is a testament to the hard working people of Iowa, and I invite my colleagues in the House to join me in congratulating him on a remarkable career, thanking him for his decades of service, and wishing him continued success in the years ahead.

## IN MEMORIAM OF RITA VOGLER

## HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. COOK. Mr. Speaker, I rise today to honor the memory of one of my constituents, Rita Vogler, who passed away last week from lung cancer. A valued member of the Hesperia, California community, Rita formerly served as mayor and a city councilwoman. She also furthered the interests of the City of Hesperia as an active member of the Hesperia Kiwanis Club and the National Federation of Republican Women.

Rita is just one of 1,660,290 people expected to be diagnosed with cancer this year, according to the American Cancer Society's statistics. Approximately 580,350 Americans will die of cancer this year, or 1,600 people per day. In my home state of California alone, 57,290 people are expected to die from cancer in 2013.

I hope Rita's death will remind my colleagues of the importance of our continued pursuit of a cure for this terrible disease. At the signing of the National Cancer Act of 1971, President Nixon declared war on cancer. In that year, 215,000 Americans died from cancer. Yet the number of deaths each year has more than doubled to reach the 2013 prediction, and even when adjusted for population inflation, incidence and death rates have not shown the evidence of the nation's efforts to eradicate the disease. More Americans continue to die, leaving family and friends behind to mourn their losses. In Rita's case, her death came barely two weeks after her diagnosis with lung cancer. However, I am encouraged by the progress made by researchers every year and hope that we continue to see strides forward.

Rita's friends describe her as kind and sincere, a mentor and inspiration to many, devoted to serving her community. She is survived by her husband Al and children Rocky and Allise.

## NATIONAL EYE DONOR MONTH

## HON. ALAN NUNNELEE

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. NUNNELEE. Mr. Speaker, over 1,000,000 people have had their sight restored since the Eye Bank Association of America was created in 1961. Since 1983, each March has been designated as National Eye Donor Month. As a recipient of two corneal transplants, I am honored to participate this year.

In high school I was diagnosed with keratoconus, a degenerative disease of the

cornea. From then and through much of my college life, I lived with the belief that I would one day lose my eyesight. As a junior in college, I was told I was potentially a good candidate for cornea replacement surgery. On April 25, 1980, I had my first surgery and the results were almost instantaneous. Two years later, I had another, equally successful transplant procedure on my other eye. I live every day with the knowledge that not only was my vision saved, it took tremendous strength and compassion on the part of two families to make it possible.

With corneas, the doctors are not concerned with matching by blood type, but they need to match by age. The reason is simple: the cornea does not need to wear out before the recipient does. So two families who lost a son, daughter, husband, or wife in their teens-to-mid-twenties made a decision under the worst of circumstances, and donated their loved ones' corneas so that a stranger might see.

I encourage all Americans to register to become eye donors and inform your families of your wishes.

I urge my colleagues to work with their local eye banks and the EBAA to promote eye donation and its life enhancing effects on corneal recipients.

During this month, let us remember the donors and their families who have forever changed so many lives, including my own, for the better.

## ANASTASIA LAWRENCE

## HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anastasia Lawrence for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Anastasia Lawrence is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Anastasia Lawrence is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Anastasia Lawrence for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

9TH GRADER SOPHIE BOUCHER OF  
NAUGATUCK, CONNECTICUT

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. DELAURO. Mr. Speaker, I rise today to share with you and all of my colleagues a letter I recently received from Sophie Boucher, a tenth grade student at Naugatuck High School in the Borough of Naugatuck, Connecticut. She writes:

"I think everyone in this state, country, continent, and world can agree that the events that unfolded in Newtown were tragic. Our hearts go out to the kids and teachers who lost their lives in Sandy Hook and also to their parents. We can do something to prevent this from happening again, though. I feel that one of the first issues we should address to restrain this from occurring again is gun control."

"We have all heard the saying, 'Guns don't kill people. People kill people.' That may be true, but guns make it a whole heck of a lot easier. On the same day that Sandy Hook faced tragedy, 22 children in China were stabbed. Not one child was killed. If that man who stabbed these children had a gun, chances are the children would have been killed. We cannot just let anyone get their hands on guns, especially assault weapons. There should be stricter laws on who can obtain guns and who cannot."

"I feel that one of the ways to go about the stricter laws is by looking at a person's medical history before they obtain a gun. Furthermore, not only the medical history of the person wanting to own the gun should be looked at, but also the medical history of the people living in the house with them. If a mother has a gun in the house, a child, whether the child has mental health issues or not, could easily get their hands on it. We saw this example hold true with Adam Lanza. Though Adam Lanza's mental history was not known, it would have been a smart idea to keep all weapons of any kind away from him. By not having any kind of weapon around a person with a mental health issue, we will be able to decrease shootings of any kind. Therefore, the medical history of the person obtaining the gun and the people living with them should be looked at."

"Sincerely, Sophie Boucher, 9th Grader"

Like my colleagues, I always appreciate hearing from my constituents. I share this particular correspondence because it should serve us all as a reminder that there are many ways in which the Congress can act to address the issues surrounding gun violence—the point is we need to act.

HONORING TIMOTHY BOWMAN

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of a young constituent, Timothy Curtis Bowman of Osgood, Indiana.

Curtis attended South Ripley High School and actively participated in the county FFA. He won numerous forestry awards at the state

level, enjoyed deer hunting, and worked with his father in their tree trimming business.

We mourn a life that ended too soon and pray for understanding and comfort for family members and those in our community who knew and loved Curtis. While in times of turmoil we struggle to understand the unexplainable, may we find peace and joy in our religious faith and the memories of time shared with those we love.

Curtis will be forever remembered as a friend of his community. I ask the citizens of the 6th Congressional District to join me in keeping his parents, Tim and Pat Pennington Bowman, siblings, Keith, Michael, Tiffany, and Krista, and the entire extended Bowman family in our thoughts and prayers.

ANGELICA MOLINA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Angelica Molina for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Angelica Molina is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Angelica Molina is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Angelica Molina for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SUPPORT OF THE FLIGHT SCHOOL  
SECURITY ACT OF 2013

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in strong support of the "Flight School Security Act of 2013."

This bipartisan legislation closes a known aviation security gap by requiring individuals seeking flight training on aircraft with a maximum certified takeoff weight of more than 12,500 pounds to be checked against the terrorist watchlist prior to receiving flight training.

I am proud to have the Ranking Member of the Committee on Homeland Security's Subcommittee on Transportation Security, CEDRIC RICHMOND, and the Chairman of the Committee's Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, PATRICK MEEHAN, as original cosponsors of this important legislation.

Under current law, a flight instructor, pilot school, or aviation training center are only re-

quired to check aliens—non-United States citizens—against the terrorist watchlist and receive a determination from the Transportation Security Administration (TSA) as to whether that individual presents a risk to aviation or national security prior to providing flight training.

U.S. citizens who seek the same training do not undergo these simple checks.

As a matter of practice, daily checks against the terrorist watchlist are only undertaken for aliens and individuals who hold valid airman's certifications issued by the Federal Aviation Administration; TSA does not check the names of those seeking or undertaking flight training against the watchlist until after they have already been trained on how to fly a plane and are applying for a certificate to take their first solo flight.

The "Flight School Security Act of 2013" closes this security gap by requiring that any individual seeking training in the operation of any aircraft having a maximum certified takeoff weight of more than 12,500 pounds, including a United States citizen, be checked against the terrorist watchlist to ascertain if the individual may pose a threat to aviation or national security and receive a determination from the Assistant Secretary that the individual does not pose a threat that warrants denial of access to such training.

The "Flight School Security Act of 2013" would subject individuals seeking flight school training to the same terrorist watchlist check that anyone taking a flight domestically undergoes.

It does not compel United States citizens to provide the exhaustive list of personally identifiable information, including fingerprints, which are required to be provided by an alien seeking flight training.

Mr. Speaker, the "Flight School Security Act of 2013" is a common sense, bipartisan bill, crafted in consultation with both TSA and stakeholders.

The bill is the product of the oversight work of the Committee on Homeland Security and represents a common sense solution to a glaring security gap.

Just last week, in an appearance before the Committee on Homeland Security's Subcommittee on Transportation Security, the TSA Administrator, John S. Pistole, stated that this security gap is an issue that has to be addressed, that Congressional action would be welcome, and that checking those seeking flight training against the terrorist watchlist prior to them commencing flight training would be the best security.

I urge my colleagues to support the "Flight School Security Act of 2013" so that we can be secure in the knowledge that no person who poses a security threat that is significant enough to be blocked from boarding an aircraft is allowed to learn to fly one.

HONORING BRONZE STAR MEDAL  
RECIPIENT SPECIALIST BERNARD L. RUSTAD

**HON. STEVE DAINES**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. DAINES. Mr. Speaker, I rise today to recognize and honor Specialist Bernard L. Rustad, who will be awarded with the Bronze Star Medal on April 5, 2013, for his bravery and selflessness while serving in Vietnam.

Specialist Rustad served with the 1st Infantry Brigade, 5th Infantry Division during Combat Operation Lam Son 719. On April 6, 1971, Specialist Rustad's unit was providing security for the last withdrawing units from the Khe Sahn airstrip area, in the midst of heavy enemy fire. During this time, Specialist Rustad noticed that soldiers from the neighboring unit had been wounded and left unattended. With complete disregard for his own safety, Specialist Rustad ran to their assistance and saved the lives of these young men.

Specialist Rustad's actions demonstrated true bravery—and also stand as an example to all of us as what true selflessness looks like.

It is an honor to present Specialist Bernard L. Rustad with the Bronze Star Medal, and I thank him for his service and sacrifice.

**ARACELI MEDEL**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Araceli Medel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Araceli Medel is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Araceli Medel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Araceli Medel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING MN STATE COMMANDER OF THE DISABLED AMERICAN VETERANS, ROBERT J. ERICKSON

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to Robert J. Erickson, upon the

completion of his term as the State Commander of the Disabled American Veterans, Department of Minnesota (DAV MN). Commander Erickson has been committed to fulfilling the primary mission of DAV MN and honoring the promises our nation made to the brave men and women who have served America in uniform. I am honored to call him a personal friend.

From the broadest vision to the smallest detail serving disabled veterans, Commander Erickson has been intimately involved in the various ways the DAV MN accomplishes its mission. He has visited all 31 state chapters, from Rochester, to Fergus Falls, to Hibbing, Minnesota, and witnessed firsthand how veterans are served—and how many veterans still serve through volunteering. Under his direction, DAV MN has several unique programs to serve specific needs of Minnesota's disabled veterans. Minnesotans love the outdoors, and DAV MN organizes hunting and fishing trips to allow all veterans to continue to access these wonderful opportunities. Commander Erickson speaks proudly about the joy he sees in the hundreds of volunteers and veterans who participate in these outings.

Under Commander Erickson's leadership, DAV Magazine recently highlighted the DAV MN Donor Connection program, which has provided approximately \$400,000 in donated equipment for disabled veterans. Another source of pride is the partnership with the Minnesota Twins: the MN Twins/DAVMN Winter Warm Up Coat Drive that collects new and gently used coats for disabled veterans and their families. None of these commendable efforts would be possible without Commander Erickson and his tireless team.

Commander Erickson has left a lasting mark through his leadership role on the board of the DAV MN Foundation, the charitable arm of the organization which supports projects by chapters, units, and partner organizations throughout the state. The DAV MN Foundation provides clothing and emergency assistance to homeless veterans, assists in funding the five state veterans homes, provides funds for various camps and lakeside retreats that allow veterans safe and accessible places to enjoy the outdoors, and assists with other equipment and needs for veterans living in our MN Veterans Homes. The DAV Transportation Network also serves a critical link, providing veterans with free transportation to and from VA medical facilities. Commander Erickson has helped to lead these critical programs and more as part of repaying the debt owed to our disabled veterans.

Mr. Speaker, in honor of Robert Erickson's service as Commander of DAV MN, I am pleased to submit this statement recognizing the achievements of this dedicated servant to our disabled veterans and this nation.

CONGRATULATING WAYNE SAWTELLE

**HON. BRUCE L. BRALEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Wayne Sawtelle on his

retirement from the Marshalltown Fire Department. Wayne has served his community honorably for almost two decades as a Lieutenant with the Fire Department.

Lieutenant Sawtelle has dedicated his life to the protection and safety of his fellow community members. His first day on the job in 1994 found him putting out a fire at the Sutherland Coal Plant. After 19 years, he has become a friend and mentor to his colleagues at the Fire Department. His experience and wisdom will surely be missed by his fellow firefighters.

Wayne has also been a leader and active member of the International Association of Firefighters (IAFF) and the Iowa Federation of Labor (IFL). Wayne served as Vice President at Large for the IFL as well as President of the IAFF Local 16. He has been a strong advocate for better safety and working conditions for his fellow firefighters.

Lieutenant Wayne Sawtelle has put his life at risk to protect members of his community and I'm honored to represent him in Congress. I congratulate him on his retirement. I wish him and his wife Ann all the best in their future plans and endeavors.

**ASHLYN CARMOSINO**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ashlyn Carmosino for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Ashlyn Carmosino is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ashlyn Carmosino is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ashlyn Carmosino for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE 50TH ANNIVERSARY OF THE ST. CLAIR COUNTY BAR ASSOCIATION

**HON. WILLIAM L. ENYART**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the 50th Anniversary of the St. Clair County Bar Association, in St. Clair County, Illinois.

Prior to 1963, there were two bar associations in St. Clair County, the East St. Louis Bar Association and the Belleville Bar Association. East St. Louis was, at that time, the

most populous city in St. Clair County and Belleville, just to the east, was the county seat. A review of the Illinois Court System that led to the current judicial structure also prompted the East St. Louis and Belleville Bar Associations to combine and form the St. Clair County Bar Association.

The stated purpose of the St. Clair County Bar Association is "cultivating the science of jurisprudence, promoting reform in the law, facilitating the administration of justice, elevating the standards of integrity, honor and courtesy in the legal profession, encouraging a thorough and liberal legal education and cultivating and cherishing a spirit of camaraderie among the members thereof." They accomplish this through a number of programs and initiatives that extend the benefits of the organization beyond its members to include their entire community.

The Bar Association fosters and promotes continuing legal education and its mentoring program takes advantage of the wealth of experience within its membership to assist newer members.

The St. Clair County Bar Association Foundation is the charitable arm of the Bar Association and channels a number of assistance and charitable initiatives back to the community, including extensive pro bono legal assistance. The Bar Association's Law Day Run, now in its 12th year raises money for the Land of Lincoln Legal Assistance Foundation, which assists low-income residents with obtaining legal services. Their participation in the Lawyers Feeding Illinois initiative has brought in tremendous support to help provide nutritional assistance for the hungry within their community.

The St. Clair County Bar Association has grown to approximately 700 members and is currently headed by the Honorable Michael N. Cook, President, Thomas B. Cannady, First Vice President, Joe Rosenstengel, Second Vice President, Laura K. Beasley, Secretary and Garrett P. Hoerner, Treasurer.

Mr. Speaker, I ask my colleagues to join me in congratulating the St. Clair County Bar Association on their 50th Anniversary and to wish them the very best in the future.

BETINA PIETERSE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Betina Pieterse for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Betina Pieterse is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Betina Pieterse is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Betina Pieterse for winning the Arvada Wheat

Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

### REMEMBERING THE 10TH ANNIVERSARY OF THE IRAQ WAR

### HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. FOSTER. Mr. Speaker, I rise today to ask the House to observe a moment of somber remembrance for the 10th anniversary of the start of the Iraq War. On March 19, 2003, the U.S. Armed Forces invaded Iraq in what would become one of the most drawn-out missions in our military's history—a mission that would end in more than 4,000 fatalities and 31,000 wounded.

All too often, these brave men and women risk their lives to serve our country, only to return home to face a different type of battle—a battle to receive the care and benefits that they deserve.

Earlier this month, in a commitment to provide high-quality healthcare to our veterans, the Department of Veterans Affairs opened a new Veterans Outpatient Clinic in Joliet, Illinois. As part of the Edward Hines Jr. VA Hospital, the 60,000 square foot facility will offer state-of-the-art healthcare, providing a variety of services including: primary care, physical, occupational, and speech therapies, health education, mental health treatment, women's healthcare, nutrition, and retinal imaging.

With more than 5,000 veterans already signed up to receive treatment at the Joliet Clinic, the facility will go a long way toward providing the healthcare that our men and women in uniform deserve. I am proud to have the Edward Hines Jr. Veterans Hospital Outpatient Clinic serving our veterans.

Mr. Speaker, I ask my colleagues to not only join me in remembering those who lost their lives serving our great nation, but to also recognize and thank those veterans who have returned home after defending our country bravely and honorably.

### INTRODUCTION OF THE DISTRICT OF COLUMBIA MEDICAID REIM- BURSEMENT ACT OF 2013

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. NORTON. Mr. Speaker, as we approach the third anniversary of the enactment of the Patient Protection and Affordable Care Act, March 23, 2013, which, among other things, expands eligibility for Medicaid to reduce the number of Americans without health insurance, I introduce the District of Columbia Medicaid Reimbursement Act of 2013 today to increase the federal government's reimbursement for the District of Columbia's Medicaid costs from 70 to 75 percent. Medicaid is financed mostly by the federal government and

the states. However, the District, a city that has no state to support it, must alone absorb the state portion of Medicaid. For example, the District pays for 30 percent of Medicaid. New York City pays less than 25 percent, since a 2005 state law reduced its contribution from 25 percent. The District certainly should pay no more than New York City's pre-2005 contribution and therefore my bill would raise the federal contribution to the District's Medicaid program to 75 percent. Considering the expansion of Medicaid eligibility under the new health care reform law, effective 2014, now is the time to make the District's Medicaid burden more equitable.

Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (Revitalization Act), Congress recognized that state costs are too high for any city to shoulder. To address this unfairness to the District, the Revitalization Act transferred certain state responsibilities from the District to the federal government, including prisons and courts, and increased the federal Medicaid reimbursement to the District from 50 to 70 percent, partially relieving this burden. The city continues to carry many state costs, however.

In 1997, a formula error in the Medicaid Disproportionate Share Hospital allotment reduced the 70 percent Federal Medical Assistance Percentage share, and, as a result, the District received only \$23 million instead of the \$49 million it was due. I was able to secure a technical correction in the Balanced Budget Act of 1999, partially increasing the annual allotment to \$32 million from fiscal year 2000 forward. I appreciate that in 2005, Congress responded to my effort to get an additional annual increase of \$20 million in the budget reconciliation bill, bringing DC's Medicaid reimbursements to \$57 million as intended by the Revitalization Act. However, this amount did not reimburse the District for the years the federal error denied the city part of its federal contribution, and, in any case, of course, was not intended to eliminate the District's structural deficit, which this bill partially addresses.

The bill is part of my series of bills for equal treatment of DC. The series of bills addresses inappropriate and often unequal restrictions placed only on the District, and no other U.S. jurisdiction.

I urge my colleagues to join me in support of the bill.

ANDREW RABBITT

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Andrew Rabbitt for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Andrew Rabbitt is an 8th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Andrew Rabbitt is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all

levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Andrew Rabbitt for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

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HONORING CONNECTICUT'S PERMANENT COMMISSION ON THE STATUS OF WOMEN AS THEY CELEBRATE THEIR 40TH ANNIVERSARY

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**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. DeLAURO. Mr. Speaker, I am honored to rise today to join the many who have gathered in Connecticut's capitol to mark the 40th Anniversary of the Permanent Commission on the Status of Women. Formed under Connecticut statute and charged with a mission to study and improve Connecticut women's economic security, health and safety; promote consideration of qualified women to leadership positions; and to work toward the elimination of gender discrimination, the PCSW is our state's leading force for women's equality.

Women, in the workplace and in our society, have come a long way since the women's suffrage movement in the 19th century and the women's rights movement of the 20th century, during which time the PCSW was first established. Today, ninety-seven women serve in the two Houses of the United States Congress and thousands serve at the state and municipal levels as well. In fact, in Connecticut, women hold fifty-five seats in the General Assembly and half of the Constitutional offices. Women own their own businesses and are leading some of the largest corporations in the world. And yet women still face a myriad of obstacles in our society. Women still make seventy-seven cents to every dollar earned by a man in comparable positions and there is still a stigma attached to women in the workforce—employers still concerned about women who may have children or are thinking about starting a family and how those choices may impact their job performance or attendance. Women statistically live longer than men yet they have less retirement security, until very recently health research did not take into consideration the basic biological differences between men and women, and sexual harassment and discrimination continue to persist in a variety of forms.

The PCSW, through policy research as well as education and awareness programs, has helped to shape the debate around these and many other issues impacting the lives of Connecticut women and create public policy that makes a difference. The PCSW has had a leadership role in advancing legislation in Connecticut to prohibit sex discrimination in credit transactions, create the first family and medical leave protections in the country, and require health insurance plans to cover a minimum of forty-eight hours hospital stay for nor-

mal childbirth and ninety-six for caesarian sections. Each of these efforts now stand as law in Connecticut and have acted as a model for legislation in other states as well as at the federal level.

Under the outstanding leadership of Executive Director Teresa Younger, the PCSW is continuing in its strong tradition of ensuring that issues that impact women and their families are at the forefront of Connecticut's public policy discussions. I have spent much of my time in Congress focused on these issues and have often turned to the PCSW for guidance and support. It is with great pride and my deepest thanks that I rise today to congratulate them on their 40th Anniversary and wish them all the best for continued success.

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RECOGNIZING SANDY FEINBERG

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**HON. TIMOTHY H. BISHOP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize an outstanding resident of New York's 1st Congressional District, Sandy Feinberg.

In 1971, Sandy began her career at the Middle Country Public Library as a children's librarian. This position would lead to a forty-two year career as one of the most innovative and influential librarians on Long Island. She was named the Library Director in 1991 in recognition of her hard work and vision, a position she would hold for the next 22 years.

As Library Director, Sandy oversaw the expansion and renovation of two library locations. In 1999, she oversaw the transformation of the library's Centereach location into the largest public library on Long Island. Today, through innovative programs and extraordinary effort, it is not only the largest, but the busiest public library on Long Island.

As a pioneer in library-community interaction, she founded the Family Place Libraries initiative. This comprehensive library-based early childhood and family support program has been replicated in more than 350 libraries in 24 states.

Sandy continued the library's advancement by overseeing the opening of the Miller Business Resource Center, a regional resource to promote economic development through small businesses, entrepreneurs, and not-for-profit organizations. She also founded the Museum Corner, an interactive exhibit space with rotating hands-on educational exhibits for children. Finally, she created the Nature Explorium, a first-in-the-nation library-based outdoor learning space where children can learn about nature.

Sandy has also focused her attention on those in need outside of the library. She established the Community Resource Database, a collection of not-for-profit and government agencies available to assist residents in need. Eventually, the database would become Long Island 211, a telephone service center to connect those in need with available resources.

She served as President of the Middle Country Chamber of Commerce and was a founding member of the Middle Country Coali-

tion for Smart Growth. She served on the boards of the Child Care Council of Suffolk County and the Long Island Museum of Art, and is currently the Chairwoman of the Board of the Early Years Institute.

Mr. Speaker, on behalf of the residents of New York's 1st Congressional District, I thank Sandy Feinberg for her years of dedicated service to our community. Her passion and enthusiasm for nurturing young minds has had a positive impact on countless families. Her willingness to initiate new tasks and challenges is an inspiration to us all. While her phenomenal leadership and ingenuity will surely be missed, her imprint on the community will endure for years to come.

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APRIL CENDEJAS

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**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud April Cendejas for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. April Cendejas is a 10th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by April Cendejas is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to April Cendejas for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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RECOGNIZING RECIPIENTS OF THE FULBRIGHT AWARD

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**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize the individuals from the 23rd District of New York who were recently awarded the Fulbright Award. Thirteen constituents from my district were selected to receive this prestigious honor: Dr. Christopher Barrett, Ms. Emily Brown, Ms. Abena Bruce, Ms. Dina Bryan, Dr. Abigail Cohn, Dr. Matthew Evangelista, Mr. Andrew Hart, Dr. Teresa Jordan, Ms. Catherine Kearns, Mr. Joshua Kim, Mr. John Maher, Dr. Judith McKinney, and Ms. Sarah Steece.

The recipients include both undergraduate students and scholars from a wide range of higher education institutions including Cornell University, Hobart and William Smith Colleges, Ithaca College, New York University, Stanford University, and Williams College.

The Fulbright Program is America's largest international exchange program, having linked



over a quarter of a million students with more than 155 countries worldwide. These opportunities not only offer our students a chance to educate themselves in foreign nations but these programs also help to strengthen our relationships with their host countries. Since 1977 when the Fulbright Association was established, many notable individuals have been recipients of this award. Ten Fulbright recipients have been elected to the United States Congress, 43 have received a Nobel Prize, and 78 have received the Pulitzer Prize.

Fulbright Award recipients are selected on the basis of academic or professional achievement as well as the leadership potential they show in their fields. It is a privilege to represent a district that so many of these award recipients call home. The bar has now been set very high, and I am proud to have them representing our nation as ambassadors abroad.

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ON THE NATIONAL MUSEUM OF  
THE AMERICAN PEOPLE

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. MORAN. Mr. Speaker, as a proud Irish American, I was pleased this past Sunday to celebrate St. Patrick's Day. Celebrating our heritage today has become an American tradition that extends beyond those Americans of Irish heritage. But that wasn't always the case. For many years, Irish Americans faced discrimination and struggled to gain acceptance and economic stability in the great melting pot that is America.

The story of Irish Americans and all Americans needs to be told. We are a nation of immigrants. But there is no place today where one can go to learn the full story of who we are as a nation and the stories of the many, vibrant ethnicities that make up the fabric of the American experience. The story about the making of the American People—of all of the people—is missing and it needs to be told in the heart of our nation's capital.

That's why I am introducing a bipartisan resolution that calls for a Presidential Commission to study the establishment of the National Museum of the American People. I am joined in effort by my colleagues JOHN DUNCAN, CAROLYN MALONEY, CHARLIE RANGEL, FRANK WOLF, GERALD CONNOLLY, ELEANOR HOLMES NORTON, BOBBY SCOTT, DAVID CICILLINE, TIM WALZ, TIM BISHOP, TOM COLE and JIM GERLACH.

A commission is the first critical step in the path toward the creation of a national museum that will highlight the diversity and richness of the cultures from which our ancestors came and will foster a sense of belonging to the nation by the waves of people who made us the leading economic, military, scientific, and cultural force in the world. The Museum's central theme takes its inspiration from our original national motto: "E Pluribus Unum"—From Many We Are One.

The Museum will be America's only national institution devoted exclusively to telling the full story of how the world's pioneers interwove

their diverse races, religions, and ethnicities into the strongest societal fabric ever known to modern mankind. Both Canada and Mexico have major national museums in their capitals telling the story of their peoples and they are the most visited museums in those nations. People from every ethnic and minority group will come to see their own story and learn how they joined together with "the others" in pursuit of a more noble national purpose. Foreign visitors will come to learn how natives of their countries helped create our nation.

I fully understand the current fiscal realities of the day. This proposal will involve no authorization of federal funds and will not require the need for any taxpayer money. It does, however, already enjoy broad support having been endorsed by more than 150 organizations representing virtually every major ethnic and nationality group in the nation.

For the different groups who became Americans, the Museum will tell who, where, when, why and how transformed our nation. Today's technology makes all of this possible.

The Museum of the American People will be like walking through a dramatic documentary delving into these grand movements of peoples. It will follow in the tradition of some of today's most successful story-telling museums such as the Holocaust Memorial Museum. The goal will be to tell our peoples' compelling story with force and clarity.

In telling everyone's story, the National Museum of the American People would recognize the important differences that set us apart while celebrating the common purpose that has brought us together—E Pluribus Unum.

I encouraged my colleagues to support this measure.

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ARIANNA MARTINEZ

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Arianna Martinez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Arianna Martinez is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Arianna Martinez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Arianna Martinez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. SCHAKOWSKY. Mr. Speaker, had I been present, I would have voted: On rollcall No. 73—"yea"; No. 74—"yea"; No. 75—"nay."

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HONORING SANDRA SECREST FOR  
30 YEARS OF PUBLIC SERVICE

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. MARCHANT. Mr. Speaker, I am proud to recognize Sandra Secrest for her 30 years of public service to the Metrocrest area which encompasses the North Texas cities of Carrollton, Farmers Branch, and Addison.

Sandra Secrest was born and raised in Farmers Branch and graduated from W.T. White High School in 1979. She then attended Texas A&M University from 1979 to 1983 where she graduated with a Bachelor of Science in Education.

Following graduation in 1983, Sandra Secrest returned home to Farmers Branch where she became a social studies teacher at Newman Smith High School of Carrollton-Farmers Branch Independent School District. From 1988 to 1992, Sandra Secrest worked as a Park Ranger for the U.S. Army Corps of Engineers during her summer breaks from teaching.

After ten years of teaching, in 1993, Sandra Secrest changed her career to become a police officer for the City of Carrollton where she committed 20 years of service to the community. Ms. Secrest spent her first 5 years as a patrol officer, the following 8 years as a school resource officer, and the final 7 years back on patrol duty. As a school resource officer, she spent the majority of her time at Creekview High School and R.L. Turner High School. During her tenure as school resource officer, Ms. Secrest was a member of the Carrollton Police Department Gang Unit and Texas Gang Violence Task Force.

Sandra Secrest has spent her entire career serving and protecting her community. Ms. Secrest's commitment to her community speaks volumes to the integrity of her character. Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Sandra Secrest for her 30 years of public service.

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AVA KOPPERSCHLAGER

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ava Kopperschlager for receiving the Arvada

Wheat Ridge Service Ambassadors for Youth award. Ava Kopperschlager is an 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ava Kopperschlager is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ava Kopperschlager for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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CELEBRATING THE LIFE OF  
RUSSELL SIMPSON

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. KAPTUR. Mr. Speaker. I rise today to honor the life of Russell Simpson, who passed from this life on Tuesday, March 15, 2013. Russell Simpson had a true servant's heart and his life helped countless others.

Mr. Simpson was born October 14, 1934. A lifelong Toledoan, he graduated from Libbey High School and served in the United States Army. He married his wife, Patricia, in 1958 and they began their family. He was a Greyhound bus driver, a career which served him well later in life when he served older adults as a driver for senior center activities and excursions.

In 1969, the unthinkable happened and the Simpsons' four-year-old daughter was murdered. Their grief was compounded twelve years later when their nineteen-year-old son was killed during a robbery. Incredibly, out of these two horrific and senseless tragedies, the Simpsons bore fruit. In 1983, the Simpsons formed Parents of Murdered Children, a nationally recognized support group. Soon, parents with similar tragic tales had a place where they belonged and could share their grief with people who understood. As his daughter noted, "He got through it by helping other people get through it."

Russell Simpson was successful in persuading the county prosecutor to create a victims assistance fund. He trained to facilitate face-to-face meetings with victims or family members and their offender. He worked to educate the community and law enforcement to strengthen communication. Most importantly, he was a calm shoulder, a kind heart, compassionate eyes and a strong leader to families facing the ultimate tragedy.

Russell Simpson leaves a legacy of service. His selfless work will endure into the future. Even as he helped other families, he never lost sight of his own. Our condolences to his wife Patricia, his children Linda Lou and David, and his grandchildren. May the light which shone for others guide you as well, and in your memories may you find peace.

HONORING SAMANTHA HANSEN

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of a young constituent, Samantha Rae Hansen of Holton, Indiana.

Samantha attended South Ripley High School and actively participated in a number of school clubs, including science, Spanish, and band. She was a school leader on the student council and served as president of the FFA and Country Critters 4-H club. Along with her family, she also was a member of the First Southern Baptist Church in Versailles, participating in the church choir.

We mourn a life that ended too soon and pray for understanding and comfort for family members and those in our community who knew and loved Samantha. While in times of turmoil we struggle to understand the unexplainable, may we find peace and joy in our religious faith and the memories of time shared with those we love.

Samantha will be forever remembered as a friend of her community. I ask the citizens of the 6th Congressional District to join me in keeping her parents, Matthew and Jenny Wahl Hansen, sisters, Amanda and Nikki, and the entire extended Hansen family in our thoughts and prayers.

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BAILEE YODER

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud BaiLee Yoder for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. BaiLee Yoder is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by BaiLee Yoder is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to BaiLee Yoder for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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HONORING FIRST LIEUTENANT  
JOSEPH DENNIS HELTON, JR.

**HON. PAUL C. BROWN**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. BROWN of Georgia. Mr. Speaker, I rise today for a special purpose, calling us all to

remember and honor the life of First Lieutenant Joseph Dennis Helton, Jr. On September 8, 2009, Lieutenant Helton was tragically killed in action while serving our country in Iraq.

Like many of our nation's heroes, Lieutenant Helton was an exceptional young man with a calling to be a part of something greater than himself. His desire to serve led him to the United States Air Force Academy where he graduated fifth in his class and was the recipient of numerous awards and distinctions.

Upon graduation, Lieutenant Helton was assigned to the 732nd Expeditionary Security Forces Squadron at McDill Air Force Base in Tampa, Florida. As exceptional young soldiers often do, he immediately volunteered for overseas duty, leading him to Iraq. Lieutenant Helton was awarded the Bronze Star Medal with Valor for his fortitude, bravery, and courage and the Purple Heart for his ultimate sacrifice.

As we remember and honor Lieutenant Helton and his sacrifice for our freedom, let us not forget his parents, Joseph and Jennifer, his sisters, Jeanne, Jessica, and Jordanne, and many other loving family members and friends.

Mr. Speaker, may we as grateful citizens, and Members of this body, never forget the passing of this courageous young man and encourage all Americans to honor his sacrifice which was made in defense of liberty and of this great nation. I proudly pay tribute to his memory and hold his service in the highest esteem.

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HONORING T.C. FREEMAN

**HON. ED WHITFIELD**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. WHITFIELD. Mr. Speaker, I rise today to wish a very happy birthday to someone who has a long and distinguished record of service to our country and to the Commonwealth of Kentucky. This lady has spent a majority of her life connected to United States Army. At 80 years young, she currently serves as a civilian aide for the United States Army in Kentucky. Of course, I am referring to Mrs. T.C. Freeman who recently celebrated her 80th Birthday on March 10th.

T.C. Freeman's life has revolved around our Army since 1941 when Killeen, Texas was designated the home of Camp Hood. She met and married her husband, Colonel Bob Freeman (Ret) when he was assigned to the 3d Artillery, 2nd Armored Division at Fort Hood. She and Bob have three children, a daughter Gil, and two sons William and Robert.

For her efforts on behalf of Soldiers during Desert Shield/Desert Storm, T.C. Freeman was awarded Association of the United States Army's Citation for Exceptional Service. In 2002, she received their Anthony Drexel Biddle Medal, which is their second-highest award. She served as Tennessee/Kentucky Chapter President of the Association of the United States Army for two years, and as the Kentucky State President for two years. She also served four years as the 2nd Region President and now once again serves as a Kentucky State President

T.C. Freeman is a life member of the Association of the United States Army. She is an honorary member of the 502nd, the 187th Infantry, the 327th and 506th Infantry Regiments. She is also an honorary member of the 160th Special Operations Aviation Regiment and of the 5th Special Forces Group. She holds the Anne Morrow Lindberg Award and the Honorable Order of Our Lady of Loretta for her support of Army Aviation and the Aviation Community. She is a Life Member of Army Aviation Association of America.

Mrs. Freeman is also the recipient of Artillery's Molly Pitcher Award and Department of the Army Awards for Public Service and the Outstanding Civilian Service Medal. In 2010, she received the Daughters of the American Revolution's Medal of Honor.

T.C. began the "Welcome Home Flights" after Desert Shield/Desert Storm and she has attended almost every flight following—from Kosovo and from other 101st Deployments, to include the recent Vietnam Veterans Welcome Home on August 16, 2009.

Presently, she is welcoming home Division Units from Afghanistan and attends National Guard farewells and welcome homes. She is a supporter of Fisher House and the Wounded Warrior Programs. T.C. Freeman has visited our Warrior Heroes at both Walter Reed and Brooke in San Antonio.

Since May 2005, T.C. has served as a member of the Executive Committee of the Governor's Kentucky Military Affairs Commission. The Commission keeps the Governor of the Commonwealth of Kentucky advised of conditions and needs of the installation. She was pleased to be involved last December in the event that named Governor Steve Beshear as an Honorary Screaming Eagle. She serves on the Board of Directors of the Fort Campbell Historical Foundation, the Hopkinsville-Christian County Military Affairs Committee, The Christian County School Superintendents Advisory and the Military Affairs Advisory Committee of the Chamber of Commerce, and she is a member of the Citizens for Fort Campbell and an Eagle Ambassador.

T.C. Freeman is a regular attendee of area Veteran's organizations, VFW, DAV and the American Legion.

Since being named a Kentucky Court Appointed Special Advocate, her efforts are not limited to Fort Campbell. She now actively supports activities of the Units at Fort Knox to include United States Army Recruiting Command and the 3rd Brigade of the 1st Infantry Division.

Mrs. Freeman has also been faithful in her support of the National Guard, the Army Reserve, University and Junior ROTC Units.

So, Mr. Speaker, I would like to call to the attention of this House T.C. Freeman's remarkable life of faithful service to our Nation's heroes. She is a personal friend, but more importantly a friend to every man and woman who wears our Nation's uniform. It is my honor to recognize her before this House and to wish her a very Happy 80th Birthday.

## IN RECOGNITION OF NAM VETS ASSOCIATION

### HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize the Nam Vets Association upon its thirtieth anniversary.

Nam Vets has been providing vital assistance to veterans since the association was founded in 1983. Originally serving veterans of the Vietnam War exclusively, Nam Vets has since expanded and now serves veterans from all eras. Over the years, it has become known as a local gateway to veterans' services for Cape Cod and the Islands, assisting veterans with important tasks such as finding employment and housing, receiving medical care, and obtaining employment.

Coinciding with the thirtieth anniversary of Nam Vets is the opening of its new Veterans' Outreach Grace Center (VOGC) in New Seabury. The VOCG will be a general wellness center through which veterans will receive a variety of services. Such support will include physical, psychological, educational, financial, or vocational assistance aimed at helping veterans reintegrate into civilian life. This Center will play a vital role on Cape Cod once it opens its doors to our local veterans, and I commend Nam Vets for working to achieve this important goal. I am certain that the organization's next thirty years will be bright.

Mr. Speaker, it brings me great pleasure to recognize Nam Vets upon its thirtieth anniversary. The many years of service that the organization has provided have been invaluable to the veterans and families that have been affected by its work. I ask that my colleagues join me in thanking Nam Vets for all that the association has given to its community.

## RESOLUTION RECOMMENDING THE POSTHUMOUS AWARD OF THE MEDAL OF HONOR TO SERGEANT RAFAEL PERALTA

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. BECERRA. Mr. Speaker, I rise today in support of a resolution recommending the posthumous award of the Medal of Honor to one of America's bravest soldiers who made the ultimate sacrifice, Sergeant Rafael Peralta.

Sgt. Peralta's story is the epitome of what makes America great generation after generation. After immigrating as a teenager with his family from Mexico to San Diego, Sgt. Peralta joined the Marines the first chance he was able to—the morning he received his green card. According to his mother, Rosa Peralta, Sgt. Peralta "really loved this country" and loved being a Marine. In fact, he passed along his love for the Marines to his brother, Ricardo, who kept a promise he made at his brother's funeral by enlisting in the Marines Corps in 2010.

In 2004, Sgt. Peralta was killed during a house-clearing mission in Fallujah, Iraq. According to news reports, during a firefight with insurgents, a fragment from a friendly-fire bullet ricocheted and struck Sgt. Peralta in the back of his head. According to eyewitness accounts from fellow Marines who were at the scene, Sgt. Peralta, despite his mortal wound, pulled an enemy grenade under his body and absorbed the ensuing blast. By doing so, he saved the lives of an estimated six of his fellow Marines.

Each of the armed services has provisions for judging whether an individual is eligible for the Medal of Honor—which permit no margin of doubt or error. Historically, the individual's action must be supported by incontestable evidence of at least two eyewitnesses. In Sgt. Peralta's case, seven eyewitnesses confirmed that he smothered the grenade blast with his body. Even though a pathologist report questioned whether Sgt. Peralta could have deliberately brought the grenade to his body due to his wound, separate analyses by three neurologists opined otherwise. His Navy Cross citation, the second highest American military decoration that can be awarded to a Marine, says it all: "Without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade to his body, absorbing the brunt of the blast and shielding fellow Marines only feet away."

Sgt. Peralta exemplified and lived the values Americans hold dear: honor, duty, and dedication to his country. In a letter written right before his death, Sgt. Peralta told his brother, "I'm proud to be a Marine, a U.S. Marine, and to defend and protect the freedom and Constitution of America. You should be proud of being an American citizen."

Mr. Speaker, I urge all of my colleagues to support this resolution and recommend the posthumous award of the Medal of Honor to a true American hero, Sgt. Rafael Peralta.

## IN HONOR OF MARSHA B. JETTÉ

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. COURTNEY. Mr. Speaker, I rise today to offer my heartiest congratulations and sincere thanks to Marsha Jetté of Norwich. For more than four decades she has assisted the farmers of Connecticut. This past January, Marsha retired after more than 41 years of working for the U.S. Department of Agriculture Farm Service Agency in Connecticut.

After graduating from Norwich Free Academy, Marsha attended Johnson and Wales Junior College in Providence, RI where she took courses in bookkeeping. Between 1969 and 1971 Marsha worked at various companies as a bookkeeper. In 1971, Marsha began her career at USDA with the Agricultural Stabilization and Conservation Service (ASCS), now the Farm Service Agency (FSA) as a Program Assistant in the New London County office in Norwich. In 1973 Marsha was made Acting County Executive Director in her office which led her to enter the County Office Training program the following year in order to become a County Executive Director.

Marsha became County Executive Director of the New London County ASCS Office on May 11, 1975. During her tenure in the county office, Marsha also served on the 2007 National CED Classification Review Committee and served as the State Communications Coordinator. In her role as State Communications Coordinator, Marsha coordinated various events including a visit from the FSA Administrator and Washington, DC staff, as well as educational tours from the Connecticut State and County Committee members. Mrs. Jetté also compiled an education text for state and county committee members in order to provide them with a better understanding of FSA and its mission.

In August, 2009, Marsha Jetté was appointed as State Executive Director of FSA in Connecticut by President Barack Obama. In her capacity as Executive Director, Marsha worked tirelessly to promote agriculture in the state and support her staff in Connecticut. The final three and a half years of her tenure at USDA crowned an impressive career. My staff and I called on Marsha countless times—whether to assess damage after a hurricane hit the state or to determine the status of FSA payments, Marsha always had the answer. Mrs. Jetté's absence at the Farm Service Agency will be felt both within and outside the agency for some time to come. I thank her for her many years of service to the agricultural community, congratulate her on her retirement, and wish her well in all of her future endeavors.

#### IN RECOGNITION OF DANIEL SILVERMAN

#### HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize the distinguished career of Fire Chief Daniel R. Silverman on the occasion of his retirement.

Chief Silverman dedicated his professional life to the Town of Wellfleet and its fire department. He will retire after thirty years and three months of honorable service, including nearly seven years as a full-time Fire Chief. Chief Silverman's outstanding achievements as a first responder are evident in his rise through the ranks. After beginning his career as a Call Firefighter and EMT, he was subsequently awarded the role of Call Lieutenant, Call Deputy Chief, and Fire Chief. Firefighters are a pillar of strength in our society, and they routinely risk their lives to protect our neighborhoods, safeguard our families, and provide urgent aid to those who need it most. Over the course of his impressive career, Chief Silverman has demonstrated an unwavering devotion to those ideals.

Mr. Speaker, please join me in thanking Fire Chief Daniel R. Silverman for over three decades of distinguished public service. I ask that my colleagues join me in honoring all that Chief Silverman has given to his community.

#### COMMENDING MR. DAVID PICKLER FOR HIS ELECTION TO PRESIDENT OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

#### HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. ROE of Tennessee. Mr. Speaker, I submit these remarks today to recognize Mr. David Pickler, who has recently been elected as President of the National School Boards Association for 2013–2014.

David has served on the Shelby County Board of Education since 1998 and has served as Chairman of the Board for 12 years. In 2008, David was elected to the National School Boards Association's Board of Directors and served as the Southern Region Representative. In 2009, David served as President of the Tennessee School Boards Association and has held several positions of leadership with it.

David is an excellent example of the spirit of volunteerism, which we Tennesseans hold close to our hearts. His community service and philanthropic endeavors are both numerous and extraordinary, casting a legacy of selflessness and determination to better education across Tennessee. Perhaps the highlight of this legacy is the creation of the Shelby County Schools Education Foundation, which has provided more than \$1 million in financial support for public education. David's awards and accolades at the local, state and national level are extensive and serve as a testament to the positive impact he has had on the children of Tennessee.

Mr. Speaker, I commend Mr. Pickler for his unwavering commitment to improving education for the students of Shelby County, Tennessee, and the United States of America.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,736,188,026,047.86. We've added \$6,109,310,977,134.78 to our debt in 3 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### PERSONAL EXPLANATION

#### HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. ROE of Tennessee. Mr. Speaker, I was not present for votes on March 18, 2013 due to a declared state of emergency in my dis-

trict. Had I been present, I would have voted yea on rollcall votes Nos. 76, 77, and 78.

#### INTRODUCTION OF THE OVERDRAFT PROTECTION ACT OF 2013

#### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to introduce the Overdraft Protection Act of 2013.

With the rise of debit cards and the constant presence of swipe terminals to use those cards to pay for everything from dry cleaning to gas to candy bars, it's easier than ever for consumers to overdraw their checking accounts and incur overdraft fees.

That's how a cappuccino can become a \$35 cappuccino faster than you can say "overdrawn". Some institutions have responded to consumer outrage over these fees by implementing a policy of denying debit card transactions that would overdraw an account and I applaud them.

But too many financial institutions don't make consumers adequately aware of the perils of overdrafts, and others reorder the posting of transactions in a way that maximizes their fees.

Although the Federal Reserve issued a rule requiring institutions to obtain affirmative consent from consumers to opt into overdraft coverage two years ago, it is quite clear more needs to be done to help consumers avoid multiple overdrafts.

A survey released last year by Pew Charitable Trusts highlights the need for the bill I am introducing today.

More than one-third of those surveyed—people who had overdrawn their accounts in the past year—didn't know they had overdraft coverage until they incurred a penalty fee, and more than half of people did not believe they had opted in. The Pew study also found that most of the people who overdraft their accounts do so more than once.

According to Moeb's Services, overdraft fees brought in over \$31.5 billion dollars in revenue to financial institutions in 2012.

As a result of the Federal Reserve's opt-in requirement the number of overdrafts has fallen, but some institutions have responded to the drop by increasing the price of overdraft fees and continuing to intentionally manipulate the transactions' posting order in a way that maximizes the fees they can earn from this service.

My bill increases disclosure to consumers, limits the fees' price and frequency, and bans the manipulation of transactions.

Specifically, the Overdraft Protection Act will: require consumer consent before banks can permit overdraft fees to paper checks, automated charges and debit card swipe-terminal transactions; require that fees be "reasonable and proportional" to the amount of the overdraft; cap the number of fees that can be charged at one per month and six per year; prohibit banks from manipulating the sequence in which checks and other debits are posted if it causes more overdrafts and maximizes fees

paid to banks; require that consumers be warned at ATMs if their withdrawals will trigger an overdraft; require the CFPB to study the practices of pre-paid cards and if necessary extend these provisions to those products.

The Overdraft Protection Act will ensure consumers are protected from misleading practices and I urge my colleagues to support this important legislation.

IN RECOGNITION OF DONALD  
HUSSEY

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize Lieutenant Donald Hussey upon his retirement from the Rockland Fire Department.

Lieutenant Hussey has given four decades of dedicated service to the people of Rockland, and I know I speak for many when I say that his many accomplishments have been invaluable to the town. The Department recognized his skill early on when they appointed Lieutenant Hussey to the position of Permanent Firefighter just one year after he first entered the Rockland Fire Call Department. Lieutenant Hussey was again promoted to Permanent Lieutenant in October 1995, the same month in which he was bestowed with a Medal of Valor for saving an elderly person from a burning home. He officially retired from the Rockland Fire Department this past January, and I know that his service will be sorely missed in his community.

Mr. Speaker, I am proud to honor Lieutenant Donald Hussey upon his retirement from the Rockland Fire Department after forty years of invaluable service. I ask that my colleagues join me in congratulating him on this important occasion and in thanking him for all that he has done for the Town of Rockland.

HONORING JACOB VOGEL

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of a young constituent, Jacob Russell Vogel of Versailles, Indiana.

Jacob attended South Ripley High School and actively participated in the FFA and as a member of the St. Charles Catholic Church in Milan. He also attended the Southeastern Career Center for emergency services and served as a cadet with the Friendship Fire Department.

We mourn a life that ended too soon and pray for understanding and comfort for family members and those in our community who knew and loved Jacob. While in times of turmoil we struggle to understand the unexplainable, may we find peace and joy in our religious faith and the memories of time shared with those we love.

Jacob will be forever remembered as a friend of his community. I ask the citizens of

the 6th Congressional District to join me in keeping his parents, Brian and Ann Sieverding Vogel, siblings, Matthew, Luke, and Jessica, and the entire extended Vogel family in our thoughts and prayers.

PERSONAL EXPLANATION

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained on Monday, March 18, 2013 so I missed rollcall votes. Had I been present, I would have voted as follows: On rollcall vote No. 76 regarding the Journal vote, "yes," on rollcall vote No. 77 regarding the "Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service" (H. Con. Res. 18), and on rollcall vote No. 78 regarding the "Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby" (H. Con. Res. 19), "yes."

RECOGNIZING MARCH AS  
NATIONAL FROZEN FOOD MONTH

**HON. REID J. RIBBLE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. RIBBLE. Mr. Speaker, I rise today to recognize March as National Frozen Food Month and to honor one of my home state's own frozen food companies, Seneca Foods Corporation.

Founded in 1949, Seneca Foods is one of our nation's largest processors of fruits and vegetables. In fact, Seneca Foods produces more than 2 billion cans and bags of frozen fruit and vegetable products every year, which equates to over 5 billion servings.

I had the pleasure of visiting Seneca's Gillett, Wisconsin plant last August. There has been an active canning factory on this site since 1909 and Seneca took over the site in 2003.

Seneca Foods believes in providing the community with jobs and continually improving its facilities. At Gillett, this included a 2007 warehouse expansion that tripled the storage space.

There are 37 full-time employees at this facility. But in season, it grows to employ over 210 seasonal employees and has an annual payroll of \$4.3 million.

Much of what I know about Seneca Foods I learned from Executive Vice President and COO Paul Palmby, who serves on the Board of the American Frozen Food Institute and is the chairman of the Produce for Better Health Foundation, PBH, which promote increased consumption of fruits and vegetables for better health.

Both Seneca Foods and the American Frozen Food Institute were recognized recently as PBH Fruits & Veggies—More Matters® Role Models.

Working together, these entities regularly promote the nutritional benefits of fruit and

vegetable consumption as part of an important effort to encourage healthy eating.

Mr. Speaker, in celebration of National Frozen Food Month, I wish to applaud Seneca Foods and the entire frozen food industry for their hard work and contributions to the health of our nation and its citizens.

HONORING FIVE PLANO EAST  
HIGH SCHOOL STUDENTS, THE  
AT&T HACKATHON COMPETITION  
WINNERS

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to congratulate five remarkable students from Plano East High School on winning first place in the AT&T Hackathon Competition.

The AT&T Hackathon, held at the AT&T Foundry development center in Plano, is a competition to promote innovative technology, the entrepreneurial spirit, and growth in computer science education. The competition is open to all technical and non-technical computer developers and designers across the Dallas-Fort Worth area. Each team is given a little more than 24 hours to create a smartphone app, which helps solve a problem plaguing the community—in this case, the decreasing high school graduation rate.

Out of all the technology experts in the room, it was the Plano East high school team, comprised of Trent Davies, 17; Bilal Ayub, 16; Ahmed Khan, 16; Matthew Laux, 17; and Jimmy Khong, 17 that put their computer science skills to work and took home the prize. Competing against 150 plus people, the students won the contest with oculr, an app that takes camera phone-snapped pictures of math equations and searches the Internet for instructions on how to solve the problem. What a great idea. At the kickoff of the competition, the students developed the idea in less than five minutes, gave a 60 second lightning pitch to a crowd of 150 professional developers, and then created the product the very next day. To conclude the competition, the team of sixteen and seventeen year old students presented a three-minute demonstration of the app prototype to a panel of judges, experts in the technological field. I am incredibly impressed with their ability to create and put a new idea into action in only a 24-hour period. You are truly some of the best and brightest.

Technology touches our lives now more than ever before. Students encounter social media constantly outside the classroom so why not incorporate media into the classroom to further engage and prepare students for a technology-driven world? These five Plano students embody the future of innovation. I commend them for putting their creative minds to work for the betterment of their peers and the perpetual success of our community.

Once again, congratulations, students, on your outstanding accomplishment. I am proud to see such innovative thinking and active problem-solving from the youth in our great

state of Texas. You all have very bright futures ahead of you. God Bless you.

IN RECOGNITION OF THE TENTH  
ANNIVERSARY OF THE IRAQ WAR

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize the tenth anniversary since the launch of Operation Iraqi Freedom and to remember the men and women of our armed services who have defended the United States in the war on terror.

Starting on March 20, 2003, and for nearly nine years thereafter, members of our Armed Forces fought to protect both their loved ones back home and Iraqi citizens from the many threats that lingered in the region. It was a long and difficult journey for us as a nation but none more so than the journey traveled and sacrifices made by our service men and women and their families. The United States lost 4,475 members of our armed services by the time we left Iraq in December 2011, and an additional 32,220 were wounded. I know that I speak for many when I say that these men and women, who gave so much for their country, are true American heroes whose names will be forever honored.

Our involvement in Iraq may be officially over, but we still face many threats as a nation, and there is much work ahead of us in the war on terror. We still have many members of our Armed Forces who continue this fight, both at home and abroad. On this important anniversary in the war on terror, I ask that we take a moment to honor and recognize the many troops we have lost, the sacrifices made by those who stayed at home, and the men and women of our Armed Forces who remain on the front lines in the name of freedom.

Mr. Speaker, please join me in recognizing the tenth anniversary of the war in Iraq. I thank my colleagues for joining me in honoring of the service men and women who have defended the United States.

CONGRATULATING THE GARDEN  
THEATRE ON THEIR FIVE YEAR  
ANNIVERSARY

**HON. DANIEL WEBSTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize the Garden Theatre of Winter Garden, Florida, on the celebration of their five year anniversary. The Garden Theatre works to provide cultural performing arts such as concerts, movies and live plays to the City of Winter Garden and the Central Florida region.

The Garden Theatre was originally constructed in 1935 in Mediterranean Revival style as a single-screen cinema where the community gathered to watch the most current newsreels and films. Through the years the theatre underwent various renovations until 1963, when it closed. In February 2008, because of the tireless effort put forth by the Winter Garden Heritage Foundation, the restored Garden Theatre reopened to the public.

While proudly representing historic downtown Winter Garden, the Garden Theatre affords economic development to the Central Florida region by presenting four to seven events each week and annually hosting over 200 events. A study from the Arts and Economic Prosperity Report estimated an annual economic impact from the theatre's operations and events to be more than \$1 million annually. During the past five years, the Garden Theatre has been active in Central Florida, enriching and entertaining the community through creative experiences while encouraging economic growth and providing nostalgic charm.

On behalf of the citizens of Central Florida, I am pleased to congratulate and recognize the Garden Theatre as an outstanding local business, and I wish them many more successful years of providing quality performing arts to the Central Florida community.

IN HONOR OF THOMAS A. RIDER

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 19, 2013*

Mr. FARR. Mr. Speaker, I rise today to honor Thomas A. Rider for his continued dedication to the agricultural industries of Santa Cruz County and the Pajaro Valley. Tom is a thoughtful, soft-spoken, intelligent leader and his contributions have translated to increased viability of these crucial industries throughout the Central Coast. It is with great honor that I recognize Mr. Thomas A. Rider as the 2013 Al Smith Friend of Agriculture award winner.

Tom is part of the fifth generation of his family in the Pajaro Valley. He graduated from Watsonville High School in 1966 and went on in 1971 to obtain his degree from Oregon State University.

In the early to mid 1980s, Tom helped this family's business, H.A. Rider & Sons Bottles, make the successful transition from producing apple juice and cider to being a co-packer of flavored waters, brewed teas, energy drinks, and lemonades.

Tom has served on the Santa Cruz County Farm Bureau Legislative Committee, in addition to chairing the Pajaro Valley Water Management Agency.

Later in his career, Tom served as the 4th Supervisorial District Representative for the Genetic Engineering Subcommittee for Santa Cruz County Health Services Agency, HAS. Additionally, Tom represented the Santa Cruz County Farm Bureau on the Transportation Funding Task Force, which is comprised of over 90 members representing business, neighborhood, environmental, health, and community-based organizations. Tom has also been a champion of the Basin Management Plan Committee for the Pajaro Valley Water Management Agency, PVWMA.

Committed to improving the agricultural industry, Tom is currently a board member for the Central Coast Agricultural Task Force, CCATF and a member of the Legislative Committee for the Santa Cruz County Farm Bureau.

Mr. Speaker, I have no doubt that agricultural industries of Santa Cruz County and the Pajaro Valley will continue to thrive with Tom's devotion.

## HOUSE OF REPRESENTATIVES—Wednesday, March 20, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HULTGREN).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 20, 2013.

I hereby appoint the Honorable RANDY HULTGREN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### REFORM OUR HEALTH CARE SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today to call for continued reforms to our health care system. The Affordable Care Act was a huge step in the right direction, but we can do more because the path we are on is unsustainable.

The U.S. spends approximately 18 percent of its GDP on health—close to twice as much as other developed Nations—and yet we don't have better health care outcomes. Health care costs are rising faster than inflation and wages, meaning they are eating a larger portion of Americans' paychecks and the government's budget.

If we continue on our current path, the Medicare trust fund will be insolvent by 2024. And Medicare and Medicaid will grow from 24 percent of the Federal budget to almost 30 percent, crowding out other needed investments.

We have to reduce health care costs in both the private sector and the public sector in order to ensure America remains competitive in the global mar-

ket. But there is a right way to reform our health care system and there is a wrong way. With all due respect, Mr. RYAN's plan is the wrong way.

Mr. RYAN's plan for Medicare and Medicaid misses the point. His solution simply shifts the costs from the government to patients, rather than reducing health care costs. Under the Ryan budget, seniors would pay as much as \$1,200 more each year by 2030, and \$6,000 more by 2050. For over half of Medicare beneficiaries with incomes less than \$21,000, a \$1,200 increase is a huge piece of their budget.

He also proposes block-granting Medicaid, which would cut Medicaid funding by approximately \$700 billion over the next decade and result in 14 to 19 million people being kicked off Medicaid, many of them children and seniors.

These steps might make the budget look better, but they do nothing to actually reduce the cost of health care, and they hurt patients. We can reduce health care costs without harming beneficiaries.

Here are five steps we should take to reduce health care costs the right way:

First, and most importantly, we have to change the way we pay providers. Right now, we pay for each individual test and surgery. We pay for quantity rather than quality of care. Providers across the country are adopting payment for quality models, but they need Medicare, the largest payer, to get on board and pay for quality as well.

The Centers for Medicare and Medicaid, or CMS, just completed a pilot where it bundled payments for 37 procedures and reduced spending by 10 percent. This needs to be replicated across the board, and CMS needs to move the majority of its patients to physicians off fee-for-service over the next 10 years.

Second, CMS needs to restructure and expand competitive bidding. It just completed a competitive bidding pilot for durable medical equipment and was able to reduce prices by double digits. While I have some concerns about the structure of that competitive bidding program, I believe it does need to be restructured to prevent suicide bidding and expanded to include more medical tests and services such as lab tests, CT scanners, and other items.

Third, States need to be empowered and incentivized to reduce their health care costs. States like Arkansas have taken bold steps to reduce their health care costs by requiring their two largest insurers and their Medicaid pro-

gram to join a shared savings plan. They are expected to save the State's Medicaid program \$4.4 million in FY '13 and \$9.3 million in FY '14. We should be encouraging other States to follow the path of Arkansas and reduce Medicaid costs and improve care.

Fourth, we have to modernize Medicare cost sharing and ask a bit more from those who can afford it. We should combine Medicare part A and B deductibles and cap them. We should increase means testing for premiums for part B. And we should limit first-dollar coverage for high earners. We have to protect our sickest seniors from high costs while asking a bit more from those with greater means.

Finally, we have to improve price and quality transparency. We should prohibit gag clauses, which currently prevent hospitals from sharing health care pricing information. Without pricing transparency, hospitals can't negotiate for the best price for medical devices and physicians can't make cost-conscious choices for their patients.

We do have to reduce health care costs, but there is a right way to do it and there is a wrong way. Mr. RYAN's plan is the wrong path. It harms seniors and fails to reduce underlying health care costs. By pursuing the five proposals I just outlined, we can reduce costs and improve quality, strengthening both our budget and our citizens.

### TRIBUTE TO AMERICAN SERVICEMEMBERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DESANTIS) for 5 minutes.

Mr. DESANTIS. Mr. Speaker, this week marks the 10-year anniversary of the start of combat operations in Iraq. Most of discussion in this town focuses on politicians, pundits, and writers. And while I don't begrudge people the ability to indulge in those types of debates, I do think what has been missing is a tribute to the sacrifices that have been made by American servicemembers.

Abraham Lincoln during the Civil War wrote:

This extraordinary war in which we are engaged falls heavily upon all classes of people, but most heavily upon the soldier. For it has been said, all that a man hath will he give for his life; and while all contribute of their substance the soldier puts his life at stake, and often yields it up in his country's cause. The highest merit then is due to the soldier.

The Iraq conflict is much different than the Civil War. One of the ways it



is different is that the burdens fell perhaps even more directly on our American servicemen and -women. After all, we did not have, and do not have, a military draft.

Most of the folks who were going over there volunteered, and a lot of them knowing that they would be sent to places like Iraq and Afghanistan. Many of our servicemembers did multiple combat tours, not just for 4 months or 6 months, but 12 months and 15 months, in very hazardous duties.

And what did they volunteer for? This was not a piece of cake. These were very difficult fights against an enemy that by and large dared not show its face. The enemy preferred to blend into civilian society and wreak havoc with improvised explosive devices and suicide vests. This was a daily reality for our men and women who were on the ground during this period.

When direct combat operations did occur between U.S. forces and the enemy, they were often fierce fights in urban centers in the streets of cities like Ramadi and Baghdad.

And, of course, being on multiple deployments and being gone for so long provided the opportunity for a lot of stress on families. It is difficult to be in a situation where you are missing a holiday. Some of our troops had to miss multiple holidays over multiple years. That is a sacrifice both for the folks who have to be back home but also for the troops who are on the front lines.

So Lincoln said: "The highest merit is due to the soldier." Indeed.

As we look back on the 10th anniversary of Iraq, what we see are soldiers, sailors, airmen, and marines who were given the most difficult of tasks and yet they discharged their duties with courage and skill. Henceforth, nobody will be able to recount the great feats of some of our services, such as the Marine Corps, from the shores of Tripoli to Belleau Wood to Guadalcanal, without also mentioning the great feats performed by brave marines in places like Fallujah.

□ 1010

When recounting the unparalleled skill of our Special Operations Forces, credit will have to be given to those Navy SEALs who ruled the night during Iraq's most perilous moments.

So, for braving the storms of war with honor, tenacity and distinction, we thank you, the American servicemember, for the sacrifices you made on behalf of our country; and for those who gave the last full measure of devotion, you have earned a place in the pantheon of America's greatest heroes. We thank you for your service and your sacrifice.

#### THE CREATION OF A COMMISSION ON HEALING THE PHYSICAL AND PSYCHOLOGICAL WOUNDS OF WAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, after a painful decade of war, the United States needs to take the time to regain its equilibrium and find peace. Without a formal process for acknowledging the physical and psychological costs of war, our collective trauma can undermine our country for decades.

As Ernest Hemingway wrote:

The killing is necessary, I know, but still the doing of it is very bad for a man, and I think that, after all this is over and we have won the war, there must be a penance of some kind for the cleansing of us all.

War involves staggering amounts of loss and—equally important—of killing. Despite great efforts by our soldiers to protect civilians, an overwhelming majority of casualties in modern war are innocent people. This incurs a deep spiritual and emotional cost to those who witness it and are sometimes responsible for it. Many initiatives exist that provide help for the men and women who have fought, but we must go beyond the policy initiatives. Soldiers returning from war need to share their experiences and unburden their souls.

Our soldiers volunteered to serve their country in war, but they did not volunteer to take over the entire moral burden that comes with it. Our Nation needs to discuss the complicated spiritual and emotional obstacles faced by any society that has waged war. This is not a partisan debate about the rightness or wrongness of war. This is a national effort to take care of our soldiers by publicly sharing some of their burdens. We must be willing to explore the responsibility that comes with asking them to fight.

In preindustrial societies, leaders were intimately involved in war, itself—often with a sword in hand—and religious and spiritual leaders were fully engaged in the aftermath. Rituals and ceremonies decommissioned the fighters and made the entire community conscious of the sacrifice. These processes are missing today, and they remain vitally important. The agony suffered by our veterans is vivid testimony: 22 veterans commit suicide every day while an average of almost one active duty soldier a day took his or her life in 2012. That's higher than in combat. Many other soldiers suffer from posttraumatic stress disorder, become addicted to drugs and alcohol, or fall into violence and prison.

If a society fails to address these emotional and moral issues publicly, soldiers and vets will struggle with them privately. Many of them will lose that struggle and leave us all affected by their loss.

The Nation requires concrete ways to address the wounds of the war. We need a national day of solemn ceremonies that acknowledge the costs in lives, trauma, lost limbs, families, a renewed commitment to the social and health issues of veterans, a discussion about national service for young, nonmilitary Americans, and a systematic interaction between combat veterans and civilians.

I worked with Karl Marlantes, who wrote the book "What It Is Like to Go to War," and with Sebastian Junger, who did the documentary called "Restrepo," which was about Afghanistan, in order to create this bill that would address these issues. We propose a commission to examine and articulate the spiritual challenges and to help heal the psychological wounds faced by a Nation emerging from a decade of war.

We call on the President, on the Senate majority and minority leaders, and on the House Speaker and minority leader to appoint a group of distinguished citizens to explore ways to heal this society. The committee should include veterans, spiritual leaders, psychologists, journalists, maybe even a poet. It should strive to reach beyond the politics of war and into the true moral and emotional consequences that violence always incurs. It may be hard for us, but we must do it if we are to remain a humane society.

Some see things as they are and ask why. I dream of things as they never were. The question we must ask now is: Why can't we do for our soldiers what needs to be done? They need to be taken home and received and understood by the populace for what they went and did for us.

#### THE RYAN BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. HURT) for 5 minutes.

Mr. HURT. Mr. Speaker, I rise in support of the House budget plan that is on the floor today. I thank Chairman RYAN for his leadership on this positive blueprint for our future.

Much has been said about a balanced budget over the past couple of weeks; and while it is important to point out that the House budget balances in 10 years while the Senate's budget never balances, I believe the more important point is why we believe our budget must balance.

A balanced budget is critically important to all Americans and to the future of our great country.

We must balance our budget for our senior citizens, who deserve to have security in their retirements. A balanced budget will strengthen critical retirement programs so our seniors are assured that Medicare and Social Security will continue to be there for them and for their children.



We must balance our budget for our hardworking mothers and fathers across our country. A balanced budget is fundamental to a healthy and robust economy that creates good jobs that the American people need to support their families.

We must balance our budget for our students. Those who are currently in our universities and in our community colleges should feel confident that an investment in their education will lead them to good-paying jobs when they graduate. A balanced budget gives them that confidence that their futures will not be threatened by staggering debt.

Most importantly, we must balance our budget for our children and our grandchildren, who deserve the same chance at the American Dream that we have been given. Rather than handing them the bill for this generation's irresponsibility, a balanced budget will allow us to hand them a brighter future, an American future.

Our balanced budget represents a departure from the status quo here in Washington, and it represents the House Republicans' commitment to moving our Nation forward in a fiscally responsible way. I urge my colleagues to support this resolution.

#### AMERICA AND GREECE— STRENGTH IN SOLIDARITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. SARBANES) for 5 minutes.

Mr. SARBANES. Mr. Speaker, I rise today to commemorate the 192nd anniversary of Greek Independence Day.

Greece and America are history's most storied democracies. Our Founding Fathers borrowed heavily from Greek antiquity to build American democracy. Our relationship with Greece, however, is more than one just of philosophical kinship. America, Greece, and Greek Americans have stood in solidarity since the founding of the United States.

In this year, when we also celebrate the 150th anniversary of the Emancipation Proclamation, the 50th anniversary of the March on Washington, and the 100th anniversary of both Harriet Tubman's death and Rosa Parks' birth, it is especially fitting to recall how Hellenes and African Americans have reached out to one another to provide mutual support.

When Hellenes acted to liberate themselves in 1821, James Williams, an African American sailor from my hometown of Baltimore, joined the Greek revolutionary navy and fought at the Battle of Navarino. In turn, John Zachos and Photius Fisk, orphans of the Greek War of Independence, became passionate abolitionists in America. Zachos was a member of the Educational Commission of Boston and

New York. Fisk, a U.S. Navy chaplain, helped slaves find freedom by supporting the Underground Railroad.

In 1922, recently arrived Greek immigrants organized the American Hellenic Educational Progressive Association in Georgia to defend themselves against the Ku Klux Klan. AHEPA went on to help countless Greek immigrants assimilate into American society, and it weighed in on many of the most significant social issues of our time, including the movement for civil rights. Archbishop Iakovos, leader of the Greek Orthodox Church in America, carried that commitment forward when he marched alongside Martin Luther King, Jr., in Selma, Alabama, in 1965. An iconic photograph of those two great leaders appeared on the cover of *Life* Magazine.

The historical relationship of these two proud communities embodies the greatness of America. On March 25, when we celebrate Greek Independence Day, we salute all those who have struggled for freedom, and we rededicate ourselves to ensuring that America remains a symbol of fairness and opportunity the world over.

□ 1020

I rise today also to mourn the passing of the legendary Greek American, Andrew A. Athens of Chicago.

Andy lived a life that few could match. He enlisted in the U.S. Army in January of 1942 and fought at the famous Battle of El Alamein in Egypt. He attained the rank of captain, and in 1945 was honored with the Bronze Star and the U.S. Army Commendation Medal for his outstanding military service. Andy went on to become a successful businessman and walked with kings and commoners, spreading the high ideals and values of Hellenism.

Andy was at the forefront of organizing Greek Americans in their pursuit of justice for Cyprus and freedom for the Ecumenical Patriarchate. And in so many of what for him became routine endeavors, he embodied Hellenism in the public service by giving back to the broader American society. Whether it was AHEPA, the Order of St. Andrew, or organizations he founded such as the United Hellenic American Congress and Hellenicare, the scope of Andy's commitment to a myriad of important causes was breathtaking. He combined a gentleness of spirit with a fierce determination to make a difference. Andy's heart was always full as he gave graciously of his time and resources to make this world a better place.

Above all, Andy Athens had a deep commitment to family. His beloved wife of 67 years, Louise, and Andy's entire family are in our thoughts. May his memory be ever eternal.

#### A BALANCED BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. RADEL) for 5 minutes.

Mr. RADEL. Mr. Speaker, I rise today in support of the House Republican budget, a balanced budget. Let me be very, very clear about this. A balanced budget means jobs. Again, a balanced budget means jobs.

Think about this for a second. Your family at home, you balance your budget; why can't Washington? Businesses balance their budget; why can't Washington? And House Republicans today, all we're asking is to balance the budget in 10 years. Think about this. If you have a 10-year-old, by the time we balance the budget, your 10-year-old will basically be almost done with college.

So in a bipartisan fashion, I would say look at the 1990s. Let's look at President Bill Clinton who balanced the budget with a Republican-controlled House, opportunity and jobs ran rampant. We need to return to that today. So we're asking this President, Please, work with us, Mr. President. But what is worse in all of this is how Senate Democrats have failed to serve you. The last time that they even passed a budget was before the iPad existed—before the iPad existed.

We're willing to compromise; we're willing to work with people. But how can we work with Senate Democrats when they're not working at all? They're not doing their job at all to serve you, the American people. Their budget right now that they're working on does nothing more than raise taxes. They want more of your money, more money out of your paycheck. Ask yourself, does Washington really need more of your money?

We're \$16 trillion in debt. We have deficits that we can't even wrap our arms around, and they want more of your money. If you had a financial adviser that put you a million dollars in debt and then ripped through your savings for your children's college education and all of your checking account and said, "Yeah, just give me some more money and we'll solve the problem," would you do it? Absolutely not.

More than jobs, though, we're also working to save Medicare and Social Security, the commitments that we have made to the American people. So let's take a look here at the big picture. Here's a budget breakdown of where we're at right now. Look, your eyes will glaze over when we start talking about the trillions of dollars that we spend. But let's take a look at what you pay versus what you expect.

This blue part right here is on autopilot. No adults have come to the table to talk about where we're at today and how to actually save your Social Security and Medicare and Medicaid in this big blue part. We're doing that today,

House Republicans, in balancing the budget. But this is what you expect from the Federal Government: your education, roads, bridges, a healthy environment, and what's mandated by the Constitution, our Armed Forces to protect us.

But this is where it gets really scary. All of this blue part here for Medicare and Social Security is what we take in. In other words, all of our cash on hand, if you will, the money that you pay the Federal Government every time you get a paycheck or pay your income taxes, this is all devoted to Medicare and Medicaid and Social Security. In other words, everything else—your education, the environment, our roads, bridges, ports, Armed Forces—all of that money to pay for that basically is borrowed. It's borrowed—or worse, just printed.

This is the sad reality that we're facing today. But with Republican House leadership and working with Democrats who are actually willing to come to the table and compromise—and not just work with us, work for you—we can save Social Security and Medicare.

And by the way, when you hear Democrats or you see the videos of them throwing your grandmother off a cliff or telling you that Republicans just want to cut, cut, cut, no; this is about save, save, save. And in the words of a hip-hop band from my generation, Public Enemy: don't believe the hype.

House Republicans are working today for you. We're working to save Social Security and Medicare. We're working to save this economy and, ultimately, this country for you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

#### GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, today I rise to honor and commemorate the 192nd anniversary of Greek Independence Day.

Like the American revolutionaries who fought for independence and established this great Republic we call the land of the free and the home of the brave, Greek freedom fighters similarly began an arduous struggle to win independence for Greece and its people 192 years ago on March 25.

The Greeks faced four centuries of Ottoman oppression, a David versus Goliath situation, if you will. Beginning their revolution on March 25 was no coincidence. This was the holy day dedicated to the mother of God, Theotokos; and as such, they had their champion, their savior, and their protector by their side. As Archbishop Germanos of Patras raised the flag of

revolution over the Monastery of Agia Lavra in the Peloponnese, "Eleftheria i Thanatos"—Liberty or Death—became their battle cry.

As is true in our own country, the price of freedom was great, with brave men and women fighting for God and country in the hope of a better world for future generations.

Our Greek brothers sacrificed much for their independence, and there are many stories which I could share to demonstrate the heroism they exhibited. Most Greeks will remember that of Athanasios Diakos, legendary hero, priest, patriot, and soldier who led 500 of his men in a notable stand against 8,000 Ottoman Turk soldiers. While Diakos' men were wiped out and he fell to enemy hands which tortured him before his death, he became the image for Greeks to give all for love of faith and homeland. May his memory be eternal, Mr. Speaker.

The revolution brought independence to Greece and emboldened those who still sought freedom across the world. It proved a united people, through sheer will and perseverance, can prevail against tyranny. And it is a sentiment which can still be found among Greeks today.

Greek soldiers served alongside Americans in World War I, World War II, and the Korean War. They've always been our allies, Mr. Speaker, and continue to be today.

This week, the joint naval exercise Noble Dina is expected to conclude. And for the 3rd year, the navies representing the United States, Greece, and Israel have come together to engage in maritime evacuations and search and rescue drills, a symbol of the ongoing and growing friendships between the countries.

□ 1030

The lessons the Greeks taught us in 1821 continue to provide strength to victims of persecution throughout the world today. By honoring the Greek struggle for independence, we reaffirm the values and ideas that make America great.

Each time I perform my constitutional duties, I am doing so in the legacy of our American forefathers and the ancient Greeks. As Thomas Jefferson once said, "To the ancient Greeks, we are all indebted for the light which led ourselves, American colonists, out of gothic darkness."

We celebrate Greek Independence Day to reaffirm the common democratic heritage we share. And, as Americans, we must continue to pursue this spirit of freedom and liberty, which characterizes both great nations.

Zito i Ellas. Long live Greece.

#### TRIBUTE TO THE SERVICE OF CAPTAIN ANDREW S. WHITSON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. RIGELL) for 5 minutes.

Mr. RIGELL. Mr. Speaker, I rise to recognize and congratulate an exceptional naval officer, Captain Andrew Shepard Whitson, at the completion of 30 years of distinguished naval service, culminating as the Director of the U.S. House of Representatives Liaison Office for the Department of the Navy's Office of Legislative Affairs.

I'm honored to commend Captain Whitson's achievements and recognize his service and devotion to our great country.

A 1983 graduate of the Virginia Military Institute, Captain Whitson earned his wings in 1985 and was designated a naval aviator. He sailed around the world, flying the F-14 Tomcat and F/A-18 Hornets. He's served in five fighter squadrons, participating in multiple combat operations during Desert Storm and Operation Iraqi Freedom. He was also recognized as the "East Coast Fighter Pilot of the Year" in 1997.

Captain Whitson served as the executive officer and commanding officer of the Bounty Hunters of Fighter Squadron Two, leading them through two deployments aboard USS *Constellation* (CV-64), including the combat operations in Iraqi Freedom. In 2009 and 2010, he served as the commander of Carrier Air Wing 17.

Captain Whitson is retiring after 30 years of honorable service to this Nation. His professional success would not have been possible without the support of his wife, Tracy—I've had the privilege of getting to know Captain Whitson and his family—and his lovely daughter, Alexandra. Their shared sacrifice is a credit to their personal character.

I wish Captain Whitson continued success and fulfillment as he transitions to civilian life after three decades of exceptional service to our country. His loyal dedication to duty reflects the highest standards of naval service.

I hold him in high personal regard and consider it a privilege to call Captain Whitson my friend. And I'm delighted that he and his family call Virginia's Second Congressional District their home.

Mr. Speaker, I know that my fellow colleagues this morning join me, all Members of the House, in saluting this outstanding naval officer and wishing him and his wonderful family fair winds and following seas.

#### HONORING THE ANNIVERSARY OF GREECE'S DECLARATION OF INDEPENDENCE FROM THE OTTOMAN EMPIRE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for 5 minutes.

Mrs. CAROLYN B. MALONEY of New York. As cochair and cofounder of the Congressional Caucus on Hellenic

Issues, I rise today to celebrate the 192nd anniversary of Greece's declaration of independence from the Ottoman Empire.

Against incredibly difficult odds, the Greeks defeated one of the most powerful empires in history to win their independence. Following 400 years of Ottoman rule, in March 1821, Bishop Germanos of Patras raised the traditional Greek flag at the monastery of Agia Lavras, inciting his countrymen to rise up against the Ottoman army.

The bishop timed this act of revolution to coincide with the Greek Orthodox holiday celebrating the Archangel Gabriel's announcement that the Virgin Mary was about to give birth with the divine child. Bishop Germanos' message to his people was clear: A new spirit was about to be born in Greece. The following year, the Treaty of Constantinople established full independence for Greece.

New York City is home to one of the largest Hellenic populations outside Greece and Cyprus. Astoria, Queens, which I have the honor of representing, is often called "Little Athens" because of the large Hellenic population in that neighborhood.

New Yorkers celebrate Greek Independence Day with a parade on Fifth Avenue in Manhattan, which I have been honored to participate in year after year. Marching side-by-side with my Greek-American friends, I have always been overwhelmed by the warmth and enthusiasm which the community has brought to New York City. These events remind us of the Hellenic-American community's many contributions to our Nation's history and culture.

The friendship between America and Greece is based on mutual respect, a commitment to common goals, and a sharing of fundamental values, especially ensuring stability in southeastern Europe. I hope permanent solutions can be found for ending the divisions of Cyprus and finding a mutually agreeable name for the former Yugoslav Republic of Macedonia.

I know that the Greek independence movement was an inspiration to the American independence movement, and we have learned so much from our Greek friends.

I have introduced, in many Congresses, an important resolution with my caucus cochair, Representative GUS BILIRAKIS. This resolution urges Turkey to respect the rights and religious freedoms of the ecumenical patriarch. It was my privilege to meet with the patriarch last year, and I know that he is negotiating with the Turkish government for the return to Halki, the Greek Orthodox seminary, of the right and independence to educate their priests and to restore their lands to them.

I want to say that I ask all of my colleagues to join me and Members of Congress in celebrating Greece's inde-

pendence. It is also my sincere pleasure to pay tribute to New York's Hellenic-American community for its many contributions to our great country.

Zeto e eleftheria. Long live freedom.

#### YUCCA MOUNTAIN AND JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I rise once again today in support of Yucca Mountain in Nye County, Nevada, which, by law, is designated as the site for a permanent geological repository for our Nation's spent nuclear fuel.

Last year, the President's Blue Ribbon Commission on America's Nuclear Future issued a report, but barred even evaluating the merits of Yucca Mountain, despite the fact that it has been approved on a bipartisan basis by Congress and signed into law by the President, and actually reaffirmed by signing the law in 2002. The initial law was passed in 1982, and the law was amended in 1987, which, in a bipartisan manner, passed through both Chambers, signed by different Presidents, established that Yucca Mountain would be the repository for our nuclear spent fuel.

What the Blue Ribbon Commission did say was any host community should expect incentives. That commitment is no different from Nevada when it comes to Yucca Mountain. And good news: the local county, Nye County, Nevada, is consenting and ready to negotiate with the Department of Energy.

In advance of Yucca Mountain even receiving its first delivery, we will work with the State, Nye County, and surrounding communities to provide incentives to benefit the people of Nevada and their communities. We will address infrastructure needs, provide additional ground water monitoring, and build rail spurs, providing benefits outside of the Yucca Mountain project.

As we look to make nuclear processing viable in the future, we can establish research dollars to universities in the State to be leaders in this field, and we will work to develop these and other ideas from State and local leaders to best fit their needs.

This will mean thousands of direct or indirect jobs across the State of Nevada. Before any of these incentives are even discussed, we know from DOE in the past that the project would yield over 2,500 direct jobs on its own for more than 25 years under the current permit. Even after 50 years, as the project winds down, there would still be more than 500 direct jobs.

□ 1040

Construction of a rail spur could require an additional 1,000 workers and 300 permanent jobs for decades to come. All told, with indirect jobs and

the project alone, conservative estimates project 7,000 new jobs in Nevada, not even counting those associated with other incentives we in Congress are prepared to work with the State and local communities to pursue.

Mr. Speaker, we need to move forward on finishing the licensing application on Yucca Mountain, as required by law. Let the science speak for itself that says Yucca Mountain meets a million-year safety standard so it can serve as a national asset that develops thousands of badly needed jobs in Nevada's struggling economy.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Monsignor Robert Kurwicki, Cathedral of Saint Joseph, Jefferson City, Missouri, offered the following prayer:

O gracious and merciful God, so great and everlasting, we come before You today with our hearts filled with sincere love and true devotion. Now grant us, in this, the people's House, a spirit of justice and goodwill in order that the important work of this day may be carried out in truth and charity.

We know that, by our own strength, we will falter and fail. Yet we have a hope that You will never leave us or forget us in Your great shepherd's care. We are serious as we recommit ourselves to You and to Your goals. Show us the way to perfection.

Bless these elected Members, their families, staffs, and constituents in a special way this day, in order that they may continue to reach for the highest, noblest, and greatest benefits for this Nation.

And the House says, Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. BARROW) come forward and lead the House in the Pledge of Allegiance.

Mr. BARROW of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING MONSIGNOR ROBERT KURWICKI

The SPEAKER. Without objection, the gentleman from Missouri (Mr. LUETKEMEYER) is recognized for 1 minute.

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, today it is my privilege to introduce Monsignor Robert A. Kurwicky as an esteemed guest to deliver the opening prayer of the United States House of Representatives.

Monsignor Kurwicky is the Reverend Monsignor of the Cathedral of Saint Joseph in Jefferson City, Missouri. The monsignor has served the great State of Missouri as the chaplain of the Missouri House of Representatives since 2011, a position in which he is responsible for leading the members of the State house in prayer and helping to improve the strong tradition of faith in our capitol in Missouri.

In addition to his important role in the Missouri House of Representatives, he is also a member of the Priests Senate and Vice-Chancellor of the Diocese of Jefferson City. Monsignor Kurwicky is and has been a tremendous spiritual influence, not only to myself and my family, but also the Third District, as well as the entire State of Missouri.

It is an honor to welcome him here to Congress and thank him for his invaluable service to our community and our country.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OLSON). The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### THE HOUSE REPUBLICAN BUDGET

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Mr. Speaker, this week, the House will vote on the House Republican budget resolution. This will be the third straight year that the House will pass a budget. The budget is not just a plan for this coming fiscal year, but it's also a plan to balance our budget in this Nation in 10 years.

The national debt is now \$16.7 trillion. That works out to about a \$147,000 of debt per taxpayer. Our Nation cannot continue to spend and borrow at this rate. The House Republican budget tackles our spending problems head-on,

while protecting our military from indiscriminate cuts.

It also outlines a plan to reform our burdensome Tax Code. By getting spending under control and reforming our Tax Code, this budget would help create jobs, and that's exactly what our economy needs right now.

Congress has a responsibility to future generations to get the budget balanced, and I strongly encourage my colleagues to support this effort.

#### FALSE CHOICES

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, I rise today in opposition to the budget proposals on both sides of the aisle that are before the House this week.

Folks in Washington are good at giving the American people false choices. Today, we're forced to choose between budgets that cut Medicare benefits and budgets that unnecessarily raise taxes.

Folks in my district in Georgia have had enough of these false choices. We need to cut spending on things we don't need and can't afford, balance the budget, and lower taxes on all families; but there are no proposals to do that.

Each time we come to the House floor to deal with a budget, both sides are focused on messaging, not solutions. The people in my district deserve better. It's time for Congress to develop a responsible budget that cuts the deficit, protects Medicare and Social Security, and lowers taxes by fully reforming our outdated Tax Code.

#### PATH TO PROSPERITY

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, this week, the House will consider the Path to Prosperity budget, reaffirming, once again, that the House Republicans are the only ones in Washington offering serious solutions to government's spending-driven debt crisis.

Americans at home must prepare a balanced budget for themselves and their families. Our plan would bring the same common sense to Washington once the budget is balanced over the next decade.

Our budget is not balanced by raising taxes on hardworking Americans, but by responsibly reducing spending on government waste and reforming mandatory spending to ensure that programs on which Americans rely remain strong for decades to come.

Our budget saves taxpayers \$4.6 trillion over the next decade. The Senate Democrat budget, however, calls for \$1.5 trillion in new taxes and \$7.3 trillion in new debt.

America, Mr. Speaker, deserves better. That's why the House Republicans have proposed the Path to Prosperity to get our economy back on track and create more jobs and opportunities for more Americans.

#### CLIMATE CHANGE IS REAL

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, the ocean levels are rising. The ice cap is melting. Severe storms, more intense and more frequent. Climate change is real, not that you'd know it in this body. We're still having a debate about the reality. This is a fact-free zone in Congress when it comes to climate change. But we can still make progress, even if we debate the science.

We should do things that allow all of us to use less energy. Energy efficiency is good, regardless of what fuel source you use. It creates jobs for the folks who are out of work in the home construction industry, doing retrofits for commercial and residential buildings. It saves families money, and it saves businesses money.

There's an enormous amount of advocacy on both sides of the aisle to do this practical, commonsense step. It will have an incidental benefit, as well, of reducing carbon emissions.

So even as we have an unresolved debate about the science of climate change, let's take practical steps that are good for jobs, good for the economy, and good for saving taxpayers money.

#### THE TENTH ANNIVERSARY OF THE START OF THE WAR IN IRAQ

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, today is the 10th anniversary for the war in Iraq that began with the United States-led invasion on March 20, 2003.

In 2005, I resigned from public office in the State of Colorado to return to Active Duty in the United States Marine Corps for assignment in Iraq. I did this, not because I believed that the invasion of Iraq was the right decision for our country, but because I strongly believed that, once the decision had been made to go into Iraq, that we had a responsibility to bring this war to a just conclusion.

I can't say enough about the young men and women of our military whom I met in Iraq when I served there and observed their courage, their determination to succeed under very challenging conditions, and their extraordinary sacrifices.

However, now that I'm a member of the House Armed Services Committee,

I will do everything I can to make sure that our country never goes down this path again. Nation-building operations, where we invade, pacify and administer whole countries, is the wrong direction for America and must never be repeated again.

□ 1210

#### REPEAL THE SEQUESTER

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, today the Senate Commerce, Science, and Transportation Committee will hold a hearing on sequestration's effect on implementing safety regulations at the Federal Aviation Administration. This is an important reminder that critical deadlines for the release of rules regarding pilot qualifications and training are fast approaching.

Just over 4 years ago, dozens of lives were lost as Continental Flight 3407 crashed in my western New York community. Since then, the families and friends of these victims have made countless visits to Washington, D.C., and advocated to ensure that what happened to their loved ones will never be repeated.

Mr. Speaker, we cannot lose focus and allow further delays to the completion of these already long-overdue rules. I urge Congress to repeal the sequester for the safety of our flying public.

#### THREE-YEAR ANNIVERSARY OF PRESIDENT OBAMA'S TAKEOVER OF HEALTH CARE

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, this week marks an anniversary that doesn't warrant celebration. Three years ago, President Obama's takeover of health care was signed into law.

This mountain of stacked paper represents the 20,000 pages of new regulations in President Obama's new health care law. Each regulation represents another shackle on America's small businesses—our job creators. But don't take my word for it. Just ask the folks at two of Ohio's home health care employers, Interim Health Care in Bridgeport, who employs 300 hardworking Ohioans, or Comfort Keepers in East Liverpool, who employs another 230. Both companies tell me that President Obama's takeover of health care is causing them to seriously reconsider the ability to expand and hire more employees. In fact, they may not survive.

These are just two companies in eastern Ohio. What about the thousands of small businesses across America?

President Obama's health care law is a government red tape tower that's raising health care costs, limiting access to health care, and it's hurting job creation at a time when we need real economic growth.

#### VETERAN EXCELLENCE THROUGH EDUCATION ACT

(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute.)

Mrs. NEGRETE McLEOD. This week marks the 10th anniversary of the onset of the Iraq war. As our troops return home, many still face a high unemployment rate. The statistic is higher for women veterans.

One remedy to this abysmal unemployment rate is education. However, for many veterans, the opportunity to pursue the necessary education is difficult because of economic constraints, family responsibilities, or lack of information about available Federal resources. Similarly, many college campuses struggle to provide veterans with these resources.

That is why I introduced my first bill this week, called the Veteran Excellence Through Education Act. This bill creates a competitive grant program aimed at helping college campuses that serve underrepresented populations and provides academic and related support services for all enrolled veterans in these schools. My district has many nearby schools with a growing veteran student population that would benefit from this bill, such as Cal Poly Pomona, Cal State San Bernardino, San Bernardino Valley Community College, and UC Riverside.

Education is a future investment. It is our obligation to assist veterans with job training and economic opportunity in return for their service to our country. I urge my colleagues to support this bill.

#### REPUBLICAN BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Every American family and small business knows that budgets have to be balanced to be sustainable. For years, though, Washington hasn't been balancing its budget. The Senate hasn't even been passing them. House Republicans have had enough of this "Washington exceptionalism." We've introduced a budget for the Federal Government that will balance in just 10 years.

Budgets reveal priorities, and House Republicans have revealed ours. We want to build a stronger, more prosperous future for this generation and the next. We want to protect the promise of Medicare, guarantee accountability for the use of taxpayer dollars, preserve personal freedoms, and pursue

commonsense governance. The American people deserve this, and so we've offered a balanced budget that encourages growth and opportunity for all while paving the way for the country to get out of debt.

Will the President follow our lead and submit a budget that balances?

#### RYAN BUDGET

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, more than 4 months have passed since our country reelected President Obama and embraced his plans to keep moving our country forward. But right now, Republicans are offering a budget proposal that includes many of the same ideas that voters rejected this fall. The Republican budget would end the Medicare guarantee as we know it and repeal the Affordable Care Act that's already providing benefits to so many families in my home State of Rhode Island and across this country.

Rhode Islanders don't want another Republican budget proposal that jeopardizes our economic recovery, gives away billions of dollars in tax subsidies to Big Oil, and protects tax breaks to companies that ship jobs overseas. They want a budget that reflects our values and priorities as a Nation, a budget that honors the promises we made to our seniors, puts our country back to work, invests in rebuilding our national infrastructure, protects our investments in education, and reduces our deficit by making smart cuts in spending and reforming our Tax Code.

The Republican budget fails to meet any of these standards, and I hope my colleagues will join me in opposing it this week.

#### PRESIDENT OBAMA GOES TO ISRAEL

(Mr. ROSKAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSKAM. Mr. Speaker, I'm pleased to announce that over 100 colleagues have joined together on both sides of the aisle to send a letter to President Obama commending his trip to Israel and also asking him to use it as an opportunity to continue to put the imprimatur of the administration on a strong U.S.-Israeli relationship. We also urge the President to continue to make sure that all options are on the table as it relates to Iran and their nuclear ambitions and that we should continue to adopt a policy of prevention and not containment.

Similarly, we said that we need to protect Israel's Qualitative Military Edge and Israel's inherent right to defend itself, and also recognize that the Israeli-Palestinian peace process can

only be achieved and advanced through direct negotiations without preconditions.

Finally, we said that the President must maintain foreign aid to Israel, as well as funding for Iron Dome and other Israeli-made antimissile defense systems.

In a nutshell, we've urged the President to use this as a time to highlight our relationship with the Nation of Israel because it makes all the sense in the world, and it's a foundation upon which prosperity can happen.

#### SEQUESTRATION

(Mr. MAFFEI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAFFEI. Mr. Speaker, I stood here a few days before the sequester deadline and urged this House to take action. The sequester is a set of random, arbitrary, temporary cuts that put thousands of jobs in jeopardy and harm our national security readiness and our economy. Some have yet to see the immediate effects. But this problem is like a pipeline being shut off 10 miles down the road. We may not notice it right away, but soon it'll start to turn into a trickle.

In central New York, we are seeing the effects at our airports, our schools, our hospitals, and throughout our community:

280 employees are slated to be furloughed at the 174th Attack Wing at Hancock Field, a unit currently in operations in Afghanistan;

The air traffic control tower at Hancock Airport may close for overnight flights;

The Syracuse City Schools could lose more than a million dollars in aid. They have already lost nearly a thousand positions in the last 3 years.

Mr. Speaker, we cannot continue to slam our schools and expect to have an educated workforce for the 21st century. We need to address our debt and balance the budget. But we can't do it on the backs of our middle class and seniors, and we shouldn't do it at the expense of thousands of hardworking men and women: our teachers, public health workers, law enforcement officers, prison guards, FDA inspectors, Social Security workers, and civilian Defense Department workers. They're just trying to make a living and keep their jobs.

Just as my constituents have asked me to do, I'm going to keep urging this House to take action. We need to work together to protect our middle class, protect jobs, and get our economy moving again. We cannot continue this policy of random cuts time and again, putting our economy at risk. We have to stop punishing our constituents because Washington doesn't work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Members are

reminded to heed the gavel at the expiration of the time for which they are recognized.

□ 1220

#### GET THE FACTS BEFORE BLAMING RENEWABLE FUEL SECTOR

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, there has been a lot of media coverage on RINs. A RIN is a renewable identification number which is given to refiners upon the purchase of renewable fuels. It is then used by refiners every February to establish that they have met their previous year's obligation under the Renewable Fuels Standard.

These recent stories raise a question as to why RINs are being blamed in the increase in gasoline prices. RINs are given away for free by ethanol and other renewable fuel producers to the refiners and only have value in the submission of the reports in February. We are currently in the month of March and soon to be in April. There are questions that need to be asked on why such swift dramatic price shifts are being reported in the market? Are speculators at work?

There is an excess of over 2 billion RINs. Why is that not proving and providing stability? I encourage the media to ask these types of questions, but to simply jump on and blame the renewable fuel sector is incorrect.

#### RECOGNIZING DR. HOPE MICHELSEN AND ALICE DENG FOR INDUCTION INTO WOMEN'S HALL OF FAME

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise to honor and recognize Dr. Hope Michelsen of Livermore and Alice Deng of Pleasanton for their recent induction into the Alameda County Women's Hall of Fame.

The Hall of Fame recognizes outstanding women in our area and their contributions to our community and Nation. Dr. Michelsen is being honored in the category of science, and she is a leader and trailblazer at Sandia National Laboratory in my district. She is a combustion and atmospheric chemist at Sandia National Lab and a lead researcher on several projects related to energy and climate change.

Alice is being inducted to the Hall of Fame in the youth category. A student at Amador Valley High School in Pleasanton, Alice demonstrates leadership well beyond her years. She is the cofounder of an organization that helps young people overcome their fear of

public speaking and an active volunteer with the Tri-Valley Eden Township Youth Community Court.

It's fitting that these extraordinary women are being honored in March, which is Women's History Month. I'm very proud to have both Alice and Dr. Michelsen in my district. Their hard work continues to move our district forward.

#### CONGRATULATING SOUTHWEST AIRLINES AND DALLAS LOVE FIELD AIRPORT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to congratulate Southwest Airlines and Dallas Love Field Airport as they celebrate the unveiling of the new terminal and long-overdue repeal of the Wright Amendment. This long-awaited milestone goes to show that freedom and free enterprise go hand in hand.

You know, when we first introduced legislation to repeal the Wright Amendment back in 2005, people said it couldn't be done. When government gets out of the way and allows free enterprise to unleash its full potential, businesses expand, create jobs—and in this case soon will offer the people of Dallas and visitors a world-class airport. Passengers pay lower fares and fly nonstop to more destinations across the country. Clearly, when you've got freedom on your side, you're bound to win.

Thank you for your commitment to our community, and congratulations Southwest Airlines and Dallas Love Field.

God bless you, and God bless America.

#### RYAN BUDGET

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Yesterday, I discussed the American Society of Civil Engineers' scorecard. Our infrastructure is failing—it got a D-plus—costing us lost productivity and wasted fuel. Now, we need to deal with that problem, but there is an even bigger problem looming, which is the already inadequate levels of investment in our infrastructure are about to end.

The Ryan budget takes us from a \$40 billion investment in our crumbling roads, bridges, and highways to \$100 million—\$40 billion, \$100 million. Transit: \$10 billion to zero. That's right. The Ryan budget cuts our investment—that's already inadequate—in infrastructure from \$50 billion a year to \$100 million. That's about 1 million jobs lost in addition to the accelerated deterioration of the system.

That can't be a serious proposal. This isn't a serious budget. It's balanced on phony premises. Anybody believe we're going to go to zero spending and abandon Federal investment in our roads, bridges, highways, and transit systems? And if they believe that, that's even crazier than the numbers in this budget.

The Democratic budget continues those investments and makes certain we will invest in the future of America.

#### REPUBLICAN BUDGET A BLUEPRINT FOR ECONOMIC GROWTH

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, currently we are experiencing one of the worst economic recoveries in the history of our Nation. It's a stagnant economy, and this should not be the new normal. Our budget is a blueprint for economic growth and job creation.

I can't stress the differences between our budget and the Senate Democrat budget. Their budget raises taxes by over \$1 trillion and never balances. This is totally irresponsible.

We cannot continue to borrow nearly \$4 billion every day. Current policies and the Senate Democrats' plan is suffocating our economy and job growth.

Our budget brings us to a balanced budget using tax dollars in a fiscally responsible manner, commonsense regulatory tax reforms, and an energy policy that results in economic growth and job creation.

#### REPUBLICAN BUDGET PLAN

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Good day, Mr. Speaker. Good day, my colleagues—or as my Republican colleagues would say, bonjour.

Today, we're considering the Republican budget, which is a plan modeled after European-style austerity measures. In plain English, it is bad.

The non-partisan Congressional Budget Office makes clear this budget will slow economic growth and kill over 2.5 million American jobs. It requires further sacrifices from our veterans, our seniors, students, small businesses, and hardworking middle class families. It ends Medicare as we know it. And it has no vision for how we're going to create jobs. It doesn't even include the phrase "job creation."

The American people rejected this budget in November 2012. The Congress should reject it today. It's time to say *au revoir*—good-bye—to this Republican budget and move forward with a plan focused on jobs and creating a better future for this country.

#### SENATE COMMENTS ON MARINE TRAGEDY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, yesterday I was stunned to watch the senior Democrat leader of the other body implying that the blame for Monday's tragic deaths of seven marines is the result of the recent automatic cuts to defense spending, also known as sequestration—"the sequester." His outrageous comments referring to the dead marines' training with explosives implied that the sequester which the President insisted upon was "going to cut back this stuff"—their training.

I'm appalled because this senior Democrat should know that the sequester cuts have not even been fully implemented. They could not have played a role in these marines' deaths.

As an American who has proudly worn the uniform of a naval officer, I am furious that a Member of Congress would play politics with such a tragedy. The families of these seven marines deserve an apology. I pray that they will get it.

Semper fi, Marines. Semper fi.

#### NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT OF 2013

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to introduce the Newborn Screening Saves Lives Reauthorization Act.

In 2008, with strong bipartisan support, Congressman SIMPSON and I introduced the original bill that was signed into law that year. For the first time in history, a scientific method for adding newborn screenings to State programs was established.

Prior to enactment of this law, only 10 States and the District of Columbia required infants to be screened for all the recommended disorders. Today, 44 States and the District of Columbia require screening of at least 29 of the 31 core treatable conditions. Unfortunately, critical gaps and challenges remain.

The reauthorization bill establishes a grant program to assist States in developing followup and tracking programs and renews the Secretary's Advisory Committee for Heritable Disorders.

I urge my colleagues to cosponsor this vital legislation. No child should die or suffer from preventable disabilities which could have been detected at birth.

□ 1230

#### HOUSE REPUBLICAN BUDGET

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Mr. Speaker, I come to the House floor today to voice my strong support for the House Republican fiscal year 2014 budget. And I want to commend my colleague, chairman of the Budget Committee, PAUL RYAN, for his ongoing leadership on this issue.

There is simply no denying it: the Federal Government has a spending problem, a problem that has led to nearly \$17 trillion of debt. For too long, Washington has shirked its responsibility in addressing this issue and punted the problem to future generations. As a father, I cannot in good conscience let this generational theft continue.

It is critical that we pass a budget that puts our country back on track through responsible cuts and reforms. The Oversight and Government Reform Committee, of which I am a member, has already identified numerous duplicative government programs. Yet rather than eliminating these programs, the government continues to pour more money into them.

Congressman RYAN's budget prioritizes our spending so that we protect important programs in the long-term by trimming the waste in government.

#### BAN ON KNIVES

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, 11 years ago our Nation experienced unimaginable loss caused by the terrorist attacks on September 11. Let us not forget that the terrorists overtook planes using simple box cutters, which were allowed on board at the time.

TSA's recent decision to now lift the ban on knives on aircraft is shockingly irresponsible and reckless. Why make this potentially deadly decision when this policy has been keeping our Nation safer for years? This is dangerous for passengers, flight attendants, and pilots. The airlines, flight attendants, pilots, and Federal air marshals have all expressed their strong opposition to this TSA policy that will compromise their safety and the safety of their passengers.

Americans can plainly see that it is commonsense to keep potential weapons off our airplanes. We have already witnessed the harm knives can cause. Knives took down four planes. Knives took down the World Trade Center. Knives struck at the heart of our Nation's defense. Knives took thousands of innocent lives.



This is a huge step backwards in protecting American security. I urge my colleagues on both sides of the aisle to stand with the American people and urge TSA to not implement this reckless strategy.

#### RYAN BUDGET

(Mrs. ELLMERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS. Mr. Speaker, I rise today in support of the House budget proposal for the 2014 fiscal year. This proposal sets real practical goals that will stop spending money we don't have by cutting wasteful spending, fix our broken Tax Code to create jobs and increase wages, protect and strengthen important priorities like Medicare and national security, reform welfare programs like Medicaid so that we can deliver on the promises that we have made for those who truly need it, and repeal the President's health care bill so that we can finally replace it with meaningful patient-centered health care.

Most importantly, it reduces the deficit and the debt that we have, and it becomes balanced in 10 years. I am continuously amazed by those on the other side of the aisle who say that this is just crazy talk that we would balance the Federal budget in 10 years.

Mr. Speaker, this addresses the issues and the goals that will create a pro-growth economy and which will affect every American family across this country.

#### REMEMBERING GOVERNOR HUGH L. CAREY OF NEW YORK

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to recognize a distinguished New Yorker and former Member of this body, who will be honored in a special ceremony in New York's 20th Congressional District on April 8. Hugh L. Carey was born in Brooklyn in 1919, enlisted in the Army in World War II, served in Europe where he helped liberate prisoners at a concentration camp, and eventually reached the rank of lieutenant colonel.

Upon returning home, Mr. Carey received a law degree from St. John's University. In 1960, he was elected to this Chamber and went on to serve seven terms before being elected Governor of New York in 1974, a position he held until 1981.

Governor Carey is widely remembered for his steady hand during New York City's economic crisis, during which he brought many competing interests together to forge compromise on difficult issues. He also instituted

improvements for the mental health community of New York State. A born storyteller with a quick wit and boundless charm, Hugh Carey was a New Yorker to the core.

I am honored to have this opportunity to remember a former Member of this body, as well as New York's 51st Governor, who throughout his career led with distinction and compassion. I look forward to next month's ceremony recognizing his service in World War II.

#### PATH TO PROSPERITY

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, the Path to Prosperity budget on the floor this week reaffirms once again that House Republicans are the only ones in Washington providing genuine, serious solutions to our country's spending-driven debt crisis.

We have released a budget that cuts government spending responsibly, enacts commonsense reforms, and, most importantly, balances the government's books within 10 years.

Mr. Speaker, what have we heard from the President? Well, nothing. The President hasn't even submitted his budget to Congress yet, and it is on track to be one of the latest budget submissions in history. And the Democratic-controlled Senate's budget, of course, raises taxes and never, ever breaks even.

That is not what America needs, Mr. Speaker. With our budget, House Republicans have provided a genuine blueprint for creating more jobs and opportunity in America today.

#### RESTORE THE TUITION ASSISTANCE PROGRAM

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to introduce H.R. 1265, bipartisan legislation which would restore tuition assistance for men and women serving in the military.

Earlier this month, the Department of Defense announced that the Army, Marine Corps, Air Force, and Coast Guard would all be suspending their tuition assistance programs due to sequestration.

I represent Fort Bliss and the 36,000 men and women in uniform who currently serve there. Many of them served in Iraq and Afghanistan, and the tuition assistance programs are critical to help them transition into civilian life and to find good-paying jobs.

This program represents 0.1 percent of the Pentagon's budget. As Joint Chiefs of Staff Chairman General Martin Dempsey has said, "There's nothing more important in a democracy than education."

Let's stand up to ensure that those who have given so much for our Nation have access to education. Please join me in supporting H.R. 1265.

#### DEMOCRATIC BUDGETS

(Mr. MULVANEY asked and was given permission to address the House for 1 minute.)

Mr. MULVANEY. Mr. Speaker, in a few minutes, we are going to start taking up debate on several budgets. I want to point out one important consistent thing about the budgets that my esteemed colleagues will be offering. Not a single one of them ever balances. I will say that again, Mr. Speaker: not a single Democrat budget that is being offered will ever balance.

If we do not have surpluses, we cannot pay down the debt. We will never be able to pay down the debt until we have surpluses. If you offer a budget that never offers any surpluses, there is never any way to repay the debt.

And I respectfully suggest that if I come to you and ask you to lend me money and I have the intention of giving it back to you, that that is truly debt. But if I come to you and ask you to give me money and I have no intention of ever giving it back to you, that is theft. That is exactly what the opponents' budgets will offer us today. There is no way to ever repay any of this debt. It is wrong, and the American public deserve better.

#### WORLD WATER DAY

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. As a third-generation family farmer, I know firsthand that water is the lifeblood of not only San Joaquin Valley, but our entire world. For decades, generations have had to fight tooth and nail for a reliable water supply. It grows our crops, drives our economic activity, and, more importantly, sustains human life. As the global population continues to grow, the demand on the world's water supply will continue to increase and create greater opportunities for conflict.

Friday is World Water Day when we focus on how we can meet the water needs of all people, regardless of where they live on this planet.

In our valley, we have learned much about ways to conserve water, convey it over long distances, and put it to use efficiently. Nonetheless, in California this year, we will have to deal with another partially caused regulatory drought that was unnecessary.

Water has and will continue to present both challenges and opportunities. We must choose the side of cooperation and collaboration if we are about to solve our world's long-term water needs.



□ 1240

## GREEK INDEPENDENCE DAY

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Madam Speaker, I rise today as a proud member of the Congressional Hellenic Caucus to recognize Greek Independence Day.

Let us honor this date in memory of the beloved Andy Athens.

This holiday celebrates the 1821 victory in the Greek people's struggle for independence from the Ottoman Empire.

My grandfather, Arthur Costandinos Cathones, for whom I am named, instilled in me a great love for Greece and Greek culture. The Hellenic values he taught me have served me well as guiding principles throughout my career in public service.

I have enjoyed visiting Greece a number of times to learn firsthand about the birthplace of democracy. These trips have given me a deep understanding of the country's history, its food, its culture, its music and especially its people. I encourage my colleagues to visit Greece to experience all it has to offer.

The U.S. and Greece have always shared a special bond that we should recognize and strengthen instead of repeatedly using Greece as the whipping boy for Europe's economic woes as some have done in speeches on this floor.

## APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore (Mrs. ELLMERS). The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 4355(a), clause 10 of rule I, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Board of Visitors to the United States Military Academy:

Mr. SHIMKUS, Illinois  
Mr. WOMACK, Arkansas  
Mr. ISRAEL, New York  
Ms. LORETTA SANCHEZ, California

## APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. DAVID SCOTT, Georgia  
Mr. SCHNEIDER, Illinois

Ms. FRANKEL, Florida  
Mr. CONNOLLY, Virginia

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014

## GENERAL LEAVE

Mr. MULVANEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 25, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 122 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 25.

Will the gentleman from Washington (Mr. HASTINGS) kindly resume the chair.

□ 1243

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. When the Committee of the Whole rose on Tuesday, March 19, 2013, time for general debate had expired.

Pursuant to the rule, the concurrent resolution shall be considered for amendment under the 5-minute rule and is considered read.

The text of the concurrent resolution is as follows:

## H. CON. RES. 25

*Resolved by the House of Representatives (the Senate concurring),*

## SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2014 and sets forth appropriate budgetary levels for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

## TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

## TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050

Sec. 301. Long-term budgeting.

## TITLE IV—RESERVE FUNDS

Sec. 401. Reserve fund for the repeal of the 2010 health care laws.

Sec. 402. Deficit-neutral reserve fund for the reform of the 2010 health care laws.

Sec. 403. Deficit-neutral reserve fund related to the Medicare provisions of the 2010 health care laws.

Sec. 404. Deficit-neutral reserve fund for the sustainable growth rate of the Medicare program.

Sec. 405. Deficit-neutral reserve fund for reforming the tax code.

Sec. 406. Deficit-neutral reserve fund for trade agreements.

Sec. 407. Deficit-neutral reserve fund for revenue measures.

Sec. 408. Deficit-neutral reserve fund for rural counties and schools.

Sec. 409. Implementation of a deficit and long-term debt reduction agreement.

## TITLE V—ESTIMATES OF DIRECT SPENDING

Sec. 501. Direct spending.

## TITLE VI—BUDGET ENFORCEMENT

Sec. 601. Limitation on advance appropriations.

Sec. 602. Concepts and definitions.

Sec. 603. Adjustments of aggregates, allocations, and appropriate budgetary levels.

Sec. 604. Limitation on long-term spending.  
Sec. 605. Budgetary treatment of certain transactions.

Sec. 606. Application and effect of changes in allocations and aggregates.

Sec. 607. Congressional Budget Office estimates.

Sec. 608. Transfers from the general fund of the treasury to the highway trust fund that increase public indebtedness.

Sec. 609. Separate allocation for overseas contingency operations/global war on terrorism.

Sec. 610. Exercise of rulemaking powers.

## TITLE VII—POLICY STATEMENTS

Sec. 701. Policy statement on economic growth and job creation.

Sec. 702. Policy statement on tax reform.

Sec. 703. Policy statement on Medicare.

Sec. 704. Policy statement on Social Security.

Sec. 705. Policy statement on higher education affordability.

Sec. 706. Policy statement on deficit reduction through the cancellation of unobligated balances.

Sec. 707. Policy statement on responsible stewardship of taxpayer dollars.

Sec. 708. Policy statement on deficit reduction through the reduction of unnecessary and wasteful spending.

Sec. 709. Policy statement on unauthorized spending.

## TITLE VIII—SENSE OF THE HOUSE PROVISIONS

Sec. 801. Sense of the House on the importance of child support enforcement.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this concurrent resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$2,270,932,000,000.  
Fiscal year 2015: \$2,606,592,000,000.  
Fiscal year 2016: \$2,778,891,000,000.  
Fiscal year 2017: \$2,903,673,000,000.  
Fiscal year 2018: \$3,028,951,000,000.  
Fiscal year 2019: \$3,149,236,000,000.  
Fiscal year 2020: \$3,284,610,000,000.  
Fiscal year 2021: \$3,457,009,000,000.  
Fiscal year 2022: \$3,650,699,000,000.  
Fiscal year 2023: \$3,832,145,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$0.  
Fiscal year 2015: \$0.  
Fiscal year 2016: \$0.  
Fiscal year 2017: \$0.  
Fiscal year 2018: \$0.  
Fiscal year 2019: \$0.  
Fiscal year 2020: \$0.  
Fiscal year 2021: \$0.  
Fiscal year 2022: \$0.  
Fiscal year 2023: \$0.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,769,406,000,000.  
Fiscal year 2015: \$2,681,581,000,000.  
Fiscal year 2016: \$2,857,258,000,000.  
Fiscal year 2017: \$2,988,083,000,000.  
Fiscal year 2018: \$3,104,777,000,000.  
Fiscal year 2019: \$3,281,142,000,000.  
Fiscal year 2020: \$3,414,838,000,000.  
Fiscal year 2021: \$3,540,165,000,000.  
Fiscal year 2022: \$3,681,407,000,000.  
Fiscal year 2023: \$3,768,151,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,815,079,000,000.  
Fiscal year 2015: \$2,736,849,000,000.  
Fiscal year 2016: \$2,850,434,000,000.  
Fiscal year 2017: \$2,958,619,000,000.  
Fiscal year 2018: \$3,079,296,000,000.  
Fiscal year 2019: \$3,231,642,000,000.  
Fiscal year 2020: \$3,374,336,000,000.  
Fiscal year 2021: \$3,495,489,000,000.  
Fiscal year 2022: \$3,667,532,000,000.  
Fiscal year 2023: \$3,722,071,000,000.

(4) **DEFICITS (ON-BUDGET).**—For purposes of the enforcement of this concurrent resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2014: -\$544,147,000,000.  
Fiscal year 2015: -\$130,257,000,000.  
Fiscal year 2016: -\$71,544,000,000.  
Fiscal year 2017: -\$54,947,000,000.  
Fiscal year 2018: -\$50,345,000,000.  
Fiscal year 2019: -\$82,405,000,000.  
Fiscal year 2020: -\$89,726,000,000.  
Fiscal year 2021: -\$38,480,000,000.  
Fiscal year 2022: -\$16,833,000,000.  
Fiscal year 2023: \$110,073,000,000.

(5) **DEBT SUBJECT TO LIMIT.**—The appropriate levels of the public debt are as follows:

Fiscal year 2014: \$17,776,278,000,000.  
Fiscal year 2015: \$18,086,450,000,000.  
Fiscal year 2016: \$18,343,824,000,000.  
Fiscal year 2017: \$18,635,129,000,000.  
Fiscal year 2018: \$18,938,669,000,000.  
Fiscal year 2019: \$19,267,212,000,000.  
Fiscal year 2020: \$19,608,732,000,000.  
Fiscal year 2021: \$19,900,718,000,000.  
Fiscal year 2022: \$20,162,755,000,000.  
Fiscal year 2023: \$20,319,503,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$12,849,621,000,000.  
Fiscal year 2015: \$13,069,788,000,000.  
Fiscal year 2016: \$13,225,569,000,000.  
Fiscal year 2017: \$13,362,146,000,000.  
Fiscal year 2018: \$13,485,102,000,000.  
Fiscal year 2019: \$13,648,470,000,000.  
Fiscal year 2020: \$13,836,545,000,000.  
Fiscal year 2021: \$13,992,649,000,000.  
Fiscal year 2022: \$14,154,363,000,000.  
Fiscal year 2023: \$14,210,984,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2014 through 2023 for each major functional category are:

(1) **National Defense (050):**

Fiscal year 2014:  
(A) New budget authority, \$560,225,000,000.  
(B) Outlays, \$579,235,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$574,359,000,000.  
(B) Outlays, \$563,976,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$585,556,000,000.  
(B) Outlays, \$570,288,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$598,822,000,000.  
(B) Outlays, \$575,457,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$612,125,000,000.  
(B) Outlays, \$582,678,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$625,445,000,000.  
(B) Outlays, \$600,508,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$639,780,000,000.  
(B) Outlays, \$614,250,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$654,096,000,000.  
(B) Outlays, \$628,265,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$671,181,000,000.  
(B) Outlays, \$649,221,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$688,640,000,000.  
(B) Outlays, \$660,461,000,000.

(2) **International Affairs (150):**

Fiscal year 2014:  
(A) New budget authority, \$41,010,000,000.  
(B) Outlays, \$42,005,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$39,357,000,000.  
(B) Outlays, \$40,876,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$40,355,000,000.  
(B) Outlays, \$40,019,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$41,343,000,000.  
(B) Outlays, \$39,821,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$42,342,000,000.  
(B) Outlays, \$39,922,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$43,349,000,000.  
(B) Outlays, \$40,248,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$44,366,000,000.  
(B) Outlays, \$41,070,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$44,898,000,000.  
(B) Outlays, \$41,970,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$46,240,000,000.  
(B) Outlays, \$43,208,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$47,304,000,000.  
(B) Outlays, \$44,030,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2014:  
(A) New budget authority, \$27,733,000,000.  
(B) Outlays, \$27,811,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$28,318,000,000.  
(B) Outlays, \$28,193,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$28,994,000,000.  
(B) Outlays, \$28,641,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$29,677,000,000.  
(B) Outlays, \$29,251,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$30,386,000,000.  
(B) Outlays, \$29,932,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$31,088,000,000.  
(B) Outlays, \$30,574,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$31,798,000,000.  
(B) Outlays, \$31,275,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$32,506,000,000.  
(B) Outlays, \$31,886,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$33,244,000,000.  
(B) Outlays, \$32,609,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$33,991,000,000.  
(B) Outlays, \$33,344,000,000.

(4) **Energy (270):**

Fiscal year 2014:  
(A) New budget authority, -\$1,218,000,000.  
(B) Outlays, \$1,366,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$1,527,000,000.  
(B) Outlays, \$2,024,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$1,433,000,000.  
(B) Outlays, \$984,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$1,570,000,000.  
(B) Outlays, \$1,091,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$1,764,000,000.  
(B) Outlays, \$1,331,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$1,932,000,000.  
(B) Outlays, \$1,612,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$2,121,000,000.  
(B) Outlays, \$1,864,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$2,200,000,000.  
(B) Outlays, \$2,039,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$2,105,000,000.  
(B) Outlays, \$1,989,000,000.  
Fiscal year 2023:  
(A) New budget authority, -\$12,000,000.  
(B) Outlays, -\$147,000,000.

(5) **Natural Resources and Environment (300):**

Fiscal year 2014:  
(A) New budget authority, \$38,146,000,000.  
(B) Outlays, \$41,002,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$37,457,000,000.  
(B) Outlays, \$40,169,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$36,445,000,000.  
(B) Outlays, \$39,860,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$37,295,000,000.  
(B) Outlays, \$39,612,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$38,120,000,000.  
(B) Outlays, \$39,378,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$38,552,000,000.  
(B) Outlays, \$39,655,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$39,530,000,000.  
(B) Outlays, \$40,167,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$39,730,000,000.  
(B) Outlays, \$40,332,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$40,124,000,000.

(B) Outlays, \$40,330,000,000.

Fiscal year 2023:

(A) New budget authority, \$39,792,000,000.

(B) Outlays, \$39,382,000,000.

(6) Agriculture (350):

Fiscal year 2014:

(A) New budget authority, \$21,731,000,000.

(B) Outlays, \$20,377,000,000.

Fiscal year 2015:

(A) New budget authority, \$16,737,000,000.

(B) Outlays, \$16,452,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,254,000,000.

(B) Outlays, \$20,827,000,000.

Fiscal year 2017:

(A) New budget authority, \$19,344,000,000.

(B) Outlays, \$18,856,000,000.

Fiscal year 2018:

(A) New budget authority, \$18,776,000,000.

(B) Outlays, \$18,238,000,000.

Fiscal year 2019:

(A) New budget authority, \$19,087,000,000.

(B) Outlays, \$18,461,000,000.

Fiscal year 2020:

(A) New budget authority, \$19,380,000,000.

(B) Outlays, \$18,864,000,000.

Fiscal year 2021:

(A) New budget authority, \$19,856,000,000.

(B) Outlays, \$19,365,000,000.

Fiscal year 2022:

(A) New budget authority, \$19,736,000,000.

(B) Outlays, \$19,244,000,000.

Fiscal year 2023:

(A) New budget authority, \$20,335,000,000.

(B) Outlays, \$19,859,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 2014:

(A) New budget authority, \$2,548,000,000.

(B) Outlays, -\$9,000,000,000..

Fiscal year 2015:

(A) New budget authority, -\$7,818,000,000.

(B) Outlays, -\$19,413,000,000.

Fiscal year 2016:

(A) New budget authority, -\$7,398,000,000.

(B) Outlays, -\$21,697,000,000.

Fiscal year 2017:

(A) New budget authority, -\$6,328,000,000.

(B) Outlays, -\$22,908,000,000.

Fiscal year 2018:

(A) New budget authority, -\$2,946,000,000.

(B) Outlays, -\$20,314,000,000.

Fiscal year 2019:

(A) New budget authority, -\$866,000,000.

(B) Outlays, -\$23,410,000,000.

Fiscal year 2020:

(A) New budget authority, -\$579,000,000.

(B) Outlays, -\$22,954,000,000.

Fiscal year 2021:

(A) New budget authority, -\$295,000,000.

(B) Outlays, -\$17,517,000,000.

Fiscal year 2022:

(A) New budget authority, -\$1,076,000,000.

(B) Outlays, -\$19,406,000,000.

Fiscal year 2023:

(A) New budget authority, -\$1,200,000,000.

(B) Outlays, -\$20,654,000,000.

(8) Transportation (400):

Fiscal year 2014:

(A) New budget authority, \$87,056,000,000.

(B) Outlays, \$93,142,000,000.

Fiscal year 2015:

(A) New budget authority, \$40,030,000,000.

(B) Outlays, \$82,089,000,000.

Fiscal year 2016:

(A) New budget authority, \$81,453,000,000.

(B) Outlays, \$74,235,000,000.

Fiscal year 2017:

(A) New budget authority, \$91,498,000,000.

(B) Outlays, \$85,791,000,000.

Fiscal year 2018:

(A) New budget authority, \$68,776,000,000.

(B) Outlays, \$84,548,000,000.

Fiscal year 2019:

(A) New budget authority, \$92,602,000,000.

(B) Outlays, \$82,681,000,000.

Fiscal year 2020:

(A) New budget authority, \$72,693,000,000.

(B) Outlays, \$84,625,000,000.

Fiscal year 2021:

(A) New budget authority, \$92,988,000,000.

(B) Outlays, \$85,244,000,000.

Fiscal year 2022:

(A) New budget authority, \$74,694,000,000.

(B) Outlays, \$85,945,000,000.

Fiscal year 2023:

(A) New budget authority, \$99,499,000,000.

(B) Outlays, \$86,906,000,000.

(9) Community and Regional Development (450):

Fiscal year 2014:

(A) New budget authority, \$8,533,000,000.

(B) Outlays, \$27,669,000,000.

Fiscal year 2015:

(A) New budget authority, \$8,401,000,000.

(B) Outlays, \$22,978,000,000.

Fiscal year 2016:

(A) New budget authority, \$8,341,000,000.

(B) Outlays, \$16,911,000,000.

Fiscal year 2017:

(A) New budget authority, \$8,442,000,000.

(B) Outlays, \$13,910,000,000.

Fiscal year 2018:

(A) New budget authority, \$8,556,000,000.

(B) Outlays, \$10,925,000,000.

Fiscal year 2019:

(A) New budget authority, \$8,766,000,000.

(B) Outlays, \$9,787,000,000.

Fiscal year 2020:

(A) New budget authority, \$8,962,000,000.

(B) Outlays, \$9,418,000,000.

Fiscal year 2021:

(A) New budget authority, \$9,172,000,000.

(B) Outlays, \$9,283,000,000.

Fiscal year 2022:

(A) New budget authority, \$9,424,000,000.

(B) Outlays, \$9,209,000,000.

Fiscal year 2023:

(A) New budget authority, \$9,641,000,000.

(B) Outlays, \$9,271,000,000.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 2014:

(A) New budget authority, \$56,440,000,000.

(B) Outlays, \$77,310,000,000.

Fiscal year 2015:

(A) New budget authority, \$73,848,000,000.

(B) Outlays, \$77,042,000,000.

Fiscal year 2016:

(A) New budget authority, \$85,577,000,000.

(B) Outlays, \$84,250,000,000.

Fiscal year 2017:

(A) New budget authority, \$95,462,000,000.

(B) Outlays, \$93,615,000,000.

Fiscal year 2018:

(A) New budget authority, \$100,910,000,000.

(B) Outlays, \$99,755,000,000.

Fiscal year 2019:

(A) New budget authority, \$95,734,000,000.

(B) Outlays, \$95,741,000,000.

Fiscal year 2020:

(A) New budget authority, \$97,329,000,000.

(B) Outlays, \$97,270,000,000.

Fiscal year 2021:

(A) New budget authority, \$98,900,000,000.

(B) Outlays, \$98,917,000,000.

Fiscal year 2022:

(A) New budget authority, \$99,965,000,000.

(B) Outlays, \$100,219,000,000.

Fiscal year 2023:

(A) New budget authority, \$101,606,000,000.

(B) Outlays, \$101,780,000,000.

(11) Health (550):

Fiscal year 2014:

(A) New budget authority, \$363,762,000,000.

(B) Outlays, \$378,695,000,000.

Fiscal year 2015:

(A) New budget authority, \$358,156,000,000.

(B) Outlays, \$353,470,000,000.

Fiscal year 2016:

(A) New budget authority, \$359,280,000,000.

(B) Outlays, \$362,833,000,000.

Fiscal year 2017:

(A) New budget authority, \$375,308,000,000.

(B) Outlays, \$375,956,000,000.

Fiscal year 2018:

(A) New budget authority, \$387,073,000,000.

(B) Outlays, \$386,264,000,000.

Fiscal year 2019:

(A) New budget authority, \$393,079,000,000.

(B) Outlays, \$392,141,000,000.

Fiscal year 2020:

(A) New budget authority, \$422,229,000,000.

(B) Outlays, \$410,876,000,000.

Fiscal year 2021:

(A) New budget authority, \$420,834,000,000.

(B) Outlays, \$419,365,000,000.

Fiscal year 2022:

(A) New budget authority, \$441,207,000,000.

(B) Outlays, \$439,353,000,000.

Fiscal year 2023:

(A) New budget authority, \$456,935,000,000.

(B) Outlays, \$455,134,000,000.

(12) Medicare (570):

Fiscal year 2014:

(A) New budget authority, \$515,944,000,000.

(B) Outlays, \$515,713,000,000.

Fiscal year 2015:

(A) New budget authority, \$534,494,000,000.

(B) Outlays, \$534,400,000,000.

Fiscal year 2016:

(A) New budget authority, \$581,788,000,000.

(B) Outlays, \$581,834,000,000.

Fiscal year 2017:

(A) New budget authority, \$597,570,000,000.

(B) Outlays, \$597,637,000,000.

Fiscal year 2018:

(A) New budget authority, \$621,384,000,000.

(B) Outlays, \$621,480,000,000.

Fiscal year 2019:

(A) New budget authority, \$679,457,000,000.

(B) Outlays, \$679,661,000,000.

Fiscal year 2020:

(A) New budget authority, \$723,313,000,000.

(B) Outlays, \$723,481,000,000.

Fiscal year 2021:

(A) New budget authority, \$770,764,000,000.

(B) Outlays, \$771,261,000,000.

Fiscal year 2022:

(A) New budget authority, \$845,828,000,000.

(B) Outlays, \$843,504,000,000.

Fiscal year 2023:

(A) New budget authority, \$875,417,000,000.

(B) Outlays, \$874,988,000,000.

(13) Income Security (600):

Fiscal year 2014:

(A) New budget authority, \$509,418,000,000.

(B) Outlays, \$508,082,000,000.

Fiscal year 2015:

(A) New budget authority, \$480,285,000,000.

(B) Outlays, \$476,897,000,000.

Fiscal year 2016:

(A) New budget authority, \$487,623,000,000.

(B) Outlays, \$487,046,000,000.

Fiscal year 2017:

(A) New budget authority, \$484,222,000,000.

(A) New budget authority, \$510,654,000,000.  
 (B) Outlays, \$506,354,000,000.  
 (14) Social Security (650):  
 Fiscal year 2014:  
 (A) New budget authority, \$27,506,000,000.  
 (B) Outlays, \$27,616,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$30,233,000,000.  
 (B) Outlays, \$30,308,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$33,369,000,000.  
 (B) Outlays, \$33,407,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$36,691,000,000.  
 (B) Outlays, \$36,691,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$40,005,000,000.  
 (B) Outlays, \$40,005,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$43,421,000,000.  
 (B) Outlays, \$43,421,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$46,954,000,000.  
 (B) Outlays, \$46,954,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$50,474,000,000.  
 (B) Outlays, \$50,474,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$54,235,000,000.  
 (B) Outlays, \$54,235,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$58,441,000,000.  
 (B) Outlays, \$58,441,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2014:  
 (A) New budget authority, \$145,730,000,000.  
 (B) Outlays, \$145,440,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$149,792,000,000.  
 (B) Outlays, \$149,313,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$162,051,000,000.  
 (B) Outlays, \$161,441,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$160,947,000,000.  
 (B) Outlays, \$160,117,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$159,423,000,000.  
 (B) Outlays, \$158,565,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$171,032,000,000.  
 (B) Outlays, \$170,144,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$175,674,000,000.  
 (B) Outlays, \$174,791,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$179,585,000,000.  
 (B) Outlays, \$178,655,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$191,294,000,000.  
 (B) Outlays, \$190,344,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$187,945,000,000.  
 (B) Outlays, \$186,882,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2014:  
 (A) New budget authority, \$51,933,000,000.  
 (B) Outlays, \$53,376,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$53,116,000,000.  
 (B) Outlays, \$52,918,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$56,644,000,000.  
 (B) Outlays, \$55,745,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$56,712,000,000.  
 (B) Outlays, \$57,949,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$58,586,000,000.  
 (B) Outlays, \$59,859,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$60,495,000,000.  
 (B) Outlays, \$60,666,000,000.  
 Fiscal year 2020:

(A) New budget authority, \$62,400,000,000.  
 (B) Outlays, \$61,878,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$64,507,000,000.  
 (B) Outlays, \$63,950,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$70,150,000,000.  
 (B) Outlays, \$69,561,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$72,809,000,000.  
 (B) Outlays, \$72,195,000,000.  
 (17) General Government (800):  
 Fiscal year 2014:  
 (A) New budget authority, \$23,225,000,000.  
 (B) Outlays, \$24,172,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$21,922,000,000.  
 (B) Outlays, \$20,749,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$23,263,000,000.  
 (B) Outlays, \$22,559,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$23,814,000,000.  
 (B) Outlays, \$23,435,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$24,573,000,000.  
 (B) Outlays, \$24,158,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$25,454,000,000.  
 (B) Outlays, \$24,803,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$26,293,000,000.  
 (B) Outlays, \$25,645,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$27,178,000,000.  
 (B) Outlays, \$26,566,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$27,821,000,000.  
 (B) Outlays, \$27,219,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$28,717,000,000.  
 (B) Outlays, \$28,116,000,000.  
 (18) Net Interest (900):  
 Fiscal year 2014:  
 (A) New budget authority, \$341,099,000,000.  
 (B) Outlays, \$341,099,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$367,647,000,000.  
 (B) Outlays, \$367,647,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$405,960,000,000.  
 (B) Outlays, \$405,960,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$476,448,000,000.  
 (B) Outlays, \$476,448,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$555,772,000,000.  
 (B) Outlays, \$555,772,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$613,411,000,000.  
 (B) Outlays, \$613,411,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$661,810,000,000.  
 (B) Outlays, \$661,810,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$694,647,000,000.  
 (B) Outlays, \$694,647,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$723,923,000,000.  
 (B) Outlays, \$723,923,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$745,963,000,000.  
 (B) Outlays, \$745,963,000,000.  
 (19) Allowances (920):  
 Fiscal year 2014:  
 (A) New budget authority, -\$59,061,000,000.  
 (B) Outlays, -\$44,044,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, -\$58,840,000,000.  
 (B) Outlays, -\$53,255,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, -\$65,587,000,000.  
 (B) Outlays, -\$59,258,000,000.  
 Fiscal year 2017:

(A) New budget authority, -\$71,859,000,000.  
 (B) Outlays, -\$65,151,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, -\$77,299,000,000.  
 (B) Outlays, -\$71,278,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, -\$82,155,000,000.  
 (B) Outlays, -\$76,769,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, -\$85,543,000,000.  
 (B) Outlays, -\$81,785,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, -\$89,377,000,000.  
 (B) Outlays, -\$85,845,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, -\$88,897,000,000.  
 (B) Outlays, -\$85,661,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, -\$92,469,000,000.  
 (B) Outlays, -\$89,323,000,000.  
 (20) Government-wide savings (930):  
 Fiscal year 2014:  
 (A) New budget authority, -\$9,407,000,000.  
 (B) Outlays, -\$6,660,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, -\$21,577,000,000.  
 (B) Outlays, -\$9,971,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, -\$17,617,000,000.  
 (B) Outlays, -\$8,873,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, -\$13,371,000,000.  
 (B) Outlays, -\$6,739,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, -\$11,556,000,000.  
 (B) Outlays, -\$3,340,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, -\$9,584,000,000.  
 (B) Outlays, -\$703,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, -\$8,457,000,000.  
 (B) Outlays, \$1,740,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, -\$7,094,000,000.  
 (B) Outlays, \$3,666,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, -\$21,151,000,000.  
 (B) Outlays, -\$2,703,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, -\$35,807,000,000.  
 (B) Outlays, -\$13,555,000,000.  
 (21) Undistributed Offsetting Receipts (950):  
 Fiscal year 2014:  
 (A) New budget authority, -\$75,946,000,000.  
 (B) Outlays, -\$75,946,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, -\$80,864,000,000.  
 (B) Outlays, -\$80,864,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, -\$86,525,000,000.  
 (B) Outlays, -\$86,525,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, -\$90,525,000,000.  
 (B) Outlays, -\$90,525,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, -\$91,645,000,000.  
 (B) Outlays, -\$91,645,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, -\$99,220,000,000.  
 (B) Outlays, -\$99,220,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, -\$101,316,000,000.  
 (B) Outlays, -\$101,316,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, -\$106,332,000,000.  
 (B) Outlays, -\$106,332,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, -\$109,276,000,000.  
 (B) Outlays, -\$109,276,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, -\$115,049,000,000.  
 (B) Outlays, -\$115,049,000,000.  
 (22) Overseas Contingency Operations/Global War on Terrorism (970):

Fiscal year 2014:

(A) New budget authority, \$93,000,000,000.

(B) Outlays, \$46,621,000,000.

Fiscal year 2015:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$40,851,000,000.

Fiscal year 2016:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$39,948,000,000.

Fiscal year 2017:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$38,789,000,000.

Fiscal year 2018:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$37,451,000,000.

Fiscal year 2019:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$37,570,000,000.

Fiscal year 2020:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$37,431,000,000.

Fiscal year 2021:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$37,466,000,000.

Fiscal year 2022:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$38,102,000,000.

Fiscal year 2023:

(A) New budget authority, \$35,000,000,000.

(B) Outlays, \$37,694,000,000.

## TITLE II—RECONCILIATION

### SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS OF SPENDING REDUCTION.—The House committees named in subsection (b) shall submit, not later than \_\_\_\_\_, 2013, recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, such committee shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(b) INSTRUCTIONS.—

(1) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(2) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(3) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(4) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(5) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(6) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(7) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(8) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

## TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050

### SEC. 301. LONG-TERM BUDGETING.

The following are the recommended revenue, spending, and deficit levels for each of fiscal years 2030, 2040, and 2050 as a percent of the gross domestic product of the United States:

(1) FEDERAL REVENUES.—The appropriate levels of Federal revenues are as follows:

Fiscal year 2030: 19.1 percent.

Fiscal year 2040: 19.1 percent.

Fiscal year 2050: 19.1 percent.

(2) BUDGET OUTLAYS.—The appropriate levels of total budget outlays are not to exceed:

Fiscal year 2030: 19.1 percent.

Fiscal year 2040: 19.1 percent.

Fiscal year 2050: 19.1 percent.

(3) DEFICITS.—The appropriate levels of deficits are not to exceed:

Fiscal year 2030: 0 percent.

Fiscal year 2040: 0 percent.

Fiscal year 2050: 0 percent.

## TITLE IV—RESERVE FUNDS

### SEC. 401. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that only consists of a full repeal the Patient Protection and Affordable Care Act and the health care-related provisions of the Health Care and Education Reconciliation Act of 2010.

### SEC. 402. DEFICIT-NEUTRAL RESERVE FUND FOR THE REFORM OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that reforms or replaces the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 403. DEFICIT-NEUTRAL RESERVE FUND RELATED TO THE MEDICARE PROVISIONS OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals all or part of the decreases in Medicare spending included in the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 404. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or

amendment thereto or conference report thereon, that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 405. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE TAX CODE.

In the House, if the Committee on Ways and Means reports a bill or joint resolution that reforms the Internal Revenue Code of 1986, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 406. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE AGREEMENTS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that implements a trade agreement, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 407. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that decreases revenue, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

### SEC. 408. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) by the amounts provided by that legislation for those purposes, if such legislation requires sustained yield timber harvests obviating the need for funding under P.L. 106-393 in the future and would not increase the deficit or direct spending for fiscal year 2014, the period of fiscal years 2014 through 2018, or the period of fiscal years 2014 through 2023.

### SEC. 409. IMPLEMENTATION OF A DEFICIT AND LONG-TERM DEBT REDUCTION AGREEMENT.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution to accommodate the enactment of a deficit and long-term debt reduction agreement if it includes permanent spending reductions and reforms to direct spending programs.

## TITLE V—ESTIMATES OF DIRECT SPENDING

### SEC. 501. DIRECT SPENDING.

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of

outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for means-tested direct spending:

(A) In 1996, a Republican Congress and a Democratic president reformed welfare by limiting the duration of benefits, giving States more control over the program, and helping recipients find work. In the five years following passage, child-poverty rates fell, welfare caseloads fell, and workers' wages increased. This budget applies the lessons of welfare reform to both the Supplemental Nutrition Assistance Program and Medicaid.

(B) For Medicaid, this budget converts the Federal share of Medicaid spending into a flexible State allotment tailored to meet each State's needs, indexed for inflation and population growth. Such a reform would end the misguided one-size-fits-all approach that has tied the hands of State governments. Instead, each State would have the freedom and flexibility to tailor a Medicaid program that fits the needs of its unique population. Moreover, this budget repeals the Medicaid expansions in the President's health care law, relieving State governments of its crippling one-size-fits-all enrollment mandates.

(C) For the Supplemental Nutrition Assistance Program, this budget converts the program into a flexible State allotment tailored to meet each State's needs, increases in the Department of Agriculture Thrifty Food Plan index and beneficiary growth. Such a reform would provide incentives for States to ensure dollars will go towards those who need them most. Additionally, it requires that more stringent work requirements and time limits apply under the program.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) For Medicare, this budget advances policies to put seniors, not the Federal Government, in control of their health care decisions. Those in or near retirement will see no changes, while future retirees would be given a choice of private plans competing alongside the traditional fee-for-service Medicare program. Medicare would provide a premium-support payment either to pay for or offset the premium of the plan chosen by the senior, depending on the plan's cost. The Medicare premium-support payment would be adjusted so that the sick would receive higher payments if their conditions worsened; lower-income seniors would receive additional assistance to help cover out-of-pocket costs; and wealthier seniors would assume responsibility for a greater share of their premiums. Putting seniors in charge of how their health care dollars are spent will force providers to compete against each other on price and quality. This market competition will act as a real check on widespread waste and skyrocketing health care costs.

(B) In keeping with a recommendation from the National Commission on Fiscal Re-

sponsibility and Reform, this budget calls for Federal employees—including Members of Congress and congressional staff—to make greater contributions toward their own retirement.

#### TITLE VI—BUDGET ENFORCEMENT

##### SEC. 601. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) FINDINGS.—The House finds the following:

(1) The Veterans Health Care Budget and Reform Transparency Act of 2009 provides advance appropriations for the following veteran medical care accounts: Medical Services, Medical Support and Compliance, and Medical Facilities.

(2) The President has yet to submit a budget request as required under section 1105(a) of title 31, United States Code, including the request for the Department of Veterans Affairs, for fiscal year 2014, hence the request for veteran medical care advance appropriations for fiscal year 2015 is unavailable as of the writing of this concurrent resolution.

(3) This concurrent resolution reflects the most up-to-date estimate on veterans' health care needs included in the President's fiscal year 2013 request for fiscal year 2015.

(b) IN GENERAL.—In the House, except as provided for in subsection (c), any bill or joint resolution, or amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(c) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (d)(1) or identified in the report to accompany this concurrent resolution or the joint explanatory statement of managers to accompany this concurrent resolution under the heading "Accounts Identified for Advance Appropriations".

(d) LIMITATIONS.—For fiscal year 2015, the aggregate level of advance appropriations shall not exceed—

(1) \$55,483,000,000 for the following programs in the Department of Veterans Affairs—

(A) Medical Services;

(B) Medical Support and Compliance; and

(C) Medical Facilities accounts of the Veterans Health Administration; and

(2) \$28,852,000,000 in new budget authority for all programs identified pursuant to subsection (c).

(e) DEFINITION.—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a bill or joint resolution, or amendment thereto or conference report thereon, making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2015.

##### SEC. 602. CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chair of the Committee on the Budget may adjust any allocations, aggregates, and other appropriate levels in this concurrent resolution accordingly.

##### SEC. 603. ADJUSTMENTS OF AGGREGATES, ALLOCATIONS, AND APPROPRIATE BUDGETARY LEVELS.

(a) ADJUSTMENTS OF DISCRETIONARY AND DIRECT SPENDING LEVELS.—If a committee (other than the Committee on Appropriations) reports a bill or joint resolution, or amendment thereto or conference report thereon, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also

provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chair of the Committee on the Budget may decrease the allocation to such committee and increase the allocation of discretionary spending (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2014 by an amount equal to the new budget authority (and outlays flowing therefrom) provided for in a bill or joint resolution making appropriations for the same purpose.

(b) ADJUSTMENTS TO IMPLEMENT DISCRETIONARY SPENDING CAPS AND TO FUND VETERANS' PROGRAMS AND OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—

(1) FINDINGS.—(A) The President has not submitted a budget for fiscal year 2014 as required pursuant to section 1105(a) of title 31, United States Code, by the date set forth in that section.

(B) In missing the statutory date by which the budget must be submitted, this will be the fourth time in five years the President has not complied with that deadline.

(C) This concurrent resolution reflects the levels of funding for veterans' medical programs as set forth in the President's fiscal year 2013 budget request.

(2) PRESIDENT'S BUDGET SUBMISSION.—In order to take into account any new information included in the budget submission by the President for fiscal year 2014, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels for veterans' programs, Overseas Contingency Operations/Global War on Terrorism, or the 302(a) allocation to the Committee on Appropriations set forth in the report of this concurrent resolution to conform with section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted by section 251A of such Act).

(3) REVISED CONGRESSIONAL BUDGET OFFICE BASELINE.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels to reflect changes resulting from technical and economic assumptions in the most recent baseline published by the Congressional Budget Office.

(c) DETERMINATIONS.—For the purpose of enforcing this concurrent resolution on the budget in the House, the allocations and aggregate levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for fiscal year 2014 and the period of fiscal years 2014 through fiscal year 2023 shall be determined on the basis of estimates made by the chair of the Committee on the Budget and such chair may adjust such applicable levels of this concurrent resolution.

##### SEC. 604. LIMITATION ON LONG-TERM SPENDING.

(a) IN GENERAL.—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing direct spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) TIME PERIODS.—The applicable periods for purposes of this section are any of the four consecutive ten fiscal-year periods beginning with fiscal year 2024.

##### SEC. 605. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of

1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the report accompanying this concurrent resolution on the budget or the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying sections 302(f) and 311 of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) **ADJUSTMENTS.**—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, if such adjustments do not cause a net increase in the deficit for fiscal year 2014 and the period of fiscal years 2014 through 2023.

**SEC. 606. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) **APPLICATION.**—Any adjustments of the allocations, aggregates, and other appropriate levels made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this concurrent resolution.

(c) **BUDGET COMPLIANCE.**—(1) The consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other appropriate levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 604.

(2) Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

(A) the enactment of that bill or resolution;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 302(a) of such Act for that fiscal year to be exceeded or the sum of the limits on the security and non-security category in section 251A of the Balanced Budget and Emergency Deficit Control Act as reduced pursuant to such section.

**SEC. 607. CONGRESSIONAL BUDGET OFFICE ESTIMATES.**

(a) **FINDINGS.**—The House finds the following:

(1) Costs of Federal housing loans and loan guarantees are treated unequally in the budget. The Congressional Budget Office uses fair-value accounting to measure the costs of Fannie Mae and Freddie Mac, but determines the cost of other Federal housing programs on the basis of the Federal Credit Reform Act of 1990 (“FCRA”).

(2) The fair-value accounting method uses discount rates which incorporate the risk inherent to the type of liability being estimated in addition to Treasury discount rates of the proper maturity length. In contrast, cash-basis accounting solely uses the discount rates of the Treasury, failing to incorporate risks such as prepayment and default risk.

(3) The Congressional Budget Office estimates that the \$635 billion of loans and loan guarantees issued in 2013 alone would generate budgetary savings of \$45 billion over their lifetime using FCRA accounting. However, these same loans and loan guarantees would have a lifetime cost of \$11 billion under fair-value methodology.

(4) The majority of loans and guarantees issued in 2013 would show deficit reduction of \$9.1 billion under FCRA methodology, but would increase the deficit by \$4.7 billion using fair-value accounting.

(b) **FAIR VALUE ESTIMATES.**—Upon the request of the chair or ranking member of the Committee on the Budget, any estimate prepared by the Director of the Congressional Budget Office for a measure under the terms of title V of the Congressional Budget Act of 1974, “credit reform”, as a supplement to such estimate shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by such measure.

(c) **FAIR VALUE ESTIMATES FOR HOUSING PROGRAMS.**—Whenever the Director of the Congressional Budget Office prepares an estimate pursuant to section 402 of the Congressional Budget Act of 1974 of the costs which would be incurred in carrying out any bill or joint resolution and if the Director determines that such bill or joint resolution has a cost related to a housing or residential mortgage program under the FCRA, then the Director shall also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by the provisions of such bill or joint resolution that result in such cost.

(d) **ENFORCEMENT.**—If the Director of the Congressional Budget Office provides an estimate pursuant to subsection (b) or (c), the chair of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

**SEC. 608. TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS.**

For purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, or the rules or orders of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report thereon, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

**SEC. 609. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.**

(a) **ALLOCATION.**—In the House, there shall be a separate allocation to the Committee on

Appropriations for overseas contingency operations/global war on terrorism. For purposes of enforcing such separate allocation under section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” shall be deemed to refer to fiscal year 2014. Such separate allocation shall be the exclusive allocation for overseas contingency operations/global war on terrorism under section 302(a) of such Act. Section 302(c) of such Act shall not apply to such separate allocation. The Committee on Appropriations may provide suballocations of such separate allocation under section 302(b) of such Act. Spending that counts toward the allocation established by this section shall be designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) **ADJUSTMENT.**—In the House, for purposes of subsection (a) for fiscal year 2014, no adjustment shall be made under section 314(a) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 610. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

**TITLE VII—POLICY STATEMENTS**

**SEC. 701. POLICY STATEMENT ON ECONOMIC GROWTH AND JOB CREATION.**

(a) **FINDINGS.**—The House finds the following:

(1) Although the U.S. economy technically emerged from recession roughly four years ago, the recovery has felt more like a malaise than a rebound with the unemployment rate still elevated and real economic growth essentially flat in the final quarter of 2012.

(2) The enormous build-up of Government debt in the past four years has worsened the already unsustainable course of Federal finances and is an increasing drag on the U.S. economy.

(3) During the recession and early stages of recovery, the Government took a variety of measures to try to boost economic activity. Despite the fact that these stimulus measures added over \$1 trillion to the debt, the economy continues to perform at a sub-par trend.

(4) Investors and businesses make decisions on a forward-looking basis. They know that today's large debt levels are simply tomorrow's tax hikes, interest rate increases, or inflation – and they act accordingly. It is this debt overhang, and the uncertainty it generates, that is weighing on U.S. growth, investment, and job creation.

(5) Economists have found that the key to jump-starting U.S. economic growth and job creation is tangible action to rein in the growth of Government spending with the aim of getting debt under control.

(6) Stanford economist John Taylor has concluded that reducing Government spending now would “reduce the threats of higher taxes, higher interest rates and a fiscal crisis”, and would therefore provide an immediate stimulus to the economy.



(7) Federal Reserve Chairman Ben Bernanke has stated that putting in place a credible plan to reduce future deficits “would not only enhance economic performance in the long run, but could also yield near-term benefits by leading to lower long-term interest rates and increased consumer and business confidence.”

(8) Lowering spending would boost market confidence and lessen uncertainty, leading to a spark in economic expansion, job creation, and higher wages and income.

(b) **POLICY ON ECONOMIC GROWTH AND JOB CREATION.**—It is the policy of this resolution to promote faster economic growth and job creation. By putting the budget on a sustainable path, this resolution ends the debt-fueled uncertainty holding back job creators. Reforms to the tax code put American businesses and workers in a better position to compete and thrive in the 21st century global economy. This resolution targets the regulatory red tape and cronyism that stack the deck in favor of special interests. All of the reforms in this resolution serve as means to the larger end of growing the economy and expanding opportunity for all Americans.

#### **SEC. 702. POLICY STATEMENT ON TAX REFORM.**

(a) **FINDINGS.**—The House finds the following:

(1) A world-class tax system should be simple, fair, and promote (rather than impede) economic growth. The U.S. tax code fails on all three counts – it is notoriously complex, patently unfair, and highly inefficient. The tax code’s complexity distorts decisions to work, save, and invest, which leads to slower economic growth, lower wages, and less job creation.

(2) Since 2001 alone, there have been more than 3,250 changes to the code. Many of the major changes over the years have involved carving out special preferences, exclusions, or deductions for various activities or groups. These loopholes add up to more than \$1 trillion per year and make the code unfair, inefficient, and very complex.

(3) These tax preferences are disproportionately used by upper-income individuals. For instance, the top 1 percent of taxpayers reap about 3 times as much benefit from special tax credits and deductions (excluding refundable credits) than the middle class and 13 times as much benefit than the lowest income quintile.

(4) The large amount of tax preferences that pervade the code end up narrowing the tax base by as much as 50 percent. A narrow tax base, in turn, requires much higher tax rates to raise a given amount of revenue.

(5) The National Taxpayer Advocate reports that taxpayers spent 6.1 billion hours in 2012 complying with tax requirements.

(6) Standard economic theory shows that high marginal tax rates dampen the incentives to work, save, and invest, which reduces economic output and job creation. Lower economic output, in turn, mutes the intended revenue gain from higher marginal tax rates.

(7) Roughly half of U.S. active business income and half of private sector employment are derived from business entities (such as partnerships, S corporations, and sole proprietorships) that are taxed on a “pass-through” basis, meaning the income flows through to the tax returns of the individual owners and is taxed at the individual rate structure rather than at the corporate rate. Small businesses in particular tend to choose this form for Federal tax purposes, and the top Federal rate on such small business income reaches 44.6 percent. For these reasons, sound economic policy requires lowering

marginal rates on these pass-through entities.

(8) The U.S. corporate income tax rate (including Federal, State, and local taxes) sums to just over 39 percent, the highest rate in the industrialized world. The total Federal marginal tax rate on corporate income now reaches 55 percent, when including the shareholder-level tax on dividends and capital gains. Tax rates this high suppress wages and discourage investment and job creation, distort business activity, and put American businesses at a competitive disadvantage with foreign competitors.

(9) By deterring potential investment, the U.S. corporate tax restrains economic growth and job creation. The U.S. tax rate differential with other countries also fosters a variety of complicated multinational corporate behaviors intended to avoid the tax, which have the effect of moving the tax base offshore, destroying American jobs, and decreasing corporate revenue.

(10) The “worldwide” structure of U.S. international taxation essentially taxes earnings of U.S. firms twice, putting them at a significant competitive disadvantage with competitors with more competitive international tax systems.

(11) Reforming the U.S. tax code to a more competitive international system would boost the competitiveness of U.S. companies operating abroad and it would also greatly reduce tax avoidance.

(12) The tax code imposes costs on American workers through lower wages, on consumers in higher prices, and on investors in diminished returns.

(13) Revenues have averaged 18 percent of the economy throughout modern American history. Revenues rise above this level under current law to 19.1 percent of the economy, and – if the spending restraints in this budget are enacted – this level is sufficient to fund Government operations over time.

(14) Attempting to raise revenue through tax increases to meet out-of-control spending would sink the economy.

(15) Closing tax loopholes to fund spending does not constitute fundamental tax reform.

(16) The goal of tax reform should be to curb or eliminate loopholes and use those savings to lower tax rates across the board – not to fund more wasteful Government spending. Tax reform should be revenue-neutral and should not be an excuse to raise taxes on the American people.

(b) **POLICY ON TAX REFORM.**—It is the policy of this resolution that Congress should enact legislation during fiscal year 2014 that provides for a comprehensive reform of the U.S. tax code to promote economic growth, create American jobs, increase wages, and benefit American consumers, investors, and workers through revenue-neutral fundamental tax reform, which should be reported by the Committee on Ways and Means to the House not later than December 31, 2013, that—

(1) simplifies the tax code to make it fairer to American families and businesses and reduces the amount of time and resources necessary to comply with tax laws;

(2) substantially lowers tax rates for individuals, with a goal of achieving a top individual rate of 25 percent and consolidating the current seven individual income tax brackets into two brackets with a first bracket of 10 percent;

(3) repeals the Alternative Minimum Tax;

(4) reduces the corporate tax rate to 25 percent; and

(5) transitions the tax code to a more competitive system of international taxation.

#### **SEC. 703. POLICY STATEMENT ON MEDICARE.**

(a) **FINDINGS.**—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in or near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2023 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.2 percent per year, and under the Congressional Budget Office’s alternative fiscal scenario, direct spending on Medicare is projected to exceed 7 percent of GDP by 2040 and reach 13 percent of GDP by 2085.

(3) The President’s health care law created a new Federal agency called the Independent Payment Advisory Board (“IPAB”) empowered with unilateral authority to cut Medicare spending. As a result of that law—

(A) IPAB will be tasked with keeping the Medicare per capita growth below a Medicare per capita target growth rate. Prior to 2018, the target growth rate is based on the five-year average of overall inflation and medical inflation. Beginning in 2018, the target growth rate will be the five-year average increase in the nominal Gross Domestic Product (GDP) plus one percentage point;

(B) the fifteen unelected, unaccountable bureaucrats of IPAB will make decisions that will reduce seniors access to care;

(C) the nonpartisan Office of the Medicare Chief Actuary estimates that the provider cuts already contained in the Affordable Care Act will force 15 percent of hospitals, skilled nursing facilities, and home health agencies to close in 2019; and

(D) additional cuts from the IPAB board will force even more health care providers to close their doors, and the Board should be repealed.

(4) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) **POLICY ON MEDICARE REFORM.**—It is the policy of this resolution to protect those in or near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) **ASSUMPTIONS.**—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in or near retirement.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will maintain traditional fee-for-service as an option.

(4) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(5) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

#### **SEC. 704. POLICY STATEMENT ON SOCIAL SECURITY.**

(a) **FINDINGS.**—The House finds the following:



(1) More than 55 million retirees, individuals with disabilities, and survivors depend on Social Security. Since enactment, Social Security has served as a vital leg on the “three-legged stool” of retirement security, which includes employer provided pensions as well as personal savings.

(2) The Social Security Trustees Report has repeatedly recommended that Social Security’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Social Security becomes more precarious and the threat to seniors and those receiving Social Security disability benefits becomes more pronounced:

(A) In 2016, the Disability Insurance Trust Fund will be exhausted and program revenues will be unable to pay scheduled benefits.

(B) In 2033, the combined Old-Age and Survivors and Disability Trust Funds will be exhausted, and program revenues will be unable to pay scheduled benefits.

(C) With the exhaustion of the Trust Funds in 2033, benefits will be cut 25 percent across the board, devastating those currently in or near retirement and those who rely on Social Security the most.

(3) The recession and continued low economic growth have exacerbated the looming fiscal crisis facing Social Security. The most recent CBO projections find that Social Security will run cash deficits of \$1.319 trillion over the next 10 years.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, reforms should take into consideration the need to protect lower-income Americans’ retirement security.

(5) The Disability Insurance program provides an essential income safety net for those with disabilities and their families. According to the Congressional Budget Office (CBO), between 1970 and 2012, the number of people receiving disability benefits (both disabled workers and their dependent family members) has increased by over 300 percent from 2.7 million to over 10.9 million. This increase is not due strictly to population growth or decreases in health. David Autor and Mark Duggan have found that the increase in individuals on disability does not reflect a decrease in self-reported health. CBO attributes program growth to changes in demographics, changes in the composition of the labor force and compensation, as well as Federal policies.

(6) If this program is not reformed, families who rely on the lifeline that disability benefits provide will face benefit cuts of up to 25 percent in 2016, devastating individuals who need assistance the most.

(7) Americans deserve action by the President, the House, and the Senate to preserve and strengthen Social Security. It is critical that bipartisan action be taken to address the looming insolvency of Social Security. In this spirit, this resolution creates a bipartisan opportunity to find solutions by requiring policymakers to ensure that Social Security remains a critical part of the safety net.

(b) **POLICY STATEMENT ON SOCIAL SECURITY.**—It is the policy of this resolution that Congress should work on a bipartisan basis to make Social Security sustainably solvent. This resolution assumes reform of a current law trigger, such that:

(1) If in any year the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund annual Trustees Report determines that the 75-year actuarial balance of the Social Security Trust Funds is in deficit,

and the annual balance of the Social Security Trust Funds in the 75th year is in deficit, the Board of Trustees shall, no later than September 30 of the same calendar year, submit to the President recommendations for statutory reforms necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year. Recommendations provided to the President must be agreed upon by both Public Trustees of the Board of Trustees.

(2) Not later than December 1 of the same calendar year in which the Board of Trustees submit their recommendations, the President shall promptly submit implementing legislation to both Houses of Congress including his recommendations necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year. The Majority Leader of the Senate and the Majority Leader of the House shall introduce the President’s legislation upon receipt.

(3) Within 60 days of the President submitting legislation, the committees of jurisdiction to which the legislation has been referred shall report the bill which shall be considered by the full House or Senate under expedited procedures.

(4) Legislation submitted by the President shall—

(A) protect those in or near retirement;

(B) preserve the safety net for those who count on Social Security the most, including those with disabilities and survivors;

(C) improve fairness for participants;

(D) reduce the burden on, and provide certainty for, future generations; and

(E) secure the future of the Disability Insurance program while addressing the needs of those with disabilities today and improving the determination process.

#### **SEC. 705. POLICY STATEMENT ON HIGHER EDUCATION AFFORDABILITY.**

(a) **FINDINGS.**—The House finds the following:

(1) A well-educated workforce is critical to economic, job, and wage growth.

(2) More than 21 million students are enrolled in American colleges and universities.

(3) Over the last decade, tuition and fees have been growing at an unsustainable rate. Between the 2001-2002 Academic Year and the 2011-2012 Academic Year:

(A) Published tuition and fees for in-State students at public four-year colleges and universities increased at an average rate of 5.6 percent per year beyond the rate of general inflation.

(B) Published tuition and fees for in-State students at public two-year colleges and universities increased at an average rate of 3.8 percent per year beyond the rate of general inflation.

(C) Published tuition and fees for in-State students at private four-year colleges and universities increased at an average rate of 2.6 percent per year beyond the rate of general inflation.

(4) Over that same period, Federal financial aid has increased 140 percent beyond the rate of general inflation.

(5) This spending has failed to make college more affordable.

(6) In his 2012 State of the Union Address, President Obama noted that, “We can’t just keep subsidizing skyrocketing tuition; we’ll run out of money.”

(7) American students are chasing ever-increasing tuition with ever-increasing debt. According to the Federal Reserve Bank of New York, student debt nearly tripled between 2004 and 2012, and now stands at nearly \$1 trillion. Student debt now has the second largest balance after mortgage debt.

(8) Students are carrying large debt loads and too many fail to complete college or end up defaulting on these loans due to their debt burden and a weak economy and job market.

(9) Based on estimates from the Congressional Budget Office, the Pell Grant Program will face a fiscal shortfall beginning in fiscal year 2015 and continuing in each subsequent year in the current budget window.

(10) Failing to address these problems will jeopardize access and affordability to higher education for America’s young people.

(b) **POLICY ON HIGHER EDUCATION AFFORDABILITY.**—It is the policy of this resolution to address the root drivers of tuition inflation, by—

(1) targeting Federal financial aid to those most in need;

(2) streamlining programs that provide aid to make them more effective;

(3) maintaining the maximum Pell grant award level at \$5,645 in each year of the budget window; and

(4) removing regulatory barriers in higher education that act to restrict flexibility and innovative teaching, particularly as it relates to non-traditional models such as online coursework and competency-based learning.

#### **SEC. 706. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**

(a) **FINDINGS.**—The House finds the following:

(1) According to the last available estimate from the Office of Management and Budget, Federal agencies were expected to hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remains available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans’ affairs, national security, and Treasury authority to finance the national debt.

(c) **DEFICIT REDUCTION.**—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

#### **SEC. 707. POLICY STATEMENT ON RESPONSIBLE STEWARDSHIP OF TAXPAYER DOLLARS.**

(a) **FINDINGS.**—The House finds the following:

(1) The House of Representatives cut budgets for Members of Congress, House committees, and leadership offices by 5 percent in 2011 and an additional 6.4 percent in 2012.

(2) The House of Representatives achieved savings of \$36.5 million over three years by consolidating House operations and renegotiating contracts.

(b) **POLICY.**—It is the policy of this resolution that:

(1) The House of Representatives must be a model for the responsible stewardship of taxpayer resources and therefore must identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration should review the policies pertaining to the services provided to Members and committees of the House, and should identify ways to reduce any subsidies paid for the operation of the House gym, barber shop, salon, and the House dining room.

(2) No taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

**SEC. 708. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**

(a) **FINDINGS.**—The House finds the following:

(1) The Government Accountability Office (“GAO”) is required by law to identify examples of waste, duplication, and overlap in Federal programs, and has so identified dozens of such examples.

(2) In testimony before the Committee on Oversight and Government Reform, the Comptroller General has stated that addressing the identified waste, duplication, and overlap in Federal programs “could potentially save tens of billions of dollars.”

(3) In 2011 and 2012, the Government Accountability Office issued reports showing excessive duplication and redundancy in Federal programs including—

(A) 209 “Science, Technology, Engineering, and Mathematics” (“STEM”) education programs in 13 different Federal agencies at a cost of \$3 billion annually;

(B) 200 separate Department of Justice crime prevention and victim services grant programs with an annual cost of \$3.9 billion in 2010;

(C) 20 different Federal entities administer 160 housing programs and other forms of Federal assistance for housing with a total cost of \$170 billion in 2010;

(D) 17 separate Homeland Security preparedness grant programs that spent \$37 billion between fiscal year 2011 and 2012;

(E) 13 programs, 3 tax benefits, and one loan program to reduce diesel emissions; and

(F) 94 different initiatives run by 11 different agencies to encourage “green building” in the private sector.

(4) The Federal Government spends about \$80 billion each year for information technology. GAO has identified broad acquisition failures, waste, and unnecessary duplication in the Government’s information technology infrastructure. Experts have estimated that eliminating these problems could save 25 percent – or \$20 billion – of the Government’s annual information technology budget.

(5) Federal agencies reported an estimated \$108 billion in improper payments in fiscal year 2012.

(6) Under clause 2 of Rule XI of the Rules of the House of Representatives, each standing committee must hold at least one hearing during each 120 day period following its

establishment on waste, fraud, abuse, or mismanagement in Government programs.

(7) According to the Congressional Budget Office, by fiscal year 2014, 42 laws will expire, possibly resulting in \$685 billion in unauthorized appropriations. Timely reauthorizations of these laws would ensure assessments of program justification and effectiveness.

(8) The findings resulting from congressional oversight of Federal Government programs should result in programmatic changes in both authorizing statutes and program funding levels.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**—Each authorizing committee annually shall include in its Views and Estimates letter required under section 301(d) of the Congressional Budget Act of 1974 recommendations to the Committee on the Budget of programs within the jurisdiction of such committee whose funding should be reduced or eliminated.

**SEC. 709. POLICY STATEMENT ON UNAUTHORIZED SPENDING.**

It is the policy of this resolution that the committees of jurisdiction should review all unauthorized programs funded through annual appropriations to determine if the programs are operating efficiently and effectively. Committees should reauthorize those programs that in the committees’ judgment should continue to receive funding.

**TITLE VIII—SENSE OF THE HOUSE PROVISIONS**

**SEC. 801. SENSE OF THE HOUSE ON THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.**

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

The CHAIR. No amendment shall be in order except those printed in House Report 113–21.

Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. The adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment.

After conclusion of consideration of the concurrent resolution for amendment, there shall be a final period of general debate which shall not exceed 10 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

**AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MULVANEY**

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–21.

Mr. MULVANEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

**SEC. 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.**

(a) **DECLARATION.**—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 and 2015 through 2023.

(b) **TABLE OF CONTENTS.**—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Postal Service discretionary administrative expenses.

Sec. 104. Major functional categories.

**TITLE II—RECONCILIATION**

Sec. 201. Reconciliation in the Senate.

**TITLE III—RESERVE FUNDS**

Sec. 301. Deficit-neutral reserve fund to replace sequestration.

Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.

Sec. 303. Deficit-neutral reserve funds to assist working families and children.

Sec. 304. Deficit-neutral reserve funds for early childhood education.

Sec. 305. Deficit-neutral reserve fund for tax relief.

Sec. 306. Reserve fund for tax reform.

Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.

Sec. 308. Deficit-neutral reserve fund for investments in America’s infrastructure.

Sec. 309. Deficit-neutral reserve fund for America’s servicemembers and veterans.

Sec. 310. Deficit-neutral reserve fund for higher education.

Sec. 311. Deficit-neutral reserve funds for health care.

Sec. 312. Deficit-neutral reserve fund for investments in our Nation’s counties and schools.

Sec. 313. Deficit-neutral reserve fund for a farm bill.

Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.

Sec. 315. Deficit-neutral reserve fund for pension reform.

Sec. 316. Deficit-neutral reserve fund for housing finance reform.

Sec. 317. Deficit-neutral reserve fund for national security.

Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.

Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.

Sec. 320. Deficit-neutral reserve fund for postal reform.

Sec. 321. Deficit-reduction reserve fund for Government reform and efficiency.

## TITLE IV—BUDGET PROCESS

## Subtitle A—Budget Enforcement

Sec. 401. Discretionary spending limits for fiscal years 2013 and 2014, program integrity initiatives, and other adjustments.

Sec. 402. Point of order against advance appropriations.

Sec. 403. Adjustments for sequestration or sequestration replacement.

## Subtitle B—Other Provisions

Sec. 411. Oversight of Government performance.

Sec. 412. Budgetary treatment of certain discretionary administrative expenses.

Sec. 413. Application and effect of changes in allocations and aggregates.

Sec. 414. Adjustments to reflect changes in concepts and definitions.

Sec. 415. Exercise of rulemaking powers.

## TITLE V—ESTIMATES OF DIRECT SPENDING

Sec. 501. Direct spending.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

## SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,038,311,000,000.  
Fiscal year 2014: \$2,290,932,000,000.  
Fiscal year 2015: \$2,646,592,000,000.  
Fiscal year 2016: \$2,833,891,000,000.  
Fiscal year 2017: \$2,973,673,000,000.  
Fiscal year 2018: \$3,111,061,000,000.  
Fiscal year 2019: \$3,245,117,000,000.  
Fiscal year 2020: \$3,400,144,000,000.  
Fiscal year 2021: \$3,592,212,000,000.  
Fiscal year 2022: \$3,800,500,000,000.  
Fiscal year 2023: \$3,991,775,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: \$0,000,000.  
Fiscal year 2014: \$20,000,000,000.  
Fiscal year 2015: \$40,000,000,000.  
Fiscal year 2016: \$55,000,000,000.  
Fiscal year 2017: \$70,000,000,000.  
Fiscal year 2018: \$82,110,000,000.  
Fiscal year 2019: \$95,881,000,000.  
Fiscal year 2020: \$115,534,000,000.  
Fiscal year 2021: \$135,203,000,000.  
Fiscal year 2022: \$149,801,000,000.  
Fiscal year 2023: \$159,630,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,054,195,000,000.  
Fiscal year 2014: \$2,963,749,000,000.  
Fiscal year 2015: \$3,046,506,000,000.  
Fiscal year 2016: \$3,211,506,000,000.  
Fiscal year 2017: \$3,386,445,000,000.  
Fiscal year 2018: \$3,568,528,000,000.  
Fiscal year 2019: \$3,779,446,000,000.  
Fiscal year 2020: \$3,973,331,000,000.  
Fiscal year 2021: \$4,136,110,000,000.  
Fiscal year 2022: \$4,350,282,000,000.  
Fiscal year 2023: \$4,492,138,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$2,956,295,000,000.  
Fiscal year 2014: \$2,997,884,000,000.  
Fiscal year 2015: \$3,082,375,000,000.

Fiscal year 2016: \$3,240,376,000,000.

Fiscal year 2017: \$3,382,809,000,000.

Fiscal year 2018: \$3,542,197,000,000.

Fiscal year 2019: \$3,749,797,000,000.

Fiscal year 2020: \$3,926,818,000,000.

Fiscal year 2021: \$4,103,496,000,000.

Fiscal year 2022: \$4,323,224,000,000.

Fiscal year 2023: \$4,451,446,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: \$917,984,000,000.

Fiscal year 2014: \$706,952,000,000.

Fiscal year 2015: \$435,783,000,000.

Fiscal year 2016: \$406,486,000,000.

Fiscal year 2017: \$409,137,000,000.

Fiscal year 2018: \$431,136,000,000.

Fiscal year 2019: \$504,680,000,000.

Fiscal year 2020: \$526,674,000,000.

Fiscal year 2021: \$511,283,000,000.

Fiscal year 2022: \$522,724,000,000.

Fiscal year 2023: \$459,672,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,113,638,000,000.

Fiscal year 2014: \$18,008,333,000,000.

Fiscal year 2015: \$18,626,857,000,000.

Fiscal year 2016: \$19,222,298,000,000.

Fiscal year 2017: \$19,871,057,000,000.

Fiscal year 2018: \$20,558,744,000,000.

Fiscal year 2019: \$21,312,959,000,000.

Fiscal year 2020: \$22,094,877,000,000.

Fiscal year 2021: \$22,863,179,000,000.

Fiscal year 2022: \$23,634,787,000,000.

Fiscal year 2023: \$24,364,925,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,274,763,000,000.

Fiscal year 2014: \$13,059,985,000,000.

Fiscal year 2015: \$13,588,003,000,000.

Fiscal year 2016: \$14,081,252,000,000.

Fiscal year 2017: \$14,574,683,000,000.

Fiscal year 2018: \$15,081,187,000,000.

Fiscal year 2019: \$15,669,625,000,000.

Fiscal year 2020: \$16,297,499,000,000.

Fiscal year 2021: \$16,929,319,000,000.

Fiscal year 2022: \$17,600,005,000,000.

Fiscal year 2023: \$18,229,414,000,000.

## SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$669,920,000,000.

Fiscal year 2014: \$731,717,000,000.

Fiscal year 2015: \$766,392,000,000.

Fiscal year 2016: \$812,200,000,000.

Fiscal year 2017: \$861,554,000,000.

Fiscal year 2018: \$908,130,000,000.

Fiscal year 2019: \$951,691,000,000.

Fiscal year 2020: \$994,855,000,000.

Fiscal year 2021: \$1,038,909,000,000.

Fiscal year 2022: \$1,083,586,000,000.

Fiscal year 2023: \$1,129,163,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$634,822,000,000.

Fiscal year 2014: \$711,355,000,000.

Fiscal year 2015: \$756,949,000,000.

Fiscal year 2016: \$805,969,000,000.

Fiscal year 2017: \$856,933,000,000.

Fiscal year 2018: \$907,679,000,000.

Fiscal year 2019: \$962,040,000,000.

Fiscal year 2020: \$1,022,374,000,000.

Fiscal year 2021: \$1,086,431,000,000.

Fiscal year 2022: \$1,154,554,000,000.

Fiscal year 2023: \$1,227,009,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2013:

(A) New budget authority, \$5,643,000,000.

(B) Outlays, \$5,658,000,000.

Fiscal year 2014:

(A) New budget authority, \$5,782,000,000.

(B) Outlays, \$5,801,000,000.

Fiscal year 2015:

(A) New budget authority, \$5,966,000,000.

(B) Outlays, \$5,941,000,000.

Fiscal year 2016:

(A) New budget authority, \$6,174,000,000.

(B) Outlays, \$6,144,000,000.

Fiscal year 2017:

(A) New budget authority, \$6,390,000,000.

(B) Outlays, \$6,358,000,000.

Fiscal year 2018:

(A) New budget authority, \$6,617,000,000.

(B) Outlays, \$6,584,000,000.

Fiscal year 2019:

(A) New budget authority, \$6,844,000,000.

(B) Outlays, \$6,810,000,000.

Fiscal year 2020:

(A) New budget authority, \$7,070,000,000.

(B) Outlays, \$7,036,000,000.

Fiscal year 2021:

(A) New budget authority, \$7,301,000,000.

(B) Outlays, \$7,266,000,000.

Fiscal year 2022:

(A) New budget authority, \$7,541,000,000.

(B) Outlays, \$7,505,000,000.

Fiscal year 2023:

(A) New budget authority, \$7,789,000,000.

(B) Outlays, \$7,751,000,000.

## SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2013:

(A) New budget authority, \$255,000,000.

(B) Outlays, \$255,000,000.

Fiscal year 2014:

(A) New budget authority, \$262,000,000.

(B) Outlays, \$262,000,000.

Fiscal year 2015:

(A) New budget authority, \$272,000,000.

(B) Outlays, \$272,000,000.

Fiscal year 2016:

(A) New budget authority, \$284,000,000.

(B) Outlays, \$283,000,000.

Fiscal year 2017:

(A) New budget authority, \$295,000,000.

(B) Outlays, \$294,000,000.

Fiscal year 2018:

(A) New budget authority, \$308,000,000.

(B) Outlays, \$307,000,000.

Fiscal year 2019:

(A) New budget authority, \$319,000,000.

(B) Outlays, \$318,000,000.

Fiscal year 2020:

(A) New budget authority, \$332,000,000.

(B) Outlays, \$331,000,000.

Fiscal year 2021:

(A) New budget authority, \$345,000,000.

(B) Outlays, \$344,000,000.

Fiscal year 2022:

(A) New budget authority, \$357,000,000.

(B) Outlays, \$356,000,000.

Fiscal year 2023:

(A) New budget authority, \$371,000,000.

(B) Outlays, \$370,000,000.

**SEC. 104. MAJOR FUNCTIONAL CATEGORIES.**

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

## (1) National Defense (050):

Fiscal year 2013:

(A) New budget authority, \$648,215,000,000.

(B) Outlays, \$658,250,000,000.

Fiscal year 2014:

(A) New budget authority, \$560,243,000,000.

(B) Outlays, \$599,643,000,000.

Fiscal year 2015:

(A) New budget authority, \$567,553,000,000.

(B) Outlays, \$575,701,000,000.

Fiscal year 2016:

(A) New budget authority, \$575,019,000,000.

(B) Outlays, \$575,203,000,000.

Fiscal year 2017:

(A) New budget authority, \$582,648,000,000.

(B) Outlays, \$573,557,000,000.

Fiscal year 2018:

(A) New budget authority, \$590,411,000,000.

(B) Outlays, \$574,884,000,000.

Fiscal year 2019:

(A) New budget authority, \$598,867,000,000.

(B) Outlays, \$587,226,000,000.

Fiscal year 2020:

(A) New budget authority, \$607,454,000,000.

(B) Outlays, \$595,192,000,000.

Fiscal year 2021:

(A) New budget authority, \$616,137,000,000.

(B) Outlays, \$603,369,000,000.

Fiscal year 2022:

(A) New budget authority, \$625,569,000,000.

(B) Outlays, \$617,186,000,000.

Fiscal year 2023:

(A) New budget authority, \$636,480,000,000.

(B) Outlays, \$621,603,000,000.

## (2) International Affairs (150):

Fiscal year 2013:

(A) New budget authority, \$58,425,000,000.

(B) Outlays, \$48,716,000,000.

Fiscal year 2014:

(A) New budget authority, \$47,883,000,000.

(B) Outlays, \$47,508,000,000.

Fiscal year 2015:

(A) New budget authority, \$46,367,000,000.

(B) Outlays, \$46,830,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,521,000,000.

(B) Outlays, \$46,580,000,000.

Fiscal year 2017:

(A) New budget authority, \$48,666,000,000.

(B) Outlays, \$46,792,000,000.

Fiscal year 2018:

(A) New budget authority, \$49,831,000,000.

(B) Outlays, \$47,157,000,000.

Fiscal year 2019:

(A) New budget authority, \$51,004,000,000.

(B) Outlays, \$47,707,000,000.

Fiscal year 2020:

(A) New budget authority, \$52,194,000,000.

(B) Outlays, \$48,729,000,000.

Fiscal year 2021:

(A) New budget authority, \$52,898,000,000.

(B) Outlays, \$49,801,000,000.

Fiscal year 2022:

(A) New budget authority, \$54,417,000,000.

(B) Outlays, \$51,209,000,000.

Fiscal year 2023:

(A) New budget authority, \$55,664,000,000.

(B) Outlays, \$52,212,000,000.

## (3) General Science, Space, and Technology (250):

Fiscal year 2013:

(A) New budget authority, \$29,154,000,000.

(B) Outlays, \$28,949,000,000.

Fiscal year 2014:

(A) New budget authority, \$29,700,000,000.

(B) Outlays, \$29,426,000,000.

Fiscal year 2015:

(A) New budget authority, \$30,301,000,000.

(B) Outlays, \$30,022,000,000.

Fiscal year 2016:

(A) New budget authority, \$31,019,000,000.

(B) Outlays, \$30,553,000,000.

Fiscal year 2017:

(A) New budget authority, \$31,749,000,000.

(B) Outlays, \$31,229,000,000.

Fiscal year 2018:

(A) New budget authority, \$32,508,000,000.

(B) Outlays, \$31,962,000,000.

Fiscal year 2019:

(A) New budget authority, \$33,264,000,000.

(B) Outlays, \$32,655,000,000.

Fiscal year 2020:

(A) New budget authority, \$34,030,000,000.

(B) Outlays, \$33,408,000,000.

Fiscal year 2021:

(A) New budget authority, \$34,795,000,000.

(B) Outlays, \$34,073,000,000.

Fiscal year 2022:

(A) New budget authority, \$35,590,000,000.

(B) Outlays, \$34,851,000,000.

Fiscal year 2023:

(A) New budget authority, \$36,396,000,000.

(B) Outlays, \$35,643,000,000.

## (4) Energy (270):

Fiscal year 2013:

(A) New budget authority, \$6,243,000,000.

(B) Outlays, \$9,122,000,000.

Fiscal year 2014:

(A) New budget authority, \$4,365,000,000.

(B) Outlays, \$5,264,000,000.

Fiscal year 2015:

(A) New budget authority, \$4,061,000,000.

(B) Outlays, \$4,068,000,000.

Fiscal year 2016:

(A) New budget authority, \$4,185,000,000.

(B) Outlays, \$3,543,000,000.

Fiscal year 2017:

(A) New budget authority, \$4,309,000,000.

(B) Outlays, \$3,786,000,000.

Fiscal year 2018:

(A) New budget authority, \$4,489,000,000.

(B) Outlays, \$4,079,000,000.

Fiscal year 2019:

(A) New budget authority, \$4,622,000,000.

(B) Outlays, \$4,312,000,000.

Fiscal year 2020:

(A) New budget authority, \$4,803,000,000.

(B) Outlays, \$4,536,000,000.

Fiscal year 2021:

(A) New budget authority, \$4,875,000,000.

(B) Outlays, \$4,696,000,000.

Fiscal year 2022:

(A) New budget authority, \$5,000,000,000.

(B) Outlays, \$4,862,000,000.

Fiscal year 2023:

(A) New budget authority, \$5,072,000,000.

(B) Outlays, \$4,913,000,000.

## (5) Natural Resources and Environment (300):

Fiscal year 2013:

(A) New budget authority, \$44,150,000,000.

(B) Outlays, \$41,682,000,000.

Fiscal year 2014:

(A) New budget authority, \$42,919,000,000.

(B) Outlays, \$43,021,000,000.

Fiscal year 2015:

(A) New budget authority, \$42,872,000,000.

(B) Outlays, \$43,165,000,000.

Fiscal year 2016:

(A) New budget authority, \$44,055,000,000.

(B) Outlays, \$44,394,000,000.

Fiscal year 2017:

(A) New budget authority, \$45,500,000,000.

(B) Outlays, \$45,681,000,000.

Fiscal year 2018:

(A) New budget authority, \$47,245,000,000.

(B) Outlays, \$47,014,000,000.

Fiscal year 2019:

(A) New budget authority, \$48,036,000,000.

(B) Outlays, \$48,112,000,000.

Fiscal year 2020:

(A) New budget authority, \$49,596,000,000.

(B) Outlays, \$49,435,000,000.

Fiscal year 2021:

(A) New budget authority, \$50,174,000,000.

(B) Outlays, \$50,074,000,000.

Fiscal year 2022:

(A) New budget authority, \$51,331,000,000.

(B) Outlays, \$50,862,000,000.

Fiscal year 2023:

(A) New budget authority, \$52,759,000,000.

(B) Outlays, \$51,703,000,000.

## (6) Agriculture (350):

Fiscal year 2013:

(A) New budget authority, \$22,373,000,000.

(B) Outlays, \$28,777,000,000.

Fiscal year 2014:

(A) New budget authority, \$22,550,000,000.

(B) Outlays, \$21,136,000,000.

Fiscal year 2015:

(A) New budget authority, \$20,180,000,000.

(B) Outlays, \$19,909,000,000.

Fiscal year 2016:

(A) New budget authority, \$19,717,000,000.

(B) Outlays, \$19,283,000,000.

Fiscal year 2017:

(A) New budget authority, \$19,780,000,000.

(B) Outlays, \$19,289,000,000.

Fiscal year 2018:

(A) New budget authority, \$19,613,000,000.

(B) Outlays, \$19,087,000,000.

Fiscal year 2019:

(A) New budget authority, \$19,908,000,000.

(B) Outlays, \$19,301,000,000.

Fiscal year 2020:

(A) New budget authority, \$20,379,000,000.

(B) Outlays, \$19,878,000,000.

Fiscal year 2021:

(A) New budget authority, \$20,588,000,000.

(B) Outlays, \$20,116,000,000.

Fiscal year 2022:

(A) New budget authority, \$21,105,000,000.

(B) Outlays, \$20,626,000,000.

Fiscal year 2023:

(A) New budget authority, \$21,421,000,000.

(B) Outlays, \$20,959,000,000.

## (7) Commerce and Housing Credit (370):

Fiscal year 2013:

(A) New budget authority, \$-30,498,000,000.

(B) Outlays, \$-24,504,000,000.

Fiscal year 2014:

(A) New budget authority, \$16,201,000,000.

(B) Outlays, \$4,408,000,000.

Fiscal year 2015:

(A) New budget authority, \$10,733,000,000.

(B) Outlays, \$-2,394,000,000.

Fiscal year 2016:

(A) New budget authority, \$11,112,000,000.

(B) Outlays, \$-4,110,000,000.

Fiscal year 2017:

(A) New budget authority, \$11,827,000,000.

(B) Outlays, \$-5,624,000,000.

Fiscal year 2018:

(A) New budget authority, \$14,224,000,000.

(B) Outlays, \$-3,938,000,000.

Fiscal year 2019:

(A) New budget authority, \$16,885,000,000.

(B) Outlays, \$-6,483,000,000.

Fiscal year 2020:

(A) New budget authority, \$16,984,000,000.

(B) Outlays, \$-6,238,000,000.

Fiscal year 2021:

(A) New budget authority, \$17,099,000,000.

(B) Outlays, \$-981,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$88,419,000,000.  
 (B) Outlays, \$95,092,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$89,319,000,000.  
 (B) Outlays, \$95,855,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$90,186,000,000.  
 (B) Outlays, \$96,577,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$91,115,000,000.  
 (B) Outlays, \$96,478,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$91,977,000,000.  
 (B) Outlays, \$97,757,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$93,143,000,000.  
 (B) Outlays, \$99,308,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$94,330,000,000.  
 (B) Outlays, \$101,593,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$95,586,000,000.  
 (B) Outlays, \$103,395,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$96,864,000,000.  
 (B) Outlays, \$105,364,000,000.

(9) Community and Regional Development (450):  
 Fiscal year 2013:  
 (A) New budget authority, \$51,911,000,000.  
 (B) Outlays, \$38,409,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$24,992,000,000.  
 (B) Outlays, \$29,776,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$25,362,000,000.  
 (B) Outlays, \$31,033,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$25,808,000,000.  
 (B) Outlays, \$29,233,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$26,360,000,000.  
 (B) Outlays, \$29,216,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$26,442,000,000.  
 (B) Outlays, \$27,660,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$26,610,000,000.  
 (B) Outlays, \$26,831,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$27,212,000,000.  
 (B) Outlays, \$26,873,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$27,828,000,000.  
 (B) Outlays, \$27,154,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$28,461,000,000.  
 (B) Outlays, \$27,487,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$29,098,000,000.  
 (B) Outlays, \$27,953,000,000.

(10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2013:  
 (A) New budget authority, \$77,536,000,000.  
 (B) Outlays, \$82,279,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$78,349,000,000.  
 (B) Outlays, \$86,546,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$89,537,000,000.  
 (B) Outlays, \$96,269,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$106,927,000,000.  
 (B) Outlays, \$98,922,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$117,961,000,000.  
 (B) Outlays, \$111,494,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$123,744,000,000.  
 (B) Outlays, \$122,679,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$119,139,000,000.  
 (B) Outlays, \$117,997,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$120,411,000,000.  
 (B) Outlays, \$119,806,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$122,546,000,000.  
 (B) Outlays, \$121,459,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$124,565,000,000.  
 (B) Outlays, \$123,422,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$126,825,000,000.  
 (B) Outlays, \$125,845,000,000.

(11) Health (550):  
 Fiscal year 2013:  
 (A) New budget authority, \$365,206,000,000.  
 (B) Outlays, \$361,960,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$420,326,000,000.  
 (B) Outlays, \$415,573,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$500,356,000,000.  
 (B) Outlays, \$493,639,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$554,680,000,000.  
 (B) Outlays, \$560,173,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$611,908,000,000.  
 (B) Outlays, \$614,248,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$648,773,000,000.  
 (B) Outlays, \$648,945,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$685,879,000,000.  
 (B) Outlays, \$684,985,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$732,529,000,000.  
 (B) Outlays, \$721,193,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$764,934,000,000.  
 (B) Outlays, \$763,469,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$808,026,000,000.  
 (B) Outlays, \$806,172,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$852,829,000,000.  
 (B) Outlays, \$851,028,000,000.

(12) Medicare (570):  
 Fiscal year 2013:  
 (A) New budget authority, \$511,692,000,000.  
 (B) Outlays, \$511,240,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$535,596,000,000.  
 (B) Outlays, \$535,067,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$540,503,000,000.  
 (B) Outlays, \$540,205,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$586,873,000,000.  
 (B) Outlays, \$586,662,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$602,495,000,000.  
 (B) Outlays, \$602,085,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$626,619,000,000.  
 (B) Outlays, \$626,319,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$687,071,000,000.  
 (B) Outlays, \$686,851,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$734,468,000,000.  
 (B) Outlays, \$734,051,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$782,452,000,000.  
 (B) Outlays, \$782,386,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$855,410,000,000.  
 (B) Outlays, \$855,061,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$883,491,000,000.  
 (B) Outlays, \$883,062,000,000.

(13) Income Security (600):  
 Fiscal year 2013:  
 (A) New budget authority, \$544,094,000,000.  
 (B) Outlays, \$542,998,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$530,103,000,000.  
 (B) Outlays, \$526,954,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$528,197,000,000.  
 (B) Outlays, \$524,043,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$537,117,000,000.  
 (B) Outlays, \$536,196,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$536,006,000,000.  
 (B) Outlays, \$531,153,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$538,914,000,000.  
 (B) Outlays, \$529,716,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$565,188,000,000.  
 (B) Outlays, \$560,677,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$578,159,000,000.  
 (B) Outlays, \$573,775,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$592,348,000,000.  
 (B) Outlays, \$587,965,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$611,644,000,000.  
 (B) Outlays, \$612,070,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$619,422,000,000.  
 (B) Outlays, \$614,921,000,000.

(14) Social Security (650):  
 Fiscal year 2013:  
 (A) New budget authority, \$52,803,000,000.  
 (B) Outlays, \$52,883,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$27,506,000,000.  
 (B) Outlays, \$27,616,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$30,233,000,000.  
 (B) Outlays, \$30,308,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$33,369,000,000.  
 (B) Outlays, \$33,407,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$36,691,000,000.  
 (B) Outlays, \$36,691,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$40,005,000,000.  
 (B) Outlays, \$40,005,000,000.

Fiscal year 2019:  
 (A) New budget authority, \$43,421,000,000.  
 (B) Outlays, \$43,421,000,000.

Fiscal year 2020:  
 (A) New budget authority, \$46,954,000,000.  
 (B) Outlays, \$46,954,000,000.

Fiscal year 2021:  
 (A) New budget authority, \$50,474,000,000.  
 (B) Outlays, \$50,474,000,000.

Fiscal year 2022:  
 (A) New budget authority, \$54,235,000,000.  
 (B) Outlays, \$54,235,000,000.

Fiscal year 2023:  
 (A) New budget authority, \$58,441,000,000.  
 (B) Outlays, \$58,441,000,000.

(15) Veterans Benefits and Services (700):  
 Fiscal year 2013:  
 (A) New budget authority, \$140,646,000,000.  
 (B) Outlays, \$138,860,000,000.

Fiscal year 2014:  
 (A) New budget authority, \$145,488,000,000.  
 (B) Outlays, \$145,254,000,000.

Fiscal year 2015:  
 (A) New budget authority, \$150,218,000,000.  
 (B) Outlays, \$149,672,000,000.

Fiscal year 2016:  
 (A) New budget authority, \$162,493,000,000.  
 (B) Outlays, \$161,876,000,000.

Fiscal year 2017:  
 (A) New budget authority, \$161,405,000,000.  
 (B) Outlays, \$160,549,000,000.

Fiscal year 2018:  
 (A) New budget authority, \$159,902,000,000.  
 (B) Outlays, \$159,031,000,000.

Fiscal year 2019:

- (A) New budget authority, \$171,529,000,000.
- (B) Outlays, \$170,622,000,000.

Fiscal year 2020:

- (A) New budget authority, \$176,188,000,000.
- (B) Outlays, \$175,286,000,000.

Fiscal year 2021:

- (A) New budget authority, \$180,118,000,000.
- (B) Outlays, \$179,169,000,000.

Fiscal year 2022:

- (A) New budget authority, \$191,846,000,000.
- (B) Outlays, \$190,875,000,000.

Fiscal year 2023:

- (A) New budget authority, \$188,517,000,000.
- (B) Outlays, \$187,433,000,000.

(16) Administration of Justice (750):

Fiscal year 2013:

- (A) New budget authority, \$53,094,000,000.
- (B) Outlays, \$57,120,000,000.

Fiscal year 2014:

- (A) New budget authority, \$66,526,000,000.
- (B) Outlays, \$55,445,000,000.

Fiscal year 2015:

- (A) New budget authority, \$56,476,000,000.
- (B) Outlays, \$57,912,000,000.

Fiscal year 2016:

- (A) New budget authority, \$59,937,000,000.
- (B) Outlays, \$62,665,000,000.

Fiscal year 2017:

- (A) New budget authority, \$59,940,000,000.
- (B) Outlays, \$65,090,000,000.

Fiscal year 2018:

- (A) New budget authority, \$61,751,000,000.
- (B) Outlays, \$63,405,000,000.

Fiscal year 2019:

- (A) New budget authority, \$63,708,000,000.
- (B) Outlays, \$63,959,000,000.

Fiscal year 2020:

- (A) New budget authority, \$65,672,000,000.
- (B) Outlays, \$65,153,000,000.

Fiscal year 2021:

- (A) New budget authority, \$67,840,000,000.
- (B) Outlays, \$67,246,000,000.

Fiscal year 2022:

- (A) New budget authority, \$70,695,000,000.
- (B) Outlays, \$70,066,000,000.

Fiscal year 2023:

- (A) New budget authority, \$76,218,000,000.
- (B) Outlays, \$75,564,000,000.

(17) General Government (800):

Fiscal year 2013:

- (A) New budget authority, \$24,000,000,000.
- (B) Outlays, \$27,263,000,000.

Fiscal year 2014:

- (A) New budget authority, \$23,616,000,000.
- (B) Outlays, \$24,527,000,000.

Fiscal year 2015:

- (A) New budget authority, \$24,258,000,000.
- (B) Outlays, \$24,540,000,000.

Fiscal year 2016:

- (A) New budget authority, \$24,995,000,000.
- (B) Outlays, \$24,616,000,000.

Fiscal year 2017:

- (A) New budget authority, \$25,640,000,000.
- (B) Outlays, \$25,247,000,000.

Fiscal year 2018:

- (A) New budget authority, \$26,497,000,000.
- (B) Outlays, \$26,039,000,000.

Fiscal year 2019:

- (A) New budget authority, \$27,377,000,000.
- (B) Outlays, \$26,724,000,000.

Fiscal year 2020:

- (A) New budget authority, \$28,210,000,000.
- (B) Outlays, \$27,520,000,000.

Fiscal year 2021:

- (A) New budget authority, \$29,089,000,000.
- (B) Outlays, \$28,437,000,000.

Fiscal year 2022:

- (A) New budget authority, \$29,996,000,000.
- (B) Outlays, \$29,353,000,000.

Fiscal year 2023:

- (A) New budget authority, \$30,900,000,000.
- (B) Outlays, \$30,304,000,000.

(18) Net Interest (900):

Fiscal year 2013:

- (A) New budget authority, \$331,271,000,000.
- (B) Outlays, \$331,271,000,000.

Fiscal year 2014:

- (A) New budget authority, \$342,703,000,000.
- (B) Outlays, \$342,703,000,000.

Fiscal year 2015:

- (A) New budget authority, \$370,274,000,000.
- (B) Outlays, \$370,274,000,000.

Fiscal year 2016:

- (A) New budget authority, \$419,485,000,000.
- (B) Outlays, \$419,485,000,000.

Fiscal year 2017:

- (A) New budget authority, \$506,103,000,000.
- (B) Outlays, \$506,103,000,000.

Fiscal year 2018:

- (A) New budget authority, \$608,623,000,000.
- (B) Outlays, \$608,623,000,000.

Fiscal year 2019:

- (A) New budget authority, \$683,623,000,000.
- (B) Outlays, \$683,623,000,000.

Fiscal year 2020:

- (A) New budget authority, \$752,067,000,000.
- (B) Outlays, \$752,067,000,000.

Fiscal year 2021:

- (A) New budget authority, \$806,870,000,000.
- (B) Outlays, \$806,870,000,000.

Fiscal year 2022:

- (A) New budget authority, \$859,077,000,000.
- (B) Outlays, \$859,077,000,000.

Fiscal year 2023:

- (A) New budget authority, \$905,971,000,000.
- (B) Outlays, \$905,971,000,000.

(19) Allowances (920):

Fiscal year 2013:

- (A) New budget authority, \$99,868,000,000.
- (B) Outlays, \$3,853,000,000.

Fiscal year 2014:

- (A) New budget authority, \$32,073,000,000.
- (B) Outlays, \$39,343,000,000.

Fiscal year 2015:

- (A) New budget authority, \$1,469,000,000.
- (B) Outlays, \$32,951,000,000.

Fiscal year 2016:

- (A) New budget authority, \$-35,734,000,000.
- (B) Outlays, \$2,231,000,000.

Fiscal year 2017:

- (A) New budget authority, \$-42,592,000,000.
- (B) Outlays, \$-20,217,000,000.

Fiscal year 2018:

- (A) New budget authority, \$-51,675,000,000.
- (B) Outlays, \$-36,445,000,000.

Fiscal year 2019:

- (A) New budget authority, \$-61,088,000,000.
- (B) Outlays, \$-48,906,000,000.

Fiscal year 2020:

- (A) New budget authority, \$-68,207,000,000.
- (B) Outlays, \$-61,192,000,000.

Fiscal year 2021:

- (A) New budget authority, \$-76,108,000,000.
- (B) Outlays, \$-70,697,000,000.

Fiscal year 2022:

- (A) New budget authority, \$-84,378,000,000.
- (B) Outlays, \$-80,463,000,000.

Fiscal year 2023:

- (A) New budget authority, \$-92,680,000,000.
- (B) Outlays, \$-89,556,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2013:

- (A) New budget authority, \$-76,489,000,000.
- (B) Outlays, \$-76,489,000,000.

Fiscal year 2014:

- (A) New budget authority, \$-75,946,000,000.
- (B) Outlays, \$-75,946,000,000.

Fiscal year 2015:

- (A) New budget authority, \$-80,864,000,000.
- (B) Outlays, \$-80,864,000,000.

Fiscal year 2016:

- (A) New budget authority, \$-86,391,000,000.
- (B) Outlays, \$-86,391,000,000.

Fiscal year 2017:

- (A) New budget authority, \$-90,137,000,000.
- (B) Outlays, \$-90,137,000,000.

Fiscal year 2018:

- (A) New budget authority, \$-90,503,000,000.
- (B) Outlays, \$-90,503,000,000.

Fiscal year 2019:

- (A) New budget authority, \$-97,574,000,000.
- (B) Outlays, \$-97,574,000,000.

Fiscal year 2020:

- (A) New budget authority, \$-98,916,000,000.
- (B) Outlays, \$-98,916,000,000.

Fiscal year 2021:

- (A) New budget authority, \$-103,177,000,000.
- (B) Outlays, \$-103,177,000,000.

Fiscal year 2022:

- (A) New budget authority, \$-105,117,000,000.
- (B) Outlays, \$-105,117,000,000.

Fiscal year 2023:

- (A) New budget authority, \$-108,885,000,000.
- (B) Outlays, \$-108,885,000,000.

## TITLE II—RECONCILIATION

### SEC. 201. RECONCILIATION IN THE SENATE.

Not later than October 1, 2013, the Committee on Finance of the Senate shall report changes in laws, bills, or resolutions within its jurisdiction to increase the total level of revenues by \$975,000,000,000 for the period of fiscal years 2013 through 2023.

## TITLE III—RESERVE FUNDS

### SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) or section 901(e) of the American Taxpayer Relief Act of 2012 (Public Law 112-240) to repeal or revise the enforcement procedures established under those sections, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2013 through 2023. For purposes of determining deficit-neutrality under this section, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

### SEC. 302. DEFICIT-NEUTRAL RESERVE FUNDS TO PROMOTE EMPLOYMENT AND JOB GROWTH.

(a) EMPLOYMENT AND JOB GROWTH.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employment and job growth, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) SMALL BUSINESS ASSISTANCE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years

2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **UNEMPLOYMENT RELIEF.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to the unemployed, or improve the unemployment compensation program, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) **TRADE AND INTERNATIONAL AGREEMENTS.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to trade, including Trade Adjustment Assistance programs or international agreements for economic assistance, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 303. DEFICIT-NEUTRAL RESERVE FUNDS TO ASSIST WORKING FAMILIES AND CHILDREN.**

(a) **INCOME SUPPORT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the Social Services Block Grant (SSBG), the Temporary Assistance for Needy Families (TANF) program, child support enforcement programs, or other assistance to working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **HOUSING ASSISTANCE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to housing assistance, which may include working family rental assistance, or assistance provided through the Housing Trust Fund, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **CHILD WELFARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child welfare programs, which may include the Federal foster care payment system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 304. DEFICIT-NEUTRAL RESERVE FUNDS FOR EARLY CHILDHOOD EDUCATION.**

(a) **PRE-KINDERGARTEN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to a pre-kindergarten program or programs to serve low-income children, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **CHILD CARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child care assistance for working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HOME VISITING.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to a home visiting program or programs serving low-income mothers-to-be and low-income families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RELIEF.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide tax relief, including extensions of expiring tax relief or refundable tax relief, relief that supports innovation by United States enterprises, or relief that expands the ability of startup companies to benefit from the credit for research and experimentation expenses, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 306. RESERVE FUND FOR TAX REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a sustainable revenue base that leads to a fairer, more progressive, and more efficient tax system than currently exists, and to a more competitive business environment for United States enterprises, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase

the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 307. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) the reduction of our Nation's dependence on imported energy and the investment of receipts from domestic energy production;

(2) energy conservation and renewable energy development, or new or existing approaches to clean energy financing;

(3) the Low-Income Home Energy Assistance Program;

(4) Federal programs for land and water conservation and acquisition;

(5) greenhouse gas emissions levels;

(6) the preservation, restoration, or protection of the Nation's public lands, oceans, coastal areas, or aquatic ecosystems;

(7) agreements between the United States and jurisdictions of the former Trust Territory;

(8) wildland fire management activities; or

(9) the restructure of the nuclear waste program;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for Federal investment in the infrastructure of the United States, which may include projects for transportation, housing, energy, water, telecommunications, or financing through tax credit bonds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S SERVICEMEMBERS AND VETERANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) eligibility for both military retired pay and veterans' disability compensation (concurrent receipt);

(2) the reduction or elimination of the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;

(3) the improvement of disability benefits or the process of evaluating and adjudicating benefit claims for members of the Armed Forces or veterans; or

(4) the infrastructure needs of the Department of Veterans Affairs, including constructing or leasing space and maintenance of Department facilities;



by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make higher education more accessible and affordable, which may include legislation to increase college enrollment and completion rates for low-income students, or promote college savings, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 311. DEFICIT-NEUTRAL RESERVE FUNDS FOR HEALTH CARE.**

(a) **PHYSICIAN REIMBURSEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase payments made under, or permanently reform or replace, the Medicare Sustainable Growth Rate (SGR) formula, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **EXTENSION OF EXPIRING HEALTH CARE POLICIES.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that extend expiring Medicare, Medicaid, or other health provisions, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HEALTH CARE IMPROVEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote improvements to health care delivery systems, which may include changes that increase care quality, encourage efficiency, or improve care coordination, and that improve the fiscal sustainability of health care spending over the long term, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) **THERAPY CAPS.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that protect

access to outpatient therapy services (including physical therapy, occupational therapy, and speech-language pathology services) through measures such as repealing or increasing the current outpatient therapy caps, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(e) **DRUG SAFETY.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to drug safety, which may include legislation that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or make changes to chapter 69 of title 31, United States Code (commonly known as the “Payments in Lieu of Taxes Act of 1976”), or both, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR A FARM BILL.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the purposes under this section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN WATER INFRASTRUCTURE AND RESOURCES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to water infrastructure programs or make changes to the collection and expenditure of the Harbor Maintenance Tax (subchapter A of chapter 36 of the Internal Revenue Code of 1986), by the amounts

provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the pension system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HOUSING FINANCE REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote appropriate access to mortgage credit for individuals and families or examine the role of government in the secondary mortgage market, which may include legislation to restructure government-sponsored enterprises, or provide for mortgage refinance opportunities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR NATIONAL SECURITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support Department of Defense auditability and acquisition reform efforts, which may include legislation that limits the use of incremental funding, or that promotes affordability or appropriate contract choice, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR OVERSEAS CONTINGENCY OPERATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the support of Overseas Contingency Operations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this



resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Terrorism Risk Insurance Act (Public Law 107-297; 116 Stat. 2322), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR POSTAL REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the United States Postal Service, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SEC. 321. DEFICIT-REDUCTION RESERVE FUND FOR GOVERNMENT REFORM AND EFFICIENCY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings through the elimination, consolidation, or reform of Federal programs, agencies, offices, and initiatives, or the sale of Federal property, or reduce improper payments, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**TITLE IV—BUDGET PROCESS**

**Subtitle A—Budget Enforcement**

**SEC. 401. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 AND 2014, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.**

**(a) SENATE POINT OF ORDER.—**

(1) IN GENERAL.—Except as otherwise provided in this resolution, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

**(2) SUPERMAJORITY WAIVER AND APPEALS.—**

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this sec-

tion, the term “discretionary spending limit” means—

(1) for fiscal year 2013—

(A) for the security category, \$684,000,000,000 in budget authority; and

(B) for the nonsecurity category, \$359,000,000,000 in budget authority; and

(2) for fiscal year 2014—

(A) for the revised security category, \$497,352,000,000 in budget authority; and

(B) for the revised nonsecurity category, \$469,023,000,000 in budget authority; as adjusted in conformance with the adjustment procedures in this resolution.

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After a bill or joint resolution relating to any matter described in paragraph (2) or (3) is placed on the calendar, or upon the offering of an amendment or motion thereto, or the laying down of an amendment between the Houses or a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) EMERGENCY REQUIREMENTS.—Measures making appropriations in a fiscal year for emergency requirements (and so designated pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(B) DISABILITY REVIEWS AND REDETERMINATIONS.—Measures making appropriations in a fiscal year for continuing disability reviews and redeterminations (consistent with section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(C) HEALTH CARE FRAUD AND ABUSE.—Measures making appropriations in a fiscal year for health care fraud and abuse control (consistent with section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(D) DISASTER RELIEF.—Measures making appropriations for disaster relief (and so designated pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(3) ADJUSTMENTS FOR OVERSEAS CONTINGENCY OPERATIONS.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas contingency operations by the amounts provided in such legislation for those purposes (and so

designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985), up to the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2013, \$99,670,000,000 in budget authority (and outlays flowing therefrom); and

(ii) for fiscal year 2014, \$50,000,000,000 in budget authority (and outlays flowing therefrom).

(d) DEFINITIONS.—In this section—

(1) the term “nonsecurity category” means all discretionary appropriations not included in the security category;

(2) the term “revised nonsecurity category” means all discretionary appropriations other than in budget function 050;

(3) the term “revised security category” means discretionary appropriations in budget function 050; and

(4) the term “security category” means discretionary appropriations associated with agency budgets for the Department of Defense, the Department of Homeland Security, the Department of Veterans Affairs, the National Nuclear Security Administration, the intelligence community management account (95-0401-0-1-054), and all budget accounts in budget function 150 (international affairs).

**SEC. 402. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or

an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

#### SEC. 403. ADJUSTMENTS FOR SEQUESTRATION OR SEQUESTRATION REPLACEMENT.

(a) ADJUSTMENTS UNDER CURRENT LAW.—If the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such enforcement.

(b) ADJUSTMENTS IF AMENDED.—If a measure becomes law that amends the discretionary spending limits established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the adjustments to discretionary spending limits under section 251(b) of that Act, or the enforcement procedures established under section 251A of that Act or section 901(e) of the American Taxpayer Relief Act of 2012, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such measure.

#### Subtitle B—Other Provisions

#### SEC. 411. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list and the annual report to reduce program duplication. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

#### SEC. 412. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of

1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

#### SEC. 413. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

#### SEC. 414. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### SEC. 415. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

#### TITLE V—ESTIMATES OF DIRECT SPENDING

#### SEC. 501. DIRECT SPENDING.

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law

(3) No significant reforms to means-tested direct spending are proposed.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the

total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent.

(3) No significant reforms to nonmeans-tested direct spending are proposed.

Amend the title so as to read: "Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014 and including the appropriate budgetary levels for fiscal year 2013 and fiscal years 2015 through 2023."

The CHAIR. Pursuant to House Resolution 122, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last year at this time I came before this body and I offered as an amendment, as a possible replacement, the budget offered by the President of the United States. It failed overwhelmingly. In fact, I think it failed to receive a single vote.

I did that in order to promote a debate, and I think we had that debate. I think that was healthy.

Remember, a budget is more than just a spending document. It is also a vision document. I had hoped to be able to do the exact same thing this year, to bring forth the President's budget to discuss not only the spending levels in that budget, but also the vision contained in that particular budget. Imagine my surprise then when this week came around and we waited for the President's budget and it was not offered.

It was not offered for the first time in modern history. This is the first time in modern history that a President has failed to offer a budget before the United States House of Representatives took up the topic. It's the very first time since the Budget Act of 1921. I don't know how we're supposed to discuss the President's vision for the Nation as contained in the budget when it's not here. I think that's wrong.

It's required by law, Mr. Chairman. The law requires the President to submit a budget before today. I believe this is now the third or fourth time he's been late during his Presidency. It's inexcusable. It's inexcusable, regardless of the party of the President, not to follow the law and not to offer a budget.

So it's with great regret, Mr. Chairman, I'm not able to offer to you today for discussion before this body the vision for this Nation contained in the President's budget because no such documents exist. I actually tried, by the way. I offered a 34-page document full of question marks, but appropriately that was ruled out of order as not being able to be brought forward to the House. Again, it is with great reluctance I'm not able to offer the President's budget.

Why am I here? I'm here instead to offer as a substitute the budget that passed the Senate Budget Committee last week. It's the first budget to be taken up by the Senate, I believe, in 4 years. I would like to think it's a direct result of the bipartisan action that this body took several weeks ago in passing No Budget, No Pay. The Senate assures us, Mr. Chairman, they were going to do a budget anyway. I took them at their word. And I'm glad that this body was able to pass out No Budget, No Pay in order to give them the additional incentive to do that.

What have they done? What has the Senate offered us? What did the Senate pass out of committee last week on entirely partisan lines? They offered us a budget that increases taxes by \$900 billion over the tax window. In fact, that's the smallest amount. That's the amount they admit to. If you take the Senate committee at their word, they also want to undo the sequester and add an additional \$100 billion worth of stimulus money, and they want to do that without impacting the deficit. You can safely assume, I believe, that it's \$1.5 trillion, not \$900 billion, but \$1.5 trillion in new taxes out of our colleagues in the Senate on the Democratic committee.

They increased spending by \$265 billion over the baseline over the next decade, and they also spend \$4.9 trillion more than does the Republican budget that we'll offer later today. Their spending, as offered in their budget, grows by 4.7 percent annually, one of the highest rates of growth other than the last several years in the history of the Nation.

The deficit, according to their budget, in the year 2023, will be \$566 billion. In contrast, the budget that we will be offering will be surplus in 2023. It will finally allow us to start paying down the debt; and there are no significant reforms at all in Medicare, Medicaid and Social Security.

How you can have a vision for this country going forward and not at least discuss possible and reasonable reforms to those programs is beyond me, but somehow it passed out of the Senate committee.

□ 1250

Defense is cut by an additional quarter of a trillion dollars over the sequester cuts that we've already had and over the reductions that the Defense Department voluntarily took upon itself during the last budget process.

Now, I've come before this body before, Mr. Chairman, and encouraged this body, in a bipartisan fashion, to look to the Defense Department as possible ways to save money, under the belief that there must be some money in the Defense Department that can be saved in a responsible fashion. What the Senate has done goes so far beyond that that it's hard to fathom—an addi-

tional quarter of a trillion dollars in defense spending reductions over the next 10 years.

Finally, perhaps most tellingly and most importantly, the Senate budget never balances—ever. It never balances. What does that say? They have no plan for ever repaying the debt. You cannot repay the debt until we start moving to surplus, and any budget that never goes to surplus never pays down the debt. I've said it before and I'll say it again: if you borrow money from people and are never intending to pay it back, you're not borrowing it from them—you're stealing it from them. That's exactly what this budget contemplates: borrowing money and borrowing money with no intention—a stated position of no intention—to ever be able to pay the money back.

I'm glad they did it. I'm glad to think that they did it of their own accord without "no budget-no pay" hanging over their heads, and I applaud them for at least taking the first step in the last 4 years to put forth their vision of spending and of what the future of this country should hold. At the same time, I think it's incumbent upon us to have this debate and then to send a very strong message to the Senate that their ideas are not the right ideas for this country. I hope we get a chance to debate this further.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I claim time in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Maryland is recognized for 10 minutes.

Mr. VAN HOLLEN. Mr. Chairman, I actually had been prepared to come to the floor of this House and say this was a refreshing moment, that this was going to be a moment of bipartisanship. I commend the gentleman from South Carolina (Mr. MULVANEY) for finally offering a balanced plan to reduce our long-term deficit and a plan that will make sure our economy grows rather than offering a plan that results in over 750,000 fewer American jobs by the end of this year, and I hope that the gentleman will demonstrate his sincerity in the support of his own bill by voting for it. We will be able to tell whether this is simply some kind of stunt or a genuine effort.

Mr. Chairman, let me say, with respect to the comments about the President's budget, I think everyone in this country knows that this Congress was here until January 2 of this year, trying to work out a compromise to avoid going over the fiscal cliff, and until we'd resolved that, the President had no idea how much revenue would be available for the budget. I think most families recognize that you need to know how much revenue is available as you put together a budget, number one.

Number two, we've been lurching from one manufactured crisis to an-

other. The sequester. You need to know how the sequester is going to turn out before you know how much money is going to be available for government agencies.

Finally, when the President has to put together a budget, it's not like the budgets Members of Congress put together in which you have one amount for all of defense or just one amount for the function for all of health care and all of education. The President actually has to allocate that money among different agencies. That's part of the process. So the President will be submitting a budget now that we know what the revenue stream is, now that we have some idea as to where we are in terms of those other issues.

I'm glad the gentleman brought forward this alternative, because it is the Senate Democratic proposal for the most part. Just for the record, he has left some stuff out, but it's close enough for negotiation and discussion purposes here.

What this measure does is, number one, replaces the sequester. It replaces the sequester with a balanced approach to reducing our long-term deficit so that you avoid the job losses that will result from the sequester. Our referees, our umpires—the nonpartisan Congressional Budget Office—has told us, if we allow that sequester to remain in place, you will have 750,000 fewer Americans working at the end of this year. We also know that you'll have 2 million fewer jobs next year.

So it's a good thing that the gentleman brought to the floor a proposal to replace the sequester. After all, in comments last year, the Republican leader, Mr. CANTOR, called for a plan to replace the sequester, so we support that.

The gentleman talks about the Senate proposal on taxes. What he doesn't tell you is what the Senate proposal does. Like the House Democratic proposal, it proposes to balance the budget through a combination of cuts but also cuts to tax expenditures. These are the special preferences and deductions in the Tax Code. We say, yes, we should eliminate some of those tax preferences for very high-income individuals. Our colleagues tell us there are about \$4 trillion worth of those that mostly go to high-income individuals. We say, okay, let's close some of those tax breaks of about \$1 trillion over 10 years to help reduce the deficit. What's different between the Republican plan and this plan that our colleague has brought up is that they propose to provide tax cuts for very wealthy people, financed by increasing the tax burden on middle-income people.

We put that question to the test in the Budget Committee just the other day. We said, if your plan doesn't propose to give folks at the top a big tax break—because you do in your budget drop it from 39 percent to 25 percent.

So a millionaire sees more than a third cut in his rate right off the bat. So we said, well, if it's not your intention to finance that by increasing middle class taxes, you should support this amendment. It was called the Protect the American Middle Class from Tax Increases, and it was very simple. It said, as part of tax reform, don't raise taxes on middle-income people to finance your tax breaks for folks at the very top. Every Republican voted "no."

So, yes, this plan that the gentleman has brought forward today, apparently under sort of a mock bipartisanship, will reduce the deficit in a balanced way. It calls for shared responsibility, and it certainly does not give folks at the very top a tax break financed by middle-income taxpayers like the Republican proposal does.

I reserve the balance of my time.

Mr. MULVANEY. I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman from South Carolina.

Sometimes, Mr. Chairman, you live in a neighborhood. You look down the street, and there's a neighbor there. They've got new cars, and they're remodeling the kitchen, and they take a lot of expensive vacations. You look down the street, and you wonder: How are they doing that? They live on the same street that we live on. How are they doing all that stuff? And you're tempted. You sit there and think, well, why don't we get some new cars, and why don't we redo the kitchen and take some longer, nicer, more expensive trips. Then, one day, the sticker goes up on the window of that house that says that they have to leave. The moving van comes up, and the house is foreclosed upon—the cars go away; they can't use the kitchen anymore; they're not taking any more trips. Then you realize you made the right decision.

It was a mirage. It looked like they could pay for all that, but they couldn't. This is an allegory for what's going on now.

The United States has neighbors in the world—Greece, Spain, Cyprus, Japan—and they have those stickers going up, those foreclosure things going up, because they can't pay for what they're doing. The Senate budget that's before us follows that same path—a mirage of having a lot of what seems to be great things, but you can't pay for them, and eventually that eviction and that foreclosure will come.

We cannot do that. We cannot foreclose on Medicare. We cannot foreclose on the things that we provide for people. We cannot foreclose on the job engine that is this country. And we don't foreclose on it by having a balanced approach, which means balancing the budget, which means bringing the budget into balance, into line, so that those stickers don't go up on this house we call the United States of America.

Mr. VAN HOLLEN. Mr. Chairman, the only comparison between these budgets we're debating and what's going on in Europe is that the Republican budget proposes the same European-style austerity approach that many European countries tried, and as a result, they've seen their economies slip back into recession. We want to avoid slowing down economic growth in this country, which is why we're really glad that the gentleman from South Carolina brought this particular budget proposal to the floor of the House, and we hope he will vote for it.

With that, I yield 2 minutes to a terrific member of the Budget Committee, the gentlelady from Florida (Ms. CASTOR).

□ 1300

Ms. CASTOR of Florida. Mr. Chairman, I thank my colleague, Mr. VAN HOLLEN.

Mr. Chairman, Democrats and Republicans agree that deficit reduction is important; and, in fact, over the past year and a half, we've achieved over \$2.7 trillion in debt reduction. But now, the Republicans want to take us through a charade with this Tea Party budget.

If enacted, the Republican budget would weaken America's recovery. It would undermine what makes America great and what makes America strong, like education, the ability of students to attend college, medical research and innovation, the ability of our older neighbors to live their lives in dignity in their retirement years through Medicare and long-term care.

Now, we get a lot of advice, and economists across the board, in fact our own Congressional Budget Office, advise that the best and fastest way to reduce the deficit is to make sure that people across America have jobs and are working. So it is inexplicable that the Republican budget proposes to eliminate jobs in construction, in education, scientific research, and instead heap the burden on middle class families.

Experts predict that the Republican budget will result in job losses of 2 million fewer jobs next year alone, and that's on top of 750,000 jobs lost by the end of the year due to the sequester. Republicans will not replace, just as the economy is improving for our neighbors and small businesses back home.

In contrast, the Democratic alternative will generate 1.2 million more jobs and stop the sequester. And in committee, Democrats proposed to close those special interest tax loopholes that riddle our Tax Code, and Republicans said, no. Democrats proposed to offset unwise Republican cuts to medical research like Alzheimer's, cancer, diabetes research at NIH; Republicans said, no. Democrats tried to cut the special interest spending in the Tax

Code to offset Republican cuts to students who rely on Pell Grants; but Republicans said, no.

The CHAIR. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. I yield an additional 1½ minutes to the gentlelady.

Ms. CASTOR of Florida. I thank the gentleman.

Democrats in the Budget Committee proposed to strengthen Medicare and replace the Republican plan to turn Medicare into a voucher program. All it does is simply shift the cost to our families and older neighbors.

Mr. Chairman, this Republican budget is not consistent with American values. It is not fiscally responsible. It is a charade. It is a capitulation to the Tea Party. It does not serve us well in economic recovery and the ways we want to grow America. It's a plan for economic weakness. It's a receding vision of American greatness in education, scientific research and infrastructure, and dignity for our parents and grandparents in their retirement years.

I urge you to vote "no" on the Republican budget and support the balanced Democratic alternative.

The CHAIR. The gentleman from South Carolina has 2 minutes remaining. The gentleman from Maryland has 1 minute remaining and the right to close.

Mr. MULVANEY. I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I thank the gentleman for yielding. Our fiscal problem can be summed up in just three numbers: 39, 37, and 64. Thirty-nine percent is the combined increase of inflation and population over the past 10 years. Thirty-seven percent is the increase in revenues. The third number is what's killing us: 64 percent is the increase in spending. It's nearly twice the rate of inflation and population growth.

This has never been a revenue problem; it has always been a spending problem. Yet characteristic of other Democratic budgets, the Senate further accelerates spending while trying to chase it with \$1 trillion of new taxes. And despite \$1 trillion of new taxes, they can't ever balance their budget. And there's a reason: because it's a spending problem, and dogmatically trying to address it on the revenue side will simply drive more and more spending until we become Greece or Detroit.

Mr. MULVANEY. Mr. Chairman, I'm prepared to close, and I yield myself the balance of my time.

Mr. Chairman, the last time I was at this table and was accused of doing something for a political stunt or a gimmick was for No Budget, No Pay. So I'll take those criticisms because I think we were able to move in the right direction with that particular bill.

I would simply ask my friend if he's more bothered by this political stunt or by the stunt being perpetrated by the President of the United States for not offering a budget. We had time to do one. He had time to do one. The President clearly had time to do one and is intentionally not delivering it to us, and I think that does a disservice to the entire process.

Finally, all of that said, I want to thank my friend from Maryland for reminding us once again that only in Washington, D.C., can a cut never cut, can a freeze never freeze, and a balanced approach to a budget never balance.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I will just ask our colleagues to take a look at the latest analysis put forward by our own Congressional Budget Office, the professionals, the referees here. What they tell us is that half of the deficit in this year is as a result of the fact that millions of Americans are still looking for work. Three-quarters of the projected deficit next year is for the very reason, which is why we get to the heart of the issue, by going after the jobs deficit and then reducing the deficit in a balanced manner over a long period of time.

The issue isn't whether we reduce our deficits dramatically; it is how we do it. We call for a balanced approach that, yes, asks the very wealthy people to get rid of some of their special interest tax breaks which our Republican colleagues concede they have, but get rid of them in part to reduce the deficit. Our colleagues refuse to take one penny from closing tax loopholes—not one—to help reduce the deficit. They'll only do that to help finance tax breaks for higher-income individuals.

So, Mr. Chairman, we focus right now on jobs, growing the economy, and a balanced approach to deficit reduction.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SCOTT OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-21.

Mr. SCOTT of Virginia. Mr. Chairman, I rise as the designee of the Congressional Black Caucus to offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

**SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.**

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2014 and sets forth appropriate budgetary levels for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

Sec. 2. Recommended levels and amounts.

Sec. 3. Major functional categories.

Sec. 4. Direct spending.

**SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$2,485,132,000,000.  
Fiscal year 2015: \$2,835,492,000,000.  
Fiscal year 2016: \$3,025,191,000,000.  
Fiscal year 2017: \$3,170,973,000,000.  
Fiscal year 2018: \$3,307,451,000,000.  
Fiscal year 2019: \$3,441,437,000,000.  
Fiscal year 2020: \$3,588,909,000,000.  
Fiscal year 2021: \$3,774,309,000,000.  
Fiscal year 2022: \$3,980,999,000,000.  
Fiscal year 2023: \$4,175,445,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$214,200,000,000.  
Fiscal year 2015: \$228,900,000,000.  
Fiscal year 2016: \$246,300,000,000.  
Fiscal year 2017: \$267,300,000,000.  
Fiscal year 2018: \$278,500,000,000.  
Fiscal year 2019: \$292,200,000,000.  
Fiscal year 2020: \$304,300,000,000.  
Fiscal year 2021: \$317,300,000,000.  
Fiscal year 2022: \$330,300,000,000.  
Fiscal year 2023: \$343,300,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$3,325,280,000,000.  
Fiscal year 2015: \$3,188,007,000,000.  
Fiscal year 2016: \$3,291,567,000,000.  
Fiscal year 2017: \$3,442,524,000,000.  
Fiscal year 2018: \$3,623,964,000,000.  
Fiscal year 2019: \$3,820,306,000,000.  
Fiscal year 2020: \$4,017,742,000,000.  
Fiscal year 2021: \$4,190,085,000,000.  
Fiscal year 2022: \$4,421,398,000,000.  
Fiscal year 2023: \$4,575,518,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$3,155,063,000,000.  
Fiscal year 2015: \$3,235,190,000,000.  
Fiscal year 2016: \$3,354,518,000,000.  
Fiscal year 2017: \$3,457,686,000,000.  
Fiscal year 2018: \$3,608,488,000,000.  
Fiscal year 2019: \$3,787,194,000,000.  
Fiscal year 2020: \$3,966,920,000,000.  
Fiscal year 2021: \$4,152,140,000,000.  
Fiscal year 2022: \$4,389,918,000,000.  
Fiscal year 2023: \$4,531,318,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2014: —\$669,928,000,000.  
Fiscal year 2015: —\$399,697,000,000.  
Fiscal year 2016: —\$329,329,000,000.  
Fiscal year 2017: —\$286,712,000,000.  
Fiscal year 2018: —\$301,036,000,000.  
Fiscal year 2019: —\$345,756,000,000.

Fiscal year 2020: —\$378,011,000,000.  
Fiscal year 2021: —\$377,831,000,000.  
Fiscal year 2022: —\$408,918,000,000.  
Fiscal year 2023: —\$355,873,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2014: \$17,946,000,000,000.  
Fiscal year 2015: \$18,528,000,000,000.  
Fiscal year 2016: \$19,045,000,000,000.  
Fiscal year 2017: \$19,571,000,000,000.  
Fiscal year 2018: \$20,128,000,000,000.  
Fiscal year 2019: \$20,723,000,000,000.  
Fiscal year 2020: \$21,355,000,000,000.  
Fiscal year 2021: \$21,990,000,000,000.  
Fiscal year 2022: \$22,647,000,000,000.  
Fiscal year 2023: \$23,273,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$13,019,000,000,000.  
Fiscal year 2015: \$13,511,000,000,000.  
Fiscal year 2016: \$13,927,000,000,000.  
Fiscal year 2017: \$14,298,000,000,000.  
Fiscal year 2018: \$14,674,000,000,000.  
Fiscal year 2019: \$15,104,000,000,000.  
Fiscal year 2020: \$15,583,000,000,000.  
Fiscal year 2021: \$16,082,000,000,000.  
Fiscal year 2022: \$16,638,000,000,000.  
Fiscal year 2023: \$17,164,000,000,000.

**SEC. 3. MAJOR FUNCTIONAL CATEGORIES.**

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

(1) National Defense (050):

Fiscal year 2014:

(A) New budget authority, \$560,243,000,000.

(B) Outlays, \$572,903,000,000.

Fiscal year 2015:

(A) New budget authority, \$560,377,000,000.

(B) Outlays, \$561,758,000,000.

Fiscal year 2016:

(A) New budget authority, \$567,574,000,000.

(B) Outlays, \$567,443,000,000.

Fiscal year 2017:

(A) New budget authority, \$577,839,000,000.

(B) Outlays, \$569,830,000,000.

Fiscal year 2018:

(A) New budget authority, \$588,142,000,000.

(B) Outlays, \$573,817,000,000.

Fiscal year 2019:

(A) New budget authority, \$598,961,000,000.

(B) Outlays, \$588,374,000,000.

Fiscal year 2020:

(A) New budget authority, \$612,296,000,000.

(B) Outlays, \$600,383,000,000.

Fiscal year 2021:

(A) New budget authority, \$626,112,000,000.

(B) Outlays, \$613,415,000,000.

Fiscal year 2022:

(A) New budget authority, \$639,937,000,000.

(B) Outlays, \$632,154,000,000.

Fiscal year 2023:

(A) New budget authority, \$654,717,000,000.

(B) Outlays, \$641,132,000,000.

(2) International Affairs (150):

Fiscal year 2014:

(A) New budget authority, \$51,883,000,000.

(B) Outlays, \$46,386,000,000.

Fiscal year 2015:

(A) New budget authority, \$46,867,000,000.

(B) Outlays, \$46,023,000,000.

Fiscal year 2016:

(A) New budget authority, \$48,021,000,000.

(B) Outlays, \$45,986,000,000.

Fiscal year 2017:

(A) New budget authority, \$49,166,000,000.

(B) Outlays, \$46,842,000,000.

Fiscal year 2018:

(A) New budget authority, \$50,331,000,000.

(B) Outlays, \$47,582,000,000.

Fiscal year 2019:

- (A) New budget authority, \$51,504,000,000.  
(B) Outlays, \$48,107,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$52,694,000,000.  
(B) Outlays, \$49,159,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$53,398,000,000.  
(B) Outlays, \$50,256,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$54,917,000,000.  
(B) Outlays, \$51,665,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$56,164,000,000.  
(B) Outlays, \$52,685,000,000.  
(3) General Science, Space, and Technology (250):  
Fiscal year 2014:  
(A) New budget authority, \$37,675,000,000.  
(B) Outlays, \$33,435,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$32,301,000,000.  
(B) Outlays, \$33,286,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$32,019,000,000.  
(B) Outlays, \$35,513,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$32,249,000,000.  
(B) Outlays, \$32,277,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$33,008,000,000.  
(B) Outlays, \$32,894,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$33,764,000,000.  
(B) Outlays, \$33,229,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$34,530,000,000.  
(B) Outlays, \$33,919,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$35,295,000,000.  
(B) Outlays, \$34,562,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$36,090,000,000.  
(B) Outlays, \$35,340,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$36,896,000,000.  
(B) Outlays, \$36,132,000,000.  
(4) Energy (270):  
Fiscal year 2014:  
(A) New budget authority, \$6,469,000,000.  
(B) Outlays, \$6,409,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$4,718,000,000.  
(B) Outlays, \$5,031,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$4,844,000,000.  
(B) Outlays, \$4,312,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$4,971,000,000.  
(B) Outlays, \$4,464,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$5,155,000,000.  
(B) Outlays, \$4,797,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$5,291,000,000.  
(B) Outlays, \$4,967,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$5,476,000,000.  
(B) Outlays, \$5,197,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$5,552,000,000.  
(B) Outlays, \$5,361,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$5,680,000,000.  
(B) Outlays, \$5,531,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$5,756,000,000.  
(B) Outlays, \$5,586,000,000.  
(5) Natural Resources and Environment (300):  
Fiscal year 2014:  
(A) New budget authority, \$49,932,000,000.  
(B) Outlays, \$46,589,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$48,006,000,000.  
(B) Outlays, \$47,779,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$47,206,000,000.  
(B) Outlays, \$48,244,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$46,167,000,000.  
(B) Outlays, \$47,758,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$47,935,000,000.  
(B) Outlays, \$48,420,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$48,747,000,000.  
(B) Outlays, \$49,103,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$50,329,000,000.  
(B) Outlays, \$50,268,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$50,924,000,000.  
(B) Outlays, \$50,813,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$52,092,000,000.  
(B) Outlays, \$51,612,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$53,536,000,000.  
(B) Outlays, \$52,469,000,000.  
(6) Agriculture (350):  
Fiscal year 2014:  
(A) New budget authority, \$22,731,000,000.  
(B) Outlays, \$20,880,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$22,359,000,000.  
(B) Outlays, \$22,109,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$23,016,000,000.  
(B) Outlays, \$22,594,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$22,750,000,000.  
(B) Outlays, \$22,247,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$22,892,000,000.  
(B) Outlays, \$22,365,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$23,326,000,000.  
(B) Outlays, \$22,689,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$23,656,000,000.  
(B) Outlays, \$23,129,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$24,031,000,000.  
(B) Outlays, \$23,529,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$24,319,000,000.  
(B) Outlays, \$23,816,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$24,697,000,000.  
(B) Outlays, \$24,210,000,000.  
(7) Commerce and Housing Credit (370):  
Fiscal year 2014:  
(A) New budget authority, \$16,268,000,000.  
(B) Outlays, \$4,480,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$11,033,000,000.  
(B) Outlays, — \$2,097,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$11,537,000,000.  
(B) Outlays, — \$3,686,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$12,377,000,000.  
(B) Outlays, — \$5,074,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$14,774,000,000.  
(B) Outlays, — \$3,388,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$17,435,000,000.  
(B) Outlays, — \$5,933,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$17,534,000,000.  
(B) Outlays, — \$5,688,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$17,649,000,000.  
(B) Outlays, — \$431,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$21,576,000,000.  
(B) Outlays, \$2,346,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$21,684,000,000.  
(B) Outlays, \$1,318,000,000.  
(8) Transportation (400):  
Fiscal year 2014:  
(A) New budget authority, \$226,861,000,000.  
(B) Outlays, \$163,900,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$158,939,000,000.  
(B) Outlays, \$169,966,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$114,139,000,000.  
(B) Outlays, \$143,646,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$99,306,000,000.  
(B) Outlays, \$120,816,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$98,555,000,000.  
(B) Outlays, \$113,910,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$99,747,000,000.  
(B) Outlays, \$108,344,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$97,973,000,000.  
(B) Outlays, \$105,477,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$99,230,000,000.  
(B) Outlays, \$106,052,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$100,546,000,000.  
(B) Outlays, \$107,314,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$101,894,000,000.  
(B) Outlays, \$109,033,000,000.  
(9) Community and Regional Development (450):  
Fiscal year 2014:  
(A) New budget authority, \$42,804,000,000.  
(B) Outlays, \$43,383,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$28,030,000,000.  
(B) Outlays, \$40,845,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$18,296,000,000.  
(B) Outlays, \$30,768,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$14,564,000,000.  
(B) Outlays, \$23,197,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$14,350,000,000.  
(B) Outlays, \$18,620,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$14,222,000,000.  
(B) Outlays, \$15,720,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$14,527,000,000.  
(B) Outlays, \$14,887,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$14,846,000,000.  
(B) Outlays, \$14,696,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$15,170,000,000.  
(B) Outlays, \$14,733,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$15,494,000,000.  
(B) Outlays, \$14,895,000,000.  
(10) Education, Training, Employment, and Social Services (500):  
Fiscal year 2014:  
(A) New budget authority, \$197,949,000,000.  
(B) Outlays, \$146,873,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$148,293,000,000.  
(B) Outlays, \$160,216,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$121,086,000,000.  
(B) Outlays, \$138,654,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$123,937,000,000.  
(B) Outlays, \$130,663,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$124,754,000,000.  
(B) Outlays, \$132,478,000,000.  
Fiscal year 2019:

(A) New budget authority, \$120,329,000,000.  
(B) Outlays, \$122,399,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$121,651,000,000.  
(B) Outlays, \$121,604,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$123,541,000,000.  
(B) Outlays, \$122,776,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$125,792,000,000.  
(B) Outlays, \$124,488,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$128,190,000,000.  
(B) Outlays, \$126,798,000,000.  
(11) Health (550):  
Fiscal year 2014:  
(A) New budget authority, \$429,462,000,000.  
(B) Outlays, \$420,123,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$502,656,000,000.  
(B) Outlays, \$497,464,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$557,280,000,000.  
(B) Outlays, \$563,313,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$614,808,000,000.  
(B) Outlays, \$617,163,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$651,773,000,000.  
(B) Outlays, \$652,143,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$688,979,000,000.  
(B) Outlays, \$687,987,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$735,629,000,000.  
(B) Outlays, \$724,222,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$768,134,000,000.  
(B) Outlays, \$766,611,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$811,326,000,000.  
(B) Outlays, \$809,418,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$860,454,000,000.  
(B) Outlays, \$858,599,000,000.  
(12) Medicare (570):  
Fiscal year 2014:  
(A) New budget authority, \$524,031,000,000.  
(B) Outlays, \$523,502,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$526,976,000,000.  
(B) Outlays, \$526,678,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$581,414,000,000.  
(B) Outlays, \$581,203,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$599,410,000,000.  
(B) Outlays, \$599,000,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$624,422,000,000.  
(B) Outlays, \$624,122,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$685,561,000,000.  
(B) Outlays, \$685,341,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$735,048,000,000.  
(B) Outlays, \$734,631,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$786,326,000,000.  
(B) Outlays, \$786,260,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$862,941,000,000.  
(B) Outlays, \$862,592,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$894,656,000,000.  
(B) Outlays, \$894,227,000,000.  
(13) Income Security (600):  
Fiscal year 2014:  
(A) New budget authority, \$538,349,000,000.  
(B) Outlays, \$530,912,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$532,151,000,000.  
(B) Outlays, \$528,373,000,000.  
Fiscal year 2016:

(A) New budget authority, \$542,496,000,000.  
(B) Outlays, \$541,468,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$541,783,000,000.  
(B) Outlays, \$536,584,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$544,969,000,000.  
(B) Outlays, \$535,708,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$549,588,000,000.  
(B) Outlays, \$544,881,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$562,308,000,000.  
(B) Outlays, \$557,788,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$576,550,000,000.  
(B) Outlays, \$572,051,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$595,538,000,000.  
(B) Outlays, \$595,857,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$603,269,000,000.  
(B) Outlays, \$598,661,000,000.  
(14) Social Security (650):  
Fiscal year 2014:  
(A) New budget authority, \$27,504,000,000.  
(B) Outlays, \$27,614,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$30,231,000,000.  
(B) Outlays, \$30,306,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$33,367,000,000.  
(B) Outlays, \$33,405,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$36,689,000,000.  
(B) Outlays, \$36,689,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$40,003,000,000.  
(B) Outlays, \$40,003,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$43,419,000,000.  
(B) Outlays, \$43,419,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$46,951,000,000.  
(B) Outlays, \$46,951,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$50,471,000,000.  
(B) Outlays, \$50,471,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$54,232,000,000.  
(B) Outlays, \$54,232,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$58,438,000,000.  
(B) Outlays, \$58,438,000,000.  
(15) Veterans Benefits and Services (700):  
Fiscal year 2014:  
(A) New budget authority, \$149,837,000,000.  
(B) Outlays, \$147,441,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$154,547,000,000.  
(B) Outlays, \$153,083,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$166,800,000,000.  
(B) Outlays, \$165,755,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$165,689,000,000.  
(B) Outlays, \$164,565,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$164,161,000,000.  
(B) Outlays, \$163,218,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$175,764,000,000.  
(B) Outlays, \$174,786,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$180,399,000,000.  
(B) Outlays, \$179,426,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$184,304,000,000.  
(B) Outlays, \$183,285,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$196,006,000,000.  
(B) Outlays, \$194,967,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$192,651,000,000.

(B) Outlays, \$191,499,000,000.  
(16) Administration of Justice (750):  
Fiscal year 2014:  
(A) New budget authority, \$78,433,000,000.  
(B) Outlays, \$61,461,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$62,473,000,000.  
(B) Outlays, \$64,304,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$61,934,000,000.  
(B) Outlays, \$66,686,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$60,937,000,000.  
(B) Outlays, \$67,245,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$62,747,000,000.  
(B) Outlays, \$65,147,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$64,704,000,000.  
(B) Outlays, \$65,192,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$66,668,000,000.  
(B) Outlays, \$66,172,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$68,836,000,000.  
(B) Outlays, \$68,221,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$74,870,000,000.  
(B) Outlays, \$74,220,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$77,591,000,000.  
(B) Outlays, \$76,916,000,000.  
(17) General Government (800):  
Fiscal year 2014:  
(A) New budget authority, \$26,041,000,000.  
(B) Outlays, \$25,746,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$26,686,000,000.  
(B) Outlays, \$26,450,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$27,428,000,000.  
(B) Outlays, \$26,801,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$28,078,000,000.  
(B) Outlays, \$27,525,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$28,940,000,000.  
(B) Outlays, \$28,430,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$29,825,000,000.  
(B) Outlays, \$29,120,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$30,663,000,000.  
(B) Outlays, \$29,921,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$31,547,000,000.  
(B) Outlays, \$30,843,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$32,460,000,000.  
(B) Outlays, \$31,765,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$33,369,000,000.  
(B) Outlays, \$32,721,000,000.  
(18) Net Interest (900):  
Fiscal year 2014:  
(A) New budget authority, \$342,387,000,000.  
(B) Outlays, \$342,387,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$369,800,000,000.  
(B) Outlays, \$369,800,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$417,006,000,000.  
(B) Outlays, \$417,006,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$499,379,000,000.  
(B) Outlays, \$499,379,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$594,921,000,000.  
(B) Outlays, \$594,921,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$664,007,000,000.  
(B) Outlays, \$664,007,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$725,547,000,000.



(B) Outlays, \$725,547,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$773,662,000,000.  
(B) Outlays, \$773,662,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$820,096,000,000.  
(B) Outlays, \$820,096,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$861,941,000,000.  
(B) Outlays, \$861,941,000,000.  
(19) Allowances (920):  
Fiscal year 2014:  
(A) New budget authority, \$2,367,000,000.  
(B) Outlays, \$1,196,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$2,428,000,000.  
(B) Outlays, \$1,947,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$2,495,000,000.  
(B) Outlays, \$2,313,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$2,562,000,000.  
(B) Outlays, \$2,466,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$2,635,000,000.  
(B) Outlays, \$2,564,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$2,707,000,000.  
(B) Outlays, \$2,636,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$2,779,000,000.  
(B) Outlays, \$2,708,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$2,854,000,000.  
(B) Outlays, \$2,780,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$2,927,000,000.  
(B) Outlays, \$2,854,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$3,006,000,000.  
(B) Outlays, \$2,927,000,000.  
(20) Undistributed Offsetting Receipts (950):  
Fiscal year 2014:  
(A) New budget authority, -\$75,946,000,000.  
(B) Outlays, -\$75,946,000,000.  
Fiscal year 2015:  
(A) New budget authority, -\$80,864,000,000.  
(B) Outlays, -\$80,864,000,000.  
Fiscal year 2016:  
(A) New budget authority, -\$86,391,000,000.  
(B) Outlays, -\$86,391,000,000.  
Fiscal year 2017:  
(A) New budget authority, -\$90,137,000,000.  
(B) Outlays, -\$90,137,000,000.  
Fiscal year 2018:  
(A) New budget authority, -\$90,503,000,000.  
(B) Outlays, -\$90,503,000,000.  
Fiscal year 2019:  
(A) New budget authority, -\$97,574,000,000.  
(B) Outlays, -\$97,574,000,000.  
Fiscal year 2020:  
(A) New budget authority, -\$98,916,000,000.  
(B) Outlays, -\$98,916,000,000.  
Fiscal year 2021:  
(A) New budget authority, -\$103,177,000,000.  
(B) Outlays, -\$103,177,000,000.  
Fiscal year 2022:  
(A) New budget authority, -\$105,117,000,000.  
(B) Outlays, -\$105,117,000,000.  
Fiscal year 2023:  
(A) New budget authority, -\$108,885,000,000.  
(B) Outlays, -\$108,885,000,000.  
(21) Overseas Contingency Operations (970):  
Fiscal year 2014:  
(A) New budget authority, \$70,000,000,000.  
(B) Outlays, \$65,387,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$0.  
(B) Outlays, \$32,732,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$0.

(B) Outlays, \$12,488,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$0.  
(B) Outlays, \$4,186,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$0.  
(B) Outlays, \$1,239,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$0.  
(B) Outlays, \$399,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$0.  
(B) Outlays, \$133,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$0.  
(B) Outlays, \$104,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$0.  
(B) Outlays, \$33,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$0.  
(B) Outlays, \$16,000,000.

#### SEC. 4. DIRECT SPENDING.

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimate average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law.

(3) This concurrent resolution retains the social safety net that has lifted millions of Americans out of poverty and protects both the Supplemental Nutrition Assistance Program and Medicaid from draconian spending cuts.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-test direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) For Medicare, this budget rejects proposals to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance. Such proposals will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks, and they will weaken the traditional Medicare program. Instead, this budget builds on the success of the Affordable Care Act, which made significant strides in health-care cost containment and put into place a framework for continuous innovation. This budget supports comprehensive reforms to give physicians and other care providers incentives to provide high-quality, coordinated, efficient care, in a manner consistent with the goals of fiscal sustainability. It makes no changes that reduce benefits available to seniors and individuals with disabilities in Medicare.

(B) Any savings derived from changes or reforms to Medicare and Social Security should be used to extend the solvency of these vital programs and not be used to offset the cost of cutting taxes.

The CHAIR. Pursuant to House Resolution 122, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 2 minutes.

The underlying Republican budget dismantles the Medicare guarantee. It cuts Medicaid in the last year by 25 percent and includes unspecified cuts in a category called “other mandatory spending.” That category, of course, is Social Security and pensions for veterans and Federal employees. And then it cuts other essential Federal programs. It also repeals ObamaCare, but keeps in place the savings and tax increases that pay for it. The Republican budget also includes a \$5.7 trillion tax cut that primarily benefits the wealthiest Americans and then somehow claims it will be revenue neutral by raising somebody else’s taxes by \$5.7 trillion, an average of about \$2,000 for every man, woman, and child in America every year.

Mr. Chairman, the Congressional Black Caucus budget on the other hand is based on reality and uses real numbers. Our budget makes tough choices, but not at the expense of the most vulnerable Americans. The CBC budget calls for revenue enhancements of \$2.7 trillion over the next 10 years. The budget shows that this is a real and achievable goal by highlighting approximately \$4.2 trillion in revenue options that the Congress could use to achieve the \$2.7 trillion in new revenues, such as limiting the deductibility of corporate interest payments, limiting the special tax breaks and corporate loopholes that are baked into our Tax Code, treating capital gains and dividends like regular income. And, incidentally, Mr. Chairman, this amount is less than half of the \$5.7 trillion in tax increases assumed in the Republican budget.

□ 1310

The revenue enhancements called for in our budget will be used to totally cancel the sequester, to pay for a \$500 billion jobs bill that will put more than 5 million Americans back to work, and to provide for an additional \$300 billion in long-term investments in our economy through education, job training, health care, science, and research.

The CHAIR. The time of the gentleman has expired.

Mr. SCOTT of Virginia. I yield myself an additional 30 seconds.

Even with these additional investments, our budget is projected to put our Nation back on a sustainable path because the deficit reduction is more than the Simpson-Bowles deficit reduction commission 10-year goal.

Mr. Chairman, the CBC budget shows that we can create jobs, invest in education, transportation, and research, and avoid devastating health care cuts and achieve the 10-year Simpson-Bowles deficit reduction goal. I, therefore, urge my colleagues to support the Congressional Black Caucus budget.

I reserve the balance of my time.



Mr. PRICE of Georgia. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 15 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I want to commend my friend, Mr. SCOTT, for bringing forward a budget on behalf of the Congressional Black Caucus. I think it's important that we have all sorts of options here on the floor to be able to discuss as they relate to a budget.

I would note a couple of items that he conveniently left out. One is that the budget that the CBC brings to the floor—this will come as no surprise, Mr. Chairman—never gets to balance, which means it continues to spend more money than the government takes in, continues to spend more money than Washington takes in. The people of this great country understand that we can't continue going down this road over and over and over and over.

A couple of points that Mr. SCOTT made regarding the Republican budget, which is the budget that is the base budget here that we're bringing to the floor that, in fact, does get to balance in a responsible way:

It saves and strengthens and secures Medicare, as opposed to the misinformation that was provided by the other side;

It makes certain that States have the kind of flexibility so that they're able to provide the highest quality of health care to their Medicaid population;

It doesn't, as a matter of fact, address in a specific way the issue of Social Security because it provides for a reserve fund so that that is able to be addressed in a more specific way through the committee structure, which is also the important thing to recognize about the issue of taxes.

Our friends on the other side are so specific about what they accuse us of regarding taxes, but, in fact, as you know, Mr. Chairman, it's the Ways and Means Committee that will ultimately define that.

A couple of items that he conveniently left out on the budget that he is proposing is that they do raise taxes. In fact, they raise taxes by \$2.8 trillion—\$2.8 trillion over the next 10 years—and much of that increase in taxes is in the area of those who create jobs. We all know that if you tax something, you get less of it. So by taxing job creators, we'll get fewer jobs, and, Mr. Chairman, that's the last place we need to be heading right now. They spend \$5.7 trillion more than the Republican budget that's being proposed, and they add another \$2.9 trillion to the debt relative to the base budget that we're working on today.

I also want to address the issue of business taxes. They talk about removing the incentives that move jobs overseas. Well, Mr. Chairman, the biggest incentive to moving jobs overseas is

that the United States now has the highest business tax rate in the industrialized world. If you're a business and you're planning on either expanding your business or you're thinking about starting a business here in the United States and you go to the line that says taxes, the other side of that says, no, go somewhere else, get out of here, because taxes are lower elsewhere, which means that jobs are being created elsewhere. We're driving jobs overseas by virtue of our current tax structure, and our friends on the other side of the aisle, especially with the CBC budget, actually increase that as opposed to decrease that.

I do, however, want to commend them, once again, for bringing a budget forward because, as you've heard earlier today and in the conversations around the budget, the President has not. We did find it. I found the President's budget. Here it is. Not a doggone thing on this poster, Mr. Chairman, because the President hasn't brought anything to us.

Now, that might be amusing to some, but the fact of the matter is that the law states that the President of the United States is required to present a budget to Congress by the first Monday in February. That was February 4 this year. We're a little over 6 weeks beyond that. The President has flagrantly—flagrantly—ignored his statutory responsibility to bring to the United States Congress a budget.

Now, some folks on the other side say, Oh, it happens all the time. Don't worry about that. It happens all the time. Well, as a matter of fact, Mr. Chairman, in just one term, President Obama has missed the budget deadline more than any other President. He's now missed it four out of five times.

In the 90 years between 1923 and 2013, President Obama is the only President to miss the deadline 2 years in a row. He's the only President who's missed the deadline 3 out of 4 years in his first term, and he holds the record for the longest delay—98 days. Maybe that's the record he's trying to beat, Mr. Chairman.

So I want to commend, again, my colleagues in the Congressional Black Caucus for bringing forward a budget. As I say, I think it's extremely important that we have all sorts of different ideas out here on the floor to be able to debate and have people take a perspective on and have the opportunity to vote "yea" or "nay" on. I would respectfully suggest, however, that their budget moves this country in the wrong direction, not the right direction, and we'll urge opposition to their budget proposal.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Ms. MOORE), a member of the Budget Committee.

Ms. MOORE. Thank you so much, gentleman from Virginia, for yielding me the time.

It's really my privilege to discuss the jobs program that is at the heart of the Congressional Black Caucus budget. The Congressional Black Caucus does acknowledge that, while we must address our debt and deficits, in the short run, an austerity budget, as the Republicans have proposed, hurts our economy rather than helps.

We have proposed a comprehensive jobs plan, paid for proudly with the largesse and the revenue that the rich have received and tax reform measures that will propel our economic recovery for everyone, not just the haves, improve our economic competitiveness, and provide opportunities for those communities that still have not reaped the benefit of recent economic resurgence.

The CBC budget includes a \$100 billion investment in a national direct job creation program estimated to create 2 million jobs directly, as well as another 800,000 jobs indirectly in the private sector; \$50 billion for school modernization; \$50 billion for preserving teacher, law enforcement, and first responder jobs, good public service jobs that we all need; \$230 billion for investing in our Nation's crumbling infrastructure; \$50 billion in rebuilding America's neighborhoods; \$13 billion in job training programs; and another \$7 billion in summer jobs programs.

Our significant investment in jobs is the core reason why I urge my colleagues to vote "yes" on the Congressional Black Caucus budget.

Mr. PRICE of Georgia. Mr. Chairman, what's the time remaining on each side?

The CHAIR. The gentleman from Georgia has 9¼ minutes remaining, and the gentleman from Virginia has 10½ minutes remaining.

Mr. PRICE of Georgia. Mr. Chairman, I'm pleased to yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), a member of the Budget Committee.

Mr. ROKITA. I thank the gentleman from Georgia for yielding the time.

I agree with the gentleman from Georgia. It's good to have debate. It's good to have choices. It's good to have options, but that doesn't mean every option is equally good. And we're faced with that situation right here, right now, and that's why I rise in opposition to the CBC substitute budget.

There are different ways to balance a budget. Many, most Americans, many of us here, think that taking 20 percent of the value of a country's GDP, like this Federal Government does and spends it, is more than enough to run it and most anything else.

But to be fair, there are other ways to balance, and one of those ways is to raise revenue. And I want to examine just a few of the ways that this substitute budget proposes to run the Federal Government by raising revenue.

□ 1320

I see from all the different ideas here that their intention was to take from whom they believe are the richest Americans, the wealthiest Americans, those who haven't paid their fair share, the 1 percent, however you want to phrase it, but let's look at it more closely.

One, taxing capital gains and dividends as ordinary income at a top rate of 39.6 percent, I think this budget forgets how many middle class Americans have 401(k)s, how many of us across the Nation invest in the stock market, how many union members still on the old pension plans, those dinosaur plans, still rely on the stock market for their retirement. What are these capital gains and dividends going to do to them? They're not the richest, for sure.

Taxing financial transactions at 0.25 percent of the asset's value, the same thing, Mr. Chairman. What about all the middle class individuals, so many Americans in this country that rely for their retirement not just on Social Security but on 401(k)s, union members who rely on pensions? And what's it going to be like for them when we're taking simply more from them from their retirement?

And then perhaps the most insidious, returning estate tax levels to 2009, not only are we taxing twice, but we are making it a bad thing, apparently, to pass on our hard-earned wealth to our children, our next generation. It's no way to run a country. It's immoral, in fact.

But let's assume all these tax increases. The fact of the matter is this budget still never balances, never comes into balance. And I was struck this morning, Mr. Chairman, by Mr. MULVANEY from South Carolina, during his 1-minute speech, when he said, when you contract with somebody to borrow money, that's what debt is. You intend to pay it back. When you contract with somebody and have no intention of paying that debt back, that's thievery.

That's exactly what we're doing, Mr. Chairman, to the children of tomorrow, to the people that do not yet exist, that do not have a vote in this matter. That's why I rise in support, and I urge all my colleagues to defeat this substitute budget.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the Republican budget claims to be in balance, but it's only in balance if you assume they can raise \$5.7 trillion in new taxes and they cut \$2.5 trillion in health care and a trillion dollars more in a category that includes Social Security and pensions.

I'd also note that a great deal has been made about the capital gains and dividend benefits in 401(k)s. I would point out to the gentleman that in a 401(k) the people do not get the benefit of that deduction. They don't pay any

tax at all as it grows. When they draw it out, they draw it out as ordinary income.

Mr. Chairman, I yield 2 minutes to the gentlelady from California (Ms. LEE).

Ms. LEE of California. Let me first thank Congressman BOBBY SCOTT for your tremendous leadership in putting together the Congressional Black Caucus's alternative budget; also, our chair, Congresswoman MARCIA FUDGE, for her very bold vision in helping to move this forward.

As a member of the Budget Committee, as I said yesterday, I've had a chance to get into the weeds of the Republican budget. And I can say with certainty that I strongly support the Congressional Black Caucus budget because it is pro-growth, pro-people, and pro-American.

I just want to follow up on the gentlewoman from Wisconsin's comments, Congresswoman MOORE, who so eloquently stated the jobs provisions of this budget.

Let me show you the chart with regard to the 5 million jobs that this budget creates. When you look at the fact that without the Congressional Black Caucus's budget it will take us until April 2015 to create enough jobs to take us back to prerecession employment, that is not acceptable with so many people in our country who are unemployed.

This budget enhances Medicare and Medicaid.

It cancels the devastating sequester and it reins in bloated Pentagon spending.

We actually end the Overseas Contingency Fund when the President's goal is accomplished in 2014 of bringing our young men and women home from Afghanistan. This is really a slush fund. It's not even funded through the Pentagon. It's a slush fund through somewhere over at the State Department.

This budget provides \$230 billion to revitalize our Nation's infrastructure and creates a \$500 million jobs program to accelerate the Nation's economic recovery.

To help families stay secure in their homes until the economy fully recovers, our budget also funds a restoration of critical unemployment benefits to the full 99 weeks.

Also, we support a real effort to eradicate poverty in America with the 10-20-30 formula, which targets resources to communities that need assistance.

And we call for a national strategy to eradicate poverty by cutting it in half in 10 years.

The CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Chairman, I yield the gentlelady an additional 30 seconds.

Ms. LEE of California. Let me just also conclude by saying our budget pro-

tections the safety net and protects those initiatives which create pathways out of poverty, such as the earned income tax credit, the child tax credit, the SNAP program, food and nutrition assistance, and the program that assists women with nutrition assistance when they're pregnant. All of these efforts are protected in the Congressional Black Caucus budget; whereas, the Ryan budget would cut these programs. These are needed desperately as we move to a pathway to prosperity.

Our budget is pro-American, pro-growth, and pro-people.

Mr. PRICE of Georgia. I would just point out to the gentlelady that, in fact, multiple economists have looked at the budget that Republicans have brought forward, and a couple from Stanford had an editorial, I believe, in The Wall Street Journal this week and noted that their review, their study, their evaluation of the Republican budget actually demonstrates that 500,000 jobs would be produced in the first year in the Republican budget and 1.7 million jobs in the 10th year.

So if you want jobs, there's a way to get jobs created in this country, and it is to reward those individuals who are creating jobs. That's what the Republican budget does.

I am pleased to yield 3 minutes to another new member of the Budget Committee and a member of the Appropriations Committee, the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. Our friends on the other side have called for what they label a balanced approach, but let's look at the record.

Is their quench for new taxes insatiable? At the start of this year, they got \$600 billion in new taxes due to the fiscal cliff bill that passed. In addition, they added another \$1 trillion of new taxes, starting this year, for ObamaCare. A total of \$1.6 trillion in new taxes have been added since New Year's. But before the ink was even dry, they began to call for even more tax increases. In fact, the budget that we're discussing here calls for an additional \$2.8 trillion of taxes that will be paid for by hardworking men and women around America. Taxes like, if you sell your house, you'll have to pay an excessive tax on the gain from the sale of your house when you're in retirement.

What do they do with their new taxes? Do they take it and pay down the debt? No. Instead, they take these additional taxes and use it to spend more.

This budget is not content with ObamaCare that passed a few years ago, no. It expands that. I do commend our friends on the other side for at least showing your intentions that you're not going to be happy until every American is on socialized medicine. And this expands ObamaCare.

It also expands food stamps. At a time when projections are showing

that our economy may improve, certainly we should see individuals moving away from food stamps and on to a job supporting themselves, but that's not what we're seeing. A measure of success of a society should not be how many people can we put on public assistance. The measure of success of a society should be how many men and women can we allow to help themselves.

But this budget does cut spending in one area. It cuts into our national defense, even more so than the President's budget that he submitted last year. So while we're increasing spending on things that would drain our economy and deprive our children of obtaining jobs, we're compromising the very defense of our Nation. And when does it balance? Never.

Mr. Chairman, I reject this budget and urge you to vote "no."

□ 1330

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 30 seconds just before I yield to the gentlelady from the Virgin Islands.

First of all, the gentleman just complained about the ObamaCare taxes. What he didn't say is that the Republican budget keeps all the taxes; they just repeal the benefits.

The Republican budget also does not cancel the sequester. The sequester is estimated to cost 700,000 to 2 million jobs. They do not cancel the sequester. In fact, they have additional cuts that will even add to those job losses.

Mr. Chairman, I yield 2 minutes to the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. I thank you for yielding, and for the excellent job that you and your team did on the budget.

The CBC budget is proudly a statement of CBC, but also of American values. As a physician, I'm particularly proud of its investment in health. It protects and strengthens Social Security, Medicare, Medicaid, and children's health insurance; fully funds the Affordable Care Act, adds a public health option, and includes provisions that will reduce health disparities.

It fully funds the AIDS Drug Assistance Program, mental health and substance abuse, maternal and child health, community health centers, the Offices of Minority Health, and the National Institute for Minority and Health Disparity Research at NIH.

It preserves Healthy Start, funds programs to increase the number and diversity of the health workforce, and gives communities the tools to improve health and well-being through restoring programs like REACH, dental health projects, the National Minority AIDS Education and Training Center, and other related programs. And it ensures that minority physicians and those practicing in poor neighborhoods and their patients will have the benefit of health information technology.

The CBC budget in its entirety addresses the socioeconomic determinants of health, beginning with the 10/20/30 program to reduce poverty. All of these provisions will reduce health care spending in the medium and long term. It is a masterpiece of a budget, and I urge everyone to vote for it. And yes, we will not be happy until every American has access to quality health care.

Mr. PRICE of Georgia. Mr. Chairman, may I inquire as to how much time remains on each side, please?

The CHAIR. The gentleman from Georgia has 3 minutes remaining, and the gentleman from Virginia has 5½ minutes remaining.

Mr. PRICE of Georgia. May I inquire of my friend how many more speakers he has?

Mr. SCOTT of Virginia. I think we have two more speakers, including myself.

Mr. PRICE of Georgia. I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentlelady from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, as a member of the Congressional Black Caucus, I am so very, very proud to be here in support of the Congressional Black Caucus budget. This is a budget with a centerpiece: Job creation. This is a budget that is balanced. This is a budget that is in opposition to the Ryan budget that would slash and burn and cut and deny our senior citizens, deny our children, do away with Head Start and many programs that the American people deserve to have.

I am a member of the Financial Services Committee, now serving as a ranking member. I created the Neighborhood Stabilization Program. The Neighborhood Stabilization Program is a program that goes into communities that have been devastated by foreclosures based on the subprime meltdown that we had in this country, where so many people were tricked into signing onto loans and mortgages they could not afford. Thus, they went into foreclosure. These communities have been devastated with boarded-up homes, with stray animals on the property, with police and fire having to spend more money in these cities to try and upkeep them. The Ryan budget would do away with the Neighborhood Stabilization Program.

The home values must be maintained in these communities. Some people are trying to keep up their homes, but with these boarded-up properties, the value of the homes go down. The Neighborhood Stabilization Program is a project that would revitalize the properties and put them back on the market as affordable homes. Instead of doing away with this program that helps to keep the value of our American citizens' homes, we protect it. The Ryan budget would do away with it.

Thank the CBC for understanding how to protect our neighborhoods, how to protect our consumers and our citizens, and how to make our neighborhoods safe, despite the fact that we almost went into a depression based on the financial services meltdown.

Mr. SCOTT of Virginia. Is the gentleman ready to close?

Mr. PRICE of Georgia. I have one more speaker outside of myself, and then I will be pleased to close.

Mr. SCOTT of Virginia. We are prepared to close. I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, I am pleased to yield 1½ minutes to a senior member of the Budget Committee, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the CBC for actually coming to the floor with a budget, something that the President of the United States has not been able to do four out of five times, even though it is the law of the land that he is required to do so. So I commend them for doing so.

We should look to see what is it that we agree with in this and what do we disagree with. We do agree on several points, such as that we want to have a just and fair Tax Code. We do agree, as we have in our budget, to make sure that we address the most vulnerable, those people who are out of work, the poor in the country, those who are trying hard to make ends meet, to try to end poverty as well, to try to make sure that there is health care in this country. But where we differ from the CBC is the impact that their budget would have on each and every one of these.

Their budget would have a devastating impact on those who are out of work, those who are trying to not just get a handout, but get a hand up; those who are looking for health care and not being able to afford it; those who are looking for health care from the Federal Government and realizing that within a short period of time, over the next decade, we will see, actually, the money in the Federal Government for the health care that they're receiving right now basically run out.

So that is why I applaud their attempt to come to the floor with a budget. But I ask them to take a look at what the impact of their budget will do as opposed to what the Republican budget will do. We will actually be able to create jobs in this country. We did so before in something called the JOBS Act, which we passed in a bipartisan manner.

We are going to take the next step to make sure that there is a level playing field in this country versus other countries, to bring back those jobs that have been lost to other foreign nations and bring them back into this country as well. We will be able to reform the system with regard to the poor. We will

be able to provide for a system that provides for the American family in a fair and just Tax Code.

Mr. SCOTT of Virginia. I yield myself the balance of the time.

The CHAIR. The gentleman is recognized for 3½ minutes.

Mr. SCOTT of Virginia. Mr. Chairman, the Congressional Black Caucus budget reacts to this chart which shows the recovery over past recessions.

This recession has been deeper and longer than any others. We still haven't gotten the jobs back. At the rate we're going, we're not going to get the jobs we lost in the 2008 recession for another 2 years. That's why it's important that the Congressional Black Caucus has a budget that has \$500 billion in jobs. That will create about 5 million jobs as soon as we can get the money out the door, 5 million jobs, which will significantly reduce the impact of that recession. That's in stark contrast to the Republican budget, which maintains the sequester. The suggestion there is that 700,000 to 2 million jobs would be lost.

So we have a choice: 5 million jobs or lose jobs. We have a choice in terms of investments in education, transportation, scientific research, investments in our future, or cuts in those investments.

We have a credible path to achieve the Simpson-Bowles 10-year goal rather than a budget that depends on \$5.7 trillion in unspecified tax increases to offset their \$5.7 trillion tax cut that they say is revenue neutral. Also, it is a budget that requires massive cuts in Medicare, Medicaid, and other health care programs, pensions, and everything else that will adversely affect those most in need.

The one-third cut, 25 to 30 percent cut in Medicaid, we have to remember that two-thirds of the Medicaid expense goes to the elderly and disabled. What is their plans for them if you're cutting Medicaid by 25 to 30 percent?

We can do better. We can have a progressive, pro-people, pro-growth, pro-jobs agenda; or we can have the devastating cuts in the Republican budget, which has \$5.7 trillion unspecified tax cuts in it if you believe they will come up with that kind of money.

□ 1340

I think we should make the right choice. That right choice is the Congressional Black Caucus budget.

I yield back the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, I would, once again, remind my friends on the other side of the aisle and those listening that the Republican budget creates 500,000 jobs by the end of the first year, and it will result in over 1 million jobs in the 10th year. It's important to appreciate that. And I agree with my friend on the chart that he has about the jobs decreasing, the deepest

and longest period of poor job growth in any recession. He's absolutely right. He's correct on that.

But what this budget does that he proposes is doubles down on policies that don't work. Spending money that we don't have is not a prescription for more job creation. A little honesty, Mr. Chairman, on this: only in Washington, as the American people know, is spending at a lower rate a cut. More spending at a lower rate in this town is a reduction, is a cut accused by the other side.

The fact of the matter is that the Republican budget increases spending on average 3.4 percent each year over the next 10 years. It's a responsible budget. It's a budget that actually gets to balance, which means that we don't spend money at the end of this budget that Washington doesn't have, and gets us on a path to paying off the debt.

It's that way that we realize that we can create jobs for the American people, we can ensure that young people in this country will be able to get out of college and be able to find a job in their sphere of education, and we can make certain that seniors have the kind of services that they need, the kind of things that have been destroyed by the current administration and by the budget being proposed on the other side. The Republican budget is a responsible budget.

I urge that Members of our party vote down the budget.

I yield back the balance of my time.

Ms. FUDGE. Mr. Chair, every year since 1981, the Congressional Black Caucus has offered a fair and balanced alternative budget.

The CBC Alternative Budget for fiscal year 2014 is a "Pro-Growth, Pro-People, Pro-America" budget. It acknowledges that only by investing in people can you build a bridge to a better America.

America doesn't need an austerity budget. Americans need and deserve more.

I urge my colleagues to vote in favor of the CBC "Pro-Growth, Pro-People, Pro-America" Budget Alternative.

Ms. CLARKE. Mr. Chair, I rise today to ask my colleagues to reject the budget put forth by Chairman RYAN and the Republican led Congress and support the FY 2014 Congressional Black Caucus Alternative Budget, the Congressional Progressive Caucus Alternative Budget, and Democratic Substitute Budget. These budgets will protect our families, put Americans back to work, restore fairness to our tax code, and make critical investments in education, transportation, innovation, research, and job creation.

The proposals submitted by the Republicans would undermine vital programs such as Medicare, Medicaid, and SNAP. The Ryan budget cuts programs that assist low-income families, communities of color, young children, students, older people, individuals with disabilities, the unemployed, and the uninsured.

Specifically, the CBC Alternative Budget proposes a balanced plan that focuses on economic growth, invests in communities, and creates economic opportunity for all.

The CBC budget:

Cancels the sequester; creates a \$500 billion jobs program to accelerate the Nation's economic recovery; provides \$230 billion in investments for America's crumbling infrastructure; reduces the deficit by \$2.8 trillion over the next 10 years; addresses the Medicare Doc Fix; protects and enhances Social Security, Medicare, Medicaid, SNAP, and TANF; proposes the 10–20–30 plan which targets resources to the communities that need assistance the most; addresses health disparities through full funding for the Affordable Care Act and strong support for the National Institutes of Health.

Again, I ask my colleagues to vote against the Ryan Budget that does not balance the budget, and will harm our children, seniors, and the middle class, and to vote for resolutions that strike a sensible balance between revenue increases and spending cuts.

Ms. JACKSON LEE. Mr. Chair, I rise in strong support of the CBC Budget Substitute to H. Con. Res. 25 because it provides for serious deficit reduction, job creation, and promotes pragmatic economic growth. In a word: this budget puts America back in the black.

I wish to thank Chairwoman FUDGE of the CBC and Congressman SCOTT of Virginia, a Member of the CBC who helps to drive our budget, and Congresswoman GWEN MOORE who sits on the Budget Committee; Members who have taken the lead in steering our job-creating, morally righteous, and deficit-reducing budget to the House Floor.

The Members of this body have some very serious ideological differences that have manifested themselves in the respective budgets that the American people will hear over the course of the next few days. But at the end of the day we have to produce for the American people—and budget means that we must do just that—and do so by addressing both sides of the ledger.

That means tough, bedrock decisions about spending but also about revenue. My colleagues in the CBC have taken on this task in earnest and I believe produced a serious, pragmatic Fiscal Year 2014 budget alternative.

The FY 2014 CBC Budget entitled, "Pro-Growth, Pro-People, Pro-America," contains \$2.8 trillion in deficit reduction relative to current law, which would put debt on a downward path after the expiration of short-term stimulus spending. Debt is projected to fall from 78.8 percent of GDP in 2014 to 66.2 percent of GDP in 2023.

We include a lowering of the threshold for the tax cuts extended in the American Taxpayer Relief Act from \$450K to \$250K, a concept which I strongly supported in 2010, 2011, and 2012; taxing capital gains and dividends as ordinary income, and enacting a financial transactions tax.

The CBC Substitute also cancels the harmful sequestration, enacts a permanent "doc fix", and includes \$862 billion in jobs measures and long-term investments. Revenue would rise to 20.5 percent of GDP by 2023 in the CBC's budget, compared to 19.1 percent under current policy. Spending would fall to 22.3 percent of GDP by 2023 under current policy, and would fall to the same level under the CBC's budget though with a great deal of short-term stimulus measures.

The CBC Budget protects and enhances Social Security, Medicare, Medicaid, SNAP, TANF and other vital safety net programs that save millions of families from poverty.

The CBC Budget creates jobs and opportunity via new infrastructure investments, outlined below:

Maintenance and repair for public transit, highways, airports, ports, railroads, bridges and other infrastructure investments. (\$230 billion);

Workforce development programs such as the Workforce Investment Act Adult Program, the Dislocated Workers Program, Job Corps and other employment and training services. (\$13 billion);

Providing relief to states to preserve teacher, law enforcement and first responder jobs. (\$50 billion);

Neighborhood stabilization programs that provide affordable housing development, infrastructure improvements and other community development needs. (\$50 billion);

Veterans programs that honor our commitment to help our nation's soldiers after they come back from serving our country. (Increased by \$50 billion).

The CBC Budget also calls for significant tax reform measures that would enhance revenues over the next decade by \$2.7 trillion. Economic history has demonstrated that you cannot starve the government of revenues. To achieve our revenue goals, the CBC Budget outlines approximately \$4.2 trillion in revenue enhancements that Congress could use to achieve this goal, including:

Ending special tax breaks and closing tax loopholes. (\$1 trillion over 10 years);

Limiting tax preferences for Corporate Debt. (\$1.151 trillion over 10 years);

Enacting the "Buffet Rule" and a surcharge for millionaires. (\$460 billion over 10 years);

Reduce the "tax gap" through better tax enforcement. (\$107 billion over 10 years);

Ending the mortgage deduction for vacation homes and yachts. (\$10 billion over 10 years);

The CBC Budget addresses health disparities by fully funding the Affordable Care Act and providing strong support of the National Institute of Health. In contrast, the Republican Budget attempts to repeal the Affordable Care Act, while using the revenues to help achieve balance.

The elephant in the room is entitlement policy. Unlike discretionary spending, mandatory spending grew rapidly from 5 percent of GDP in 1962 to a range of 9 percent to 10.5 percent of GDP from 1975 to 2007, peaking in recession years because of automatic stabilizers. The American people spoke last year and their collective voice clearly said no to haphazard, immoral, and arbitrary cuts to their hard-earned benefits; and the Supreme Court raised its voice when it upheld the constitutionality of the Affordable Care Act. It is the law of the land.

I am here to say that any type of entitlement reform will not be done on the backs of Seniors in the 18th District of Texas—and I am prepared to "stand in the gap" to protect their benefits.

And speaking of Texas, two years ago, my hometown of Houston, Texas was forced to lay off nearly one thousand municipal employees. When these employees are put on the

unemployment line, libraries close, schools cut back on essential after-school programs, community centers lose personnel, police hours are trimmed, and the truly destitute become an afterthought.

Those tough budget decisions had a human cost and I hear from my constituents every day about them, and frankly, I don't want tax cuts for the wealthy at the expense of jobs for people in Texas.

Nonetheless, I stand here today and declare that the federal budget is a moral document, with meaning, fiber, and a unique texture; and the budget we craft, and what we do here today in the hallowed halls of Congress is really about the American people and the impact that our budget and fiscal policy decisions will have on them.

The Democratic Budget Alternatives stands in clear contrast to the budget that our Republican colleagues have put forward. This budget will reduce the deficit in a balanced and credible way, making difficult choices while providing investments that help create jobs now and build an even stronger economy for the future. But unlike the Republican budget—which ends the Medicare guarantee while providing tax breaks to millionaires—we ask the very wealthy and special interests to share responsibility for reducing the deficit. It is a shared American sacrifice.

This budget demonstrates that we can put our fiscal house in order without blindly slashing investments and breaking our promises to seniors, low-income kids, and individuals with disabilities. We will preserve the Medicare guarantee and work to strengthen it, along with Medicaid, and not ending it. We will provide tax relief for working families, not a tax windfall to millionaires and corporations that is financed by middle-income Americans. And we will protect the promise and opportunity of the American Dream for all, instead of leaving future generations behind.

Mr. Chair, let's roll-up our sleeves and get to work on a pro-growth, pro-people, and pro-American budget.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

#### AMENDMENT NO. 3 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-21.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

#### SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution

on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2013 and for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

#### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

#### TITLE II—ESTIMATES OF DIRECT SPENDING

Sec. 201. Direct spending.

#### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

##### SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,007,856,000,000.  
Fiscal year 2014: \$2,539,041,000,000.  
Fiscal year 2015: \$3,090,207,000,000.  
Fiscal year 2016: \$3,312,805,000,000.  
Fiscal year 2017: \$3,467,609,000,000.  
Fiscal year 2018: \$3,594,533,000,000.  
Fiscal year 2019: \$3,731,069,000,000.  
Fiscal year 2020: \$3,890,672,000,000.  
Fiscal year 2021: \$4,090,360,000,000.  
Fiscal year 2022: \$4,311,426,000,000.  
Fiscal year 2023: \$4,521,978,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: —\$30,455,000,000.  
Fiscal year 2014: \$268,109,000,000.  
Fiscal year 2015: \$483,615,000,000.  
Fiscal year 2016: \$533,914,000,000.  
Fiscal year 2017: \$563,936,000,000.  
Fiscal year 2018: \$565,582,000,000.  
Fiscal year 2019: \$581,832,000,000.  
Fiscal year 2020: \$606,063,000,000.  
Fiscal year 2021: \$633,351,000,000.  
Fiscal year 2022: \$660,727,000,000.  
Fiscal year 2023: \$689,833,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,490,177,000,000.  
Fiscal year 2014: \$3,802,488,000,000.  
Fiscal year 2015: \$3,699,149,000,000.  
Fiscal year 2016: \$3,661,190,000,000.  
Fiscal year 2017: \$3,745,621,000,000.  
Fiscal year 2018: \$3,912,983,000,000.  
Fiscal year 2019: \$4,085,848,000,000.  
Fiscal year 2020: \$4,236,650,000,000.  
Fiscal year 2021: \$4,394,458,000,000.  
Fiscal year 2022: \$4,628,614,000,000.  
Fiscal year 2023: \$4,786,461,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$3,446,784,000,000.  
Fiscal year 2014: \$3,737,820,000,000.  
Fiscal year 2015: \$3,694,356,000,000.  
Fiscal year 2016: \$3,664,466,000,000.  
Fiscal year 2017: \$3,736,311,000,000.  
Fiscal year 2018: \$3,873,536,000,000.  
Fiscal year 2019: \$4,044,258,000,000.  
Fiscal year 2020: \$4,180,795,000,000.  
Fiscal year 2021: \$4,349,709,000,000.  
Fiscal year 2022: \$4,590,188,000,000.  
Fiscal year 2023: \$4,735,162,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: —\$1,438,928,000,000.  
 Fiscal year 2014: —\$1,198,779,000,000.  
 Fiscal year 2015: —\$604,149,000,000.  
 Fiscal year 2016: —\$351,661,000,000.  
 Fiscal year 2017: —\$268,702,000,000.  
 Fiscal year 2018: —\$279,003,000,000.  
 Fiscal year 2019: —\$313,189,000,000.  
 Fiscal year 2020: —\$290,123,000,000.  
 Fiscal year 2021: —\$259,349,000,000.  
 Fiscal year 2022: —\$278,762,000,000.  
 Fiscal year 2023: —\$213,184,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,613,000,000,000.  
 Fiscal year 2014: \$19,003,000,000,000.  
 Fiscal year 2015: \$19,765,000,000,000.  
 Fiscal year 2016: \$20,279,000,000,000.  
 Fiscal year 2017: \$20,770,000,000,000.  
 Fiscal year 2018: \$21,296,000,000,000.  
 Fiscal year 2019: \$21,853,000,000,000.  
 Fiscal year 2020: \$22,392,000,000,000.  
 Fiscal year 2021: \$22,904,000,000,000.  
 Fiscal year 2022: \$23,427,000,000,000.  
 Fiscal year 2023: \$23,907,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,796,000,000,000.  
 Fiscal year 2014: \$14,077,000,000,000.  
 Fiscal year 2015: \$14,748,000,000,000.  
 Fiscal year 2016: \$15,161,000,000,000.  
 Fiscal year 2017: \$15,497,000,000,000.  
 Fiscal year 2018: \$15,842,000,000,000.  
 Fiscal year 2019: \$16,234,000,000,000.  
 Fiscal year 2020: \$16,620,000,000,000.  
 Fiscal year 2021: \$16,995,000,000,000.  
 Fiscal year 2022: \$17,418,000,000,000.  
 Fiscal year 2023: \$17,799,000,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

##### (1) National Defense (050):

Fiscal year 2013:  
 (A) New budget authority, \$653,623,000,000.  
 (B) Outlays, \$660,662,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$627,358,000,000.  
 (B) Outlays, \$635,421,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$533,377,000,000.  
 (B) Outlays, \$577,345,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$532,574,000,000.  
 (B) Outlays, \$551,052,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$530,339,000,000.  
 (B) Outlays, \$532,738,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$541,142,000,000.  
 (B) Outlays, \$529,878,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$552,461,000,000.  
 (B) Outlays, \$543,703,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$564,996,000,000.  
 (B) Outlays, \$554,057,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$578,612,000,000.  
 (B) Outlays, \$566,536,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$590,437,000,000.  
 (B) Outlays, \$583,997,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$602,317,000,000.  
 (B) Outlays, \$590,707,000,000.  
 (2) International Affairs (150):  
 Fiscal year 2013:  
 (A) New budget authority, \$65,925,000,000.  
 (B) Outlays, \$52,487,000,000.  
 Fiscal year 2014:

(A) New budget authority, \$74,304,000,000.  
 (B) Outlays, \$60,306,000,000.

Fiscal year 2015:

(A) New budget authority, \$66,367,000,000.  
 (B) Outlays, \$65,181,000,000.

Fiscal year 2016:

(A) New budget authority, \$65,021,000,000.  
 (B) Outlays, \$65,237,000,000.

Fiscal year 2017:

(A) New budget authority, \$63,666,000,000.  
 (B) Outlays, \$63,868,000,000.

Fiscal year 2018:

(A) New budget authority, \$64,831,000,000.  
 (B) Outlays, \$62,854,000,000.

Fiscal year 2019:

(A) New budget authority, \$66,004,000,000.  
 (B) Outlays, \$62,921,000,000.

Fiscal year 2020:

(A) New budget authority, \$67,194,000,000.  
 (B) Outlays, \$63,610,000,000.

Fiscal year 2021:

(A) New budget authority, \$68,583,000,000.  
 (B) Outlays, \$64,824,000,000.

Fiscal year 2022:

(A) New budget authority, \$70,803,000,000.  
 (B) Outlays, \$66,778,000,000.

Fiscal year 2023:

(A) New budget authority, \$72,773,000,000.  
 (B) Outlays, \$68,420,000,000.

##### (3) General Science, Space, and Technology (250):

Fiscal year 2013:

(A) New budget authority, \$32,904,000,000.  
 (B) Outlays, \$30,835,000,000.

Fiscal year 2014:

(A) New budget authority, \$37,175,000,000.  
 (B) Outlays, \$34,248,000,000.

Fiscal year 2015:

(A) New budget authority, \$40,301,000,000.  
 (B) Outlays, \$37,585,000,000.

Fiscal year 2016:

(A) New budget authority, \$39,769,000,000.  
 (B) Outlays, \$38,760,000,000.

Fiscal year 2017:

(A) New budget authority, \$39,249,000,000.  
 (B) Outlays, \$39,035,000,000.

Fiscal year 2018:

(A) New budget authority, \$40,008,000,000.  
 (B) Outlays, \$39,531,000,000.

Fiscal year 2019:

(A) New budget authority, \$40,764,000,000.  
 (B) Outlays, \$40,150,000,000.

Fiscal year 2020:

(A) New budget authority, \$41,530,000,000.  
 (B) Outlays, \$40,803,000,000.

Fiscal year 2021:

(A) New budget authority, \$42,637,000,000.  
 (B) Outlays, \$41,584,000,000.

Fiscal year 2022:

(A) New budget authority, \$43,783,000,000.  
 (B) Outlays, \$42,636,000,000.

Fiscal year 2023:

(A) New budget authority, \$44,950,000,000.  
 (B) Outlays, \$43,747,000,000.

##### (4) Energy (270):

Fiscal year 2013:

(A) New budget authority, \$13,743,000,000.  
 (B) Outlays, \$12,893,000,000.

Fiscal year 2014:

(A) New budget authority, \$19,469,000,000.  
 (B) Outlays, \$15,073,000,000.

Fiscal year 2015:

(A) New budget authority, \$24,218,000,000.  
 (B) Outlays, \$19,359,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,844,000,000.  
 (B) Outlays, \$20,112,000,000.

Fiscal year 2017:

(A) New budget authority, \$19,471,000,000.  
 (B) Outlays, \$19,555,000,000.

Fiscal year 2018:

(A) New budget authority, \$19,655,000,000.  
 (B) Outlays, \$19,379,000,000.

Fiscal year 2019:

(A) New budget authority, \$19,791,000,000.  
 (B) Outlays, \$19,469,000,000.

Fiscal year 2020:

(A) New budget authority, \$19,976,000,000.  
 (B) Outlays, \$19,497,000,000.

Fiscal year 2021:

(A) New budget authority, \$20,737,000,000.  
 (B) Outlays, \$19,895,000,000.

Fiscal year 2022:

(A) New budget authority, \$21,566,000,000.  
 (B) Outlays, \$20,611,000,000.

Fiscal year 2023:

(A) New budget authority, \$22,365,000,000.  
 (B) Outlays, \$21,305,000,000.

##### (5) Natural Resources and Environment (300):

Fiscal year 2013:

(A) New budget authority, \$47,900,000,000.  
 (B) Outlays, \$43,568,000,000.

Fiscal year 2014:

(A) New budget authority, \$50,432,000,000.  
 (B) Outlays, \$47,904,000,000.

Fiscal year 2015:

(A) New budget authority, \$53,006,000,000.  
 (B) Outlays, \$50,853,000,000.

Fiscal year 2016:

(A) New budget authority, \$52,956,000,000.  
 (B) Outlays, \$52,745,000,000.

Fiscal year 2017:

(A) New budget authority, \$53,167,000,000.  
 (B) Outlays, \$53,651,000,000.

Fiscal year 2018:

(A) New budget authority, \$54,935,000,000.  
 (B) Outlays, \$54,770,000,000.

Fiscal year 2019:

(A) New budget authority, \$55,747,000,000.  
 (B) Outlays, \$55,818,000,000.

Fiscal year 2020:

(A) New budget authority, \$57,329,000,000.  
 (B) Outlays, \$57,063,000,000.

Fiscal year 2021:

(A) New budget authority, \$58,266,000,000.  
 (B) Outlays, \$57,835,000,000.

Fiscal year 2022:

(A) New budget authority, \$59,785,000,000.  
 (B) Outlays, \$58,908,000,000.

Fiscal year 2023:

(A) New budget authority, \$61,590,000,000.  
 (B) Outlays, \$60,084,000,000.

##### (6) Agriculture (350):

Fiscal year 2013:

(A) New budget authority, \$21,672,000,000.  
 (B) Outlays, \$28,076,000,000.

Fiscal year 2014:

(A) New budget authority, \$16,506,000,000.  
 (B) Outlays, \$15,152,000,000.

Fiscal year 2015:

(A) New budget authority, \$17,610,000,000.  
 (B) Outlays, \$17,325,000,000.

Fiscal year 2016:

(A) New budget authority, \$19,582,000,000.  
 (B) Outlays, \$19,155,000,000.

Fiscal year 2017:

(A) New budget authority, \$19,020,000,000.  
 (B) Outlays, \$18,532,000,000.

Fiscal year 2018:

(A) New budget authority, \$17,645,000,000.  
 (B) Outlays, \$17,107,000,000.

Fiscal year 2019:

(A) New budget authority, \$16,474,000,000.  
 (B) Outlays, \$15,848,000,000.

Fiscal year 2020:

(A) New budget authority, \$16,614,000,000.  
 (B) Outlays, \$16,098,000,000.

Fiscal year 2021:

(A) New budget authority, \$17,120,000,000.  
 (B) Outlays, \$16,629,000,000.

Fiscal year 2022:

(A) New budget authority, \$17,591,000,000.  
 (B) Outlays, \$17,099,000,000.

Fiscal year 2023:

(A) New budget authority, \$18,007,000,000.  
 (B) Outlays, \$17,531,000,000.

##### (7) Commerce and Housing Credit (370):

## Fiscal year 2013:

- (A) New budget authority, —\$26,748,000,000.
- (B) Outlays, —\$22,618,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$23,768,000,000.
- (B) Outlays, \$9,315,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$21,033,000,000.
- (B) Outlays, \$5,477,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$20,287,000,000.
- (B) Outlays, \$4,522,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$19,877,000,000.
- (B) Outlays, \$2,732,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$22,274,000,000.
- (B) Outlays, \$4,181,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$24,935,000,000.
- (B) Outlays, \$1,562,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$25,034,000,000.
- (B) Outlays, \$1,707,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$25,491,000,000.
- (B) Outlays, \$7,080,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$29,769,000,000.
- (B) Outlays, \$10,131,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$30,238,000,000.
- (B) Outlays, \$9,422,000,000.

## (8) Transportation (400):

- Fiscal year 2013:
- (A) New budget authority, \$17,501,000,000.
- (B) Outlays, \$16,489,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$263,861,000,000.
- (B) Outlays, \$269,513,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$264,939,000,000.
- (B) Outlays, \$271,121,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$266,139,000,000.
- (B) Outlays, \$272,133,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$242,306,000,000.
- (B) Outlays, \$248,082,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$218,555,000,000.
- (B) Outlays, \$223,221,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$194,747,000,000.
- (B) Outlays, \$199,735,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$145,973,000,000.
- (B) Outlays, \$151,221,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$126,846,000,000.
- (B) Outlays, \$133,046,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$128,717,000,000.
- (B) Outlays, \$135,286,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$130,141,000,000.
- (B) Outlays, \$137,190,000,000.

## (9) Community and Regional Development (450):

- Fiscal year 2013:
- (A) New budget authority, \$55,661,000,000.
- (B) Outlays, \$40,295,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$32,292,000,000.
- (B) Outlays, \$34,610,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$35,262,000,000.
- (B) Outlays, \$38,511,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$34,558,000,000.
- (B) Outlays, \$37,313,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$33,860,000,000.
- (B) Outlays, \$36,971,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$33,942,000,000.
- (B) Outlays, \$35,217,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$34,110,000,000.
- (B) Outlays, \$34,320,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$34,712,000,000.
- (B) Outlays, \$34,267,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$35,670,000,000.
- (B) Outlays, \$34,664,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$36,654,000,000.
- (B) Outlays, \$35,272,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$37,652,000,000.
- (B) Outlays, \$36,057,000,000.

## (10) Education, Training, Employment, and Social Services (500):

## Fiscal year 2013:

- (A) New budget authority, \$395,738,000,000.
- (B) Outlays, \$394,888,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$432,087,000,000.
- (B) Outlays, \$432,679,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$254,470,000,000.
- (B) Outlays, \$254,901,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$144,145,000,000.
- (B) Outlays, \$139,641,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$136,437,000,000.
- (B) Outlays, \$132,344,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$142,254,000,000.
- (B) Outlays, \$140,104,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$137,829,000,000.
- (B) Outlays, \$136,450,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$139,151,000,000.
- (B) Outlays, \$138,048,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$142,068,000,000.
- (B) Outlays, \$140,195,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$145,371,000,000.
- (B) Outlays, \$142,949,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$148,853,000,000.
- (B) Outlays, \$146,217,000,000.

## (11) Health (550):

## Fiscal year 2013:

- (A) New budget authority, \$372,555,000,000.
- (B) Outlays, \$365,580,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$433,346,000,000.
- (B) Outlays, \$423,649,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$517,470,000,000.
- (B) Outlays, \$505,831,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$569,574,000,000.
- (B) Outlays, \$573,943,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$623,582,000,000.
- (B) Outlays, \$626,442,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$659,937,000,000.
- (B) Outlays, \$660,166,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$696,323,000,000.
- (B) Outlays, \$695,376,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$743,148,000,000.
- (B) Outlays, \$731,584,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$776,728,000,000.
- (B) Outlays, \$774,597,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$820,495,000,000.
- (B) Outlays, \$817,824,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$870,473,000,000.
- (B) Outlays, \$867,771,000,000.

## (12) Medicare (570):

## Fiscal year 2013:

- (A) New budget authority, \$507,202,000,000.
- (B) Outlays, \$506,750,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$525,793,000,000.
- (B) Outlays, \$525,264,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$547,282,000,000.
- (B) Outlays, \$546,984,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$593,440,000,000.
- (B) Outlays, \$593,229,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$608,752,000,000.
- (B) Outlays, \$608,342,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$631,481,000,000.
- (B) Outlays, \$631,181,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$691,031,000,000.
- (B) Outlays, \$690,811,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$738,756,000,000.
- (B) Outlays, \$738,339,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$787,726,000,000.
- (B) Outlays, \$787,660,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$862,162,000,000.
- (B) Outlays, \$861,813,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$893,584,000,000.
- (B) Outlays, \$893,155,000,000.

## (13) Income Security (600):

## Fiscal year 2013:

- (A) New budget authority, \$633,048,000,000.
- (B) Outlays, \$624,494,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$703,311,000,000.
- (B) Outlays, \$690,186,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$730,956,000,000.
- (B) Outlays, \$717,121,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$642,485,000,000.
- (B) Outlays, \$639,242,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$606,151,000,000.
- (B) Outlays, \$602,323,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$609,461,000,000.
- (B) Outlays, \$600,361,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$615,507,000,000.
- (B) Outlays, \$610,889,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$630,836,000,000.
- (B) Outlays, \$626,001,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$648,963,000,000.
- (B) Outlays, \$643,247,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$672,335,000,000.
- (B) Outlays, \$671,127,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$685,213,000,000.
- (B) Outlays, \$678,911,000,000.

## (14) Social Security (650):

## Fiscal year 2013:

- (A) New budget authority, \$52,803,000,000.
- (B) Outlays, \$52,883,000,000.

## Fiscal year 2014:

- (A) New budget authority, \$27,504,000,000.
- (B) Outlays, \$27,614,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$30,231,000,000.
- (B) Outlays, \$30,306,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$33,367,000,000.
- (B) Outlays, \$33,405,000,000.



Fiscal year 2017:

- (A) New budget authority, \$36,689,000,000.
- (B) Outlays, \$36,689,000,000.

Fiscal year 2018:

- (A) New budget authority, \$40,003,000,000.
- (B) Outlays, \$40,003,000,000.

Fiscal year 2019:

- (A) New budget authority, \$43,319,000,000.
- (B) Outlays, \$43,319,000,000.

Fiscal year 2020:

- (A) New budget authority, \$46,751,000,000.
- (B) Outlays, \$46,751,000,000.

Fiscal year 2021:

- (A) New budget authority, \$50,271,000,000.
- (B) Outlays, \$50,271,000,000.

Fiscal year 2022:

- (A) New budget authority, \$53,932,000,000.
- (B) Outlays, \$53,932,000,000.

Fiscal year 2023:

- (A) New budget authority, \$58,038,000,000.
- (B) Outlays, \$58,038,000,000.

(15) Veterans Benefits and Services (700):

Fiscal year 2013:

- (A) New budget authority, \$148,146,000,000.
- (B) Outlays, \$142,631,000,000.

Fiscal year 2014:

- (A) New budget authority, \$159,837,000,000.
- (B) Outlays, \$154,597,000,000.

Fiscal year 2015:

- (A) New budget authority, \$169,547,000,000.
- (B) Outlays, \$164,297,000,000.

Fiscal year 2016:

- (A) New budget authority, \$179,300,000,000.
- (B) Outlays, \$177,681,000,000.

Fiscal year 2017:

- (A) New budget authority, \$175,689,000,000.
- (B) Outlays, \$175,506,000,000.

Fiscal year 2018:

- (A) New budget authority, \$174,161,000,000.
- (B) Outlays, \$173,463,000,000.

Fiscal year 2019:

- (A) New budget authority, \$185,764,000,000.
- (B) Outlays, \$184,884,000,000.

Fiscal year 2020:

- (A) New budget authority, \$190,399,000,000.
- (B) Outlays, \$189,322,000,000.

Fiscal year 2021:

- (A) New budget authority, \$194,989,000,000.
- (B) Outlays, \$193,415,000,000.

Fiscal year 2022:

- (A) New budget authority, \$207,392,000,000.
- (B) Outlays, \$205,643,000,000.

Fiscal year 2023:

- (A) New budget authority, \$204,760,000,000.
- (B) Outlays, \$202,814,000,000.

(16) Administration of Justice (750):

Fiscal year 2013:

- (A) New budget authority, \$56,844,000,000.
- (B) Outlays, \$59,006,000,000.

Fiscal year 2014:

- (A) New budget authority, \$73,936,000,000.
- (B) Outlays, \$60,265,000,000.

Fiscal year 2015:

- (A) New budget authority, \$66,476,000,000.
- (B) Outlays, \$65,460,000,000.

Fiscal year 2016:

- (A) New budget authority, \$68,687,000,000.
- (B) Outlays, \$70,852,000,000.

Fiscal year 2017:

- (A) New budget authority, \$67,440,000,000.
- (B) Outlays, \$72,880,000,000.

Fiscal year 2018:

- (A) New budget authority, \$69,251,000,000.
- (B) Outlays, \$70,961,000,000.

Fiscal year 2019:

- (A) New budget authority, \$71,208,000,000.
- (B) Outlays, \$71,454,000,000.

Fiscal year 2020:

- (A) New budget authority, \$73,172,000,000.
- (B) Outlays, \$72,548,000,000.

Fiscal year 2021:

- (A) New budget authority, \$75,682,000,000.
- (B) Outlays, \$74,757,000,000.

Fiscal year 2022:

- (A) New budget authority, \$82,067,000,000.

- (B) Outlays, \$81,030,000,000.

Fiscal year 2023:

- (A) New budget authority, \$85,149,000,000.

- (B) Outlays, \$84,045,000,000.

(17) General Government (800):

Fiscal year 2013:

- (A) New budget authority, \$25,000,000,000.
- (B) Outlays, \$28,263,000,000.

Fiscal year 2014:

- (A) New budget authority, \$24,631,000,000.
- (B) Outlays, \$25,542,000,000.

Fiscal year 2015:

- (A) New budget authority, \$25,293,000,000.
- (B) Outlays, \$25,575,000,000.

Fiscal year 2016:

- (A) New budget authority, \$26,055,000,000.
- (B) Outlays, \$25,676,000,000.

Fiscal year 2017:

- (A) New budget authority, \$26,728,000,000.
- (B) Outlays, \$26,335,000,000.

Fiscal year 2018:

- (A) New budget authority, \$27,614,000,000.
- (B) Outlays, \$27,156,000,000.

Fiscal year 2019:

- (A) New budget authority, \$28,524,000,000.
- (B) Outlays, \$27,871,000,000.

Fiscal year 2020:

- (A) New budget authority, \$29,388,000,000.
- (B) Outlays, \$28,698,000,000.

Fiscal year 2021:

- (A) New budget authority, \$30,298,000,000.
- (B) Outlays, \$29,646,000,000.

Fiscal year 2022:

- (A) New budget authority, \$31,238,000,000.
- (B) Outlays, \$30,595,000,000.

Fiscal year 2023:

- (A) New budget authority, \$32,175,000,000.
- (B) Outlays, \$31,579,000,000.

(18) Net Interest (900):

Fiscal year 2013:

- (A) New budget authority, \$332,829,000,000.
- (B) Outlays, \$332,829,000,000.

Fiscal year 2014:

- (A) New budget authority, \$350,457,000,000.
- (B) Outlays, \$350,457,000,000.

Fiscal year 2015:

- (A) New budget authority, \$379,747,000,000.
- (B) Outlays, \$379,747,000,000.

Fiscal year 2016:

- (A) New budget authority, \$433,511,000,000.
- (B) Outlays, \$433,511,000,000.

Fiscal year 2017:

- (A) New budget authority, \$526,898,000,000.
- (B) Outlays, \$526,898,000,000.

Fiscal year 2018:

- (A) New budget authority, \$629,965,000,000.
- (B) Outlays, \$629,965,000,000.

Fiscal year 2019:

- (A) New budget authority, \$701,785,000,000.
- (B) Outlays, \$701,785,000,000.

Fiscal year 2020:

- (A) New budget authority, \$763,921,000,000.
- (B) Outlays, \$763,921,000,000.

Fiscal year 2021:

- (A) New budget authority, \$810,359,000,000.
- (B) Outlays, \$810,359,000,000.

Fiscal year 2022:

- (A) New budget authority, \$852,930,000,000.
- (B) Outlays, \$852,930,000,000.

Fiscal year 2023:

- (A) New budget authority, \$890,245,000,000.
- (B) Outlays, \$890,245,000,000.

(19) Allowances (920):

Fiscal year 2013:

- (A) New budget authority, \$2,320,000,000.
- (B) Outlays, \$1,262,000,000.

Fiscal year 2014:

- (A) New budget authority, \$2,367,000,000.
- (B) Outlays, \$1,971,000,000.

Fiscal year 2015:

- (A) New budget authority, \$2,428,000,000.
- (B) Outlays, \$2,241,000,000.

Fiscal year 2016:

- (A) New budget authority, \$4,287,000,000.

- (B) Outlays, \$2,648,000,000.

Fiscal year 2017:

- (A) New budget authority, \$6,437,000,000.

- (B) Outlays, \$3,525,000,000.

Fiscal year 2018:

- (A) New budget authority, \$6,372,000,000.

- (B) Outlays, \$4,541,000,000.

Fiscal year 2019:

- (A) New budget authority, \$7,099,000,000.

- (B) Outlays, \$5,467,000,000.

Fiscal year 2020:

- (A) New budget authority, \$6,686,000,000.

- (B) Outlays, \$6,176,000,000.

Fiscal year 2021:

- (A) New budget authority, \$6,589,000,000.

- (B) Outlays, \$6,646,000,000.

Fiscal year 2022:

- (A) New budget authority, \$6,704,000,000.

- (B) Outlays, \$6,744,000,000.

Fiscal year 2023:

- (A) New budget authority, \$6,823,000,000.

- (B) Outlays, \$6,809,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2013:

- (A) New budget authority, -\$76,489,000,000.
- (B) Outlays, -\$76,489,000,000.

Fiscal year 2014:

- (A) New budget authority, -\$75,946,000,000.
- (B) Outlays, -\$75,946,000,000.

Fiscal year 2015:

- (A) New budget authority, -\$80,864,000,000.
- (B) Outlays, -\$80,864,000,000.

Fiscal year 2016:

- (A) New budget authority, -\$86,391,000,000.
- (B) Outlays, -\$86,391,000,000.

Fiscal year 2017:

- (A) New budget authority, -\$90,137,000,000.
- (B) Outlays, -\$90,137,000,000.

Fiscal year 2018:

- (A) New budget authority, -\$90,503,000,000.
- (B) Outlays, -\$90,503,000,000.

Fiscal year 2019:

- (A) New budget authority, -\$97,574,000,000.
- (B) Outlays, -\$97,574,000,000.

Fiscal year 2020:

- (A) New budget authority, -\$98,916,000,000.
- (B) Outlays, -\$98,916,000,000.

Fiscal year 2021:

- (A) New budget authority, -\$103,177,000,000.
- (B) Outlays, -\$103,177,000,000.

Fiscal year 2022:

- (A) New budget authority, -\$105,117,000,000.
- (B) Outlays, -\$105,117,000,000.

Fiscal year 2023:

- (A) New budget authority, -\$108,885,000,000.
- (B) Outlays, -\$108,885,000,000.

## TITLE II—ESTIMATES OF DIRECT SPENDING

### SEC. 201. DIRECT SPENDING.

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 11-year period beginning with fiscal year 2013 is 6.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for means-tested direct spending:

(A) State budgets have suffered significantly during the economic downturn. According to the National Governor's Association, half of all states are projecting lower total revenues in 2013 than they saw in 2008. To assist struggling states, the Back to Work Budget temporarily increases funding for Medicaid – the single largest portion of



total state spending – through the Federal Medical Assistance Percentages program. This will help stabilize Medicaid, which is a vital program for low-income and middle-class families, providing health and long-term care services to those stricken with catastrophic illness, injury, or disability, or facing prolonged infirmity.

(B) The American Recovery and Reinvestment Act expanded a number of tax credits targeted at working families to boost relief during hard economic times. The Back to Work Budget retains the improvements made to the Earned Income Tax Credit (qualifying children and phase-out range), Child and Dependent Care Credit, and the American Opportunity Tax Credit. These credits fuel demand for American businesses by putting money in the hands of families that truly need it.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For non means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 11-year period beginning with fiscal year 2013 is 5.1 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) Medicare is a cornerstone of the American health care system for more than 45 million America seniors. It is an exemplary program that provides the most efficient care to a segment of the population that costs more to treat. The Back to Work Budget protects beneficiaries and makes the system even more efficient. It amends Part D of Medicare to allow the Secretary of Health and Human Services to negotiate prescription drug prices with pharmaceutical manufacturers, as the Department of Veterans Affairs currently does, which will save Medicare \$157 billion over 10 years and will reduce costs for seniors. The budget adopts policies to prohibit “pay for delay” agreements that reduce competition and modifies periods of exclusivity to increase availability of needed therapies. The budget also accelerates the use of bundling payments as an alternative to fee-for-service payments. It builds on Affordable Care Act efficiencies in administration of information and payments. Using standardized electronic systems for administration information such as claims, billing, payments and eligibility creates a more efficient and less fragmented health care system.

(B) The bulk of agriculture commodity subsidies go to large corporate farms that grow commodity crops such as corn, wheat, cotton, rice, and soybeans. These crops are often grown using unsustainable methods that require high levels of fertilizers, pesticides, and herbicides, leading to polluted waterways and degraded soil. The Back to Work Budget eliminates certain commodity subsidies, which will save billions, while reducing environmental impacts.

Amend the title so as to read: “Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014 and including the appropriate budgetary levels for fiscal year 2013 and fiscal years 2015 through 2023.”

The CHAIR. Pursuant to House Resolution 122, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, in presenting our Back to Work budget, a budget of the Progressive Caucus of this House, we are first pleased to announce that in less than 48 hours, 105,000 citizen cosponsors have joined with us in presenting this budget. They are pleased to affirm, and the point of this is House Budget Committee chairman, Representative PAUL RYAN, has released a budget proposal that is the most reckless austerity plan he's ever proposed. Instead, we get a budget that will slow the economy and kill jobs.

We urge you to vote for the Progressive Caucus' Back to Work budget which will grow the economy, create 7 million jobs, and ask the wealthy and multinationals to pay their fair share so we can make investments in our people and our future—105,000 citizen cosponsors in less than 48 hours.

With that, I yield 2 minutes to the cochair of the Progressive Caucus, my friend, the gentleman from Minnesota, KEITH ELLISON.

Mr. ELLISON. Mr. Chairman, I would like to just congratulate everybody with the Progressive Caucus and thank all of the staff that did such a good job preparing this excellent budget which gives us an amazing choice as Americans to confront this jobs crisis. I'm so proud that our Speaker has told the world—Speaker BOEHNER—that the debt crisis is not immediate. He's right, it's not. But let me tell you what is immediate: the jobs crisis.

That's why the Back to Work budget brings down unemployment to 5.3 within 3 years by investing in people—our construction workers, our teachers, and our police officers. We're also fiscally responsible, reducing the deficit over the long run by \$4.4 trillion.

The Republican budget makes the wrong choices for our country. I respect the fact that they have honestly projected a vision, but it's an austere vision for the American people. It's no surprise that this message lost the election that we just had. It was put in front of the people. They said we will have none of it, but the American people do want what's in the Back to Work budget.

Gallup released a poll that confirms what you and I already know, and that is that the American people want jobs, not austerity; 72 percent, Mr. Chairman, of Americans said that they support putting people back to work repairing our Nation's infrastructure, including a majority of Republicans.

Now, the fact is that the Back to Work budget is about putting people back to work. As the Speaker and I agree, it's not the moment where we need to clamp down on debt. It's the moment we need to put Americans back to work. So which budget meets the test? The Progressive Caucus budget invests at the level the American Society of Civil Engineers says is needed to close our infrastructure gap. The

Republican budget cuts transportation by 20 percent.

Mr. Chairman, it's time to get back to work, and let's pass the Back to Work budget.

Mr. GARRETT. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 15 minutes.

Mr. GARRETT. I yield myself such time as I may consume.

Mr. Chairman, I rise today, as they say, in opposition to the Progressive Caucus substitute. While my friends across the aisle are motivated by good intentions, I believe that their substitute is, frankly, a blueprint for fiscal disaster. Instead of restoring the certainty to the economy by promoting fairness and providing American families the opportunity for more prosperity, this budget is simply a black hole for American families.

I can at least give credit to both the Progressive Caucus and the Democrat Caucus for offering a budget because the President of the United States has failed to do so. As you are aware, on February 4, the President, as required by law, is to give us a budget. It's March 20 now; and the American people, well, we're still waiting. That is the fourth time in 5 years that President Obama has failed to submit a budget on time and failed to abide by the law.

The Senate Democrats, well, they're not much better. It has taken them almost 4 years to produce a budget that basically now increases government spending by \$265 billion, taxes up by almost \$1 trillion, and cuts health care providers by almost \$300 billion. Over the period covered by the budget, deficits under the Senate plan are nearly \$4 trillion larger than those under the House plan.

So, today, we have a Progressive substitute on the floor. This budget will do what? It will raise taxes by almost \$6 trillion over the next 10 years, including a new tax on carbon. \$5.7 trillion in new taxes necessarily means greater tax burdens on who? The American family. These tax cuts put job creators in the penalty box again, and that means more Americans will be where? Without jobs.

These tax policies are deceptively sold under, really, a warped notion of what “fairness” is. The reality is this “fairness” of theirs is merely a heavy-handed government taking from one pocket and putting in another pocket.

This budget's tax policy is based on the equality of outcome rather than equality of opportunity. When he's talking about equality, Milton Friedman once pointed out that a society that puts equality before freedom will get neither. A society that puts freedom before equality, however, will get a high degree of both.

So true fairness is the freedom to manage and direct one's own life and

one's own future. Those who take risks giving their all in the pursuit of the American Dream deserve to keep what they've earned. Those who work hard day in and day out, they deserve to keep what they've earned.

But the Progressive budget is nothing but regressive. There's nothing fair about this budget, especially to the risk-taker or to the hardworking American family. Their budget would spend nearly \$9 trillion more than the Republican budget. Note, now, when I say those numbers—where does that money come from—that means from our children and our grandchildren. They ultimately will be the ones who will have to bear this burden.

This budget would also establish a government-run health insurance option under ObamaCare and let the government basically set price controls on drugs. What does that mean? That means for those who were around back in 1970s, I think that's most of us, price controls on gasoline. How did that work out for us? Not too long. Waiting lines for gas is one thing. Waiting lines, however, for lifesaving medicine is a whole other story.

This budget would also expand the current, broken, and failed Federal job-training program without any reform whatsoever. This budget calls for even more money for the bureaucrats in Washington with regard to education, and this budget calls for even more money into the broken-down highway transit system that we have in this country.

□ 1350

And this budget even fails in the government's first responsibility—providing for the common defense. This budget further goes and guts the Defense Department by calling for almost \$700 billion in cuts to the Pentagon compared to our budget.

This Progressive substitute then would put this country basically on the wrong path. For that reason, I urge a “no” vote on this budget.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, there is some adage about if you do the same thing over and over again without changing it, that that is a mark of insanity. That adage applies to the Ryan budget 2, the same as Ryan budget 1, and to 10 years of failed fiscal policy that our budget, by putting people to work, attempts to get us out of that fiscal black hole.

With that, let me yield 1 minute to the gentlelady from California, Congresswoman LEE.

Ms. LEE of California. Let me thank Congressmen GRIJALVA and ELLISON for their bold and visionary leadership of the Progressive Caucus.

As a member of the Budget Committee opposed to the job-killing “Pathway to Poverty” Ryan budget, I stand in strong support of the Progress-

sive Caucus Back to Work budget. The number one priority of the Progressive Caucus budget is fixing the job crisis. That is exactly what we want to do in our Back to Work budget. That is what it does.

Most economists argue that job creation equals deficit reduction. The CPC budget asks the wealthiest 1 percent, Big Oil, and huge corporations to pay just a little more so we can invest in the American people and create 7 million American jobs.

Our budget saves over \$1.8 trillion in bloated Pentagon spending by eliminating the Overseas Contingency Operations account, which really is a slush fund that has funded two wars off budget. We refocus our resources into a modern military able to face 21st century threats.

We also require the Pentagon, the single largest Federal agency, with the highest waste, fraud, and abuse, to pass an audit test and pass it now. It is the only Federal agency not subject to an audit.

Our budget replaces the disastrous sequester by supporting critical spending in education, infrastructure, and we reject benefit cuts to Medicare, Medicaid, and Social Security.

Mr. GARRETT. Mr. Chairman, at this point, I yield 3 minutes to the gentleman from Oklahoma, a member of the Budget Committee, Mr. LANKFORD.

Mr. LANKFORD. Mr. Chairman, I rise to give support to what is happening for the Path to Prosperity. It is a responsible budget.

And I also rise to encourage my colleagues. It is a good thing for us to come down and get a chance to talk about budgets and where we are headed. It is a good thing to propose multiple options to be able to have this kind of dialogue about where we are headed as a Nation. This is what is happening in the Senate this week as well. For the first time in 4 years, the Senate has an ongoing dialogue about budgets and about the future.

While almost \$6 trillion of debt has been added to our children, we have not done a budget between the House and the Senate in almost 4 years now. It is time to be able to do that. I encourage my Senate colleagues as well, and congratulate them for also taking this up.

I do look forward to one day seeing the President's budget. I did see today in the news that the President has released his final four bracket for the NCAA men's basketball bracket, but we have yet to actually see his budget. At some point, we hope to be able to see our national priority be on budgets, not on NCAA brackets, in the days ahead.

The budget that we are proposing focuses on families that need certainty. The way that you budget and you plan for the future and the way to set aside finances for the future is some kind of certainty in what is happening. We don't have that right now as a Nation.

For most families that actually live month to month, they don't have a large amount of resources to set aside for future investment. If a ticking debt bomb is coming for them, they expect the people in Washington to actually pay attention to that so that the little bit of money they can set aside for retirement doesn't blow up in some giant debt crisis in the days ahead.

This is a moment to deal with our debt. The budget that we are proposing is a responsible budget that takes 10 years to slowly start to bring us back into balance. Only in Washington is a drastic draconian cut actually reducing the increase.

What the Ryan budget does, what we are proposing, is a 1.6 percent decrease on the increase. Right now, the Federal budget is scheduled to increase by 5 percent over the next 10 years. We will actually just increase the budget 3.4 percent. I would say that is fairly modest. That is a way to be able to deal with what is happening in the Nation, and it is also a way to deal with what is happening to come in the days ahead.

We are not promoting additional stimulus spending as the budget that is being proposed now is. A giant proposal for additional spending did not help us several years ago. What was promised right now is that we would be at 5½ percent unemployment rather than still hovering near 8 percent unemployment, as we have for so long now.

Jobs do not come from additional Federal spending long term. If you want real jobs, it has to be in the private sector. That is the only thing that can be sustained; otherwise, you are dependent year after year after year with additional taxes and additional spending. We need to have the private sector be engaged in this. The way to do that is to encourage the private sector with some level of stability.

Mr. GRIJALVA. Mr. Chairman, let me yield 1 minute to the gentlelady from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise today to ask my colleagues to support the Back to Work budget. The Back to Work budget puts jobs first, which is actually the best way to reduce our deficit. Jobs equal deficit reduction.

Our budget will create nearly 7 million jobs and bring unemployment down to 5 percent in 3 years. It protects Social Security and strengthens the critical benefits of Medicare and Medicaid. Our budget responds to what the American people say they want: job creation, more revenues from those who can afford to pay, and smart spending cuts that target waste, not opportunity.

A new Gallup poll released today found that more than three-quarters of Americans, including a majority of Republicans, support Federal Government efforts that focus on creating jobs.

Americans don't want austerity or tax cuts, more tax cuts for the rich. They want jobs, good jobs.

So you can vote for good jobs by voting for the Back to Work budget.

Mr. GARRETT. Mr. Chairman, I now yield 2 minutes to the gentleman who played a critical role in fashioning the budget that is before us, the Republican budget, the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the gentleman from New Jersey.

Mr. Chairman, like speakers before me, I am thankful and appreciative that others are proposing substitute budgets. It is good to have options, Mr. Chair. It is good to have a debate. But not all options are equally good, so I rise against the substitute budget that is now before us.

Admittedly, there are a couple of different ways and a combination thereof that you can balance a budget: spending cuts—and, by the way, when a Federal Government already takes, on average, 20 percent of the value of all the goods and services that a country produces, a lot of us think that is more than enough to run the government and that spending reductions are actually the solution.

Revenue increases might also get you to balance. That is certainly what this Progressive substitute tries to do. Nearly \$6 trillion in tax increases over the next 10 years. And, by the way, Mr. Chairman, they don't get to balance. It doesn't happen. \$6 trillion more of the people's property this budget confiscates, and they still can't balance the budget.

Why is balancing the budget so darn important? Well, a couple different reasons. You cannot start paying off the debt until you get to a balanced budget so that you have a surplus to start paying that debt down.

So their intention, Mr. Chair, is not to pay down the debt. That is what they are stating in this budget, and, frankly, that's immoral.

If you intend to pay a debt back in any contractual situation, or even in this country's budget situation, it is called a debt. When you take money from future generations, when you take money from people that don't yet exist with no intention to pay it back, as this budget does, have no intention to pay it back, it is called thievery, and that's wrong. That is why this budget needs to fail.

Mr. GRIJALVA. Mr. Chairman, when, in the course of the last decade-plus, multinational corporations, billionaires in this country have been carried favor with tax breaks, loopholes that have allowed them to pay less than the average American, that has hurt the economy. And I would suggest that, aside from thievery, that is gaming the system and not sharing in the full responsibility we all have as Americans to take care of this country.

I would now yield 1 minute to the gentleman from Wisconsin, Congressman POCAN.

□ 1400

Mr. POCAN. The number one issue before our country is not the deficit; it's getting the economy going and creating jobs. We have 12 million people who are still unemployed and millions more who are underemployed in this country. That's why the best budget we could put forward is one that creates jobs, not one that costs us 2 million jobs as is estimated by the austerity policies of the Republican Party. It's not just the Congressional Progressive Caucus that says this. Our Congressional Budget Office says that three-quarters of the deficit we're going to see in 2014 is caused by underemployment and unemployment.

The real enemy to deficit reduction is not a new made-up spending crisis; it's the need for jobs.

The Back to Work budget makes a real commitment to job creation, creating 7 million jobs and reducing unemployment to 5 percent within 3 years. It invests in education, in police, firefighters, teachers, infrastructure; and it ends the job-killing cuts of the sequester. Instead of balancing the budget on the backs of the middle class and the neediest, the Back to Work budget has the back of America's middle class, and it does it while responsibly reducing the deficit by \$4.4 trillion.

I urge my colleagues to vote for the Back to Work budget.

Mr. GARRETT. In recognizing that we can create the jobs and the prosperity by not raising taxes at the same time, I yield now 3 minutes to the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. It's time for our Nation to get our priorities right; and according to the Constitution, there are only a few things that we should be doing here in Congress. One of them is to provide for the common defense; but, sadly, this substitute bill guts our national defense and leaves us very vulnerable as a Nation. Let's review where we've been.

A couple of years ago, Defense made some efficiencies under Secretary Gates and cut \$78 billion. Then with the Budget Control Act, immediately, \$487 billion more was cut from the national defense. Then sequestration has kicked in, which is another \$500 billion from national defense, and this proposed budget here goes even beyond that.

Our Republican budget replaces cuts from the sequester back into the national defense and keeps it a priority. It makes sure our men and women in uniform have what they need, but this budget cuts an additional \$658 billion from the Pentagon. Even Secretary of Defense Leon Panetta earlier said that, with sequestration, it would hollow out

our forces. So, certainly, this would do even more.

With sequestration, if we don't replace it, which this budget does not, we're going to see 100,000 fewer soldiers and marines; the Navy will likely have to mothball 60 ships, including two carrier battle groups while a quarter of our bombers would be jeopardized; we would also see the elimination of 250 fighter aircraft and higher fees for military health care. Now, that's not providing for the common defense. In addition, if sequestration is not overturned, for which our budget allows, then we could see up to 2.1 million jobs cut.

They're calling this budget a Back to Work budget, but when our men and women in uniform come back from Afghanistan, instead of being met with ticker tape parades, they're going to be met with pink slips. It's wrong, and we can do better.

There are serious ramifications. Our budget replaces those cuts, and it's needed. There are threats in the world, and this is no time for us to be cutting our defense. We have Iran threatening not only our neighbors, but us; and it is getting closer to having a nuclear capability. We have even this week North Korea shooting off a missile and putting out YouTube videos of that missile coming here and hitting not only cities of the United States, but even the U.S. Capitol. In addition to that, there are radical Islamists around the world who still want to harm us.

Now is not the time to cut our national defense. We need to keep our priorities right. We need to provide for the common defense. We need to pass the Republican House budget and reject this substitute that will hollow out our forces and endanger our families.

Mr. GRIJALVA. The Back to Work budget sets a level of 2006 for defense. Pentagon spending has doubled over the last decade; 2006 was the height of the wars in Iraq and Afghanistan and the war on terrorism. We just celebrated the 10th anniversary of Iraq. There has been \$2.2 trillion spent on that war—a war, I might say, that was not paid for at all. This does not cripple defense; this merely brings it to a realistic level so as to share in the reconstruction of this economy of ours.

With that, I yield 1 minute to the gentlelady from California (Ms. WATERS).

Ms. WATERS. I want to thank Mr. ELLISON and Mr. GRIJALVA for their leadership with the Congressional Progressive Caucus.

I rise in support of the Back to Work budget. Let me just say it again—back to work. This is what this budget is all about, ladies and gentlemen—investment in our infrastructure. We have bridges that are falling apart, streets that need repair, water systems that need upgrading. We can create jobs.

The Republicans and the Ryan budget talk about jobs. They talk the talk, but they don't walk the walk.

I tried to get an amendment on the TIGER program, which would increase the funding for jobs in transportation that we need so badly. They rejected that. They rejected that because they're focused on making sure that they give tax cuts to the richest people in this country, making sure that they keep those tax loopholes for the privileged—not investing in America's future and in America's growth.

The people are expecting us to make them their priority, to make sure that we are investing in opportunities for them, their families, their children, and their neighborhoods. No, the Ryan budget pays no attention to any of that. These privileged people on the other side of the aisle, who don't have to worry about jobs and who don't have to worry about any of that, deny the people the right to just participate.

Mr. GARRETT. I would ask the Chair how much time remains on both sides.

The CHAIR. The gentleman from New Jersey has 3 minutes remaining. The gentleman from Arizona has 6½ minutes remaining.

Mr. GARRETT. That being the case, I reserve the balance of my time.

Mr. GRIJALVA. I yield 1 minute to my good friend, the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Chairman, the Back to Work budget is the first budget that recognizes the truth about our so-called "deficit crisis": we don't have one. Speaker BOEHNER and Chairman RYAN went on television on Sunday and said that there is no immediate crisis, that it is the unemployment numbers we should be worried about.

Now is not the time for austerity. It is the time for the government to invest where the private sector won't. They're sitting on their money, waiting. This is the time to bolster our new and growing industries, like biomedical research and technology. Now is the time to rebuild our infrastructure. Creating jobs, as this budget does, is the only way we will become self-sustaining. With lower unemployment, fewer people need public assistance, and more people pay taxes. That's how you shrink the deficit. That's fiscal responsibility.

My Republican colleagues love to talk about balancing household budgets. Well, I don't know any American family that would use its children's lunch money to pay down its credit cards, and that's what they're proposing in the Ryan budget. Most families choose to invest in college educations, health care and retirements, trading current debt for future returns.

It's time to choose what kind of country we're going to live in. Do we grow with education, investments and a strong social safety net; or do we cut our way to higher unemployment, instability, and class divide?

Mr. GARRETT. I continue to reserve the balance of my time.

Mr. GRIJALVA. I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Chairman, I rise today to oppose the radical Republican budget, which will increase unemployment and savage Medicare and Medicaid and other programs that families depend on, mostly to finance tax cuts for the rich and partly to fix the deficit crisis that we have already tamed. In 2009, the deficit was 10.1 percent of GDP. Next year, it will be down to 5.3 percent. This is the largest and fastest reduction in deficits since the demobilization after World War II.

To add insult to injury, the Republican budget would make sweeping, regressive changes to the Tax Code, which would raise taxes on middle class families by up to \$3,000. Millionaires, however, would actually see a tax cut averaging \$245,000 a year. This is just wrong. Working families should never have to pay more just so the rich can pay less.

We no longer, if we ever did, have a deficit crisis. With 12 million people searching for employment and with almost 5 million Americans without jobs for more than 6 months, we do have a jobs crisis. According to the Economic Policy Institute, the net effect of the Republican budget would be to decrease the gross domestic product by 1.7 percent, resulting in 2 million additional jobs lost in 2014 alone.

If budgets are truly a reflection of our values, then what does it say about the priorities of House Republicans when their budget increases health care costs for seniors, cuts 2 million jobs, and hits middle class families with a tax increase in order to subsidize another tax cut for the rich?

□ 1410

In contrast, the Back to Work budget addresses the jobs crisis head on by creating nearly 7 million jobs in the first year, by making stark investments in our infrastructure, schools, and transits. It protects Medicare, Medicaid, education, and family support systems.

Conservative governments in Europe have instituted the same austerity policies offered by the Republican budget. The result has been a double-dip recession and 12 percent unemployment. We should learn from their stupidity.

I rise today to oppose the radical Republican budget, which is merely a repackaging of the same extreme agenda that the American people rejected last fall.

Simply put, this bill is a disaster.

The House Republicans' budget would again try to end Medicare as we know it by replacing the guarantee of health coverage with a private voucher program that would reduce

benefits. This throws seniors back onto the mercy of the private insurance market, while every year giving them less and less of the health benefits they have earned through a lifetime of hard work.

The Republican budget would not only make permanent the arbitrary, across-the-board budget cuts known as 'sequestration,' it would go further—making even more savage cuts to domestic programs. Critical social services like food stamps, college assistance for low-income families, Section 8 housing, home heating assistance, and Medicaid—all would face drastic cuts. Under the Republican proposal, our transportation investments would be cut by 20% over the next 10 years, exacerbating the challenges posed by our outdated roads, bridges, and airports. The bill also completely eliminates support for PBS, NPR, AmeriCorps, and the National Endowments for the Arts and Humanities.

The Republican budget makes all of these cuts while refusing to cut a dime of military spending. What's worse, the Republican plan actually reverses planned reductions to military spending by increasing cuts to vital social programs—a callously unfair proposal that will have terrible consequences for millions of American families.

To add insult to injury, the bill before us today would make sweeping, regressive changes to the tax code which would raise taxes on middle class families by up to \$3,000. Millionaires, however, would actually see a tax cut that averages \$245,000 a year. This is just wrong. Working families should never have to pay more just so the rich can pay less, which is just one more reason why we must defeat this bill.

We no longer, if we ever did, have a deficit crisis. What we have is a jobs crisis, with 12 million people searching for employment, and almost 5 million Americans without a job for more than 6 months.

In contrast with the Republican spending plan, the Back to Work Budget addresses the jobs crisis head-on by creating nearly 7 million jobs in the first year by making historic investments in our infrastructure, schools, and transit. It would enable States and local governments to hire laid-off teachers, cops, and firefighters, putting them back to work in strengthening our communities.

The Back to Work Budget would preserve our commitment to seniors by making no cuts to Medicare, Medicaid, or Social Security, while reducing health care costs by negotiating drug prices, increasing competition in the health care marketplace, and reducing fraud.

Our budget would also adopt a common-sense tax system that asks the wealthiest to pay their fair share while lowering the tax burden on middle class families. We would also extend the Making Work Pay tax credit to help low-wage workers get back to work and providing for their families.

According to the Economic Policy Institute, the net effect of all of these policies would decrease GDP by 1.7%, resulting in 2 million jobs lost in 2014 alone. If budgets are truly a reflection of our values, then what does it say about the priorities of House Republicans when their budget increases health care costs for seniors, cuts 2 million jobs, and hits middle class families with a tax increase in order to subsidize another tax cut for the rich?

The American people rejected this extremist ideology last fall, and I hope that my colleagues follow their lead and reject this bill today.

But the larger problem with the Republican budget is that it will increase unemployment and savage Medicare, Medicaid, and other programs that families depend upon, in order to fix a deficit “crisis” which we have already tamed. In 2009 the deficit was 10.1% of GDP. By next year, it will be down to 5.3%. This is the largest and fastest reduction in deficits since the demobilization after World War II.

Basic economics tells us that government should pay off debt during good times while protecting jobs and middle class security during bad times. By balancing revenues with investments and creating millions of new jobs, the Back to Work Budget would produce significant economic growth while reducing the deficit by \$4.4 trillion over 10 years.

But callous, unbalanced cuts to domestic programs, particularly of the magnitude that House Republicans are proposing, would spell disaster for our economic recovery.

While GOP leaders claim to be making tough choices when it comes to our spending priorities, again and again they seem to only be making the wrong choices. They choose tax breaks for millionaires and the largest corporations over tax fairness for the middle class. They choose to reduce access to health care by voucherizing Medicare instead of protecting the benefits that seniors have earned through a lifetime of hard work. They choose to avoid required reductions in military spending by instead cutting programs that feed hungry children, heat family homes, and make college affordable.

Conservative governments in Europe have instituted the same austerity policies offered by the Republican budget. The result is a double-dip recession and 12% unemployment. We should learn from their stupidity.

Mr. GARRETT. And just to take a word from the gentlelady from California, I yield 1½ minutes to the gentleman from Texas (Mr. WILLIAMS), who has actually walked the walk and created jobs to create more American prosperity.

Mr. WILLIAMS. Mr. Chairman, we owe it to the American people to produce a smart, responsible budget; a budget that balances, that encourages job growth, and supports job creators; a budget that simplifies our overly complicated Tax Code and lowers tax rates for corporations and the middle class.

This budget just doesn't add up. In fact, it further complicates the Tax Code and will greatly hamper job creation. It would create five new tax brackets for upper-income individuals and small businesses, and would raise taxes on hardworking middle class Americans. It's not good policy to raise taxes ever, and especially not in a struggling economy.

I know what it takes to run a successful business. I have owned and operated my small business for 41 years, and it was said I walked the walk, I talked the talk.

This budget won't work in the real world, and it won't work in any world.

This budget contains trillions in new taxes, trillions in new spending, and adds trillions more to the deficit. Pretty soon this budget would need its own bailout.

The American people deserve better. They beg for the Ryan budget. I urge my colleagues to vote “no” on this substitute.

Mr. GRIJALVA. Mr. Chairman, may I inquire as to the time remaining?

The CHAIR. The gentleman from Arizona has 3½ minutes remaining. The gentleman from New Jersey has 2 minutes remaining.

Mr. GRIJALVA. I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON), the cochair of the Progressive Caucus.

Mr. ELLISON. Mr. Chairman, I want to congratulate my Republican friends on convincing some Americans that the only thing they should be thinking about is debt and deficit. While it is important, we acknowledge that, even Speaker BOEHNER last weekend said that it was not an immediate crisis. But the immediate crisis is the jobs crisis, so we should be comparing these budgets based on who creates more jobs.

Now, the Progressive Caucus Back to Work budget creates 7 million jobs in its first year with a jobs package that repairs 35,000 public schools, rehires 300,000 laid-off teachers, and boosts consumer demand with a tax credit for working families. I believe my friend who just spoke said that we raise taxes on middle class families. Not true. We actually cut taxes on middle class families.

The Republican budget would kill 2 million jobs in its first year by slashing investment in research, education, and public safety.

Now by a job-to-job comparison, not just a debt-to-debt, deficit-to-deficit comparison—again, an important thing, but not the most important thing—on the jobs measure, the Back to Work budget is superior in every way to the Republican budget. It puts people back to work doing jobs that need doing.

The American Society of Civil Engineers, experts who are completely non-partisan, have said we have \$3.3 trillion in unmet maintenance needs. We make a downpayment on that infrastructure gap, and we put Americans back to work with the Back to Work budget.

The CHAIR. The gentleman from New Jersey has the right to close.

Mr. GRIJALVA. I yield myself the balance of my time.

The Back to Work budget is a budget that is common sense, and it reflects the values of the American people. It is a budget that deals with the realities of our economic times and our social times in this country.

This budget is about investment. It's about saying that the greatest resource we have in this country is the Amer-

ican people. We need to put them to work. We need to educate them for the future, and we need to provide them with some economic security for the middle class, working people, so they, too, can enjoy the economic benefits of this great Nation of ours.

We also do not step on those who are the most vulnerable. We provide them with the security, with Medicare, Social Security, and Medicaid, so that they, too, can continue to utilize the full benefits of those earned benefits that they have.

This fiscal debate today with the Ryan budget, too, and the other good budgets that have been proposed today is really an argument and a debate about the values and the future of this Nation. The Back to Work budget accepts the reality that we're in. It does not try to repeat a failed policy of the past, and takes us in a direction that in 10 years—and in 10 years, this country will be more solvent, more secure, and unemployment will be down and the investment in this time will pay off tremendous dividends for the future. Our budget is about the future. It is not about being mired in the past, as the Ryan budget is.

With that, I yield back the balance of my time.

Mr. GARRETT. Mr. Chairman, so here we are at the end of the debate, and where are we?

The Progressive substitute, what would it do? It would raise taxes on the American family. It would increase spending throughout the country. It would put programs such as Medicare, to allow them to go bankrupt, if you will, within the decade, in 2023. It would do all this and put the burden on our children and never, ever balance.

In contrast, before us is the House Republican's Path to Prosperity. What does it do? It takes the first step. It takes the very first step toward reversing this trend, this path to debt and decline that the President and his fellow Democrats on that side of the aisle, and the Senate Democrats as well, have laid out for the American people. See, the Republican budget stops spending money that we do not have. The Republican budget simply does the right things in this area.

The Republican budget fixes our broken Tax Code. It does away with all of those unfair corporate deductions and the like that we've talked about. There is some commonality there. So it fixes our broken Tax Code, and it does so in a way at the end of the day creates jobs, increases wages, and helps the American family. The Republican budget will protect and strengthen important priorities like Medicare and national security, not allowed by the other side of the aisle. The Republican budget will also reform our welfare programs, such as Medicaid, so they can actually deliver on their promise and not go bankrupt.

Every American family, every family in this country understands the necessity of having a balanced budget. The President and the Democrats could surely learn by talking to them across the country. Budgets are more than numbers. Budgets basically come here to Congress and set priorities, if you will; and beyond that, they have real impact on human beings.

Unlike the Progressive substitute that's before us right now, the Path to Prosperity will provide real economic security for workers, for parents. It will ensure security retirement for the elderly and our seniors. It will expand opportunity for the young. For that reason, I urge this Chamber to vote on the side of freedom and opportunity and reject the Progressive Caucus budget substitute.

I yield back the balance of my time.

Mr. ROSS. Mr. Chair, I rise today in opposition to the Grijalva substitute amendment.

The amendment before us right now does nothing to get our nation back on a sustainable spending path. Instead, it proposes devastating cuts to the Department of Defense that would threaten our national security. It does nothing to protect the solvency of the Medicare trust fund. And this budget further complicates the tax code by creating five additional income tax brackets.

Americans are in this economic crisis together. We must work together to overcome these challenges that are having devastating effects on our economy, the jobs market, and could seriously hinder the standard of living for the younger generations.

The House budget, the Republican Path to Prosperity, builds upon the bipartisan Fiscal Commission which my bill, the 'Bowles-Simpson Plan of Lowering America's Debt Act,' also does. To be effective, Congress must eliminate waste and restore fiscal discipline to the government. The Simpson-Bowles Commission has given us a framework to implement targeted cuts so we don't have to subject the American people to arbitrary across-the-board-cuts again. The budget before us today is the way to go.

At a time when our country is more than \$16 trillion in debt—all of which is saddled on our children and grandchildren—Congress must act to end the years upon years of rampant, runaway federal spending that has occurred under both political parties.

It's Congress' job to pass a budget that is balanced and carefully spends Americans' hard-earned tax dollars. I urge my colleagues to reject the Grijalva amendment and instead implement the House Republican budget, the responsible, balanced budget which builds on the Simpson-Bowles Commission's suggestions, and will foster a healthier economy and help create jobs across America.

Ms. JACKSON LEE. Mr. Chair, as a proud member of the Congressional Progressive Caucus, CPC, I rise in strong support of the CPC's alternative to H. Con. Res. 25. This alternative budget, more appropriately known as the "Budget for All" Substitute invests in America, reforms corporate and individual taxes in a balanced manner, and adopts sensible, modern defense spending. Simply put:

the CPC is an egalitarian and effective budget for all of America.

The CPC's "Budget for All" wisely invests the hard earned peace dividend resulting from the successful end to the war in Iraq and the winding down of the war in Afghanistan to promote economic growth and a healthier and cleaner environment.

In addition, this budget puts Americans back to work, charts a path to responsible deficit reduction, enhances our economic competitiveness, rebuilds the middle class and invests in our future. The CPC budget makes no cuts to Medicare, Medicaid, or Social Security benefits, and asks those who have benefited most from our economy to pay a sensible share. It is only fair.

The CPC budget addresses America's persistently high unemployment levels with more than \$2.9 trillion in additional job-creating investments, which frankly will help depressed economies in inner-city communities across America, including those in my hometown of Houston, Texas. This plan utilizes every tool at the government's disposal to get our economy moving again, including:

- Direct hire programs that create a School Improvement Corps, a Park Improvement Corps, and a Student Jobs Corps, among others.

- Targeted tax incentives that spur clean energy, manufacturing, and cutting-edge technological investments in the private sector.

- Widespread domestic investments including an infrastructure bank, a \$556 billion surface transportation bill, and approximately \$2.1 trillion in widespread domestic investment.

The Budget for All achieves \$6.8 trillion in deficit reduction, hits the same debt to GDP ratio as the Republican budget with lower deficits in the last five years; and does so in a responsible way that does not eviscerate vital services Americans want preserved.

These benchmarks are achieved by focusing on the true drivers of our deficit: unsustainable tax policies, the wars overseas, and policies that helped cause the recent recession—rather than irresponsibly putting the middle class's social safety net on the chopping block.

The budget also taxes fairly, because it:

- Ends tax cuts for the top 2% of Americans on schedule at year's end.

- Extends tax relief for middle class households and the vast majority of Americans.

- Creates new tax brackets for millionaires and billionaires.

- Eliminates the tax code's preferential treatment of capital gains and dividends.

- Abolishes corporate welfare for oil, gas, and coal companies.

- Eliminates loopholes that allow businesses to dodge their true tax liability.

Calls for the adoption of the "Buffett Rule".

- Creates a publicly funded federal election system that gets corporate money out of politics for good.

The CPC budget demonstrates that we have been listening to the American people because we responsibly and sensibly end our military presence in Iraq and Afghanistan, leaving America more secure at home and abroad; and modernizes our military to address 21st century threats and stop contributing to our deficit problems. This is the peace dividend. With this dividend, the CPC budget:

- Provides a Making Work Pay tax credit for families struggling with high gas and food cost's 2013–2015.

- Extends Earned Income Tax Credit, and the Child and Dependent Care Credit.

- Invests in programs to stave off further foreclosures to keep families in their homes.

- Invests in our children's education by increasing Education, Training, and Social Services.

Mr. Chair, the federal budget is a moral document, with meaning, fiber, and a unique texture. Sometimes we lose sight of this fact given the preoccupation by many with, I could wax on and on today on the Floor about the "baselines," "benchmarks," and "extrapolations and projections of future budget conditions," based on the assumptions that may or may not turn out to be accurate.

But real people living, struggling with real problems in the real world are not interested in such esoteric discussion. They want us to focus on their lives and their problems. They want to know that we understand the necessity of making taxes fairer, simpler, and economically reasonable.

Most economists agree, Mr. Chair, that entitlement policy must be evaluated and progressively modified to achieve sustainability. Unlike discretionary spending, mandatory spending grew rapidly from 5% of GDP in 1962 to a range of 9% to 10.5% of GDP from 1975 to 2007, peaking in recession years because of automatic stabilizers.

Let me be clear: I am unalterably opposed to any entitlement reform that deprives seniors, like the ones that reside in the 18th Congressional District of Texas, of benefits they have labored long and hard to earn. To do otherwise would break a promise to prior generations who faithfully paid into the current system. These are not entitlements; they are earned benefits. And they must not be taken away.

And speaking of Texas; recently my hometown of Houston was forced to lay off nearly one thousand municipal employees. When these employees are put on the unemployment line, libraries close, schools cut back on essential after-school programs, community centers lose personnel, police hours are trimmed, and the truly destitute become an afterthought.

Those tough budget decisions had a human cost and I hear from my constituents every day about them. Frankly, I do not want tax cuts for the wealthy at the expense of jobs for working and middle class families in Texas.

The CPC fiscal year 2014 budget alternative stands in clear contrast to the budget that our Republican colleagues have put forward. This budget will reduce the deficit in a balanced and credible way, making difficult choices while providing investments that help create jobs now and build an even stronger economy for the future.

But unlike the Republican budget—which ends the Medicare guarantee while providing enormous tax breaks to millionaires—we ask the very wealthy and special interests to share responsibility for reducing the deficit. We must embark on a truly shared sacrifice.

I ask my colleagues to support the CPC Budget for All Substitute.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).



The question was taken; and the Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

#### ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-21 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. MULVANEY of South Carolina.

Amendment No. 2 by Mr. SCOTT of Virginia.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MULVANEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 261, not voting 16, as follows:

[Roll No. 83]

AYES—154

Andrews	DeFazio	Jeffries
Bass	DeGette	Johnson (GA)
Beatty	DelBene	Johnson, E. B.
Becerra	Deutch	Kaptur
Bishop (GA)	Dingell	Keating
Bishop (NY)	Doyle	Kennedy
Blumenauer	Duckworth	Kildee
Bonamici	Edwards	Kilmer
Brady (PA)	Ellison	Larsen (WA)
Braley (IA)	Esty	Larson (CT)
Brown (FL)	Farr	Lee (CA)
Butterfield	Fattah	Levin
Capps	Frankel (FL)	Lewis
Capuano	Fudge	Lofgren
Cardenas	Gabbard	Lowenthal
Carney	Garamendi	Lowey
Carson (IN)	Grayson	Lujan Grisham
Cartwright	Green, Al	(NM)
Castor (FL)	Green, Gene	Luján, Ben Ray
Castro (TX)	Grijalva	(NM)
Chu	Gutierrez	Lynch
Cicilline	Hahn	Maloney,
Clarke	Hanabusa	Carolyn
Clay	Hastings (FL)	Markey
Cleaver	Heck (WA)	Matsui
Clyburn	Higgins	McCarthy (NY)
Cohen	Himes	McCollum
Connolly	Holt	McDermott
Conyers	Honda	McGovern
Courtney	Horsford	Meeks
Crowley	Hoyer	Michaud
Cummings	Huffman	Moore
Davis (CA)	Israel	Moran
Davis, Danny	Jackson Lee	Nadler

Napolitano	Roybal-Allard
Neal	Ruppersberger
Negrete McLeod	Rush
Nolan	Sánchez, Linda
O'Rourke	T.
Pallone	Sarbanes
Pascarella	Schakowsky
Pastor (AZ)	Schiff
Payne	Schwartz
Pelosi	Scott (VA)
Perlmutter	Scott, David
Peters (MI)	Serrano
Pingree (ME)	Sewell (AL)
Pocan	Shea-Porter
Polis	Sherman
Price (NC)	Sires
Quigley	Slaughter
Rangel	Smith (WA)
Richmond	Speier

#### NOES—261

Alexander	Fox
Amash	Franks (AZ)
Bachmann	Frelinghuysen
Bachus	Gallego
Barber	Garcia
Baretta	Gardner
Barr	Garrett
Barrow (GA)	Gerlach
Barton	Gibbs
Benishek	Gibson
Bentivoglio	Gingrey (GA)
Bera (CA)	Gohmert
Bilirakis	Goodlatte
Bishop (UT)	Gosar
Black	Gowdy
Blackburn	Granger
Bonner	Graves (GA)
Boustany	Graves (MO)
Brady (TX)	Griffin (AR)
Bridenstine	Griffith (VA)
Brooks (AL)	Guthrie
Brooks (IN)	Hall
Broun (GA)	Hanna
Brownley (CA)	Harper
Buchanan	Harris
Bucshon	Hartzler
Burgess	Hastings (WA)
Bustos	Heck (NV)
Calvert	Hensarling
Camp	Herrera Beutler
Campbell	Holding
Cantor	Hudson
Capito	Huelskamp
Carter	Huizenga (MI)
Cassidy	Hultgren
Chabot	Hunter
Chaffetz	Hurt
Coble	Issa
Coffman	Jenkins
Cole	Johnson (OH)
Collins (GA)	Johnson, Sam
Collins (NY)	Jones
Conaway	Jordan
Cook	Joyce
Cooper	Kelly
Costa	Kind
Cotton	King (IA)
Cramer	King (NY)
Crawford	Kingston
Crenshaw	Kinzinger (IL)
Cuellar	Kirkpatrick
Culberson	Kline
Daines	Kuster
Davis, Rodney	Labrador
Delaney	LaMalfa
Denham	Lamborn
Dent	Lance
DeSantis	Lankford
DesJarlais	Latham
Diaz-Balart	Latta
Doggett	LoBiondo
Duffy	Loeb
Duncan (SC)	Long
Duncan (TN)	Lucas
Ellmers	Luetkemeyer
Enyart	Lummis
Farenthold	Maffei
Fincher	Maloney, Sean
Fitzpatrick	Marchant
Fleischmann	Marino
Fleming	Massie
Flores	Matheson
Forbes	McCarthy (CA)
Foster	McCaul

Swalwell (CA)
Takano
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Shuster
Simpson
Sinema
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi

Tipton
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland

#### NOT VOTING—16

Aderholt	Grimm	Sanchez, Loretta
Amodei	Hinojosa	Smith (NJ)
DeLauro	Langevin	Thompson (CA)
Engel	Lipinski	Wasserman
Eshoo	Meng	Schultz
Fortenberry	Miller, George	

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Messrs. WEBER of Texas, SCHWEIKERT, BARBER, DUNCAN of South Carolina, GOSAR, ROONEY and BARTON, and Mrs. KIRKPATRICK changed their vote from “aye” to “no.”

Messrs. CARSON of Indiana, DANNY K. DAVIS of Illinois, NEAL and TONKO, and Mrs. MCCARTHY of New York changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SCOTT OF VIRGINIA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 305, answered “present” 1, not voting 20, as follows:

[Roll No. 84]

AYES—105

Andrews	Conyers	Hoyer
Bass	Crowley	Huffman
Beatty	Cummings	Israel
Becerra	Davis, Danny	Jackson Lee
Bishop (GA)	DeFazio	Jeffries
Blumenauer	Deutch	Johnson (GA)
Brady (PA)	Doyle	Johnson, E. B.
Brown (FL)	Edwards	Kaptur
Butterfield	Ellison	Kennedy
Capuano	Farr	Larson (CT)
Cardenas	Fattah	Lee (CA)
Carson (IN)	Fudge	Lewis
Cartwright	Grayson	Lowenthal
Castor (FL)	Green, Al	Luján, Ben Ray
Castro (TX)	Grijalva	(NM)
Chu	Gutierrez	Lynch
Cicilline	Hahn	Markey
Clarke	Hastings (FL)	Matsui
Clay	Higgins	McCollum
Cleaver	Holt	McDermott
Clyburn	Honda	McGovern
Cohen	Horsford	Meeks

Moore  
Moran  
Nadler  
Napolitano  
Neal  
Nolan  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pingree (ME)  
Pocan  
Price (NC)  
Rangel

## NOES—305

Alexander  
Amash  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Bonamici  
Bonner  
Boustany  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Capps  
Carney  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Cook  
Cooper  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Daines  
Davis (CA)  
Davis, Rodney  
DeGette  
Delaney  
DelBene  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Enyart  
Esty

Richmond  
Roybal-Allard  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Scott (VA)  
Scott, David  
Serrano  
Sires  
Slaughter  
Takano

Thompson (MS)  
Tierney  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Velázquez  
Waters  
Watt  
Welch  
Wilson (FL)  
Yarmuth

LoBiondo  
Loeb  
Lofgren  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Lummis  
Maffei  
Maloney, Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Holding  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Quigley  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)

Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (WI)  
Salmon  
Scalise  
Schiff  
Schneider  
Schock  
Schradler  
Schwartz  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shea-Porter

Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier  
Stewart  
Stivers  
Stockman  
Stutzman  
Swailwell (CA)  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Turner  
Upton  
Valadao

Vela  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cummings  
Davis, Danny  
Doyle  
Edwards  
Ellison  
Farr  
Fattah  
Fudge  
Grayson  
Green, Al  
Grijalva  
Gutierrez  
Hahn  
Hastings (FL)  
Higgins

Holt  
Honda  
Huffman  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Lee (CA)  
Lewis  
Lowenthal  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney, Carolyn  
Markey  
McCollum  
McDermott  
McGovern  
Moore  
Moran  
Nadler  
Napolitano  
Nolan  
Pallone  
Pastor (AZ)

Payne  
Pingree (ME)  
Pocan  
Price (NC)  
Rahall  
Rangel  
Roybal-Allard  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Serrano  
Sires  
Slaughter  
Takano  
Tierney  
Tonko  
Vargas  
Veasey  
Velázquez  
Waters  
Watt  
Welch  
Yarmuth

## ANSWERED "PRESENT"—1

Negrete McLeod

## NOT VOTING—20

Aderholt  
Amodei  
DeLauro  
Engel  
Eshoo  
Fortenberry  
Grimm  
Hinojosa  
Hurt  
Langevin  
Lipinski  
Meng  
Miller, George  
Pelosi  
Sanchez, Loretta  
Sewell (AL)  
Smith (NJ)  
Thompson (CA)  
Wasserman  
Schultz  
Waxman

□ 1456

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SEWELL of Alabama. Mr. Chair, I was detained and missed this vote for the RECORD. I support this amendment and would have voted for it. Had I been present, I would have voted "aye."

Ms. PELOSI. Mr. Chair, on rollcall No. 84, the Scott of VA Substitute amendment to H. Con. Res. 25, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. HURT. Mr. Chair, I was not present for rollcall vote No. 84. Had I been present, I would have voted "no."

AMENDMENT NO. 3 IN THE NATURE OF A  
SUBSTITUTE OFFERED BY MR. GRIJALVA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 327, answered "present" 1, not voting 19, as follows:

[Roll No. 85]

## AYES—84

Andrews  
Bass  
Beatty

Becerra  
Blumenauer  
Brady (PA)

Brown (FL)  
Butterfield  
Capuano

Alexander  
Amash  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Bonamici  
Bonner  
Boustany  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Capps  
Carney  
Carter  
Cassidy  
Castro (TX)  
Chabot  
Chaffetz  
Cicilline  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Cook  
Cooper  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Daines  
Davis (CA)  
Davis, Rodney  
DeFazio

## NOES—327

DeGette  
Delaney  
DelBene  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Enyart  
Esty  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Himes  
Holding  
Horsford  
Hoyer  
Hudson

Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Levin  
LoBiondo  
Loeb  
Loeb  
Lofgren  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Lummis  
Maffei  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan



Meeks	Ribble	Southerland
Messer	Rice (SC)	Speier
Mica	Richmond	Stewart
Michaud	Rigell	Stivers
Miller (FL)	Roby	Stockman
Miller (MI)	Roe (TN)	Stutzman
Miller, Gary	Rogers (AL)	Swalwell (CA)
Mullin	Rogers (KY)	Terry
Mulvaney	Rogers (MI)	Thompson (MS)
Murphy (FL)	Rohrabacher	Thompson (PA)
Murphy (PA)	Rokita	Thornberry
Neal	Rooney	Tiberi
Neugebauer	Ros-Lehtinen	Tipton
Noem	Roskam	Titus
Nugent	Ross	Tsongas
Nunes	Rothfus	Turner
Nunnelee	Royce	Upton
O'Rourke	Ruiz	Valadao
Olson	Runyan	Van Hollen
Owens	Ruppersberger	Vela
Palazzo	Ryan (WI)	Visclosky
Pascarella	Salmon	Wagner
Paulsen	Scalise	Walberg
Pearce	Schiff	Walden
Pelosi	Schneider	Walorski
Perlmutter	Schock	Walz
Perry	Schrader	Weber (TX)
Peters (CA)	Schwartz	Webster (FL)
Peters (MI)	Schweikert	Wenstrup
Peterson	Scott (VA)	Westmoreland
Petri	Scott, David	Whitfield
Pittenger	Sensenbrenner	Williams
Pitts	Sessions	Wilson (SC)
Poe (TX)	Sewell (AL)	Wittman
Polis	Shea-Porter	Wolf
Pompeo	Sherman	Womack
Possey	Shinkus	Woodall
Price (GA)	Shuster	Yoder
Quigley	Simpson	Yoho
Radel	Sinema	Young (AK)
Reed	Smith (NE)	Young (FL)
Reichert	Smith (TX)	Young (IN)
Renacci	Smith (WA)	

## ANSWERED "PRESENT"—1

Negrete McLeod

## NOT VOTING—19

Aderholt	Hinojosa	Smith (NJ)
Amodei	Langevin	Thompson (CA)
DeLauro	Lipinski	Wasserman
Engel	Meng	Schultz
Eshoo	Miller, George	Waxman
Fortenberry	Sanchez, Loretta	Wilson (FL)
Grimm	Scott, Austin	

□ 1503

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 IN THE NATURE OF A  
SUBSTITUTE OFFERED BY MR. WOODALL

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-21.

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE  
BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2014 and sets forth appropriate budgetary levels for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

TITLE I—RECOMMENDED LEVELS AND  
AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

## TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

## TITLE III—BUDGET ENFORCEMENT

Sec. 301. Limitation on advance appropriations.

Sec. 302. Concepts and definitions.

Sec. 303. Adjustments of aggregates, allocations, and appropriate budgetary levels.

Sec. 304. Limitation on long-term spending.

Sec. 305. Budgetary treatment of certain transactions.

Sec. 306. Application and effect of changes in allocations and aggregates.

Sec. 307. Congressional Budget Office estimates.

Sec. 308. Transfers from the general fund of the treasury to the highway trust fund that increase public indebtedness.

Sec. 309. Separate allocation for overseas contingency operations/global war on terrorism.

Sec. 310. Exercise of rulemaking powers.

## TITLE IV—POLICY

Sec. 401. Policy statement on Health Care Law repeal.

Sec. 402. Policy statement on means-tested welfare programs.

Sec. 403. Policy statement on reforming Federal regulation.

Sec. 404. Policy statement on medicare.

Sec. 405. Policy statement on deficit reduction through the cancellation of unobligated balances.

Sec. 406. Policy statement on block granting Medicaid.

Sec. 407. Policy statement on a carbon tax.

Sec. 408. Policy statement on the use of official time by Federal employees for union activities.

Sec. 409. Policy statement on creation of a Committee to Eliminate Duplication and Waste.

Sec. 410. Policy statement on Federal funding of abortion.

Sec. 411. Policy statement on readable legislation.

Sec. 412. Policy statement on work requirements.

Sec. 413. Policy statement on energy production.

Sec. 414. Policy statement on regulation of greenhouse gases by the Environmental Protection Agency.

Sec. 415. Policy statement on creating a Commission to Eliminate Waste and Duplication.

Sec. 416. Policy statement on reforming the Federal budget process.

## TITLE V—RESERVE FUNDS

Sec. 501. Reserve fund for the repeal of the 2010 health care laws.

Sec. 502. Deficit-neutral reserve fund for the reform of the 2010 health care laws.

Sec. 503. Deficit-neutral reserve fund related to the Medicare provisions of the 2010 health care laws.

Sec. 504. Deficit-neutral reserve fund for the sustainable growth rate of the Medicare program.

Sec. 505. Deficit-neutral reserve fund for reforming the tax code.

Sec. 506. Deficit-neutral reserve fund for trade agreements.

Sec. 507. Deficit-neutral reserve fund for revenue measures.

Sec. 508. Deficit-neutral reserve fund for rural counties and schools.

Sec. 509. Implementation of a deficit and long-term debt reduction agreement.

## TITLE VI—EARMARK MORATORIUM

Sec. 601. Earmark moratorium.

Sec. 602. Limitation of authority of the House Committee on Rules.

TITLE VII—ESTIMATES OF DIRECT  
SPENDING

Sec. 701. Direct spending.

TITLE I—RECOMMENDED LEVELS AND  
AMOUNTSSEC. 101. RECOMMENDED LEVELS AND  
AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this concurrent resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$2,238,676,000,000.  
Fiscal year 2015: \$2,569,511,000,000.  
Fiscal year 2016: \$2,736,260,000,000.  
Fiscal year 2017: \$2,855,685,000,000.  
Fiscal year 2018: \$2,977,343,000,000.  
Fiscal year 2019: \$3,094,769,000,000.  
Fiscal year 2020: \$3,226,689,000,000.  
Fiscal year 2021: \$3,394,021,000,000.  
Fiscal year 2022: \$3,583,392,000,000.  
Fiscal year 2023: \$3,758,528,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: -\$42,000,000,000.  
Fiscal year 2015: -\$48,000,000,000.  
Fiscal year 2016: -\$55,000,000,000.  
Fiscal year 2017: -\$62,000,000,000.  
Fiscal year 2018: -\$66,000,000,000.  
Fiscal year 2019: -\$71,000,000,000.  
Fiscal year 2020: -\$76,000,000,000.  
Fiscal year 2021: -\$82,000,000,000.  
Fiscal year 2022: -\$88,000,000,000.  
Fiscal year 2023: -\$95,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,731,789,000,000.  
Fiscal year 2015: \$2,637,514,000,000.  
Fiscal year 2016: \$2,784,886,000,000.  
Fiscal year 2017: \$2,879,849,000,000.  
Fiscal year 2018: \$2,949,017,000,000.  
Fiscal year 2019: \$3,107,529,000,000.  
Fiscal year 2020: \$3,214,726,000,000.  
Fiscal year 2021: \$3,321,892,000,000.  
Fiscal year 2022: \$3,444,036,000,000.  
Fiscal year 2023: \$3,514,166,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,776,790,000,000.  
Fiscal year 2015: \$2,691,748,000,000.  
Fiscal year 2016: \$2,778,027,000,000.  
Fiscal year 2017: \$2,851,148,000,000.  
Fiscal year 2018: \$2,924,400,000,000.  
Fiscal year 2019: \$3,060,129,000,000.  
Fiscal year 2020: \$3,175,963,000,000.  
Fiscal year 2021: \$3,279,221,000,000.  
Fiscal year 2022: \$3,430,176,000,000.  
Fiscal year 2023: \$3,470,191,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this concurrent resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2014: -\$538,114,000,000.  
Fiscal year 2015: -\$122,237,000,000.  
Fiscal year 2016: -\$41,767,000,000.  
Fiscal year 2017: \$4,537,000,000.  
Fiscal year 2018: \$52,943,000,000.  
Fiscal year 2019: \$34,640,000,000.  
Fiscal year 2020: \$50,726,000,000.  
Fiscal year 2021: \$114,800,000,000.  
Fiscal year 2022: \$153,216,000,000.

Fiscal year 2023: \$288,337,000,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2014: \$17,770,245,000,000.  
 Fiscal year 2015: \$18,078,431,000,000.  
 Fiscal year 2016: \$18,314,047,000,000.  
 Fiscal year 2017: \$18,575,645,000,000.  
 Fiscal year 2018: \$18,835,381,000,000.  
 Fiscal year 2019: \$19,150,167,000,000.  
 Fiscal year 2020: \$19,468,280,000,000.  
 Fiscal year 2021: \$19,747,439,000,000.  
 Fiscal year 2022: \$19,992,706,000,000.  
 Fiscal year 2023: \$20,141,240,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$12,843,588,000,000.  
 Fiscal year 2015: \$13,061,768,000,000.  
 Fiscal year 2016: \$13,195,792,000,000.  
 Fiscal year 2017: \$13,302,662,000,000.  
 Fiscal year 2018: \$13,381,815,000,000.  
 Fiscal year 2019: \$13,531,424,000,000.  
 Fiscal year 2020: \$13,696,092,000,000.  
 Fiscal year 2021: \$13,839,370,000,000.  
 Fiscal year 2022: \$13,984,314,000,000.  
 Fiscal year 2023: \$14,032,720,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2014 through 2023 for each major functional category are:

(1) National Defense (050):

Fiscal year 2014:  
 (A) New budget authority, \$560,225,000,000.  
 (B) Outlays, \$579,234,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$574,359,000,000.  
 (B) Outlays, \$563,976,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$585,556,000,000.  
 (B) Outlays, \$570,288,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$598,822,000,000.  
 (B) Outlays, \$575,457,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$612,125,000,000.  
 (B) Outlays, \$582,678,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$625,445,000,000.  
 (B) Outlays, \$600,508,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$639,780,000,000.  
 (B) Outlays, \$614,250,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$654,096,000,000.  
 (B) Outlays, \$628,265,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$671,181,000,000.  
 (B) Outlays, \$649,221,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$688,640,000,000.  
 (B) Outlays, \$660,461,000,000.

(2) International Affairs (150):

Fiscal year 2014:  
 (A) New budget authority, an amount to be derived from function 920.  
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2023:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(3) General Science, Space, and Technology (250):

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2023:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(4) Energy (270):

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2023:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(5) Natural Resources and Environment (300):

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.





Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2023:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

## TITLE II—RECONCILIATION

### SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS OF SPENDING REDUCTION.—The House committees named in subsection (b) shall submit, not later than May 31, 2013, recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, such committee shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(b) INSTRUCTIONS.—

(1) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(2) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(3) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(4) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(5) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(6) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall submit changes in laws within its jurisdiction

sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(7) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(8) COMMITTEE ON WAYS AND MEANS.—(A) The Committee on Ways and Means shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(B) The Committee on Ways and Means of the House of Representatives shall report a reconciliation bill not later than September 15, 2013, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$42,000,000,000 for fiscal year 2014 and by not more than \$685,000,000,000 for the period of fiscal years 2014 through 2023.

## TITLE III—BUDGET ENFORCEMENT

### SEC. 301. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) FINDINGS.—The House finds the following:

(1) The Veterans Health Care Budget and Reform Transparency Act of 2009 provides advance appropriations for the following veteran medical care accounts: Medical Services, Medical Support and Compliance, and Medical Facilities.

(2) The President has yet to submit a budget request as required under section 1105(a) of title 31, United States Code, including the request for the Department of Veterans Affairs, for fiscal year 2014, hence the request for veteran medical care advance appropriations for fiscal year 2015 is unavailable as of the writing of this concurrent resolution.

(3) This concurrent resolution reflects the most up-to-date estimate on veterans' health care needs included in the President's fiscal year 2013 request for fiscal year 2015.

(b) IN GENERAL.—In the House, except as provided for in subsection (c), any bill or joint resolution, or amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(c) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (d)(1) or identified in the report to accompany this concurrent resolution or the joint explanatory statement of managers to accompany this concurrent resolution under the heading "Accounts Identified for Advance Appropriations".

(d) LIMITATIONS.—For fiscal year 2015, the aggregate level of advance appropriations shall not exceed—

(1) \$55,483,000,000 for the following programs in the Department of Veterans Affairs—

(A) Medical Services;

(B) Medical Support and Compliance; and

(C) Medical Facilities accounts of the Veterans Health Administration; and

(2) \$28,852,000,000 in new budget authority for all programs identified pursuant to subsection (c).

(e) DEFINITION.—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a bill or joint resolution, or amendment thereto or conference report thereon, making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2015.

### SEC. 302. CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chair of the Committee on the Budget may adjust any allocations, aggregates, and other appropriate levels in this concurrent resolution accordingly.

### SEC. 303. ADJUSTMENTS OF AGGREGATES, ALLOCATIONS, AND APPROPRIATE BUDGETARY LEVELS.

(a) ADJUSTMENTS OF DISCRETIONARY AND DIRECT SPENDING LEVELS.—If a committee (other than the Committee on Appropriations) reports a bill or joint resolution, or amendment thereto or conference report thereon, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chair of the Committee on the Budget may decrease the allocation to such committee and increase the allocation of discretionary spending (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2014 by an amount equal to the new budget authority (and outlays flowing therefrom) provided for in a bill or joint resolution making appropriations for the same purpose.

(b) ADJUSTMENTS TO IMPLEMENT DISCRETIONARY SPENDING CAPS AND TO FUND VETERANS' PROGRAMS AND OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—

(1) FINDINGS.—(A) The President has not submitted a budget for fiscal year 2014 as required pursuant to section 1105(a) of title 31, United States Code, by the date set forth in that section.

(B) In missing the statutory date by which the budget must be submitted, this will be the fourth time in five years the President has not complied with that deadline.

(C) This concurrent resolution reflects the levels of funding for veterans' medical programs as set forth in the President's fiscal year 2013 budget request.

(2) PRESIDENT'S BUDGET SUBMISSION.—In order to take into account any new information included in the budget submission by the President for fiscal year 2014, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels for veterans' programs, Overseas Contingency Operations/Global War on Terrorism, or the 302(a) allocation to the Committee on Appropriations set forth in the report of this concurrent resolution to conform with section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted by section 251A of such Act).

(3) REVISED CONGRESSIONAL BUDGET OFFICE BASELINE.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels to reflect changes resulting from technical and economic assumptions in the most recent baseline published by the Congressional Budget Office.

(c) DETERMINATIONS.—For the purpose of enforcing this concurrent resolution on the budget in the House, the allocations and aggregate levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for fiscal year 2014 and the period of fiscal years 2014 through fiscal year 2023 shall be determined on the basis of estimates made by the chair of the Committee on the Budget and such chair may adjust such applicable levels of this concurrent resolution.

**SEC. 304. LIMITATION ON LONG-TERM SPENDING.**

(a) **IN GENERAL.**—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing direct spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) **TIME PERIODS.**—The applicable periods for purposes of this section are any of the four consecutive ten fiscal-year periods beginning with fiscal year 2024.

**SEC. 305. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.**

(a) **IN GENERAL.**—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the report accompanying this concurrent resolution on the budget or the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying sections 302(f) and 311 of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) **ADJUSTMENTS.**—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, if such adjustments do not cause a net increase in the deficit for fiscal year 2014 and the period of fiscal years 2014 through 2023.

**SEC. 306. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) **APPLICATION.**—Any adjustments of the allocations, aggregates, and other appropriate levels made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this concurrent resolution.

(c) **BUDGET COMPLIANCE.**—(1) The consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other appropriate levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 604.

(2) Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

(A) the enactment of that bill or resolution;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 302(a) of such Act for that fiscal year to be exceeded or the sum of the limits on the security and non-security category in section 251A of the Balanced Budget and Emergency Deficit Control Act as reduced pursuant to such section.

**SEC. 307. CONGRESSIONAL BUDGET OFFICE ESTIMATES.**

(a) **FINDINGS.**—The House finds the following:

(1) Costs of Federal housing loans and loan guarantees are treated unequally in the budget. The Congressional Budget Office uses fair-value accounting to measure the costs of Fannie Mae and Freddie Mac, but determines the cost of other Federal housing programs on the basis of the Federal Credit Reform Act of 1990 (“FCRA”).

(2) The fair-value accounting method uses discount rates which incorporate the risk inherent to the type of liability being estimated in addition to Treasury discount rates of the proper maturity length. In contrast, cash-basis accounting solely uses the discount rates of the Treasury, failing to incorporate risks such as prepayment and default risk.

(3) The Congressional Budget Office estimates that the \$635 billion of loans and loan guarantees issued in 2013 alone would generate budgetary savings of \$45 billion over their lifetime using FCRA accounting. However, these same loans and loan guarantees would have a lifetime cost of \$11 billion under fair-value methodology.

(4) The majority of loans and guarantees issued in 2013 would show deficit reduction of \$9.1 billion under FCRA methodology, but would increase the deficit by \$4.7 billion using fair-value accounting.

(b) **FAIR VALUE ESTIMATES.**—Upon the request of the chair or ranking member of the Committee on the Budget, any estimate prepared by the Director of the Congressional Budget Office for a measure under the terms of title V of the Congressional Budget Act of 1974, “credit reform”, as a supplement to such estimate shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by such measure.

(c) **FAIR VALUE ESTIMATES FOR HOUSING PROGRAMS.**—Whenever the Director of the Congressional Budget Office prepares an estimate pursuant to section 402 of the Congressional Budget Act of 1974 of the costs which would be incurred in carrying out any bill or joint resolution and if the Director determines that such bill or joint resolution has a cost related to a housing or residential mortgage program under the FCRA, then the Director shall also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by the provisions of such bill or joint resolution that result in such cost.

(d) **ENFORCEMENT.**—If the Director of the Congressional Budget Office provides an estimate pursuant to subsection (b) or (c), the chair of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

**SEC. 308. TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS.**

For purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, or the rules or orders of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report thereon, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

**SEC. 309. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.**

(a) **ALLOCATION.**—In the House, there shall be a separate allocation to the Committee on Appropriations for overseas contingency operations/global war on terrorism. For purposes of enforcing such separate allocation under section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” shall be deemed to refer to fiscal year 2014. Such separate allocation shall be the exclusive allocation for overseas contingency operations/global war on terrorism under section 302(a) of such Act. Section 302(c) of such Act shall not apply to such separate allocation. The Committee on Appropriations may provide suballocations of such separate allocation under section 302(b) of such Act. Spending that counts toward the allocation established by this section shall be designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) **ADJUSTMENT.**—In the House, for purposes of subsection (a) for fiscal year 2014, no adjustment shall be made under section 314(a) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 310. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

**TITLE IV—POLICY****SEC. 401. POLICY STATEMENT ON HEALTH CARE LAW REPEAL.**

It is the policy of this resolution that the Patient Protection and Affordable Care Act (Public Law 111-148), and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) should be repealed.

**SEC. 402. POLICY STATEMENT ON MEANS-TESTED WELFARE PROGRAMS.**

(a) **FINDINGS.**—The House finds that:

(1) In 1996, President Bill Clinton and congressional Republicans enacted reforms that have moved families off of Federal programs and enabled them to provide for themselves.

(2) According to the most recent projections, over the next 10 years we will spend approximately \$10 trillion on means-tested welfare programs.

(3) Today, there are approximately 70 Federal programs that provide benefits specifically to poor and low-income Americans.



(4) Taxpayers deserve clear and transparent information on how well these programs are working, and how much the Federal Government is spending on means-tested welfare.

(b) **POLICY ON MEANS-TESTED WELFARE PROGRAMS.**—It is the policy of this resolution that the President's budget should disclose, in a clear and transparent manner, the aggregate amount of Federal welfare expenditures, as well as an estimate of State and local spending for this purpose, over the next ten years.

#### **SEC. 403. POLICY STATEMENT ON REFORMING FEDERAL REGULATION.**

It is the policy of this resolution that the cost of regulations on job creators should be reduced by enacting title II of the Jobs Through Growth Act (H.R. 3400), as introduced on November 10, 2011. Further, it is the policy of this resolution that H.R. 309, the Regulatory Sunset and Review Act of 2013 as introduced on January 18, 2013, should also be enacted.

#### **SEC. 404. POLICY STATEMENT ON MEDICARE.**

(a) **FINDINGS.**—The House finds the following:

(1) More than 51 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in and near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2023 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.4 percent per year on average over the next ten years, and under the Congressional Budget Office's alternative fiscal scenario, direct spending on Medicare is projected to reach 6.4 percent of GDP by 2035 and 13 percent of GDP by 2085.

(3) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) **POLICY ON MEDICARE REFORM.**—It is the policy of this resolution—

(1) to protect those in and near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress; and

(2) that H.R. 309, the Regulatory Sunset and Review Act of 2013 as introduced on January 18, 2013, should be enacted

(c) **ASSUMPTIONS.**—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in and near retirement, without changes.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs, including an option to remain in the traditional Medicare fee-for-service program.

(3) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(4) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long term.

#### **SEC. 405. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**

(a) **FINDINGS.**—The House finds the following:

(1) According to the Office of Management and Budget, Federal agencies will hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remain available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) **POLICY ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Federal Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) **DEFICIT REDUCTION.**—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

#### **SEC. 406. POLICY STATEMENT ON BLOCK GRANTING MEDICAID.**

It is the policy of this resolution that Medicaid and the Children's Health Insurance Program (CHIP) should be block granted to the States in a manner prescribed by the State Health Flexibility Act of 2013 (H.R. 567, 113th Congress).

#### **SEC. 407. POLICY STATEMENT ON A CARBON TAX.**

It is the policy of this budget that a carbon tax would be detrimental to American families and businesses, and is not in the best interest of the United States.

#### **SEC. 408. POLICY STATEMENT ON THE USE OF OFFICIAL TIME BY FEDERAL EMPLOYEES FOR UNION ACTIVITIES.**

It is the policy of this budget that, as called for in the Federal Employee Accountability Act of 2013, Federal employees shall not use official time to conduct union activities.

#### **SEC. 409. POLICY STATEMENT ON CREATION OF A COMMITTEE TO ELIMINATE DUPLICATION AND WASTE.**

It is the policy of this budget that a new committee, styled after the post-World War II "Byrd Committee" shall be created to act on GAO's annual waste and duplication reports as well as Oversight and Government Reform Inspector General reports.

#### **SEC. 410. POLICY STATEMENT ON FEDERAL FUNDING OF ABORTION.**

It is the policy of this budget that no taxpayer dollars shall go to any entity that provides abortion services.

#### **SEC. 411. POLICY STATEMENT ON READABLE LEGISLATION.**

It is the policy of this budget that bills should be made more readable and for Mem-

bers of Congress and more accessible to the public as called for in the Readable Legislation Act of 2013.

#### **SEC. 412. POLICY STATEMENT ON WORK REQUIREMENTS.**

It is the policy of this budget that the work requirements in the Temporary Assistance for Needy Families block grant program should be preserved as called for in H.R. 890, 113th Congress.

#### **SEC. 413. POLICY STATEMENT ON ENERGY PRODUCTION.**

It is the policy of this resolution that the Arctic National Wildlife Refuge (ANWR) and currently unavailable areas of the Outer Continental Shelf (OCS) should be open for energy exploration and production. To ensure States' rights, states are given the option to withdrawal from leasing within certain areas of the OCS. Specifically, a State, through enactment of a State statute, may withdrawal from leasing from all or part of any area within 75 miles of that State's coast.

#### **SEC. 414. POLICY STATEMENT ON REGULATION OF GREENHOUSE GASES BY THE ENVIRONMENTAL PROTECTION AGENCY.**

The Environmental Protection Agency is prohibited from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

#### **SEC. 415. POLICY STATEMENT ON CREATING A COMMISSION TO ELIMINATE WASTE AND DUPLICATION.**

It is the policy of this budget that a new commission styled after the "Byrd Committee" shall be established as called for in H. Res. 119., as introduced on March 14, 2013.

#### **SEC. 416. POLICY STATEMENT ON REFORMING THE FEDERAL BUDGET PROCESS.**

It is the policy of this resolution that the Federal budget process should be reformed so that it is easier to reduce Federal spending than it is to increase it by enacting reforms included in the Spending, Deficit, and Debt Control Act of 2009 (H.R. 3964, 111th Congress).

### **TITLE V—RESERVE FUNDS**

#### **SEC. 501. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that only consists of a full repeal the Patient Protection and Affordable Care Act and the health care-related provisions of the Health Care and Education Reconciliation Act of 2010.

#### **SEC. 502. DEFICIT-NEUTRAL RESERVE FUND FOR THE REFORM OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that reforms or replaces the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

#### **SEC. 503. DEFICIT-NEUTRAL RESERVE FUND RELATED TO THE MEDICARE PROVISIONS OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations,



aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals all or part of the decreases in Medicare spending included in the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 504. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 505. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE TAX CODE.**

In the House, if the Committee on Ways and Means reports a bill or joint resolution that reforms the Internal Revenue Code of 1986, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 506. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE AGREEMENTS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that implements a trade agreement, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 507. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that decreases revenue, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 508. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) by the amounts provided by that legislation for those purposes, if such legislation requires sustained yield timber harvests obviating the need for funding under P.L. 106-393 in the future and would not increase the deficit or direct spending for fiscal year 2014, the pe-

riod of fiscal years 2014 through 2018, or the period of fiscal years 2014 through 2023.

**SEC. 509. IMPLEMENTATION OF A DEFICIT AND LONG-TERM DEBT REDUCTION AGREEMENT.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution to accommodate the enactment of a deficit and long-term debt reduction agreement if it includes permanent spending reductions and reforms to direct spending programs.

**TITLE VI—EARMARK MORATORIUM**

**SEC. 601. EARMARK MORATORIUM.**

(a) POINT OF ORDER.—It shall not be in order to consider—

(1) a bill or joint resolution reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit; or

(2) a bill or joint resolution not reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit.

(b) DEFINITIONS.—For the purposes of this resolution, the terms “congressional earmark”, “limited tax benefit”, and “limited tariff benefit” have the meaning given those terms in clause 9 of rule XXI of the Rules of the House of Representatives.

(c) SPECIAL RULE.—The point of order under subsection (a) shall only apply to legislation providing or authorizing discretionary budget authority, credit authority, or other spending authority, providing a Federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal year 2012 or fiscal year 2013.

(d) INAPPLICABILITY.—This resolution shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality, or congressional district.

**SEC. 602. LIMITATION OF AUTHORITY OF THE HOUSE COMMITTEE ON RULES.**

The House Committee on Rules may not report a rule or order that would waive the point of order set forth in the first section of this resolution.

**TITLE VII—ESTIMATES OF DIRECT SPENDING**

**SEC. 701. DIRECT SPENDING.**

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for means-tested direct spending:

(A) In 1996, a Republican Congress and a Democratic president reformed welfare by limiting the duration of benefits, giving States more control over the program, and helping recipients find work. In the five years following passage, child-poverty rates fell, welfare caseloads fell, and workers' wages increased. This budget applies the lessons of welfare reform to both the Supplemental Nutrition Assistance Program and Medicaid.

(B) For Medicaid, this budget converts the Federal share of Medicaid spending into a flexible State allotment tailored to meet each State's needs, indexed for inflation and

population growth. Such a reform would end the misguided one-size-fits-all approach that has tied the hands of State governments. Instead, each State would have the freedom and flexibility to tailor a Medicaid program that fits the needs of its unique population. Moreover, this budget repeals the Medicaid expansions in the President's health care law, relieving State governments of its crippling one-size-fits-all enrollment mandates.

(C) For the Supplemental Nutrition Assistance Program, this budget converts the program into a flexible State allotment tailored to meet each State's needs, increases in the Department of Agriculture Thrifty Food Plan index and beneficiary growth. Such a reform would provide incentives for States to ensure dollars will go towards those who need them most. Additionally, it requires that more stringent work requirements and time limits apply under the program.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) For Medicare, this budget advances policies to put seniors, not the Federal Government, in control of their health care decisions. Those in or near retirement will see no changes, while future retirees would be given a choice of private plans competing alongside the traditional fee-for-service Medicare program. Medicare would provide a premium-support payment either to pay for or offset the premium of the plan chosen by the senior, depending on the plan's cost. The Medicare premium-support payment would be adjusted so that the sick would receive higher payments if their conditions worsened; lower-income seniors would receive additional assistance to help cover out-of-pocket costs; and wealthier seniors would assume responsibility for a greater share of their premiums. Putting seniors in charge of how their health care dollars are spent will force providers to compete against each other on price and quality. This market competition will act as a real check on widespread waste and skyrocketing health care costs.

(B) In keeping with a recommendation from the National Commission on Fiscal Responsibility and Reform, this budget calls for Federal employees—including Members of Congress and congressional staff—to make greater contributions toward their own retirement.

The CHAIR. Pursuant to House Resolution 122, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume.

I bring a budget today, a substitute, on behalf of the Republican Study Committee, a budget that balances the Federal budget in just 4 years. It does that, Mr. Chairman, by setting priorities for this Nation, priorities that our constituents back home know need to be set.

I want to begin, Mr. Chairman, by showing you the priorities as they relate to revenue and spending. Within 4 years, we bring revenue above the level of spending so that we can begin to repay our debt and eliminate our deficits for the first time since the Clinton administration, which will bring deficits and revenues in line, Mr. Chairman.

What we do is we prioritize those programs that are important to so many Americans. As you see from this chart, Mr. Chairman, Social Security spending is up each and every year in our budget while extending the life of the Social Security trust fund; Medicare spending is up each and every year in our budget while extending the life of the Medicare trust fund.

Mr. Chairman, if a budget is nothing else, it is a statement of our values and our priorities. And the Republican Study Committee's value and priority is to end the passing of responsibilities from this generation to the next, to be responsible for the bills that we create today and pay for those priorities today.

In 4 short years, Mr. Chairman, we can be out of this conversation about debt and deficit and begin the conversation about freeing the next generation from the \$16.7 trillion that you and I and previous Congresses have racked up on their behalf.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I rise in opposition.

The CHAIR. The gentleman from Maryland is recognized for 15 minutes.

Mr. VAN HOLLEN. Mr. Chairman, we had a discussion yesterday and today about different approaches to the budget, and we've had a discussion about the Budget Committee budget, the Ryan budget, that was on the floor and will be voted on later.

That budget, of course, is an uncompromising budget. If you look at this budget, it's even worse. And on top of that, this budget has even more gimmicks than the earlier budget that we talked about.

□ 1510

So what are those gimmicks? Well, first of all, this budget says it comes into balance in 4 years. Look, if you want a race to a fake balance, obviously you should vote for this one over the Republican caucus budget. But the reality is, it gets to that balance by keeping the savings from ObamaCare, which our Republican colleagues say they want to eliminate, that they want to repeal.

You don't have to take my word for it. The Heritage Foundation did a quick action alert on this budget. Here is what they say: "Another failing of this RSC budget is that, like the committee budget"—in other words like the principal Republican budget—"it

keeps revenues near the levels reached with ObamaCare tax hikes even though it repeals the health care bill's spending provisions."

So let's just be really clear what that means for the American people. They are repealing the spending provisions. That means they are getting rid of all the benefits in the Affordable Care Act, including the provision to make sure that your child can stay on your insurance policy until they are age 26 so a family is not bankrupted by an accident or some disease that their child gets. It means the provisions that make sure people can't get denied coverage because of preexisting conditions, that is gone. So they get rid of all that, but they keep the ObamaCare taxes. That is what the Heritage Foundation says.

Guess what? They also keep the savings from the Affordable Care Act in the Medicare area that we achieve by ending the overpayments to some of the insurance companies and other changes in the incentive structure. We did it without hitting beneficiaries. They have railed against that in the past, but it is right here in their budget.

And here is the catch: they say their budget gets a surplus in just 4 years. Well, the surplus is \$22 billion, they claim. But here is how much of it comes from the Affordable Care Act, from ObamaCare. They have got a little under \$100 billion in revenue that year coming in, and then they have got Medicare savings. So not close to balance in 4 years without those provisions, which, as the Heritage Foundation points out, are in there.

And do you know what? Even at the 10-year window, even at the end of the 10-year window, they claim to have a \$246 billion surplus, and yet they wouldn't get there without the savings from the Affordable Care Act, from ObamaCare.

That's a hoax. To come to the floor and say you will have a balanced budget in 4 years or 10 years, but guess what, you are going to repeal ObamaCare, your budget doesn't work when you do that. That just doesn't add up.

Now, they have another big sort of gimmick in this one that is not in the other Republican budget that has to do with taxes. So the problem with the main Republican budget is that it will provide tax breaks to very wealthy people and help finance those tax breaks by bringing down those rates by raising the tax burden on middle-income people.

As we discussed earlier, we actually put that question to the test in the Budget Committee. We offered an amendment that says: Well, when you do tax reform, don't make it a Trojan horse for raising middle class taxes to finance tax breaks for the wealthy. Protect the American middle class

from tax increases. A simple amendment. Every Republican on the committee voted "no." So that is their problem with the main Republican budget.

This one has another problem. It creates two tax systems and says: Taxpayer, you get to choose. And then it assumes that they are going to choose the one that is worst for them. Because if they choose the one that is better for the taxpayer, from the taxpayer's perspective they don't have enough revenue in their budget to come to balance.

Now, look, the American people are smart. If you give them two choices, obviously people are going to add them up, and they are going to pick the tax return where they pay less. And if the American people are as smart as I think they are, they will blow another hole in this RSC budget.

So I am not even beginning to talk about the fact that they, once again, more than double the sequester cuts to places like NIH and places where we do scientific research, that they slash our investment in infrastructure. They do all that. They do even more of that than the other Republican budget, but it has the same fundamental gimmick with respect to ObamaCare. And then on top of that, it has this other tax gimmick in it.

Mr. Chairman, I reserve the balance of my time.

Mr. WOODALL. Mr. Chairman, while I regret the Rules Committee didn't give us more time to correct that misinformation, they did give us wonderful speakers. I would like to yield 4 minutes now to a former chairman of the Republican Study Committee, a former chairman of the Republican Conference, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding, and thank him for his leadership on this critical issue.

Mr. Chairman, we have heard from so many of our colleagues that budgets are about priorities, and I believe this to be true. So what does it say about Democrats' priorities when the President is almost 2 months late in submitting his budget, and Senate Democrats have taken over 4 years to even bother to write a budget?

I suppose it says, Mr. Chairman, that budgets have a way of getting in the way of Democrats as they wish to tax us more, as they wish to borrow more money from China, money our kids have to pay back, and budgets get in the way of Democrats wanting to spend more of our money on a Washington insider economy that doesn't work for the rest of us.

We know that ObamaCare just raised \$1 trillion of taxes, much of it falling on working families. The so-called "fiscal cliff" raised taxes almost another \$700 billion, much of it falling on small business owners who can no longer

offer raises, promotions, or even hire new workers. And now all these Democrat budgets are looking for an additional trillion dollars of tax increase on top of that. That comes out to about \$9,000 for every working household in America.

Mr. Chairman, that is not fair, that is not helpful to this struggling economy. No nation in the history of the world has ever taxed its way into prosperity. America will not be the first.

Mr. Chairman, no nation has ever spent its way into prosperity; yet the Democrat budgets continue a spending spree that is driving us towards national bankruptcy. A day of reckoning is coming. You cannot have Federal programs going at 2 percent, 4 percent, 6 percent, 8 percent when the new reality under this President is 1½ to 2 percent economic growth, and the family budget, which ultimately pays for the Federal budget, is stagnant.

The families that I represent in the Fifth Congressional District of Texas have several concerns. They want to feel more secure in their jobs. They want to quit seeing their paychecks shrink in the face of higher prices. They want a healthier economy where their success is dependent upon how well they work, not on who they know in Washington. In other words, they don't want a Washington insider economy where they can only succeed if Democrats choose to invest in them.

Mr. Chairman, not every American belongs to a government employee labor union that supported the President in the last election. Not every American has a failing bankrupt solar energy company. So for the rest of them, these hardworking Americans, they want an opportunity, and they want a Main Street economy that, if they work hard and they play by the rules, every American can succeed.

And, finally, the people I represent believe it is just immoral, immoral to saddle our children with this trillion dollars of debt. That is why I am proud to support both the Republican Study Committee budget and the House Republican budget. They will help bring us a vibrant, competitive economy through pro-growth tax reform, a whole new Tax Code which is fairer, flatter, simpler, and more competitive, a budget that is guaranteed to grow jobs and paychecks. And contrary to the Democrat budget, no tax increases on anybody.

□ 1520

We quit spending money we don't have, and I know my Democratic colleague is very sensitive about the balance issue because they have a budget which never balances. The American people demand one; the Republican Study Committee and the House Republican budget deliver it. For a fairer economy, for a balanced budget, for a greater future for our children, we need to support these Republican budgets.

Mr. VAN HOLLEN. Mr. Chairman, our budget focuses first and foremost on jobs and getting the economy growing. It does balance in the same time that the Republican budget last year balanced. And unlike the Republican budget, the main one, we do not give tax breaks to the folks at the very top financed by increasing taxes on middle class taxpayers.

I now yield 2 minutes to the distinguished gentleman from California (Mr. CÁRDENAS), a great new member of the Budget Committee.

Mr. CÁRDENAS. Mr. Chairman, my friends across the aisle constantly say we should act like families and small businesses who balance their budgets. So let's look at families and businesses in this country.

The fact is that most American families don't have a balanced budget. When you graduate college, you get a mortgage or you go into debt, either way. Many families are suffering through unemployment or underemployment or even foreclosure. When you lose your job or your house, you don't just pack it in and say, Well, I don't have a job anymore, so no more food for me. No, you get your suit cleaned, get out there and interview. You get your résumé professionally printed. You invest in training courses to make yourself more marketable. You spend money to make money.

It's the same thing for businesses. Small businesses are not profitable right away. Businesses take time to pay off a lot of start-up costs like equipment, inventory, insurance, and training. Businesses have to invest to make business work. Sometimes your business goes into a slump. So you train your employees, you buy new inventory and invest in your company so it will grow. You don't just stop investing.

Mr. Chairman, the logic that they use to create this fiction that responsible businesses and families are always in balance is simply not true. Just like folks who are out of work or need to clean their suit and improve their skills, we need to build infrastructure and train our workers. Just like businesses who need new inventory and new ways to sell, we need to find new technologies to build here at home and invest in the education of our future workforce.

The very examples that they use of families and small businesses are simply examples that demand investment, not austerity. You dress for the job you want, not for the job you have. Let's pass a budget that invests in our country, in our future, starting today.

Mr. WOODALL. Mr. Chairman, at this time it's my great pleasure to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the chairman of the Republican Study Committee.

Mr. SCALISE. Mr. Chairman, I thank my colleague from Georgia for yielding

and for his leadership in bringing this budget to the floor. I rise in strong support of the RSC budget that we have here today, and I want to talk about a few of the great things that it does to get our economy moving again and get our country back on track.

The first thing that it does, it balances in 4 years. That's right, we really do think it's an important priority of this country that we balance the Federal budget. I have a 6-year-old daughter and a 3-year-old son, and I don't think that it's asking too much that we balance the Federal budget before they graduate from high school. And so we do that.

What else do we do with this budget? We get our economy moving again through tax reform that's pro-growth oriented and actually lower overall rates and close loopholes so that we can create jobs and be competitive again and get the country moving on track again.

Another thing we do, we save Medicare from bankruptcy. On the current path, according to President Obama's own Medicare actuaries, right now Medicare is scheduled to go bankrupt in 11 years. We don't think it's responsible to let that happen, so we actually put a plan in place to save Medicare from bankruptcy and ensure it for future generations.

We also repeal the job-killing ObamaCare, and not just the policies behind it, but all the taxes, many of which fall on middle class families, by the way. And so that's going to help get our economy moving again.

But let's contrast this vision, this document that's being criticized by my friends on the other side, with the President's budget. What's the President's budget? It doesn't exist. Today the President released his Final Four picks. He released his brackets. He's not a day late on that. Yet, under the law, the President is now 45 days late on releasing his budget. So what kind of set of priorities does that show, the fact that the President doesn't think that it's important enough to meet the legal deadline to file his own budget, he's 45 days late, and yet we know his Final Four picks?

So we have a plan to get the economy moving again. We're laying this plan forward to get a balanced budget and to get our economy moving and start putting some pro-growth policies in place so we can create jobs in this country.

Mr. VAN HOLLEN. Mr. Chairman, I now yield 1 minute to a distinguished new Member from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Chairman, I want to explain my strong opposition to the Republican budget and strong support of the Democrat budget amendment because it offers a balanced approach that is fair to seniors, the middle class, and invests in the right priorities.

I want to give an important example. My district is filled with people from all walks of life—teachers, entrepreneurs, and nurses—who've worked hard and spent their lives earning the Medicare guarantee. They live with the comfort of knowing that if they get sick or injured, the health care they've earned will be there for them. I know this firsthand. My own mother beat cancer with the help of Medicare. Fortunately, I didn't have to make the choice that many Americans will face under the Republican budget: having to choose between helping a parent pay for a cancer treatment or saving for our own children's college tuition.

The Democratic budget, on the other hand, secures Medicare by stopping overpayments to insurance companies and incentivizing efficiency in our health care delivery.

Mr. Chairman, we were sent here to get things done, to solve problems and not to create new ones, and that's why I will proudly vote for the Democratic budget.

Mr. WOODALL. Mr. Chairman, at this time it is my pleasure to yield 1 minute to the gentleman from Texas (Mr. BARTON), one of the visionaries of the Republican Study Committee.

Mr. BARTON. I thank the gentleman from Georgia.

Mr. Chairman, there are a lot of reasons that I rise in strong support of the Republican Study Committee budget. It repeals ObamaCare. It repeals the death tax. It repeals the alternative minimum tax. It authorizes the Keystone pipeline. It authorizes drilling in ANWR up in Alaska. But the real reason and the primary reason is that it balances, and it balances sooner rather than later.

The first 4 years of the Obama Presidency, our deficits approached \$7 trillion. The President has yet to submit a budget that ever balances. None of the Democratic alternative budgets ever balance. The Republican Study Committee balances in 4 years. It reduces the deficit immediately, larger, and it balances.

If I were to come before this body and ask for an amendment to be made in order to spend an additional trillion dollars a year to infinity, I don't think too many people would vote for that no matter what was in it. That's basically what you do if you vote to pass a budget that never balances.

The Republican Study Committee balances sooner rather than later. It balances in 4 years.

Mr. VAN HOLLEN. Mr. Chairman, I now yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my colleague from Maryland for his leadership on these very difficult issues.

Mr. Chairman, if you like sequestration that cuts \$1.2 trillion in discretionary domestic spending, you're

going to love the Republican budget which actually quintuples that. And then there's the RSC budget that goes even further. So while the Ryan budget cuts almost \$6 trillion over the next 10 years in investments, this budget, the RSC, cuts \$7.7 trillion. Yes, it cuts funding, as the last speaker just said, but at what expense? At what cost? We are, with this budget and with the underlying Ryan budget, we are disinvesting in America. We are walking away from research and development investments. We're walking away from infrastructure investments.

□ 1530

We are walking away from STEM and education investments. Those are the three legs of a stool that makes a great country great.

George Washington understood that and was a big champion of infrastructure investment and education.

Abraham Lincoln understood that in the midst of the Civil War when he invested, and this Congress invested, in the Transcontinental Railroad, in the Land Grant Research College System, in the Homestead Act, yes, and even completing the dome of this building, because they understood it was important to invest in the future of this country.

These two budgets walk away from that future. In fact, they almost guarantee a bleak future for America with respect to the competition. The Chinese aren't making these kinds of mistakes, we should not either.

I urge defeat of both the RSC budget, Mr. Chairman, and the Ryan budget when it comes up.

Mr. WOODALL. Mr. Chairman, at this time it's my great pleasure to yield 1 minute to a colleague of mine from the great State of Georgia, Dr. BROUN.

Mr. BROUN of Georgia. Mr. Chairman, I'm amazed by the sheer ignorance of the economic disaster that our country is facing. Not only are our leaders ignoring this crisis, they're denying there is even a problem.

This week we'll vote on six budget options, and five of them actually increase spending above today's level. Simply reducing the growth of spending will do nothing to address the economic emergency that we face. The idea that we're increasing spending, but not as much as the other guy, is severely misguided.

We have to dig deeper and make real, targeted cuts, and there has to be a sense of urgency about it. Only the RSC budget actually cuts our baseline spending level and will lead to a balanced budget faster than the alternatives.

We must live within our means.

I thank my friend, Congressman WOODALL, for recognizing that we need to cut the outrageous spending and offering this budget today.

Mr. VAN HOLLEN. Mr. Chairman, may I ask how much time remains on each side?

The CHAIR. The gentleman from Maryland has 3¾ minutes remaining, and the gentleman from Georgia has 5 minutes remaining. The gentleman from Maryland has the right to close.

Mr. VAN HOLLEN. I now yield 1 minute to the distinguished gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my very good friend from Maryland, the ranking member of our Budget Committee. I thank him for his leadership, and for his common sense, and for advancing approaches that make the right investments in the right priorities in this country, investments that expand the middle class, investments that provide for a balanced approach and reduce our debt.

Mr. Chairman, I rise to oppose the RSC budget. As House Democrats, we believe that we need solutions-based budgets, not ideology-based budgets. We need solutions-based budgets that rest on three pillars:

Number 1, they take a balanced approach and reduce debt, because we need to reduce debt, but do it in a balanced way.

Number 2, they protect the middle class, because the middle class is still struggling. Make sure the middle class is protected.

And Number 3, they make the right and smart investments in the right and smart priorities, that don't ask us to forsake research and cures and treatments for disease, that don't allow China to move ahead of us in research and development, engineering, science and technology, that keep us competitive in the world.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. Mr. Chairman, I yield the gentleman another minute.

Mr. ISRAEL. So we want these solutions-based budgets that achieve these three critical priorities, and the way we get to those three critical priorities is through one thing, and that is compromise. It is the ability of both sides of the aisle to pursue these three priorities in a balanced way.

The budget before us right now is not about compromise, it is about ideology. It is not about common sense and solutions, it is about extremism.

The American people have sent us here to get things done, to find solutions to move them forward.

Let's not go backwards, Mr. Chairman. Let's not continue gridlock, Mr. Chairman. Let's find a balanced approach that rests on compromise and supports the middle class. And that is why I rise today in opposition to the budget before us.

I thank my distinguished friend from Maryland.

Mr. WOODALL. Mr. Chairman, at this time it's my pleasure to yield 1

minute to the gentleman from Kansas (Mr. HUELSKAMP), a gentleman who came into the House with me in 2010.

Mr. HUELSKAMP. Mr. Chairman, I appreciate the opportunity to visit with you today. And it's very interesting as we sit here and discuss the balanced approach.

How do you have a balanced approach, Mr. Chairman, if you can't have a balanced budget?

There are two different visions here. You either trust the people in Washington who have given us \$16.7 trillion of debt, or you trust the American people.

What the RSC budget does is trust the American people with their money by taking back the big tax increase that was given to us in January, by taking away the big ObamaCare controls that were given to us in 2010, and actually returns that power to the States and to the people, and actually balances the budget in 4 years.

This is real progress. This is a returning to what the American people demand. And what we need to create growth and prosperity in America is to pass these types of budgets.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. WOODALL. Mr. Chairman, I'd inquire of my friend if he has any remaining speakers.

Mr. VAN HOLLEN. No, we do not.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, you and all Members can find every word of this budget on the Internet at [rsc.scalise.house.gov](http://rsc.scalise.house.gov). This isn't just about trying to go through the math. This is about laying out priorities. That's what every budget is.

This budget provides flexibility to States to care for our poor and our underserved in our health care communities. This budget provides the flexibility to seniors to find doctors, doctors that are no longer taking Medicare today and are threatening the health care quality that folks like my mom and dad are having to contend with.

This is a budget that makes tough decisions. You're not going to find a family in this country, Mr. Chairman, that hasn't had to make tough decisions during tough economic times. And the question is, why won't the U.S. House of Representatives, why won't the U.S. Senate, why won't the United States President do exactly the same thing?

We're trying to fulfill that request of the American people today, Mr. Chairman, in this budget. Every word laid out right here talking about, Mr. Chairman, responsible budgeting, prioritizing, as we did, our seniors who are counting on Social Security, our seniors who are counting on Medicare, our seniors who are counting on the solvency of both of those programs.

We ensure that that does not continue, Mr. Chairman, because solvency is not guaranteed. In fact, it's guaranteed not to be there under current funding systems. We change those systems to ensure that it will be a sustainable path, Mr. Chairman, a path where revenues and spending align, radical idea for this Chamber. And you'll hear it described in radical terms by my friends, where spending and revenues align. We commit ourselves to that, and we achieve it.

They say that talk is cheap, Mr. Chairman. That's why we back up this budget with real ideas, real proposals, real solutions. But when they say talk is cheap, and as my colleague from Maryland begins to close, I want to observe that talk, in this case, is not cheap at all.

The words that you'll hear from the gentleman from Maryland, in opposition to our proposal, in support of his proposal, are the difference between the \$33 billion surplus that our budget generates and the \$5.11 trillion deficit that the gentleman's proposal creates.

These are not questions of math, Mr. Chairman. These are questions of what kind of future do we want to leave to our children and our grandchildren. I feel the burden of responsibility for the \$16.7 trillion this Nation has already put on its credit card. We take difficult steps in this budget to begin to reverse that for the first time.

In the absence of this budget, Mr. Chairman, in the absence of powerful ideas, like what you see in the House Budget Committee budget, we relegate our children to a second-class future, a future in which they owe \$5.1 trillion more than the already immoral debt load that they face today.

□ 1540

There is a better way, Mr. Chairman. There are alternatives in this town. We are presenting one right here. It's called the Back to Basics budget, Mr. Chairman. It's a product of the Republican Study Committee.

To close, Mr. Chairman, these things don't happen by themselves. While the President has been unable to produce a budget, we've produced five in this house. It's because of the work of folks like Nick Myers on my staff. It's because of the work of folks like Will Dunham on the RSC staff. I know the gentleman from Maryland has the same kind of hardworking team working with him. These things don't happen in a vacuum. They happen because folks put in hour after hour after hour. I'm grateful to them. I hope America will support the product of their minds.

I yield back the balance of my time.

Mr. VAN HOLLEN. I think the American people know full well that the best way to attack the deficit right now is to help put more Americans back to work. That's the sense in this country and that's what all the numbers show from the Congressional Budget Office.

If you take the austerity approach recommended in either this budget or the main Republican budget, we know from the referees, the nonpartisan Congressional Budget Office, that we'll see 750,000 fewer jobs just by the end of this calendar year. We also know you'll see 2 million fewer jobs next year, which is why we say let's focus on the jobs deficit and address the budget deficit in a sustained way where we bring it down in a balanced way, where we ask for shared responsibility and not another round of tax breaks for the folks at the very top.

And yes, we achieve balance in the same year the Republican budget last year achieved balance, but our priority is getting the country fully back to work.

We also believe that when we put together these budgets, we shouldn't pretend that you can have it all ways. And as I have said repeatedly, the Republican budget, including this RSC budget, is based, on the one hand, on the claim that it gets to balance in 4 years—one, in 10 years—but at the same time that they're repealing ObamaCare, and that just is not the case. It doesn't add up.

So if you're in a race to fake balance, then you should vote for this one because it gets to fake balance in 4 years instead of 10 years. But if you're in a race to put America back to work, you should vote for the Democratic plan.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of the substitute amendment offered by my colleague from Georgia, Mr. WOODALL. I commend him on authoring this substitute amendment on behalf of the Republican Study Committee.

At a time when we have over \$16.5 trillion in debt, this budget reduces spending by \$6.5 trillion over ten years and reduces deficits by \$5.9 trillion. Furthermore, the Woodall amendment completely repeals ObamaCare, and it rolls back the tax increases associated with the fiscal cliff. In doing so, this budget decreases taxes by \$685 billion over the budget window.

Mr. Chair, unlike any other of the substitutes offered today, the RSC budget will achieve balance by 2017 without holding funding for our servicemen and women hostage. This budget also significantly reforms our entitlement programs so we can ensure their long term solvency for future generations.

Mr. Chair, I believe that this is a sensible budget that puts the proper priorities in line. I ask all of my colleagues to support it.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. WOODALL. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 104, noes 132,

answered “present” 171, not voting 24, as follows:

[Roll No. 86]

AYES—104

Amash	Gosar	Nunnelee
Barton	Gowdy	Olson
Bentivolio	Graves (GA)	Palazzo
Bishop (UT)	Hall	Pearce
Black	Harris	Pittenger
Blackburn	Hartzler	Poe (TX)
Bonner	Hensarling	Pompeo
Boustany	Holding	Price (GA)
Brady (TX)	Hudson	Radel
Bridenstine	Huelskamp	Rigell
Brooks (AL)	Huizenga (MI)	Roe (TN)
Broun (GA)	Hultgren	Rogers (AL)
Bucshon	Hunter	Rohrabacher
Burgess	Johnson, Sam	Rokita
Camp	Jordan	Rooney
Cassidy	King (IA)	Ross
Chabot	Kingston	Salmon
Cole	Labrador	Scalise
Collins (GA)	LaMalfa	Schweikert
Conaway	Lamborn	Scott, Austin
Cotton	Lankford	Sensenbrenner
Culberson	Long	Sessions
DeSantis	Lummis	Smith (TX)
Duncan (SC)	Marchant	Stockman
Duncan (TN)	Massie	Stutzman
Farenthold	McCaul	Terry
Fleischmann	McClintock	Thornberry
Fleming	McHenry	Weber (TX)
Flores	McKeon	Wenstrup
Franks (AZ)	Meadows	Williams
Gardner	Messer	Wilson (SC)
Garrett	Mica	Woodall
Gingrey (GA)	Miller (MI)	Yoder
Gohmert	Mulvaney	Yoho
Goodlatte	Neugebauer	

NOES—132

Alexander	Griffith (VA)	Reed
Bachus	Guthrie	Reichert
Barber	Hanna	Renacci
Barletta	Harper	Ribble
Barr	Hastings (WA)	Rice (SC)
Barrow (GA)	Heck (NV)	Roby
Benishek	Herrera Beutler	Rogers (KY)
Bera (CA)	Hurt	Rogers (MI)
Bilirakis	Issa	Ros-Lehtinen
Braley (IA)	Jenkins	Roskam
Brooks (IN)	Johnson (OH)	Rothfus
Buchanan	Jones	Royce
Calvert	Joyce	Runyan
Campbell	Kelly	Ryan (WI)
Cantor	King (NY)	Schneider
Capito	Kinzinger (IL)	Schrader
Carter	Kline	Shimkus
Chaffetz	Lance	Shuster
Coble	Latham	Simpson
Coffman	Latta	Sinema
Collins (NY)	LoBiondo	Smith (NE)
Cook	Loebach	Southerland
Cramer	Lofgren	Stewart
Crawford	Lucas	Stivers
Crenshaw	Luetkemeyer	Thompson (PA)
Daines	Maloney, Sean	Tiberi
Davis, Rodney	Marino	Tipton
Delaney	McCarthy (CA)	Turner
Denham	McKinley	Upton
Dent	McMorris	Valadao
DesJarlais	Rodgers	Wagner
Diaz-Balart	Meehan	Walberg
Duffy	Miller (FL)	Walden
Ellmers	Miller, Gary	Walorski
Esty	Mullin	Webster (FL)
Fincher	Murphy (PA)	Westmoreland
Fitzpatrick	Noem	Whitfield
Forbes	Nugent	Wittman
Frelinghuysen	Nunes	Wolf
Gerlach	Pastor (AZ)	Womack
Gibbs	Paulsen	Young (AK)
Gibson	Petri	Young (FL)
Granger	Pitts	Young (IN)
Graves (MO)	Posey	
Griffin (AR)	Rahall	

ANSWERED “PRESENT”—171

Andrews	Bishop (NY)	Brownley (CA)
Bass	Blumenauer	Bustos
Beatty	Bonamici	Butterfield
Becerra	Brady (PA)	Capps
Bishop (GA)	Brown (FL)	Capuano

Cárdenas	Honda	Payne
Carney	Horsford	Pelosi
Carson (IN)	Hoyer	Perlmutter
Cartwright	Huffman	Peters (CA)
Castor (FL)	Israel	Peters (MI)
Castro (TX)	Jackson Lee	Pingree (ME)
Chu	Jeffries	Pocan
Cicilline	Johnson (GA)	Polis
Clay	Johnson, E. B.	Price (NC)
Cleaver	Kaptur	Quigley
Clyburn	Keating	Richmond
Cohen	Kennedy	Roybal-Allard
Connolly	Kildee	Ruiz
Conyers	Kilmer	Ruppersberger
Cooper	Kind	Rush
Costa	Kirkpatrick	Ryan (OH)
Courtney	Kuster	Sánchez, Linda
Crowley	Larsen (WA)	T.
Cuellar	Larson (CT)	Sarbanes
Cummings	Lee (CA)	Schakowsky
Davis (CA)	Levin	Schiff
Davis, Danny	Lewis	Schwartz
DeFazio	Lowenthal	Scott (VA)
DeGette	Lowe	Scott, David
DelBene	Lujan Grisham	Serrano
Deutch	(NM)	Sewell (AL)
Dingell	Luján, Ben Ray	Shea-Porter
Doggett	(NM)	Sherman
Doyle	Lynch	Sires
Duckworth	Maffei	Slaughter
Edwards	Maloney,	Smith (WA)
Ellison	Carolyn	Speier
Enyart	Markey	Swalwell (CA)
Farr	Matsui	Takano
Fattah	McCarthy (NY)	Thompson (MS)
Foster	McCollum	Tierney
Frankel (FL)	McDermott	Titus
Fudge	McGovern	Tonko
Gabbard	McIntyre	Tsongas
Gallego	McNerney	Van Hollen
Garamendi	Meeks	Vargas
Garcia	Michaud	Veasey
Grayson	Moore	Vela
Green, Al	Moran	Velázquez
Green, Gene	Murphy (FL)	Visclosky
Grijalva	Nadler	Walz
Gutierrez	Napolitano	Waters
Hahn	Neal	Watt
Hanabusa	Negrete McLeod	Waxman
Hastings (FL)	Nolan	Welch
Heck (WA)	O'Rourke	Wilson (FL)
Higgins	Owens	Yarmuth
Himes	Pallone	
Holt	Pascrell	

NOT VOTING—24

Aderholt	Grimm	Rangel
Amodei	Hinojosa	Sanchez, Loretta
Bachmann	Langevin	Schock
Clarke	Lipinski	Smith (NJ)
DeLauro	Matheson	Thompson (CA)
Engel	Meng	Wasserman
Eshoo	Miller, George	Schultz
Fortenberry	Perry	
Fox	Peterson	

□ 1606

Messrs. SALMON, MARCHANT and ROE of Tennessee changed their vote from “no” to “aye.”

Mr. SEAN PATRICK MALONEY of New York, Ms. SINEMA, Messrs. BARROW of Georgia and SCHRADER changed their vote from “present” to “no.”

Messrs. RYAN of Ohio and COOPER changed their vote from “no” to “present.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PERRY. Mr. Chair, on rollcall No. 86, had I been present, I would have voted “aye.”  
Mr. MULLIN. Mr. Chair, my vote on rollcall 86 did not reflect the way I intended to vote. I wished to vote “aye.”

PERSONAL EXPLANATION

Ms. ESHOO. Mr. Chair, I was not present during the rollcall votes Nos. 76–86, on March

18–20, 2013. I would like the record to reflect how I would have voted: On rollcall vote No. 76 I would have voted “yes.” On rollcall vote No. 77 I would have voted “yes.” On rollcall vote No. 78 I would have voted “yes.” On rollcall vote No. 79 I would have voted “no.” On rollcall vote No. 80 I would have voted “no.” On rollcall vote No. 81 I would have voted “yes.” On rollcall vote No. 82 I would have voted “yes.” On rollcall vote No. 83 I would have voted “yes.” On rollcall vote No. 84 I would have voted “no.” On rollcall vote No. 85 I would have voted “no.” On rollcall vote No. 86 I would have voted “no.”

AMENDMENT NO. 5 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. VAN HOLLEN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–21.

Mr. VAN HOLLEN. Mr. Chairman, I rise to offer a substitute amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

#### SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2013 and for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

#### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

#### TITLE II—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund for job creation through investments and incentives.  
Sec. 202. Deficit-neutral reserve fund for trade adjustment assistance.  
Sec. 203. Deficit-neutral reserve fund for increasing energy independence and security.  
Sec. 204. Deficit-neutral reserve fund for America's veterans and servicemembers.  
Sec. 205. Deficit-neutral reserve fund for Medicare improvement.  
Sec. 206. Deficit-neutral reserve fund for extension of expiring health care provisions.  
Sec. 207. Deficit-neutral reserve fund for initiatives that benefit children.  
Sec. 208. Deficit-neutral reserve fund for early childhood education.  
Sec. 209. Deficit-neutral reserve fund for college affordability and completion.  
Sec. 210. Deficit-neutral reserve fund for rural counties and schools.  
Sec. 211. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.  
Sec. 212. Deficit-neutral reserve fund for additional tax relief for individuals and families.

#### TITLE III—ESTIMATES OF DIRECT SPENDING

Sec. 301. Direct spending.

#### TITLE IV—ENFORCEMENT PROVISIONS

Sec. 401. Point of order against advance appropriations.

- Sec. 402. Adjustments to discretionary spending limits.
- Sec. 403. Costs of emergency needs, Overseas Contingency Operations and disaster relief.
- Sec. 404. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 405. Application and effect of changes in allocations and aggregates.
- Sec. 406. Reinstatement of pay-as-you-go.
- Sec. 407. Exercise of rulemaking powers.

#### TITLE V—POLICY

- Sec. 501. Policy of the House on jobs: Make it in America.
- Sec. 502. Policy of the House on taking a balanced approach to deficit reduction.
- Sec. 503. Policy of the House on Social Security reform that protects workers and retirees.
- Sec. 504. Policy of the House on protecting the Medicare guarantee for seniors.
- Sec. 505. Policy of the House on affordable health care coverage for working families.
- Sec. 506. Policy of the House on Medicaid.
- Sec. 507. Policy of the House on overseas contingency operations.
- Sec. 508. Policy of the House on national security.
- Sec. 509. Policy of the house on tax reform to replace the sequester and reduce the deficit.
- Sec. 510. Policy of the House on agriculture spending.
- Sec. 511. Policy of the House on the use of taxpayer funds.
- Sec. 512. Policy of the House on a national strategy to eradicate poverty and increase opportunity.
- Sec. 513. Policy statement on deficit reduction through the reduction of unnecessary and wasteful spending.

#### TITLE I—RECOMMENDED LEVELS AND AMOUNTS

##### SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$1,982,995,000,000.  
 Fiscal year 2014: \$2,242,550,000,000.  
 Fiscal year 2015: \$2,693,807,000,000.  
 Fiscal year 2016: \$2,903,464,000,000.  
 Fiscal year 2017: \$3,032,279,000,000.  
 Fiscal year 2018: \$3,162,983,000,000.  
 Fiscal year 2019: \$3,287,557,000,000.  
 Fiscal year 2020: \$3,428,663,000,000.  
 Fiscal year 2021: \$3,606,902,000,000.  
 Fiscal year 2022: \$3,807,739,000,000.  
 Fiscal year 2023: \$3,996,779,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: -\$55,316,000,000.  
 Fiscal year 2014: -\$28,382,000,000.  
 Fiscal year 2015: \$87,215,000,000.  
 Fiscal year 2016: \$124,573,000,000.  
 Fiscal year 2017: \$128,606,000,000.  
 Fiscal year 2018: \$134,032,000,000.  
 Fiscal year 2019: \$138,320,000,000.  
 Fiscal year 2020: \$144,054,000,000.  
 Fiscal year 2021: \$149,893,000,000.  
 Fiscal year 2022: \$157,040,000,000.  
 Fiscal year 2023: \$164,634,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the ap-

propriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,117,551,000,000.  
 Fiscal year 2014: \$2,982,872,000,000.  
 Fiscal year 2015: \$3,020,965,000,000.  
 Fiscal year 2016: \$3,230,136,000,000.  
 Fiscal year 2017: \$3,416,527,000,000.  
 Fiscal year 2018: \$3,611,034,000,000.  
 Fiscal year 2019: \$3,772,378,000,000.  
 Fiscal year 2020: \$3,975,108,000,000.  
 Fiscal year 2021: \$4,149,602,000,000.  
 Fiscal year 2022: \$4,383,593,000,000.  
 Fiscal year 2023: \$4,540,638,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$2,966,674,000,000.  
 Fiscal year 2014: \$3,038,888,000,000.  
 Fiscal year 2015: \$3,088,716,000,000.  
 Fiscal year 2016: \$3,255,308,000,000.  
 Fiscal year 2017: \$3,396,419,000,000.  
 Fiscal year 2018: \$3,563,317,000,000.  
 Fiscal year 2019: \$3,754,491,000,000.  
 Fiscal year 2020: \$3,935,563,000,000.  
 Fiscal year 2021: \$4,120,918,000,000.  
 Fiscal year 2022: \$4,359,688,000,000.  
 Fiscal year 2023: \$4,500,492,000,000.

(4) **DEFICITS (ON-BUDGET).**—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: -\$983,679,000,000.  
 Fiscal year 2014: -\$796,338,000,000.  
 Fiscal year 2015: -\$394,909,000,000.  
 Fiscal year 2016: -\$351,844,000,000.  
 Fiscal year 2017: -\$364,140,000,000.  
 Fiscal year 2018: -\$400,334,000,000.  
 Fiscal year 2019: -\$466,934,000,000.  
 Fiscal year 2020: -\$506,900,000,000.  
 Fiscal year 2021: -\$514,016,000,000.  
 Fiscal year 2022: -\$551,949,000,000.  
 Fiscal year 2023: -\$503,713,000,000.

(5) **DEBT SUBJECT TO LIMIT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,158,000,000,000.  
 Fiscal year 2014: \$18,142,000,000,000.  
 Fiscal year 2015: \$18,719,000,000,000.  
 Fiscal year 2016: \$19,259,000,000,000.  
 Fiscal year 2017: \$19,862,000,000,000.  
 Fiscal year 2018: \$20,519,000,000,000.  
 Fiscal year 2019: \$21,234,000,000,000.  
 Fiscal year 2020: \$21,996,000,000,000.  
 Fiscal year 2021: \$22,766,000,000,000.  
 Fiscal year 2022: \$23,567,000,000,000.  
 Fiscal year 2023: \$24,340,000,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,340,000,000,000.  
 Fiscal year 2014: \$13,215,000,000,000.  
 Fiscal year 2015: \$13,702,000,000,000.  
 Fiscal year 2016: \$14,141,000,000,000.  
 Fiscal year 2017: \$14,589,000,000,000.  
 Fiscal year 2018: \$15,065,000,000,000.  
 Fiscal year 2019: \$15,616,000,000,000.  
 Fiscal year 2020: \$16,224,000,000,000.  
 Fiscal year 2021: \$16,858,000,000,000.  
 Fiscal year 2022: \$17,558,000,000,000.  
 Fiscal year 2023: \$18,232,000,000,000.

##### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

(1) **National Defense (050):**

Fiscal year 2013:

(A) New budget authority, \$559,477,000,000.

(B) Outlays, \$610,390,000,000.

Fiscal year 2014:

(A) New budget authority, \$560,243,000,000.

(B) Outlays, \$572,903,000,000.

Fiscal year 2015:

(A) New budget authority, \$560,377,000,000.

(B) Outlays, \$561,758,000,000.

Fiscal year 2016:

(A) New budget authority, \$567,574,000,000.

(B) Outlays, \$567,443,000,000.

Fiscal year 2017:

(A) New budget authority, \$577,839,000,000.

(B) Outlays, \$569,830,000,000.

Fiscal year 2018:

(A) New budget authority, \$588,142,000,000.

(B) Outlays, \$573,817,000,000.

Fiscal year 2019:

(A) New budget authority, \$598,961,000,000.

(B) Outlays, \$588,374,000,000.

Fiscal year 2020:

(A) New budget authority, \$612,296,000,000.

(B) Outlays, \$600,383,000,000.

Fiscal year 2021:

(A) New budget authority, \$626,112,000,000.

(B) Outlays, \$613,414,000,000.

Fiscal year 2022:

(A) New budget authority, \$639,937,000,000.

(B) Outlays, \$632,154,000,000.

Fiscal year 2023:

(A) New budget authority, \$654,717,000,000.

(B) Outlays, \$641,132,000,000.

(2) **International Affairs (150):**

Fiscal year 2013:

(A) New budget authority, \$47,222,000,000.

(B) Outlays, \$45,650,000,000.

Fiscal year 2014:

(A) New budget authority, \$47,883,000,000.

(B) Outlays, \$44,375,000,000.

Fiscal year 2015:

(A) New budget authority, \$46,374,000,000.

(B) Outlays, \$44,641,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,403,000,000.

(B) Outlays, \$45,089,000,000.

Fiscal year 2017:

(A) New budget authority, \$48,444,000,000.

(B) Outlays, \$46,103,000,000.

Fiscal year 2018:

(A) New budget authority, \$49,468,000,000.

(B) Outlays, \$46,678,000,000.

Fiscal year 2019:

(A) New budget authority, \$50,544,000,000.

(B) Outlays, \$47,255,000,000.

Fiscal year 2020:

(A) New budget authority, \$51,639,000,000.

(B) Outlays, \$48,207,000,000.

Fiscal year 2021:

(A) New budget authority, \$52,267,000,000.

(B) Outlays, \$49,218,000,000.

Fiscal year 2022:

(A) New budget authority, \$53,656,000,000.

(B) Outlays, \$50,519,000,000.

Fiscal year 2023:

(A) New budget authority, \$54,791,000,000.

(B) Outlays, \$51,430,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2013:

(A) New budget authority, \$29,154,000,000.

(B) Outlays, \$28,949,000,000.

Fiscal year 2014:

(A) New budget authority, \$29,675,000,000.

(B) Outlays, \$29,413,000,000.

Fiscal year 2015:

(A) New budget authority, \$30,290,000,000.

(B) Outlays, \$30,006,000,000.

Fiscal year 2016:

(A) New budget authority, \$30,918,000,000.

(B) Outlays, \$30,498,000,000.

Fiscal year 2017:

(A) New budget authority, \$31,559,000,000.

(B) Outlays, \$31,104,000,000.

Fiscal year 2018:

(A) New budget authority, \$32,213,000,000.

(B) Outlays, \$31,748,000,000.

Fiscal year 2019:

(A) New budget authority, \$32,881,000,000.

(B) Outlays, \$32,354,000,000.



- Fiscal year 2020:  
 (A) New budget authority, \$33,563,000,000.  
 (B) Outlays, \$33,021,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$34,259,000,000.  
 (B) Outlays, \$33,610,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$34,970,000,000.  
 (B) Outlays, \$34,308,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$35,695,000,000.  
 (B) Outlays, \$35,021,000,000.
- (4) Energy (270):  
 Fiscal year 2013:  
 (A) New budget authority, \$6,243,000,000.  
 (B) Outlays, \$9,122,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$11,469,000,000.  
 (B) Outlays, \$5,803,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$4,213,000,000.  
 (B) Outlays, \$6,259,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$4,318,000,000.  
 (B) Outlays, \$6,132,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$4,421,000,000.  
 (B) Outlays, \$5,190,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$4,585,000,000.  
 (B) Outlays, \$4,864,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$4,699,000,000.  
 (B) Outlays, \$4,415,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$4,868,000,000.  
 (B) Outlays, \$4,617,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$4,926,000,000.  
 (B) Outlays, \$4,763,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$5,029,000,000.  
 (B) Outlays, \$4,912,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$5,092,000,000.  
 (B) Outlays, \$4,950,000,000.
- (5) Natural Resources and Environment (300):  
 Fiscal year 2013:  
 (A) New budget authority, \$44,150,000,000.  
 (B) Outlays, \$41,682,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$39,471,000,000.  
 (B) Outlays, \$41,329,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$39,201,000,000.  
 (B) Outlays, \$40,384,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$39,920,000,000.  
 (B) Outlays, \$40,917,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$40,909,000,000.  
 (B) Outlays, \$41,687,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$42,140,000,000.  
 (B) Outlays, \$42,420,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$42,429,000,000.  
 (B) Outlays, \$43,041,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$43,533,000,000.  
 (B) Outlays, \$43,899,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$43,626,000,000.  
 (B) Outlays, \$44,069,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$44,314,000,000.  
 (B) Outlays, \$44,388,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$45,604,000,000.  
 (B) Outlays, \$44,935,000,000.
- (6) Agriculture (350):  
 Fiscal year 2013:  
 (A) New budget authority, \$22,373,000,000.  
 (B) Outlays, \$28,777,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$21,731,000,000.  
 (B) Outlays, \$20,377,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$21,859,000,000.  
 (B) Outlays, \$21,574,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$22,516,000,000.  
 (B) Outlays, \$22,089,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$22,250,000,000.  
 (B) Outlays, \$21,762,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$22,392,000,000.  
 (B) Outlays, \$21,854,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$22,826,000,000.  
 (B) Outlays, \$22,200,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$23,156,000,000.  
 (B) Outlays, \$22,640,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$23,531,000,000.  
 (B) Outlays, \$23,040,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$23,819,000,000.  
 (B) Outlays, \$23,327,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$24,197,000,000.  
 (B) Outlays, \$23,721,000,000.
- (7) Commerce and Housing Credit (370):  
 Fiscal year 2013:  
 (A) New budget authority, -\$30,498,000,000.  
 (B) Outlays, -\$24,504,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$17,268,000,000.  
 (B) Outlays, \$4,688,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$10,945,000,000.  
 (B) Outlays, -\$2,010,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$11,392,000,000.  
 (B) Outlays, -\$3,610,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$12,175,000,000.  
 (B) Outlays, -\$5,038,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$14,403,000,000.  
 (B) Outlays, -\$3,511,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$16,919,000,000.  
 (B) Outlays, -\$6,261,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$16,983,000,000.  
 (B) Outlays, -\$6,124,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$17,021,000,000.  
 (B) Outlays, -\$954,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$20,850,000,000.  
 (B) Outlays, \$1,721,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$20,854,000,000.  
 (B) Outlays, \$586,000,000.
- (8) Transportation (400):  
 Fiscal year 2013:  
 (A) New budget authority, \$150,501,000,000.  
 (B) Outlays, \$93,939,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$87,855,000,000.  
 (B) Outlays, \$113,927,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$109,088,000,000.  
 (B) Outlays, \$119,295,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$116,345,000,000.  
 (B) Outlays, \$114,816,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$123,092,000,000.  
 (B) Outlays, \$116,046,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$129,915,000,000.  
 (B) Outlays, \$119,810,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$95,056,000,000.  
 (B) Outlays, \$118,314,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$96,846,000,000.  
 (B) Outlays, \$111,741,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$98,694,000,000.  
 (B) Outlays, \$109,803,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$100,578,000,000.  
 (B) Outlays, \$108,964,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$102,632,000,000.  
 (B) Outlays, \$107,921,000,000.
- (9) Community and Regional Development (450):  
 Fiscal year 2013:  
 (A) New budget authority, \$77,911,000,000.  
 (B) Outlays, \$38,409,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$12,804,000,000.  
 (B) Outlays, \$28,649,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$13,030,000,000.  
 (B) Outlays, \$29,592,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$13,249,000,000.  
 (B) Outlays, \$27,082,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$13,477,000,000.  
 (B) Outlays, \$21,790,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$13,216,000,000.  
 (B) Outlays, \$17,574,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$13,043,000,000.  
 (B) Outlays, \$15,035,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$13,313,000,000.  
 (B) Outlays, \$14,552,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$13,590,000,000.  
 (B) Outlays, \$14,499,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$13,874,000,000.  
 (B) Outlays, \$14,746,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$14,161,000,000.  
 (B) Outlays, \$14,870,000,000.
- (10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2013:  
 (A) New budget authority, \$160,098,000,000.  
 (B) Outlays, \$94,864,000,000.
- Fiscal year 2014:  
 (A) New budget authority, \$83,518,000,000.  
 (B) Outlays, \$123,278,000,000.
- Fiscal year 2015:  
 (A) New budget authority, \$92,710,000,000.  
 (B) Outlays, \$118,416,000,000.
- Fiscal year 2016:  
 (A) New budget authority, \$102,742,000,000.  
 (B) Outlays, \$109,605,000,000.
- Fiscal year 2017:  
 (A) New budget authority, \$115,130,000,000.  
 (B) Outlays, \$113,160,000,000.
- Fiscal year 2018:  
 (A) New budget authority, \$120,834,000,000.  
 (B) Outlays, \$119,133,000,000.
- Fiscal year 2019:  
 (A) New budget authority, \$116,335,000,000.  
 (B) Outlays, \$115,035,000,000.
- Fiscal year 2020:  
 (A) New budget authority, \$117,630,000,000.  
 (B) Outlays, \$116,861,000,000.
- Fiscal year 2021:  
 (A) New budget authority, \$119,538,000,000.  
 (B) Outlays, \$118,644,000,000.
- Fiscal year 2022:  
 (A) New budget authority, \$121,752,000,000.  
 (B) Outlays, \$120,554,000,000.
- Fiscal year 2023:  
 (A) New budget authority, \$124,159,000,000.



(B) Outlays, \$122,856,000,000.  
 (11) Health (550):  
 Fiscal year 2013:  
 (A) New budget authority, \$365,206,000,000.  
 (B) Outlays, \$361,960,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$420,426,000,000.  
 (B) Outlays, \$415,580,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$501,066,000,000.  
 (B) Outlays, \$494,101,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$555,478,000,000.  
 (B) Outlays, \$560,950,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$612,806,000,000.  
 (B) Outlays, \$615,141,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$649,517,000,000.  
 (B) Outlays, \$649,782,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$686,508,000,000.  
 (B) Outlays, \$685,746,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$733,129,000,000.  
 (B) Outlays, \$721,860,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$765,634,000,000.  
 (B) Outlays, \$764,199,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$808,826,000,000.  
 (B) Outlays, \$806,984,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$857,954,000,000.  
 (B) Outlays, \$856,154,000,000.  
 (12) Medicare (570):  
 Fiscal year 2013:  
 (A) New budget authority, \$511,692,000,000.  
 (B) Outlays, \$511,240,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$524,360,000,000.  
 (B) Outlays, \$523,798,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$527,337,000,000.  
 (B) Outlays, \$527,018,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$581,809,000,000.  
 (B) Outlays, \$581,593,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$599,824,000,000.  
 (B) Outlays, \$599,410,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$624,856,000,000.  
 (B) Outlays, \$624,553,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$686,015,000,000.  
 (B) Outlays, \$685,792,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$735,523,000,000.  
 (B) Outlays, \$735,103,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$786,822,000,000.  
 (B) Outlays, \$786,753,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$863,459,000,000.  
 (B) Outlays, \$863,107,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$895,197,000,000.  
 (B) Outlays, \$894,764,000,000.  
 (13) Income Security (600):  
 Fiscal year 2013:  
 (A) New budget authority, \$544,108,000,000.  
 (B) Outlays, \$543,012,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$530,633,000,000.  
 (B) Outlays, \$527,635,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$528,452,000,000.  
 (B) Outlays, \$524,007,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$538,972,000,000.  
 (B) Outlays, \$537,680,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$538,442,000,000.  
 (B) Outlays, \$533,191,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$541,387,000,000.  
 (B) Outlays, \$532,055,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$545,610,000,000.  
 (B) Outlays, \$541,222,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$557,934,000,000.  
 (B) Outlays, \$553,806,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$571,912,000,000.  
 (B) Outlays, \$567,782,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$590,615,000,000.  
 (B) Outlays, \$591,286,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$598,144,000,000.  
 (B) Outlays, \$593,842,000,000.  
 (14) Social Security (650):  
 Fiscal year 2013:  
 (A) New budget authority, \$52,803,000,000.  
 (B) Outlays, \$52,883,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$27,834,000,000.  
 (B) Outlays, \$27,887,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$30,729,000,000.  
 (B) Outlays, \$30,756,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$33,876,000,000.  
 (B) Outlays, \$33,903,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$37,305,000,000.  
 (B) Outlays, \$37,293,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$40,579,000,000.  
 (B) Outlays, \$40,577,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$43,949,000,000.  
 (B) Outlays, \$43,955,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$47,434,000,000.  
 (B) Outlays, \$47,441,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$50,904,000,000.  
 (B) Outlays, \$50,911,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$54,653,000,000.  
 (B) Outlays, \$54,657,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$58,846,000,000.  
 (B) Outlays, \$58,848,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2013:  
 (A) New budget authority, \$140,646,000,000.  
 (B) Outlays, \$138,860,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$146,730,000,000.  
 (B) Outlays, \$145,540,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$149,792,000,000.  
 (B) Outlays, \$149,538,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$162,051,000,000.  
 (B) Outlays, \$161,666,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$160,947,000,000.  
 (B) Outlays, \$160,342,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$159,423,000,000.  
 (B) Outlays, \$158,790,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$171,032,000,000.  
 (B) Outlays, \$170,144,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$175,674,000,000.  
 (B) Outlays, \$174,791,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$179,585,000,000.  
 (B) Outlays, \$178,655,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$191,294,000,000.  
 (B) Outlays, \$190,344,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$187,945,000,000.  
 (B) Outlays, \$186,882,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2013:  
 (A) New budget authority, \$57,094,000,000.  
 (B) Outlays, \$57,620,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$66,480,000,000.  
 (B) Outlays, \$56,974,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$55,925,000,000.  
 (B) Outlays, \$59,131,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$58,611,000,000.  
 (B) Outlays, \$62,330,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$57,778,000,000.  
 (B) Outlays, \$63,554,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$59,428,000,000.  
 (B) Outlays, \$61,445,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$61,337,000,000.  
 (B) Outlays, \$61,795,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$63,242,000,000.  
 (B) Outlays, \$62,863,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$65,350,000,000.  
 (B) Outlays, \$64,861,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$71,323,000,000.  
 (B) Outlays, \$70,797,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$73,982,000,000.  
 (B) Outlays, \$73,433,000,000.  
 (17) General Government (800):  
 Fiscal year 2013:  
 (A) New budget authority, \$24,069,000,000.  
 (B) Outlays, \$27,332,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$25,459,000,000.  
 (B) Outlays, \$26,273,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$27,244,000,000.  
 (B) Outlays, \$27,571,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$29,169,000,000.  
 (B) Outlays, \$28,960,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$31,061,000,000.  
 (B) Outlays, \$30,895,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$32,939,000,000.  
 (B) Outlays, \$32,785,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$35,548,000,000.  
 (B) Outlays, \$34,970,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$37,615,000,000.  
 (B) Outlays, \$37,190,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$40,247,000,000.  
 (B) Outlays, \$39,713,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$42,919,000,000.  
 (B) Outlays, \$42,336,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$45,599,000,000.  
 (B) Outlays, \$45,056,000,000.  
 (18) Net Interest (900):  
 Fiscal year 2013:  
 (A) New budget authority, \$331,467,000,000.  
 (B) Outlays, \$331,467,000,000.  
 Fiscal year 2014:  
 (A) New budget authority, \$343,889,000,000.  
 (B) Outlays, \$343,889,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$371,611,000,000.  
 (B) Outlays, \$371,611,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$419,889,000,000.  
 (B) Outlays, \$419,889,000,000.

Fiscal year 2017:

- (A) New budget authority, \$506,071,000,000.
- (B) Outlays, \$506,071,000,000.

Fiscal year 2018:

- (A) New budget authority, \$607,385,000,000.
- (B) Outlays, \$607,385,000,000.

Fiscal year 2019:

- (A) New budget authority, \$681,354,000,000.
- (B) Outlays, \$681,354,000,000.

Fiscal year 2020:

- (A) New budget authority, \$748,802,000,000.
- (B) Outlays, \$748,802,000,000.

Fiscal year 2021:

- (A) New budget authority, \$803,446,000,000.
- (B) Outlays, \$803,446,000,000.

Fiscal year 2022:

- (A) New budget authority, \$856,402,000,000.
- (B) Outlays, \$856,402,000,000.

Fiscal year 2023:

- (A) New budget authority, \$904,907,000,000.
- (B) Outlays, \$904,907,000,000.

(19) Allowances (920):

Fiscal year 2013:

- (A) New budget authority, \$383,000,000.
- (B) Outlays, \$585,000,000.

Fiscal year 2014:

- (A) New budget authority, -\$8,910,000,000.
- (B) Outlays, -\$2,871,000,000.

Fiscal year 2015:

- (A) New budget authority, -\$18,414,000,000.
- (B) Outlays, -\$16,800,000,000.

Fiscal year 2016:

- (A) New budget authority, -\$19,705,000,000.
- (B) Outlays, -\$17,821,000,000.

Fiscal year 2017:

- (A) New budget authority, -\$26,866,000,000.
- (B) Outlays, -\$25,161,000,000.

Fiscal year 2018:

- (A) New budget authority, -\$31,285,000,000.
- (B) Outlays, -\$29,178,000,000.

Fiscal year 2019:

- (A) New budget authority, -\$35,094,000,000.
- (B) Outlays, -\$33,074,000,000.

Fiscal year 2020:

- (A) New budget authority, -\$39,156,000,000.
- (B) Outlays, -\$37,307,000,000.

Fiscal year 2021:

- (A) New budget authority, -\$44,685,000,000.
- (B) Outlays, -\$42,435,000,000.

Fiscal year 2022:

- (A) New budget authority, -\$49,560,000,000.
- (B) Outlays, -\$46,734,000,000.

Fiscal year 2023:

- (A) New budget authority, -\$54,953,000,000.
- (B) Outlays, -\$51,947,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2013:

- (A) New budget authority, -\$76,489,000,000.
- (B) Outlays, -\$76,489,000,000.

Fiscal year 2014:

- (A) New budget authority, -\$75,946,000,000.
- (B) Outlays, -\$75,946,000,000.

Fiscal year 2015:

- (A) New budget authority, -\$80,864,000,000.
- (B) Outlays, -\$80,864,000,000.

Fiscal year 2016:

- (A) New budget authority, -\$86,391,000,000.
- (B) Outlays, -\$86,391,000,000.

Fiscal year 2017:

- (A) New budget authority, -\$90,137,000,000.
- (B) Outlays, -\$90,137,000,000.

Fiscal year 2018:

- (A) New budget authority, -\$90,503,000,000.
- (B) Outlays, -\$90,503,000,000.

Fiscal year 2019:

- (A) New budget authority, -\$97,574,000,000.
- (B) Outlays, -\$97,574,000,000.

Fiscal year 2020:

- (A) New budget authority, -\$98,916,000,000.
- (B) Outlays, -\$98,916,000,000.

Fiscal year 2021:

- (A) New budget authority, -\$103,177,000,000.
- (B) Outlays, -\$103,177,000,000.

Fiscal year 2022:

- (A) New budget authority, -\$105,117,000,000.
- (B) Outlays, -\$105,117,000,000.

Fiscal year 2023:

- (A) New budget authority, -\$108,885,000,000.
- (B) Outlays, -\$108,885,000,000.

(21) Overseas Contingency Operations (970):

Fiscal year 2013:

- (A) New budget authority, \$99,941,000,000.
- (B) Outlays, \$50,926,000,000.

Fiscal year 2014:

- (A) New budget authority, \$70,000,000,000.
- (B) Outlays, \$65,387,000,000.

Fiscal year 2015:

- (A) New budget authority, \$0.
- (B) Outlays, \$32,732,000,000.

Fiscal year 2016:

- (A) New budget authority, \$0.
- (B) Outlays, \$12,488,000,000.

Fiscal year 2017:

- (A) New budget authority, \$0.
- (B) Outlays, \$4,186,000,000.

Fiscal year 2018:

- (A) New budget authority, \$0.
- (B) Outlays, \$1,239,000,000.

Fiscal year 2019:

- (A) New budget authority, \$0.
- (B) Outlays, \$399,000,000.

Fiscal year 2020:

- (A) New budget authority, \$0.
- (B) Outlays, \$133,000,000.

Fiscal year 2021:

- (A) New budget authority, \$0.
- (B) Outlays, \$104,000,000.

Fiscal year 2022:

- (A) New budget authority, \$0.
- (B) Outlays, \$33,000,000.

Fiscal year 2023:

- (A) New budget authority, \$0.
- (B) Outlays, \$16,000,000.

## TITLE II—RESERVE FUNDS

### SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR JOB CREATION THROUGH INVESTMENTS AND INCENTIVES.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for robust Federal investments in America's infrastructure, incentives for businesses, and support for communities or other measures that create jobs for Americans and boost the economy. The revisions may be made for measures that—

(1) provide for additional investments in rail, aviation, harbors (including harbor maintenance dredging), seaports, inland waterway systems, public housing, broadband, energy, water, and other infrastructure;

(2) provide for additional investments in other areas that would help businesses and other employers create new jobs; and

(3) provide additional incentives, including tax incentives, to help small businesses, non-profits, States, and communities expand investment, train, hire, and retain private-sector workers and public service employees; by the amounts provided in such measure if such measure does not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

### SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE ADJUSTMENT ASSISTANCE.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that protects workers and supports jobs by reauthorizing Trade Adjustment Assistance by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal

year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

### SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE AND SECURITY.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging clean energy or vehicle technologies or carbon capture and sequestration;

(3) provides additional resources for oversight and expanded enforcement activities to crack down on speculation in and manipulation of oil and gas markets, including derivatives markets;

(4) limits and provides for reductions in greenhouse gas emissions;

(5) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(6) facilitates the training of workers for these industries ("clean energy jobs"); by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

### SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) enhances the delivery of health care to the Nation's veterans;

(2) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(3) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(4) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

### SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENT.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to Medicare, including making reforms to the Medicare payment system for physicians that build on delivery reforms underway, such as advancement of new care models, and—

(1) changes incentives to encourage efficiency and higher quality care in a manner consistent with the goals of fiscal sustainability;

(2) improves payment accuracy to encourage efficient use of resources and ensure that patient-centered primary care receives appropriate compensation;

(3) supports innovative programs to improve coordination of care among all providers serving a patient in all appropriate settings;

(4) holds providers accountable for their utilization patterns and quality of care; and

(5) makes no changes that reduce benefits available to seniors and individuals with disabilities in Medicare; by the amounts provided, together with any savings from ending Overseas Contingency Operations, in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 206. DEFICIT-NEUTRAL RESERVE FUND FOR EXTENSION OF EXPIRING HEALTH CARE PROVISIONS.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends expiring Medicare, Medicaid, or other health provisions, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR INITIATIVES THAT BENEFIT CHILDREN.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the lives of children by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023. Improvements may include:

(1) Extension and expansion of child care assistance.

(2) Changes to foster care to prevent child abuse and neglect and keep more children safely in their homes.

(3) Changes to child support enforcement to encourage increased parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child or encourages States to provide access and visitation services to improve fathers' relationships with their children. Such changes could reflect efforts to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty. When 100 percent of child support payments are passed to the child, rather than to administrative expenses, program integrity is improved and child support participation increases.

**SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR EARLY CHILDHOOD EDUCATION.**

(a) **PRE-KINDERGARTEN.**—The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report related to a pre-kindergarten program or programs to serve low-income children, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

(b) **CHILD CARE.**—The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report related to child care assistance for

working families, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

(c) **HOME VISITING.**—The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report related to a home visiting program or programs serving low-income mothers-to-be and low-income families, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE AFFORDABILITY AND COMPLETION.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable and increases college completion, including: efforts to reform Federal student aid policies to ensure that subsidized student loan interest rates do not double in July 2014 at the end of the one-year extension of the current 3.4 percent interest rate assumed in the resolution; or efforts to ensure continued full funding for Pell grants, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) by the amounts provided by that legislation for those purposes, if such legislation requires sustained yield timber harvests obviating the need for funding under Public Law 106-393 in the future and would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 211. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**SEC. 212. DEFICIT-NEUTRAL RESERVE FUND FOR ADDITIONAL TAX RELIEF FOR INDIVIDUALS AND FAMILIES.**

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides additional tax relief to individuals and families, such as expanding tax relief provided by the refundable child credit, by the

amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2013 to fiscal year 2018 or fiscal year 2013 to fiscal year 2023.

**TITLE III—ESTIMATES OF DIRECT SPENDING**

**SEC. 301. DIRECT SPENDING.**

(a) **MEANS-TESTED DIRECT SPENDING.**—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 11-year period beginning with fiscal year 2013 is 6.3 percent under current law.

(3) The resolution retains the social safety net that lifts millions of people out of poverty.

(b) **NONMEANS-TESTED DIRECT SPENDING.**—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the total level of outlays during the 11-year period beginning with fiscal year 2013 is 5.1 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending: For Medicare, this budget rejects proposals to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance. Such proposals will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks, and they will weaken the traditional Medicare program. Instead, this budget builds on the success of the Affordable Care Act, which made significant strides in health care cost containment and put into place a framework for continuous innovation. This budget supports comprehensive reforms to give physicians and other care providers incentives to provide high-quality, coordinated, efficient care, in a manner consistent with the goals of fiscal sustainability. It makes no changes that reduce benefits available to seniors and individuals with disabilities in Medicare.

**TITLE IV—ENFORCEMENT PROVISIONS**

**SEC. 401. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.**

(a) **IN GENERAL.**—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) **EXCEPTIONS.**—Advance appropriations may be provided—

(1) for fiscal year 2015 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2016, accounts separately identified under the same heading; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) **DEFINITION.**—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a

bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014.

**SEC. 402. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.**

(a) PROGRAM INTEGRITY INITIATIVES UNDER THE BUDGET CONTROL ACT.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2014 that appropriates amounts as provided under section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2014.

(2) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2014 that appropriates amounts as provided under section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2014.

(b) ADDITIONAL PROGRAM INTEGRITY INITIATIVES.—

(1) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2014 that appropriates \$9,753,000,000 for the Internal Revenue Service for enhanced enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$1,018,000,000, to the Internal Revenue Service and the amount is designated for enhanced tax enforcement to address the tax gap, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2014.

(2) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2014 that appropriates \$60,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$20,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2014.

(c) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

**SEC. 403. COSTS OF EMERGENCY NEEDS, OVERSEAS CONTINGENCY OPERATIONS AND DISASTER RELIEF.**

(a) EMERGENCY NEEDS.—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs pursuant to this subsection, then new budget authority and outlays resulting from that budget authority shall not count for the purposes of the Congressional Budget Act of 1974, or this resolution.

(b) OVERSEAS CONTINGENCY OPERATIONS.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2013 or fiscal year 2014 for overseas contingency operations and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 102(21) for fiscal year 2013 or the 2014 level for Overseas Contingency Operations in the President's 2014 budget and the new outlays resulting from that budget authority.

(c) DISASTER RELIEF.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated for disaster relief pursuant to this subsection, then the allocation to the Committee on Appropriations, and as necessary, the aggregates in this resolution, shall be adjusted by the amount of new budget authority and outlays up to the amounts provided under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in subsections (b) and (c) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

**SEC. 404. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the House Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

**SEC. 405. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—In the House, any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) ADJUSTMENTS.—The chairman of the House Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

**SEC. 406. REINSTATEMENT OF PAY-AS-YOU-GO.**

In the House, and pursuant to section 301(b)(8) of the Congressional Budget Act of 1974, for the remainder of the 113th Congress, the following shall apply in lieu of "CUTGO" rules and principles:

(1) (A) Except as provided in paragraphs (2) and (3), it shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the on-budget deficit or reducing the on-budget surplus for the period comprising either—

(i) the current year, the budget year, and the four years following that budget year; or

(ii) the current year, the budget year, and the nine years following that budget year.

(B) The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget.

(C) For the purpose of this section, the terms "budget year", "current year", and "direct spending" have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that the term "direct spending" shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4) (C) of the Statutory Pay-As-You-Go Act of 2010.

(2) If a bill, joint resolution, or amendment is considered pursuant to a special order of the House directing the Clerk to add as a new matter at the end of such measure the provisions of a separate measure as passed by the House, the provisions of such separate measure as passed by the House shall be included in the evaluation under paragraph (1) of the bill, joint resolution, or amendment.

(3)(A) Except as provided in subparagraph (B), the evaluation under paragraph (1) shall exclude a provision expressly designated as an emergency for purposes of pay-as-you-go principles in the case of a point of order under this clause against consideration of—

(i) a bill or joint resolution;

(ii) an amendment made in order as original text by a special order of business;

(iii) a conference report; or

(iv) an amendment between the Houses.

(B) In the case of an amendment (other than one specified in subparagraph (A)) to a bill or joint resolution, the evaluation under paragraph (1) shall give no cognizance to any designation of emergency.

(C) If a bill, a joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses includes a provision expressly designated as an emergency for purposes of pay-as-you-go principles, the Chair shall put the question of consideration with respect thereto.

**SEC. 407. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

#### TITLE V—POLICY

##### SEC. 501. POLICY OF THE HOUSE ON JOBS: MAKE IT IN AMERICA.

(a) FINDINGS.—The House finds that—

(1) the economy entered a deep recession in December 2007 that was worsened by a financial crisis in 2008 – by January 2009, the private sector was shedding 821,000 jobs per month;

(2) actions by the President, Congress, and the Federal Reserve helped stem the crisis, and job creation resumed in 2010, with the economy creating 6.4 million private jobs over the past 36 consecutive months;

(3) multi-year across-the-board spending cuts under sequestration will cost Americans millions of jobs with up to 750,000 jobs lost this year alone, slow economic growth by up to one third this year alone, and impair our global competitive edge;

(4) as part of a “Make it in America” agenda, U.S. manufacturing has been leading the Nation’s economic recovery as domestic manufacturers regain their economic and competitive edge and a wave of insourcing jobs from abroad begins;

(5) despite the job gains already made, job growth needs to accelerate and continue for an extended period for the economy to fully recover from the recession; and

(6) job creation is vital to Nation-building at home and to deficit reduction – CBO has noted that if the country were at full employment, the deficit would be about half its current size.

(b) POLICY.—

(1) IN GENERAL.—It is the policy of this resolution that Congress should pursue a “Make it in America” agenda with a priority to consider and enact legislation to help create jobs, remove incentives to out-source jobs overseas and instead support incentives that bring jobs back to the U.S., and help middle class families by increasing the minimum wage.

(2) JOBS.—This resolution—

(A) assumes enactment of legislation to replace sequestration under the Budget Control Act of 2011 with at least the same amount of deficit reduction from a balanced approach that would increase revenues without increasing that tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

(B) assumes enactment of—

(i) the President’s \$50 billion immediate transportation jobs package;

(ii) other measures proposed in the American Jobs Act and reflected in the President’s 2013 budget; and

(iii) the President’s proposed surface transportation legislation;

(C) assumes \$1 billion for the President’s proposal to establish a Veterans Job Corps;

(D) assumes \$80 billion in education jobs funding for the President’s initiatives to promote jobs now while also creating an infra-

structure that will help students learn and create a better future workforce, including \$30 billion for rebuilding at least 35,000 public schools, \$25 billion to prevent hundreds of thousands of educator layoffs, and \$8 billion to help community colleges train 2 million workers in high-growth industries with skills that will lead directly to jobs; and

(E) establishes a reserve fund that would allow for passage of additional job creation measures, including further infrastructure improvements and support for biomedical research that both creates jobs and advances scientific knowledge and health, or other spending or revenue proposals.

##### SEC. 502. POLICY OF THE HOUSE ON TAKING A BALANCED APPROACH TO DEFICIT REDUCTION.

(a) FINDINGS.—The House finds that—

(1) every bipartisan commission has recommended, and the majority of Americans agree, that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending; and

(2) sequestration is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(b) POLICY.—It is the policy of the resolution that—

(1) the Congress should vote on H.R. 699, which would replace the sequester for calendar year 2013 with a balanced mix of targeted and better timed spending reductions and revenue increases to prevent the loss of jobs and the drag on economic growth in the near term; and

(2) the Congress should replace the entire 10-year sequester established by the Budget Control Act of 2011 with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

##### SEC. 503. POLICY OF THE HOUSE ON SOCIAL SECURITY REFORM THAT PROTECTS WORKERS AND RETIREES.

(a) FINDINGS.—The House finds that—

(1) Social Security is America’s most important retirement resource, especially for seniors, because it provides an income floor to keep them, their spouses and their survivors out of poverty during retirement – benefits earned based on their past payroll contributions;

(2) in January 2011, 56.8 million people relied on Social Security;

(3) Social Security benefits are modest, with an average annual benefit for retirees of about \$15,000, which is the majority of total retirement income for more than half of all beneficiaries;

(4) diverting workers’ payroll contributions toward private accounts undermines retirement security and the social safety net by subjecting the workers’ retirement decisions and income to the whims of the stock market;

(5) diverting trust fund payroll contributions toward private accounts jeopardizes Social Security because the program will not have the resources to pay full benefits to current retirees; and

(6) privatization increases Federal debt because the Treasury will have to borrow additional funds from the public to pay full benefits to current retirees.

(b) POLICY.—It is the policy of the House that Social Security should be strengthened

for its own sake and not to achieve deficit reduction. Because privatization proposals are fiscally irresponsible and would put the retirement security of seniors at risk, any Social Security reform legislation shall reject partial or complete privatization of the program.

##### SEC. 504. POLICY OF THE HOUSE ON PROTECTING THE MEDICARE GUARANTEE FOR SENIORS.

(a) FINDINGS.—The House finds that—

(1) senior citizens and persons with disabilities highly value the Medicare program and rely on Medicare to guarantee their health and financial security;

(2) in 2012, 50 million people relied on Medicare for coverage of hospital stays, physician visits, prescription drugs, and other necessary medical goods and services;

(3) the Medicare program has lower administrative and program costs than private insurance for a given level of benefits;

(4) rising health care costs are not unique to Medicare or other Federal health programs, they are endemic to the entire health care system;

(5) destroying the Medicare program and replacing it with a voucher or premium support for the purchase of private insurance that fails to keep pace with growth in health costs will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks;

(6) shifting more health care costs onto Medicare beneficiaries would not reduce overall health care costs, instead it would mean beneficiaries would face higher premiums, eroding coverage, or both; and

(7) versions of voucher or premium-support policies that do not immediately end the traditional Medicare program will merely cause traditional Medicare to weaken and wither away.

(b) POLICY.—It is the policy of the House that the Medicare guarantee for seniors and persons with disabilities should be preserved and strengthened, and that any legislation to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance should be rejected.

##### SEC. 505. POLICY OF THE HOUSE ON AFFORDABLE HEALTH CARE COVERAGE FOR WORKING FAMILIES.

(a) FINDINGS.—The House finds that—

(1) making health care coverage affordable and accessible for all American families will improve families’ health and economic security, which will make the economy stronger;

(2) the Affordable Care Act signed into law in 2010 will expand coverage to 27 million Americans and bring costs down for families and small businesses;

(3) consumers are already benefitting from the Affordable Care Act’s provisions to hold insurance companies accountable for their actions and to end long-standing practices such as denying coverage to children based on pre-existing conditions, imposing lifetime limits on coverage that put families at risk of bankruptcy in the event of serious illness, and dropping an enrollee’s coverage once the enrollee becomes ill based on a simple mistake in the enrollee’s application;

(4) the Affordable Care Act reforms Federal health entitlements by using nearly every health cost-containment provision experts recommend, including new incentives to reward quality and coordination of care rather than simply quantity of services provided, new tools to crack down on fraud, and the elimination of excessive taxpayer subsidies to private insurance plans, and as a result

will slow the projected annual growth rate of national health expenditures by 0.3 percentage points after 2016, the essence of “bending the cost curve”; and

(5) the Affordable Care Act will reduce the Federal deficit by more than \$1,000,000,000,000 over the next 20 years.

(b) **POLICY.**—It is the policy of the House that the law of the land should support making affordable health care coverage available to every American family, and therefore the Affordable Care Act should not be repealed.

#### **SEC. 506. POLICY OF THE HOUSE ON MEDICAID.**

(a) **FINDINGS.**—The House finds that—

(1) Medicaid is a central component of the Nation’s health care safety net, providing health coverage to 28 million low-income children, 5 million senior citizens, 10 million people with disabilities, and 14 million other low-income people who would otherwise be unable to obtain health insurance;

(2) senior citizens and people with disabilities account for two-thirds of Medicaid program spending and consequently would be at particular risk of losing access to important health care assistance under any policy to sever the link between Medicaid funding and the actual costs of providing services to the currently eligible Medicaid population;

(3) Medicaid pays for 43 percent of long-term care services in the United States, providing a critical health care safety net for senior citizens and people with disabilities facing significant costs for long-term care; and

(4) at least 70 percent of people over age 65 will likely need long-term care services at some point in their lives.

(b) **POLICY.**—It is the policy of the House that the important health care safety net for children, senior citizens, people with disabilities, and other vulnerable Americans provided by Medicaid should be preserved and should not be dismantled by converting Medicaid into a block grant, per capita cap, or other financing arrangement that would limit Federal contributions and render the program incapable of responding to increased need that may result from trends in health care costs or economic conditions.

#### **SEC. 507. POLICY OF THE HOUSE ON OVERSEAS CONTINGENCY OPERATIONS.**

(a) **FINDINGS.**—The House finds that it is the stated position of the Administration that Afghan troops will take the full lead for security operations in Afghanistan by the end of 2014.

(b) **POLICY.**—It is the policy of this resolution that consistent with the Administration’s stated position, no funding shall be provided for operations in Afghanistan through the Overseas Contingency Operations budget beyond 2014.

#### **SEC. 508. POLICY OF THE HOUSE ON NATIONAL SECURITY.**

(a) **FINDINGS.**—The House finds that—

(1) we must continue to support a strong military that is second to none and the size and the structure of our military have to be driven by a strategy;

(2) those who serve in uniform are our most important security resource and the Administration and Congress shall continue to provide the support they need to successfully carry out the missions the country gives them;

(3) a growing economy is the foundation of our security and enables the country to provide the resources for a strong military, sound homeland security agencies, and effective diplomacy and international development;

(4) 750,000 jobs will be lost in calendar year 2013 if the across-the-board cuts known as se-

questration remain in effect, hampering the economic recovery and jeopardizing the foundation of our security;

(5) because it puts our economy at risk, the Nation’s debt is an immense security threat to our country, just as former Chairman of the Joint Chiefs of Staff Admiral Mullen has stated, and we must have a deficit reduction plan that is serious and realistic;

(6) the bipartisan National Commission on Fiscal Responsibility and Reform and the bipartisan Rivlin-Domenici Debt Reduction Task Force concluded that a serious and balanced deficit reduction plan must put national security programs on the table;

(7) in 2011, the U.S. spent more on defense than the next 16 countries combined (and more than half of the amount spent by those 16 countries was from seven NATO countries and four other close allies);

(8) Admiral Mullen argued that the permissive budget environment over the last decade, a period when defense spending increased by hundreds of billions of dollars, had allowed the Pentagon to avoid prioritizing;

(9) more can be done to rein in wasteful spending at the Nation’s security agencies, including the Department of Defense — the last department still unable to pass an audit — such as the elimination of duplicative programs that have been identified by the Government Accountability Office;

(10) effective implementation of weapons acquisition reforms at the Department of Defense can help control excessive cost growth in the development of new weapons systems and help ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(11) the Department of Defense should continue to review defense plans and requirements to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats, which should include, with the participation of the National Nuclear Security Administration, examination of requirements for the nuclear weapons stockpile, nuclear weapons delivery systems, and nuclear weapons and infrastructure modernization;

(12) weapons technologies should be proven to work through adequate testing before advancing them to the production phase of the acquisition process;

(13) the Pentagon’s operation and maintenance budget, which now totals \$200 billion per year, has grown for decades between 2.5 percent and 3.0 percent above inflation each year on a per service member basis, and it is imperative that unsustainable cost growth be controlled in this area;

(14) excluding those involved in war operations, 200,000 military personnel and their dependents are stationed overseas, and the Administration should further review the benefits and costs of alternatives to permanent overseas basing of personnel;

(15) more than 94 percent of the increase in the Federal civilian workforce since 2001 is due to increases at security-related agencies—Department of Defense (31 percent), Department of Homeland Security (32 percent), Department of Veterans Affairs (26 percent), and Department of Justice (6 percent)—and the increase, in part, represents a transition to ensure civil servants, as opposed to private contractors, are performing inherently governmental work and an increase to a long-depleted acquisition and auditing workforce at the Pentagon to ensure effective management of weapons systems programs, to eliminate the use of contractors to oversee other contractors, and to prevent waste, fraud, and abuse;

(16) proposals to implement an indiscriminate 10 percent across-the-board cut to the Federal civilian workforce would adversely affect security agencies, leaving them unable to manage their total workforce, which includes contractors, and their operations in a cost-effective manner; and

(17) cooperative threat reduction and other nonproliferation programs (securing “loose nukes” and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat.

(b) **POLICY.**—It is the policy of this resolution that—

(1) the sequester required by the Budget Control Act of 2011 should be rescinded and replaced by a deficit reduction plan that is balanced, that makes smart spending cuts, that requires everyone to pay their fair share, and that takes into account a comprehensive national security strategy that includes careful consideration of international, defense, homeland security, and law enforcement programs;

(2) further savings can be achieved from the national defense budget without compromising our security through greater emphasis on eliminating duplicative and wasteful programs, reforming the acquisition process, identifying and constraining unsustainable operating costs, and through careful analysis of our security strategy; and

(3) veterans programs are fully funded and if there is new information provided in the President’s 2014 budget that would justify the need for funds in excess of the amount reflected in section 102(15), adjustments shall be made from within the discretionary totals to meet any such new requirements.

#### **SEC. 509. POLICY OF THE HOUSE ON TAX REFORM TO REPLACE THE SEQUESTER AND REDUCE THE DEFICIT.**

(a) **FINDINGS.**—The House finds that—

(1) the sequester represents a meat-ax approach to cutting government spending and will cost the economy 750,000 jobs in 2013 alone, according to the nonpartisan Congressional Budget Office;

(2) the House must therefore replace the sequester with a balanced approach to deficit reduction that would raise revenues in addition to making targeted spending cuts;

(3) this balanced approach to deficit reduction must include overhauling our outdated tax code—which contains numerous, wasteful tax breaks for special interests—to make it simpler, more progressive, and more competitive;

(4) these special tax breaks can greatly complicate the effort to administer the code and the taxpayer’s ability to fully comply with its terms, while also undermining our basic sense of fairness;

(5) the corporate income tax does include a number of incentives that help spur economic growth and innovation, such as the research and development credit and clean energy incentives;

(6) but tax breaks for special interests can also distort economic incentives for businesses and consumers and encourage businesses to ship American jobs and capital overseas for tax purposes;

(7) the President’s National Commission on Fiscal Responsibility and Reform observed that the corporate income tax is riddled with special interest tax breaks and subsidies, is badly in need of reform, and it proposed to streamline the code, capturing some of the savings in the process, to achieve deficit reduction in a more balanced way;

(8) even Speaker Boehner indicated that he has a plan that would raise an additional \$800

billion in revenues through closing tax loopholes and eliminating special interest tax breaks.

(b) **POLICY.**—

(1) **POLICY ON INDIVIDUAL INCOME TAXES.**—

(A) This resolution encourages the House Committee on Ways and Means to help reduce the deficit and replace the sequester through a balanced approach that includes limits on tax expenditures and tax breaks for very high-income individuals. This resolution expressly rejects the approach in the Republican resolution that provides millionaires with even larger tax cuts at the expense of middle-class taxpayers. This resolution also expressly rejects raising taxes on middle-class taxpayers with adjusted gross incomes below \$200,000 (\$250,000 for married couples) and reflects the tax rates and income thresholds established in the American Taxpayer Relief Act of 2012. This resolution therefore encourages the House Committee on Ways and Means to raise the revenue needed through closing loopholes and ending tax breaks for special interests and the very wealthy, consistent with key proposals made by both the President and the National Commission on Fiscal Responsibility and Reform to limit tax expenditures.

(B) This resolution supports working families, encourages increased labor force participation, and boosts access to higher education by permanently extending the expansions to the child tax credit, the EITC, and the American Opportunity Tax Credit, respectively, first legislated under the American Recovery and Reinvestment Act of 2009.

(C) This resolution extends policies that reinvest in domestic manufacturing to bring jobs back to our shores; builds up the renewable energy production capacity of the United States in order to limit our reliance on foreign oil while creating green jobs; expands access to higher education, which everyone agrees is essential for building up a highly-skilled workforce and building out the middle class; and supports saving and capital formation that will raise future standards of living.

(2) **POLICY ON CORPORATE INCOME TAXES.**—

(A) This resolution proposes eliminating unproductive or unwarranted corporate tax preferences and subsidies, as well as pernicious tax breaks that reward U.S. corporations that ship American jobs – rather than products – overseas for tax purposes.

(B) This resolution adopts pro-growth corporate tax incentives like those in the President's FY 2013 budget proposals, such as: enhancing incentives for domestic manufacturing to support a "Make it in America" agenda, including providing a tax credit for companies that return operations and jobs to the U.S. while eliminating tax breaks for companies that move operations and jobs overseas; closing loopholes that allow businesses to avoid taxes, by subjecting more of their foreign earnings sheltered in tax havens to U.S. taxation; the research and development credit; and enhancing clean energy incentives.

(C) This resolution therefore urges the House Committee on Ways and Means to consider the President's proposals for business tax reform in determining how to best overhaul our corporate tax code so that it promotes economic growth and domestic job creation without increasing the deficit and the debt.

#### **SEC. 510. POLICY OF THE HOUSE ON AGRICULTURE SPENDING.**

It is the policy of this resolution that the House Committee on Agriculture should reduce spending in farm programs that provide

direct payments to producers even in robust markets and in times of bumper yields. The committee should also find ways to focus assistance toward struggling family farmers and ranchers in a manner that creates jobs and economic growth while preserving the farm and nutrition safety net.

#### **SEC. 511. POLICY OF THE HOUSE ON THE USE OF TAXPAYER FUNDS.**

It is the policy of this resolution that the House should lead by example and identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration shall review the policies pertaining to the services provided to Members of Congress and House Committees, and shall identify ways to reduce any subsidies paid for the operation of the House gym, Barber shop, Salon, and the House dining room. Further, it is the policy of this resolution that no taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

#### **SEC. 512. POLICY OF THE HOUSE ON A NATIONAL STRATEGY TO ERADICATE POVERTY AND INCREASE OPPORTUNITY.**

(a) **FINDINGS.**—The House finds the following:

(1) The prospect of upward mobility should be the right of every American.

(2) Targeted, means-tested Federal programs help lift millions of Americans out of poverty.

(3) These programs empower their beneficiaries through job training, educational assistance, adequate food, housing, and health care to rise to the middle class.

(4) The Supplemental Nutrition Assistance Program alone lifts over 4 million people out of poverty, including over 2 million children. It is particularly effective in keeping children – over 1 million – out of deep poverty (below half the poverty line). School breakfast and lunch programs help keep children ready to learn, allowing them to reach their full potential.

(5) The Earned Income Tax Credit (EITC) and Child Tax Credit together lift over 9 million people, including nearly 5 million children, out of poverty. President Ronald Reagan proposed a major EITC expansion in 1985 and then referred to the 1986 Tax Reform Act, which included the expansion, as "the best antipoverty, the best pro-family, the best job creation measure to come out of Congress".

(6) However, some areas of the country have been left behind. They face persistent high levels of poverty and joblessness. Citizens of these areas often lack access to quality schools, affordable health care, and adequate job opportunities.

(b) **POLICY.**—It is the policy of the House to support the goal of developing a national strategy to eliminate poverty, with the initial goal of cutting poverty in half in ten years, and to extend equitable access to economic opportunity to all Americans. As Congress works to protect low income and middle class Americans from the negative impacts of budget cuts on the critical domestic programs that millions of American families rely on to get by, priority must be given to creating a national strategy on poverty to maximize the impact of anti-poverty programs across Federal, State, and local gov-

ernments. Improving the effective coordination and oversight across agencies and implementing a true unity of programs under a "whole of government" approach to shared goals and client based outcomes will help to streamline access, improve service delivery, and will strengthen and extend the reach of every Federal dollar to fight poverty. The plan should consider additional targeting of spending toward persistent poverty areas to revitalize these areas of pervasive poverty, unemployment and general distress. The plan must also include provisions that work to remove the barriers and obstacles that prevent the most vulnerable Americans from taking advantage of economic and educational opportunities and moving up the ladder of opportunity to join the middle class and reach for the American Dream.

#### **SEC. 513. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**

(a) **FINDINGS.**—The House finds the following:

(1) The Government Accountability Office ("GAO") is required by law to identify examples of waste, duplication, and overlap in Federal programs, and has so identified dozens of such examples.

(2) In testimony before the Committee on Oversight and Government Reform, the Comptroller General has stated that addressing the identified waste, duplication, and overlap in Federal programs "could potentially save tens of billions of dollars."

(3) The Federal Government spends about \$80 billion each year for information technology. GAO has identified opportunities for savings and improved efficiencies in the Government's information technology infrastructure.

(4) Federal agencies reported an estimated \$108 billion in improper payments in fiscal year 2012.

(5) Under clause 2 of Rule XI of the Rules of the House of Representatives, each standing committee must hold at least one hearing during each 120 day period following its establishment on waste, fraud, abuse, or mismanagement in Government programs.

(6) According to the Congressional Budget Office, by fiscal year 2014, 42 laws will expire. Timely reauthorizations of these laws would ensure assessments of program justification and effectiveness.

(7) The findings resulting from congressional oversight of Federal Government programs may result in programmatic changes in both authorizing statutes and program funding levels.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**—Each authorizing committee annually shall include in its Views and Estimates letter required under section 301(d) of the Congressional Budget Act of 1974 recommendations to the Committee on the Budget of programs within the jurisdiction of such committee whose funding should be changed.

Amend the title so as to read: "Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014 and including the appropriate budgetary levels for fiscal year 2013 and fiscal years 2015 through 2023."

The CHAIR. Pursuant to House Resolution 122, the gentleman from Maryland (Mr. VAN HOLLEN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Maryland.



□ 1610

Mr. VAN HOLLEN. Mr. Chairman, today we are offering a budget with commonsense solutions that first focuses on the issue that's most pressing for the country and the American people today: kicking our economy into higher gear and putting more Americans back to work.

We know from the Congressional Budget Office—the professionals—that one-half of this year's deficit is due to the fact that millions of Americans are still looking for work and that three-quarters of next year's deficit is because we're not at full employment.

Our budget goes to the heart of the issue. It attacks the jobs deficit because we know we can't get the budget deficit under control until people are back to work and we take a balanced approach to long-term deficit reduction where we ask for shared responsibility.

We do ask people at the very high end of the income ladder to give up some of the tax preferences and tax breaks they have in order to help reduce the deficit. It's very different than the Republican budget that doesn't close one tax loophole for the purpose of reducing the deficit. Theirs only lowers tax rates for folks at the very top by increasing the tax burden on middle-income Americans. We don't do that.

We make sure that people can get back to work by replacing the sequester, which we know will result in 750,000 fewer Americans working at the end of this year. We also have a jobs program investing in this country, especially in the area of infrastructure, to help rebuild our aging infrastructure and build the modern infrastructure that's necessary to compete in the 21st century. Those measures will make sure that, compared to our Republican colleague's budget, we have 1.2 million more Americans working by the end of this year and 2 million more by the end of next year.

We also make sure we keep our commitments to our seniors. Unlike the Republican budget, we don't reopen the prescription drug doughnut hole, which will mean seniors with high prescription drug costs will have to pay thousands more out of pocket over the period of this budget, and we don't turn Medicare into a voucher program that leaves seniors facing the risks and costs of escalating health care costs in the future.

We make sure that students don't face a doubling of the interest rate in July, scheduled to go from 3.4 percent to 6.8 percent. The Republican budget keeps that doubling of interest rate in place. We don't.

We fully fund the transportation program for the next 10 years. The Republican budget cuts it by 20 percent, even at a time when we have 15 percent unemployment in the construction industry.

Mr. Chairman, we get at the budget issues by putting more people back to work, by dealing with this in a balanced way. We reduce the deficit way down so it's growing much slower than the economy. We stabilize the debt, and we balance the budget in the same time period that the Republican budget for the last 2 years had balanced the budget, but our focus is on jobs and the jobs deficit as a way to tackle the budget deficit.

With that, I'm very pleased to yield 3 minutes to my colleague and friend, the distinguished whip from Maryland (Mr. HOYER).

Mr. HOYER. I first want to thank the ranking member for the work that he's done on this budget that he offers as an alternative.

It is a reasonable alternative that can be implemented. To that extent, it's a stark difference to the majority's proposal, which will not be implemented, and they know it.

Let me start with an observation, a headline, "Blunt Report Says GOP Needs to Regroup for '16.'"

In that, there is this sentence from the report. It's not from a Democrat, not from the newspaper, not from an editorial writer. It says, "We have become expert"—"we," being the Republican Party.

We have become expert in how to provide ideological reinforcement to like-minded people.

With all due respect to my friend, Mr. RYAN, that's what his budget is: it is a vision. It is a vision that will not be implemented, and he knows it.

He knows that the Appropriations Committee will not be able to report out bills consistent with his budget, nor will the Ways and Means Committee come even close to reporting out bills that will implement his budget. Why? Because they're so draconian. And as I have said before, if every Democrat were taken out of this House and every Democrat taken out of the Senate, you would not implement the Ryan budget.

Mr. VAN HOLLEN has put together a balanced plan. Yes, it has revenues, and, yes, it keeps the Affordable Care Act in place, and, yes, it provides for funding for investment in growing our economy.

Mr. RYAN knows—and I have great respect for Mr. RYAN. I have great respect for his intellect and, frankly, from time to time, for his political courage. We voted together on TARP. It was a tough vote for him. It was a tough vote for me. It was a tough vote, period. But it was the right vote for the economy. We would have been in a depression had we not voted for that bill, and I congratulate Mr. RYAN on doing that.

But I'll lament the fact that we do not have an equally honest but tough resolution of a big deal in how to get from where we are—too much debt, too

much deficit—to where we need to be: a fiscally sustainable path.

We will not get there, I tell my friend, by vision alone. Courage will be much more important than vision in that case. And Mr. VAN HOLLEN has shown courage by offering a budget that will provide for our people, for our country, and for our economy.

I urge all my colleagues to support the Van Hollen alternative. Why? Because it is a responsible, fiscally implementable—there's a word for you—fiscally doable alternative.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentleman.

Mr. HOYER. Ezra Klein, who may not be your favorite writer, says:

Ryan's tax reform plan costs more than all his spending cuts combined.

That's why I say it can't be implemented. And if we were in private and there were no politics involved, I think my friend would admit that. He shakes his head "no." I didn't expect anything different than that.

Ladies and gentlemen, this is an important statement of vision. It's an important statement of what our priorities are. It's an important statement to the American people, to seniors, to students, to families, to children where our priorities are.

The Van Hollen priorities are the right priorities for America, and I urge my colleagues to support the Van Hollen alternative.

□ 1620

Mr. RYAN of Wisconsin. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 15 minutes.

Mr. RYAN of Wisconsin. I yield myself 2 minutes.

I enjoyed my friend from Maryland, and I appreciate his attempt to speak on my behalf. I will just try to do that myself. There is one thing that is identical in this budget—the base budget—and the Senate budget: it's the appropriations No. 966. It's the one thing that is equal in both the House and the Senate budgets.

The reason I rise in opposition to this budget, unlike what the gentleman just said, is that there is no way this could pass. I would say the opposite. Why? This budget never balances the budget. You will hear Mr. VAN HOLLEN claim that, in 2040, because of certain assumptions they, on their own, make and that cannot be verified by the CBO, they think they'll balance. It never, ever balances the budget. Here is why:

We are going to go from a \$16-plus trillion debt to a \$25 trillion debt in this budget—period. What does this great budget do? It shaves \$612 billion off the debt. It has a \$1.2 trillion tax increase. It has a \$476 billion spending increase. We've got a \$1 trillion deficit.



We're piling debt as high as the eye can see, and they bring a budget to the floor that is increasing spending?

Let's look at every budget offered by the other side: a \$1.2 trillion tax increase by Mr. VAN HOLLEN and a \$476 billion spending increase; the Congressional Black Caucus has a \$2.8 trillion tax increase with \$1.1 trillion spending increase; the Progressive Caucus—that's the doozy of them all—has a \$5.7 trillion tax increase with a \$4.065 trillion spending increase.

Here is the theme:

Take more money from the economy; take more money from families; take more money from small businesses—spend it in Washington, and hope everything works out.

It's not working out.

Families are struggling because of this borrowing, because of this debt. We need to reject this amendment and go with something that works, and that means balancing the budget to get a healthier economy to create jobs, which is precisely what our budget does.

With that, I reserve the balance of my time.

[From the Wall Street Journal, Mar. 18, 2013]

#### HOW THE HOUSE BUDGET WOULD BOOST THE ECONOMY

(By John F. Cogan and John B. Taylor)

This week the House of Representatives will vote on its Budget Committee plan, which would bring federal finances into balance by 2023. The plan would do so by gradually slowing the growth in federal spending without raising taxes.

Still, the plan has been denounced by naysayers who assert that it would harm the economic recovery and that, at the least, any spending reductions should be put off until later. This thinking is just as wrong now as it was in the 1970s.

According to our research, the spending restraint and balanced-budget parts of the House Budget Committee plan would boost the economy immediately. With the Budget Committee's proposed tax reform included, the immediate impact would be even larger. The entire plan would raise gross domestic product by one percentage point in 2014, equivalent to about a \$1,500 increase for each U.S. household. Ten years from now, at the end of the official budget horizon, we estimate that the entire plan would raise GDP by three percentage points, or more than \$4,000 for each U.S. household.

Our assessment is based on a modern macroeconomic model (developed with Volker Wieland of the University of Frankfurt and Maik Wolters of the University of Kiel) whose features include a recognition that the resources to finance government expenditures aren't free—they withdraw resources from the private economy. The model provides for other essential attributes of the economy—that consumers, businesses and workers respond to incentives, and they are influenced by their expectation of future economic conditions when making decisions today. None of these features is provided for in old-style Keynesian models.

The House budget plan keeps total federal outlays at their current level for two years. Thereafter, spending would rise each year, but more slowly than if present policies continue. By 2023, federal expenditures would de-

cline to 19.1% of GDP in 2023 from 22.2% today.

Since the Congressional Budget Office projects that revenues will equal 19.1% of GDP in 2023, the House plan will balance the budget that year. Also by 2023, the publicly held federal debt relative to GDP would decline to 55% from its current high level of 76%.

The House budget is hardly austere: The federal spending claim on GDP would still be considerably higher than it was in fiscal 2000 (18.2%) and only slightly below its claim on GDP in 2007 (19.7%).

The reductions in the growth rate of spending are to be achieved primarily through entitlement reforms. The Affordable Care Act would be repealed. Medicaid and food-stamp administration would be turned over to the states. Medicare would be fundamentally reformed. Anti-fraud measures would be applied to federal disability programs. Among the major entitlement programs, only Social Security would remain unchanged; this is a deficiency in the plan. As for discretionary spending, the House budget plan would provide for only slight reductions from the levels that are set by the budget sequester.

The long-run economic gains from restraining government spending would not, despite what critics claim, harm the economy in the short run. Instead, the economy would start to grow right away. Why?

First, the lower level of future government spending avoids the necessity of sharply raising taxes. The expectation that tax rates won't need to rise provides incentives for higher investment and employment today.

Second, since the expectation of lower future taxes has the effect of raising people's estimation of future disposable income, consumption increases today. This change comes thanks to Milton Friedman's famous "permanent income" hypothesis that the behavior of consumers reflects what they expect to earn over a long period. According to our macroeconomic model, the higher level of consumption induced by the House budget's effect on consumer expectations is large enough to offset the reduced growth of government spending.

Third, the new budget's reduction in the growth of government spending is gradual. That allows private businesses to adjust efficiently without disruptions.

Still, our macroeconomic model likely underestimates the positive impact of the House budget plan. The model doesn't account for the greater economic certainty that results from preventing the national debt from soaring to dangerously high levels and from stabilizing the federal tax burden. Nor does the model account for beneficial changes in monetary policy that could accompany enactment of the budget plan. Lower deficits and national debt would reduce pressure on the Federal Reserve to continue buying longterm Treasury bonds.

The U.S. economy has been experiencing its slowest recovery from a deep recession in modern history. Tragically, fewer people are working as a percentage of the working-age population than when the recovery began—and economic growth was only 1.6% last year. The large federal budget deficits—by increasing uncertainty and delaying private spending—are an important cause of this lackluster economic performance.

For too long, policy makers have been misguided by models that lend support to bigger government or to the politically convenient objective of delaying any reduction in spending. It is better to recognize the flaws in this approach and get on with the sensible budget reforms the country so sorely needs.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, I think, if you ask the American people, they know what the challenge is right now. It's getting the economy back in full gear, and they're struggling because too many of them can't find a job, and the Republican budget will make that even worse. That's not me saying it. That's not a Democratic economist saying it. Those are the professionals at the Congressional Budget Office saying it.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. VAN HOLLEN. I don't have enough time. On your time, I'm happy to, my friend, but I can't do it right now.

Let me say another thing, Mr. Chairman, with respect to balance. It's really interesting.

One of the reasons the Republican budget that last year came into balance in 2040 and the year before was able to balance this year is that the increase in per capita health care costs has come down significantly, in part because of the Affordable Care Act and the changes in incentives. In fact, if you applied much more reasonable assumptions to our proposals than the Congressional Budget Office applied to the Republican budget last year, you'd get balance. I know our Republican colleagues don't want to hear it. Now our focus and our priority is on dealing with the jobs deficit. That is the best way to reduce the long-term deficit and to do it in a balanced way.

I now yield 2 minutes to the very distinguished assistant Democratic leader, my friend from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Thank you so much for yielding me the time.

Mr. Chairman, I rise in strong opposition to the Ryan budget.

The Ryan budget ignores the express will of the American people and doubles down on the "you're on your own" Republican platform that the voters soundly rejected just a few months ago. Rather than taking a fair and balanced approach to deficit reduction, the Ryan budget will kill millions of jobs, slash needed investments, raise taxes on working families, and create big, new tax breaks for the wealthiest few. The Ryan budget will block grant Medicaid, voucherize Medicare, and rip up the safety net that's at the heart of the social contract in this country. There are many words that can be used to describe the Ryan budget, but the one word that cannot be used is "balanced."

I am pleased that the Democratic alternative and the CBC budget that we voted on both include versions of a proposal I have worked on for several years. We call it the "10-20-30." The purpose of the 10-20-30 plan is to target Federal funds to communities that have experienced persistent poverty.

Specifically, this proposal targets 10 percent of funding to neglected communities where 20 percent or more of the population has lived in poverty for 30 or more years.

The 10-20-30 plan was originally signed into law as a part of the Recovery Act. It has proven to be successful in steering needed rural development funds into neglected communities for water and sewage and economic development projects. It's time to build on this success and expand the 10-20-30 plan.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. CLYBURN. Thank you.

I am also pleased that all of the Democratic substitutes reject the austerity-for-working-families plan that the Republicans are proposing. Democrats will honor our commitment to senior citizens and invest in a brighter future. The Van Hollen budget will create jobs now, and that's the tried and true way to achieve deficit reduction.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I would like to yield 2 minutes to the gentlelady from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding.

Today, we are stealing from the next generation—our kids and our grandkids. We are making false promises that Medicare and Social Security benefits will be there to take care of folks when we know that Medicare is bankrupt in 8 to 12 years. It's time for Congress to do something to help Americans and their families.

While House Republicans seek to bring taxes and spending back to historically stable levels this country operated under for the past 60 years and seek to balance the budget, there is nothing balanced about the Democrats' plan. We are spending more money today than we did last year, and we are collecting more taxpayer dollars than ever before. Instead of cutting spending, the Democrats' plan would add \$4 trillion to the debt and take in another \$1.2 trillion out of people's pockets, not to buy down our debt, but to spend even more.

Instead of raising taxes, the House Republican plan includes pro-growth, comprehensive tax reform. Tax reform is critical to increasing U.S. competitiveness abroad as well as attracting business here at home. It will close loopholes and special interest deductions and credits for personal and corporate income taxes and lower the rates for everyone.

I am pleased House Republicans are the only people in this town with the courage to balance the budget. It's time to return the economy to an engine of growth and job creation and to increase opportunities for all hard-working Americans. This is what the

House Republican budget will achieve, and this is what Americans deserve.

Mr. VAN HOLLEN. The way to save Medicare is to bring down costs overall in the health care system, not give seniors a voucher that puts all the risk on the senior, which is what the Republican approach does.

I now yield 1 minute to the distinguished ranking member of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman and my colleagues, a budget shows our priorities for financial expenditures but our moral priorities as well. There are many reasons to oppose the Ryan budget, but what it does to Medicare and Medicaid are on the top of my list.

They would end Medicare as people have known it. Rather than have a guaranteed benefit, they turn it into a voucher. There would be no guarantee that people would be able to get the services they need and get those benefits provided to them under this voucher. Every year, that voucher would be capped, so they would have to buy a cheaper and cheaper policy with fewer and fewer benefits.

For Medicaid, the Ryan budget cuts \$810 billion, ending the coverage for over 70 million Americans: 17 million are seniors or people with disabilities, and 33 million are children, for whom we want to have at least a chance of starting life in the best of health. They would make this into a block grant, cutting \$110 billion, shifting the cost on to the States, on to the providers, on to the beneficiaries. They don't hold down costs. They simply shift them.

I urge a "no" vote on the Ryan budget.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 10 seconds to simply say that I think that people know over here that we're not proposing a voucher plan. The premium support is quite different, and it's the only bipartisan solution to save and strengthen Medicare.

With that, I would like to yield 2 minutes to a member of the Budget Committee, the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank Chairman RYAN for his leadership as well as to thank all of the members and staff of the Budget Committee.

We have a good product here. It balances. Balance is important because, until you balance, you can't even begin to start paying off this debt, and we do that. The budget that's on the floor right now never balances. It might claim it does, but the math bears otherwise.

□ 1630

I want to address the Medicaid reforms that we put in our budget, because they were just attacked. We believe in balancing the budget. We believe in balancing, not by raising taxes,

but by cutting spending. But you don't just have to cut to cut spending. You can reform.

You can reform these programs, Mr. Chair, so that they are around for the generations to come. Medicaid, a program that by all accounts is failing those whom it is intending to serve, needs reform. It leads to poor outcomes for patients.

A 2010 study suggested that surgical patients on Medicaid were 13 percent more likely to die, Mr. Chairman, than those without health insurance at all. That bears repeating. If you're a surgical patient on Medicaid, you are 13 percent more likely to die. That needs reform.

It drives away doctors who want to serve the poor. On average, doctors who participate in Medicaid earn 56 percent of what those in the private sector do. It also is pushing our States closer and closer to the brink of fiscal collapse. States on average now spend more on Medicaid than on any other expense, including K-12 education, Mr. Chairman. And the dramatic expansion of Medicaid under ObamaCare will only make these problems worse.

We have to address these failing programs. The States are doing it already. In Rhode Island, with the help of a waiver from the Federal regulations, they are able to take a cap in spending for 5 years and put everyone in managed care successfully. In my home State of Indiana, 40,000 more people who really needed the care were put on without one more dime of expense.

Mr. Chairman, reform is needed, reform cuts costs, and reform will make sure these programs are around for generations to come. Please do not support this budget. Support the Ryan plan.

Mr. VAN HOLLEN. Mr. Chairman, the gentleman from Indiana just made the point that under the current Medicaid system States have lots of flexibility, including Indiana, to help bring down costs. But when you have a tight program, cutting another \$820 billion is not a lifeline; it's throwing them an anchor.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 10 seconds simply to say that Indiana is being denied their waivers, so they're being denied the flexibility they are asking for to run Medicaid as they see fit to serve their populations. Point made.

I would like to yield 2 minutes to the gentlelady from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, I want to compliment the House majority party for putting together a budget that takes a balanced approach. It balances the interest of two very future vulnerable groups.

One is my age, because in 11 years I'm going to be on Medicare and Medicare is going to be broke, completely insolvent, absolutely broke.

At the same time, earlier today, I met with some kids who were here with the Close Up program. They were high school students full of hope. In 11 years, they're going to be starting families, buying cars and gasoline and houses and insurance and raising kids; and they'll be at a financially vulnerable age.

Now, the House Republican budget protects both of us. It makes Medicare solvent for me when I am there and I need the money. And it doesn't do it on the backs of those young high school students today that will be 28-years-old when they need to be raising families and saving for their children's college and their own retirements. It doesn't with the premium support system, not a voucher system, a premium support system, which is what I have as a Member of Congress, where I get to choose from among government pre-approved insurance programs that don't deny me for a preexisting condition. I pay part of the premium and the government pays part of the premium. The healthy and wealthy get less premium support, the unhealthy and unwealthy get more.

It solves both parties. It's the balanced approach. I ask you to reject the minority party's budget and support the House Republican budget.

Mr. VAN HOLLEN. Mr. Chairman, it is now my privilege to yield 1 minute to the gentlelady from California (Ms. PELOSI), the very distinguished Democratic leader, who just returned from the Vatican and hopefully will bring some hope from the Pope, as I say.

Ms. PELOSI. I thank the gentleman for yielding. I thank him, Mr. Chairman, for his tremendous, tremendous leadership and giving us an opportunity in the House today to vote on a budget that is a reflection of American values—values of work and jobs, promoting them, a value of fairness, a value of advancing the success of America's families. I thank him for giving us a budget—I think we can all be the judge—where we say that a budget is a statement of our national values. What is important to us as a Nation is a place where we allocate our resources.

This budget is in stark absolute contrast to the Republican budget that is on the floor today.

Contrast number one: jobs. The Republican bill, the Ryan Republican budget, is a job killer. Nearly 2 million jobs lost right out of the gate, and more lost after that; whereas the Van Hollen Democratic substitute is a job creator. It invests in rebuilding the infrastructure of America. It invests in innovation, energy, and education. Speaking of infrastructure, the American Society of Civil Engineers has given us a D in terms of the condition of the infrastructure in our country. So the need is there. This budget recognizes that need, but it also does so in a way that creates jobs in a very innovative way.

It is in strong contrast when it comes to fairness, fairness as to how we, again, establish our priorities to invest in education, rather than continue to give tax breaks, loopholes that are unnecessary, unworthy of a values budget that the Republican budget continues.

And in terms of our seniors, the contrast could not be greater. The Ryan budget, in 10 years there will be no Medicare guarantee—flat out, absolutely. There will be no Medicare guarantee.

In the meantime—in the meantime—the Ryan budget takes the resources that we have in the health care reform bill, repeals the bill, and takes the money and runs to give it to his priorities, rather than strengthening Medicare and keeping it strong for a longer period of time, keeping the benefits that are in the Affordable Care Act, prevention and wellness services right from the start, closing the prescription drug doughnut hole, and the list goes on.

I listened intently to the gentlelady speak about our high school 18-year-old seniors and where they'll be when they're 28 years old. And since young people are always used as sort of a point of discussion, and rightfully so—we're here to provide for their future—I think it's important to listen to what they have to say.

And the young people that have passed through the Capitol—as you know, many do—I frequently invite them to sit down and tell me what they would like us to say at the table of the discussion of the budget—especially when it comes to them—because we always say we cannot heap mountains of debt on the next generation. I fully agree. That is why I support the Van Hollen budget.

These young people say, We want a strong education system, a strong public education system. We need student loans that are affordable. We need Pell Grants. We need our families to be able to focus on us, and so we need Medicare and Medicaid so that our grandparents' health needs are met.

For a long time to come, they hope, loving their grandparents. But these young people want to be helpful in solving the budget crisis. That's what they have told us: We want to do our share.

The initiative that brings more money to the Federal Treasury is education—education, early childhood, K-12, higher education, post-grad, all the rest of that lifetime learning.

□ 1640

Nothing brings more money to the Treasury than educating the American people, and that is why investing in education, creating jobs, that brings revenue. It's hard to see why we would put forth a budget that stunts the growth of jobs, the growth of our economy with jobs and our investments in education.

On the subject of education, tens of billions of dollars are struck in the Ryan Republican anti-job bill, in that job-killer bill, tens of billions of dollars. They say, it's better to give a tax break to a special interest than to invest in the education of our children.

Would that be a statement of your national values if you were writing a budget for our country? I don't think so. It certainly was not a statement of the values of the young people who have come through here saying how they would help solve the budget deficit challenge we face.

We all know the deficit must be reduced. We've known it for a long time. We've recognized it for a long time. President Clinton recognized it and took us on a path of soundness.

It was totally reversed in the Bush years when our Republican colleagues didn't say a word. They said, no problem; it's the appropriate percentage of GDP. No problem with the deficit. They never complained about it.

But now, with their initiatives, the Ryan Republican job-killer budget is making matters worse in terms of reducing the deficit because it deprives our economy of the very initiatives that would create growth, the education of our people, lifetime learning for the American people.

Investments in education, as I said, nothing brings more money. Investments in jobs, whether it's infrastructure, energy, innovation—absent in the Ryan Republican job-killer budget.

Medicare, so important to the stability of America's working families, the provisions in the Affordable Care Act that affect Medicare have already demonstrated that it is halting the rapid increase in the cost of health care spending, and so that is what has enabled the CBO to say, with more promise, that we can use a different baseline to reduce the deficit, and that has been used in the Republican budget.

So I urge my colleagues to think about the kitchen tables of people in our country. We sit at a table here and have these discussions. What's really important is how the decisions we make here, what we think, and how that relates to the challenges they face, the education of their children, are they going to be able to keep their home, keep their job, keep their pension, all of this heaped one on top of another of concerns.

And the economic and health security of our seniors not only has an impact on them, the seniors, but on their families. And if we're going to be true to those young people, those 18-year olds, we must recognize how important their education is, but also, how important caring for their grandparents is to the economic success of their entire family.

I'll end where I began. The most important part of all of this is this issue

of jobs, jobs, jobs, and the fairness in our budget to promote jobs and to reduce the deficit for the success of America's families.

The choice is clear: Job-killer Ryan Republican budget bill, job-creator Van Hollen substitute bill. I urge my colleagues to support the Van Hollen bill.

Mr. RYAN of Wisconsin. I'm just not going to agree with that one, Mr. Chairman. I'll yield myself 30 seconds.

The minority leader says she's concerned about the debt that is befalling the next generation. I'm glad to hear that. Doing nothing, the debt will go up by 56 percent if we just do nothing.

If this budget passes, the Democratic substitute, it will go up by 54 percent. That's basically doing nothing as well.

Jobs: the CBO statistic the gentleman talks about, it's not even an estimate of this budget, it's the sequester.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself another 10 seconds.

But the Stanford economist who did look at this Republican budget says that we will create 500,000 jobs in the first year and 1.7 million each and every year by the end of this budget window. Faster economic growth, more jobs, getting the government to live within its means, balancing the budget.

With that, Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), a member of the Budget Committee.

Mrs. WALORSKI. Mr. Chairman, today we're not talking about balancing a budget for the sake of balancing a budget. The goal is not to just check a box. What we're discussing today is about more than just this procedure of a budget. We're debating the kind of future that we're going to leave our kids.

Today, the choice is clear: if Congress does not get spending under control, our Nation faces a debt crisis that will only make our financial situation worse. House Republicans did recognize this and the urgency of the hour, and we acted.

I'm proud to have worked with my colleagues on the Budget Committee to produce a budget that does make responsible reforms, promotes economic growth and job creation. The House Republican budget does balance in 10 years and gets our Nation back on track.

The Democrats' budget doesn't balance at all within CBO's budget window, and it includes a \$1.2 trillion increase in taxes. Our budget reforms the Tax Code and lowers taxes for everyone.

Hardworking Hoosier families sit around their kitchen tables today, tonight, this evening, and make tough choices to keep their budgets. Our households and businesses work hard to live within their means, and the

Federal Government should do the same.

The basic principle of keeping budgets is important to all American families. When I'm home in the Second District in the State of Indiana and I'm in the grocery store on Saturday mornings, there are moms that come up to me and they're worried about the rising cost of eggs. They're talking about the price of a gallon of milk.

They're concerned about whether their kids will have a future. Will they really go to college? Will there be jobs for them when they come out of college? Will there be jobs for them if they don't go to college? What happens when they do enter the workforce?

The truth is this: the uncertainty in Washington is what burdens our families at home. It's time for us in Washington to be accountable and pass a responsible budget.

According to Stanford University, in addition to what the chairman mentioned, their economists said that this Republican budget would result in \$1,500 more for each household in 2014 and \$4,000 more for each household by 2024.

Our budget includes commonsense policies that will spur investments and job creation and roll back the regulations that hurt businesses and stifle economic growth.

History will be our judge by the future that we leave to our children. If we refuse to make responsible, serious decisions about this budget, we'll jeopardize the American Dream for future generations. We have to ensure that our children have the same, if not better, opportunities to succeed than we have.

I urge my colleagues to make a responsible decision, oppose this amendment, and support the House Republican budget.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I support the Van Hollen budget because it recognizes that reducing our deficit is important, and that fiscal restraint, spending cuts, more revenues in a balanced way, is the way to do that. But I also support it because it chooses American economic growth over the European-style austerity.

Prior to 1965, in this country, when you got old and retired, you moved in with your kids and hoped you didn't get sick. And only the very lucky or the very wealthy got to go to college.

In 1965, two things changed. We adopted Medicare that said that retired people had health security, and we adopted the Higher Education Act that said that sons and daughters of truck-drivers and teachers could get a college education.

What happened?

Prior to 1965, on a per capita basis, our economy grew by \$323 per person

per year. After 1965, our economy grew by \$523 per person per year. Investing in Medicare, investing in education yields growth.

The Republican budget ends the Medicare guarantees and will severely raise the cost of going to college for American families. Vote "yes" on the Van Hollen plan.

□ 1650

Mr. RYAN of Wisconsin. Little do some know that ObamaCare ended Medicare as we know it.

Mr. Chairman, I yield 1 minute to a distinguished senior member of the Budget Committee, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, Mr. VAN HOLLEN recently pointed out that Democrats and Republicans both want to get rid of a range of tax loopholes but Democrats want to spend that money and Republicans want to lower the overall burden. That difference is very important.

We have the highest corporate tax rate in the industrialized world. That's the principle reason why we're losing American jobs to nations with much lower taxes. As economist Arthur Laffer has warned, there's nothing more portable in this world than money.

This policy might fit the left's "eat the rich" crusade, but the jobs it destroys are eating our middle class alive. We are sacrificing permanent, upwardly mobile, productive private sector jobs for makeshift subsidized ones that disappear the moment the money runs out. That is precisely the difference between FedEx and the post office or between Apple and Solyndra. And that's all the difference in the world.

Mr. VAN HOLLEN. May I inquire again how much time remains?

The CHAIR. The gentleman has 1 minute remaining.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

The fundamental choice here is whether we want a budget like the Democratic budget that focuses on economic growth and strengthening the middle class or whether you want to take a budget like the Republican budget that imposes European-style austerity by more than doubling the size of the sequester on essential investments to help the economy grow. Investment in our infrastructure, when we know we have 15 percent unemployment in the construction industry. Investment in our kids' education, not doubling the student loan interest rate in July, as the Republican budget would do. Investment in science and research. If we don't make those investments, our global competitors are going to eat our lunch.

And yes, we do ask the very wealthy to get rid of some of their tax breaks

and loopholes to help contribute to the reduction of the deficit so that we can reduce the deficit in a balanced way that calls for shared responsibility. And no, we do not ask middle-income families to pay higher taxes in order to finance tax breaks for the wealthy. And yes, we get the deficit down in a steady way. We balance it in the same year the Republican bill balanced last year, and we don't pretend that we're going to balance and get rid of ObamaCare at the same time. That's fake balance, not real balance.

I yield back the balance of my time. The CHAIR. The gentleman from Wisconsin has 2 minutes remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, this green graph shows you the revenues we've historically had in America. The blue line shows you the tax increases our friends are hoping to achieve, some of which have already occurred. The red line shows you where spending is going. We have a spending problem. But the time my kids are my age, the government will be taking twice as much money to spend on the Federal Government.

Austerity is what you do when you have a debt crisis. You raise taxes and you cut spending on seniors to try and please the bond markets to stop the panic. That's the path we're on. What we're trying to do is prevent austerity.

What do we propose? Let's grow the economy. Let's reform the tax system. Let's stop picking winners and losers through loopholes, lower tax rates for everybody—families and businesses—to create jobs and economic growth. Let's open up the resources we have in this country—oil, coal, and gas—so we can bring down gas prices, increase paychecks, create jobs, help manufacturing.

We have a safety net that isn't working. We have the highest poverty rates in a generation. There are 46 million people in poverty. We need to fix this safety net so it works to get people back on their feet again. We need to save Medicare so that it's not bankrupt—because it is on a path to bankruptcy—so that current seniors can rest in comfort knowing it's not going to be taken away from them, so that the ObamaCare rationing board won't take it from them, and so that those of us who are younger can plan for it.

We need to balance the budget. Balancing the budget is necessary for a healthy economy, for creating jobs, and for giving our kids a debt-free Nation. That's why we do this. Their budget, despite what they say, never, ever balances. The budget the Senate is considering today never, ever balances.

The budget that they're talking about here, the budget that they're passing in the Senate, it actually has a net spending increase. And don't forget the fact that taxes just went up by \$1.6 trillion. What do they want to do? Throw another trillion on top. Guess

what? They may say it's for the rich. They may say it's for the loophole. Watch out, middle class. The tax man is coming to you. Because that's exactly what all these deficits and all these tax increases are pointing at—taking more out of the paychecks of hardworking families. We're going to balance the budget and stop that from happening. That's why I urge a defeat of the Van Hollen substitute and passage of the base bill.

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, I support the Democratic budget. It is a responsible roadmap that invests in our future and approaches deficit reduction in a balanced way. It accomplishes this without singling out domestic energy production with unfair tax provisions.

I cannot support the Republican budget. It cuts taxes for the wealthy and pays for it by raising taxes on middle income earners and betraying our commitment to our seniors. It is misguided and does not reflect the values Americans hold dear.

The Republican budget slashes Medicaid, which provides necessary care to our nation's most vulnerable, especially low-income seniors and children. Denying them the care they need does not make the costs go away, it just shifts the burden on to doctors, hospitals, nonprofits, and others.

The Majority budget repeats the same tired and failed tactic of repealing the Affordable Care Act. Repeal increases the deficit and means Seniors will pay more for prescription drugs, receive less preventive care, and bring back the days of abusive insurance companies capping coverage and denying coverage to those with pre-existing conditions.

Alternatively, the Democratic budget makes good on the commitments we have made to our Seniors. It makes sure that the Affordable Care Act is fully implemented and that the benefits are maximized to protect patients and begin to bring down the cost of healthcare. This budget also provides the necessary funding for medical research, which will spur the innovations of the future that end disease and improve outcomes.

Additionally, I appreciate the Ranking Member for making education a top priority in this budget. Investing in education is key to growing our economy, strengthening the middle class, allowing for upward mobility and ensuring our children and grandchildren have brighter futures than previous generations. Robust early education programs, jobs initiatives and financial aid programs to make college more affordable invest in our future and build a stronger America in the long-term. Making it harder for out-of-work Americans to get job training or for families to access quality early learning programs undermines the strength of our workforce and diminishes our ability to compete in the global economy.

Spending on domestic programs is already on track to be at the lowest level as a percentage of the economy since the 1960s, but the Ryan budget would make even deeper cuts. It imposes spending caps on non-defense programs for two additional years at a level that is \$700 billion below the level set by the Sequester. It slashes billions of dollars in manda-

tory funding for Pell Grants and allows interest rates on student loans to double this summer at a time when student loan debt is nearing \$1 trillion and is the only type of household debt that continued to rise through the Great Recession. We should be working to help Americans who seek to better their livelihood through higher education rather than allowing them to be crushed by debt or denied access due to skyrocketing costs.

Under the Ryan budget, students will face larger class sizes, more debt, fewer after-school programs, and less support for special needs. Robust funding for educational investments is critical to growing our economy. Cutting these programs shortchanges our future and threatens the ability of our children to pursue the American Dream.

Finally, I want to thank our Ranking Member on the House Budget Committee and Democratic Leadership for not including provisions in this budget that would unfairly single-out and punish our domestic energy industry by repealing tax provisions for them that are afforded to any business operating in our country. The oil and natural gas industry is one of the largest employers in our country, supporting more than 9.2 million jobs. In fact, this industry delivers \$86 million a day to the federal government in revenue. Any changes to these tax incentives should be addressed in the context of comprehensive tax reform and not a budget.

Ms. LEE of California. Mr. Chair, let me thank our Ranking Member, Congressman VAN HOLLEN.

As a Member of the Budget Committee, I rise in strong support of the Democratic Alternative Budget to the disastrous Republican Budget.

The Democratic budget will close special interest tax loopholes to raise the critical revenue we need to create 1.2 million new jobs, and make key investments in education, health care and clean energy.

Mr. Chair, the Democratic Alternative not only fully funds the SNAP program, it includes language that calls for the creation of a National Strategy on Poverty.

Democrats understand that fully supporting our safety net programs, like Medicare, Medicaid, SNAP, and Social Security, will reduce poverty, grow the middle class, and promote job creation and economic growth.

Finally, the Democratic Budget eliminates off budget spending in the Overseas Contingency Operations slush fund to stop our cycle of perpetual wars and bring our troops home safely.

The Democratic Budget offers a balanced alternative to the failed economic and fiscal policies of the Republican majority.

I urge my colleagues to support the Democratic Budget.

Ms. BONAMICI. Mr. Chair, I rise today in support of the Democratic budget alternative offered by Ranking Member Van Hollen, and I thank you for allowing me the opportunity to be heard on this important issue. Today I am supporting the Van Hollen Budget and opposing the budget blueprint laid out by Budget Committee Chairman Ryan. The Van Hollen budget acknowledges the concerns that have been expressed to us loudly and clearly by constituents since sequestration took effect

March 1st; the Ryan budget exacerbates the problems caused by across-the-board cuts and attempts to recycle ideas that the American people have repeatedly rejected.

According to the Congressional Budget Office, half of our current budget deficit is attributable to high unemployment and lagging economic growth. The approach taken by Chairman Ryan's budget would make the problem worse by cutting investments in education, research, and infrastructure. Implementing this kind of harmful austerity approach will handicap our fledgling economic recovery. The budget I voted for makes strategic cuts, closes tax loopholes, and lays a foundation for economic growth going forward. And perhaps most importantly, the Van Hollen budget ends the damaging sequester and puts our country on a sustainable fiscal path without ending the guarantee of Medicare.

In the months preceding our self-imposed March 1st deadline, sequestration was a central theme in almost every conversation I had with constituents. I spoke with researchers at universities across Oregon who expressed concern about the impact cuts would have on scientific advancement, business leaders who told me they had not hired new workers because of the uncertainty caused by sequestration, and teachers who worried about cuts to vital special education programs. Oregonians, like most Americans, do not support this detrimental approach to policymaking.

In the months following the implementation of the sequester, my offices in Oregon and here in Washington, DC continue to hear numerous additional stories of the hardships brought about by budget uncertainty. For those who rightly raise concern, the budget proposed by Chairman Ryan is another example of DC putting politics over solutions. My constituents want fiscal responsibility from their elected officials; not a budget balanced on the back of the working class and the elderly.

Congress has reduced projected deficits by about \$2.7 trillion since August 2010 by cutting discretionary spending, increasing tax rates for families with taxable income over \$450,000 a year, and eliminating related debt servicing. The combination of deficit reduction included in Ranking Member Van Hollen's budget and the total deficit reduction achieved to date meets the \$4 trillion goal set forth by the bipartisan Simpson-Bowles Commission. Further, the Van Hollen alternative I am supporting today achieves this deficit reduction without implementing the Ryan budget's Medicare voucher plan, while also preserving the Affordable Care Act reforms that currently provide seniors with reduced prescription drug costs and free preventive health care.

Our constituents sent us here to solve the problems created by our predecessors, not to make them worse. The Van Hollen budget alternative puts us on the road to economic recovery while preserving the social safety net. For this reason I am proud to support it.

**THE CHAIR.** The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

The question was taken; and the Chair announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. VAN HOLLEN. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 253, not voting 13, as follows:

[Roll No. 87]

#### AYES—165

Andrews	Grijalva	Payne
Bass	Gutierrez	Pelosi
Beatty	Hahn	Perlmutter
Becerra	Hanabusa	Peters (MI)
Bishop (GA)	Hastings (FL)	Pingree (ME)
Bishop (NY)	Heck (WA)	Pocan
Blumenauer	Higgins	Polis
Bonamici	Holt	Price (NC)
Brady (PA)	Honda	Quigley
Braley (IA)	Horsford	Rahall
Brown (FL)	Hoyer	Rangel
Butterfield	Huffman	Richmond
Capps	Israel	Roybal-Allard
Capuano	Jackson Lee	Ruppersberger
Cárdenas	Jeffries	Rush
Carney	Johnson (GA)	Ryan (OH)
Carson (IN)	Johnson, E. B.	Sánchez, Linda
Cartwright	Kaptur	T.
Castor (FL)	Keating	Sanchez, Loretta
Castro (TX)	Kennedy	Sarbanes
Chu	Kildee	Schakowsky
Cicilline	Kilmer	Schiff
Clarke	Larsen (WA)	Schrader
Clay	Larson (CT)	Schwartz
Cleaver	Lee (CA)	Scott (VA)
Clyburn	Levin	Scott, David
Cohen	Lewis	Serrano
Connolly	Lofgren	Sewell (AL)
Conyers	Lowenthal	Shea-Porter
Courtney	Lowe	Sherman
Crowley	Lujan Grisham	Sires
Cuellar	(NM)	Slaughter
Cummings	Luján, Ben Ray	Smith (WA)
Davis (CA)	(NM)	Speier
Davis, Danny	Lynch	Swalwell (CA)
DeFazio	Maloney,	Takano
DeGette	Carolyn	Thompson (CA)
Delaney	Markey	Thompson (MS)
DeLauro	Matsui	Tierney
Deutch	McCarthy (NY)	Titus
Dingell	McCollum	Tonko
Doggett	McDermott	Tsongas
Doyle	McGovern	Van Hollen
Duckworth	McNerney	Vargas
Edwards	Meeks	Veasey
Ellison	Michaud	Vela
Eshoo	Moore	Velázquez
Esty	Moran	Visclosky
Farr	Nadler	Walz
Fattah	Napolitano	Walters
Frankel (FL)	Neal	Watt
Fudge	Negrete McLeod	Waxman
Gabbard	Nolan	Welch
Garamendi	O'Rourke	Wilson (FL)
Grayson	Pallone	Yarmuth
Green, Al	Pascarell	
Green, Gene	Pastor (AZ)	

#### NOES—253

Alexander	Calvert	DeSantis
Amash	Camp	DesJarlais
Bachmann	Campbell	Diaz-Balart
Bachus	Cantor	Duffy
Barber	Capito	Duncan (SC)
Barletta	Carter	Duncan (TN)
Barr	Cassidy	Ellmers
Barrow (GA)	Chabot	Enyart
Barton	Chaffetz	Farenthold
Benishek	Coble	Fincher
Bentivolio	Coffman	Fitzpatrick
Bera (CA)	Cole	Fleischmann
Bilirakis	Collins (GA)	Fleming
Bishop (UT)	Collins (NY)	Flores
Black	Conaway	Forbes
Blackburn	Cook	Foster
Bonner	Cooper	Fox
Boustany	Costa	Franks (AZ)
Brady (TX)	Cotton	Frelinghuysen
Bridenstine	Cramer	Gallego
Brooks (AL)	Crawford	Garcia
Brooks (IN)	Crenshaw	Gardner
Brown (GA)	Culberson	Garrett
Brownley (CA)	Daines	Gerlach
Buchanan	Davis, Rodney	Gibbs
Bucshon	DelBene	Gibson
Burgess	Denham	Gingrey (GA)
Bustos	Dent	Gohmert

Goodlatte	Marchant	Rokita
Gosar	Marino	Rooney
Gowdy	Massie	Ros-Lehtinen
Granger	Matheson	Roskam
Graves (GA)	McCarthy (CA)	Ross
Graves (MO)	McCaul	Rothfus
Griffin (AR)	McClintock	Royce
Griffith (VA)	McHenry	Ruiz
Guthrie	McIntyre	Runyan
Hall	McKeon	Ryan (WI)
Hanna	McKinley	Salmon
Harper	McMorris	Scalise
Harris	Rodgers	Schneider
Hartzler	Meadows	Schweikert
Hastings (WA)	Meehan	Scott, Austin
Heck (NV)	Messer	Sensenbrenner
Hensarling	Mica	Sessions
Herrera Beutler	Miller (FL)	Shimkus
Himes	Miller (MI)	Shuster
Holding	Miller, Gary	Simpson
Hudson	Mullin	Sinema
Huelskamp	Mulvaney	Smith (NE)
Huizenga (MI)	Murphy (FL)	Smith (TX)
Hultgren	Murphy (PA)	Southerland
Hunter	Neugebauer	Stewart
Hurt	Noem	Stivers
Issa	Nugent	Stockman
Jenkins	Nunes	Stutzman
Johnson (OH)	Nunnelee	Terry
Johnson, Sam	Olson	Thompson (PA)
Jones	Owens	Thornberry
Jordan	Palazzo	Tiberi
Joyce	Paulsen	Tipton
Kelly	Pearce	Turner
Kind	Perry	Upton
King (IA)	Peters (CA)	Valadao
King (NY)	Peterson	Wagner
Kingston	Petri	Walberg
Kinzinger (IL)	Pittenger	Walden
Kirkpatrick	Pitts	Walorski
Kline	Poe (TX)	Weber (TX)
Kuster	Pompeo	Webster (FL)
Labrador	Posey	Wenstrup
LaMalfa	Price (GA)	Westmoreland
Lamborn	Radel	Whitfield
Lance	Reed	Williams
Lankford	Reichert	Wilson (SC)
Latham	Renacci	Wittman
Latta	Ribble	Wolf
LoBiondo	Rice (SC)	Womack
Loeback	Rigell	Woodall
Long	Roby	Yoder
Lucas	Roe (TN)	Yoho
Luetkemeyer	Rogers (AL)	Young (AK)
Lummis	Rogers (KY)	Young (FL)
Maffei	Rogers (MI)	Young (IN)
Maloney, Sean	Rohrabacher	

#### NOT VOTING—13

Aderholt	Hinojosa	Schock
Amodei	Langevin	Smith (NJ)
Engel	Lipinski	Wasserman
Fortenberry	Meng	Schultz
Grimm	Miller, George	

□ 1718

Messrs. COFFMAN and ROHR-ABACHER changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PRICE of Georgia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOYCE) having assumed the chair, Mr. HASTINGS, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, had come to no resolution thereon.



# HOUR OF MEETING ON TOMORROW

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

□ 1720

## THE NATIONAL FAB LAB NETWORK ACT OF 2013

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, today I introduced the National Fab Lab Network Act of 2013. I introduced this bill because America needs a well-trained workforce for advanced manufacturing.

When I go home, people ask me, Where are the jobs? But when I talk to manufacturing groups like the Tooling & Manufacturing Association in Illinois, they tell me there is a mismatch between job openings and students and workers with the right skills to fill them.

Fab labs can help bridge that skills gap. Fab labs are workshops equipped with computer-controlled machine tools that allow children and adults to build almost anything. The first fab lab was started at MIT, and they have spread worldwide.

My bill would create a Federal charter for a nonprofit organization called the National Fab Lab Network. This chartered status would be similar to that enjoyed by Little League Baseball or the Veterans of Foreign Wars. My bill would help American manufacturers fill job openings and encourage students to become more active in STEM fields, all at no cost to taxpayers.

I ask my colleagues to join me in support of this initiative and to cosponsor the National Fab Lab Network Act of 2013.

## AMERICA'S NATURAL GAS REVOLUTION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, science is beginning to prevail in the debate over America's natural gas revolution, and it's time to begin telling the real story of what it means for all Americans.

Just 7 years ago, America was facing the fact that we would have to import an increasing amount of natural gas to fulfill our domestic demand. Today, new technologies have enabled us to access previously inaccessible energy resources, and almost overnight America's energy resource picture flipped from deficit to surplus.

In the past 5 years, we've become stronger as a Nation through the development of these God-given resources. As a result, we're more competitive. From the low-income to the high tax brackets, everyone is benefiting.

The future is bright, but only if we educate, dispel myths and half-truths, and begin telling the real story of America's natural gas revolution and what it means to all Americans.

The story is about technology, private sector innovation, investment, financial risks, thousands of new jobs, new competition, new growth, a growing and better standard of living for more Americans, lower energy costs, new industries, a revitalized manufacturing sector, more growth, more jobs, energy security, and optimism. This is the story of America's natural gas revolution.

## THE RYAN BUDGET AND MEDICARE

(Ms. DUCKWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUCKWORTH. Mr. Speaker, the Ryan budget once again places the burden of deficit reduction on working Americans while failing to stop the frivolous spending of subsidies for oil and gas companies that cost the American people billions of dollars every year.

I'm especially concerned that the Ryan budget will end the guarantee of Medicare for hardworking Americans who have paid into it. Medicare was created precisely because the private market failed to provide seniors with affordable and quality health care.

Even if senior citizens are able to find decent health insurance, they would still have to pay \$1,000 more a year for prescription drugs after the Ryan budget reopens the doughnut hole. Overall, their budget will force seniors to pay \$59,500 more in health care costs during their retirement. My neighbors, who work so hard to pay their mortgages and send their children to college, can't afford to spend another \$59,500.

Rather than ramming through a partisan budget that will never become law, I encourage Congress to work together on a budget that can preserve Medicare, reduce the deficit, and grow our economy.

## MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. BERA) is recognized for 60 minutes as the designee of the minority leader.

Mr. BERA of California. Mr. Speaker, over the past several weeks, I've been talking to my constituents and I've

been talking to former patients about the importance of Medicare and how Medicare has impacted their lives, how they've relied on it.

As a doctor, I've taken care of thousands of patients, patients who have worked their whole life paying into a system so that they could rest easy at a time when they needed their health care. They wouldn't have to worry about it.

This is a value and a program that has served millions of Americans for decades. They've come to rely on Medicare. It is a program that works. It is a program that we've come to rely on as doctors.

Let me make it even a little more personal than that. Let me tell you the story about my parents, who came here as immigrants over 50 years ago.

My mom was a public school teacher and my dad was an engineer and a small business owner. They got up every day. They went to work. They paid into a system over a lifetime so that when they needed their health care, they could rest easy. They knew they had a Medicare system.

Let me even make it more personal. Over these past few years, my dad is in his late seventies and he has needed knee replacements. He was able to get them. His doctor was able to order the care that was necessary to take care of him.

A few months ago, my mom suffered a mild stroke. My dad didn't have to hesitate about whether she could get health care or not. My dad could pick up the phone, call 911 and get her to the hospital. She was able to get the care that was necessary that millions of Americans count on. Her doctor was able to come and see her. Her doctor was able to order the postoperative care that was necessary.

□ 1730

That is why millions of Americans rely on Medicare—so they can rest easy at a time when they need that security of health care. It is a system that works. It is a system that working men and women in America pay into over their lifetimes so that, when they're at their most vulnerable, they're able to get the care that they need. I've seen it time and time again as a doctor. Let me share a story with you.

As a young intern in my training as a doctor in internal medicine, one of my first patients was a Roman Catholic priest, Father Mike. It was my first month working in a hospital and doing my rounds in the intensive care unit. Now, Father Mike was afflicted with ALS, more commonly known as Lou Gehrig's disease. Father Mike would be in and out of the hospital, and would be devastatingly sick. For those of you who know about Lou Gehrig's disease, it is a progressive illness that slowly deteriorates and eats away at your body. It takes away your muscles and

your ability to breathe. So, over the course of 2 years, I would see Father Mike repeatedly going in and out of the intensive care unit. He needed that care to keep him alive. Without Medicare, he wouldn't have been able to afford the care.

Now, let's ask ourselves as Americans: What are our values?

Our values are that we take care of our seniors, that we take care of our parents and grandparents, and we want to honor them after a lifetime of work. That is who we are. Those are our morals as Americans, and that is why I'm on the floor of the House of Representatives today to talk about how important Medicare is, not only for my parents but for parents throughout this country, for grandparents throughout this country, and also for that next generation that is currently paying into the system. I'm not alone. My fellow colleagues in medicine care about this deeply.

With that, I would like to recognize my colleague, a fellow physician from California, Dr. RAUL RUIZ.

Mr. RUIZ. Thank you, Dr. BERA.

This Congress has a responsibility and an opportunity to work together to grow our economy and to set this Nation on a fiscally responsible path. However, the Ryan budget is irresponsible, and it places the burden of the deficit on hardworking American families and seniors. This plan ends the guarantee of Medicare. As an ER doctor, I know that many of my senior patients are struggling financially and rely on Medicare in the moments of their lives when they need it the most.

Our priority should be reducing health care costs in order to make Medicare stronger and more sustainable, but this budget transforms Medicare into a voucher program, shifting the costs of health care onto the shoulders of our seniors. We must, once again, work together to protect and preserve Medicare, reduce our deficit and decrease health care costs. I urge my colleagues to come together across party lines and put American families and our seniors first.

Mr. BERA of California. Thank you, Dr. RUIZ.

I urge Americans to share their stories. I urge them to share the importance of Medicare and how they rely on it. Share the stories about your parents and grandparents. I urge the Members of this body to share their stories. We all have parents and grandparents. We all care about this program, and we all have stories to tell.

Just today, in my office, I had a colorectal cancer survivor come to visit. She talked about how her cancer was diagnosed early because she was able to go get a colonoscopy—because she was able to get the preventive care services that were necessary. She would not have been able to do that had she not had access to Medicare,

had she not had access to basic cancer prevention.

That is what's at stake here—making sure that our seniors, that our parents and grandparents, have access to that care when they need it the most. That's why I'm on the floor here today, because we have to protect Medicare—a program that has worked for decades. It is a program that we rely on, so I want to hear your stories about how we protect Medicare and make sure it's there for generations. This is a program that has worked time and time again. Let me even share another story of patients that I've taken care of.

I've taken care of hundreds of men and women who do physical labor—construction workers, folks who get up every morning and go to work. They don't make a lot of money, but they pay into a system. I'd encourage every American to pull out their paychecks and take a look at them, and you'll see right on there that you're paying into the Medicare system. Even those who are 25 or 30 years old are paying into the system.

Why do we do that?

We pay into the system so that, when we need our health care, we're able to get it. That's what we do as Americans. We know we're in this together, that we care for one another. That is the beauty of Medicare. As I'm working today, I am paying to make sure that my parents and grandparents have the health care they need so that, when I need that health care in retirement, when I'm a senior, I can get it, and so that I can rest easy and not have to worry about that.

That's why we are encouraging you to share your stories. We want to hear your stories about how Medicare has impacted your life and why it is so vital that this body protect Medicare and strengthen Medicare. Share your stories with us on Facebook or Twitter.

I would like to now recognize my colleague, the distinguished gentlelady from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Thank you, Congressman.

In listening to your talk, I've been inspired to share this personal story of my mom. I told this story a few minutes ago, but it's worth repeating.

About 20 years ago, my mom had just reached Medicare age. She was a widow on a fixed income, and she was diagnosed with breast cancer. I had a young son at the time. He is grown now, but he was 13 years old. Our family was blessed as my mother had Medicare, and she was able to get the good health care that she needed, and she's still with me today. I didn't have to choose between helping my mother with her health care treatment or saving money to send my son to college.

That's the kind of choice Americans are going to have to make under this Republican budget, because the Repub-

lican budget doesn't make seniors healthier, it just shifts the burden.

My district is filled with people from all walks of life, from all different professions, whether they be teachers or nurses or accountants. They've worked hard their whole lives, and they've saved up their Medicare accounts and can live with the comfort now of knowing that, if they get sick or if they get injured, the health care that they've earned will be there for them. They will not be a burden on their children, and they will not take the savings that their children have for their grandkids' college educations and use it for their health care.

But it's not enough, Congressman BERA, for us just to say that the Republican budget is bad, because the fact of the matter is the American people and my constituents want answers. They want us to be problem solvers, not problem creators, and they want us to get something done. The Democratic budget gets something done. Just on this issue of health care for our seniors, we secure Medicare for this generation and for generations to come because we focus on what the problem is, and that has been the growing costs of health care.

□ 1740

In the Affordable Care Act, we tackle the problem directly. We reduce overpayments to health care insurance carriers. We look for efficiencies in the delivery of health care. We focus on prevention. We make health care more accessible to more people so that when they enter their Medicare ages, they're healthier. The Democratic budget has a solution, a solution to a challenge that all Americans recognize today.

Congressman BERA, I want to thank you for allowing me to spend some time to speak on behalf of not only my family, but so many of the families in my district in south Florida who depend on Medicare to live full lives.

Mr. BERA of California. Thank you, Congresswoman FRANKEL.

You know, I look at this whole issue from the eyes of a doctor. That's how I have to, that's how I was trained as a doctor. One of the first rules we take when we are sworn in as doctors, the oath and the promise that we make is to do good, benevolence. That is core to what we do, and that is core to what this body needs to understand.

This is not about Republicans versus Democrats. We need to come together to do good for our parents and grandparents, to do good for our seniors, to make sure that we honor the promise that we made to them that after a lifetime of work that they would be able to get the care when they needed it the most. That they could rest easy and not have to worry about getting the care that they needed.

Those are American values. Those aren't Democrat versus Republican. We



need to start setting aside that partisanship. And as to the oath I took when I became a doctor and was sworn into the field of medicine, we need to do good. We need to have the courage to put our patients and American citizens first. That is what this is about. That is why I'm on the floor today talking as a doctor about the patients that I've cared for.

Now, I've heard from others that I represent. Tina shared a story with me. Her father died a few weeks ago after spending a month in the hospital.

Medicare meant her family never had to worry about what the cost of his care was during his illness. Medicare meant that her mother doesn't have to live a life in bankruptcy now, that she could rest easy that her husband was able to get the care that he needed. Medicare meant that they knew in her father's last days that he was getting good health care, that his doctors were able to give him the care that was necessary at the end of his life.

Tina has urged me to fight every day to make sure that every family has the same peace and the same support and the same security that her family had and that she felt at a time when her father needed the care. That's what this is about. This is about doing what we do as Americans. We care for one another. We build a system where we're all in this together, where those of us who are working are paying into a system over a lifetime so that the seniors of today are able to get that care and that we pay it forward. Those are our values. Those are American values, and it's not Democrat versus Republican; and we have to get past this.

As we are on this floor, as we're making votes, we have to think about those who came before us, our parents, our grandparents, the seniors who built this country. That is who we are as Americans, and that's why we want to hear your stories about why Medicare is so important. Share those stories with us on Facebook. Share those stories with us on Twitter. Let your Representatives know why it is so important you want us to keep fighting for Medicare every day.

I'd now like to actually hear a story from my colleague, the distinguished gentlewoman from the great State of Ohio.

Mrs. BEATTY. Thank you so much, Congressman BERA. What a great opportunity for me to tell my story when I think about Medicare and what that means to me—but more importantly, what it means to this Nation, what it means to the citizens in the Third Congressional District that I represent, what it means to someone's mother, someone's grandmother, someone's spouse.

Medicare is something that was created and seniors have paid into it, oftentimes for a lifetime. And then they get to a point in their life when they

want to be able to use something that they paid into. Medicare is something that you're going to hear about from people.

I agree with my colleagues that Medicare is not, nor should it be, a Democrat or a Republican issue. It should be something when you think about being able to provide health care for the same individuals who put so much money into it that they can now be able to use it. Medicare helps save lives. Medicare is part of what I think of as part of the American Dream. Medicare is something that we should be proud to be able to say that we're going to take care of our seniors.

You see, a few years ago my father was very ill; but it was because of Medicare that I was able to witness him getting quality health care. I'm fortunate, my mother is still living. And like many of my colleagues who have come here today and talked about the wonderful benefit that they had by being able to know that their parent was being taken care of, and they were going to be able to have quality health care, isn't that something that we all want? Isn't that something we want as a Democrat? Isn't that something that we want as a Republican?

Let me tell you what I know the citizens of the Third Congressional District want. Let me tell you what I really believe the citizens of this wonderful country we live in want. I think they want to see us working together. I think they want to hear solutions. I think they want to know that they can trust us, because they sent us here not to be in gridlock, not for us to be fighting, not for us to be arguing without resolve, and that's what Democrats are saying to you today.

We have taken this issue that touches lives and reaches across America, and we are saying it is our responsibility as Members of Congress, Members of this 113th Congress, that we should make it one of our key responsibilities to stand on this floor and tell those stories, to tell those stories about Medicare, to tell those stories about the lady who lives down the street from me and how fortunate she was because Medicare saved her life. We should be able to stand on this floor and give speech after speech to say to America: you sent us here to protect those who are the most fragile citizens, those who have given so much that we stand here.

So you see, my story is quite simple about Medicare. It's about exercising our right to protect those who paved the way for us. It's about me saying proudly as a Democrat our alternatives to the budget as it relates to Medicare is the best solution. It's about saying we should not make it a voucher program. It's about me saying we should not take moneys from Medicare and give to other companies that don't need it.

You see, it's quite simple. It's a story about saving lives. It's a story about doing all the things that we say as public servants. It's about the oath that we took as an elected official that we would serve our communities, that we would come here and make a difference.

□ 1750

So, Congressman BERA, for me, it's about standing strong and saying to my colleagues on both sides of the aisle, Join us; join us in making a difference to help our seniors and protect and save Medicare. And that's my message and my story.

Mr. BERA of California. Thank you to my colleague from the great State of Ohio.

That's why we are asking folks today to share their stories. We would love to hear your story about how Medicare has affected you or a family member or a friend. Share it on Facebook or Twitter. We want to hear those stories. This body needs to hear those stories. This body needs to make sure, when we're taking votes, we're voting understanding those stories.

As a doctor, I took an oath to do good, to do no harm. Well, if Medicare becomes a voucher program, it will do irreparable harm to thousands of Americans, and that is not what we need.

The reason why I'm on the floor today is to talk about the good that Medicare has done for millions of Americans. Americans, like another one of my constituents, Pat. She shared with us a story.

Pat was a single mom. She worked hard her whole life and raised two kids on her own. Pat is now 77 years old. She has high blood pressure, diabetes, and heart disease. She had to have open-heart surgery and afterwards was prescribed very expensive medications and cardiac rehabilitation. She had to get back on her feet because she wanted to be with her family.

There's no way Pat could have afforded that surgery if she didn't have Medicare. There's no way Pat could have afforded the medications that she needed if she didn't have Medicare. There's no way that the doctors that cared for Pat would have been able to prescribe the therapies that she needed to keep her alive. That is what's at risk here.

This is about protecting our seniors, making sure that after a lifetime of work, after a lifetime of paying into a system, that they can rest easy; that they don't have to worry about whether they can get the health care that they need when they need it the most, they can rest easy.

That's why we want to hear your stories. Please share your story about how Medicare has impacted your life or your family's life on Facebook or Twitter.

I would now like to yield to my dear friend and colleague from the great State of California, my home State, Mr. HONDA.

Mr. HONDA. I want to thank my friend, Dr. AMI BERA, for allowing me to speak for a few minutes.

Mr. Speaker, we are here today to dispel the oft repeated notion that Medicare is somehow the problem in the current fiscal crisis. Republicans have, in budget after budget, attempted to voucherize the program and end the Medicare guarantee as we know it. They would break the promise we made to our Nation's seniors decades ago, one in which we told hard-working middle class Americans that if they paid in through their wages and trusted in their government that they would be taken care of.

Medicare is the most efficient health plan in our country. It has a 2 percent overhead. Let me repeat that. It has a 2 percent overhead. More efficient than any private plan.

The problem isn't Medicare. The problem is the rising cost of health care and what it is we have to do to get that under control. It's a cost that has gone up exponentially in our country compared to the rest of the world.

Republicans want to do nothing about the real problem of rising costs. Rather than tackle the hard issue, they want to shift the costs on to seniors, people like my mom. She's 96 right now, and she depends on that important program.

Six years ago, she had to be checked up for a heart condition. She had had an aneurysm below her diaphragm and it was part of the arterial system. They said that it would be difficult to solve and that they would have to provide a stent because of her age, as she was 70 at that time.

Well, a few years later, that aneurysm grew a little larger, and it became pretty critical that, if nothing was done, she would die. The doctors looked at her again at the advanced age of 90 and concluded that we could do this with her—she walked around acting like she was 70—and would have a 9 out of 10 chance of survival. If she did not do anything, the chance of survival would have been a lot less.

My mom thought about it, she pondered about it, and she said, I'm 90. I've lived a good life. Let's take this 9 out of 10 chance. And she put her faith not only in the hands of the doctors and the system, but also in the hands of her God. After a few hours of operation, she came out, and it was successful.

But none of this could have been possible without Medicare. We would not have been able to afford it, and neither could she have afforded it.

She grew up as a child of a businessman during prewar United States, and in her adult life as my mom, she worked as a domestic, so she had no pension plan. She had no other plans

that would help her in her old age, except Medicare.

So, time and time again, when Congress was looking for an easy way out in dealing with these issues, leaving folks like my mom holding the bag, this whole issue is personal. And I'm sure that this is a story that could be shared by almost every family in this country in one way or another when we think about Medicare. So, having the middle class Americans and people like my mom holding the bag is absolutely unacceptable. It is wrong and it is quite cowardly.

One of the major reasons why our health care costs keep going up is because we have not changed the way patients and doctors see each other. We must be innovative and creative in tackling the traditional costs of health care.

As a Representative covering Silicon Valley, I have helped lead the way in this by promoting innovative technologies, such as telemedicine, personal health connected devices, and other tools. I will be reintroducing the Health Care Innovation and Marketplace Technologies Act later this year to continue this effort. Let's hope that folks on the other side will understand its importance.

Most importantly, however, I will continue to stand with my friends here in the Chamber tonight to protect Medicare and the Medicare guarantee. We can fix our Nation's fiscal House by being innovative, rather than using the same old ideology. We can improve our Nation's standing by being courageous and standing by our Nation's seniors.

Mr. BERA of California. I thank my dear friend and colleague from California, Congressman HONDA.

The reason why we are here today, the reason why we are speaking on the floor today, is because of the importance of Medicare. This isn't a Democratic or a Republican issue. This is an issue that affects all Americans. It's an issue that is dear to all Americans, to all American families. It isn't Democratic or Republican.

□ 1800

That's why I'm wearing this pin that says, "No Labels." Because we've got to move past these labels, Democrat versus Republican, and think about what our values are as Americans—the values of making sure we take care of our parents and grandparents, that we honor the foundation that they built for us, that those that came before us built; that we honor, after a lifetime of work, after a lifetime paying into a system, that they can rest easy, that they know they can get the health care that they need when they need it the most.

That's why we want you to share your stories with us about how Medicare has impacted you personally or your family. I think about this and the

thousands of patients that I've taken care of, and what Medicare has meant to them; how it saved millions of lives, how it's kept millions of families from falling into poverty because they were able to get the health care that was necessary when they needed it the most.

Another one of my constituents, Katherine, shared a story with us recently. Katherine had a sister who was diagnosed with lung cancer and chronic lung disease. At first, she was hesitant. She was a little bit worried about using her Medicare because she didn't want to be a burden. She wanted to be independent. But she looked at it and she realized she had paid into this system her whole life and was grateful that it was there for her. She realized that she wasn't being a burden and that this is the system that she had paid into, and it was there for her. Medicare covered her bills and kept her alive. That's why we're here on the floor today talking about Medicare.

When I talk about this, it's personal. I talk about this as a doctor. I talk about this as a son whose parents are aging. I think about the people who live in my neighborhood, like my neighbor, Jerry. He's a widower. His wife passed away several years ago. Jerry's also a cancer survivor. He has to go in for routine blood transfusions and routine care. He doesn't have to worry about whether he can get that care or not because of Medicare. Because he paid into the system his whole life, now he can get the care that he needs.

Millions of families across this country depend on Medicare. That's why we're here talking about protecting Medicare. And that's why we want to hear your stories about how Medicare has impacted your life. I would love to hear those stories and want you to share them on Facebook or Twitter. Medicare allows patients that I've seen—patients with diabetes, with high blood pressure, with high cholesterol—to get the medications that they need. Medicare allows me as a doctor to write those prescriptions and know that my patients are able to get the care that they need.

Medicare is not about Democrats versus Republican. It is about doing the honorable thing that we do as Americans. Because that's who we are. Those are our values as Americans. As Americans, we want to make sure that after a lifetime of work, we're going to protect the promise that we made to our parents and grandparents. And I know it's not Democrats versus Republican because you can see it in that picture of when the Tea Party first emerged in this country in 2009. They were holding up their signs saying, "Keep your hands off of our Medicare." You know what? I'd say the same thing.

As we go through these budget debates, let's keep our hands off of Medicare. Yes, we've got to address the cost of health care. But as my colleague, Congressman HONDA shared, Medicare works extremely well. It's a program that has worked for decades. It is a program that has allowed me as a doctor and has allowed countless doctors across this country to deliver the necessary care when we needed to and to do what we were trained to do—to be doctors.

That is why I'm on the floor today talking about how we protect that promise that we made to our parents and grandparents, and how we protect and honor the promises that we've made. Yes, we face challenges in this country. Yes, we have to address our debt and deficit. And we have to build for the future so our children grow up in the same vibrant world that we grew up in with a country that's leading the way. But we can't do that by breaking a promise that we made to our parents and grandparents. We can't do that on the backs of seniors, taking care away from them when they need it the most.

This has to be bipartisan. Because how we treat our elders, how we treat our parents and grandparents, is a direct reflection of who we are as Americans. We need to start talking about this in a bipartisan way. We need to shelve the idea of dismantling Medicare and we have to talk about the idea of strengthening Medicare, making it more secure so that it is there not only for today's seniors but that it is there for the generations, that it is there for our children and grandchildren. It is a system that works extremely well.

Yes, we have to talk about the cost of health care. We have to address the cost of health care. But Medicare isn't the problem. Medicare works extremely well. Ask any senior. Eighty percent of seniors love Medicare. They don't want to see it changed. They don't want to see this body messing around with Medicare. They want us to strengthen it, and they understand that we have to deal with the cost of health care. But the system of Medicare has delivered care extremely well.

That's why I'm on the floor asking you to share your Medicare story. I'm asking you to share that story on Twitter or share it through Facebook. Because this body needs to hear those stories. This body needs to understand that Medicare is a vital program for millions of seniors, that our parents and grandparents depend on this program, and that our doctors and our hospitals depend on Medicare.

Now is not the time to be talking about dismantling Medicare. Now is the time to be talking about how we strengthen Medicare, how we make sure it's there for the generations. That's why I'm on the floor today, as a doctor but also as a son whose parents rely on Medicare. That's why I want to

hear your stories, and I want you to share your Medicare story on Facebook or Twitter.

I now yield to my great friend and colleague from the great State of Oregon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

THE SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

The gentleman from Oregon is recognized.

Mr. BLUMENAUER. I want to thank my colleague from California for being here this evening, for sharing the time, allowing me to speak with him. And I must say how excited I was that a friend who actually had a rewarding career was willing to jump into the political fray, which has been difficult at times, particularly as we've had the contentious issues surrounding health care, and that you would be willing to bring your expertise, time, and energy when you had other choices with your life and career. We really appreciate it. Because the experience you have had in the medical profession, the years of study, the actual experience with real-life people adds a dimension that is helpful here in ways that I don't know that you fully appreciate, but I certainly do. I also appreciate focusing on the critical nature of Medicare and where we're going in the world of health care reform.

I just spent last week dealing with my Republican friends' approach to the budget. It can only be described as an exercise in fantasy.

□ 1810

They start with the notion that somehow they're going to eliminate ObamaCare entirely; and they seek to transfer the burden of Medicare and Medicaid from the government onto the shoulders of some of America's most vulnerable poor and disabled, and our senior citizens. I really appreciate your focusing on the importance of Medicare in providing dignity and stability to millions of Americans.

Now, I think there have been, between the House and the Senate, about 50 efforts or more to repeal the health care reform. I must say I hope that finally people get it out of their system. I was surprised that we went in this direction, to turn Medicare into a voucher, a block grant for Medicaid, and put this burden on our senior citizens and some of our poor and disabled Americans, because this was the centerpiece of their campaign for the last 6 months. This was part of what our friend PAUL RYAN and Governor Romney preached from coast to coast, advertised, campaigned; and all of a sudden it was rejected by the American public overwhelmingly. The President was comfortably reelected. In fact, there were more Democratic Senators added who support this effort. In the

House of Representatives, not only did we gain seats, but more than a million voters—more voted for Democrats than Republicans.

So you would think that this canard would be put to rest; but it is important for people to know that it is still a viable option as far as our Republican friends are concerned. It's unfortunate because we are making some progress in reforming the health care system—not by turning our back on Medicare, not by transferring the risk and responsibility to seniors and the most vulnerable, but by making it more efficient, by taking some of the experiments that we've done in my home State of Oregon—and as you well know there are some health care systems in California that have already found ways to reward value over volume, to be able to extend care, and do so more efficiently, and squeeze the approximately one-third to 40 percent or more of our health care spending that is wasted.

We can do a better job. We start, I think, by protecting Medicare. We start by recognizing that a voucher—or premium support, or whatever they call it—that caps the investment does nothing to reform health care; but, instead, it puts seniors and our most vulnerable citizens out navigating the health care maze with fewer resources and more responsibility and actually making it harder. Because that's why we have Medicare in the first place. The private market did a terrible job meeting the needs of America's oldest and least healthy population.

I am hopeful that we're going to be able to continue this effort that you're spearheading here tonight, for people to understand the opportunities to continue reform, to note that we are actually seeing a gradual stabilization of health care spending right now, and that there are things in the hopper that we can do going forward without taking advantage of people who deserve the security of a solid, reformed health care system, not one that the Federal Government vouchers and turns their back.

I would yield back to the gentleman if there are comments. I look forward to hearing what you have to say, and perhaps there may be a little more interaction if it's useful.

Mr. BERA of California. Well, I appreciate my friend and colleague from the great State of Oregon.

We've heard wonderful stories from all across this country tonight as my colleagues have shared their experience with Medicare, personal stories about what Medicare has meant to their parents. We want to hear your stories as well. Your Representatives on both sides of the aisle need to hear your stories of what Medicare means to you personally and to your families. Because Medicare is a promise that we've made to our parents and grandparents,

to millions of seniors across this country. It is a promise that after a lifetime of work, after a lifetime paying into a system, you can rest easy. You don't have to worry about whether you'll be able to get the health care that you need at a time when you need it the most.

This can't be a partisan issue. It can't be Democrats versus Republicans. Because we're all sons and daughters. We all think about our seniors. Those are our values as Americans. It isn't who we are as a Nation. We respect our elders. That's how we were raised.

As a doctor, we rely on the importance of Medicare. We rely on the ability that at a time when our patients are at their most vulnerable, when they need health care, that I can write that prescription, that I can do the treatment or order that surgery when it's needed. That is the promise that we've made, and that's why we're here fighting every day.

I urge this body, and I urge my colleagues, as we are looking to address the challenges of this Nation, we acknowledge and understand that Medicare is not one of those challenges. Medicare is one of the success stories of America. Medicare is a success story that has kept millions of Americans healthy and alive and giving them the care that they need.

Yes, we face challenges. Yes, we have to address the cost of health care. But Medicare is a success story, and it is something that we should be celebrating every day. That isn't Democrat versus Republican; that is a success story of this body, and let's celebrate that.

With that, I'll yield to my colleague from Oregon.

Mr. BLUMENAUER. Thank you, Dr. BERA.

I appreciate your focus on this and pointing out that this is something that shouldn't be a partisan issue, doesn't have to be a partisan issue, and it is in fact a success story that has made a huge difference in the lives of seniors from coast to coast. It's helped, in many cases, stabilize what's happened in terms of local health care economics.

The pattern that we have seen in escalating health care costs for the last 40 years, yes, there are concerns about health care as it relates to Medicare; but if you compare the rate of increase of private health insurance versus the rate of increase in Medicare, Medicare spending has not gone up as rapidly as what's happened with the private insurance sector.

No senior citizen under Medicare needs to go bankrupt because of medical costs. The security that you mentioned, I find it embarrassing and shameful that the United States is the only major country in the world where there are still people going bankrupt for health care costs. Half of all bank-

ruptcies are a result of health care emergencies. It doesn't have to be this way, and it is not that way for American seniors.

But if we're going to change our health care commitment to our senior citizens, taking away the guarantee of Medicare, flinging people into an uncertain private market that failed them in the past, which is why we had Medicare in the first place, that guarantee is not certain to be there.

No one thinks that we shouldn't have a health care system with a Medicare that is flexible going forward. We're open to reforms, absolutely. We want to reward value instead of volume. We want to be able to deal with the pattern of unnecessary medical readmissions for Medicare patients after they've been in the hospital. It's too high still.

□ 1820

But we are working on mechanisms in Medicare and with the hospitals to be able to reward keeping them out of the hospital with preventable conditions that require readmission.

We're in the process of looking at Medicare Advantage, which is growing dramatically. I come from the district that has probably the highest penetration of Medicare Advantage in the entire country, and it serves in many cases my constituencies pretty well, but there are wide variations across the country in Medicare Advantage. Not all Medicare Advantage programs are created equal.

Again, part of what we've done with the Affordable Care Act is not to turn our backs on potential opportunities to improve it, but to dive in and find ways to reward the most efficient and effective Medicare Advantage programs and, frankly, reduce the support for programs that aren't measuring up. That's what we should be doing.

We are moving in this direction. We don't have to take away the commitment that we have made to America's seniors to improve Medicare, Medicare Advantage, to be able to get even more value out of the system—not just tax dollar savings—but better quality care for our senior citizens, which should be our objective.

I know, Doctor, that is something you've practiced both as an elected official and as a professional; and I deeply appreciate it.

Mr. BERA of California. I genuinely appreciate my colleague from the great State of Oregon sharing these stories and the hard work that you've done on this.

I know I'm coming up on the end of my time, and I appreciate the opportunity to talk about Medicare as a doctor and as a son and talk about the success of Medicare. It's something that we should be celebrating.

I look forward to working with my Republican colleagues to hear their

stories of how Medicare has impacted their lives, to work with them to strengthen Medicare, to make sure it is there, not only today, but it is there for the next generation and that it is stronger.

We can do this. We know how to do it. Over the coming weeks and the coming months, as we address our challenges, I'll be coming to this floor to share those stories and those ideas of how we move forward as a Nation and how we move forward as Americans making sure we honor the promise that we've made, that after a lifetime of work, after a lifetime paying into a system, that our parents and grandparents, that our seniors can get the care that they need.

With that, Mr. Speaker, I yield back the balance of my time.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 23 minutes p.m.), the House stood in recess.

□ 2008

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BISHOP of Utah) at 8 o'clock and 8 minutes p.m.

#### MAKING IN ORDER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 933, CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2013

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to take from the Speaker's table the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments; the Senate amendments and the motion shall be considered as read; the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered on the motion to adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMPSON of California (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 21, 2013, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

771. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Declaration of Prion as a Pest Under FIFRA; Related Amendments; and Availability of Final Test Guidelines [EPA-HQ-OPP-2010-0427; FRL-9372-7] (RIN: 2070-AJ26) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

772. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetochlor; Pesticide Tolerances [EPA-HQ-OPP-2012-0302; FRL-9377-6] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

773. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenpyrazamine; Pesticide Tolerances [EPA-HQ-OPP-2011-0357; FRL-9373-9] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

774. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraflufen-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2011-1002; FRL-9379-6] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrooxasulfone; Pesticide Tolerances [EPA-HQ-OPP-2012-0308; FRL-9379-9] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tetrachlorvinphos; Extension of Time-Limited Interim Pesticide Tolerances [EPA-HQ-OPP-2011-0360; FRL-9380-9] (RIN: 2070-AZ16) received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

777. A letter from the Secretary, Department of Defense, transmitting the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2012, pursuant to 10 U.S.C. 113 (c)(2); to the Committee on Armed Services.

778. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General James N. Mattis, United States Marine Corps, and his advancement on the retired list in the grade of General; to the Committee on Armed Services.

779. A letter from the Under Secretary, Department of Defense, transmitting the Economic Development Conveyances Report to Congress; to the Committee on Armed Services.

780. A letter from the Executive Secretary, Board of Actuaries, Department of Defense, transmitting the Department's 2012 report on the Military Retirement Fund (MRF); to the Committee on Armed Services.

781. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting Buy American Act Report for Fiscal Year 2012; to the Committee on Education and the Workforce.

782. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Filings Required of Multiple Employer Welfare Arrangements and Certain Other Related Entities (RIN: 1210-AB51) received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

783. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Ex Parte Cease and Desist and Summary Seizure Orders — Multiple Employer Welfare Arrangements (RIN: 1210-AB48) received March 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

784. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "The Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program Activities Report for Fiscal Years 2009 and 2010"; to the Committee on Energy and Commerce.

785. A letter from the Secretary, Department of Health and Human Services, transmitting the Evaluation Findings — Performance Improvement 2011-2012 report; to the Committee on Energy and Commerce.

786. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Patient Protection and Affordable Care Act; Amendments to the HHS Notice of Benefit and Payment Parameters for 2014 [CMS-9964-IFC] (RIN: 0938-AR74) received March 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

787. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; The 2002 Base Year Emissions Inventory for the Delaware Portion of the Philadelphia Nonattainment Area for the 1997 Annual Fine Particulate Matter National Ambient Air Quality Standard [EPA-R03-OAR-2010-0141; FRL-9786-4] received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

788. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways under the Renewable Fuel Standard Program [EPA-HQ-OAR-2011-0542; FRL-9686-3] (RIN: 2060-AR07) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

789. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Federal Implementation Plan for Oil and Natural Gas Well Production Facilities; Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nation), North Dakota [EPA-R08-OAR-2012-0479; FRL-9789-3] received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

790. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; New Source Review (NSR) Preconstruction Permitting Program; Clarification of EPA's Approval of the Sunland Park Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard [EPA-R06-OAR-2005-NM-0006; FRL-9788-8] received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

791. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New York: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R02-RCRA-2013-0144; FRL-9693-2] received March 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

792. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Idaho [EPA-R10-OAR-2011-0640; FRL-9791-2] received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

793. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Consent Decree Requirements [EPA-R05-OAR-2012-0650; FRL-9789-9] received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

794. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Cleveland-Akron-Lorain and Columbus 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0884; EPA-R05-OAR-2012-0970; FRL-9790-2] received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

795. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Control Techniques Guidelines and Reasonably Available Control Technology [EPA-R04-OAR-2012-0448; FRL-9791-1] received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

796. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to Ambient Nitrogen Dioxide Monitoring Requirements [EPA-HQ-OAR-2012-0486; FRL-9789-2] (RIN: 2060-AR59) received March 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

797. A letter from the Acting Assistant Secretary, Legislative Affairs, Department

of State, transmitting the Department's report on "Overseas Surplus Property" for disposal within fiscal years 2013 through 2014; to the Committee on Foreign Affairs.

798. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Report on Workforce Planning for Foreign Service Personnel; to the Committee on Foreign Affairs.

799. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting authorizing the implementation of certain sanctions set forth in the Iran Threat Reduction and Syria Human Rights Act of 2012; to the Committee on Foreign Affairs.

800. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting authorizing the implementation of certain sanctions set forth in the Iran Threat Reduction and Syria Human Rights Act of 2012; to the Committee on Foreign Affairs.

801. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's determination and certification under Section 490(b)(1)(A) of the Foreign Assistance Act of 1961 relating to the top five exporting and importing countries of pseudoephedrine and ephedrine; to the Committee on Foreign Affairs.

802. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

803. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses as required by section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

804. A letter from the Special Inspector General for Iraq Reconstruction, transmitting ninth and final lessons learned report entitled "Learning from Iraq"; to the Committee on Foreign Affairs.

805. A letter from the Director, Office of Economic Impact and Diversity, Department of Energy, transmitting the Department's annual report on the No FEAR Act for Fiscal Year 2012; to the Committee on Oversight and Government Reform.

806. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

807. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Justice Programs' Bureau of Justice Assistance for Fiscal Year 2011, pursuant to 42 U.S.C. 3712(b); to the Committee on the Judiciary.

808. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule

— Small Business Size Standards: Information (RIN: 3245-AG26) received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

809. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Administrative and Support, Waste Management and Remediation Services (RIN: 3245-AG27) received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

810. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Compensation, Retirement Programs, and Related Benefits; Effective Dates (RIN: 3052-AC41) received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Small Business and Science, Space, and Technology.

811. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting a report concerning the operations and status of the Government Securities Investment fund (G-Fund) of the Federal Employees Retirement System during the debt issuance suspension period, pursuant to 5 U.S.C. 8348l(1); jointly to the Committees on Ways and Means and Oversight and Government Reform.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JONES:

H.R. 1275. A bill to guarantee the right of individuals to receive Social Security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mr. BROOKS of Alabama, Mrs. CAPITO, Mr. COBLE, Mr. CONYERS, Mr. COOPER, Mr. CUMMINGS, Mr. DEFazio, Mr. DINGELL, Mr. ENYART, Mr. GRIFFITH of Virginia, Mr. GRIJALVA, Mr. HARPER, Mr. HIGGINS, Mr. ELLISON, Mr. FOSTER, Mr. JOHNSON of Ohio, Mr. JONES, Ms. KAPTUR, Mr. LIPINSKI, Mr. LYNCH, Mr. MCHENRY, Mr. MCKINLEY, Mr. MEEHAN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MURPHY of Pennsylvania, Mr. OWENS, Mr. POCAN, Mr. RANGEL, Mr. RYAN of Ohio, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mr. VISCLOSKEY, Mr. WELCH, and Mr. YOUNG of Alaska):

H.R. 1276. A bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country; to the Committee on Ways and Means.

By Mr. PEARCE (for himself, Mr. WESTMORELAND, Mr. POE of Texas, Mr. COTTON, and Mr. JORDAN):

H.R. 1277. A bill to amend title III of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of unemployment compensation; to the Committee on Ways and Means.

By Mr. FALEOMAVAEGA (for himself, Mr. COLE, Ms. MCCOLLUM, Ms. NORTON, Mr. GRIJALVA, Ms. BASS, Ms.

MOORE, Mr. LEWIS, Mr. HONDA, and Mrs. CHRISTENSEN):

H.R. 1278. A bill to amend the Trademark Act of 1946 regarding the disparagement of Native American persons or peoples through marks that use the term "redskin", and for other purposes; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA (for himself and Ms. ROS-LEHTINEN):

H.R. 1279. A bill to authorize the Secretary of State to issue up to 10,500 E-3 visas per year to nationals of the Republic of Korea (South); to the Committee on the Judiciary.

By Mr. OLSON:

H.R. 1280. A bill to amend the National Voter Registration Act of 1993 to increase the penalties imposed for intimidating, threatening, or coercing any person from engaging in voter registration activities or for procuring, submitting, or casting false voter registration applications or ballots, to require election officials to transmit voter registration cards and absentee ballots to voters in elections for Federal office through the use of the automated tagging and tracing services provided by the United States Postal Service, and for other purposes; to the Committee on House Administration.

By Ms. ROYBAL-ALLARD (for herself and Mr. SIMPSON):

H.R. 1281. A bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Mr. NADLER, Mr. HASTINGS of Florida, Ms. LEE of California, Mr. CUMMINGS, Ms. WILSON of Florida, and Mr. CICILLINE):

H.R. 1282. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Financial Services.

By Mr. BRALEY of Iowa:

H.R. 1283. A bill to amend the Small Business Act to provide for grants to small business development centers, and for other purposes; to the Committee on Small Business.

By Ms. BROWNLEY of California (for herself and Mr. MICHAUD):

H.R. 1284. A bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel for certain special disabilities rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BUCHANAN (for himself, Mr.

MARKEY, Mrs. CAPITO, Mr. DIAZ-BALART, Mr. DUNCAN of Tennessee, Mr. MICA, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROONEY, Ms. ROS-LEHTINEN, Ms. BROWN of Florida, Mr. COOPER, Ms. EDWARDS, Mr. HASTINGS of Florida, Mr. KEATING, Mr. LYNCH, Mr. RAHALL, Ms. WILSON of Florida, Mr. KENNEDY, Mr. MURPHY of Florida, Ms. CASTOR of Florida, Mr. DESJARLAIS, Mr. FINCHER, Mr. MILLER of Florida, Mr. NUGENT, Mr. TIBERI, Mr. ISSA, Mr. DEUTCH, Mr. POSEY, Mrs. BLACK, Mr. PEARCE, Mr. MARINO, Ms. SLAUGHTER, Mr. WESTMORELAND, Mr. STIVERS, Mr. BENISHEK, Mr. CRENSHAW, Mr. ROSS, Mr. HIGGINS, Mr. SOUTHERLAND, Mr. TIPTON, Mr. SHUSTER, Mrs. MILLER of Michigan, Mr. RODNEY DAVIS of Illinois, and Mr. SCHOCK):

H.R. 1285. A bill to amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug; to



the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Ms. PELOSI, Mr. SCHIFF, Mr. GENE GREEN of Texas, Mr. NADLER, Ms. LEE of California, Ms. MOORE, Mr. MARKEY, Mr. RUSH, Ms. NORTON, Ms. SLAUGHTER, Mr. SARBANES, Ms. EDWARDS, Mr. CAPUANO, Mr. CARDENAS, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAROLYN B. MALONEY of New York, Ms. BONAMICI, Mr. RYAN of Ohio, Mr. GRIJALVA, Mr. MCDERMOTT, Ms. WASSERMAN SCHULTZ, Mr. SERRANO, Mr. WAXMAN, Mr. RANGEL, Ms. SCHWARTZ, Mr. CONYERS, Mr. CARSON of Indiana, Mr. HONDA, Mrs. KIRKPATRICK, Ms. CHU, Mr. TONKO, Ms. BROWN of Florida, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Ms. MENG, Ms. TSONGAS, Mr. BEN RAY LUJAN of New Mexico, Mr. LANGEVIN, Mr. CLAY, Mr. LEWIS, Mr. PAYNE, Mr. LARSON of Connecticut, Mr. LYNCH, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. GEORGE MILLER of California, Mr. POLIS, Mr. DEUTCH, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. VAN HOLLEN, Ms. ESTY, Ms. MCCOLLUM, Mr. CLEAVER, Mr. MCGOVERN, Ms. LINDA T. SANCHEZ of California, Mr. HIMES, Mrs. CAPPS, Mr. PETERS of Michigan, Mr. POCAN, Ms. CASTOR of Florida, Ms. HAHN, Mr. PRICE of North Carolina, Ms. KAPTUR, Ms. WILSON of Florida, Mr. BRADY of Pennsylvania, Mr. COHEN, Ms. SHEA-PORTER, Ms. CLARKE, Mr. DELANEY, Mr. VEASEY, Mr. SWALWELL of California, Mr. LARSEN of Washington, Mr. HOLT, Mr. YARMUTH, Mr. DANNY K. DAVIS of Illinois, Mr. COURTNEY, Mr. KEATING, Mr. JEFFRIES, Ms. SPEIER, Mr. BLUMENAUER, Mr. HASTINGS of Florida, Ms. ROYBAL-ALLARD, Mr. HUFFMAN, Ms. PINGREE of Maine, Ms. ESHOO, Ms. LOFGREN, Mr. TAKANO, Ms. FUDGE, Ms. MATSUI, and Ms. TITUS):

H.R. 1286. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FINCHER (for himself, Mr. MCINTYRE, Mr. CRAWFORD, Mr. PETERSON, Mr. BUCHSHON, Mr. BISHOP of Georgia, and Mr. COLE):

H.R. 1287. A bill to ensure high standards for Federal agency use of scientific information; to the Committee on Oversight and Government Reform.

By Mr. BUTTERFIELD (for himself, Mr. COURTNEY, Mr. JONES, Mr. MEADOWS, Mr. MCINTYRE, Mr. PITTENGER, Mr. HOLDING, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Mrs. NAPOLITANO, Mr. CUMMINGS, Mr. LOBIONDO, Mr. MCDERMOTT, Ms. PINGREE of Maine, Mr. LIPINSKI, Mr. GRIFFIN of Arkansas, Mr. SCHIFF, Mr. RANGEL, Ms. SCHWARTZ, Mr. LATTA, Mr. ROSS, Ms. HAHN, Mr. WITTMAN,

Mr. LOEBACK, Mr. MCHENRY, Mr. JOHNSON of Georgia, Mr. CONNOLLY, Ms. MCCOLLUM, Mrs. CAROLYN B. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Mr. BARROW of Georgia, Mrs. MCCARTHY of New York, Mr. KEATING, Ms. BROWN of Florida, Mr. KING of New York, Ms. BORDALLO, Mr. PRICE of North Carolina, Mr. KENNEDY, Mr. DEFazio, Mr. HIMES, Mr. HONDA, and Mr. WESTMORELAND):

H.R. 1288. A bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER (for himself, Mr. HULTGREN, Mr. MASSIE, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. CARNEY, Mr. CICILLINE, Mr. CONNOLLY, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBACK, Ms. MCCOLLUM, Mr. PETERS of Michigan, Mr. POCAN, Mr. RUSH, Ms. SCHAKOWSKY, and Ms. SHEA-PORTER):

H.R. 1289. A bill to provide a Federal charter to the Fab Foundation for the National Fab Lab Network, a national network of local digital fabrication facilities providing community access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products; to the Committee on the Judiciary.

By Mr. GRIFFITH of Virginia (for himself, Mr. OWENS, Mr. JONES, Mr. RAHALL, Mr. YOUNG of Alaska, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. HANNA, Mr. ROSS, Mr. POE of Texas, Mr. CRAWFORD, Mr. HARPER, Mr. RIGELL, Mr. NUNNELEE, Mr. KINZINGER of Illinois, Mr. POSEY, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. KELLY, Mr. ROE of Tennessee, Ms. JENKINS, Mr. BARTON, Mr. CONAWAY, Mr. WOMACK, Mr. CASSIDY, Mr. ROGERS of Alabama, Mr. LATTA, Mr. HURT, Mr. JOHNSON of Ohio, and Mr. MILLER of Florida):

H.R. 1290. A bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition; to the Committee on the Judiciary.

By Mr. KIND (for himself and Mr. GERLACH):

H.R. 1291. A bill to reauthorize the Neotropical Migratory Bird Conservation Act; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. FRANKS of Arizona, Mr. JONES, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, Mr. BURGESS, and Mr. BARLETTA):

H.R. 1292. A bill to amend the Internal Revenue Code of 1986 to clarify that wages paid to unauthorized aliens may not be deducted from gross income, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. POLIS, Mr. HANNA, Mr. MEEKS,

Mr. BACHUS, Mr. GRIMM, and Mr. WOLF):

H.R. 1293. A bill to amend the Internal Revenue Code of 1986 to establish and provide a checkoff for a Breast and Prostate Cancer Research Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself, Mr. AMODEI, Mr. GOSAR, Mr. MCCLINTOCK, Mr. PEARCE, and Mr. YOUNG of Alaska):

H.R. 1294. A bill to establish a program that will generate dependable economic activity for counties and local governments containing National Forest System land through a management-focused approach, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAFFEI (for himself and Mr. POLIS):

H.R. 1295. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and for other purposes; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself, Mr. COSTA, Mr. DENHAM, and Mr. ROHRBACHER):

H.R. 1296. A bill to amend the Federal Water Pollution Control Act to clarify a maintenance exemption regarding the removal of sediment, debris, and vegetation from certain structures; to the Committee on Transportation and Infrastructure.

By Mr. OWENS (for himself, Mr. COURTNEY, and Mr. HANNA):

H.R. 1297. A bill to amend the Consolidated Farm and Rural Development Act to expand eligibility for Farm Service Agency loans; to the Committee on Agriculture.

By Mr. OWENS (for himself and Mr. HANNA):

H.R. 1298. A bill to amend the Export Apple Act to permit the export of apples to Canada in bulk bins without certification by the Department of Agriculture; to the Committee on Agriculture.

By Mr. PEARCE:

H.R. 1299. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Army for inclusion in White Sands Missile Range, New Mexico, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN (for himself and Mr. SABLON):

H.R. 1300. A bill to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes; to the Committee on Natural Resources.

By Ms. SCHWARTZ (for herself, Mr. COHEN, Ms. SHEA-PORTER, Mr. KEATING, and Ms. JACKSON LEE):

H.R. 1301. A bill making supplemental appropriations for the National Institutes of

Health for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 1302. A bill to prohibit foreign military financing to Egypt; to the Committee on Foreign Affairs.

By Mr. STIVERS (for himself, Ms. FUDGE, Mr. CASSIDY, Ms. KAPTUR, Ms. WILSON of Florida, Mr. BUCSHON, Mr. GIBBS, Mr. FRANKS of Arizona, Mr. BEN RAY LUJÁN of New Mexico, Mr. RODNEY DAVIS of Illinois, and Mr. TIBERI):

H.R. 1303. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WALBERG:

H.R. 1304. A bill to permit the chief executive of a State to create an exemption from certain requirements of Federal environmental laws for producers of agricultural commodities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WENSTRUP:

H.R. 1305. A bill to amend title 38, United States Code, to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 1306. A bill to provide for the partial settlement of certain claims under the Alaska Native Claims Settlement Act; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1307. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Natural Resources.

By Mr. WAXMAN (for himself, Mr. ROSKAM, Mr. CÁRDENAS, Mr. HONDA, Mr. MICA, Ms. SPEIER, Mr. CARSON of Indiana, Mr. BENTIVOLIO, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Mr. SHERMAN, Ms. CLARKE, and Ms. EDWARDS):

H. Res. 130. A resolution recognizing the cultural and historical significance of Nowruz and acknowledging the Cyrus Cylinder as a symbol of respect for human rights and religious tolerance; to the Committee on Foreign Affairs.

state that the congressional intent of the federal Controlled Substances Act is not to prohibit the production of industrial hemp; jointly to the Committees on the Judiciary and Energy and Commerce.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JONES:

H.R. 1275.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. LEVIN:

H.R. 1276.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. PEARCE:

H.R. 1277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. FALEOMAVAEGA:

H.R. 1278.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8—The Congress shall have Power To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

By Mr. FALEOMAVAEGA:

H.R. 1279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3  
The Congress shall have Power \*\*\* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. OLSON:

H.R. 1280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1—The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

Article I, Section 8, Clause 7—The Congress shall have power to establish Post Offices and post roads.

By Ms. ROYBAL-ALLARD:

H.R. 1281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. SLAUGHTER:

H.R. 1282.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and  
Clause 3 of Section 8 of Article I of the Constitution.

By Mr. BRALEY of Iowa:

H.R. 1283.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress and Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. BROWNLEY of California:

H.R. 1284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. BUCHANAN:

H.R. 1285.

Congress has the power to enact this legislation pursuant to the following:

The power to enact this legislation is granted in Article 1, Section 8 of the U.S. Constitution.

By Ms. DeLAURO:

H.R. 1286.

Congress has the power to enact this legislation pursuant to the following:

Civil Rights Enforcement

Fourteenth Amendment, Section 5

Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

By Mr. FINCHER:

H.R. 1287.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. BUTTERFIELD:

H.R. 1288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FOSTER:

H.R. 1289.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRIFFITH of Virginia:

H.R. 1290.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. KIND:

H.R. 1291.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of Iowa:

H.R. 1292.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 and under Article I, Section 8, Clause 4 of the United States Constitution.

By Mr. KING of New York:

H.R. 1293.

### MEMORIALS

Under clause 3 of rule XII,

4. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 6 urging the Congress and the President to re-



Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. LABRADOR:

H.R. 1294.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. MAFFEI:

H.R. 1295.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. GARY G. MILLER of California:

H.R. 1296.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. OWENS:

H.R. 1297.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. OWENS:

H.R. 1298.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PEARCE:

H.R. 1299.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. RUNYAN:

H.R. 1300.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "The Congress shall have power to dispose of and make all needful Rules and regulations respecting the Territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Ms. SCHWARTZ:

H.R. 1301.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. AUSTIN SCOTT of Georgia:

H.R. 1302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. STIVERS:

H.R. 1303.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. WALBERG:

H.R. 1304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—

The Congress shall have Power to regulate Commerce with Foreign Nations, and among several States, and with Indian Tribes.

Also, the Tenth Amendment—

The powers not Delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

By Mr. WENSTRUP:

H.R. 1305.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.R. 1306.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

By Mr. YOUNG of Alaska:

H.R. 1307.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. POMPEO.

H.R. 35: Mr. COTTON.

H.R. 69: Mr. THOMPSON of California.

H.R. 125: Mr. BROOKS of Alabama.

H.R. 164: Mr. FORBES, Mr. BONNER, Mr. DEFAZIO, Mr. DIAZ-BALART, Mr. ANDREWS, Mr. WOLF, Mr. NUNNELEE, and Mrs. MCCARTHY of New York.

H.R. 207: Mr. VALADAO.

H.R. 258: Mr. PALAZZO and Mrs. KIRKPATRICK.

H.R. 261: Mr. TAKANO.

H.R. 292: Mr. LEWIS and Mrs. CAROLYN B. MALONEY of New York.

H.R. 303: Mr. VALADAO and Mr. PETERS of California.

H.R. 318: Mr. LUETKEMEYER.

H.R. 324: Mr. BARROW of Georgia, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mr. CUELLAR, Mr. DOYLE, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GARAMENDI, Mr. GARDNER, Mr. GRIFFITH of Virginia, Mr. GOSAR, Mr. GOWDY, Mr. GRAYSON, Ms. HAHN, Ms. HERRERA BEUTLER, Mr. HIMES, Mr. HINOJOSA, Mrs. KIRKPATRICK, Mr. LANGEVIN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERSON, Mr. RYAN of Wisconsin, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. SMITH of Washington, Ms. TITUS, and Mr. WHITFIELD.

H.R. 334: Mr. CARTER.

H.R. 337: Mr. COSTA.

H.R. 351: Mr. LOBIONDO and Mr. BACHUS.

H.R. 360: Mr. LONG, Mr. ALEXANDER, Mr. CHABOT, Mr. SENSENBRENNER, Mr. PITTS, Mr. RENACCI, Mr. RYAN of Wisconsin, Mr. CAMP, Mr. DENT, Mr. BARTON, Mr. McCarthy of California, Mr. ROGERS of Michigan, Mr.

ROSKAM, Mr. WHITFIELD, Mr. RODNEY DAVIS of Illinois, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Mr. HARRIS, Mr. NEUGEBAUER, Mr. WOLF, Mr. WOMACK, Mr. BENISHEK, Mrs. CAPITO, Mr. GINGREY of Georgia, Mr. FLEISCHMANN, Mr. JOHNSON of Ohio, Ms. ROS-LEHTINEN, Mr. YODER, Mr. CONAWAY, Mr. DESJARLAIS, Mrs. LUMMIS, Mr. UPTON, Mr. MURPHY of Pennsylvania, Mrs. MILLER of Michigan, Mr. DIAZ-BALART, Mr. GUTHRIE, Mr. PRICE of Georgia, Mr. GOWDY, Mr. LUCAS, Mrs. MCMORRIS RODGERS, Mrs. NOEM, Mr. CALVERT, Mr. BOUSTANY, Mr. CRENSHAW, Ms. GRANGER, Mr. GRAVES of Georgia, Mr. MCHENRY, Mr. SIMPSON, Mr. BARLETTA, Mrs. BLACK, Mr. DENHAM, Mr. HALL, Mr. FORBES, Mr. HOLDING, Mrs. WALORSKI, Mr. YOUNG of Alaska, Mr. COLE, Mr. DUFFY, Mr. FINCHER, Mr. GRIFFIN of Arkansas, Mr. ROONEY, Mr. HANNA, Mr. HECK of Nevada, and Ms. HERRERA BEUTLER.

H.R. 362: Mr. LEWIS and Mrs. CAROLYN B. MALONEY of New York.

H.R. 363: Mr. LEWIS and Mrs. CAROLYN B. MALONEY of New York.

H.R. 384: Mr. LIPINSKI.

H.R. 386: Mr. LIPINSKI and Mr. PETERS of California.

H.R. 454: Mr. KELLY.

H.R. 474: Mr. HIMES.

H.R. 479: Ms. CLARKE.

H.R. 485: Mr. TAKANO.

H.R. 506: Ms. LEE of California, Mr. NADLER, Mr. DOYLE, Mr. BISHOP of Georgia, Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, and Mrs. CHRISTENSEN.

H.R. 519: Ms. BASS, Mr. KEATING, Mr. MURPHY of Florida, Ms. WILSON of Florida, and Mr. KILMER.

H.R. 523: Mr. ROONEY, Mr. LOBIONDO, Mr. THORNBERRY, and Mr. HURT.

H.R. 525: Mr. PERLMUTTER.

H.R. 532: Ms. CASTOR of Florida and Ms. MOORE.

H.R. 540: Mr. VARGAS.

H.R. 541: Ms. MOORE.

H.R. 556: Mr. PITTS, Mr. CULBERSON, Mrs. NOEM, Mr. OLSON, Mrs. ELLMERS, Mr. BARTON, Mr. HALL, Mr. ROE of Tennessee, Mr. SOUTHERLAND, Mrs. LUMMIS, Mr. KING of Iowa, and Mr. BISHOP of Utah.

H.R. 569: Mr. PETERS of California, Ms. PINGREE of Maine, and Mrs. KIRKPATRICK.

H.R. 570: Mr. PETERS of California, Ms. PINGREE of Maine, and Mrs. KIRKPATRICK.

H.R. 571: Mr. RENACCI.

H.R. 572: Mr. RENACCI.

H.R. 574: Ms. PINGREE of Maine.

H.R. 580: Mr. STEWART and Mr. FRANKS of Arizona.

H.R. 612: Mr. OWENS.

H.R. 627: Mr. DOGGETT, Mr. KING of New York, and Mr. PASCRELL.

H.R. 630: Mr. BEN RAY LUJÁN of New Mexico, Ms. SHEA-PORTER, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. QUIGLEY, and Mr. PERLMUTTER.

H.R. 637: Mr. ENYART.

H.R. 638: Mrs. LUMMIS.

H.R. 641: Mr. ENYART and Mr. RAHALL.

H.R. 647: Mr. BUCSHON, Mr. YOHO, Ms. LOFGREN, Mrs. MCCARTHY of New York, Mr. MASSIE, and Mr. AL GREEN of Texas.

H.R. 675: Mr. HINOJOSA.

H.R. 678: Mr. DAINES and Mr. LAMALFA.

H.R. 724: Ms. SEWELL of Alabama and Mr. OWENS.

H.R. 729: Ms. SCHWARTZ.

H.R. 730: Mr. ANDREWS and Mr. SOUTHERLAND.

H.R. 735: Ms. LORETTA SANCHEZ of California, Ms. JACKSON LEE, Ms. CLARKE, Mr. RICHMOND, Mr. KEATING, Mr. PAYNE, Ms. HAHN, and Mr. RANGEL.

H.R. 736: Mr. MICHAUD.  
 H.R. 772: Mr. PETERS of California.  
 H.R. 792: Mr. MCINTYRE.  
 H.R. 794: Mr. PAYNE.  
 H.R. 795: Mr. POE of Texas.  
 H.R. 801: Mr. QUIGLEY.  
 H.R. 806: Mr. VARGAS.  
 H.R. 807: Mrs. BROOKS of Indiana and Mr. FORBES.  
 H.R. 819: Mr. WITTMAN, Mr. HURT, and Mr. MEADOWS.  
 H.R. 846: Mr. MARKEY, Mr. YOUNG of Florida, Mr. ENGEL, Mrs. ELLMERS, Mr. FLEMING, Mr. JOHNSON of Ohio, Ms. MATSUI, Mr. MCGOVERN, Mr. SCALISE, Mr. FLORES, Mr. MCNERNEY, Mr. MARCHANT, and Mr. LANCE.  
 H.R. 847: Mr. WELCH, Mr. VEASEY, Mr. GARY G. MILLER of California, Mr. CALVERT, Mr. POLIS, Ms. DEGETTE, Mr. BISHOP of New York, and Ms. LOFGREN.  
 H.R. 849: Ms. BORDALLO.  
 H.R. 850: Mrs. MCCARTHY of New York, Mrs. BROOKS of Indiana, Mr. RIGELL, Mr. KELLY, Mr. SCALISE, Mrs. CAPITO, Mr. DENHAM, Mr. VALADAO, Mr. SOUTHERLAND, Mr. WENSTRUP, Mr. BISHOP of New York, Ms. JENKINS, Mr. WOLF, Mr. LAMBORN, and Mr. HORSFORD.  
 H.R. 851: Mr. CARTWRIGHT.  
 H.R. 853: Mr. THOMPSON of California.  
 H.R. 855: Mr. GRAYSON.  
 H.R. 864: Mr. BUTTERFIELD, Mr. BENISHEK, Mr. CROWLEY, Mr. CUELLAR, Mrs. DAVIS of California, Ms. HAHN, Mr. MATHESON, Mr. RAHALL, Mr. SERRANO, Mr. MEADOWS, Mr. HOLDING, Mr. BISHOP of Georgia, Mr. KIND, Mr. CARSON of Indiana, Mr. HASTINGS of Florida, Mr. ANDREWS, and Mr. HOLT.  
 H.R. 874: Ms. DELAURO, Ms. SLAUGHTER, Mrs. CAROLYN B. MALONEY of New York, and Mr. LEVIN.  
 H.R. 879: Mr. YOUNG of Florida.  
 H.R. 894: Mrs. KIRKPATRICK.  
 H.R. 895: Mr. JEFFRIES.  
 H.R. 896: Mr. LOEBACK.  
 H.R. 904: Mr. UPTON and Mr. SMITH of Nebraska.  
 H.R. 916: Mr. JOHNSON of Ohio and Mr. PEARCE.

H.R. 920: Mr. GRAYSON.  
 H.R. 940: Mr. COLLINS of Georgia.  
 H.R. 949: Ms. SCHAKOWSKY.  
 H.R. 961: Mr. CUMMINGS and Mr. HASTINGS of Florida.  
 H.R. 979: Mr. HARRIS and Mr. GRIFFIN of Arkansas.  
 H.R. 986: Mr. VALADAO.  
 H.R. 1000: Mr. NADLER.  
 H.R. 1002: Mr. VISCLOSKEY and Mrs. LOWEY.  
 H.R. 1006: Mrs. NOEM.  
 H.R. 1014: Mr. MEADOWS and Mr. GRIFFIN of Arkansas.  
 H.R. 1015: Ms. TSONGAS, Mr. WITTMAN, and Mr. TONKO.  
 H.R. 1018: Mr. LEWIS.  
 H.R. 1020: Mr. BLUMENAUER.  
 H.R. 1026: Mr. ENYART, Mr. CARTER, and Mr. LUETKEMEYER.  
 H.R. 1029: Mr. VARGAS, Ms. SHEA-PORTER, and Mr. LARSEN of Washington.  
 H.R. 1030: Mr. ELLISON and Ms. PINGREE of Maine.  
 H.R. 1033: Mr. ISRAEL and Mr. POE of Texas.  
 H.R. 1038: Ms. DELBENE and Mr. YOHIO.  
 H.R. 1039: Mr. NEUGEBAUER.  
 H.R. 1063: Mrs. LUMMIS and Mr. STIVERS.  
 H.R. 1074: Mr. GOSAR, Ms. SCHWARTZ, and Mr. BRALEY of Iowa.  
 H.R. 1081: Mr. DIAZ-BALART, Mrs. BLACKBURN, Mr. WESTMORELAND, and Mr. BUCSHON.  
 H.R. 1089: Ms. CLARKE.  
 H.R. 1091: Mr. POE of Texas.  
 H.R. 1097: Mr. WOMACK.  
 H.R. 1101: Mr. THOMPSON of Mississippi.  
 H.R. 1120: Mr. GRIFFIN of Arkansas and Mr. WESTMORELAND.  
 H.R. 1125: Mr. YOHIO and Ms. MCCOLLUM.  
 H.R. 1149: Mr. ENYART.  
 H.R. 1151: Ms. ROS-LEHTINEN, Mr. CONNOLLY, Mr. SALMON, and Mr. MCCAUL.  
 H.R. 1164: Mr. FITZPATRICK, Mr. COTTON, Mr. SCHOCK, and Mr. AMASH.  
 H.R. 1172: Mr. COTTON.  
 H.R. 1202: Mr. MULVANEY, Mr. WILSON of South Carolina, and Mr. SOUTHERLAND.  
 H.R. 1204: Mr. KEATING.

H.R. 1209: Mr. BISHOP of Utah, Mr. COBLE, Mr. COTTON, Mr. STEWART, Mr. AUSTIN SCOTT of Georgia, and Mr. WOMACK.  
 H.R. 1219: Mr. ROGERS of Alabama and Mr. ADERHOLT.  
 H.R. 1242: Mr. JONES, Mr. CRAMER, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. HARRIS, Mr. DUNCAN of South Carolina, Mr. CHABOT, Mr. FLORES, Mr. GOHMERT, Mr. PITTS, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. HALL, Mr. FRANKS of Arizona, and Mr. SALMON.  
 H.R. 1252: Mr. VALADAO.  
 H.R. 1265: Mr. PRICE of North Carolina, Ms. TITUS, Ms. NORTON, Ms. KUSTER, Mr. BACHUS, Mr. RUPPERSBERGER, and Mr. HINOJOSA.  
 H.J. Res. 28: Mr. BROWN of Georgia.  
 H. Con. Res. 4: Mr. MULLIN.  
 H. Con. Res. 23: Mr. KINZINGER of Illinois.  
 H. Con. Res. 24: Mr. BOUSTANY, Mr. CONAWAY, Mr. GOODLATTE, Mr. WOMACK, Mr. LUCAS, Mr. BROOKS of Alabama, Ms. GRANGER, Mr. MCCAUL, Mr. POE of Texas, Mr. KINZINGER of Illinois, Mr. REED, Mrs. CAPITO, and Mr. SOUTHERLAND.  
 H. Res. 69: Mr. COFFMAN and Mr. ENGEL.  
 H. Res. 89: Mr. BRADY of Texas, Mr. OLSON, Mr. PEARCE, Mr. CLEAVER, Mr. FRANKS of Arizona, and Mr. GOHMERT.  
 H. Res. 90: Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Mr. McDERMOTT, Mr. CLAY, Mr. RICHMOND, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mr. LEVIN, and Mr. BLUMENAUER.  
 H. Res. 94: Ms. BONAMICI.  
 H. Res. 98: Mr. NUNNELEE and Mr. GOODLATTE.  
 H. Res. 104: Mr. RYAN of Ohio.  
 H. Res. 108: Mr. SCOTT of Virginia.  
 H. Res. 110: Mr. AMASH.  
 H. Res. 112: Mr. OWENS, Mr. HONDA, Mr. PASCRELL, Mr. PETERSON, Mr. MATHESON, Mr. CONNOLLY, Mr. JONES, Mr. POCAN, and Mr. CICILLINE.

**SENATE—Wednesday, March 20, 2013**

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we are merely moving shadows, and all our busy rushing has no purpose without You. Rescue us from our frenetic pace and teach us to be still as we deepen our relationship with You.

Bless our Senators. Give them enough challenges to keep them humble, enough hurt to keep them humane, and enough success to make them certain they are walking with You. Renew their commitment to pray not only for those with whom they agree but also for those with whom they disagree.

Hear our prayers, O Lord, and give us Your peace. We pray in Your merciful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter.

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 20, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

**RESERVATION OF LEADER TIME**

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Toomey amendment No. 115 (to amendment No. 26), to increase by \$60,000,000 the amount appropriated for operation and maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset.

Durbin amendment No. 123 (to amendment No. 115), to change the enactment date.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the continuing appropriations legislation. The time until 11:15 a.m. today will be divided and controlled equally between the two leaders or their designees.

At 11:15 a.m. there will be three roll-call votes in relation to the continuing resolution: the Toomey amendment, which is a 60-vote threshold; adoption of the Mikulski-Shelby substitute amendment; and a cloture vote on H.R. 933, the underlying bill.

**BUDGET DEBATE**

Mr. REID. Mr. President, for the last few years my Republican colleagues have been hollering, yelling, and screaming that the Senate has not passed a budget. They have done so in spite of the fact that Republicans in both Chambers voted for the Budget Control Act which set spending levels for the last 2 years. It was a law. Every reasonable political observer admits that the Budget Control Act, which had the force of law, was a budget, period. No, it was not a resolution. It was a law, which is much stronger than any resolution we do here.

As I indicated, they have yelled and screamed. Still, Republicans pine for the days of the so-called regular order

when the Senate would vote on a budget resolution that would set spending priorities for the fiscal year. Republicans—we were told, we heard, we saw—were desperate to have a budget debate. They were desperate. They have had charts out here. They were desperate for an amendment. They wanted a vote-arama. They had charts, speeches, and demonstrations to prove it.

They have had press conference after press conference after press conference. They even had a calendar they brought out almost daily tallying the days since the Senate passed a budget resolution—not a law, which was already in effect, but a resolution.

Yesterday I was amazed, flabbergasted, and stunned when Republicans blocked attempts to begin debate on the budget resolution. In fact, the ranking member of the Budget Committee said: Let's put it off for a while. Let's wait until after Easter.

Can you imagine that? They have been pining for regular order, and we now have a chance to have a debate. They said: No, we can't do that. Can't do it. There was a chance, and they were not interested in doing it.

My friend, the junior Senator from Kansas, objected to a request debating the budget unless we vote on his proposed amendment to the continuing resolution. He is concerned about air traffic towers in Kansas because of these across-the-board cuts.

I say to all of my colleagues—I say to the Senator from Kansas—we are all concerned about the impact of these budget cuts. They are senseless, they are ridiculous, and we should do away with them. We have already cut \$2.5 trillion from the debt. We can continue to do it but do it in a responsible and reasonable way, not a meat-cleaver way.

More than 100 families in Nevada—almost immediately—are going to lose access to low-income housing because of the sequester. I met with the housing authority people yesterday. Some might say: Oh, that is not such a big deal. It is a big deal for those 100 families. Nationwide, 70,000 little boys and girls are going to lose their ability to go to Head Start. Some may ask: What is that? Head Start will allow them to get started in life.

These cuts—and I have only mentioned a few of them—are painful for millions of Americans, and it is only going to get worse. They are arbitrary.

We are all concerned. The concern for the sequester is not focused on the Senate delegation from Kansas, it is all over. Instead of whining about it, let's

do something about it. Let's get rid of it. That is why the Senate Democratic budget proposal actually reverses the sequester. That is one way of doing it, but there are other ways.

The policy outlined in Senator MURRAY's budget will save hundreds of thousands of jobs, safeguard communities by keeping police, air traffic controllers, and meat inspectors on the job. Reversing the sequester would alleviate Senator MORAN's concern about air traffic controllers in Kansas. The Senate cannot debate a thoughtful way to replace the sequester if the Republicans will not even let us debate our budget proposal.

We know Republicans and Democrats will not agree on every aspect of the budget which sets priorities for how the government spends money and how it saves money. Republicans have one plan for Medicare. Their plan is to turn it into a voucher program which will change Medicare forever. Democrats have another plan. The Democrats' plan is to preserve and protect Medicare for our children and grandchildren.

Republicans have a plan for taxes. Listen to this one: They want to lower taxes for the rich and let the middle class foot the bill. Democrats have another plan. We believe the wealthiest individuals and corporations should contribute a little bit more to reduce the deficit. Surprisingly, the intelligent American people agree with us—Democrats, Independents, and Republicans—by almost a 60-percent margin. The only Republicans in America who disagree are those who serve in Congress.

Republicans have one plan to reduce the deficit which will rely on harsh austerity that shortchanges the elderly, veterans, middle class, poor, and others. The Democrats have another plan. We have a balanced approach that couples smart spending cuts with new revenue from closing loopholes that benefit the wealthiest Americans.

We have our differences, and that is fine. But Democrats are willing to discuss these differences; we are willing to debate the issues. Let's debate the issues. The Republicans have said for months and months: Let's debate the budget. Why can't we debate the budget? Because they will not let us.

This is senseless. We have 60 hours of doing nothing—nothing. The American people are on our side. This is a debate we can win, but at least let's have the debate.

Will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:15 a.m. will be equally divided and controlled between the two leaders or their designees.

Who yields time?

Mr. REID. Mr. President, we are not in a quorum call, are we?

The ACTING PRESIDENT pro tempore. We are not.

Who yields time?

If no one yields time, the time will be divided equally.

Mr. REID. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time during the quorum call be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I wish to discuss with my colleagues here in the Senate an amendment I have filed to the continuing resolution that is now pending before the Senate. It is amendment No. 55. I have spoken about this issue on the floor previously this week but want to reiterate the merits of this amendment and ask my colleagues for their support.

Amendment No. 55 deals with this issue of air traffic control towers. Under the administration's plan in implementing sequestration, the plan is to close, on April 7—just a few days from now—173 air traffic control towers across the country. The amendment I wish to offer avoids that. The administration would no longer be able to do that. I believe they should not for numerous reasons, but what we do, in order to accomplish that, is to transfer \$50 million from two accounts, one dealing with research at the Department of Transportation and one dealing with unencumbered balances.

This is an example of what we have talked about before: that we can make better decisions than across-the-board cuts. In fact, the amendment I wish to offer deals with an issue that is not even an across-the-board cut.

In closing the contract towers, in eliminating the Contract Tower Program, the administration is cutting that program 75 percent. Sequestration is described to us as, in most circumstances, an across-the-board 5-percent cut. The amendment I wish to offer continues the 5-percent cut. That would occur for the air traffic Contract Tower Program, so that they would be treated like other programs at the Department of Transportation and throughout government, that they are not singled out for elimination of a program, resulting in a 75-percent reduction in that program's funding, not just the more minor 5 percent. So the administration's decision to close contract towers is far from balanced, and in choosing this program, in my view, has taken the opportunity to damage the safety and security of the flying public of America.

I want to talk about that in a moment. But there was also the suggestion that this is a provincial argument on my part, that it is something I care specifically about for Kansas, my home State. Certainly there is not anything wrong with caring about our home States. That is what we do here, and it is part of our responsibility. But this is far from just being a Kansas issue. Many States and Members of the Senate are more greatly affected by this cut, this elimination, than my home State.

In fact, this amendment has the sponsorship of 26 Republican and Democratic cosponsors. More Democratic Senators here are cosponsors of this amendment than Republican Senators. It is Senators ROBERTS, INHOFE, BLUMENTHAL, BLUNT, JOHANNES, KIRK, MANCHIN, HAGAN, KLOBUCHAR, BAUCUS, TESTER, ENZI, VITTER, BOOZMAN, PRYOR, MERKLEY, WYDEN, KAINE, WARNER, AYOTTE, SHAHEEN, RISCH, CRAPO, MURPHY, ROCKEFELLER, and WICKER.

It does not sound very provincial to me. In fact, 42 States will have their air traffic control towers eliminated. This amendment is broadly supported by the aviation industry. If there is an aspect of this that is unique to Kansas, it is that we manufacture many general aviation aircraft. We are the air capital of the world. But this amendment, while being supported by the Aircraft Owners and Pilots Association, by National Business Aviation Association, the National Air Transportation Association, is also supported by the American Association of Airport Executives and the National Air Traffic Controllers Association.

Again, it is not a very provincial amendment when sponsored by so many of my colleagues, affecting 40-some—43 States of the United States, and broadly supported by the aviation industry as a reasonable, commonsense solution to a problem we face.

I have been adamant about bringing this amendment to the floor. I am a member of the Appropriations Committee. I will have the opportunity—in fact, I serve on the subcommittee that deals with the Department of Transportation. I should and hope to have the opportunity to deal with this and other issues related to the Department of Transportation in the normal appropriations process that, hopefully, will follow the passage of a budget. So I ought to be in a position to be helpful to the cause I believe in at a point later in time.

But here is the problem: The air traffic control towers will close on April 7. We will never get to an appropriations process between now, here at the end of March, and April 7. So the Appropriations Committee and, ultimately, the Senate, the House of Representatives, and the President will never have the ability to restore a program that is gone April 7.

So while I have tried to put myself in a position to be helpful to the cause in the long run, there is no long-run battle to be fought because the control towers are gone in just a matter of a few short days.

This amendment matters. This is my last opportunity. If and when cloture is invoked later today on the underlying bill, there is no opportunity for amendments to be considered. So my colleagues who indicate to me so strongly that they support my amendment, this is the only opportunity we have to have success.

This clearly is not about my success in an amendment. Although I would love to have the opportunity for this amendment to be voted on, it may or may not pass. But the Senate ought to work its will in making that determination. With the broad support of the industry, with the broad support of my colleagues here in the Senate, one would think this is an amendment which is at least worthy of a vote. That has not been the case.

So it is important for me to again reiterate to my colleagues that if you invoke cloture this afternoon or later this morning, if you invoke cloture, there is no other opportunity for us to address this issue, this problem. So let me again request the opportunity.

I lay awake last night from 3:30 on trying to figure out what it is I can say to my colleagues to get their attention about why this is so important. There are lots of things that can be said. We have so little time before this is either a program that existed in the past and will no longer exist in the future—the consequences are so dramatic that I would again ask my colleagues for their assistance in at least bringing the amendment to the floor so that the Senate can make a decision, yes or no, about the merits of the amendment.

This is about safety. There was an article I just happened to read today in reading my clips from Kansas. This is in a Kansas paper, but it is an AP story from Chicago. The article is entitled "Trouble in the Air," and here is what the AP reporter writes about the planned shutdown. The article says:

The planned shutdown of nearly 240 air traffic control towers across the country under federal budget cuts will strip away an extra layer of safety during takeoffs and landings, leaving pilots to manage the most critical stages of flight on their own.

But airport directors and pilots say there is little doubt that the removal of this second pair of eyes on the ground increases risk and will slow the progress that has made the U.S. air system the safest in the world.

It's not just private pilots in small planes who stand to be affected. Many of the airports in question are serviced by major airlines, and the cuts could leave towers unmanned during overnight hours that some big-city airports such as Chicago's Midway and General Mitchell Airport in Milwaukee. The plans have prompted airlines to review whether the changes might pose problems for commercial service that could mean canceling or rescheduling flights.

Without the help of controllers, risk "goes up exponentially," said Mark Hanna, director of the Abraham Lincoln Capital Airport in Springfield, Ill., which could see its tower close.

But many in the aviation sector are frustrated by the political brinkmanship in Washington that has affected such a sensitive area of aviation. Jim Montman, manager of the Santa Fe Municipal Airport, which is on the list for tower closures, said the absence of controllers raised the risk of midair collisions "or some sort of incident where somebody lands on the wrong runway. . . . That critical link is gone."

Pilots are trained to watch for other aircraft and announce their position over the radio during approaches, landings and take-offs. But past crashes, however rare, have exposed weaknesses in that system. On November 19, 1996, a 19-seat United Express flight landing in Quincy, Ill., collided with another twin-engine turboprop that was taking off. They slammed into each other at the intersection of two runways, killing all 14 people aboard the two planes. The National Transportation Safety Board concluded the probable cause was a failure of the pilot in the outbound flight to monitor the radio frequency for air traffic and to properly scan for other planes. "If a tower was there, it's highly likely that the accident would have been prevented," said Hanna, who became the director of the Quincy airport about two years after the crash.

The 238 air traffic control facilities that could be closed were chosen because they are at airports with fewer than 150,000 flight operations per year. They are located in every state.

Again, the point of this amendment is not whether or not I find the right words to convince my colleagues to allow this amendment to come to a vote. As much as I struggled through the morning hours trying to figure out what those might be, the real issue is not about my words or my personal success in getting this amendment considered, but it is about the safety of Americans.

I cannot figure out why this amendment cannot be made in order. Again, broad support—broad support with Republicans and Democrats. I have had many Senators, including very senior Senators from the Democratic side of the aisle, come to me and express amazement that this amendment, so broadly supported, so important, cannot be considered. I cannot come up with an explanation. I do not know why this is the case.

Every Senator I have talked to about this amendment tells me they do not oppose it, it ought to be voted on, they support it. Yet for some reason the Senate is incapable of agreeing to even a vote on an important and critical amendment that promotes the safety of the American people. I can only guess—and it is always difficult to attribute motives, but as I talk to my colleagues, the only explanation I ever get that has any semblance of truth is that there is a point to be made here. By denying the amendment's passage, we prove that sequestration cannot work; we cannot cut money from budgets.

Again, I did not vote for sequestration. So when the majority leader says this morning about the hatchet being taken to programs and it is all bad—I did not vote for sequestration. I believe in the appropriations process that allows us to make these decisions to increase funding for some things, decrease funding for other things, and eliminate programs. Yet sequestration, in my view, has an effect upon all programs equally, whether they are effective or ineffective, whether they are valuable or invaluable. We treat them the same.

So I am not here on the cause of sequestration, but apparently there are those in this city, in Washington, DC, who want to make the point that if the air traffic control towers are eliminated, it will demonstrate once and for all—I don't know; to Republican Senators, to Senators in general, to Congress, to the American people—that there is no opportunity to cut budgets.

If people want to make that point and if they can convince people that it is true that there is no opportunity to eliminate \$85 billion in spending, that is fine with me. That is what this place exists for, is for us to have the debate about whether we can reduce spending, increase spending, what our Tax Code ought to be, what the value is of government services and programs and how they ought to be funded. But if it is true that the reason this amendment is not being considered is because we want to prove a point—that there is no money to be cut, that sequestration is a bad idea, that reducing spending is a bad idea, that we have to raise taxes—if that is the point that is trying to be made here in the process of denying this amendment's consideration, then it is a very dangerous way to try to prove a point.

Prove your point in argument and debate about the merits of spending, about the merits of the program. Prove your point in the Appropriations Committee, in which we take testimony and hear from people about what is important to them, priorities, what their needs are, what their wants are, what has value, what does not. But do not try to make the political point about this topic by reducing the safety of people who fly in and out of communities across the country. As the article said, this reduces the nature of our air traveling safety from the best in the world to something less than that.

So make the point. Have the debate and argument about the value of sequestration, about the value of what money we spend and do not spend. But let's not try to prove the point by reducing the chances that the American people, when they travel, are safe and secure in our airways.

I do not know, and I hope this is never the case—this point may never be proven about the safety, but once there is an accident and someone dies

and a plane crashes, the question will always be, what if there had been an air traffic control tower there? What if we had left the program in place?

These communities that have the air traffic control towers have spent years in developing a plan to put them in place, have worked with the FAA and the Department of Transportation over decades to bring their airports and airport safety, flying safety to high standards. An issue here is that this is going to disappear overnight. So you can be an airport manager, an airport authority, a member of an airport board anywhere in the country with 200-plus air traffic control towers, and you have worked hard over years, decades, to get the standards in place and to have the air traffic control process at your airport. In one day, April 7, one night, the lights go off in the tower. They no longer exist. All the work you have tried to accomplish on behalf of your community and those who fly in and out of your airport disappears in one stroke.

So I speak with a level of passion about this issue, for really the purpose of which I think we are here to do, which is to advance the common good of the American people. It is not a provincial amendment. It is not something that just MORAN and Kansas need. There are many States much more affected by this. But the truth is that every American, every person who flies will have less safety and security in the skies as a result of this issue, as a result of the decision made by the Department of Transportation to eliminate this program.

So, once again, I intend to ask later in the morning, when our leaders are on the floor, for unanimous consent to bring this amendment forward before the time expires. In my time in Congress—I have only been in the Senate a little more than 2 years—I have not been trying to be obstreperous. I have not tried to be difficult to deal with. I believe in the opportunity to reach out and work together. I followed the rules. I did what everybody tells me to do: Go find people who support this amendment who are Democrats and Republicans, bring them together.

And as the leader said earlier in the week—I guess it is now last week—earlier last week about how we are going to get back to regular order, we are going to have amendments offered, I hope we can dispose of them quickly, we have an opportunity to do that with this amendment. It is not controversial. It is not partisan. It is about something that ought to be of importance to all Americans, certainly to every Senator.

Later in the morning when the leaders are present, I will ask unanimous consent once again that we consider this amendment. I know there are others who want to offer amendments. I see my colleagues from Arkansas and

Missouri on the floor. I know they have an amendment—I think it is No. 82—with which they want to offer the opportunity to address a problem by taking money from one account and putting it in another account in order to keep meatpacking plants operational, that we have the meat inspectors present at the plants. Boy, that is an important issue too. That is about the safety and security of Americans. It is about food safety. I hope no one objects to the amendment Senators PRYOR and BLUNT are going to offer this morning. That is another amendment which is very similar in nature, about deciding that we are smarter to spend money here than here.

As the Pryor-Blunt amendment comes before the floor, I would ask my colleagues, just as I would ask them to grant unanimous consent, I hope no one objects to their request for unanimous consent that their amendment be considered. I would ask that no one object to the amendment I intend to offer. I certainly will not object to the Blunt-Pryor amendment. I wish it was leverage to get my amendment considered, but it is too dangerous to play that game. That is what we do here in Washington, DC, is strike a deal. In this case, when we strike that deal, we are leaving people behind whose lives are going to be adversely affected.

I certainly will not stand in the way of people who work in the meatpacking industry and the consumers of meat products across our country, in the way of trying to solve a problem that is clearly there. I hope their amendment receives unanimous consent, and I hope it passes by this Senate's will. I would ask the same thing. When the appropriate time comes, I will ask for the same thing on an amendment that is about the safety and security of American people.

I thank the Presiding Officer for his indulgence and at least his appearance of listening to me.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. MORAN. Madam President, I ask unanimous consent the next quorum call be equally divided between the Republicans and Democrats, the majority and the minority.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk proceeded to call the roll.

Ms. AYOTTE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MS. AYOTTE. Madam President, I come to the floor to speak about an amendment I made to the continuing resolution. This is a continuing resolution for appropriations bills which are pending on the floor right now, and we are spending over \$1 trillion.

I filed an amendment, amendment No. 127, which would have struck the funding of \$380 million for a missile to nowhere. This is funding for a program called the Medium Extended Air Defense System, otherwise known as MEADS. Up to this time, we have expended \$3 billion for this system. Yet we will never receive a result our Army or our military can use. This is why it is a missile to nowhere.

The chairman of the Senate Armed Services Committee, Senator CARL LEVIN, has said of the funding for this MEADS program: With regard to the committee, we feel strongly that it is a waste of money.

In the 2012 Defense authorization, the Senate Armed Services Committee made very clear this was going to be the last appropriation for this missile to nowhere. In the 2013 authorization, on a unanimous bipartisan basis before the Senate Armed Services Committee, the committee voted to say no more money for a missile to nowhere.

Right now, our military is facing great challenges with sequestration. We have heard this from our military leaders. These are difficult choices they must make to cut training for our troops and cut needed flying hours when our troops absolutely need to be prepared and ready. For equipment, an announcement was made we were going to withdraw a carrier, which sends the wrong message to Iran.

Despite all this, the continuing resolution, which is on the floor with the appropriations bill attached, contains \$380 million for a missile to nowhere. This is something our military will never be able to use. And why is it there? It is there because people are worried about their parochial interests, that their State builds part of this, and also because, apparently, they want to provide employment to the Germans and the Italians, because they are getting a substantial amount of this money. Yet we will never see anything our troops can use from it.

My amendment was very straightforward. The amendment would do this: It would take the \$380 million and strike it from the MEADS Program, then take those resources and, instead of spending the \$380 million on the MEADS Program, it would go to the operations and maintenance fund for our troops for real needs they have on the ground—whether it is equipment or training—rather than for a missile to

nowhere that they do not need and don't want.

It seems to me we owe it to our troops to make sure our taxpayer dollars don't continue to be wasted on funding a MEADS Program we will never get a result from. In fact, we have had large unanimous agreement on a bipartisan basis about striking this MEADS Program. In fact, I mentioned the Senate Armed Services Committee has said we should prohibit funding for it. The House Armed Services Committee did the same thing and said we should prohibit funding for it, and the House Defense Appropriations Subcommittee zeroed out funding for MEADS. The only committee that allocated funding for it was the Senate Appropriations Subcommittee. Talk about a waste of money.

It is shocking to me, by the way, that this amendment makes so much sense, that it has bipartisan support, and yet I can't get a vote on the floor of the Senate to strike the money for this missile to nowhere and to apply the funds to where our troops need them so the funds can actually be used to make sure they have what they need to be prepared. It is appalling that I am being denied the right to offer this amendment, to bring it to the floor, to let people vote on it. At a time when we face great fiscal challenges, it is absolutely appalling to me that here in the Senate we can't strike \$380 million in funding for a missile to nowhere when we are almost \$17 trillion in debt. This is what is wrong with Washington. It is appalling we cannot be in a position to get a vote that is germane to fund a program that the Concerned Veterans for America has said is wasteful, in support of my amendment; that the Citizens Against Government Waste agrees as well and supports my amendment; and that I have bipartisan support for my amendment. In fact, Senators BEGICH and SHAHEEN are cosponsors of my amendment. So this is not a partisan issue, this is about not wasting taxpayer dollars. I can tell you this sort of thing is what is appalling to the American people, that we cannot and we will not strike wasteful spending. We can't even get a vote on it here in the Senate.

I am going to continue to fight to end the funding for this program and other wasteful spending programs and to make sure the money we have and the taxpayer dollars, particularly in the Pentagon but in every area of government, go for what they are intended—for things our troops need, and not a missile to nowhere where we are protecting, apparently, parochial interests that people are worried about more than they are worried about the overall fiscal state of the country.

This is something that has been very disappointing to me. I think it is appalling we wouldn't allow a vote on such a relevant, germane amendment

on a bill in which we are going to spend over \$1 trillion. I don't know why we continue to fund things such as the missile to nowhere when there are real needs our troops have. I know this amendment had bipartisan support in the past. Both sides of the aisle do not want to spend money on a missile to nowhere when there are real needs our troops have.

I appreciate the opportunity to speak on this issue on the floor today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, it took 4 years to get a budget from the Senate majority—4 long years.

As the days go by, it has become increasingly clear why it took so long; their budget is so extreme and so unbalanced. That is why they are having such a hard time selling it to the American people and why they have had to fall back on some tired talking points to defend it, claiming their budget would, for instance, grow the economy from the middle class out. That is a clever sound bite, but it doesn't describe the Senate Democratic budget at all.

Maybe a better way to put it is that the Democratic budget would grow the bureaucracy from the pockets of the middle class out. That is because it would increase Federal spending by almost two-thirds by imposing a massive tax hike that could cost the average middle-class family literally thousands.

The Democrats like to say the up to \$1.5 trillion tax increase authorized in their budget—the largest tax hike in American history, by the way—would be funded by closing loopholes for millionaires and billionaires, but the math simply doesn't add up. They will have to come after the middle class to fund this spending spree.

There is something else. The Senate Democratic budget wouldn't balance ever—not in 2013, not in 2023, not in 2023, not ever. It wouldn't balance in any of our lifetimes. It wouldn't balance in the lifetimes of our children or our grandchildren. It would simply never balance.

Think about it. That means a child born today would grow up knowing nothing but massive deficits their entire life. That means trillions upon trillions in more debt and an economy that would never ever reach its full potential. That is simply not right, but it is what we would get with the Senate Democratic plan. It is an extreme approach that is more than just fiscally reckless; it is deeply irresponsible.

That is why so many middle-class families agree with Republicans that we should be growing the economy, not the government. They know we need to control Washington spending and balance the budget in order to kick-start economic growth and to create American jobs. They are so tired of the Obama economy.

They are tired of the endless pivots to jobs that never result in the kind of sustained job creation we need. They are tired of the sluggish growth, of always looking to the future with anxiety or worrying whether Medicare will even be there when they retire.

They are tired of the ideological DC Democratic extremism that got us here: knee-jerk, tax-first solutions to almost every single problem, massive overspending, steadfast opposition to reforms that would make government programs more efficient, effective, and sustainable.

So my friends across the aisle shouldn't be surprised their budget is getting such a rough ride. It contains up to \$1.5 trillion in new taxes. This would be the largest tax hike in American history. It contains \$½ trillion more in spending, money that could be siphoned out of the economy and into the hands of politicians and bureaucrats.

It lacks meaningful reforms to save and strengthen Medicare, allowing it to go bankrupt in just a few years, and it enshrines massive deficits into law, ensuring they continue forever and ever without end.

The Senate Democratic budget is nothing more than a rehash of the same tired politics that continue to pummel the middle class. It is time to move beyond this failed extremist approach and try a new one. Instead of expanding the power of the bureaucratic elite at the expense of hard-working taxpayers, I would urge Washington to change course. Let's focus on growing the economy, not the government.

#### OBAMACARE

I would also like to discuss ObamaCare for a moment.

As I just stated, Senate Republicans want policies to grow the economy, not the government. Yet ObamaCare is a law that grows the government and will slow our economy. On Saturday, we will mark the third anniversary of its passage into law.

Republicans have long warned that ObamaCare would have a devastating impact on our country. I have spoken about 100 times on the Senate floor against ObamaCare and I have warned about its consequences: increased premiums, lost jobs, and higher taxes.

Unfortunately, many of those things have already started happening. It is not just off in the future. It has already happened, and the Federal Government has only just begun implementing the law.



Instead of premiums going down \$2,500, as President Obama promised, they have actually gone up by about the same amount, \$2,500. Congress's own nonpartisan budget experts tell us the premiums will increase by about \$2,100 after more rules, more taxes, and more mandates take effect.

The Federal Reserve also came out with a report that confirmed something else Americans already know: ObamaCare is costing us jobs. By some estimates, it could end up costing 800,000 jobs at a time when we desperately need more of them.

Members of the President's own party have begun sounding the alarm about the law's tax hike, including its tax on medical devices.

His union allies are concerned the law will make them less competitive too. Of course it will. Perhaps some of the union bosses should have more thoroughly considered the well-being of their members before supporting ObamaCare's passage in the first place.

ObamaCare has already become a regulatory nightmare. I would call the attention of my colleagues to this chart. This is the ObamaCare law, hundreds of pages in itself. But these are the regulations so far: 7 feet tall, almost 20,000 pages of ObamaCare regulations so far.

The law itself is not small, hundreds and hundreds of pages. But nearly 20,000 new pages of regulations, 7 feet tall, and they are just getting started. This monster of a bill, as I indicated, was hundreds of pages long itself, but that is actually nothing compared to the regulations it has spawned.

This more than 7-foot stack of paper next to me is what has become known as the redtape tower—the redtape tower, almost 20,000 pages of ObamaCare regulations so far. It is nearly 20,000 pages' worth of complexity. That is just what the bureaucracy has dreamed of so far, and we can only imagine how much more is yet to come.

Do we expect small businesses to be able to cope with all the rules in this tower? If you were a small business owner, how could you? Would you even be able to read through all of them and figure out which ones applied to you? I doubt it. I don't expect the average American to have much luck either.

The administration released a draft ObamaCare application last week. It is 21 pages long. Unbelievable. If you like doing your taxes, you are going to love applying for the ObamaCare exchanges.

So Washington Democrats may pop the champagne this Saturday to celebrate the law's third anniversary, but more Americans and small business owners will be reaching for an aspirin once they are forced to start navigating this bureaucratic nightmare.

In my view, ObamaCare is a colossal mistake for our country. There is no way to fix this thing. It needs to be

pulled out by its roots, and we need to start all over. This bill needs to be repealed and it needs to be replaced, not with another unreadable law or another 20,000 pages of regulations but with commonsense reforms that actually lower health care costs.

Anyone who thinks we have given up this fight is dead wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, in a few seconds I will be propounding a unanimous consent request. We were originally scheduled to have a series of votes at 11:15. We think we have a way of working out some of our concerns if we just take a little bit of a breather and do the kind of negotiation based on the civility and common sense that we have been using during this deliberation.

Therefore, Madam President, I ask unanimous consent that notwithstanding the previous order, all postcloture time be considered expired at 2 p.m., with the time until 2 p.m. to be equally divided between the two leaders or their designees, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, just to give everybody the lay of the land, it means we are working through our legislative issues, and at 2 o'clock we will then proceed to a series of votes which will be announced in plenty of time for people to know what is happening.

I ask unanimous consent that the quorum calls be equally divided, and I thank the able floor staff for giving me advice. There are days when I think it is an opera and they are calling out the arias we need to sing. But we are moving, and I thank Senator SHELBY for consulting with his side of the aisle.

At 2 o'clock we are going to have a series of amendments, and I think the Senate will feel very solid about the direction in which we are going.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. AYOTTE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Madam President, in a minute I am going to call up an amendment that I was speaking about on the floor of the Senate over the last few days. Essentially, this is an amendment that is pending to the bill—the continuing resolution and appropriations bills—that would strike \$380 million of spending for the MEADS program. It is essentially a missile to nowhere that our troops will never be able to use in theater. We want to transfer that money to the operations and maintenance funding for the troops so we can make sure there are resources they can use to, obviously, make sure they have what they need for the very best equipment and training—particularly in light of sequestration and what we are facing. I know there is an agreement that is being worked out, and I hope my amendment is included in that agreement.

At this time I ask unanimous consent to set aside the pending amendment so I may call up my amendment, amendment No. 127.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. AYOTTE. Thank you, Madam President.

Mr. REID. Madam President, before the Senator leaves the floor, I have listened to most of her speeches, and she has been very articulate. I appreciate how she feels. There are some Democrats who agree with her, but the problem is it is hard to arrive at a list of amendments. I appreciate her intensity, and I certainly do not in any way denigrate what she has been trying to do, but this is the situation in which we find ourselves.

I reluctantly object.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I too have an amendment that I have been attempting for a number of days to have made in order. This is the amendment that deals with the air traffic control towers. It is an amendment that very directly and simply transfers money from two accounts that have lots of money in them—the unencumbered balances of the Department of Transportation as well as a research fund—transfers \$50 million from those two accounts to the air traffic control program. If we do that, we can at least avert—at least what the Department of Transportation says is necessary to eliminate that program—closing more than 170 air traffic control towers on April 7.

I spoke earlier this morning, and I intend to speak before the vote occurs. I will not repeat myself at this point in time, but this morning I outlined—and



I hope my colleagues were listening—the importance of this amendment to the safety of the traveling public. The modest nature of what we are trying to accomplish has the bipartisan support, as well as the wide range of support, from groups outside the Congress that support this amendment.

I again ask unanimous consent to amend the previous order and bring up my amendment. It is amendment No. 55, that 10 minutes be equally divided, and we proceed immediately to a vote on that amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MORAN. Thank you, Madam President.

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. REID. Madam President, I withdraw that. My understanding is the Senator from Montana has a brief statement to make regarding a big event in Montana.

Mr. BAUCUS. That is basically correct.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I ask to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BAUCUS are printed in today's RECORD under "Morning Business.")

Mr. BAUCUS. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, at an appropriate time I will ask for some consideration of an amendment of mine, amendment No. 6. My amendment would hold the Obama administration accountable for its recent decision to release more than 2,000 undocumented immigrants from detention centers across the country in the past month. U.S. Immigration and Customs Enforcement claimed they were releasing these people because they needed to reduce their average daily detention population of about 34,000 people—a congressionally mandated requirement. They claimed they had to reduce the detention population for budgetary reasons. Week after week, agents were tasked to release so many individuals.

At first the Department of Homeland Security claimed it only released a few

hundred people. However, last week the Director of Immigration and Customs Enforcement admitted that the administration had misled the American people by confessing that over 2,200 aliens were actually released. They continue to stand by the excuse that budget cuts were the reason for releasing these individuals.

Simply blaming budget reduction as a means to turn a blind eye toward the national security of the American people is a very dangerous plan and one that calls into question the Department's preparation for sequestration, particularly when we consider that months before sequestration the Office of Management and Budget put out an order to all departments that national security, law enforcement, and safety and health should be a top priority. So if keeping criminals off the streets of the United States shouldn't be a top priority—as per the order from the Office of Management and Budget—I don't know what should be. So I want an accounting for it, and that is what my amendment does—requests a simple accounting for why they were released and what it was all about. What is even more disturbing is the fact that the Department had billions of unobligated funds from the past 2 years that could have been put into protecting the American people.

On February 27 I sent a request to Secretary Napolitano questioning the decisions of the Department. The letter, cosigned by Chairman GOODLATTE of the House Judiciary Committee, was an attempt to better understand—just a simple understanding—how the Department will better confront sequestration and reduce operational challenges that could affect the life, safety, and health of the American people—the same life, health, and safety of the American people evidenced by this very administration's directive going out from the Office of Management and Budget of the priorities that ought to be established during sequestration.

Now, you know what. So often what we find from this administration—and have even found in previous Republican administrations—is that letters that are embarrassing go unanswered. Unfortunately, this is not unusual. About a dozen of my letters to the Secretary of Homeland Security on just the immigration issue have gone unanswered. There is no respect for congressional oversight. It is very frustrating.

We are on the cusp of undertaking a massive reform of our immigration system. Yet getting answers to the most basic questions seems to be an impossible operation. Time and again, we have seen this administration refuse to be held accountable, and what we want is just information. It is not as though we are saying that what the administration has done—even if we disagree with it—can't be done or shouldn't be done. But shouldn't the

people know about who is being turned out in the streets when they have been held in confinement for a long period of time? I fear what will become of the President's promise of transparency if and when we do pass an immigration bill. And this is an example of things to fear in the future. Enacting a bill is one part of the process, and implementing the law is another part of the process. If we don't have faith in this administration now, what about trust for the future?

So my amendment would require U.S. Immigration and Customs Enforcement to submit weekly reports—just submit reports—to the House and Senate Committees on Appropriations and the Judiciary. The reports will be required to contain detailed budgets on how ICE will maintain the 34,000 detention bed occupancy levels authorized by Congress. It also requires ICE to provide the number of aliens released from detention as well as the following information on aliens released for budget-related purposes: the conviction or charge for which they were detained, fugitive status, existence of a prior deportation order, and the terms of release.

My amendment happens to be cosponsored by Senators INHOFE, VITTER, BOOZMAN, ROBERTS, COATS, MCCONNELL, and COLLINS.

Within the last few days, we have had the Director of ICE, Mr. Morton, testify—well, it was just yesterday in the House. Chairman GOODLATTE said his testimony raised more questions.

Mr. President, I ask unanimous consent to have printed in the RECORD a press release that expresses the testimony of Director Morton.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. HOUSE OF REPRESENTATIVES,  
JUDICIARY COMMITTEE,  
Washington, DC, March 19, 2013.

#### DIRECTOR MORTON'S TESTIMONY DOESN'T ADD UP

WASHINGTON, D.C.—Today, U.S. Immigration and Customs Enforcement (ICE) Director John Morton testified before the House Judiciary Committee regarding criminal and illegal immigrants who are priorities for removal but were released by the agency, which claimed release was necessary due to sequestration. However, several of the claims made by Director Morton do not match the facts and here's why:

At today's hearing, Director Morton blamed the release of criminal and illegal immigrants on the lack of funding in the Continuing Resolution (CR) and the sequester. But the CR funded ICE above their budgetary request and provided the required funding to maintain detention beds at their average daily requirement of 34,000 through the end of March. Meanwhile, an internal ICE document shows that the agency began releasing detainees on February 15 and had already released thousands of criminal and illegal immigrants ahead of sequestration.

In addition, while the sequester cuts the agency's funding by 5%, the savings resulting from the decision to mass release criminal and illegal immigrants into the population goes well above 5%. A 5% reduction of 34,000 detention beds is about 1,700, but ICE has already released over 2,200 criminal and illegal immigrants and the plan was to reduce the daily population by 5,000.

Furthermore, Director Morton today acknowledged that he could have made a reprogramming request to Congress or could have used other funds to keep criminals off of our streets. However, he did not provide any reasoning as to why he did not make such a request.

House Judiciary Committee Chairman Bob Goodlatte (R-Va.) released the statement below regarding these inconsistencies.

Chairman Goodlatte: "Director Morton's testimony given to the House Judiciary Committee today doesn't add up. U.S. Immigration and Customs Enforcement had more than enough money to continue detaining criminal and illegal immigrants that are priorities for removal and could have made a reprogramming request to Congress if the money ran out. But Director Morton never made such a request nor provided any rationale as to what is more important than keeping criminal immigrants off of our streets.

"In addition, the sequester mandated a 5% cut at ICE but the agency released more than 5% of detained criminal and illegal immigrants. These facts make it appear that the decision to release more than 600 convicted criminals and others facing charges into our communities was more of a political calculation than a budgetary necessity. This decision not only undermines ICE's credibility but also undercuts the American people's trust in this Administration's ability to enforce our immigration laws."

Mr. GRASSLEY. Last week Mr. Morton said they released 10 level 1 offenders. These are people convicted of violent crimes. They are repeat drunk drivers, as an example. Yesterday he said they only released eight, but he also said they were trying to relocate them and bring them back in. Well, if you have these dangerous people out on the streets, the public ought to know about it.

So I suspect that when I ask unanimous consent now, the other side will object to my amendment. And I don't know why they want to go to such lengths to protect this administration when all we want is simple information—just simple information. We aren't saying that the decisions made—even though we disagree with them—ought to be changed. We are just saying that the public ought to know when we put violent people out on the streets, and when we put people out on the streets who shouldn't be out on the streets, we ought to know where they are, why they were put out there, and what it is all about.

I think the objection to allowing this amendment to have a vote—as I presume it will be objected to—is indefensible, but at this point I call up for consideration my amendment No. 76, and I ask for just 10 minutes of debate and a vote on my amendment. I ask unanimous consent to do that.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I understand how the Senator feels. Over the years I have served with him, he has always made his opinions very clear. We had his amendment in the list of amendments we were going to do before, with some modifications that my friend wouldn't agree to. So I understand his feelings about this, but the good news is that within the very near, foreseeable future—hopefully, I can start it in the next work period—we are going to start immigration legislation here on the floor. We are finally going to be able to move to something that will include issues people have wanted to deal with for a long time.

So I say to my friend, I object, but I understand how he feels about the issue.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding cloture having been invoked, the following amendments be in order to the Mikulski-Shelby substitute: Coburn No. 69; Coburn No. 93; Coburn No. 65, as modified; Coburn No. 70, as modified; Inhofe-Hagan No. 72, as modified; Mikulski-Shelby No. 98, as modified with changes that are at the desk; Leahy No. 129, as modified with changes that are at the desk; and Pryor-Blunt No. 82; that no other first-degree amendments to the substitute or the underlying bill be in order; that no second-degree amendments be in order to any of the amendments listed above prior to the votes; that the time until 2:15 p.m. be equally divided between the two leaders or their designees, with 30 minutes of Republican time under the control of Senator MORAN prior to votes in relation to the amendments in the order listed; that upon disposition of the Pryor-Blunt amendment No. 82, the Durbin second-degree amendment to the Toomey amendment No. 115 be withdrawn; that it be in order for the Toomey amendment to be modified with the changes that are at the desk; that the Senate proceed to vote in relation to the Toomey amendment No. 115, as modified; that upon disposition of the Toomey amendment, the Senate proceed to vote on the Mikulski-Shelby substitute amendment, as amended; that all amendments, with the exception of the Mikulski-Shelby substitute, be subject to a 60-affirmative-vote threshold; that upon disposition of the substitute amendment, as amended, the Senate proceed to vote on the motion to invoke cloture on the underlying bill; that if cloture is invoked on H.R. 933, as amended, all postcloture time be yielded back and the Senate proceed to vote on passage of H.R. 933, as amended; and, finally, that all votes after the first vote be 10-minute votes and there be 2 minutes equally divided in the usual form between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I appreciate everyone's understanding on both sides. This is going to allow us to get to the issue at hand very soon, and that is the budget, with Senators MURRAY and SESSIONS leading us on that issue.

Also, we were able to get a number of these amendments that people have been wanting very badly to get. So I appreciate everything people have done to this point.

#### AMENDMENT NO. 72

Mr. MANCHIN. Mr. President, I rise today to urge my colleagues to support an amendment to H.R. 933 requiring the military services to resume their tuition assistance programs, which are so vital to our military's professional and educational development.

On March 5, 2013, the Department of Defense Comptroller Robert Hale sent a letter to the services to provide "additional guidance for handling budgetary uncertainty in fiscal year 2013." In his letter, Secretary Hale said that "all services should consider significant reductions in funding new tuition assistance applications."

Three days later, on March 8, the Army suspended tuition assistance for all its soldiers—Guard and Reserve—and as a result, more than one million Army soldiers immediately lost this important education benefit. There was not a single exception, not one, not even for troops wounded in combat.

The Air Force, Coast Guard, and Marines also suspended their tuition assistance programs.

This matter concerns me greatly, and I hope it does my colleagues as well. I understand the difficult fiscal decisions facing our military as a result of the sequester, but I object to the way they are handling tuition assistance with what amounts to blunt force policy making.

I want to reexamine the exact wording of Secretary Hale's letter. He stated that the military services "should consider significant reductions in the tuition program." I want to repeat, he said to "consider significant reductions." Although his guidance was non-specific in terms of what amounts to "significant," four of our five military services followed with the most extreme reduction possible—they suspended all tuition assistance, indefinitely.

This decision affects lives, real lives of one of our nation's greatest treasures—the less than 1 percent of our fellow citizens who are willing to volunteer and serve in our Armed Forces, regardless of the dangers they are likely to face in the defense of freedom.

I want to highlight one example of the thousands of lives now affected—a young soldier who recently enlisted in the National Guard. His personal story reflects the negative impact the tuition assistance cuts are going to have on our Armed Forces.

I saw him interviewed by a news station. He is 19, but with his new buzz cut, he looked much younger. His military mannerisms were unmistakable he gave short responses, always beginning with a "Sir" or "Ma'am."

When asked how the decision to suspend tuition assistance affected him, he said, politely, "I was really counting" on tuition assistance for college.

You see, this young man does not have any comparable education benefits to fall back on. He is only 19, as I said, and just back from training. As a Guardsman, he would need to deploy at least once to receive some of the new GI Bill benefits.

What do you think he will tell his friends about the military as a result of this experience? What will his family say? And how much warning did we give this young man that he could no longer count on \$4,500 per year in tuition assistance?

As I said, this young man was 19 years old. Last month the veterans' unemployment rate for those ages 18 to 24 rose again. It is now a very troubling 36.2 percent. We are in the midst of a grave unemployment crisis and now is the time to invest—not divest—in continuing education for our military.

This is not the way we should treat our service men and women. We should keep our commitments, especially those we have made to those who are willing to sacrifice everything for their fellow Americans and the Nation.

I urge my friends and colleagues to support our amendment to require the services to resume tuition assistance the minute this bill passes. It is sponsored by Senators INHOFE and HAGAN, and it is a necessary response to an unnecessarily harsh and short-sighted policy decision.

The sequester is not a thoughtful or balanced approach to cutting spending, and we should find an alternative. But, until that moment occurs, everyone, especially the military services, must reject the impulse to "grab low hanging fruit," and cut it down, in its entirety, simply because it is more convenient.

Mrs. FEINSTEIN. Mr. President, I commend the chairwoman and vice chairman of the Appropriations Committee, Senators MIKULSKI and SHELBY, on crafting a strong bill to close out the remaining 6 months of the fiscal year. This bill was developed under difficult circumstances and time constraints, and I really feel they have done a good job of returning some semblance of regular order to this process. I am hopeful this progress will continue in the coming fiscal year.

One of my disappointments with this legislation, however, is that we are not able to fund any new Army Corps of Engineers projects.

The lack of new starts in the Corps is of particular concern to my State, as it impedes progress on the flood control

project in Hamilton City, CA. It is a project that could potentially serve as a model for Corp projects throughout the Nation. More importantly, the construction of a new levee is critical for the protection of Hamilton City and Glenn County from catastrophic flooding. The project has been ready for construction for several years now but has been entangled in the new starts prohibition.

It is my hope and intention that for fiscal year 2014 we will have regular order in appropriations, and I will work to support this project moving forward.

Mr. DURBIN. Mr. President, I met with FAA Administrator Michael Huerta last week to discuss sequestration and how it will affect our national aviation network. Sequestration will reduce the FAA's budget by approximately \$600 million in the middle of this fiscal year. The Administrator told me this swift and sudden reduction in funding will have serious consequences to the efficiency of our national aviation system, especially in Illinois. Airport managers throughout the State of Illinois have also registered their serious concerns about the sequestration impact on commercial and general aviation.

The FAA will have to severely reduce service or completely close approximately 180 air traffic control towers across the country. Nine air traffic control towers in Illinois will have their service either eliminated or severely reduced: Alton, Aurora, Bloomington-Normal, Decatur, DuPage, Carbondale, Marion, Springfield and Waukegan. The FAA has also said that overnight air traffic control service at Peoria and Midway airports could be eliminated. These are serious steps that will increase delays, reduce capacity and potentially compromise the safety of the airspace in the areas surrounding these airports.

I will continue to monitor this situation and will work with the FAA and airport managers throughout the State of Illinois to address aviation safety and air traffic delays.

However, the aviation system is not the only harm sequestration will have on this country. The White House estimates sequestration will reduce the readiness of our troops; put up to 10,000 veterans at substantial risk of becoming homeless; drop 70,000 children from Head Start, including 2,700 from Illinois; take nutritional assistance away from 600,000 families because of cuts to WIC; and reduce foreclosure prevention and other counseling to 75,000 fewer households.

Many Republicans have said they are comfortable with allowing sequestration to continue. They think no one will notice what sequestration does to the country. I disagree. These sequestration cuts will have real impact on real people in Illinois. We need to stop sequestration with a balanced solution

of budget cuts and revenue. I am pleased we will soon start debating the budget resolution. Budget Chairwoman PATTY MURRAY has produced a budget that will stop sequestration and the negative impacts it will have on our economy, our troops and working families across America.

Mr. LEVIN. Mr. President, I will vote for the bill before us because it ensures the continued operation of government. The overall spending in the bill conforms to the Budget Control Act yet provides needed flexibility for agencies to operate as best they can while under sequestration.

I will continue to seek a comprehensive, bipartisan approach to avoid the harmful effects of sequestration. Any compromise to do so will require both prudent spending cuts and additional revenues. Considering that revenues are necessary as part of the way to alleviate the negative effects of the sequester, this bill is not the appropriate vehicle to address our current budgetary situation. I am hopeful that by passing this bill and ensuring no government shutdown occurs, we can work in a bipartisan and responsible manner to undo sequestration.

This bill does contain important funding for Michigan, including \$210.5 million for Army research on combat vehicle and automotive technologies through the Army Tank and Automotive Research, Development and Engineering Center, TARDEC, in Warren. TARDEC is the Department of Defense's leading laboratory for research and development of advanced military vehicle technologies, including efforts to protect Army vehicles against rocket propelled grenades, improvised explosive devices and explosively formed projectiles; advanced materials for tactical vehicle armor; more efficient engines; fuel cell and hybrid electric vehicles; unmanned ground vehicles; computer simulations for vehicle design and training of Army personnel; and technology partnerships with the automotive industry.

The bill also includes funding for the programs of the Army's TACOM Life Cycle Management Command, LCMC, in Warren. TACOM LCMC is the Army's lead organization for the development and acquisition of ground vehicle combat, automotive and armaments technologies and systems. TACOM LCMC-managed systems include the Abrams main battle tank, Bradley Fighting Vehicle, Stryker Armored Vehicle, Mine Resistant Ambush Protected vehicle, and all Army tactical vehicles, such as the HMMWV and Family of Medium Tactical Vehicles.

The bill provides full funding for transportation programs authorized under MAP-21, the 2-year transportation bill signed into law in July that provides critically needed funding for our Nation's roads and bridges. This is a victory because the CR for the first

half of the year, and the House-passed CR, do not include the full funding levels authorized in MAP 21.

The bill also provides needed support for American manufacturing. The Hollings Manufacturing Extension Partnership Program, MEP, receives level funding at \$128.5 million. It is the only Federal program dedicated to providing technical support and services to small and medium-sized manufacturers. MEP is a nationwide network of proven resources that enables manufacturers to compete globally, supports greater supply chain integration, and provides access to information, training and technologies that improve efficiency, productivity, and profitability. This program has been used extensively in my home State by the Michigan Manufacturing Technology Center, which operates the Michigan's Manufacturing Extension Partnership Program. MMTC works with manufacturers around the State of Michigan to innovate so they can become more efficient and profitable in order to grow and create jobs.

The bill protects the life and safety of boaters on the Great Lakes by including a provision that denies the administration request to close the U.S. Coast Guard Seasonal Air Facilities in Muskegon. Closing the station would put at risk the large number of boaters on Lake Michigan during the summer. The Muskegon facility has been in place since 1997 and provides an important safety presence during the boating season on Lake Michigan.

During the course of consideration of the Continuing Resolution, the Senate adopted by voice vote an amendment offered by Senators COBURN and MCCAIN that will limit the use of funds of the National Science Foundation for political science research. The amendment was modified before it was adopted under an agreement between the sponsors and Chairman MIKULSKI and represented a significant improvement over the original amendment. The amendment as modified allows for political science research projects to be conducted when the Director of the National Science Foundation certifies those projects as promoting the economic interests or national security of the United States. I am concerned that this amendment will restrict high quality research in critical areas beyond our national security and economic interests and creates a threshold for certifying eligible political science research projects that could eliminate very worthy projects, if it is not applied wisely and thoughtfully. I hope that a broad interpretation will avoid unnecessary restrictions of legitimate research.

I am disappointed that the continuing resolution does not provide for adequate funding for our financial markets regulators, the Securities and Exchange Commission and the Com-

modity Futures Trading Commission. I worked with a number of my colleagues on an amendment to improve their funding to ensure they have the resources they need to police the markets. Unfortunately that was not adopted.

On balance, while the bill does not contain sufficient funding for many programs, it also contains funding important to Michigan and ensures the continued operation of government. For this reason, I will vote for it.

Mr. REID. Mr. President, I suggest the absence of a quorum, and ask the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 69 TO AMENDMENT NO. 26

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 69 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 69 to amendment No. 26.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit Urban Area Security Initiative grant recipients from funding projects that do not improve homeland security)

On page 392, line 25, strike "training." and insert the following: "training: *Provided further*, That none of the funds made available under paragraph (2) may be used for employee overtime or backfill pay, for security measures at sports facilities used for Major League Baseball spring training, to pay for attendance at conferences, or to purchase computers or televisions."

#### AMENDMENT NO. 93 TO AMENDMENT 26

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be set aside and amendment No. 93 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 93 to amendment No. 26.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To transfer appropriations from the National Heritage Partnership Program to fund the resumption of public tours of the White House and visitor services and maintenance at national parks and monuments)

On page 542, strike lines 3 through 21 and insert the following:

REOPENING THE WHITE HOUSE FOR PUBLIC TOURS AND PRESERVING OUR NATIONAL TREASURES

SEC. 1404. Notwithstanding section 1101—

(1) the amount appropriated for the National Recreation and Preservation account shall be reduced by \$3,100,000, which shall be taken from the National Heritage Partnership Program; and

(2) the amount appropriated under section 1401(e) for "National Park Service, Operation of the National Park System" shall be increased by \$6,000,000, which shall be used for expenses related to visitor services and maintenance of national parks, monuments, sites, national memorials, and battlefields, including the White House, Grand Canyon National Park, the Washington Monument, Yellowstone National Park, and the Flight 93 National Memorial.

#### AMENDMENT NO. 65, AS MODIFIED, TO AMENDMENT NO. 26

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be set aside and amendment No. 65, with modifications, at the desk be called up.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 65, as modified, to amendment No. 26.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States)

On page 193, between lines 11 and 12, insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate

those being funded by other Federal agencies.

AMENDMENT NO. 70, AS MODIFIED, TO  
AMENDMENT NO. 26

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be set aside, and amendment No. 70, as modified, be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 70, as modified, to amendment No. 26.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

After section 573 of title V of division D, insert the following:

SEC. 574. Fourteen days after the Secretary of Homeland Security submits a report required under this division to the Committees on Appropriations of the Senate and the House of Representatives, the Secretary shall submit a copy of that report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

Mr. COBURN. Mr. President, I want to comment a minute, before I talk about the individual amendments, on the process we have seen.

We are going to have several amendments, and this is well in excess of \$1 trillion in spending. We have had four amendments voted on, and I think unanimous consent will give us seven or eight more. So we are going to have a total of 12 amendments. All but the first one were not tabled, but we are at 60-vote margins, which is fine. But for a bill that spends \$1 trillion, to choke down the Senate in a way that does not allow either side the appropriate opportunity to impact \$1 trillion worth of spending doesn't fit with either the culture or the history of the Senate, and certainly doesn't fit with the agreement going forward and the rules changes we had this year.

On a bill that has \$1 trillion worth of spending, in past history—if you look at the 104th, the 105th, the 103rd Congress—bills of that size would have 70 or 80 amendments, and we are going to choke down to 11 or 12 amendments on this. The question is, Why would we do that? Why would we limit the discussion and the division of thought, manifested through votes, for the American people to actually see what we are doing? There are only two reasons why this is happening. One is—and from a phone call with the President, in his own words, he wants sequester to hurt.

Now, think about that for a minute. And he is my friend. I challenged him on that when he said it to me. But there is a philosophical divide in this country. The Federal Government over

the last 10 years has grown 89 percent, while the average median income has declined 5 percent. The reason my colleagues want sequester to hurt and be painful is they want to rationalize that bigger government is better, that we cannot afford to cut a penny out of the Federal budget. So what we do is the Federal Government is doing less with more money while every American is doing more with less money. That goes against the greatest tradition of our country. It is also a prescription for failure for our country when we are willing to sacrifice, in the short term, direct benefits to major segments of our population for a political point.

Nobody has done more oversight on the Federal Government than I have in the last 8 years, and I will tell you, conservatively, out of the discretionary budget, \$250 billion a year is spent that does not positively impact this country in any way. Yet we cannot get up amendments to demonstrate that.

Not only can we not have an amendment up, we cannot even spend the time on it to have a real debate about it. That is because they really do not want to debate these issues of waste, duplication, fraud, and inefficiency.

Then the second reason we are not having amendments, or we are having amendments at 60 votes, is to provide the political cover. Our country is in so much trouble it should not matter what party you are in. What should matter is if we are fixing the long-term problems of our country in such a way as to secure the future of our country.

What we have seen through this process last week and this week is a focus on the short term, a focus on the politically expedient, a focus on the parochial—and from both sides of the aisle. This is not just Democrats, this is Republicans too. Senator AYOTTE can't even get an amendment to eliminate spending for a missile program that is never going to be built. It is never going to be built, but we are going to spend \$360 million on it next year because it is a parochial prize to a member of the Appropriations Committee.

Washington is not sick because it is partisan. Washington is sick because it is political, and it is short term in its thinking. Nobody in their right mind, no matter how much it benefits their State, would say they want to spend \$380 million or \$360 million—I am not sure of the exact amount of money—on a program that is never going to come into fruition unless they are thinking about them and not our country and not the families of our country and not the programs that have to be reformed to save them. Nobody would do that. Yet we have 60 votes on all these amendments we are going to offer because they are going to offer protection for people to vote on them to know that they will not even pass, but they can still get the cover for a vote. They

can say: I voted for it but it didn't pass because it has to have 60 votes.

That is the smallest part of the problem. To have to go through what we have gone through over the last 5 or 6 days and only have had four votes says something about this place. I would just proffer that I bet had we had an open amendment process we would have been finished with this bill yesterday.

When I came here, for the first 2 years you could offer an amendment for anything at any time at a 51-vote threshold. So all this time we have wasted in quorum calls or on speaking on issues that have nothing to do with the bill in front of us is because we really do not want to govern. What we want is we do not want the body to do its work and have the input of both sides into a bill—other than in the committee. What we want is a fixed outcome that will allow the administration to make sequester as painful as it can be.

So when you shut down packing plants, when the USDA says they cannot have food inspectors there at the same time the USDA is advertising for social service workers and event planners—which, if you did not hire them, could at least give you 52 people not being furloughed for a week. What is happening to America today is we are focused inward on the politics rather than our country. We are focused on gaming the system rather than governing. We are focused on all the wrong things because it is all about the next election.

We have our eyes so far off the ball that now every bill that comes to the floor has to have essentially a rules committee of one, which is the majority leader, deciding whether he wants his members to vote on a bill. That doesn't have anything to connect with the history of the Senate. This is no longer the greatest deliberative body in the world because we do not deliberate; we do not have an open amendment process; we are too afraid of our own shadows to cast a vote and think we might have to defend it.

If you cannot defend any and every vote in this body, you do not have any business being here. To stifle debate and to limit amendments in the way this bill has done certainly will not breed any goodwill going forward and certainly does not do service that the American citizens are due.

Mr. President, I will now take some time to talk about the various amendments I have called up. Amendment No. 69 is the first amendment I called up. As the ranking member on Homeland Security and the ranking member on the Permanent Subcommittee on Investigations, what we know is Homeland Security, in its grants program, through what is called the Urban Area Security Initiative, is out of control. They have not prioritized their funding. They have not put metrics on their

funding. They have not controlled their funding.

We put out a report in December 2012 called *Safety At Any Price*, and we highlighted the problems with this particular grant program. No clear goals, DHS has not established any clear goals for how the funds should be used to improve national security. The 9/11 Commission warned against DHS spending becoming pork spending. UASI, this Urban Area Security Initiative, has become another pork barrel program providing public safety subsidies to cities such as in my home State, Tulsa.

No. 3, what we found is a tremendous amount of waste in these grants. The lack of clear goals has led States and cities to use this funding on wasteful projects, including paying for overtime for employees; purchasing computers, printers, televisions, underwater robots, bearcats—all the things that do not really connect to national security and the prevention of terrorism.

This amendment prohibits \$500 million allocated for the UASI grant program that has been wasted on items that do not relate to homeland security. It prohibits the use of funds on overtime, backpay—backfill pay, security at Major League baseball parks, spring training camps, attendance at conferences, and the purchase of flat-screen TVs.

The other thing we found in our report is the Department of Homeland Security doesn't know what this money was spent on. Not only do they not have goals and metrics for what the money is supposed to be spent on, they cannot tell us what the money was spent on because they don't actually have any record of it. We have spent \$35 billion in total on all DH grant programs since 2003. We have spent \$7.1 billion on this program.

What I can tell you is it has helped some communities, I don't doubt that, especially during our tough times. It has filled in. But if we are ever going to get out of the problem we are in as a country in terms of our debt and deficits, we have to have programs that have metrics on them that have to be followed up. The grants have to be followed, and they need to be held to account.

My colleagues, I have no hopes of this passing because most of my colleagues will not look at the research done on this, will not look at the ineffectiveness of it, will not look at the waste, and will vote a party-line vote to defeat this amendment. We will get 45 or 50 votes or 51 or 52, but it will go down. So, consequently, real problems that have been oversights by the Permanent Committee on Investigations—really oversights by the Department of Homeland Security—the real solutions to problems will not happen because of the way this place is being run.

Next, I would like to talk about amendment No. 93. Amendment No. 93 follows a recommendation of the President. It is not my recommendation, it is the President's recommendation. What this amendment would do is actually take money that has been directed for expired heritage area authorizations that were not any recommendations of the President—actually the President's recommendation was to cut this money in half—and we are going to do exactly that with this amendment. We are going to cut it by \$8.1 million.

What heritage areas are, when we started them—the 12 heritage areas this is about are at least 16 years old. One of them is 25 years old. The whole idea behind heritage areas was to fund them with a grant program to get them started and then let them run on their own with State and local funds. They have become a dependency program.

The OMB and the President's budget said we ought to eliminate the dependency of these by trimming back the amount of money. Instead of becoming temporary programs directed toward self-sufficiency as originally intended, these national heritage areas have turned into permanent entities that continue to grow in number and funding amount—totally opposite the original authorization intent. In other words, they are parochial based.

As a matter of fact, one of them, the John Chaffee Blackstone River National Heritage, has existed for more than 25 years. They actually thought the funding might get cut, so they created another way to pay for it, just as the government had intended for them to do, and they raised the money for it this year. But we are going to fund them anyway in this appropriations package, this Omnibus appropriations package. It is not really a CR, it is an Omnibus appropriations. Of these, 12 have already received \$112 million, more than half the total ever spent on national heritage areas.

So they have been in existence at least 16 years. They should have become self-sufficient. They need to become self-sufficient, and we should not be spending the money. What will we do with the money that will amount to about \$16 million? We will turn that money into opening the tours at the White House, opening Yellowstone National Park and the rest of the parks. In terms of the way that money is spent out, we will be able to take \$6 million or \$7 million of that money and the national parks will open on time.

Most of you haven't heard about this, but in Jackson Hole, WY, and Cody, WY, the citizens of that State are raising private money to plow the snow so Yellowstone National Park can open on time. I want you to see the contrast because it is important to their livelihood and their commerce. They are going to sacrifice personally to get

that park open on time. At the same time we are going to send money to 12 national heritage areas that have been dependent on the Federal Government for 16 years.

Tell me what is wrong with that picture. We are going to create a dependency, and then we are going to indirectly tax the people of Wyoming—one of their great areas of commerce, a place where visitors come to Wyoming to see Yellowstone Park—and have them use their own post-tax money to pay for that. That cannot fit with the vision of America that almost everybody else in this country believes in. It doesn't fit.

Other national parks have reported campgrounds that are going to be closed to reduce maintenance. So we are going to take this \$6 million, and we are going to use it to help open these parks and allow the Park Service to have the parks open on time. In the original authorization, it was not supposed to get any money. They should not have been getting money for the last 10 years. Instead of creating a dependency in the program, we are going to take that money and do something for the American people.

The next amendment is amendment No. 65, as modified. And this is one that really gets my goat. The National Science Foundation funds lots of great scientific endeavors in this country. As a matter of fact, they have about four times as many applications for grants as they have money to give out. But they spend a considerable amount of money doing such things as funding "research in political science." In 2008 they spent \$3.6 million funding research in political science, \$10.9 million in 2009, \$11 million in 2010, \$10.8 million in 2011, and \$10.1 million in 2012. What this amendment does is prohibit the National Science Foundation from wasting Federal resources on political science projects and redirects that to other areas within NSF that are going to give the American people a much greater return on their investment.

Let me give some examples of what they fund: campaigns and elections, citizen support, and emerging and established democracies, bargaining processes, electoral choice, democratization, political change in regimes, transitions. Those are all important things if we were not in a budget and spending crisis. Tell me whether it would be better to have the next new computer chip generation developed through a grant at the National Science Foundation or if the actions of a filibuster in the Senate are more important to the American people. Which one is a greater priority? Which one is more important to the further advancement of this country? I guarantee it is the former and not the latter.

In the years hence, we are going to be making a lot of choices about priorities, and every amendment I am putting out here today is about priorities.



Do we fund things that do not adequately or accurately help us in the short term in creating jobs, in being wise and prudent spenders of taxpayers' money, or do we fund things that are a low priority and let things that are high priority suffer? That is basically what this amendment does. It says: Until we get out of this pinch, we should not be spending money to—for example, the \$251,000 used to study Americans' attitudes toward the Senate. We spent a quarter of a million dollars last year studying Americans' attitude toward the Senate; \$106,000 was spent to study the rise of candidate-centered elections over those dominated by political parties; \$47,000 was spent to study the President's level of cooperation with Congress when they utilize Executive orders; \$28,000 was spent to examine the prohibition movement. It has been a long time since we had prohibition in this country. That has to be a priority for us. How about a quarter of a million dollars to investigate how people perceive the political attitudes of others? That has to be important right now. It has to be a priority right now for our country. We spent \$144,000 to track how politicians change their Web sites over time. Who cares? That money—\$144,000—will keep a whole bunch of meat inspectors at meat plants. There will not be any furloughs if we get rid of this kind of stuff. I could go on.

Mr. President, I ask unanimous consent to have printed in the RECORD what I consider nonpriority studies that the NFS has funded.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Taxpayers would have realized a better return on their investment in biomedical research than in political science.

While political sciences studies may be interesting to the investigators, as investment in this studies will not yield the same return on investment or benefit to Americans as biomedical research.

Consider what grants NIH may have been able to award in lieu of these ongoing political science investigations:

\$251,525 used to study Americans' attitudes towards the U.S. Senate filibuster from survey results

\$106,868 to study the rise of candidate-centered elections over those dominated by political parties

\$47,783 to study American Presidents' level of cooperation with Congress when they utilize executive orders

\$28,356 to examine the Prohibition movement, in part to help lobbying organizations better understand how to influence policy debates

\$250,000 to investigate how people perceive the political attitudes of others and operate with group-centered mentalities

\$144,609 to track how politicians change their websites over time

\$20,862 to answer the question, "What makes politics interesting?" and to analyze how individuals process messages distributed by mass media

\$259,231 to execute a national survey on "the role of optimism and pessimism in

shaping the political beliefs and behavior of Americans"

\$91,016 to study which legislation gets roll call votes and to guess the outcome when bills do

\$23,233 to administer an Internet survey of 1000 people about "how citizens react to public political disagreements"

\$236,422 to study how lobbying campaigns, logrolling and other trades affect bill development over time

These surveys and models are receiving millions of NSF dollars every year, while groundbreaking biomedical science falls to the ground. Why should taxpayers have to contribute to studies of questionable value when so many worthwhile biomedical research projects go unfunded? NCI received 4,143 applications in 2012 for major R01 grants, and only funded 618 of them, leaving thousands of promising ideas unfunded.

Much of political science's studies have not even generated useful data. Political science often involves finding a situation for which researchers can develop a clean model to predict future outcomes. However, yet one Northwestern University political scientist famously noted in the New York Times these models are typically inaccurate.

"It's an open secret in my discipline," wrote Jacqueline Stevens, "in terms of accurate political predictions (the field's benchmark for what counts as science), my colleagues have failed spectacularly and waste colossal amounts of time and money."

Increasing funding for the National Science Foundation has been promoted as a way to bolster our economy, preserve national security, protect the environment, and educate our youth. As a result, the agency has enjoyed strong bipartisan support.

By no longer funding political science and increasing NCI's budget, Congress has an opportunity to continue improving the nation's health and to steward more wisely federal resources.

Mr. COBURN. This is where we should be doing our work. We should be making choices for the American people. We should be making the hard choices that say this is more important than this. We don't have enough money. We are borrowing \$40 million a second, and we are going to fund these kinds of political studies that have no benefit except to the politicians and the political science professors because they are the ones who will read them. The average American doesn't care. But they do care whether their meat is going to be safe and whether they are going to get meat.

Mark my words, this amendment will go down. It won't be passed because we don't have the courage to make priority choices in the Senate. We don't have the courage to allow the number of amendments, such as this—there should have been 30 or 40 such as this—on the floor to make those choices.

Finally, I will talk about amendment No. 70. This amendment has been modified. The appropriators have requested that Homeland Security-related reports—which are demanded in this bill—come to them. They do appropriate for Homeland Security, but there is an authorizing committee. It happens to be the Homeland Security and Government Affairs Committee.

What this amendment says is: If you are going to give information from the administration to appropriations, you might want to think about giving it to the actual committee that has the authority to authorize and change the program.

I hope this will be accepted. We are going to get it 14 days after the appropriators. I don't know what that is all about, but I am willing to concede. I think Senator CARPER and myself ought to see what the administration is saying to the appropriators about programs that are run through the Department of Homeland Security. So of all the amendments we have, I think this is the only one that has any possibility.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, when I was on the floor this morning, I outlined the merits of an amendment I tried to have to this continuing resolution. It is amendment No. 55. It is an amendment that deals with the air traffic Control Tower Program that the Obama administration has indicated will be terminated on April 7. I don't want to go over all the things I talked about this morning, but I do want to talk about how we got to the point we are today in which apparently this amendment is not going to be considered by the Senate.

This morning I indicated how, in my view, important this amendment is. I read from an AP story from Chicago about how air safety was in jeopardy. There were indications that a plane crash which occurred previously would not have occurred if there had been an air traffic control tower present. The complaint by Americans is that our aviation sector is so frustrated by the political brinkmanship which goes on in Washington, DC.

Again, this is an important amendment that is about the safety and security of the American people—particularly those who fly. It is amazing to me that despite the continued efforts to bring this amendment to the floor for consideration—not that I expect any guarantee. There is no such thing as a guarantee that this amendment would pass. But the inability to have it even considered is very troubling and surprising to me.

Last week when we started on the continuing resolution, I was pleased to hear what the majority leader said about the process on the CR. This was not stated years ago or months ago, it was just last week. The majority leader said, when he was talking about the continuing resolution: There will be amendments offered. We are working

on a process to consider those amendments. This week we will be off to another opportunity for the Senate to return to regular order, an opportunity for this body to legislate through cooperation, through compromise, as we used to do. This legislation will be a test of the Senate's goodwill. We are anxious to move forward and start doing some legislating. We are going to take all amendments and try to work through them as quickly as we can. I hope we can move forward and set up votes on every one of them.

That is the announcement that was made as we started the continuing resolution. As the majority leader indicated, this legislation will be a test of the Senate's goodwill. I think the Senate has clearly failed the test of goodwill. But more than goodwill, we are failing the American people in taking the steps necessary to secure their safety.

This is not an amendment about me or an amendment about Kansas. Certainly, I am talking about my home State. There is nothing wrong with representing our home State which is affected by the loss of these control towers. There are 43 States—almost all of us—that have control towers. On April 7, they no longer will be operating.

I indicated this previously, that one of the reasons why I thought this amendment, perhaps above others, should be considered is because the Control Tower Program will be eliminated April 7. I am a member of the Appropriations Committee. I am a member of the Subcommittee on Transportation. I will work to see that these programs are continued once we get to the regular appropriation process when the CR is behind us. My colleagues and I will never have the chance to do that because in a matter of just a few short days the control towers will be gone. They will be closed. The lights will be turned off.

So my role as an appropriator and as a Member of the Senate—which I share with 99 other Senators—and the idea that we would then come back and restart a program that has disappeared is not going to happen. In the absence of this amendment passing—in the absence of this amendment being considered and passing—the ability for me to do my job on behalf of a program that I think matters to the American people disappears.

I have never tried to be a difficult Member. I believe in collegiality. I believe in the goodwill the majority leader talks about. But I cannot imagine what I was supposed to have done. It is an amendment that is germane. I am not here trying to offer an amendment that doesn't matter to the bill at hand. I am not trying to score political points, I am not trying to put Democrats on the line for casting a vote that the voters might object to. There is

nothing here that is political or partisan in nature. I did what I thought I was supposed to do.

There are 26 cosponsors of this amendment. More than half are Democrats. The Senators include INHOFE, ROBERTS, BLUMENTHAL, BLUNT, JOHANNES, KIRK, MANCHIN, HAGAN, KLOBUCHAR, BAUCUS, TESTER, ENZI, VITTER, BOOZMAN, PRYOR, MERKLEY, WYDEN, KAINE, WARNER, AYOTTE, SHAHEEN, RISCH, CRAPO, MURPHY, ROCKEFELLER, and WICKER. If 26 of us in that group can agree upon the value of an amendment, why is it the Senate cannot even take a vote on a germane amendment that is broadly supported? It is broadly supported outside the Chamber of this Senate. The Aircraft Owners and Pilots Association, the National Business Aviation Association, National Air Transport Association, Association of Air Medical Services—they believe this is important for the ability of LifeWatch patients—NATCA, the National Air Traffic Controllers Association, and the American Association of Airport Executives.

This is not a provincial issue that MORAN is all about trying to take care of something for himself, nor is it about trying to create political difficulties for anybody. We broadly agree on a bipartisan basis that this amendment should be made in order.

I have been in the Senate for a little more than 2 years. I served for a number of years in the House of Representatives. One of the things I thought was true and why I sought the opportunity to serve in the Senate is that it would be different from the House. Any Member of the Senate ought to be here—whether Republican or Democrat—on behalf of their ability to offer amendments.

We had a debate about changing the rules and the proffer was made that if we would agree to change the rules, amendments would be made in order. I thought that was a positive development.

Now, it seems to me, while I left the House in hopes of having the opportunity to represent my constituents as best as I know how and to represent America as best I know how, somebody stands in my way. I can't find out who that is. I have not talked to a Senator who is not supportive of my amendment. Every conversation I have is, well, I think it is a good idea. I don't know why it is not being made in order. There is no good explanation.

Who sits down and develops the list and decides which amendment is important and which one isn't? This ought to be something that is not turned over to a one-person Rules Committee.

Again, the House and Senate are structured differently. This is a historic body with a legacy of allowing debate, discussion, and amendment. And, again, not for purposes outside even

the nature of the bill we are talking about, how can it be controversial to transfer \$50 million in a bill that has more than \$1 trillion of funding, of spending? How can it be so difficult to transfer \$50 million from two accounts—unencumbered balances and a research account—to save air traffic control towers, leave them in place until I at least get the opportunity to work with my colleagues to extend their life through the appropriations and legislative process into the future.

So for a Senator such as myself—I lay awake last night from, I don't know, 3:15 to 4:30 trying to figure out what I could say that would convince my colleagues to support this amendment or to allow whoever is making the decision that it can't even be debated and heard and voted on—I don't know that there are any magic words. It does concern me. It bothers me greatly.

We ought to all be here protecting the rights of each and every other Senator. This is important to us as a legislative body, not to us and our egos as Senators. It is not the sense that we have the right to say everything—we are Senators, we are important and powerful people—it is that on behalf of the American people, a person such as myself who represents 2½ million Kansans ought to have the ability to bring a germane amendment to a bill on the Senate floor.

Had we brought these amendments forward, had we agreed to debate and pass my amendment, we wouldn't be here today still stalled on moving forward to conclude this business and move to the budget. We could have debated the amendments and voted on the germane amendments days ago. But for some reason we once again get bogged down in somebody deciding that this amendment qualifies to be considered and this one doesn't.

So this is another example of where—again, I guess if we were to tell the story to the American people, it would be that today we are going to pass a bill that spends \$1.1 trillion, and we have had four or five amendments offered and perhaps approved, maybe a couple more today.

This bill has not worked its way through the Appropriations Committee. It comes from the House. We take it up immediately. It is written so perfectly that only three or four individual Senators have the opportunity to alter the bill—not the guarantee to change the bill but the opportunity to suggest to our colleagues whether it makes sense and then cast a vote, yes or no, based upon whether what I am saying has merit. We can't get to the point at which I am given the opportunity to explain on the Senate floor why this amendment is something that is important.

I came to the Senate from the U.S. House of Representatives in hopes that



the Senate was different, where individual Members have value unrelated to their relationship with the Speaker or the minority leader of the House, unrelated to my relationship with the members of the Rules Committee. I have not always been the most perfect follower of my political party. I have tried to do what I think is right, and therefore I have not always developed the relationship I needed in the House to be able to get my amendments considered on the House floor.

The Rules Committee is there for a purpose. It is a very unwieldy body, the U.S. House of Representatives, of 435 Members. Here we have 100. Surely, based upon the history, the legacy, the rules of the Senate, we have the ability as Senators, whether we are in favor or disfavor and whether our amendment meets with a person's satisfaction on behalf of the American people, we have the right to represent their interests and have votes taken.

The majority leader said the other day that I am an obstructionist. I lay awake last night thinking, I am not an obstructionist. I am following the rules. The majority leader said this morning that we need to show that sequestration is damaging to the country. I didn't even vote for sequestration, and yet I can't fix a problem that is caused by somebody else's vote. Again, it is so baffling to me how this works.

I finally found somebody who would tell me they oppose my amendment. Today I talked to the Secretary of Transportation, who said: The administration opposes your amendment. So maybe that is the explanation. I have asked my colleagues on both sides of the aisle why I can't—a person who followed the rules, who did what one would think one should do to get an amendment made in order—why can't this amendment be heard?

The only explanation that I guess makes sense is that there are those in Washington, DC, who want to prove we cannot cut spending without consequences that are dramatic. OK, prove that point. Come to the floor. Have the debate about spending, about budgets, about taxes. Have this conversation about whether we can afford to cut spending. Prove it to us. Take the votes. Demonstrate that it can't be done. But to use sequestration as the example for why we can never cut any money from any program, particularly on the amendment I am offering, is dangerous. What it says is, we want to make a political point, as compared to worrying about the lives of the American people who fly.

So this circumstance in which I find myself—again this morning I lay in bed realizing that the radicalization of Senator MORAN is occurring. The only way, apparently, to get an amendment heard is to be difficult. It is not my personality. It is not my nature. But

on behalf of Kansans and Americans, if what it takes is for me to become more difficult to deal with so my amendments are considered—it is not about me personally—so amendments that matter to my constituents and, at least in my view, to America can be heard—you have to make yourself a pain around here if that is what is required in the Senate. I hope that is not the case.

I hope the majority leader is right that this is the path by which we are going to get back to regular order. I want to be a member of the Appropriations Committee that works, debates, and discusses, we listen to witnesses and figure out that we can spend more here, but we have to spend less money here; this program matters, and this one is inefficient.

I voted against sequestration because I don't believe across-the-board cuts are responsible. What that means is that everything deserves the same reduction. There are things that we do well and that are appropriate for the government to be involved in, and there are things that we do poorly and that the government shouldn't be involved in. Yet we treat them all the same. I want to be a member of the Appropriations Committee that says: We are going to evaluate each one of these programs and make decisions about spending, and we are going to choose to spend money here and not here, or the decision will be made by the Senate and the House and the President that we are going to raise revenues so we can spend more money.

But that is not a reason to block this amendment. It is not a reason to say that those people who are going to be traveling out of 179 airports that have control towers—that their lives are going to be less safe and secure and run the potential of loss of life and injury as a result of us trying to prove the point that we apparently can't cut budgets around here because we want to show there is damage to be done when that occurs. That is a very dangerous political point.

Mr. INHOFE. Will the Senator yield?

Mr. MORAN. I yield.

Mr. INHOFE. First of all, as a cosponsor of the amendment, I am glad the Senator is getting around to the merits. Yes, it is a great injustice the Senator is going through right now, not getting his amendment heard. I have to say, though, as probably the only active commercial pilot in here, I jumped on this bill because a lot of people don't realize that the contract towers are just as in need of control as the noncontract towers.

The Senator is aware that the University of Oklahoma in northern Oklahoma is contracted out. I have gone in there before where they are using all three runways at the same time. It is a huge issue.

But what I want to ask the Senator is, why is it that when the bureaucracy

is opposed to something they, No. 1, won't tell you about it; No. 2, they go whispering to the President; No. 3, they go whispering to other people around here?

I went through this same thing, I suggest to my friend from Kansas, when I passed the Pilot's Bill of Rights. I had 67 cosponsors in the Senate, and they wouldn't bring it up. For an entire year they never would bring it up, and we had to rule XIV it on the floor. That is what is wrong. When we have something everybody is for, it is a good thing, but somehow—in this case, I know what it is: the same thing that happened to me. I got mine passed. It took me a year to do it.

Best of luck to the Senator from Kansas. I would only say to him that this is a time to stay in there and fight for this because this is a great example to use. Everything that is being cut in government right now—all of these people who had to wait in line to get in here, there is no reason to do that. Everything people really want and the things that are popular, this is what they cut. So the Senator from Kansas is a victim of that. Just hang in there and try to make it happen.

Mr. MORAN. I thank the Senator from Oklahoma. I know he has great expertise on the topic of aviation and airports and airplanes.

Again, I am here to decry a system that is failing. And while it is personally troublesome to me—it bothers me—it is embarrassing not to be able to accomplish what seems so straightforward and simple. We all like to have victories, but it is not really about me. Every Member of the Senate ought to have the opportunity to present germane amendments and let the will of the Senate—let those 99 other people, as well as me, make a decision based upon the merits, however we all make decisions around here or whether we vote for or against something. This is not about my right as an individual Senator as much as it is about the rights of all of us on behalf of the American people, on behalf of our home State and constituencies, to be able to do our jobs.

If there is a political game afloat that is preventing this amendment from being considered, then I would suggest we have transversed that plane in which we no longer are caring for Americans but we are caring about our own political skills, our own political reelection as compared to what we are here to do.

This place is way too political. This is not a political amendment. It ought to be made in order. Yet, despite all the efforts, it has not occurred.

I hope, in the few minutes that remains, there is still a chance that my unanimous consent request will be agreed to. I appreciate that others were able—a handful of folks were able to offer their amendments. I think we

ought to have more of that, not less. It is about the Senate doing its job; it is not just about Senator MORAN not being able to accomplish his on this particular day.

I appreciate the indulgence of my colleagues.

I yield for the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 115

Mr. TOOMEY. Mr. President, I rise to discuss briefly an amendment I have that is going to be voted on later today, but I wish to begin by completely agreeing with the Senator from Kansas. It is extremely unfortunate, to say the very least, that the majority party is so afraid of casting votes, they are now disallowing the most ordinary, sensible, germane amendments that transfer modest sums of money from one account to another account. I am not suggesting that everybody needs to agree with it. I am not sure I agree with the amendment of the Senator from Kansas. But the idea that an amendment such as that shouldn't even have an opportunity to be debated on the Senate floor is amazing.

Let me address the amendment I have introduced. I will start by observing that the bill under consideration today significantly underfunds the Defense Department's operations and maintenance accounts. The Army's subset of this category of funding is underfunded by \$2 billion. That is just the Army alone. This has implications for the safety and readiness of our troops. I am not suggesting that my amendment solves that whole problem—it doesn't, but it makes a modest step in the right direction.

Just quickly, some of the things the operations and maintenance account funds—it is a lot. It is maintenance of ships and tanks and aircrafts. It is avionics and engines and navigation systems. It is artillery. It is all kinds of things our service men and women use to fight and to win and to protect themselves. It gets funded through the operations and maintenance account, and it is not only maintenance of this important equipment, it is also training—training such as unit training when an Army battalion, for instance, trains in an exercise against an opposition force that is modeled after a real-world potential enemy. That kind of training is very important. It gets funded out of this account, the operations and maintenance account, and that account is underfunded. So I would suggest that this is a very important account, and I think there is almost universal acknowledgment that it is being underfunded.

Meanwhile, in the same bill, while we are underfunding our operations and maintenance account, we have a bill that would spend \$60 million forcing the Defense Department to build

biofuels refineries. This forces our Defense Department to build these expensive refineries to make very expensive fuel. How do we know it will be very expensive fuel? How many of us fill up our gas tanks with biofuels? The component we are forced to buy—the ethanol—is part of what drives up the cost of gasoline. The fact is that conventional fuel is much cheaper than these biofuels, but we are going to force the Defense Department to spend a whole lot of money building a refinery, the purpose of which is to produce extremely expensive and inefficient fuel. I would suggest that is a waste of precious resources we can't afford to waste.

Now, the House Defense appropriations bill did not include this, and the Senate Armed Services Committee—these are our experts who analyze this—opposed wasting money this way when they reported the bill out of committee. Unfortunately, when it got to the floor, it got put in, and this is our opportunity to correct it.

Now, some have suggested these biofuel refineries are somehow a solution to the expensive cost of moving fuel to combat zones. The only problem is this item is going to fund the construction of refineries in the United States. They are not going to be in combat zones. So that is just not true.

I would suggest if anyone thinks this is a good idea—to force taxpayers to build expensive, inefficient refineries to produce very expensive fuel—shouldn't it at least happen through the Department of Energy or some other experimental research-oriented institution?

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. TOOMEY. I will be happy to yield to the Senator from Oklahoma.

Mr. INHOFE. I know something about this being the ranking member of the Armed Services Committee. We went through this.

Is the Senator aware that in one purchase the administration—now, I am talking about the White House—forced the Navy to buy 450,000 gallons of fuel at \$29 a gallon? You can buy it on the open market for \$3 a gallon.

Secondly, I think the Senator does know this because I heard him mention the Department of Energy, when we formed the Department of Energy, they were supposed to do all this stuff.

But I would have to make one observation. We have a President, an administration, that has been cutting dramatically, and we are all concerned about what has happened to our military, our ability to defend ourselves. They do it in three ways. No. 1, they cut; No. 2, they delay; but, No. 3—and this is what we are getting to now—they take the agenda, and in this case this green agenda, and put it not where it should be but under the defense budget. So for every dollar that goes to

the green energy programs, the Senator and I would like—since I am co-sponsoring the Senator's amendment—every dollar is something we cannot spend for our fighters in the field.

Mr. TOOMEY. Well, reclaiming my time, I completely agree with the Senator from Oklahoma. We already force our Defense Department to waste enormous amounts of money purchasing fuel that is much more expensive than readily available alternatives. I think that is a very bad idea. And I think it is a bad idea to do even more of that in the form of building these biofuel refinery plants that would further propagate this ill-conceived process.

If you think it is somehow a good idea to do this then, as the Senator from Oklahoma suggests, wouldn't it make sense to at least do this in the Department of Energy rather than wasting precious Defense Department resources at a time when we know we are underfunding the operations and maintenance account? This is the reason for my amendment.

My amendment transfers \$60 million out of the biofuel refinery account in the Defense Department appropriations bill and moves money—the amount permissible under the budget rules—into the operations and maintenance account. This is not a complete solution, I understand that, but it is a modest step in the right direction of providing a little bit more resources to an area that is badly underfunded.

I urge my colleagues to support my amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I just would briefly say that I believe Senator MORAN, Senator AYOTTE, and maybe others have good amendments on which they are seeking to vote. I am aware that Senator MORAN's amendment, I believe, has 28 cosponsors—a large number of Democratic cosponsors. Virtually no one seems to be opposed to it, but somehow a decision has been made by the majority leader to not let him have a vote.

I believe we need to understand something very fundamental in the Senate, and we are heading to a crisis on this issue; that is, a duly elected Senator who serves in this body should be able to bring up an amendment that is reasonable, that is germane, and get a vote on it. It is amazing to me that it seems to be now accepted that the majority leader picks and chooses the people who get their amendments.

I think the Moran amendment, from what I have seen and heard about it,

would pass. So it is not going to pass. It is going to fail because someone, presumably the leader, has decided they will not get a vote, and it has been killed in that fashion. That is not the tradition of the Senate. I am worried about that. We cannot continue that way.

To our new Senators—Republicans and Democrats—you need to understand that as a Senator, you have a right to have votes that are legitimate on bills that are legitimately amended. That is where we are, and I am disappointed those votes have not been allowed.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. SESSIONS. Mr. President, I withhold my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise today in vigorous opposition, and with very deep concern, to an amendment offered by the Senator from Oklahoma that would prohibit Urban Areas Security Initiative, or UASI, funds from being used to be able to pay local public safety employees overtime and backfill pay.

I share the Senator's commitment to ensuring that homeland security funds are spent wisely. I believe his efforts are in good faith, and I am eager to work with him toward this goal. However, as the threat from al-Qaida has metastasized to the Arabian Peninsula and elsewhere, there are still terrorists whose objective is to inflict wide-scale harm to Americans on our homeland.

New York City remains the No. 1 target for terrorists around the world who want to do us harm. Therefore, we must remain vigilant and continue to provide local law enforcement with all the tools necessary to keep us safe. So as well-intentioned as this amendment may be, law enforcement organizations across the country have been loud and clear: This is simply the wrong prescription at the wrong time.

This amendment is opposed by a range of law enforcement and first responder organizations, including the International Association of Fire Chiefs, the International Association of Firefighters, Major Cities Chiefs Association, Major County Sheriffs' Association, the National Fusion Center Association, the National Homeland Security Coalition, and the U.S. Conference of Mayors.

In fact, I have a letter from our Commissioner Kelly that I ask unanimous consent be printed in the RECORD, along with another letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE POLICE COMMISSIONER,  
New York, NY, March 15, 2013.

Hon. THOMAS COBURN,  
Ranking Member, Senate Committee on Homeland Security and Governmental Affairs,  
Washington, DC.

DEAR SENATOR COBURN: I am writing to express my concern about an element of your proposed amendment, Number 69, to the Consolidated and Further Continuing Appropriations Act for FY 2013. This amendment would prohibit Urban Areas Security Initiative (UASI) grant funds from being used to pay local public safety employees overtime and backfill. Such a restriction would jeopardize our collective efforts to safeguard New York City, which has been the target of 16 publicized terrorist plots since September 11, 2001.

The New York City Police Department (NYPD) uses UASI funding to pay for, among other things: overtime expenses associated with members of the Joint Terrorist Task Force working on major terrorism investigations with the FBI; and backfill expenses incurred by sending members of the service to critical counterterrorism training courses, including a course on active shooter response, which they cannot attend during their normal shifts because of regular job responsibilities.

At times of fiscal constraint, it is essential to direct the limited homeland security grant funds available to the programs that are most effective. Without a doubt, the overtime and backfill funding that the NYPD uses to support investigations, training, and deployments are essential to the NYPD's layered approach to security. I appreciate your attention to this matter and the Homeland Security Committee's ongoing efforts to ensure that New York City will continue to benefit from the most robust counterterrorism program possible.

Sincerely,

RAYMOND W. KELLY,  
Police Commissioner.

MARCH 14, 2013.

Hon. BARBARA MIKULSKI,  
Chairwoman,  
Hon. RICHARD SHELBY,  
Ranking Member, Committee on Appropriations,  
U.S. Senate, Washington, DC.

Hon. MARY LANDRIEU,  
Chairwoman,  
Hon. DAN COATS,  
Ranking Member, Subcommittee on Homeland Security, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATORS MIKULSKI, SHELBY, LANDRIEU, AND COATS: We are writing on behalf of local elected officials, major city police chiefs, sheriffs, intelligence professionals, and major fire service organizations to express our strong opposition to the Coburn amendment to the Consolidated and Further Continuing Appropriations Act for FY 2013. This amendment would prohibit, among other things, Urban Areas Security Initiative (UASI) grant funds from being used to pay local public safety employee overtime or backfill. Such a restriction would overturn over a decade's worth of policy and inhibit local security operations at high risk critical infrastructure sites, major events, and along the border. The amendment would also prevent first responders from training and exercising to prevent or respond to terrorist attacks and other major disasters.

Urban areas use UASI grants to pay overtime to local personnel to be operationally ready to respond to a potential terrorist incident and to provide extra security in a

heightened threat environment, often based on federal intelligence and at the request of federal officials. This includes protecting critical infrastructure such as nuclear power plants, chemical facilities, public arenas, and water treatment plants during high threat periods.

In addition to protecting critical infrastructure, UASI funded overtime is often used to help pay local responders to secure major events, including National Special Security Events such as the G-8 summit, as well as border security operations at both the northern and southern border. In these high threat environments, additional local responders coordinate with and support the Department of Homeland Security, the Federal Bureau of Investigation, and other federal agency officials. This amendment would hamper this federal, state and local coordination that is vitally important to protecting our homeland.

Prohibiting the use of UASI funds for employee overtime or backfill pay would eliminate critical training and exercises for many urban area first responders. The UASI grants enable first responders, intelligence analysts, and emergency managers to receive the latest training and test their capabilities in exercises by paying for overtime and backfill costs associated with attending the training and exercises. Personnel who would be negatively impacted by a change to this policy include fire fighters, public safety bomb squad members, urban search and rescue team members, intelligence analysts, special weapons and tactics (SWAT) team members, and hazardous materials response team members, among others. With so many public safety agencies short staffed, sending personnel to training and exercises during overtime is often the only option. Ending this ability will directly undermine the Nation's readiness to prevent and respond to the next major terrorist attack, hurricane, or cyber attack.

If we can provide any further information, please contact us through the National Homeland Security Coalition Chair Bob Nations at (901) 222-6702 or [bob.nations@shelbycountyttn.gov](mailto:bob.nations@shelbycountyttn.gov).

Sincerely,

Congressional Fire Services Institute;  
International Association of Fire Chiefs; International Association of Fire Fighters; Major Cities Chiefs Association; Major County Sheriffs' Association; National Fusion Center Association; National Homeland Security Coalition; The United States Conference of Mayors.

AMENDMENT NO. 26

Mrs. GILLIBRAND. Under the leadership of New York City Police Commissioner Raymond Kelly, 16 publicly known terrorist attacks on our city have been thwarted since 9/11. Our local law enforcement must continue to have every tool available to them to remain one step ahead of terrorists at every single turn. Even at a time of fiscal restraint in Washington, protecting our families from the unimaginable should not be a place where we make cuts.

According to Police Commissioner Kelly, this amendment would "jeopardize our collective efforts to safeguard New York City . . ." and that "without a doubt, the overtime and backfill funding that the NYPD uses to support investigations, training and deployments is essential to the NYPD's layered approach to security."

I ask my colleagues to stand with local law enforcement officials, to stand with the American public who have given us the duty to protect them. I urge a "no" vote on this amendment because, if passed, this amendment will put the training and security deployments needed to keep us safe in jeopardy. These are not esoteric programs. We are talking about programs that include counterterrorism training, region-wide planning exercises designed to prepare emergency responses to large and catastrophic events, and boots-on-the-ground security measures, including heavy weapons training and intelligence sharing.

These overtime funds actually reduce costs. If the NYPD needed to hire full-time officers or assign current full-time efforts to the specialized patrol and intelligence duties described, they could not afford to do so.

So while I commend my colleagues for attempting to be good stewards of the taxpayers' money, these are cuts that our families cannot afford. We have a solemn duty to protect the American people. That should be our first priority in this body. I ask each and every Member of this body to ask themselves how history will judge them if we fail to live up to that duty.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise in opposition to Coburn amendment No. 26 which deals—

The PRESIDING OFFICER. All time is expired.

Mr. SCHUMER. Mr. President, I ask unanimous consent for an additional 2 minutes to address this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise in opposition to Coburn amendment No. 26. What it does is prevent certain types of funding to be given to UASI, which is the lifeblood of New York's antiterror programs. It has gotten rave reviews from people. The person in charge is Ray Kelly, who is very much in the mainstream, right in the center of our fight against terrorism, not only in New York but in the country.

As you know, New York City has more than 100 police officers devoted exclusively to antiterrorism. They work very closely with FBI taskforces and others. Some of this amendment is befuddling. To say that UASI, our antiterror division of the New York City Police Department, could not buy computers, flat screens makes no sense.

The Lower Manhattan Security Initiative is an antiterrorism computer

system. It is one of the mainstays of preventing terror. How do we fight modern 21st century terrorism and say they cannot use computers. That makes no sense whatsoever. Make no mistake, if this amendment passes, New York City training and security deployments would be in jeopardy.

Another aspect is we often need to use overtime in our antiterrorism units. For instance, we have to guard bridges and tunnels, particularly when there are threats against them. To have officers constantly changing because of time commitments and time limitations makes no sense whatsoever.

The bottom line is simply New York had a terrible tragedy on 9/11/2001. America rallied to New York's side, of which we are very appreciative. One of the ways, one of the most material and important ways was this U.S. grant. It has been used well. It has received plaudits from around the country. To tie the hands of the very people who are leading the fight on terror and saying they can do this but not this, they can do this but not this, this is the kind of micromanaging for which I think most people in America resent Washington.

I urge that this amendment be roundly defeated.

I yield the floor.

#### VOTE ON AMENDMENT NO. 69

The PRESIDING OFFICER. All time has expired.

Under the previous order, the question is on agreeing to Amendment No. 69 offered by the Senator from Oklahoma, Mr. COBURN.

Ms. MIKULSKI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 39 Leg.]

#### YEAS—48

Alexander	Enzi	McCain
Ayotte	Feinstein	McConnell
Barrasso	Fischer	Moran
Baucus	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Harkin	Risch
Chambliss	Hatch	Roberts
Coats	Heller	Rubio
Coburn	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johanns	Thune
Crapo	Johnson (WI)	Toomey
Cruz	Lee	Vitter
Donnelly	Manchin	Wicker

#### NAYS—51

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	McCaskill	Udall (CO)
Cowan	Menendez	Udall (NM)
Durbin	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

#### NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 51. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### AMENDMENT NO. 93

Under the previous order, there is 2 minutes of debate equally divided prior to a vote in relation to amendment No. 93 offered by the Senator from Oklahoma, Mr. COBURN.

Who yields time?

The Senator from Rhode Island.

Mr. REED. Mr. President, I would like to speak on the amendment, but I see the sponsor is here. If he has no objection, I will speak, then ask for a vote.

The Coburn amendment proposes to reduce funding for 49 national heritage areas by \$8 million and redirect \$6 million to park operations. It also strikes the reauthorization of 12 areas located across the country, including one in my State of Rhode Island but also in Tennessee, South Carolina, and Georgia, among other States.

The amendment doesn't provide a real fix for the problems with respect to national park funding. Moving \$6 million is not going to make up for the \$134 million cut we have had to impose upon the Park Service.

In addition, there has been some suggestion this would help restore White House tours. Those tours are governed by the Secret Service budget, which is not part of this amendment. So that would not be affected.

These heritage areas are private-public partnerships. They are not national parks. They provide huge economic development. They are located across the country. It is something we should restore, maintain, and not cut.

With that, I would simply add the National Park Conservation Association opposes the amendment, and I ask my colleagues to oppose the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the average age of the heritage areas in this bill is 16 years. If you look at the original authorization, none of them was supposed to get any Federal money now. As a matter of fact, the Senator's

heritage area has planned and raised the money for his area and had an alternative plan to do it.

The fact is, the national parks will open with this amount of money on time this year, so it will make a big difference in Yellowstone and all the rest of the national parks. The National Park Service does have something to do with the White House tours because they can take this money and allocate that. It is not a Secret Service problem, it is a national park problem.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The Acting PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 40 Leg.]

#### YEAS—45

Alexander	Cruz	McCain
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Baucus	Flake	Paul
Blunt	Graham	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoever	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	King	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker

#### NAYS—54

Baldwin	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Hirono	Reid
Brown	Johnson (SD)	Rockefeller
Cantwell	Kaine	Sanders
Cardin	Klobuchar	Schatz
Carper	Landrieu	Schumer
Casey	Leahy	Shaheen
Coons	Levin	Stabenow
Cowan	Manchin	Tester
Donnelly	McCaskill	Udall (CO)
Durbin	Menendez	Udall (NM)
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Grassley	Murphy	Wyden

#### NOT VOTING—1

Lautenberg

The Acting PRESIDENT pro tempore. On this vote, the yeas are 45 the nays are 54. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, what is the next regular order?

AMENDMENT NO. 65 TO AMENDMENT NO. 26

The Acting PRESIDENT pro tempore. The next amendment is Coburn amendment No. 65.

Ms. MIKULSKI. Mr. President, we have some good news. The good news is that the Senator and I have reached an agreement.

There is an acceptable modification. I didn't know if the Senator wanted to speak on this amendment. May I continue.

This amendment ensures that the NSF funding for political science research is widely used focusing on national security and economic interests. I, therefore, believe we can agree to this amendment with a voice vote.

I ask unanimous consent that the 60-vote threshold be waived for this amendment.

The Acting PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Is there further debate?

Ms. MIKULSKI. Mr. President, I request a voice vote.

The Acting PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 65) was agreed to.

Mr. COBURN. Mr. President, I move to reconsider that vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 70, AS MODIFIED, TO

AMENDMENT NO. 26

The Acting PRESIDENT pro tempore. The next amendment is Coburn amendment No. 70, as modified.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am happy to tell our colleagues we have also worked this out and can take this by voice vote.

I appreciate the cooperation of the Senator from Oklahoma. We have no objection to providing the reports to the committee which he has requested, reports to Homeland Security. However, many of these reports are expenditure plans, and all we ask is that the Appropriations Committee receive them 2 weeks in advance. The Senator has agreed to that, and we have no objection to taking this by voice vote.

Ms. MIKULSKI. I believe we can agree to this amendment with a voice vote, so I ask unanimous consent that the 60-vote threshold be waived for the amendment.

The Acting PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 70), as modified, was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 72, AS MODIFIED, TO  
AMENDMENT NO. 26

Mr. INHOFE. Mr. President, I call up amendment No. 72 and ask for its immediate consideration.

The Acting PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for himself and Mrs. HAGAN, proposes an amendment numbered 72, as modified, to amendment No. 26.

Mr. INHOFE. Mr. President, I ask unanimous consent to waive the reading of the amendment.

The Acting PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the continuation of tuition assistance programs for members of the Armed Forces for the remainder of fiscal year 2013)

At the end of title VIII of division C, add the following:

SEC. 8131. (a) REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.—The Secretaries of the military departments shall carry out tuition assistance programs for members of the Armed Forces during the remainder of fiscal year 2013 using amounts specified in subsection (b).

(b) AMOUNTS.—The minimum amount used by the Secretary of a military department for tuition assistance for members of an Armed Force under the jurisdiction of that Secretary pursuant to subsection (a) shall be not less than—

(1) the amount appropriated or otherwise made available by this Act for tuition assistance programs for members of that Armed Force, minus

(2) an amount that is not more than the percentage of the reduction required to the Operation and Maintenance account for that Armed Force for fiscal year 2013 by the budget sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. INHOFE. Mr. President, I am perfectly willing and I know some of the Democratic sponsors of the bill, Senator HAGAN and others, would be in agreement to go ahead and accept this by voice vote.

What this does is reverse the decision from the Department of Defense that took away some of the abilities our troops, when they are brought into service, have in terms of subsidizing their tuition. So this would return it to the way it was before.

I have to say quickly and briefly, this is something I have talked about to our troops in the field. Many of them were so alarmed that it was even suggested they would take away the very thing that caused them to enlist in the first place.

I think this is one that is going to enjoy wide bipartisan support for a voice vote, and I ask for its adoption.

The Acting PRESIDENT pro tempore. The Senator from North Carolina.

Mrs. HAGAN. I would like to speak on this amendment. I think it is a very

good amendment. We have 100,000 servicemembers in our Active-Duty military who actually utilized this last year, and 50,000 of them received diplomas, certificates, and licenses. It truly does help prepare our servicemembers for a successful transition into the civilian workforce when they choose to leave the military.

This is good news for a recruitment tool and it is good news as a retention tool and I think it is imperative that we continue to offer this tuition assistance benefit to our members.

I certainly want to thank Senator INHOFE for working with me on this issue. I think it is a very good amendment. I also want to thank Senators MIKULSKI, SHELBY, DURBIN, and COCHRAN for helping us reach an agreement and move this amendment forward.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, thanks to the excellent work of both Senators INHOFE and HAGAN, who reached an agreement on this, I believe we can agree to this amendment with another voice vote.

I ask unanimous consent that all time be yielded back and that a 60-vote threshold be waived for this amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 72), as modified was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 98, AS MODIFIED, TO  
AMENDMENT NO. 26

Ms. MIKULSKI. Mr. President, I now call up the Mikulski-Shelby amendment No. 98, as modified.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself and Mr. SHELBY, proposes an amendment numbered 98, as modified, to amendment No. 26.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that further reading be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 378, line 3, strike "a grant for".

On page 580, line 22, strike "0.092 percent" and insert "0.1 percent".

On page 585, line 11, strike "through C" and insert "through F".

On page 586, line 16, strike "division C" and insert "division F".

Ms. MIKULSKI. Mr. President, this amendment makes technical changes to citations, bill language related to

the Department of Homeland Security and an adjustment resulting from a CBO scoring.

I believe we can agree to this amendment with a voice vote, so I ask unanimous consent that the 60-vote threshold be waived for the amendment. I want to thank Senator SHELBY for the excellent work he and his staff have done in cleaning up this bill for the technical aspects.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 98), as modified, was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 129, AS MODIFIED, TO  
AMENDMENT NO. 26

Mr. LEAHY. Mr. President, I call up my amendment No. 129, as modified.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Ms. MIKULSKI and Mr. SHELBY, proposes an amendment numbered 129, as modified.

Mr. LEAHY. Mr. President, I ask unanimous consent that further reading be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following: "Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied for purposes of this division by inserting before the period in paragraph (2) "; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions'."

Mr. LEAHY. Mr. President, this is a technical correction amendment. Current law prohibits transfers of U.S. cluster munitions that do not meet certain reliability requirements.

Years ago Japan purchased U.S. cluster munitions that do not meet such requirements, and that Japan now wants to dispose of. Japan has contracted with a company in Germany to do this. But transferring the cluster munitions to Germany violates the law.

Section 1706(c) of the continuing resolution provides an exception to the prohibition on transfers if the purpose is to dispose of the cluster munitions.

The Leahy amendment #129, which is supported by Senator GRAHAM, fixes a minor drafting error. It is a purely technical amendment which does not affect the substance of section 1706(c).

Mr. President, I suggest we dispose of this amendment by voice vote. It should not be controversial.

I yield back all time.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, this too is an amendment I believe we can agree to with a voice vote. Again, I wish to thank Senator LEAHY for the excellent job he did.

I ask unanimous consent that all time be yielded back and the 60-vote threshold be waived for this amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment, as modified.

The amendment (No. 129), as modified, was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore.

The Senator from Arkansas.

AMENDMENT NO. 82 TO AMENDMENT NO. 26

Mr. PRYOR. Mr. President, I call up amendment No. 82.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR] proposes an amendment numbered 82 to amendment No. 26.

The amendment is as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74 \_\_\_\_\_. Notwithstanding any other provision of this Act—

(1) the amount made available for buildings operations and maintenance expenses in the matter before the first proviso under the heading "AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$52,169,000;

(2) the amount made available for necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act in the matter before the first proviso under the heading "FOOD SAFETY AND INSPECTION SERVICE" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$1,056,427,000; and

(3) the amount made available to provide competitive grants to State agencies in the second proviso under the heading "CHILD NUTRITION PROGRAMS" under the heading "FOOD AND NUTRITION SERVICE" under the heading "DOMESTIC FOOD PROGRAMS" in title IV shall be \$10,000,000.

Mr. PRYOR. I believe this has been basically agreed to by both sides. I do not think we will require a rollcall vote. I believe we can go by voice vote. I thank my cosponsors. We have had several Senators working on this: Senator COONS, Senator CARPER, Senator HOEVEN—I appreciate his great leadership—Senator MORAN, who relented earlier and said he would not object to this, and also Senator BLUNT. He has done a fantastic job of moving this through.

This is about the Food Safety Inspection Service. Basically this has a very direct impact on the private sector. When these Food Safety Inspection Service employees are furloughed, that means basically the processing plant is furloughed. They have to close for the day because they have to have a food safety inspector there when they are producing.

I think it is agreeable, and I ask unanimous consent, that we do it by voice vote. I thank all of my cosponsors.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 82) was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 115, AS MODIFIED, WITHDRAWN

The ACTING PRESIDENT pro tempore. Under the previous order, the Durbin second-degree amendment to the Toomey amendment is withdrawn.

There will be 2 minutes of debate on the Toomey amendment, as modified.

The amendment, as modified, is as follows:

(Purpose: To increase by \$25,000,000 the amount appropriated for Operation and Maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset)

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.—The aggregate amount appropriated by title II of this division for operation and maintenance is hereby increased by \$25,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading "DEFENSE PRODUCTION ACT PURCHASES" is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

Mr. TOOMEY. Mr. President, I rise to make the case for this amendment. I think we all know that this bill funds the Defense Operations and Maintenance Account to a very large degree. This is a very important account from which we fund the maintenance of all kinds of military equipment, from trains to tanks to avionics—you name it, it gets funded from this account. So too does a whole lot of training come from this account.

Meanwhile, we have \$60 million going to build a biorefinery that would force the Defense Department to pay too much for fuel. This is about priorities,

and it is my suggestion and my amendment to take \$60 million out of this account that would force us to build an inefficient, expensive refinery to make too-expensive fuel and transfer it into this Operations and Maintenance Account that we need.

I appreciate the support of the ranking member of the Armed Services Committee for this amendment, Senator INHOFE, and I urge my colleagues to vote in its favor.

I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. I know Senator UDALL wanted to speak against the Toomey amendment. In his absence, I will comment on the Toomey amendment. I believe the Senator proposes to cut \$60 million from the Advanced Drop-In Biofuels Production Program. He would move \$25 million from these funds to the Operations and Maintenance Account. The Department of Defense recognizes that its dependence on foreign oil supplies presents a real risk to its ability to operate around the world. I agree. As the largest single customer of oil in the world, DOD spent \$17 billion in fiscal 2011 on oil. DOD estimates that for every 25-cent increase in the price of a gallon of oil we incur over \$1 billion in fuel costs. Every time oil prices go up, so does the cost of running the Department of Defense. Imagine if our military were cut off from these supplies.

The Senate has made it clear that there is support for biofuels. The Senate has voted twice in support of the Department of Defense biofuels program during floor consideration of the Armed Services Committee Defense bill. The funds appropriated for this project are available until expended. When the Departments of Energy and Agriculture are able to meet their obligations to fund this program, as required by the National Defense Act, the Department of Defense will have their funds ready. The Toomey amendment would cut a modest investment to provide security alternatives to petroleum dependence.

I urge the defeat of the amendment.

Mr. REID. Mr. President, this amendment could have a profound impact on our Nation's energy security by reducing funding for efforts that support finding clean energy replacements for oil.

High oil prices and tensions in the Middle East could not present a better national security case for moving quickly away from our military's overwhelming dependence on oil, especially as currently supplied to critical operations and facilities in the Middle East, the Pacific, the Indian Ocean, and elsewhere. The military's dependence on oil is one of its most significant vulnerabilities; as a recent Army

release noted, our Nation loses one soldier for every 20 convoys transiting through Afghanistan; fuel comprises 50 percent of the load carried by these convoys.

Last year, the Department of Defense used 4.3 billion gallons of petroleum, and spent about \$20 billion on fuel. I encourage the Department of Defense to continue to support efforts that will lower the risks and future costs to our armed forces by supporting technologies like solar energy at forward operating bases, the production and procurement of advanced biofuels and other clean alternative fuels, and improved energy performance of materials to lighten and improve the capability, load, and endurance of our troops.

I will continue to do everything that I can to help move the Nation toward a safer, cleaner, and more secure energy future.

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 115, as modified.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 59, as follows:

#### [Rollcall Vote No. 41 Leg.]

##### YEAS—40

Alexander	Enzi	Paul
Ayotte	Flake	Portman
Barrasso	Graham	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Casey	Hoeven	Scott
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johnson (WI)	Thune
Cochran	Kirk	Toomey
Corker	Lee	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	
Cruz	Moran	

##### NAYS—59

Baldwin	Grassley	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Blunt	Hirono	Reid
Boxer	Johanns	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Collins	Landrieu	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Fischer	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

#### NOT VOTING—1

Lautenberg

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.



## VOTE ON AMENDMENT NO. 26

Under the previous order, there will be 2 minutes of debate prior to a vote on the Mikulski-Shelby substitute amendment.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before I speak and have time counted against me, the Senate is not in order.

We are now coming to the last three votes.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Ms. MIKULSKI. Mr. President, we have three more votes. The first vote is on the Mikulski-Shelby substitute amendment. This is the bill we have been working on now for 8 days. After that, we will have a vote on cloture, and then we will go to final passage. If we could just have the Senators' attention and if they could stay nearby, we can finish this expeditiously.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Ms. MIKULSKI. Mr. President, I now speak on the Mikulski-Shelby substitute amendment, which is pending.

I urge my colleagues to support this bipartisan continuing resolution. It accomplishes many things. First, when we pass this, we will avoid a government shutdown, but we do better than that—we will protect our national security needs, meet compelling human needs, and lay the groundwork for investing in science and technology. Second, we complied with the Budget Control Act—costing no more than \$1 trillion—and it is bipartisan.

Mr. SHELBY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 29, as follows:

[Rollcall Vote No. 42 Leg.]

## YEAS—70

Alexander	Cornyn	Klobuchar
Baldwin	Cowan	Landrieu
Baucus	Donnelly	Leahy
Begich	Durbin	Levin
Bennet	Feinstein	Manchin
Blumenthal	Franken	McCaskill
Blunt	Gillibrand	McConnell
Boozman	Hagan	Menendez
Boxer	Harkin	Merkley
Brown	Hatch	Mikulski
Cantwell	Heinrich	Murkowski
Cardin	Heitkamp	Murphy
Carper	Hirono	Murray
Casey	Hoeven	Nelson
Chambliss	Isakson	Portman
Cochran	Johanns	Pryor
Collins	Johnson (SD)	Reed
Coons	Kaine	Reid
Corker	King	Rockefeller

Sanders	Stabenow	Warren
Schatz	Thune	Whitehouse
Schumer	Udall (CO)	Wyden
Shaheen	Udall (NM)	
Shelby	Warner	

## NAYS—29

Ayotte	Graham	Risch
Barrasso	Grassley	Roberts
Burr	Heller	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Crapo	Kirk	Tester
Cruz	Lee	Toomey
Enzi	McCain	Vitter
Fischer	Moran	Wicker
Flake	Paul	

## NOT VOTING—1

Lautenberg

The amendment (No. 26), as modified, as amended, was agreed to.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the motion to invoke cloture on H.R. 933.

The senior Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, we have just voted, as everybody knows, on the Mikulski-Shelby substitute. Our next vote is a cloture vote. Then, assuming cloture is invoked, we will have final passage. It is my understanding that the House is waiting on this bill. I hope we can get it to them as quickly as we can.

I yield back the remainder of my time.

The PRESIDING OFFICER. The senior Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I just want to echo the comments by my vice chairman, Senator SHELBY. It is time to bring this bill to closure, and I would hope we could pass it. I really want to thank Senator SHELBY for the bipartisan tradition in which we have been able to operate, and I hope we get a 60-vote majority and move this bill and this country forward.

The PRESIDING OFFICER. All time has expired.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 933 a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Sherrod Brown, Barbara Boxer, Robert Menendez, Patty Murray, Amy Klobuchar, Debbie Stabenow, Max Baucus, Tim Johnson, Benjamin L. Cardin, John D. Rockefeller IV, Charles E. Schumer, Carl Levin, Thomas R. Carper, Richard J. Durbin, Maria Cantwell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 36, as follows:

[Rollcall Vote No. 43 Leg.]

## YEAS—63

Alexander	Franken	Mikulski
Baldwin	Gillibrand	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Boozman	Hoeven	Reid
Boxer	Isakson	Rockefeller
Brown	Johanns	Sanders
Cantwell	Johnson (SD)	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden

## NAYS—36

Ayotte	Flake	Paul
Barrasso	Graham	Portman
Burr	Grassley	Risch
Chambliss	Hatch	Roberts
Coats	Heller	Rubio
Coburn	Inhofe	Scott
Corker	Johnson (WI)	Sessions
Cornyn	Kirk	Tester
Crapo	Lee	Thune
Cruz	McCain	Toomey
Enzi	McConnell	Vitter
Fischer	Moran	Wicker

## NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 36. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, all postcloture time is yielded back. Under the previous order, there will be 2 minutes of debate prior to a vote on passage of H.R. 933, as amended.

The majority leader.

Mr. REID. Following the statements of Senator MIKULSKI and Senator SHELBY, I would ask to be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, we are now coming to a vote on final passage of the bill. I am going to thank all of our colleagues who supported cloture to bring the debate to an end. This



is indeed a very important moment, because as we moved the bill, we have shown that we have done something pretty terrific in that we have continued a bipartisan tradition of the Appropriations Committee.

I cannot thank my vice chairman, Senator SHELBY, and his staff enough for their cooperation, as well as the Republican leader and the Democratic leader, often giving very wise counsel. We had three principles in this Senate continuing resolution: The House sent us a bill which we felt was skimpy and spartan. We wanted to not only avoid a government shutdown—remember, the full funding of the U.S. Government expires on March 27; we did not want brinkmanship politics; we did not want ultimatum politics. We wanted to be able to move our bill forward protecting national security needs and meeting compelling human needs and complying with the Budget Control Act. This bill will cost no more than 1.3 trillion, the same as the House continuing resolution. It does meet the needs of our constituents.

This bill is co-sponsored by my Vice Chairman, Senator SHELBY, and I am so glad he is my partner. We have worked across the aisle and across the dome to improve the House bill, while at the same time we have kept poison pills out of the bill, in order to prevent a government shutdown.

When we began this process, I had three principles for the Senate CR. First, avoid a government shutdown, while protecting national security needs and also meeting compelling human needs, such as investing in human infrastructure like early childhood education and in research and innovation, so that we can create jobs today and jobs tomorrow. Not shutting down the government allows us to protect the middle class and our fragile economic recovery. Second, comply with the Budget Control Act. The Senate CR provides \$1.043 trillion, the same as the House CR. Third, establish a path to return to regular order for our fiscal year 2014 bills.

This bill meets all three of these principles. We will avoid a shutdown. We are at \$1.043 trillion in total budget authority, as required by the Budget Control Act. We have shown that we can work in a bipartisan manner, to move this bill to final passage.

The bill we will vote on today is five full appropriations bills: Agriculture; Commerce, Justice, Science; Homeland Security; Defense; and Military Construction and Veterans Affairs.

The remaining seven bills are in the CR: Energy and Water; Financial Services; Interior and Environment; Labor-HHS; State-Foreign Operations; Transportation-HUD; and the Legislative Branch. This means they are provided current funding levels and policies, with some limited changes to fix pressing problems.

This bill has been on the Senate floor for a week. The Senate has debated and voted on amendments to eliminate funding for the Affordable Care Act, cut defense funding for projects in Guam, and cut funding for defense biofuels programs, among others. This afternoon, we accepted a number of amendments by voice vote, again, in a very bipartisan fashion.

I will be the first to admit that this bill is not perfect, but it is the bill that we need right now. I wanted an omnibus to provide complete bills for all the departments and agencies of the government, and not just some. I regret that the bill could not include a ½ percent pay raise for Federal workers, who now face a third year without a pay increase.

This bipartisan bill keeps Americans safe in their communities. The Senate bill provides more than the House CR for State and local first responder grants, providing a \$208 million increase above the House CR, and for fire grants, providing a \$33 million increase above the House CR. The Senate provides more for COPS grants, an \$18 million increase above the House CR, to put a total of 1,400 new police officers on the beat.

When it comes to infrastructure, this bipartisan bill fully funds highways, transit, and road safety programs at the authorized levels, a difference of almost \$700 million above the House CR.

This bipartisan bill also supports the innovation needed to grow the economy and to create jobs today and tomorrow. The Senate bill includes \$174 million more than the House CR for National Science Foundation basic research. That means 400 more grants supporting 5,000 scientists, teachers, students, all of them focused on making new discoveries leading to new products, new companies, and new jobs. For the National Institutes of Health, the Senate contains \$75 million more than the House CR for research on cancer, Alzheimer's, diabetes, and other devastating diseases.

The Senate bill meets compelling human needs. It includes \$33.5 million more than the House CR for Head Start, to help them to implement reforms and improve quality. The Senate bill includes \$250 million more than the House CR for the Women, Infants and Children, a program that provides basic nutrition support for low-income mothers and their children. For homeless assistance grants, the Senate bill contains \$147 million more than the House CR for shelter and housing support for 28,000 more homeless people.

This legislation will put us on the road to a return to regular order for our appropriations bills. I am so proud that we have reached across the aisle and across the dome to come to a bipartisan solution to funding the government for the next 6 months. I thank my Vice Chairman, Senator SHELBY,

for his support, in making this possible.

As we start our work on fiscal year 2014 bills, this process should serve as a model, showing that the Congress can get its work done, and can exercise the power of the purse in a bipartisan way.

My vice chairman and I have worked very hard to get to this point to provide a bill that Democrats and Republicans can support. I hope they will join with us to vote for final passage of the Senate CR, and return it to the House, so it can be considered and sent to the President for his signature.

I urge adoption of this bill and thank everyone for their cooperation.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. We know we are ready to vote. I urge everyone to support this bill. It needs to go to the House. The House, I think, is ready to act on it. This will fund the government through September 30. It is the first big step toward regular order.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the week before last, the House of Representatives sent us this important bill to prevent a government shutdown, to fund the government for the next 6 months. I have said it before, I say it again: I commend Speaker BOEHNER for giving this bill to us at a time where we could do some constructive work on it. The House did their work on time. We are going to do our work on time.

I applaud and commend my counterpart, Senator MCCONNELL. When that bill came from the House, he sat down with me and the two managers of this bill. He said: The House did their work, now we need to do ours. We could not do all the remaining 10 appropriations bills, but we added three. That was good. It would not have happened but for Senator MCCONNELL acknowledging that we needed to get some of this work done. It could not have happened even though Senator MCCONNELL and I thought it was a good idea but for the work of Senator MIKULSKI and Senator SHELBY. They are veteran legislators. They are people who believe in this institution. They know this institution needs to get back where we are doing things the way we used to. The way we used to do things was fund the government in a timely fashion. We have the opportunity to do that now. We are taking care of the next 6 months.

During this 6 months, the government will be functioning because of what we have done here. They will work on having 12 appropriations bills that we will bring to the floor. Everyone should know we are not going to be able to spend a week on every appropriations bill, but we need to do all 12 appropriations bills. That is our goal. It is the goal of the two managers of this bill, it is the goal of the Republican leader, and it is my goal. We need to do this.

I so appreciate—I say it again—the work done by the two managers of this bill. They worked in good faith. They both gave up things they believed in for the greater good. They produced a substitute amendment. We had added a few things to it. I know people are disappointed because they wanted to rearrange things differently. I would like to have rearranged things differently. There are things that are happening in Nevada because of the sequester that I would like to have taken out of this bill. They are not good things that are happening either.

I hope this practical, commonsense leadership will be a good sign for our regular appropriations bills and other work in the future. The work done by these two managers should be and is exemplary for what needs to follow. And what is going to follow immediately is our budget. We are going to have a budget debate. It is going to be a good debate.

We have two differently opposed views as to what should happen to this country economically. But that is what the Senate is all about, to allow us to do that. So I say to Senator MURRAY—everyone has heard me talk about how good she is, and I really do believe that—I hope she and Senator SESSIONS are looking at what was done by these two Senators. Senator MIKULSKI and Senator SHELBY have totally different views about how government should operate, but they also have views as to how the legislative process should operate. Legislation is the art of compromise. Everybody here has to understand, you are not going to get everything you want. You cannot throw a monkey wrench into everything just because you do not get what you want on one issue.

We are going to move to the budget. There will be no votes tonight. We have a lot of debate time on this bill, and the two managers are going to determine when the votes will start.

Again, this is a very good day for the Senate. I am very happy we reached this point.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—73

Alexander	Feinstein	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Blunt	Heitkamp	Rockefeller
Boozman	Hirono	Sanders
Boxer	Hoeven	Schatz
Brown	Isakson	Schumer
Cantwell	Johanns	Sessions
Cardin	Johnson (SD)	Shaheen
Carper	Kaine	Shelby
Casey	King	Stabenow
Chambliss	Klobuchar	Thune
Coats	Landrieu	Udall (CO)
Cochran	Leahy	Udall (NM)
Collins	Levin	Warner
Coons	Manchin	Warren
Corker	McCaskill	Whitehouse
Cornyn	McConnell	Wicker
Cowan	Menendez	Wyden
Donnelly	Merkley	
Durbin	Mikulski	

NAYS—26

Ayotte	Grassley	Portman
Burr	Heller	Risch
Coburn	Inhofe	Roberts
Crapo	Johnson (WI)	Rubio
Cruz	Kirk	Scott
Enzi	Lee	Tester
Fischer	McCain	Toomey
Flake	Moran	Vitter
Graham	Paul	

NOT VOTING—1

Lautenberg

The bill (H.R. 933), as amended, was passed.

(The bill will be printed in a future edition of the RECORD).

Ms. MIKULSKI. Mr. President, I move to reconsider the vote.

Mr. SHELBY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, this is an enormous victory—that we just passed this bill and are now sending it to the House. Again, I wish to thank everyone.

I also wish to say that today is exactly 90 days since I took over the full Committee on Appropriations. During these 90 days, with Senator SHELBY and his staff and the help and support of many people on both sides of the aisle, we were able to pass the Sandy urgent supplemental and we were able to pass the continuing funding resolution. This is pretty good. It shows we can work on a bipartisan basis; that we can actually govern and that we can conduct ourselves with decorum.

I think for all, as they watched the debate that occurred during this last week, they saw civility, they saw sensibility, they saw, yes, differing ideas, but at the end of the day, I think we all agreed on our goal—we want to keep America moving. So I am glad we have moved this bill to the House and we are going to keep our government functioning and keep America moving forward.

Again, I wish to thank everyone for what they have done, and I look for-

ward to moving the other 12 appropriations bills on a regular basis, working, again, on a bipartisan basis across the aisle and across the dome.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 28, S. Con. Res. 8.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 8) setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

Mrs. MURRAY. Mr. President, I ask unanimous consent that any time spent in quorum calls during consideration of S. Con. Res. 8 be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that no amendments be in order for the remainder of today's consideration of S. Con. Res. 8.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the use of calculators be permitted on the floor during consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that staff be permitted to make technical and conforming changes to the resolution, if necessary, consistent with amendments adopted during Senate consideration, including calculating the associated change in the net interest function under section 104, and incorporating the effect of such adopted amendments on the budgetary aggregates under section 101 for Federal revenues, the amount by which Federal revenues should be changed, new budget authority, budget outlays, deficits, public debt, and debt held by the public.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Finally, Mr. President, I ask unanimous consent the period of debate for economic goals and policy under section 305(b) of the Congressional Budget Act occur on Thursday, March 21, at a time to be determined by the two managers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, we are now on the floor of the Senate with the budget, and I wish to start by thanking my counterpart, Senator SESSIONS, for all his work and his staff's work—and all our staff—to get us to this point this evening that we are debating this bill and this amendment. Senator SESSIONS has been very gracious in working with us. We have gotten to this. We obviously have differences of opinion, but I wish to commend him for the tremendous amount of work he has put into this. It is going to be great to be working with him on the floor.

When I go back home to Washington State, my constituents tell me they are sick and tired of the gridlock and dysfunction in Washington, DC. They can see that our economy is slowly getting back on its feet and businesses are beginning to hire more workers, but my constituents—and people across the country—are very frustrated that the constant political crises are holding our recovery back right when we need to be doing everything possible to support it.

After 2 years of debate about fiscal and economic policy and an election in which voters spoke loudly and clearly, the American people want their elected representatives to stop arguing and reach some solutions. I come to the floor to discuss a budget plan that meets this challenge.

The Senate budget that passed through the Budget Committee last week, with the strong support of all 10 Democrats and 2 Independents, is a responsible and balanced plan that puts the economy first and tackles our deficit and debt responsibly and credibly. I am hopeful that after it passes the Senate, the House of Representatives stands ready to compromise as well, and we can come together around a balanced and bipartisan deal that the American people expect and deserve.

The budget debate is too often discussed in terms of abstract numbers and political winners and losers. But the truth is that budgets are about far more than that. They are about our values and our priorities. They are about our visions for how government should be serving its citizens today and for generations to come, and, most of all, they are about the people across the country whose lives are impacted by the decisions we make.

The budget we will be debating on the floor this week puts those people first. It reflects the pro-growth, pro-middle-class agenda that the American people went to the polls in support of

last election. I believe it is a strong and responsible vision for building a foundation for growth and restoring the promise of American opportunity.

Our budget is built on three principles. No. 1, we need to protect our fragile economic recovery. We need to create jobs and invest in long-term growth. No. 2, we need to tackle our deficit and our debt fairly and responsibly. No. 3, we need to keep the promises we have made as a nation to our seniors and our families and our communities.

The highest priority of our budget is to create the conditions for job creation, economic growth, and prosperity built from the middle out, not the top down. We believe that with the unemployment rate that remains stubbornly high and a middle class that has seen their wages stagnate for far too long, we simply cannot afford any threats to our fragile recovery. So this budget fully replaces the cuts from sequestration that threatens 750,000 jobs this year alone and economic growth for years to come, as well as our national security, and the programs families and communities depend on. It replaces those automatic cuts in a fair and responsible way following the precedent that was set in the year-end deal.

Half of the new deficit reduction to replace sequestration comes from responsible spending cuts across the Federal budget and half comes from new savings found through closing loopholes and cutting wasteful spending in the Tax Code that benefits the wealthiest Americans and biggest corporations.

In addition to replacing sequestration with deficit reduction that is far more responsible, our budget follows the advice of experts and economists across the political spectrum who say it makes sense to invest in job creation in the short term while putting ourselves on a strong path to responsible and sustainable deficit and debt reduction over the medium and long term.

We believe that in order to truly tackle our economic and fiscal challenges in the real world and not just make them disappear on paper, we need a strong foundation for growth built from the middle out. So this budget invests in a \$100 billion economic recovery protection plan to put workers back on the job repairing our Nation's highest priority deteriorating infrastructure and fixing our crumbling schools and installing critical educational technology such as broadband that our students need to succeed.

This plan creates an infrastructure bank to leverage public funds with private investment. It invests in our workers by making sure they have the skills and training they need to move into the 3.6 million jobs businesses across the country are trying to fill, and it is fully paid for by closing loopholes and cutting unfair spending in

the Tax Code that mainly benefit the well-off and well-connected.

Our budget also makes sure we are not reducing our fiscal deficit while increasing our deficits in education and skills and infrastructure and innovation. While cutting spending responsibly overall, it protects our investments in national, middle-class, and economic priorities, such as our schools and our roads and bridges and our clean energy and manufacturing industries.

This budget puts jobs first and our economy first and foremost, but it also builds on the work we have done over the last 2 years to tackle our deficit and debt responsibly.

In 2010, President Obama established the National Commission on Fiscal Responsibility and Reform—commonly referred to as Simpson-Bowles. That bipartisan group came back with a report recommending approximately \$4 trillion in deficit reduction over 10 years from a balanced combination of spending cuts and new revenue. The report pointed out that this level of deficit reduction is more than any effort in our Nation's history. Other bipartisan groups, including Domenici-Rivlin and the Senate's Gang of 6, as well as economists across the political spectrum, agreed that \$4 trillion over 10 years was a reasonable and responsible goal. Since that time, Congress and the administration have worked together to reduce the deficit by \$2.4 trillion—\$1.8 trillion coming from spending cuts, \$600 billion from allowing tax rates to rise on the wealthiest Americans in the year-end deal.

The Senate budget takes us the rest of the way to the \$4 trillion goal and beyond. It builds on that \$2.4 trillion in deficit reduction already done with an additional \$1.85 trillion in new deficit reduction, for a total of \$4.25 trillion in deficit reduction since the Simpson-Bowles report. It reduces the deficit to below 3 percent of GDP by 2015 and keeps it well below that level for the rest of the 10-year window in a responsible way and it pushes our debt as a percentage of the economy down, moving it in the right direction.

Our budget tackles this issue the way the American people have consistently said they want it done—with an equal mix of responsible spending cuts made across the Federal budget and new revenue raised by closing loopholes and cutting wasteful breaks that primarily benefit the rich.

This budget cuts spending responsibly by \$975 billion, and we make some tough choices to get there. We think every program—including the ones we know are important—need to be wringing out waste, trimming fat, and reducing costs to taxpayers. So \$500 billion of our deficit reduction comes from responsible savings on the domestic spending side, including \$275 billion in health care savings made in a way that

doesn't harm our seniors or our families. We believe everything should be put on the table, but we do it in a responsible way that preserves, protects, and strengthens programs such as Medicare and Medicaid that the American people strongly support.

This budget saves \$240 billion by carefully and responsibly reducing defense spending while giving the Pentagon enough time to plan and align those savings. We all know this involves some tough decisions, but it is a responsible path that is nothing like the across-the-board cuts from sequestration which would be devastating to defense programs and jobs if they weren't replaced.

This budget takes a balanced approach to deficit reduction, and it matches the responsible cuts with \$975 billion in new revenue which is raised by closing loopholes and cutting wasteful spending in the Tax Code for those who need it the least, while locking in tax cuts for the middle class and low-income working families and protecting them from paying a penny more.

This shouldn't be controversial. There is bipartisan support for making the Tax Code more fair and more efficient. We just think that instead of that savings going toward more tax cuts for the rich, that savings ought to be used to reduce the deficit and invest in our middle class.

If this budget were to be enacted, the total deficit reduction since the Simpson-Bowles report would consist of 64 percent spending cuts, 14 percent tax rate increases on the rich, and 22 percent new revenue raised by closing loopholes and cutting wasteful spending in the Tax Code for the wealthiest Americans and biggest corporations. That is a responsible approach. It is a balanced and fair approach. It is the one that is endorsed by bipartisan groups and experts, and it is the one supported by the vast majority of the American people.

In addition to investing in jobs and economic growth and tackling our deficit and debt responsibly, this budget also keeps the promises we have made to our seniors, to our families, to our veterans, and to our communities. We think Medicare should be protected and preserved for our children and our grandchildren, and we absolutely reject calls to dismantle or privatize Medicare by voucherizing it.

The House Republican budget being considered this week could also repeal the health care law and increase the cost of care to our seniors, throw students off their parents' plans, cause tens of millions more Americans to be uninsured, and put the insurance companies back in charge of patients' care. Our budget rejects that approach, and it builds on the health care law to continue reducing costs responsibly, increasing efficiencies, and improving care.

Our budget also maintains the key principle that every other bipartisan group has maintained but that has been rejected by the House Republicans. We don't think the burden of deficit reduction should be unfairly borne by the most vulnerable children and families who have already sacrificed so much. Everyone in America needs to be a part of this solution, but the House Republican approach would shred the safety net that has offered a hand up to millions of families across America, including my own when we needed it, and we reject that approach.

The budget we are considering this week also makes the investments we need to keep our military strong, to protect our communities and environment, and uphold the sacred commitment we have made to our veterans. I believe our budget reflects the values and priorities of the vast majority of families across our country. It is a responsible and credible approach, and it offers a clear path to a balanced and bipartisan deal.

House Republicans are debating a very different approach this week. The proposal that passed through their Budget Committee would be devastating for our economic recovery and threaten millions of jobs. It would make extreme cuts to the investments in infrastructure and education and innovation that we need right now to lay down a strong foundation for broad-based economic growth. It would dismantle Medicare and would cut off programs that support the middle class and the most vulnerable families. It would do all that while refusing to ask the wealthiest Americans and biggest corporations to even contribute their fair share.

The American people are going to have an opportunity to examine these budgets side by side over the coming weeks. They are going to be able to decide which approach is best for our economy, best for jobs, and best for the middle class. They are also going to have a chance to weigh in.

After the Senate passes our budget and the House passes theirs, I am hopeful we can work together, listen to the American people, and come to the balanced and bipartisan deal this country desperately needs.

I yield the floor.

THE PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Chairman MURRAY for her good work. It has been 4 years since we have had a budget in the Senate. This is her first year as chair of the committee, and we have gotten a budget moved forward to the Senate floor. I congratulate her on that.

I note Senator Conrad, her predecessor, would have loved to have moved a budget forward, but the leadership somehow decided that was not the

right thing to do. Indeed, they said it would be foolish to have a budget. So this is progress, and although we would have liked to have had more time in committee, Chairman MURRAY set up this system in a way that she was clear about, and gave us full time all day Thursday of last week to debate and make the points we believed were important, and so did our Democratic colleagues. They got to speak out. I thank her for having an open hearing and being respectful of those of us who had different views and were anxious to share them.

My colleague uses the phrase "responsible and balanced." But what you have to know, I say to colleagues and friends and Americans, is that this budget is anything but balanced. It never comes close to balancing. It never balances over the entire lifetime. It does not put us on a trajectory that would ever balance. It is not a budget that in any sense balances the amount of money coming in with the amount of money going out. It just does not. And we need to talk about that.

I think the American people want a balanced budget. I believe they asked for that. I think they expect that of us, and will be disappointed to find out that the leadership in the Senate, unlike the leadership in the House, does not produce a budget that is balanced.

Today we begin debate on the budget resolution. This is the first budget resolution on the Senate floor in 4 years, crafted by our Democratic majority. We are required to produce a budget, but over the last 4 years, in violation of plain statutory law in the United States Code that requires the passage of a budget by April 15—by April 1 it should be produced in committee, we have not acted. It has been disappointing. I have had many of my constituents say: How can they not produce a budget when the law says you should have one?

Senator REID said it would be foolish to have a budget. That was his excuse or reason for not bringing up one—foolish to have a budget when we have the largest deficit this Nation has ever seen, and we face the greatest systemic debt threat we have ever seen.

I do not think we can have a greater symbol of an arrogance of power than the refusal to produce a budget resolution over the last 4 years. It was a decision to place—as I have said before, and I have been clear on this—political ideas and values over the American interests.

Our friends in the majority speak of their deep concern for struggling Americans. Yet year after year there has been no plan produced that will actually help them. America has never been in a more perilous fiscal condition, never needed a sound budget plan more than today. So what has changed? Why are we moving forward? The answer is a simple one. The House

of Representatives passed legislation. It said: No budget, no pay. So now we have a budget. Hopefully, we would have had one anyway, but I am glad that one is moving. Our colleagues probably like to get paid.

Today we know the Senate majority resisted offering a plan for these years. The budget before us today is a bankrupt vision that will bankrupt the country. It is a jaded tax-and-spend budget that surges the Nation's debt and achieves no reduction in our annual deficits. It is a budget that never balances—never.

I think this quote sums it up well:

In short, this document gives the voters no reason to believe that the Democrats have a viable plan for or even a responsible public assessment of the country's long-term fiscal predicament.

That is not my analysis but I agree with it. That comes from an editorial of the Washington Post after this budget was produced.

Senate Democrats have made no attempt to make the government leaner or more productive. Their proposal goes to extraordinary lengths to shield failing government programs from reform. Just add more money. It grows the government at the expense of growing the economy. It enriches the bureaucracy at the expense of the people. It has no plan to help discouraged workers move from dependency on the government to independence. Its surging debt and taxes will crush American workers, close American factories, and depress American wages.

I ask the American people to answer this question: Do you believe the government is wasteful; that it needs to do a better job of saving your money? If your answer to that question is yes, then consider this: The Democratic budget does not achieve a single penny in net savings. After 4 years they have failed to identify any way to save money through real reform of government spending, not a solitary cent.

So any Senator who votes for this budget apparently believes the budget is perfect and needs no reform. Any Senator who votes for this budget is saying to the American people: Washington is not the problem, you are the problem. They are saying: We have managed your money well, we have done it all right, we did nothing wrong. The problem, see, is you. You have not sent us enough money. In fact, this budget says: Send us another \$1.5 trillion in more taxes. Send more money.

They also say: But don't worry, you will not have to pay those taxes. We are just closing loopholes. But closing loopholes does not come close to getting this many taxpayer dollars—it just does not. When they talk about the closing of loopholes, what that really means is it is slashing popular deductions to pay for more Washington spending—charitable deductions, home mortgage, or other exemptions. That is

where the money is in the deductions. You will not raise much money with loopholes.

Let's take a moment to look at the numbers in this budget and what it claims to do. First, I would like to examine the claim that this budget reduces the deficit by \$1.85 trillion. That is a significant sum of money. It is not nearly enough to balance our budget, but it is a significant sum of money—over 10 years, the claim is. When many Americans hear this they might think it means the budget authors are proposing to reduce America's debt by \$1.85 trillion. Not so.

According to their own budget tables our Nation's debt will climb another \$7.3 trillion over 10 years, passing the \$24 trillion in total Federal gross debt that our Nation has accumulated. It does not reduce the debt, not even close. The Nation's debt grows by \$7.3 trillion.

Their promotional materials, however, claim \$1.85 trillion in deficit reduction—they claim that. This claim refers to an alleged reduction in the size of the projected debt increase. So the debt is going to increase, but we are going to reduce the increased rate of the debt—that is what we are going to do—by almost \$2 trillion. But even that \$1.85 trillion claim is totally false. It just is. It is a fabrication. It is not so. Several accounting tricks are used to create this number.

The biggest of these tricks is that their budget completely eliminates the savings that have been placed in law by the sequester, but it fails to count the elimination of the reduction in spending in the sequester as a spending increase. We voted 20 months ago—Congress did, August 2011—to reduce the growth of spending \$2.1 trillion in order to obtain a raising of the debt limit by \$2.1 trillion over 10 years. That is what it would be. And 60 percent of that \$2.1 trillion—\$1.2 trillion—is the sequester. They would eliminate the sequester but not count the fact that they have increased spending of the current law that is in place, and it is not going to be changed except to be modified so it is more rational in where the cuts fall. But they would wipe it out and not count that as increasing spending.

This is how the country goes broke. This is how America confuses what it is doing—I would say deliberately—to try to convince the American people they are acting responsibly when we are acting irresponsibly.

I asked Chairman MURRAY's fine staff about this at the hearing. They didn't want to talk about it, I have to say. But when pressed, like good staff people do, and the question was put to them plainly, they gave an answer—the correct answer, I think.

Sessions: Relative to current law, under your plan if it is enacted, how much deficit reduction will occur?

The staff answer:

Again, if you want to go straight to CBO baseline that we started when I was talking to Mr. Johnson it would be about \$1.75 trillion. If you want to make the adjustments and take out the sequester—

And of course we should—and the disaster, yes, obviously it's much less. I think the total deficit reduction is about \$700 billion in the plan.

Mr. President, \$1.85 trillion claimed in reduction. If you count the sequester you are at \$700 billion. \$1.2 from \$1.9 leaves \$700 billion. But there are more gimmicks than that which take us down to zero deficit reduction, really.

So I asked this question again to the staff of the majority in the committee:

Can you honestly say that under this budget you can achieve \$1.85 trillion in deficit reduction and eliminate the sequester with only \$975 billion [you claim] in new taxes?

And the answer was, "No."

Of course you cannot, but that is basically what they were saying. That is what they said in their promotion of this budget, that it achieves \$1.85 trillion in deficit reduction. Any American who heard that would assume it means we are going to reduce the amount of deficit being added by \$1.85 trillion, relative to current law.

Once again, we have this obsession, it seems, in Congress. We are trying to maneuver numbers around so we can spend more money while claiming we are not. They claim they are reducing the growth in our debt by almost \$2 trillion, but it is not so. It does not happen under this budget. If anyone wishes to know more details, we will share those as time goes by.

There are other gimmicks in this budget too. The budget fails to account for the cost of continuing the stimulus tax credits and fails to offset the doc fix, as well as the physician payment fix, which we have to do just like we do every year. It should be scored. We know we are going to have to make that expenditure.

Chairman MURRAY's budget, which the committee voted on and passed, only includes \$75 billion to fund the war on terror for 10 years. How much did President Obama say the War on Terror, when he submitted his last budget, would cost over 10 years? He said it would cost \$494 billion. So they just waltz in and say: We will spend \$75 billion in the first 2 years and zero on the War on Terror over the next 10 years.

The Ambassador was in my office this week. He negotiated an agreement for a reduction of forces in Afghanistan. We are planning to be there for years. We have drone attacks going on. We have special forces around the world fighting al-Qaida, with whom we are at war, and that is what has been funding that—this account—and they assume it is going to end. It is not going to end. But if we assume it is going to end, we save, according to the President's projection, some \$400 billion. They can claim to save \$400 billion by assuming we are not going to

spend money that we are going to spend.

So if we add up all of these items—not scoring the sequester, the doc fix, the new stimulus money, the manipulation of the war costs—then there is zero deficit reduction. We raise \$1.5 trillion in new taxes, and there is a zero-deficit reduction because spending has increased. So this budget also means there is a net spending increase above the projected growth of spending. We are on track to increase spending every year even with the Budget Control Act and the sequester—that is going up every year—but they want to spend even more than that. They want to increase the unsustainable debt course we are on now more than the current law calls for.

This budget breaks the spending limits we just signed into law with the Budget Control Act. We told the American people, who were reluctant to raise the debt ceiling—and a lot of Members of Congress were reluctant to raise the debt ceiling—because we were so irresponsible around this place. But an agreement was reached recognizing that it would be disruptive, to a significant degree, to raise the debt ceiling \$2.1 trillion, that we would reduce spending over 10 years by \$2.1 trillion.

We have already run up another \$2.1 trillion in debt. We already hit that. In his budget last January, the President—less than 6 months after he signed the Budget Control Act and eliminated a little bit of the growth in spending—is proposing to eliminate the sequester part of it, which is \$1.2 trillion, or 60 percent.

Here are some other figures the American people should know about this budget. It has a 60-percent spending increase over 10 years, which would increase spending by over 60 percent. It has over a \$162 billion increase in spending next year—another stimulus bill. There will be \$7.3 trillion in new Federal debt that will be added under this budget over the next 10 years; a \$1.5 trillion tax increase; an 80-percent increase in Federal welfare and means-tested poverty spending. All the poverty programs—means-tested programs—would increase 80 percent. There is no reform for those programs, but a big increase.

So the question of whether to balance the budget is one of the central features of this debate that we are having now. If the American people take nothing else away from this debate, it should be that the party running the Senate—the Democratic Party—is spending taxpayers' dollars and refusing to ever balance the Federal budget.

By contrast, the Republican-led House, with Senator PAUL RYAN and his team, has a plan that they will vote on today which will balance the budget. They have passed a budget every year. Our colleagues in the Senate, while refusing to pass a budget, have

delighted in complaining about the leadership and the responsible action of the House by blaming everything they can think of, and more, on unkind PAUL RYAN who wants to push the old folks off the cliff, and that is not true. He has good plans; he has growth plans. What I would say to everyone is: This Senate has done nothing by being critical of everyone else. We have had several budgets come up, and I voted for several of them. My Democratic colleagues have voted for not one. They voted against the Ryan budget, they voted against the President's budget, they voted against the Toomey budget, and they voted against the RAND PAUL budget. They voted against them all. Yet, they don't seem to be the least bit hesitant to attack everybody else.

I think we have a moral duty to balance the budget. It is not right to continue to spend and enjoy borrowed money today that someone else will have to repay tomorrow. We also have an economic duty to balance the budget, and I wish to talk about that. We need to balance the budget to prevent a future financial crisis, as Erskine Bowles and Alan Simpson told the Budget Committee a couple of years ago. We are facing the most predictable financial crisis in our Nation's history if we don't get off this debt path. We need to act now to deal with the present danger that is occurring to our economy.

Our massive public gross debt is hurting growth today. Our economy today is being damaged by it. It is destroying jobs today. Massive Federal debt is creating poverty and joblessness right now. The debt is pulling down economic growth right now—not tomorrow, now. People are not getting jobs today because of this debt. People are not getting promotions, bonuses, and wage increases as a result of this debt that is hanging over the country.

Well, some might say: How do you prove that? The famed economists Rogoff and Reinhart testified before the Budget Committee a year or two ago. They released a paper last April that concludes when gross debt—not public debt, which is somewhat less—the \$16-plus trillion that we see on the debt clock in public—reaches 90 percent of GDP, then the economy slows between 1 percent and 2 percent. The economy begins to slow. Our gross debt is now 103 percent of GDP. Some may not be aware—and my colleagues need to know this—that the International Monetary Fund, the Bank for International Settlements, and the European Central Bank have all independently done studies of this kind and reached very similar conclusions.

The other studies with different approaches all find that our current debt load in the United States—which is now almost \$17 trillion—is causing a drag on our economy. A 1-percent decline in growth costs 1 million jobs, ac-

cording to Christina Romer, who worked in the Obama White House as a top economic adviser.

We know that for the past 3 years, growth in America has fallen well below what our experts, the Congressional Budget Office, have predicted. These studies show our debt is hurting the economy now and that increased spending and more debt must end now. It cannot be contended any longer that it is good for America to borrow more and spend more. We cannot borrow more to spend more. Somebody compared that to taking a bucket in the deep end of the swimming pool, filling it up, and going to the shallow end and pouring it in. If truth be known, when you borrow to spend, you drop some along the way. We must grow the economy, not keep growing the government, and certainly not keep growing the debt.

I believe we all know this. I think the American people know it, and we in Congress have a responsibility to honestly confront this challenge and put our country on the right path. As we learned, we actually don't have to cut spending. All we really need to do is allow the spending to increase, but allow it to increase each year at 3.4 percent and not 5.4 percent. If we increase it at 3.4 percent, as Congressman RYAN has done in his budget, the budget balances in 10 years. We don't have to slash spending. We can even allow spending to increase, but we have to manage the growth of it. We can do this.

The recovery we are seeing from the 2007 recession is the slowest since the end of World War II and slow growth is expected to continue. The Commerce Department reported last month that the economy barely grew in the fourth quarter of 2012. We had virtually zero growth in the fourth quarter. That was a surprise. CBO expects the U.S. economy to limp along in 2013 at about 1.4 percent after inflation is taken out. That is a muddled, slow-growth, economy well below what they were predicting 2 years ago, which was a growth of about 4.6 percent, as I recall, for 2013. So no one disputes that this is the slowest recovery since 1945.

Why is it so slow? It certainly is not because the government has spent too little of the taxpayers' money. It is certainly not because we borrowed too little and spent too little. Total Federal spending has gone up 30 percent since 2007, and our annual deficit today is 7 times greater than the annual deficit was just 5 years ago. So as a consequence of huge annual deficits, our debt has grown by 73 percent since the beginning of the recession, over which time we added \$6.6 trillion in new debt.

It seems quite clear that a substantial reason our recovery is slow is because of the depressing effect of high debt, big spending, a burdensome tax code, and regulations that are unnecessary. But every time Republicans have

tried to reform the government, they meet the same response from our Democratic leaders—from the President to Senator REID to Chairman MURRAY—attack the reformers.

Majority Leader REID said of one Republican reform effort that it was “a mean-spirited bill that would cut the heart out of the recovery we have in America today . . . it goes after little children, poor little boys and girls.”

I think that is an unkind thing to say. I don't think anybody proposed any legislation that would have that effect or ability or intent to do anything like that.

Chairman MURRAY said:

I will not agree to a deal that throws middle-class families under the bus . . .

Well, we are not throwing middle-class families under the bus. We want economic growth. We want prosperity. The real truth is that the debt increases borrowing, and spending has not worked. The debt is already so high and we have irresponsibly run up so much that it is pulling down the economy because it is over 100 percent of GDP. We don't need to be attacking people who disagree over solutions in harsh personal terms, but we do need people to focus honestly on the disagreements and the challenges we face.

The real victims we are seeing here today are the millions of people trapped in poverty by failed government programs. The real victims are Americans who are being denied help by those who would defend the Washington establishment at all costs and won't reform. The real victims of the left's rhetorical assaults are the communities out there that are thirsting for growth and opportunity but denied any policies that would create more jobs and actually create better and rising wages. The real victims are the millions who lost or can't get jobs, and they are out there—we have fewer working today than we had in 2000—or those who didn't get a pay raise because the debt has pulled down economic growth.

So I think this budget shows no really effective concern for Americans living in poverty, struggling to work, trapped in a stale bureaucratic welfare state. There is no reform that will actually work to help them. That is what I am concerned about.

Look at a city such as Detroit, governed by liberal policies for decades—a city once rich with business and commerce and opportunity. More than half of all Detroit children now live in poverty. Look at our Nation's Capital, another major city locally governed for decades by very liberal policies, a city filled with finance and deep-pocketed businesses. Washington, DC, is flowing with Federal funds. No city gets more from the Federal Government than Washington. Yet, despite this cash, one in three youths in our Nation's Capital lives in poverty. Two in three live in single-parent homes—two in three.

So this budget perpetuates the misguided policies that are causing social and economic harm in every State, in every region, in every part of this country. That is my view. Others may disagree, but I am prepared to defend it, and I think that empirical data and observations show it is correct. Compassion, if we care about people who are hurting, demands that we change, does it not?

We need to grow the economy, not the government, and do it for all Americans in every State and city.

We need to create rising wages and better jobs without just borrowing money and handing it out through some government check. That is not working. It is over. We need to understand that. We need an economic policy that provides our children with more jobs, not more debt. We need jobs. We don't need to be burdening our children for the rest of their lives with an unconscionable debt so we can live high today.

We need to reform and improve ineffective government programs so they help more Americans actually achieve their financial goals. How can we do this without running up the debt? Is there something we can do? Don't we have to have government investments? Don't we have to borrow more money? We don't have any. Any new money we spend is all borrowed. We are in debt. Aren't there some things we can do? Absolutely there is, and they are things that do not cost money. How about this: create a new tax reform system that creates growth, revenue-neutral but simpler, more pro growth-oriented and fairer. Can we do that? Yes.

What about more domestic American energy production? Produce more energy here instead of sending our money abroad, creating jobs here, creating tax revenue for our States, cities, and counties.

Let's make the welfare office—which gets from the Federal Government today hundreds of billions of dollars in spending—a place that restarts lives, that helps people rejoin the workforce, not trapping them in government benefit programs year after year.

Let's defend American workers from unfair foreign trade practices—and there are a lot of them. It is time we stood up to it.

Let's make government leaner and more productive. A leaner government, a more productive government is good for America. I don't see any reform effort there.

Let's eliminate every burdensome Federal regulation that isn't needed. Those are job-killers. If a regulation promotes safety and is economically viable, that is OK, but if it is not—and many are not—let's eliminate it. It is a drag on growth and prosperity.

Let's enforce Federal immigration laws, and let's protect American work-

ers and legal immigrants from those who care only about importing more and more cheap labor.

Let's balance the Federal budget. As I said, balancing the budget and reducing the debt of America over time will get our debt down so it won't be a drag on the economy.

The American people have heard a lot of rhetoric from their elected officials and a lot of buzzwords about financial discipline this week. Rhetoric will be matched against reality. Every Senator will have to stand and be counted. I encourage the American people to tune in to C-SPAN and see where their Senator stands on the great issues of our time: Do we balance the Federal budget? Do we reform the bureaucracy or just keep spending more money? Do we keep sending even more money to Washington through more taxes? Do we embrace our great constitutional inheritance of freedom or do we let it slip away? These are questions of our time.

The budgets reflect where we stand on these issues. I would say the Democratic budget represents more government and less commitment to efficiency—not the kind of change and progress we need. We need to have a budget that balances, that is oriented toward growth and prosperity.

I look forward to the debate today. It will be an interesting challenge throughout the next couple of days. I have been very passionate here today, very frank here today, but I know we have great colleagues on both sides of the aisle.

In our debate in the Budget Committee, we had some great Senators on both sides of the aisle who have different views and expressed them ably. Chairman MURRAY is so articulate and wonderful to work with, but we do disagree.

It is time for change in this country. It is time to understand that our goal must be to promote prosperity and job creation and higher wages, not more government. That is what the debate is about. I urge my colleagues to be engaged in it, and let's begin to change the direction of our country and put it on the road to prosperity.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I thank Senator SESSIONS for his leadership.

I come here today as a new member of the Budget Committee, fresh from the committee process with some observations and some disappointments, but principally today I come to the floor to talk about the urgent need for budget reform and a lasting budget that will put us on a path to fiscal responsibility.

I suppose we should be delighted at least to be on the floor with a budget. After 4 years of trillion-dollar deficits and after 4 years without a budget, at



least we have an opportunity as representatives of the American people to debate the financial future of this country and an opportunity to discuss putting our Nation on a trajectory away from constant debt and uncertainty and on a path toward security and prosperity, on a path that is designed to create better job opportunities for the people we represent.

Unfortunately, the budget our friends on the other side of the aisle unveiled last week ignores the spending problem that continues to drive the Federal debt skyward. Don't take the word of one Senator from Mississippi on that. Let's listen to the words of the Washington Post editorial board. Not exactly what one would call a center-right entity, they observed on March 14—and I quote the Washington Post:

This document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

Those are the words of the Washington Post in utter disappointment about the product we will be debating on the floor for the next several days.

Being a member of the Budget Committee and being part of the budget markup process has certainly been revealing to me as a new member of the committee. We were given an opportunity before amendments were offered to ask technical questions—not really to debate but just to ask technical questions of the staff members about exactly what this budget does. We learned from these professionals—when we just asked them the questions, we learned these facts about the Democratic proposal for a budget for the next 10 years: It does not balance at any point during the next decade. Never in the next 10 years would this document bring the Federal budget into balance. Not only that, in propounding further technical questions to the staff, we learned that this budget puts our country on a spending path that never comes into balance. There is no plan for decades and decades to come, as far as the eye can see, for this budget ever to get the Federal Government into balance. Yet it was supported by friends of mine on the other side of the aisle who have certainly given lipservice to the idea not only of a balanced budget but of a balanced budget constitutional amendment.

I am going to predict that Democratic Members of this body who come in here and vote for this document will have coauthored a balanced budget constitutional amendment, who have actually voted for or cosponsored a balanced budget constitutional amendment. Yet they will be voting for a document that not only doesn't balance within 10 years but that never, ever comes into balance. Indeed, the document that we will be asked to support and that we are trying to amend grows

the Federal Government at 5 percent each year for the entire decade. It raises taxes to the tune of \$1.5 trillion over the decade. And this is important for us to realize: It doesn't raise taxes on that rich guy behind the tree who we think can afford it, it raises taxes on the middle class. There is no question about it. We can't get \$1.5 trillion out of the American economy without raising taxes on the middle class, and that is exactly what this budget does. So it never comes into balance, but it does raise a ton of taxes right out of the middle-class economy of this country.

Now, we will have an amendment process, and there will be a number of amendments, but it will, in essence, give us an opportunity to slow the trajectory of growth of Federal spending.

Members of the Senate will be offered an amendment in this process to balance our Federal budget by the year 2023. We will be given an opportunity to debate that and to visit on a plan that would get us there. How does it get us there? By slashing and burning? By tough austerity in the budget? Absolutely not. I think it would surprise many people within the sound of my voice in this city and elsewhere to know that we can grow the size of Federal spending by 3.4 percent each year over the next 10 years and still balance the Federal budget by the year 2023. Let me repeat that. Federal spending is not going to be actually cut under the Republican proposal we will present as an alternative. Federal spending will go up each year by an average of 3.4 percent per year, and still we will be able to balance the budget by the year 2023. So we need not let anyone say that we are having to slash and burn in order to balance the budget.

There will be adequate funds to perform the functions of government and still we will be able to balance the budget.

I say what so many of my colleagues have said and what our distinguished ranking member from Alabama has said repeatedly: We are not in this business simply to say we balanced the budget. It is not some artificial goal like winning a game. We are in this process of trying to save our country from a mountain of debt in order to create jobs for the American people, in order to grow the economy, rather than growing the size of the Federal Government. We have an opportunity to avoid the fate that is occurring to our allies in Western Europe, even as we speak.

I have heard it said recently that: Well, we don't have a debt crisis yet. There are some people who would dispute that. But there are people in this Federal Government, the President included, who say: We don't have a debt crisis at this moment in the Federal Government. I ask this in response: Must we wait for an absolute crisis be-

fore we act? We see it coming. We see what has happened to our friends who have overspent in Greece, in Spain, in Portugal, what is happening to our allies, our NATO allies in France. We can avoid this fate. Must we wait until the absolute last moment when people are losing their jobs and we are unable to perform the necessary functions of government?

So I say this: We need to act now. We need to act to avoid that crisis which is not that far down the road, and we want to act to grow the economy and create jobs.

I wish to mention three issues briefly, and then I notice there are other people who want to speak on this important issue. There is hardly a more important issue that we could be talking about, and thank goodness, for the first time in 4 years, we are going to get that opportunity. Let me mention Social Security, let me mention Medicaid, and then Medicare.

Social Security is a wonderful program. My dad relies on Social Security. We are going to keep the commitment that we have made to our senior citizens in the form of Social Security. But everyone agrees the numbers simply do not add up long term. They agree with that much, as President Ronald Reagan and Speaker Tip O'Neill agreed to the very same notion back in 1982 and 1983. The numbers were not adding up long term for Social Security and something had to be done and some painful decisions had to be made in the early 1980s. To this day, we thank God for President Ronald Reagan and Speaker Tip O'Neill for having the bipartisan courage to do the tough things, to make the tough decisions, and adjust an important program so that Social Security has been saved for the past three decades.

We need that kind of statesmanship out of the White House today. Frankly, we need that kind of leadership out of the White House. We are calling for bipartisan action. I think it is worth noting—and it pains me to say this—for the first time in 92 years, we are considering a budget without seeing a plan from the President of the United States, and he announced just last week that he was going to wait in sending us his budget plan. It will be 2 months late by the time it arrives, according to the President's own timetable. In fact, this is the fourth time in 5 years that our President, that my President, has missed this deadline. But we need the same leadership out of this White House that we had out of the Reagan White House three decades ago. We can save Social Security, but it will have to be a little different.

We can save Medicaid and make it better. We are going to have an opportunity, as legislators, as policymakers, to give the States an opportunity to design their own Medicaid Program to serve their individual States better.



Let's give one State or let's give five volunteer States the opportunity to take a Medicaid block grant and see if they cannot provide better health care to their underserved population with a Medicaid block grant. Let's give them an opportunity to do that. The program does not work very well now.

Then the statement was made—and correctly—by some of my Democratic colleagues in the Budget Committee that Medicare is a promise we have made and we ought to keep that promise. I could not agree more. There is not a soul in this Senate who does not want to keep the promise we have made to American workers and to American retired people with regard to Medicare.

But the fact remains—and every Senator in this body understands this—Medicare, as it is currently written, cannot last for many more years. The numbers simply do not add up. I am glad the point is being made, and it is being picked up by the mainstream media now. An American worker pays \$1 into Medicare and gets \$3 back in benefits. A system like that simply cannot be sustained long term. The numbers do not add up. The math does not. It is not that flexible.

So we need to—as Reagan and O'Neill did—as responsible custodians of our Federal Government, as responsible trustees of the future of this country, make changes to a program that has served us well.

Americans are calling for leadership and bipartisan action now. There are hopeful signs: the National Commission on Social Security Reform, the Gang of 6, the Simpson-Bowles Commission, various bipartisan groups that are trying to forge an honest long-term deal to deal not only with our debt but these three important entitlement programs.

I do not see that sort of realism in the document the Democratic majority has provided to us through the Budget Committee. I hope we can amend it. Perhaps we will not in the next few days, but we are going to have to in order to be the trustees of the future, to be the responsible leaders that our voters demand and that the people who come after us would hope we could be.

I look forward to the process. I look forward, cheerfully and realistically, to making the case for our position that we could grow the government by just a little less and balance the budget within 10 years, and in so doing we can make a better life, a better future, a better ability for our people to earn a living and support their families.

Thank you very much. I look forward to the debate. At this point I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Texas.

**Mr. CORNYN.** Mr. President, I will be brief because I know we have other speakers on the floor.

This is all we need to know about the budget that was voted out of the Budget Committee, along party lines, with Democrats carrying the day: It would raise spending by about 60 percent, it would raise taxes by \$1.5 trillion, it would increase our national debt by \$7.3 trillion, and—this is the most important part—it would never ever, ever balance.

That is the exact opposite of what America needs to get our economy moving again and get a handle on our long-term finances. We have already reached a point where the Federal spending levels are unsustainable. We all know that. We have already reached a point where our national debt is exerting a drag on our economy.

I read the other day the President said there is no risk of an immediate debt crisis. We can debate that. But what we cannot debate is that our national debt is so big that it is dragging down economic growth, crushing job creation, and resulting in a loss of hope and certainly a loss of opportunity for 23 million Americans who are out of work or who are working part time and who want to get back to work and provide for their families.

We also know, according to the Bureau of Labor Statistics, that an unprecedented—or at least in the last 30 years—number of Americans have just simply given up looking for work. They have been so discouraged that the labor participation rate is at a 32-year low.

When our colleagues across the aisle say all we need is just a little bit more revenue; in other words, more taxes, we have already seen taxes go up by more than \$1.6 trillion since President Obama became President.

Simply put, we cannot act as if the laws of fiscal gravity do not apply to the Congress or the Federal Government. That is why every single Senator on this side of the aisle has cosponsored a balanced budget amendment to the Constitution, which would require the Federal Government to live within its means and require a congressional supermajority to raise taxes or raise the debt ceiling.

I have heard colleagues across the aisle say: We can't pass a balanced budget amendment. That would tie Congress's hands.

That is the point. It would tie Congress's hands in spending money we do not have, running up these dangerous debts, and being a wet blanket on economic growth and job creation.

How do we know that government can live within its means? Virtually every State has some type of balanced budget requirement. Why should the rules in Washington be any different?

Some across the aisle argue—I think they actually believe this—that embracing fiscal discipline will jeopardize the safety net. In fact, the opposite is true. If we do not embrace sensible fiscal discipline, our safety net programs

will eventually collapse because we will not have the money to provide for the national security and we will not have the money to provide the safety net programs we all agree are necessary for the most vulnerable of our citizens.

As I have said before, if we reform some of these programs gradually—as the Senator from Mississippi was referring to, Medicare and Social Security—we could minimize the impact and protect our most vulnerable citizens. But if we do nothing to reform and preserve Social Security and Medicare and we experience a Greek- or Spanish-style debt crisis, these programs will be slashed abruptly. The very people our colleagues say they want to protect the most will be hurt the most because the cuts will be much harsher and they will be disproportionately impacted.

One last point. By reducing the growth of Federal spending—and that is all we are talking about doing; we are not talking about cuts in the sense that anybody else in America talks about cuts; we are talking about just reducing the rate of increase in Federal spending ever so slightly—but by reducing the growth of Federal spending, we would prevent the need for tax hikes in the future. Indeed, that is what I hear from so many people in the private sector. When we ask them: Why are you sitting on the sidelines with cash in the bank, and why aren't you investing in either new physical structure or jobs, they say: Because the debt is so high and Congress has shown a lack of willingness to deal with it, all we can do is expect that taxes are going to be a whole lot higher and greater burdens placed on job creators, and so we think the more prudent thing is to sit on it and not invest it in new job creation.

But new tax hikes would increase long-term economic uncertainty, and they would discourage job creation. Conversely, if we work hard to keep taxes within reason and certainly not raise them any more than have already been raised, this would increase long-term economic certainty and encourage job creation. After all, investors and business owners and job creators are not stupid. They understand that without real spending restraint and real entitlement reform, we are ultimately headed for another massive tax increase.

Indeed, that is what this budget, voted out by our Democratic colleagues along party lines, promises: higher taxes and more spending. That is exactly what this economy does not need for us to get back on track, to create the jobs and to create the opportunities for people to provide for their families and live the American dream.

I yield the floor.  
**THE PRESIDING OFFICER.** The Senator from Washington State.

**Mrs. MURRAY.** The Senator from Michigan is here. I would like to ask

her how much time she would like me to yield to her.

Ms. STABENOW. I believe we have other colleagues coming as well. We were hoping to have 30 minutes and possibly more.

Mrs. MURRAY. I will yield to the Senator from Michigan and her colleagues 30 minutes. I am happy to yield more.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

Ms. STABENOW. I look forward to colleagues who will be joining me to express strong support for the budget that has been reported out of the Senate Budget Committee. I first want to thank our chair, who has done a yeoman's job in putting this together. She has had so many different assignments dealing with the budget and efforts to come to responsible reform and put our country back on the right track in order to bring down the deficit and grow the economy. One more time she has stepped up to the job. So I want to thank our chair for all of her efforts.

Let me start, first of all, by saying this is very simple when we look at what we are talking about in this budget. As I said also, I want to thank the ranking member for his courtesy throughout the budget process. While we have very different views, this was done in a very professional and courteous way on all sides. I really appreciate that.

But this is a very different view, both in what we debate and how we view this budget, which is a values document for the country, and the budget that is being debated in the House of Representatives. It comes down to something very simple. Our budget strengthens the middle class. We believe it is critically important that we grow the economy from the middle out. That means making sure folks who are struggling to stay in the middle class have a fair shot, people trying to get in the middle class have a fair shot, and that we grow the economy by understanding the economic engine of America comes from having a strong middle class.

On the other side, the Republican budget just plain simply protects the special interests, special interest deals in the Tax Code and other special interests in other kinds of policies. It is just very different and does not grow or support the middle class.

I also think it is very important that we not just talk in theory but talk about what has happened in the past and what has worked and what has not. We should do more of what works and less of what does not work. We need to start by looking at what happened as we came into 2001.

I was fortunate to be a new Member of the House of Representatives in 1997 when, under President Clinton, we all worked together and balanced the budget for the first time in 30 years.

I came to the Senate in 2001. We were debating the largest budget surplus projected in the history of the country. That is where we were. The question was, What kind of economic policies, what kinds of approaches will be put in place to be able to manage that fact, that we had the largest budget surplus projected in the history of the country?

There were two proposals put forward at that time. When you look at the way the debt was going from 2001, it is amazing. If we had only taken a different track than what happened. I remember as a new Member, a new Democrat, that our leader on our side of the aisle, Senator Conrad, came forward with a proposal that I believed was eminently reasonable. He said: Why do we not take that budget surplus and divide it into thirds: one-third of it for strategic tax cuts to grow the economy; one-third of it for strategic investments in education, science, R&D, moving the economy; and one-third to prefund the liabilities for Social Security for the next 75 years.

Imagine if we had done that. Instead, what happened was the surplus was put into a huge supply side tax cut, benefiting, as we know now, the wealthiest in the country, adding to a situation where the wealthy have gotten wealthier and wealthier in the last decade, the middle class has shrunk and shrunk, and more and more people are struggling today. So it was all put into a large tax cut, and then we proceeded to go into two wars that were not paid for, a Medicare prescription drug plan not paid for, and nothing else paid for for a decade. We ended up with the largest deficit in the history of the country. That is what this President walked into. That is what we have been faced with.

Now, when we look at where the debt has come from, and why it is important that we focus on the economy, we know the biggest piece of where the debt came from was the tax cut geared to the wealthiest Americans, which has been famously called trickle down economics. The folks in Michigan are still waiting for it to trickle down.

Then we saw the wars in Afghanistan and Iraq. We are so appreciative of the President leading us out of the war in Iraq. We are closing down the war in Afghanistan. So that piece is being addressed. We have addressed the tax cuts at the end of the year, to ask those at the top to do more of their fair share. So that is being addressed. We go on down to the Recovery Act, which was so important to be able to try to focus on the middle class and get things going again. We did have some success with this. Then the other piece, the 30 percent of what is happening right now is the economic downturn.

So as we go forward today, even though we have addressed the high-end tax cuts, the wars ending, we no longer see the rescue-and-recovery measures.

The economy is still 30 percent of our deficit. Frankly, we will never get out of debt with 12 million people out of work, which is why we, as Democrats, have made sure we are front and center focused on jobs and the economy in this budget.

We have to create opportunities for jobs for small businesses, for manufacturers, for the private sector, for entrepreneurs to be able to be successful so we have strong economic growth while we are putting forward a balanced budget. That is what we are attempting to do. That impacts what we do in this budget.

In fact, the efforts we put together—we know what happened when the President came in: 700,000 jobs a month being lost, the banks and financial markets in big trouble. We all know the story of what happened and what the President walked into on day one. But we have been focused on supporting an economic growth structure that would create jobs, create jobs. We are seeing that turnaround from the lost decade of jobs. We saw certainly in manufacturing huge job losses from 2001 on up to 2008. We know what happened with the automobile industry, which, by the way, because of our rescue efforts and support for them, is roaring back now and creating jobs. By the way, tremendous private sector investment is coming into the city of Detroit. The private sector is helping us turn that around. We are very proud of that. We are also seeing now jobs being created. As fast as we want? No. But we understand we have to focus on these numbers, which is creating jobs, if we are going to, in fact, get out of the deficit hole.

We have to reduce the deficit if our country is going to be more competitive, and we have to grow more jobs. We have to create opportunities for middle-class families. We know we need pro-growth policies such as the ones in our budget that focus on innovation, education, rebuilding America through infrastructure, whether it is our courts, whether it is our roads or rails or water and sewer projects or what we do on technology. To compete we have to build, and we have to focus on what will create jobs.

We are now at a spot where we know if we focus, as we are in our budget, on growing the economy from the middle out rather than the top down, based on what was done in the 1990s when we did that, when we balanced the budget in the right way by investing in the future, investing in education, investing in innovation, and then also making smart cuts to balance that out, we balanced the budget. We had 22 million jobs that were created.

That is what this budget does again. It is focused on those policies that worked, not just debate back and forth in theory, but policies that actually worked in the 1990s to balance the

budget, to grow the economy. We saw the policies being advocated by our friends on the other side. We did that already. We did that 2001 to 2008.

I do not know about anybody else, but I know people in Michigan do not want to relive that. That was not our idea of economic growth. It certainly did not balance the budget. It put us in the largest deficit in the history of the country.

So the budget in the House says: Boy, if you liked 2001 to 2008, you are going to love this. Two million jobs next year alone are lost in the Ryan Republican budget. And similar policies are being advocated by colleagues on the other side of the aisle.

Let me just take a moment; I see my colleague, Senator REED from Rhode Island, is here, who I know wants to be a part of this and is such an important voice. But let me just say a couple of things. We understand we need to make smart spending reductions in order to balance the budget. In fact, we have already started doing that. One of the things which is so frustrating to me is to hear colleagues talk about spending cuts without acknowledging what we have done for the last 2 years. So we already know we have put ourselves on a path for \$2.4 trillion in deficit reduction. And 70 percent of that has come out of services for the middle class, the most vulnerable. It has been cuts in spending for things that would actually grow the economy, innovation and research.

I am desperately concerned as chair of the Agriculture Committee because we have seen agricultural research decimated around issues of food safety and pest and disease management and other critical things, on invasive species, that we may not feel right away but are things that will affect our future. So we have already seen major cuts.

At the end of the year a small amount of money, 30 percent of the deficit reduction, was done. We have actually been asking those at the very top, who have the most benefits from the tax cuts, the most benefits from the efforts to rescue Wall Street, the most benefits in general, just to do a little bit more—30 percent of what we have already done. So what we have said is that going forward, the final amount we need to do, between the \$2.4 and \$4 trillion, we are insisting that be done in a balanced way and not one more time to come back on the middle class who have already had the brunt of the sacrifice, the brunt of the cuts. It is not fair.

So we have replaced across-the-board cuts. We have had colleagues in the last few days complaining about the sequester cuts. Please vote for this budget. It stops those across-the-board cuts and puts something in that is much more common sense.

Those across-the-board cuts would cut 750,000 jobs this year alone. When

you add what the Ryan Republican budget would do in the House, that is another 2 million jobs next year. It is a jobs killer.

What we are saying is replace it with a responsible, balanced approach. That is what we need to do, but it does it in a way that sets priorities.

The House says spending cuts again. This is predominantly education, innovation, construction. They also include eliminating Medicare. There is no way our majority will support this policy.

There is a whole range of things that hit the middle class, seniors, veterans, and vulnerable citizens. We say our cuts will be different. We are willing to make priorities and smart cuts on the direct spending side, but there is a whole range of things we can do in the special interest deals and Tax Code for the other half.

I totally reject the idea which has been put forward here so far today that our budget somehow raises taxes on the middle class. That is absolutely false. We have report after report after report which indicate by closing loopholes which are sending jobs overseas, cutting subsidies that aren't needed anymore, such as the top five wealthiest companies in the world, the top five oil companies—there are trillions of dollars in savings. Do this by cutting things that aren't necessary and are special deals in the Tax Code. We say half of the amount needed, yes, should come from there.

On the other side of the building, what we see is a very different picture. The Ryan Republican budget, when they look at their tax cuts, 55 percent of what we are doing in tax cuts goes to the top 1 percent. I feel this is Groundhog Day over and over. It is the same thing we have heard over and over. Give it to the top, it will trickle down. We did that. It did not trickle down. At least it didn't hit Michigan.

This budget does it over and over. Two-thirds of what they do in the House goes to the top 5 percent of taxpayers. What is left for middle-class families? We say something very different to grow the economy. We say we need in a global economy to out educate, out innovate, and out build. The President has said that over and over and our budget invests in those things that allow us to compete, grow the middle class, and create jobs while doing what we need to do to make smart, commonsense decisions on spending in the Federal Government.

Here is what I am worried about. Right now, when we look at U.S. investing in research and development, compared to what is happening around the world, the greatest country in the world, the United States of America, is down. We are losing ground on investments while everybody else races to be like America—everybody else. China wants to be like us and have a middle class. They are investing in innovation.

We see proposal after proposal after proposal to cut our ability to compete for the future. This is why the Senate budget prioritizes research and development by replacing the devastating across-the-board cuts with a balanced and responsible approach which preserves \$10 billion in R&D funding every year and for the future.

We continue support for medical research, one of the areas where we are the leader. We strengthen the National Institutes of Health. We have increased investments in renewable energy technology. There are so many opportunities for us. I am very proud today Michigan is No. 1 in new clean energy patents, and new ideas are coming. It is part of the economic engine which is bringing jobs back to Michigan.

Investing in our 21st century manufacturing sector is also here. Senator BALDWIN put forward a proposal on manufacturing hubs which I strongly support. Other colleagues, Senator COONS and others, have supported the manufacturing extension partnership to help small manufacturers as well.

We are also investing in exports and opening markets abroad. We know when American companies are able to increase their exports by \$1 billion, they create 5,000 new jobs.

In infrastructure, we need roads and bridges. The chair of our committee is a strong advocate for ports as well in the global economy, being able to export and import. That investment in rebuilding America is in this budget. The American Society of Civil Engineers just released their report card, and they gave America a D-plus. We are not going to out compete the world with a D-plus on infrastructure.

This budget makes historic investments in our workforce. We know from hearing from CEOs that workforce development education is absolutely key to our future.

Before asking my colleague from Rhode Island to join in this discussion as well on jobs—I speak as the chair of the Agriculture Committee—I thank the chair for including in our efforts creating a 5-year farm bill, which not only participates in deficit reduction of \$23 billion but is twice what we would be required to do under sequestration.

The farm bill is a jobs bill. I don't know of any other bill that has an impact on 16 million jobs in this country. The farm bill does. It supports agriculture and rural America. The farm bill is a part of this effort.

My colleague from Rhode Island is deeply involved in efforts to create jobs, balance the budget, and reduce the deficit. I ask unanimous consent I be permitted to join in a colloquy with Senator REED at this point. He has been a champion in job creation, and I am very grateful he came tonight to join us.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. I want to thank the Senator from Michigan for allowing me to participate in this colloquy. I also commend her for a thoughtful, insightful, and extremely compelling argument about creating jobs as a way not only to give people a chance to rise in the middle class but also to accomplish our other objective, which is ultimately to reduce the deficit.

As the Senator pointed out, when I was here with her in the late 1990s, we reached the point where we had a projected surplus of perhaps \$5 trillion over 10 years. She has catalogued the way in which that surplus has been eroded. What we need to do is focus, as she suggests, on the urgent need to create jobs and ensure our Nation's budget makes investments in growing and strengthening the middle class. We are all here as beneficiaries of the programs and policies of the 1950s, 1960s, and 1970s, which consciously built the middle class and invested in us. Our parents invested in us. We need to do the same thing. She is absolutely correct, the investments we are proposing in this Democratic budget will be critical not only to individual success but to our success as an economy, and as a global competitor. I thank her for her words.

I am here to join her to address this pressing need to create jobs, to strengthen the economic recovery, and to underscore the vast differences between the proposal we are making, and the budget proposed by the House of Representatives, by our Republican colleagues.

Let me state what is a very disturbing figure. There are 12 million unemployed Americans, with 4.8 million of these individuals unemployed for more than 6 months. We are seeing unprecedented levels of long-term unemployment. Americans are struggling to stay in their homes, put their children through school and put food on their table.

In my State we are unfortunately among the top States in a category no one wants to be leading, and that is unemployment. The harsh reality of what we are facing in Rhode Island was brought home with a stunning article in last Sunday's Washington Post. It noted some 180,000 Rhode Islanders, over 15 percent of our population, receive SNAP benefits, supplemental nutrition assistance program benefits. Some are receiving SNAP because they don't have jobs, although they have looked from month to month to month. Some have jobs, but the pay is so little they qualify under the income limits of the SNAP program.

I want to particularly thank the Senator from Michigan for her valiant efforts to increase SNAP funding. Literally we are talking about putting food on people's tables. Fifteen percent of my State of Rhode Island depends on food support to have a healthy diet for

them and particularly for their children.

When we talk about what we want to do with the budget, it is about getting people back to work. That is what they want. They don't want a SNAP benefit. They want good jobs. They want the same opportunities, from which we benefited, which helped build a strong middle class. What is their greatest fear? Not just falling out of the middle class, but that their children won't even have a remote chance of middle-class income or a middle-class lifestyle, those opportunities which we in our day took almost for granted. We must turn things around.

As the Senator pointed out, the Republican policy is focused on cutting taxes for the very wealthy. This policy has been demonstrated over the last decade to not produce good-paying jobs for middle-income Americans. However, it does produce very substantial benefits for the wealthiest of Americans.

That is not the way to grow a country. That is not what many people today and through our history have sacrificed their lives for. They are not out there serving in Afghanistan and other places so those who have much could have more. It is so those who have very little would have a chance, at least a chance. This is what we are talking about behind all the numbers. We are talking about investing in America. We need to make that investment.

The other side of the aisle indulges in what I believe is a fallacy: The only way of fixing the economy is cutting the deficit. But, instead of focusing exclusively on deficit reduction in the near term, we need to pass legislation which will put people back to work, give them a job, give them hope, and give them an opportunity, give them a sense they can make their lives and their children's lives much better.

The Democrats have proposed a series of initiatives over the last several years to do just that, such as tax incentives for small business to hire people, repairing schools, roads, bridges, or tax breaks for low- and middle-income Americans so they may have a little bit more in their paychecks. We have tried to pass these measures but have been frustrated consistently, even though we have the majority, because of filibusters and procedural delays. The American people understand that we need to create jobs. They want us to act. They want us to act to their benefit, not for the very few but for the majority of Americans.

The other approach Republicans espouse is hand-in-hand with this notion of tax cuts for the wealthiest Americans is that austerity through spending cuts can grow the economy. That you can cut programs, cut everything, and that will grow the economy.

That is not reality. What we see and what history suggests, when you are cutting during an economic recovery, you are basically counteracting the re-

covery. You are contracting economic expansion. You are not adding to the momentum of growth, you are subtracting from the growth.

If you want a current example, look across the ocean to Europe and Great Britain. They embarked upon an austerity program several years ago. Most commentators suggest they are in worse shape today than they were 3 or 4 years ago when they started this austerity program. This is the result of cutting, cutting, cutting. If we proceed down that pathway, we will be in worse shape several years from now than we are today. We can be in better shape by investing in our future and by creating jobs.

Another aspect of this too is it is not only the question of filibustering our proposals to create jobs—but that we know in August 2011 there was a real threat to undermine the full faith and credit of the United States, to refuse for the first time in modern history to increase the debt ceiling, to pay the debts which we owed. And the majority of those debts, at least the much of the recent ones, resulted from the previous administration. And so the debt ceiling crisis triggered the whole process which has led us today to sequestration. Now Americans will have to suffer through sequestration. The Congressional Budget Office has already said if we don't reverse sequestration, we will lose 750,000 jobs. Those are the jobs middle-income Americans are expecting and hoping for. We are losing about .6 percent of growth. We will be headed where our friends across the ocean are headed, not expanding but contracting; not increasing employment but decreasing employment. We are worse off because of these austere policies, not better off.

What the Democratic budget does—and my colleague from Michigan has outlined it very well and with great articulation, that the way you should deal with these issues is through a balanced approach—a balance of revenue and spending cuts which will not harm our economy. That is what we did in 1993 and 1994 when I was a Member of the House of Representatives. President Clinton came to us and said: Here it is, we are going to cut spending and we are going to raise revenue. And we passed it by one vote in the House, one vote in the Senate—not one Republican vote, but still by one vote here and one vote in the House of Representatives. That set the stage for the later efforts that finally led not only to a balanced budget but to a surplus, and that is the approach we have to adopt today. It's an approach that works.

The Republican budget calls for a total of \$4.6 trillion in cuts and would leave the sequester in place. So it would compound the damage of the sequester. The Republican budget has also been estimated to provide millionaires an average tax cut of \$400,000.

Once again, the big winners in this proposal are the wealthiest Americans, not those who are struggling to put food on the table, to get a job, to see their children have a better future. And, again, the Republican budget refuses to responsibly address the \$1 trillion sequester. They provide nearly \$6 trillion in tax cuts that, again, overwhelmingly benefit the wealthiest Americans, but don't address the \$1 trillion sequester. So essentially their budget is compounding the difficulties we have in growing this economy and creating jobs.

Ms. STABENOW. I wonder if my colleague would allow me to ask a question.

Mr. REED. I will be happy to yield.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Did I hear correctly that the Republican budget would give an average of \$400,000 in additional tax cuts?

Mr. REED. Those are the estimates I have received, and I believe they are reliable. Many commentators have looked at the budget and concluded that this represents a remarkable reduction in taxes for the wealthiest Americans.

And once again, it shouldn't come as a surprise because, as we recall—and I was here in 2001, when I voted against the Bush tax cuts—the mantra back then was that they are the job creators; just cut those taxes and those jobs will grow. But we saw during the Bush administration one of the poorest private job creation records of any President since World War II. And here Republicans are repeating the same line, as they say, *deja vu* all over again: Cut the taxes, and magically the jobs will grow. But, you grow jobs by having a balanced approach and through investment in human capital and physical capital, such as roads and bridges, and also by having the revenue to be responsible so you pay your way.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I thank my colleague, the distinguished Senator from Rhode Island. When I think of him, I think of his advocacy for our men and women who make up our troops—and I know our budget chair as well—and his strong leadership on veterans issues.

I think about \$400,000 being an average tax cut for a multimillionaire under this budget versus what will happen to our veterans or folks coming home from the war and now trying to get a job, trying to do what they need to do to get back into the community and society and so on, and I wonder—the Senator has been such a leader on this and, of course, has experience with his own distinguished career in the military—if he might speak about those issues, his own experience with people coming home. Are they getting the \$400,000 tax cut?

Mr. REED. Well, no. In fact, there was a front page story today, I believe, in one of the major newspapers declaring the fact that they are home from the battlefield and are now in the unemployment line. So we are seeing a remarkable number of veterans who are unemployed. And these are men and women in their twenties. They certainly want to work. They worked very hard defending this country, yet now they are coming home and have significant levels of unemployment.

That is one of the real problems, as well as our need and our obligation to support veterans health care, particularly mental health care, to support the Veterans' Administration.

The irony, of course, is that we are seeing even higher levels of unemployment, in some cases, among young veterans than we are in the population at large. That is particularly bitter and ironic for those people who have served and sacrificed and are continuing to serve and sacrifice.

The PRESIDING OFFICER. The Senator from Michigan should be aware that her time has expired.

Ms. STABENOW. Might I ask through the Chair if we could have a few more moments.

Mrs. MURRAY. I am happy to yield more time, and I really appreciate both Senators talking about one of the really important aspects of our budget; that is, how critical it is to invest in jobs and the economy, which the American public knows and understands are the biggest challenges facing all of us today. And you don't do that with the promise of just tax cuts for the wealthy.

We know trickle-down doesn't work. We all saw what happened from 2001 to 2008 when we gave away the tax cuts. Here we are today, now having to deal with the deficit. We all remember what happened during the Clinton administration when we had a balanced package that had both investments and responsible revenue and what happened in that decade when our economy rebounded and we got to a surplus and people felt strong again.

So that is what our budget is based upon, and I would be happy to yield additional time to both Senators to talk about this critical aspect of our budget.

The PRESIDING OFFICER. The Senators from Michigan and Rhode Island are recognized.

Mr. REED. Senator.

Ms. STABENOW. I would simply, first of all, again thank our chair, who understands and gets this, not only about how to grow the economy and the middle class and in a commonsense way to balance the budget, but she has been such a leader on veterans issues and reminds us every day about those coming home and what they need, as does Senator REED as well, with his own service as well as his efforts with regard to our veterans.

I would be happy to defer to Senator REED, if he has additional comments. I didn't mean to interrupt him before. If he has additional comments to make, I would certainly allow for that, and then I would be happy to wrap up at some point.

Mr. REED. I would like to reemphasize the point the Senator from Michigan has made and Senator MURRAY has made, which is that we have been down this road before. We can't simply cut taxes for the wealthiest Americans to magically create jobs. What it produced in reality was a huge deficit, along with two unfunded wars. But that seems to be the message again from the other side—let's just cut taxes and then, of course, cut spending too. That is not the balanced approach we need in the Nation. That is not the balanced approach that in the 1990s, as my colleague pointed out, got us to a surplus, got us to a sense that we were really moving forward and that the middle class had a chance, that their children would have a better life. And that is what we have to do again.

When I look at my State of Rhode Island, I can cite a myriad of examples of the harm that would be caused by the Republican budget. The budget they are proposing, which leaves the sequester in place would result in about a \$4.5 million cut in Federal support for our public schools. I can tell you that every city and town in Rhode Island is struggling just to keep the lights on. If they lose \$4.5 million of Federal aid, that is going to make it even harder. And do you know what happens? Well, guess what happens to property taxes. They go up. And not just Rhode Island, all across the country because one of the ironies here is that every mayor understands that ultimately they have to balance their budgets, and so they will raise taxes and they will cut spending. But they will do it, hopefully, in a balanced way, similar to what we are espousing in our approach to the budget.

Now, we also have a situation where, if we look at the Republican budget, there are all sorts of abstract cuts—nondiscretionary domestic spending, et cetera—that translates into real harm, and that affects real lives. For example, there is an estimated \$3.3 trillion in cuts to programs that benefit low- and middle-income Americans. Of that \$3.3 trillion, \$2.6 trillion are cuts to Medicaid and subsidies that help modest-income American families across the country to get health insurance. As I mentioned before, there is a projection—and the Senator is an authorizer for this program—of \$135 billion being taken out of the SNAP program.

Again, let me go back to last Sunday's Washington Post story. Fifteen percent of the people in Rhode Island depend on this to help them get just adequate nutrition including children—and we are going to cut \$135 billion out

of this? And on the other side of the spectrum, we are giving a \$400,000 tax cut or more to the wealthiest Americans? That is not fair, and it is not good economics. We can't have a generation of children who have been deprived of good nutrition, who have been deprived of good housing; if we do, we are not going to have the productive workers who will lead this Nation forward in this century and beyond. These spending cuts and tax breaks for the wealthiest Americans just do not make any sense. It doesn't balance the books, and it doesn't keep our obligation to the majority of Americans to give them a fighting chance.

Our budget, in contrast, has \$100 billion in projects to put Americans to work and repair the worst of our crumbling bridges and roads. There is not one of our colleagues who can't find some 20 or even more bridges in their State that require repair right away, and that would put hundreds of people to work productively and would increase the economic efficiency of our Nation.

Let me give an example. We had a major portion of I-95, the north-south road in Rhode Island—north-south right past Providence-Pawtucket, RI, for several years being rebuilt. The good news is that it is being rebuilt, but before we could rebuild, we had to divert truck traffic, which meant they couldn't efficiently deliver their loads. We had to station State police 24 hours a day to prevent the trucks from going there. So we had to engage all those individual law enforcement officers because the bridge couldn't support basic travel. We are now close to completing the whole project so we should no longer have to have State troopers out there 24 hours a day, and truckers no longer have to take a 20-mile detour to deliver their loads. When we talk about infrastructure, we are talking about economic efficiency as well as putting people to work. The Democratic budget does this.

I think we have also made very difficult choices—tough choices—in making sure that we are paying our way, that we are paying down the deficit and doing it in a way that doesn't cost us the recovery and creating the jobs we need right away.

I commend Chairman MURRAY because she has done a remarkable job of shepherding this bill through, of balancing so many complicated issues and making sure we have kept faith with the Americans who sent us here. They just want a chance. They just want to be able to think that their child is going to have a better life than they have had. I think this budget goes much further than our colleagues' to give them that chance, to give them that hope, and to give them that opportunity.

With that, I yield back to the Senator from Michigan.

Ms. STABENOW. I thank the Senator from Rhode Island again for his comments, his leadership, his advocacy for our military men and women and our veterans, and for the economy, for people who need help. As he said, there are a lot of people on the edge right now trying to just hold on, to stay in the middle class, or trying to get in the middle class, and our budget is for them. It is about growing the economy from the middle out.

What makes us different from other countries around the world is that we don't have just a few very rich people and a lot of poor people. We have had a robust middle class. People in Michigan feel that eroding every day, so we need to be laser-focused on making sure we keep that strong middle class that not only grows the economy but creates opportunity for young people to grow up and go to college, to dream big dreams and know that in America they can succeed and be whatever they want to be, that they have a shot. That is the American dream, and that is what we are fighting for.

Our budget, bottom line, strengthens the middle class. It creates opportunities for people to work hard no matter where they live, what their background is, so they have a shot at making it. We believe that to our core.

The Republican budget is represented by the House budget, and the proposals here on the floor on the Republican side are geared to the wealthy and the well-connected, the special interests of this country, to keep their special deals going. Let's try trickle-down economics one more time. It didn't work from 2001 to 2008. We lost 5 million manufacturing jobs. But, hey, why not try it again? Well, we say no, let's use something that has worked.

So let me in conclusion say again that the Republican tax cuts represented by the Ryan budget—55 percent of the benefit goes to the top 1 percent. As my friend the Senator from Rhode Island indicated, those at the very, very top are getting \$400,000 in a tax cut, and \$400,000 is more than the vast majority of Americans and certainly the vast majority of people in Michigan make in a year. Can we afford to do that? Is that the right priority?

I find it so interesting that we had a colleague speaking passionately for the past couple of days now about his concern about closing airports in rural areas. I have those concerns about closing rural airports. Well, our budget doesn't do that. Our budget invests in infrastructure and keeps those open, as opposed to the across-the-board cuts that have been objected to by the Senators trying to make changes in the budget this year and the Ryan Republican budget in the House.

We believe strongly that we should build a budget in the future on what has worked in America, and what has

worked is strengthening America with investments so we can out-educate, out-innovate and out-build to win in a global economy. That is what this is about.

Our businesses tell us they are concerned about getting the right workers for the right jobs. It is a major issue right now. That is something we have a responsibility to be a part of.

The Democratic budget invests in education, invests in innovation, and invests in building for the future. I worry every day about this kind of a chart that shows that the United States of America—not a third world country—is investing less in research and development than competitors around the world. It makes no sense. The innovations are here. The smart scientists are here. The cutting-edge technology is here. And we need to keep it here. Our budget places a huge value on it.

Then, finally, it is all about jobs and making sure when we figure out and when we look at how to balance a budget, that we understand we will never balance a budget with more than 12 million people out of work. We have to focus on jobs and growing the economy. We have to.

Thirty percent of our deficit right now as we look at this going forward is in the slow economic recovery. We know it was bad prior to 2009 when President Obama was elected. It has gotten better, but it is not where it needs to be. And it won't be where it needs to be unless we invest in innovation, in education, and rebuilding America's infrastructure. That is what we do. This budget makes sense. This budget is for middle-class families all across America.

I urge my colleagues to support it. The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the opportunity to be with our colleague, Senator STABENOW, who serves on the Budget Committee.

Just briefly, and then I would yield to Senator ROBERTS, President Obama, on March 13 of this year, said:

And so—you know, my goal is not to chase a balanced budget for the sake of balance.

Now, my colleagues—and we have been counting—so far have used the word “balanced” at least 14, maybe 15 times already. They use the word “balance,” but their budget comes nowhere close to balancing. It never balances. It has no potential to balance. It is focused on spending and more taxes, not balancing the budget.

Senator REID said: We want to pay down the debt. There is no plan whatsoever to get our deficit to zero so we can begin to pay down debt.

I believe Senator STABENOW used the phrase, “a commonsense way to balance a budget.” There is no plan to balance the budget. Let's be honest. Those words can be said repeatedly, over and

over, but I really can't hear them. What I hear is the budget document itself, and it says: I am not balanced, I will never balance, and that is a fact.

It is great to have Senator ROBERTS of Kansas here, and I yield to Senator ROBERTS.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my distinguished colleague, the ranking member of the Budget Committee, the fully declared champion of fiscal responsibility, defender of hard-pressed taxpayers all across the country, doing a splendid job here as a Senator who actually asked to be on the Budget Committee to try to meet these challenges, and I credit him for his leadership and example.

I rise today to speak on my Democratic colleagues' proposed budget resolution upon which they have just been waxing poetic before the Senate. I have mixed feelings about this budget. I have mixed feelings even being here on the Senate floor in that I am bereft of charts. What on Earth am I going to do making comments about this budget without the appropriate charts? Everybody has charts. Look at these stands around here.

My colleagues across the aisle—who have now left the Chamber since I began speaking—have displayed charts. I wonder if the Parliamentarian could inform this speaker if we could turn off the lights and I have a PowerPoint and a laser pointer?

I will not ask that.

But I don't have a chart. I just have some remarks that I would like to put together about the challenge we all face. I am pleased, everybody is pleased, finally, that the Senate has again, finally, taken up its constitutional responsibility to consider a budget in regular order—or at least some framework of regular order. However, I have the temerity to suggest that after 4 years, this budget resolution does not cut the spending muster and, from a constitutional responsibility, I fear it has indeed been very irresponsible.

At the same time, I look at this budget and I ask: Is this all we waited for these past 4 years? In the words of the famous song, "Is That All There Is?" Or better put, is this more than all there is? And it certainly is more.

There is an old saying that if you want to be remembered by your children, leave a lot of debt. Well, if this budget is passed and it sticks, then there are going to be a whole lot of people who vote yes who will certainly be remembered.

The solution was, indeed, to return to regular order, return to the regular process: Examine the President's budget, pass a budget resolution, and provide clear directives to the authorizing and appropriations committees to develop legislation to reflect the tough

decisions made in the budget. A lot of words. None of it is very easy, but that is called regular order. That is what we should have been doing the last 4 years. We have not been doing that. We haven't been doing that at all.

Everybody knows the process around here. What happens is we have a major bill to do, we have our obligations to do, we have our constitutional responsibilities to do. We try that. We ask for amendments; we don't get amendments. We file cloture, they don't get 60 votes, and the bill fails. Or we have a continuing resolution, some giant body of legislation that is the worst way to do business—or a sequester, the same kind of thing. And people back home scratch their heads. People on that side of the aisle perhaps have an issue—not a bill, but they might have an issue. Then the blame game starts. I think the American people are tired of it.

None of it is easy. I understand that. But it works much better, much better than lurching from crisis to crisis as we have done and experienced in the last 4 years.

So I am pleased that we are slowly returning to some aspects of regular order, but I remain deeply concerned about the daunting fiscal challenges we face and the fact that we are not answering these challenges. The Federal balance sheet is now truly frightening.

Today, almost 1,500 days since we last considered a budget resolution on this Senate floor, we are fast approaching \$17 trillion in debt—and beyond. It is climbing. Our per-person share of that debt is now more than \$53,000. This is why I am so frustrated, and many of our colleagues are frustrated and disappointed by the budget resolution we are about to consider.

Yes, again, we have brought this resolution through regular order. I appreciate that. But the recommendations fail. They fail to begin to meaningfully address the key fiscal issues that we are all generally agreed are sustainable.

I don't have a chart, but I think people can understand this. The numbers are startling.

Since 2009 we have added nearly \$6 trillion to the national debt. Under the proposed budget resolution, despite a massive new tax hike proposal, new debt will rise—since I don't have a chart, just sort of imagine it here—\$7 trillion over 10 years. I hasten to add, that is on a projection by the Congressional Budget Office, and I think it is probably low.

Spending will increase another \$645 billion above the projected growth over 10 years, including \$162 billion in the next year alone.

The deficit will increase in the next fiscal year by \$95 billion above current forecasts.

I could have a chart with a big zero on it. It is not a soft drink. This is

something pretty serious. Zero. That is right, zero—zero real deficit reduction through spending reductions. It would never and doesn't pretend to try to balance the budget—precisely what the Senator from Alabama has been pointing out. In my view, this resolution would further damage our fiscal condition over the long haul, exactly what we don't want to do.

We do not want to kick the can down the road any further. We can't do it. We have reached that point of no return. And here is the kicker for me. The budget resolution includes a proposed \$1.5 trillion in new taxes. That is on top of the \$600 billion tax hike that was just enacted in January. This would include a \$923 billion reconciliation instruction to the Finance Committee. I am a member of that very prestigious committee. I look forward to trying to achieve tax reform, but I worry about a \$923 billion reconciliation despite the negative impact this would have on critically needed progrowth tax reform.

The budget also includes about \$500 billion in unspecified loophole closers to increase spending on infrastructure and to replace the current sequester.

Loopholes. Loophole closures. Boy, is that in the eyes of the beholder. I am concerned about it. No doubt the Gatling gun kind of criticisms we heard in the past campaign, singling out tax reform targets—and I always want to add, you always want to worry about what lurks under the banner of reform of whatever banner someone is waving.

Time after time I heard the President talk about fat cat corporate jets. Boy, am I tired of hearing about that. That is business aviation. That is 1 million jobs. That is a great number of aircraft that is adding to our exports. The President has said: Let's double our exports, and still we hear this pejorative of fat cat corporate jets. Also, oil and gas subsidies, two major industries of Kansas, even those are critical, successful industries with all the hallmarks we should want in an industry—good, high-tech paying jobs.

Sure I am for tax reform, and sure I want to reach the specified numbers that we could all agree on—if we could all agree on a specified number. But policy counts, and you don't want to do anything terribly counterproductive. The call for a gigantic tax hike to pay for more spending is misguided and will harm our chances for tax reform. It will do little to place our budget on any sustainable path. Not only that, this budget is a job killer.

The Tax Foundation analysis I just read today indicates the legislation in its current form will result in the loss of 800,000 jobs over 10 years. It is a job killer.

Why on Earth would we be considering a budget resolution that will result in the loss of 800,000 jobs? In Kansas, that hit would be about 10,000 jobs.



That is low. I have no doubt this number understates that problem.

We all know the time is long past for us to reform our overly complex, costly, anticompetitive tax system. That is a given. We know that. I might add that the Finance Committee, under the chairmanship of MAX BAUCUS and the ranking member's leadership, ORRIN HATCH—all of us on the Finance Committee have been meeting as Republicans and Democrats together. We can do this job. Give us 6 months to do it right. Give us a flashing light at the end of the room saying "Do No Harm," and we can get this done.

The current system is a drain on individual and business resources. It is one of the main causes of our sluggish economic growth.

We need to put in place a Tax Code for the 21st century, one that recognizes the nature of the international trade system in which we compete—and there is competition—and one that recognizes the changes to our domestic business environment. We also need to lower corporate rates so the United States no longer has the highest rate in the developed world.

It is critical that Congress encourage economic growth and private sector job creation by putting in place a tax system that is simpler and fairer to all taxpayers, a tax system that doesn't change every year or two, one that provides certainty. We need to provide certainty by establishing a permanent Tax Code that will allow families to plan for their future and give businesses the confidence to expand and create jobs.

Adopting a fair and simple tax system that lowers marginal rates, encourages economic growth, promotes our competitiveness, and eases compliance—read regulatory reform, read a Katrina of regulations that now affects virtually every business endeavor in the country, read all that—that is the most powerful step we can take to improve our economy.

While I support considering a budget through regular order—thank goodness we are finally achieving that—we are presented with a profoundly disappointing document, a budget that includes a massive job-killing tax increase, increases spending, raises the deficit and debt, and all but kills prospects for tax reform—just what the doctor did not order.

After 4 years of deliberate inaction, my colleagues and I had hoped for better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Kansas. He is an excellent member of the Finance Committee and he is experienced on these issues. I appreciate his insight. I would like to ask him a question.

He has noted this budget never ever balances. It doesn't come close to bal-

ancing. It has no intention of balancing. But we have been counting, I say to Senator ROBERTS, and our Democratic colleagues who have been promoting this budget have, I said earlier, about 14 times used the word "balanced." Actually, already tonight they have used the word "balanced" 23 times in reference to a budget that never balances and never intends to balance.

I wonder if you thought that might reflect a guilty conscience on the part of those promoting this budget?

I am glad you will not be arrested for that device on the floor.

But I think it is pretty sad that we have such a use of that word.

Mr. ROBERTS. Let me say, if I might, and I appreciate the question and I have talked to the Parliamentarian, when people inadvertently leave their cell phones on, but the call is from their wife, that is all right.

At any rate, balance? If I heard it once, I heard it at least 10 or 15 times since I have been here and the distinguished Senator from Alabama has been here. Balance—it never balances in regard to the goal of actually balance the budget. We are talking about balance. But we are actually talking about redistribution. We are talking about balance, but what we are actually talking about is a certain kind of class warfare. When we are talking about balance, we are talking about means testing. We are talking about somebody in Washington on this floor defining who is rich or who is not or who is just a little better off—maybe \$250,000, maybe \$200,000. Guess what. These taxes are going to hit the middle class, and they do not think it is balanced. I don't think it is balanced, and I think it is out of whack.

If you are going to get something in balance, you ought to take a look to see can we get the budget of the United States headed toward balance and not use "balance" as a synonym for the proposed goals of social reform or whatever it is that you would like to accomplish under the banner of tax reform.

We should use tax reform for taxes, not for any political purpose or favoring one particular segment of the industry over another or, for that matter, Medicaid, Medicare, Social Security, food stamps, et cetera. Everything has to be considered, but everything has to be considered under the auspices of when are we going to live within our means? When are we going to achieve spending reductions, quit overtaxing people, try to spur job growth? That budget resolution they are talking about on that side of the aisle—and I know they are very sincere, apparently, in their belief—doesn't feed the bulldog. It doesn't answer the problem.

I got a little excited about that, but I think I am due that in regard to all

the rhetoric we have heard from the other side. I appreciate the Senator's question.

Mr. SESSIONS. I thank the Senator. I note again the President said to George Stephanopoulos, live, on March 13, "And, so—you know, my goal is not to chase—a balanced budget just for the sake of balance."

I am also pleased the distinguished ranking member of the Finance Committee, senior, actually, member of the Budget Committee on the Republican side, Senator CHUCK GRASSLEY, who has been involved in these issues for many years and been a leader for many years, is with us.

I yield to Senator GRASSLEY of Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I say to Senator SESSIONS, the distinguished ranking member, I am going to try to show him and other Members of the Senate that the numbers that they think they can raise revenue from, to \$1 trillion, are not going to work. We can take different taxes and add them up and up and it will come out to \$1 trillion. But I am going to show him, based upon votes that have been taken on the other side of the aisle, that it is not politically possible for them to do it unless they are willing to vote differently than they have ever voted before because they have to take on some of the most popular tax credits that are in the Tax Code. That is what I am going to do in the few minutes the Senator has devoted to me.

MR. SESSIONS. I thank the Senator and ask him to take as much time as he chooses. But I note, as ranking member on the Finance Committee and having been on it and having dealt with these issues for many years, the Senator knows what the political situation is and he has the staff to help him ascertain the correct numbers. I think this will be an important bit of information to share with us, and I look forward to it.

Mr. GRASSLEY. Mr. President, over the 10 years that I was chairman or ranking member of the Finance Committee, I worked with several Budget Committee chairmen. They were Senator Domenici, Senator Nickles, Senator Gregg, Senator Conrad. We did not always agree on every issue, but by and large there was coordination between the Budget Committee and the Finance Committee. Basically, I had past chairmen, Republican or Democratic, come to me and say: Tell us what you can do or not do within the Finance Committee so we do not give you an impossible task when a budget resolution is adopted by the Senate. It worked very well because they respected the institutionalized knowledge within the staff of the Senate Finance Committee, both Republican and Democratic staffs, as well as the more important institutionalized information that comes



from the Joint Committee on Taxation.

As I said, we did not always agree on every issue, but by and large there was that coordination. Unfortunately, the coordination receded somewhat, starting somewhat in the year 2007. Since 2010, we fell into this 4-year pattern of not even having a budget debate in the Senate, even though the law requires that the Senate adopt a budget every year.

Finally, getting back to abiding by the law—coordination provided the means then between the budget and Finance Committee that allowed the Finance Committee to realistically address the demands of the tax, trade, health and welfare policies that were intended by a budget resolution. This usually happened in a bipartisan way, but this year is different. This budget resolution does not realistically address the needs or the capabilities of the Finance Committee. By capabilities, I don't mean it is not there to get it done and people are willing to do it, but the possibility of doing it is very remote based upon the unrealistic assumptions in this document.

Despite claims to the contrary, this budget is not balanced unless one believes balance is more of the same fiscal behavior of the last 4 years of the Senate Democratic leadership fiscal policy. That policy has resulted in higher taxes, higher spending, and yet higher debt. Where there is fiscal pressure, it is placed on the Finance Committee by this document now before the Senate. The Finance Committee is called upon to do all the heavy lifting.

The principal lift is in the heavy tax increases. The Finance Committee has reconciled under this document with an almost \$1 trillion tax increase. Reserve funds, in addition to that \$1 trillion, reserve funds anticipate another \$500 billion in tax hikes to pay for even more spending.

The task put on the Finance Committee is described as curtailing or eliminating what is called "spending through the Tax Code," and "loopholes." But if we look at the document, and particularly if we look at recent history, we will find a different story that says what they assume is not very realistic.

We will find tax increases. I wish to explain that. But first I will account for revenue raisers the majority party has specified and supported with votes in this Congress and the last one. What those votes show, unless there is a big change of heart on the other side of the aisle, is there is not going to be that revenue ever raised. So that makes the document on the other side, if it is not possible, blue smoke and great hope and good luck.

What this is going to tell us is that the unspecified and undefined tax increases the budget resolution is seeking, once we have the undefined tax in-

creases—I am going to then define that. I will define it by taking the universe of tax base broadeners and working through the list to explain to all the unreality. I will be able to show one of two conclusions. The first conclusion I can show, the math doesn't work and there are not sufficient revenue raisers to fill the revenue goal of my friends on the other side of the aisle or, No. 2, the budget resolution would need to go much further down the income scale and do what we just heard Senator ROBERTS say, start taxing middle-income taxpayers. But it is going to be hard to get them to admit that on the other side because all we have to do is tax the wealthy 1 percent and we can solve all our problems.

But we cannot only tax that 1 percent. We could confiscate—not tax but confiscate the income over \$200,000 and we are going to run the Government for just a very few months. But people tend to believe that. It is very difficult to preach the other side, how unrealistic it is, but that is a fact.

All of us should take a careful look at the claims of the Democratic leadership and see how the claims stack up to the cold, hard numbers that I will give you and the analysis by the tax-writing committee staff. So let's turn to those numbers. Over the 10-year budget window going out to the year 2023, the budget resolution demands revenue and related outlay savings of \$975 billion. There are two reserve funds, as I already said, that total up to about \$580 billion in tax increases if that is taxed. And around here, with the ability—the willingness—to spend what they want to spend, they wouldn't mind tapping it, but I think that is unrealistic as well.

I am going to show my colleagues this chart. The first chart is a water well. Here is the top of the well, and we can see it is a long well to the bottom, and there is a little bit of water in the bottom. But most of the well from this point to the top is dry right now, and that is what they have to fill by their budget resolution.

At the top of the well we will see this number, \$1.503 trillion, plus money to raise money for the reserve fund. That is what it takes to go from here to here to fill it.

If we want to put this another way, this budget puts the burden on the Finance Committee to come up with \$1.5 trillion in offsets over the next 10 years. This budget assumes the well of revenue raisers is full to the brim, but they are starting out at this point.

My colleagues know I am a farmer. I should say my son is a farmer; I am kind of like a hired man now. I think that gives me something to know about wells and the predictability of well water. We on the farm always hope we will get rain, and particularly now, as it is dry in the middle west. So now we get a decent level of water so

we can fill up the well to the top so we have plenty of reserve.

As a former chairman and ranking member of the Finance Committee, I think I can tell my colleagues something about revenue raisers. In the positions I held on the Finance Committee, I led efforts to identify and enact sensible revenue raisers aimed at closing the tax gap and shutting down tax shelters. And as a senior tax-writing committee member, I continued to look for ways to shut off the unintended tax benefits.

Given this experience, I know what is realistic when it comes to revenue raisers. From 2001 through 2006, Congress enacted over 100 offsets with a combined total of not necessarily a lot of money but still a lot of money compared to this stuff we are talking about here, but it still scored for \$1.7 billion over 1 year; over 5 years, \$51.5 billion; and over 10 years, \$157.9 billion. That is from about 100 offsets.

What other revenue raisers have been identified and scored? The President's last budget, the one we got in February of 2012—and they are supposed to be out every February and we are not going to get it until April 8 now; why I don't know—but the President's budget in 2012 contained a package of a lot of revenue that the Joint Committee on Taxation said would raise \$1.4 trillion over 10 years.

The majority party has largely left these revenue-raising proposals untouched over the last 4 years. So if we have a Democratic President of the United States suggesting \$1.4 trillion of revenue in his budget, as the suggestion from the White House, and the other side here in the Senate wants to raise a tremendous amount of revenue and they haven't touched it in the last 4 years, what makes us think they are going to touch it now? Is it realistic to think all of these taxes will be raised if even the Democratic President asks for it and his friends on the other side of the aisle—our friends as well—ignored it?

The majority party has, however, identified and specified and voted for tax hikes that amount to \$108.3 billion. That is \$108.3 billion of identified and scored revenue raisers. That is only about 7.8 percent of the amount that is needed to make this budget work. So we see how unrealistic this budget resolution is.

Based on these facts, what is the likelihood the Finance Committee will be able to come up with revenue raisers of this magnitude? In my view, from my 10 years as chairman and ranking member, that chance is not very high. If that is the case, then what will happen? The revenue side of the budget will be ignored, but the spending side will be followed. The net effect will be a massive tax increase, a bigger deficit, or both.

Now back to the chart. So the revenue-raising well is about 7.8 percent

full. We have heard a lot about tax expenditures. As I have said before, the people have been told there are trillions of dollars of spending through the Tax Code. I am going to look at the individual income tax expenditures because the administration and the Democratic leadership have said they want to leave the corporate tax expenditures for lowering rates.

Here is a little irony. The Congressional Budget Act defines refundable tax credits as spending. It makes all the sense in the world because the tax benefits go to individuals who don't pay income tax. These credits are actually paid out in the form of a check in excess of any income tax liability of that individual. However, we won't hear the majority advocate reducing, let alone eliminating, any of those refundable tax credits. In fact, the majority's budget would increase them further. They represent even more significant tax expenditures.

I have another chart here based on the nonpartisan Joint Committee on Taxation data. Here are 10 tax expenditures. The chart shows the top 10 individual income tax expenditures from this year, 2013, through the year 2017. These top 10 expenditures represent 70 percent of the total individual tax expenditures.

No. 7 is the earned income tax credit. That is a refundable tax credit designed for low-income taxpayers.

No. 8 on the list—I won't bother to point to it—is the premium tax credit enacted by ObamaCare. By 2017, this credit will actually make its way into the top five. Like the earned income tax credit, the premium credit is fully refundable.

No. 9 on the chart is the child tax credit which is partially refundable.

For each of these credits, more than half of the value of the benefit is paid out in the form of a government check exceeding tax liabilities. That is direct spending through the Tax Code. Yet these credits are considered off limits by the majority.

So let's take a look at the tax expenditure No. 1. That is the tax-free treatment of employer-provided health care. Americans can look forward to \$1 trillion of health care-related taxes coming due over the next 10 years. All of this tax increase is thanks to 21 tax increases contained in ObamaCare. My guess is the majority doesn't want to take on that group.

So No. 2 is tax-deferred retirement savings plans. It is defined benefit plans and section 401(k)-type plans. To be sure, some higher income taxpayers benefit. Defined benefit plans tend to dominate in the unionized world. Section 401(k)-type plans are more common now. Some high-income taxpayers do, in fact, benefit because they are owners of a business and we want them to set up and maintain the plans. About 4 percent of this tax expenditure

goes to taxpayers at \$1 million or more of income.

No. 3 on the list is the preferential rate for capital gains and dividends. It is true that higher income taxpayers tend to have more capital gains. But a few months ago the rate rose 59 percent with the ObamaCare and fiscal cliff deal tax hikes kicking in. Do we want to choke off more savings and investment?

No. 4 is the deduction for State and local income and real property taxes. The New York Times editorial page is usually very in tune with the majority. An editorial on December 6, 2012, has a title that says it all: "Keep The State Tax Deduction." My guess is that with the heavy hit on heavily taxed blue State taxpayers, the majority will not want to visit that deduction.

No. 5 concerns the American dream of home ownership. It is the home mortgage interest deduction. It disproportionately goes to the middle-income taxpayer. Do we really want to tank the tepid housing recovery now underway?

So look at No. 6. It is the tax benefit from the Medicare benefits the Federal Government pays. We have heard a lot about the Medicare reforms contained in the Ryan budget from the majority. Does the majority want to cut the value of Medicare benefits by taxing them?

I have already discussed Nos. 7, 8, and 9 on the chart which are all refundable credits. They are the earned income tax credit, the premium tax credit, and the child tax credit. Significantly, the premium tax credit makes the list while only being in effect 4 out of the 5 years we have examined.

So how about the last one then, No. 10? It refers to the step-up in basis that occurs on death time transfers. Higher end taxpayers tend to pay the estate tax when they die. This policy ensures they don't pay a double tax on the transfer. Does the majority really want to reopen the estate tax debate that we all thought just ended on January 1?

If we were to expand on this list and look at the top 20 expenditures instead of just the top 10, we would account for 90 percent of the individual tax expenditures. They include such things as charitable deductions, tax incentives for college, and the exclusion of capital gains from the sale of a home. Does the majority want to raise taxes on the backs of college students or cause heartburn for middle-income homeowners when they sell their home?

Well, let's take a step back for a minute. Where does the budget take us? The terms of the budget documents tell us the majority Members say they want to eliminate or curtail spending through the Tax Code—\$1 trillion plus another \$500 billion if they decide how to spend it. Yet they themselves would vehemently oppose eliminating or reducing tax expenditures that are defined by our budget laws as spending.

I challenge the budget authors to tell me which tax benefits they want to curtail. Do they want to cut back the tax treatment of employer-provided health insurance? Do they want to cut back defined benefit plans or 401(k) plans? Do they want to increase capital gains and dividend rates even further than the 59 percent? Do they want to cut back on the State and local tax deduction? Do they want to cut back on the mortgage interest deduction? Do they want to tax Medicare benefits? Do they want to raise the tax level on death time transfers?

Well, I conclude: This budget represents a dramatic step backward for the American taxpayer. For the first time in 4 years, thank God, we are debating a budget. Yet it repeats the same fiscal pattern of the first term of this Presidency. It spends too much, it taxes too much, and it results in too much new debt.

As former chairman and ranking member—and I suppose this is the fourth or fifth time I have said this, so people get tired of me saying it—but in that former position, I am sorry to say the experience I have had is that this budget doesn't even attempt to match the demands of the Finance Committee with the numbers in this budget.

I hope deficit hawks on both sides of the aisle pay close attention. The only thing certain here is that new spending will occur.

The deficit impact of not realistically dealing with the tax, trade, and health policy spending priorities of the Finance Committee disguises the deficit built into this budget.

I have many other concerns about the budget proposed by the majority. Simply, today, I wanted to let the Senate know how the numbers on the revenue side do not work from the standpoint of the usual stands that people take on closing loopholes and not closing loopholes and based upon what is politically feasible out of the Finance Committee.

As we take up amendments, I am hopeful we can make the budget mesh with the Finance Committee's policy demands.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the distinguished ranking member of the Finance Committee. That was a very fine presentation. I believe he is absolutely accurate. It is easy to say we are going to close loopholes and we are going to raise a trillion dollars-plus from closing loopholes. But the Senator just showed, based on the votes of our Democratic colleagues, and others too that it is much harder to harvest money from legitimate tax deductions and credits than a lot of people think.

Would that be fair to say?

Mr. GRASSLEY. Absolutely. And based upon the experience we have had

of actually voting on those issues in the past—or the fact that I stated how the President put certain things in his budget of February 2012, and none of those ideas have ever been brought up by the majority party in the period of time they have been before them. So if their own President—when I say their own President, the President of their party—our President proposes that they raise revenue from those places, and they do not do it, it signals to me it is a pretty difficult job to do, and it is not going to be any easier this year than in past years.

Mr. SESSIONS. I thank Senator GRASSLEY so much for his insight on that.

We also have Senator ENZI here, who is a member of the Finance Committee, and is a senior member of the Budget Committee also. He understands these issues deeply.

I yield to Senator ENZI.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise today to share with the American public exactly what they are getting with the majority's budget for the coming year. I will be blunt. It is not good news. In fact, after 4 years of not bringing up a budget for consideration by the Senate, what the majority has offered is a severe disappointment. We have to grow the economy, not the government. But, unfortunately, the majority's budget focuses on growing the government—more taxing, more spending, more government.

During our last break, I had an opportunity to travel around Wyoming. I did about 2,000 miles, and I did a bunch of listening sessions. That is where I just take notes while people tell me what is on their mind. They are not going to be pleased with this budget. In fact, they think the best way to grow jobs is to cut government. And they were very adamant on making sure the sequester happened, which would be the first real cut in government we have had in forever. They recognize that what we usually call a cut is when an agency asks for a billion dollars, and they only get a half a billion dollars in new money. They call that a half billion dollar cut. It is not a cut, it is an increase of half a billion dollars. But around here that would be a cut. So we do not really do cuts. Sometimes we slow the growth of government, but we do not do cuts.

They actually want to see some action to cut, to balance the budget, and eventually to pay down the debt. They recognize that if interest rates go up, \$16 trillion is going to be tough to pay the interest on, let alone pay back any principal, let alone do any other function of government.

So this is a budget that looks out over the next 10 years. It provides for significant tax increases, upwards of \$1.5 trillion. But it also provides for

significant spending increases. It is not as though we are increasing the revenue so that we could decrease the deficit and eventually decrease the debt. It is so we can add to spending—\$162 billion next year alone. It provides for spending increases of 62 percent from today's budget levels.

Any savings are being claimed after the first year—after the first year. We never get to the second year, so the savings never make it—never pan out. It reminds me of a sign I saw on a restaurant. It said: Free drinks tomorrow. Of course, if you came in tomorrow, they said: No, no. Read the sign. It says: Free drinks tomorrow. That is the way we budget around here. We are always promising these things, but the real things do not happen.

Our problem is not that we tax too little but that we spend too much. A budget should serve as the blueprint to get the revenues and the spending aligned. Individuals have budgets. That is what they do. They see how much revenue they have coming in, and they see how much they can spend. They do not see how much they can spend and then see what the revenue is going to be. You cannot live in that kind of a world, but we do here.

Unfortunately, the majority's budget fails miserably in that respect. In fact, it does not balance the budget in any year over the next 10 years. The budget that was offered by the House Republicans, on the other hand, balances the budget in 2023. And, of course, the other side of the aisle talks about what a terrible budget that is. But they got it to balance. They have even introduced and passed budgets in the House for the last several years, and that takes a lot of courage when you know all that is going to happen over in this body is for it to get shot down by the majority. But those budgets have gotten some votes in favor of them.

The President has presented some budgets. The last 2 years, he has not gotten a single vote for his budget. I mean, he was not able to talk a single Democrat into voting for his budget—not one—let alone a Republican.

So the budget that was offered by the House Republicans balances in 2023. I have introduced a bill. It is called the Penny Plan. That cuts spending by 1 percent from every dollar for each of the next 3 years. If we could do that—true cuts—1 percent for each of the next 3 years, the budget would balance in 2016. I really think that is where we need to be—not 2023—2016. And, hopefully, we would not stop the cuts of 1 cent for every dollar. Families across America are having to cut more than that.

When I present this in Wyoming and other places, they say: Well, my wife just got laid off. We had to do a 20-percent cut, so why can't the Federal Government do a 1-penny-out-of-every-dollar cut? That would balance it by 2016.

If we kept it going a little more, we would actually be paying down the debt—not just reducing the deficit but paying down the debt.

Our Nation owes \$16 trillion, and no one is talking about reducing it. We have to get to balance—the sooner the better—and start paying down the debt. And do not get confused by the language the majority will use. They will say that their budget takes a “balanced approach.” But it does not balance. There is a big difference. “Balanced approach” to them means “fair” tax increases. I am not sure what that means, but that is what they mean by “balance.” And it is tax and spend, it is increasing deficits, and increasing debt as far as the eye can see. This is not the plan America needs to get its fiscal house in order. Next year alone, the majority wants to increase spending by nearly \$162 billion, and the deficit next year is anticipated to be \$152 billion above current projections. Over the next 10 years, deficits are expected to total \$5.2 trillion. If we adopt the majority's budget, that is \$5.2 trillion in addition to the \$16 trillion we already owe. That is not balancing the budget. That is not a balanced approach.

None of this spending is associated with any kind of reforms to the drivers of our out-of-control deficits and debt that will bankrupt—bankrupt—Social Security and Medicare. The majority's budget provides no path to save Social Security and Medicare. They are hoping the Republicans will do that and take all the flak that is involved for it. Well, if we do it soon enough, there is not as much flak as if we do it later.

It has been a shame that we have been years without a budget, and when the majority finally gets around to doing it they do not even address the biggest driver.

Earlier this evening, the majority leader commented that we can learn from the bipartisanship shown by Senators MIKULSKI and SHELBY on their work on the bill that will fund the government for the rest of the year. I think it was a massive opportunity and expenditure of effort that they did. But what I want to point out is that they had the opportunity to work things out together—together. That is bipartisan. That means sitting down together and figuring out what both sides think are the priorities, and seeing if there is not some way to put those into a single budget. I know it has not been done in years, but it is something I imagine America dreams about. I wish the majority would have provided that same opportunity in the Budget Committee. Maybe then the majority would have brought a bipartisan budget to the Senate floor. This does not have to be a shooting match. It can be a realization of a way to match spending with the revenues we have.

I was disheartened last week when I finally received the majority's budget

to see that it simply continues the mantra of “tax and spend.” We cannot tax the American people every time Congress screws up, every time we overspend. And there are a lot of ways we do overspend.

One of the favorite things around here is to propose a grand new idea, and since that grand new idea would have a huge pricetag on it, we reduce it by saying: We will just make it a demonstration project. We will just do it in five States to start with, with a very minimal budget, and that will prove the value of this project. And practically every one shows they are a valuable project.

Well, at that point the local governments or the States are supposed to take them over and sell it to the rest of the country so that everybody winds up with this tremendous project. That is not what happens. They come back the next year and they say: This worked phenomenally, so we need to expand it to all 50 States because everybody deserves a great program such as this.

Well, we increased it from 5 to 50, so we increased it tenfold, at least. And chances are pretty good that some of those projects are done in small States. So when you put them into big States, they are an even bigger blowup of the budget. That is the way we bust the budget around here—just one of many ways.

Rather than looking for waste and abuse and duplication in government spending—and we know there is some—the majority simply decided to ask the hard-working American public to send in more of their hard-earned dollars to Washington to pay for more spending. These tax increases the majority calls for will hit the middle class. They say it will not hit the middle class. But we did some of the rich, and I noticed, in the alternative minimum tax—that is a great phrase. That sounds like everybody ought to be paying tax, and that is kind of an American principle, but it is not something that happens around here. Over 50 percent of the people do not pay any tax now. But we had this alternative minimum tax so that the rich would pay more. Well, inflation changed it so that 34 million Americans are being hit by that in the middle class. Consequently, we changed it. That is what we do when we try and mess around with classes of people.

To my constituents back home in Wyoming and fellow citizens across the country, let me be clear: It is your money, not the government's money. That is what they were telling me as I traveled around Wyoming for 2,000 miles and did my listening sessions. They say it is our money. As legislators, we have to do a better job of taking care of the funds they provide us and ensuring that it is spent wisely.

The majority thinks it knows best how to spend the money the American people work hard to make. The budget

they have offered seeks more than \$1 trillion—let me repeat that: more than \$1 trillion—in new taxes over the next 10 years. And debt will still grow by \$7 trillion. That would be \$23 trillion. That is a lot to pay interest on. Take and figure that out, if you can, with all those zeros that are out there, how much money that amounts to—at some moderate rate, say, 5 percent, because that is what it is anticipated to grow to in that same amount of time. And I think it could go well higher than that. Because if the rest of the world that is loaning us 40 percent of our money decides we are not the best place to put that money, the interest rates will have to go up dramatically in order to encourage the kind of money to keep borrowing \$23 trillion—or \$16 trillion; that is, if we can balance the budget quickly. In fact, the majority wants to set up a fast-track legislative process to get \$975 billion from you as quickly as possible.

Now, we had the discussion earlier about taxes. We thought we had worked the tax problem for everybody and preserved people's taxes for 99 percent of the people. We thought there were going to be some spending cuts coming. Somebody sent me this little chart that I have to share.

This says “Republican” on it: OK. I will raise taxes if you promise to cut spending.

Well, Lucy says: It is a deal.

But we have been watching this cartoon for years and years. We know what happens. When we go to pick up the spending cuts, the football suddenly gets lifted out of the way and we end up on our back, the American public winds up on its back. Those are not the kinds of spending cuts we are looking for. We are looking for some real spending cuts, not just a decrease in the growth but some real spending cuts. There is a way to do those.

Wyoming has been faced with probably an 8-percent reduction in its income. How did they handle it? The Governor saw that coming, got a hold of every department and program and said: I need a plan from you for how you would cut 2 percent, how you would cut 4 percent, how you would cut 6 percent, and how you would cut 8 percent. When he got the four plans from every department, he took a look at them to see if they were cutting the worst first—you know, reducing the pain as much as possible. It worked that way. There was hardly a whimper and hardly anything noticeable to the customer; that is, the people who live in Wyoming. That is good management, not an e-mail that goes out that says: Make the cut as painful as possible. That is the sequester we are going through now. That should never happen in any kind of a managed business or a managed government. I guess that would be saying it is not a managed government.

When we took up the budget in committee last week, I offered an amendment to strike the language that provided for the fast-track tax increase process. My amendment was meant to ensure that the tax reform would be conducted in a bipartisan manner, to generate a more efficient, fairer, and simpler Tax Code and spur economic growth rather than raise revenues through legislation that can be passed with a simple majority here in the Senate.

A simple-majority vote would ensure that the minority party's views would receive little, if any, consideration. We would have no input. Debate time and the number of amendments that could be offered to improve the legislation would also be limited. We need to have an open process where all Members can have their voices heard. We simply need to stop dealmaking and start legislating.

We have had the system around here for a while where we work from contrived crises that have very specific dates at which the sky falls and the United States is demolished. Of course, that does generate a lot of publicity and all the media and everything leading up to that crunch. A group goes off and makes a deal. We find out about that deal in the last hour. Our choice at that point is take it or leave it. Well, if the sky is going to fall and America is going to be destroyed, what is the choice?

That is not the way to do it. We have to quit dealmaking and start legislating. The way you legislate is to have the chairman and the ranking member and other interested people on the committee who have a very specific interest in an issue sit down together and see if they cannot work out a basic package. It only has to be a basic package. It does not have to be a comprehensive package. This basic package would then go to committee. That is where the people can turn in amendments and improve it from their viewpoint.

The reason we have so many people in the Senate and in the House is so that we can see as many unintended consequences as possible. But if it does not go through committee, we have turned those people off. We have said: Your views do not count; your amendments do not count. Consequently, we do not end up with a good piece of legislation coming out of committee. If you get it out of committee in good shape, you can get it to the floor in good shape. If you get it to the floor in good shape, you can take additional amendments and improve it maybe more. That has been my experience with this. Yes, there have to be some tough votes with that. That is what we do. That is what we get paid for—legislating, voting.

We have spent the last week working on a continuing resolution. We got to

vote three times. There were only requests for 11 more votes. We did not get to vote on those until tonight. So they had it arranged in a very fast process. Some of the people did not actually get their say.

We have to stop dealmaking and start legislating, particularly on big and important issues such as tax reform. We have to get back to a regular process so all Members can give input and improve the legislation.

Senator Gregg and Senator WYDEN worked on income taxes for a long time. Then Senator COATS and Senator WYDEN worked on income taxes for a long time. Now I am working with Senator WYDEN and Senator COATS on income taxes. I think we can come up with something that will work. We can do both the individual and the corporate tax rates at the same time because they are very interrelated. We would not have that big of a tax code if it were not for all of the interrelationships. It is time that we made it simpler and fairer. It can be done, but it is not going to be done on a partisan basis in a very short period of time and get it right. So we have to get back to that regular process so all Members can give input and improve the legislation.

Unfortunately, my amendment was defeated. Every Member of the majority voted against it. But I will try here again on the Senate floor. Senator GRASSLEY, who was a former chairman of the Finance Committee, and I have come together. We will offer an amendment to get rid of the fast-track process and provide for progrowth, revenue-neutral tax reform for corporate, business, and individual taxes.

I have a few other amendments I plan on filing as well to improve this budget. One would provide for a phase-in or transition for any changes to the Tax Code so that people and businesses can plan accordingly and we do not inadvertently put companies out of business or add people to the unemployment rolls.

Another amendment would require that each Federal agency identify and prioritize its programs, its projects, its activities so that they can cut the worst first, as I mentioned in the Wyoming example. That way we get what is the least harmful and least painful. There would be spending reductions. We might even get into duplication between agencies.

Senator COBURN and I did a little study of the health, education, labor, and pension programs. We found there was \$9 billion—\$9 billion of duplication. You cannot get rid of all of that, but you ought to be able to get rid of half of it. Well, Senator COBURN got so enthused by it that he went and took a look at the rest of government. He found \$900 billion a year in duplication. Now, how is that possible? Well, my jurisdiction was rather limited, but what

I have jurisdiction over is duplicated in almost every way. Almost every department, agency, and program has something to do with financial literacy. Based on our budget process, I would say that is probably failing. Maybe we ought to get rid of all duplication.

I will also file an amendment that would provide for protecting and restoring monies in dedicated funds, such as the trust funds, so we will not steal money from other areas to make up for shortfalls, as the majority did with the abandoned mine land money for 10 years that was owed to Wyoming but instead was used to pay for a 2-year highway bill.

Finally, I will file an amendment reflecting the goals of the Marketplace Fairness Act so that we put all businesses, whether brick-and-mortar, online, or catalog, on a level playing field with respect to the collection of sales and use taxes.

The majority's budget would severely harm my home State of Wyoming. The more than \$1 trillion in tax increases would mean losses in personal income, household disposable income, and job opportunities. Over the next 10 years, the tax increases would cut personal income in Wyoming over \$4 billion. You have to remember, we are a small State. We finally got past the half-million mark in people. So \$4 billion is a lot. It would cut household disposable income on an average of \$26,000 per household. There would be an average of nearly 1,900 job losses. You have to remember, we only have half a million people. These tax increases clearly are not the recipe for fixing our ailing economy and certainly not the answer for the hard-working folks back home in Wyoming.

When you start with one party doing the drafting—and those who wrote the budget hold the majority on the Budget Committee—you can expect the bill to be one-sided. If you keep on doing what you have been doing, you can expect to get the same result. Unfortunately, I believe that is what we will see this week as we debate the budget on the Senate floor.

The majority kept us in the dark on the last budget until last Wednesday evening. We had to present our opening statements in the Budget Committee before we even saw the budget the majority would offer.

Now, I do have to say in the defense of the majority that is the way it has been for several years, both when the Republicans were in charge and when Democrats were in charge. That does not mean it is right. If you want a good budget, you have to share the information, and share it before people have to comment if you really want good comments.

Then we had to turn around and start voting on the amendments the next morning in the Budget Committee. We

were not part of that process. It was on a partisan line.

I was particularly disheartened by one amendment that failed on a party-line vote that was offered by Senator PORTMAN from Ohio. His amendment was simply asking the Congressional Budget Office to provide additional information with the cost estimates it provides on legislation affecting revenues. That is right—he was just asking for additional information. Every Member of the majority voted against it. How could a request for additional information be so partisan? We can and must do better for our constituents and our country.

Several weeks from now, we may see the President's budget proposal. Of course, he will be late to the game since the House and Senate will have already acted on the budget. That would be the first time in over 90 years that would be the case. By the way, his budget was due nearly 2 months ago. I anticipate it will include many of the same things we have here in the Senate majority's budget—more taxes, more spending, more government.

As we are learning all too well with the majority's drive to repeal the recent spending cuts called sequestration, taxes generally go on forever, but spending cuts seldom make it through the year. We were promised spending cuts, but the football is about to be jerked out. We have to grow the economy, not the government. Unfortunately, the majority's budget has it backward: It grows the government at the expense of the economy.

I look forward to the debate on this budget and filing amendments to improve it both for my constituents in Wyoming and my fellow citizens across the country. I know the debate around here has delayed the beginning of the budget process so that we are going to be under a crunch. Perhaps it will go into the weekend and give us an opportunity to do all of the amendments rather than just trying to fatigue us on Friday.

I yield the floor.

Mr. SESSIONS. I thank Senator ENZI. Senator ENZI is an accountant, a businessman. I do not believe any Member of this body has traveled his State more on the ground than he in the last number of years. As a matter of fact, I will say with certainty that is so. He travels constantly, talks to people all over the State.

I just have one question of the Senator. When you talk to people in Wyoming, real people in gas stations—

Mrs. MURRAY. Would the Senator yield for a second on a unanimous consent?

Mr. SESSIONS. I would be pleased to yield.

UNANIMOUS CONSENT AGREEMENT—H.R. 933

Mrs. MURRAY. I ask unanimous consent that the title amendment for H.R. 933 which is at the desk be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 176) was agreed to, as follows:

Amend the title to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes."

Mr. SESSIONS. So I guess the President here has said: Well, so you know my goal is not to chase a balanced budget just for the sake of balance. But when our colleagues talk about a balanced approach and they have a budget that does not actually balance—I guess what I am saying is that the Senator talks to his constituents more than any Senator here, I am sure. Does the Senator think they really believe we should have a balanced budget, revenue equaling outgo? I ask an accountant that question.

Mr. ENZI. The Wyoming people absolutely think there should be a balanced budget. They do not think it ought to take 10 years to get there. They know how they have to operate. These are just hard-working, ordinary people with big hearts and an interest in jobs and their families. They are not seeing jobs happening. They are not seeing the economy improving. They are seeing taxes rising and people just talking about raising taxes. That is not where they expect us to go. All of them can suggest someplace within their realm of work that there ought to be a change.

Most of them say the best way to improve the economy, the best way to do jobs is just to get the government out of our way. These are people sitting on a tractor, even working in government during the day, thinking of ways their job could be reinvented to maybe be a little bit better. That is how governments can improve. They come up with some commonsense suggestions. I haul it back here, but commonsense doesn't go very far around here. I will keep hauling it, continue talking to people and continue to see what their expectations are, and hopefully we can meet those expectations. It doesn't take an accountant to know we are overspending.

Mr. SESSIONS. The Senator mentioned—which it does seem to me we are doing here by this budget—if it were to pass, we don't have any plans to change what we are doing. The problem is that you haven't sent us enough money. As the Senator indicated, send us more money, and we will all be happy in Washington. That is not what my constituents are telling me they think we should do. What are yours saying?

Mr. ENZI. They are saying there should be quite a changeover back here until we have people who understand that you are not supposed to spend more than you take in. The answer is not charging them more in taxes every

time we can't meet that expectation. They already think there are enough programs out there. Sometimes I have to agree with them.

When I started as the chairman of the Health, Education, Labor, and Pensions—HELP—Committee, within my jurisdiction was preschool programs. There were 119 preschool programs. We spent more on preschool than we did on K–12. Senator Kennedy and I were able to get those down to 69 programs. People wonder why we can't get it below 69 programs. Most of them aren't handled by the departments we work with. They are handled by Agriculture, Commerce, and other agencies. We don't get to dabble in those. There are ways we can eliminate duplication and save a little money, but we are not looking for that.

Mr. SESSIONS. Here is the GAO report I think the Senator referred to, the 2012 annual report: "Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue." I think my constituents would say this is exactly what you should do. Do yours?

Mr. ENZI. Absolutely. It looks like a tremendous manual. We have a thing called the Government Performance and Results Act, which is where every agency is supposed to list what they do and how we will know they completed it. At the end of the year, they are supposed to evaluate themselves to see if they did what they said they were going to do. Most of them don't report, and those that usually do fail, and that is a lot of what is in that report. The agency is saying: No, we didn't do what we are supposed to do.

Mr. SESSIONS. It is. It lists here on page 51 specific examples. The Senator mentioned duplication. This one is employment of people with disabilities—a very good goal. This is something we would like to see if we can facilitate and help them work. It states: "Better coordination among 50 programs in nine Federal agencies that support employment of people with disabilities." There are 50 programs in 9 agencies. Does the Senator believe we could get more help for the disabled if those programs were consolidated and brought together in a single or a few programs?

Mr. ENZI. One of the things that happen with the programs is they usually get named after some Senator and he is very protective of his particular program. This is one of the things that make it very difficult to eliminate programs. Yes, if the duplication is eliminated, you may put the emphasis on the programs that are really working and that should succeed. That should make a bigger difference to everybody.

Mr. SESSIONS. That is common sense. I thank the Senator so much for his contributions. I do believe the American people have a right to say to us: You fix the duplication. You fix some of this waste. You quit throwing

money at Solyndras and hot tubs in Las Vegas before you ask us for any more money.

We haven't done it.

I know fundamentally it is fair to say the Chief Executive of the United States is the person responsible for managing this bureaucracy. We are sort of like an active board of directors that monitors this.

Would the Senator not expect that a really committed President, Chief Executive of the United States, should be sending to us proposals on a regular basis that are based on reports of his Cabinet and sub-Cabinet people to eliminate waste, fraud, and abuse? Wouldn't that help us if we had more support from the President's side?

Mr. ENZI. That is probably the only way it can be done, is to have the President suggest this is leadership, this is management, this is what the White House is supposed to be in charge of and could do.

I also know that even if the President talks about eliminating a program, there will be the 10 good examples from across the United States that actually work that will come in and flood us with comments about how that program cannot be eliminated. This is why I have the penny plan—one cent of every dollar across the board. Then you don't run into that problem. As I said, that would balance in 3 years, not 10 years.

Mr. SESSIONS. If we reduce by 1 percent, one penny out of every dollar of spending for 3 years, the budget would balance in 3 years, 4 years?

Mr. ENZI. Yes. These are the latest figures. After the sequestration and after the fiscal cliff, it came down to that. Before that, it would have taken us 5 years.

Mr. SESSIONS. I thank the Senator for sharing that and thank him for sharing his thoughts with us tonight.

Mr. ENZI. I thank the ranking member for the tremendous job he has done and the hours he and his staff have put into reviewing these things. This is not an easy thing to follow. The book we have is an actual manual. The bill we receive to work from is just a bunch of numbers. It is hard to put that all together, and I thank the Senator for the information he has provided.

Mr. SESSIONS. I thank the Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we do have some serious differences of opinions between the two parties when it comes to our values and our priorities. We believe our budget should reflect this, and we are having a good debate. Those differences will be difficult enough to bridge, and we should be able to at least agree on what the facts are.

I wish to take a moment tonight to correct an inaccuracy I have heard a lot in the last few days, including on



the floor tonight. We are hearing some Republicans say that the Senate budget includes a \$1.5 trillion tax hike. This simply is not true. Here are the facts.

Of the \$975 billion in new revenue, which comes from those who can afford it the most, \$480 billion is matched with responsible spending cuts to fully replace the sequestration, \$100 billion goes toward targeted high-priority infrastructure repair and job training to help restore the recovery, put Americans back to work, and the rest goes to help reduce the deficit.

Unfortunately, rather than seriously considering the credible path we have presented in our budget plan, some Republicans have decided to play games with the numbers, and they are not telling the truth. Instead of subtracting the sequestration replacement portion and the investment package from the \$975 billion in total revenue, they are trying to say you should somehow add them all together. They are taking one side of the ledger, combining it with the other side of the ledger, and coming to some conclusion that makes absolutely no sense to us. It would be like handing over \$2 to buy a cup of coffee and having someone say: Well, the price was actually \$2 plus the value of that coffee. It doesn't make any sense.

You don't have to take my word for it. Fact checkers and reporters have called this claim false and a step too far. The Washington Post Fact Checker even gave it two Pinocchios.

Mr. President, I ask unanimous consent to have printed in the RECORD a story from the Washington Post on this inaccurate claim.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MITCH MCCONNELL'S CLAIM THAT THE  
DEMOCRATS PLAN A \$1.5 TRILLION TAX HIKE  
(By Glenn Kessler)

"Their budget will do more to harm the economy than to help it, and it will let Medicare and Social Security drift closer to bankruptcy. And then there's the Democrats' \$1.5 trillion tax hike. Trillion with a T. Let me just repeat that: Any senator who votes for that budget is voting for a \$1.5 trillion tax hike, the largest in the history of our country."

—Senate Minority Leader Mitch McConnell, speech on the Senate floor, March 14, 2013

Shortly after McConnell (R-Ky.) made these comments, Democrats cried foul. The budget plan, they said, has \$975 billion in higher taxes, not \$1.5 trillion. They point to the summary tables of the budget resolution unveiled by Sen. Patty Murray (D-Wash.), who chairs the Budget Committee. Sure enough, there's a line showing \$975 billion in new revenue.

But nothing's ever easy with the budget process in Washington. In fact, it's a morass, with many things open to interpretation, as we discovered as we went back and forth between the Democrats and Republicans—and then consulted with various budget experts.

Let's take a tour through the numbers.

THE FACTS

There are two key parts to this discussion—the actual text of the legislation and

what in effect is a glossy marketing document ("Restoring the Promise of American Opportunity"). The legislation does not have many numbers, whereas the marketing document does.

In the marketing document, Murray describes how she will use \$480 billion of the tax revenues to reverse part of the automatic spending cuts in the sequester, and another \$100 billion for new spending on infrastructure.

The text of the legislation, meanwhile, establishes a bunch of "deficit neutral reserve funds," including one labeled as "to replace sequestration" and the other "to promote employment and job growth." But there are no numbers attached to those funds. Meanwhile, the legislation also includes instructions (known as "reconciliation") to the Finance Committee to boost revenues by \$975 billion.

Deficit neutral means you need a mix of taxes and spending cuts to fulfill your goals. Republicans assumed that since Murray in her marketing document had said she would boost revenues by \$480 billion to pay for the sequester and \$100 billion to spend on infrastructure, the language meant that those funds would come from additional taxes. (Depending how you read the document, the \$975 billion in new revenues is also slated for "deficit reduction," and the same money in theory can't be used twice.)

Thus \$975 billion plus \$580 billion equals more than \$1.5 trillion.

Democrats say this is ridiculous. They argue that they will apply the \$975 billion in new tax revenue to the goals outlined in the document, including applying \$480 billion to replace the sequestration cuts. (Another \$480 billion to alter the sequester would come from spending cuts.) They cast the reserve funds more as a device to avoid legislative points of order, which would require a 60-vote threshold to overcome, rather than just the 50 votes generally required for a budget resolution.

The whole discussion reminded The Fact Checker of the budget headaches frequently experienced when he covered the budget process many years ago. Fierce battles are often waged over highly arcane matters.

We consulted with a variety of budget experts, and things became even more murky. The consensus was that Republicans have a point—that this was a theoretical possibility—but it was not likely.

G. William Hoagland, senior vice president of the Bipartisan Policy Center and longtime budget sage for Senate Republicans, said the GOP scenario was possible but "unlikely," as the Democrats have "a clear intention to raise \$975 billion in revenues." He said that such reserve funds are more to send messages to fellow party members—in other words, to garner votes—as opposed to being substantive items. "It's grease to make the wheels go around," he said.

In sum, he said, he viewed the legislation's reserve-fund language as "a clumsy way to avoid directly addressing offsetting the sequester."

Jason Delisle, another former GOP staff member on the Budget Committee now at the New America Foundation, said that "Republicans are right to say that the wiggle room means the official number is not the official number—that it could be higher if the reserve funds are used. Fair point."

But Delisle added: "The Republican argument rests on the assumption that the Democrats bring up a tax-and-spend bill in addition to a reconciliation bill for each and every reserve fund in the budget resolution;

thus there are more tax increases in the budget resolution than what they say. I think the Republicans are overstating the likelihood of that scenario."

Ed Lorenzen, who was a budget policy adviser for House Democrats and is now at the Committee for a Responsible Federal Budget, agreed with Delisle and added that he viewed the reserve funds as "primarily for procedural accounting purposes to adjust internal budget allocations for points of order." He said that "the reserve fund doesn't require an additional \$100 billion in revenues to pay for the \$100 billion in stimulus spending; rather it allows the budget committee chairman to adjust the allocations to accommodate \$100 billion for stimulus spending in the resolution if the revenues already assumed in the resolution to offset it have been adopted."

Keith Hennessey, another former GOP budget expert who now teaches at Stanford University, took a darker view.

Democrats, he said, "want to say the budget [plan] includes \$100 billion in new spending for jobs and infrastructure by pointing to the assumption in the non-legislative document, but then say that nothing in the legislative text of the budget resolution requires \$100 billion in extra taxes." He was especially suspicious of the fact that reserve funds do not have limits—as is sometimes the case in budget resolutions—and said it was perfectly acceptable to argue that the budget "also allows for another \$580 billion in tax increases to offset additional spending increases she [Murray] assumes and promotes aggressively."

He added: "If anything I'd argue that even the \$1.5 trillion number understates the tax increases allowed by the Murray budget resolution. She's requiring \$975 billion in tax increases to reduce future deficits, and allowing for unlimited amounts more to pay for new spending. I find that terrifying."

THE PINOCCHIO TEST

Clearly, we're in a bit of an expert muddle here, with even Republican-leaning budget wonks lacking a consensus. But let's step back a moment and look at the big picture.

Democrats have repeatedly said they plan to seek \$975 billion in additional revenue and would task the Finance Committee to come up with the precise closing of loopholes and such. There may be something vague and suspicious about the reserve funds, but under the GOP scenario, Democrats would also have to vote for even more taxes—which isn't very likely.

Budget resolutions, after all, are basically like a blueprint for a house, with the details filled in later. Both sides try to score political points with the votes that are cast on such documents, but in sum, many of these votes are relatively meaningless.

McConnell could have raised serious questions about what Democrats intended to do with these reserve funds and how they intended to fund them. But instead he has taken a theoretical possibility and turned it into a hard fact: "Any senator who votes for that budget is voting for a \$1.5 trillion tax hike, the largest in the history of our country."

That's going a step too far.

Mrs. MURRAY. We are having an important conversation about the direction of our country, what kind of Nation we want to leave to our children and grandchildren. It will not be easy to reach a deal. We are working very hard to get a budget passed out of the Senate and to move forward from

there. This is what the American people expect. It is what they deserve.

I hope our colleagues will stick to the facts and not try to muddy the water and help us focus on the urgent task at hand.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, another thing that I think is important and that we do agree on is the concept that our plan should be to create growth, jobs, and prosperity. A budget-balancing exercise must be a part of that whole vision of how we make America a better, more prosperous place. What we are learning is that we can't borrow our way to prosperity.

I will never forget being in Evergreen, AL, a few years ago at a town-hall meeting when a nice African-American gentleman stood up. He said, "My daddy always told me you can't borrow your way out of debt."

If you think about it, that is basically what we are saying we are going to do. We are saying it is not a spending problem. This is not the problem we have. The problem we have is that we don't have enough money.

We have two solutions: One is to borrow more money, and the other is to tax more, taking money from people who otherwise would use it in the economy to invest, expand businesses and the like, or raise—*increase* spending or borrow the money, adding to our debt.

Debt accumulates over time. Each billion dollars, trillion dollars that is added to the debt, we pay interest on. People lend us that money. A lot of people haven't thought about it much, but we have to pay interest on it. It is projected by the budget before us today that in 10 years we will be paying \$800 billion—virtually \$800 billion a year in interest. Think about this. Interest on our debt will be almost \$800 billion a year. Under the CBO current baseline it is a similar number. The Defense Department budget, which is actually being reduced—one of our largest—is \$500 billion, Social Security is about \$750 billion, and Medicare is about the same or a little smaller. It would exceed every other budget item in our budget—interest on the debt—every year.

We have been wrestling, nickeling and diming, cobbling together money for a budget for our highways—\$40 billion or so we could put together and have a program that doesn't cut our highway funding. We have more efficient cars, people are not buying as much gas, and taxes aren't as much as we projected they would be a number of years ago. It is getting to be a tight budget. We spend about \$40 billion—maybe a little more now—on the highway budget every year. This is maybe 1.1 percent of the total Federal Government budget.

We will be spending \$800 billion on interest each year. The money we spend

on interest produces us nothing. All it does is help remind us of the good old high time we had back in 2008, 2009, 2010, 2011, 2012, 2013, when we were spending and borrowing. We can think back: Wasn't that a great time when interest rates were unbelievably, artificially low. They will not stay at that rate; they are going up. We have had a great time, but the piper is going to demand his due as the years go by. It is just a fact.

This is how countries get in trouble. Greece and all of those countries in trouble in Europe, their debt became so high, their interest rates started going up. People were afraid to lend them money, and they wouldn't lend them more money unless there was more interest. All of a sudden, their interest payments were so large that their whole economy and governments were threatened. I think this is a big deal.

We keep hearing that spending is not the problem. I would like to talk about this a little bit because it is very important.

NANCY PELOSI, minority leader in the House, said this earlier this year: "So it is almost a false argument to say we have a spending problem."

We don't have a spending problem. The American people need to send us more money, I guess is what she would say. No, don't look at these duplicative programs; don't look where we are wasting money. It is important. You can't have austerity and actually cancel a worthless government program. They somehow might lose their job and the country will sink into the ocean. America will be better, our economy will be stronger, if we are leaner and more productive as a government. Surely, we can agree on that. Surely, we can't maintain, as Paul Krugman did the other day—unless he is advising the Democratic majority in the Senate—that even wasteful Defense Department spending shouldn't be cut because we want to stimulate the economy with borrowed money, throwing money at programs that are no good. That is no way to do business.

STENY HOYER, one of the Democratic leaders in the House, says: Does the country have a spending problem? The country has a paying-for problem. We don't pay enough, Mr. HOYER says. Mr. HOYER says we need to pay more to Washington so Washington can keep spending.

We are not changing. It is the American people's fault. Don't you know, we are investing for you. Give us more money so we can invest. Don't you think all these programs work? Aren't they doing great? No, we are not going to reform them. We can't cut a single one—children will be thrown into the streets; old people won't have drugs for their health care. And all of this because of a modest reduction in the growth of spending?

Congressman RYAN has demonstrated, and the numbers are abso-

lutely clear, that we can increase spending by 3.4 percent a year, and the budget will balance in 10 years. We don't even have to cut spending. We have to reduce the rate of growth in spending from around 5.4 percent to 3.4 percent and the budget balances. But President Obama says he is not interested in balancing the budget. My goal is not to chase a balanced budget, he says.

I know my colleagues have used the word "balanced." I said earlier they used the word "balanced" tonight 14 times, but I have been corrected. It is 24 times already tonight that my colleagues have used the word "balanced" in relation to this budget that never balances and never will balance because they are not concerned about balancing the budget. That is not what it is about with them. They think bringing the budget into balance, as most States have to do, as all cities and counties have to do, is austerity. Oh, we can't have austerity. That might hurt the government. Somebody might lose their job. They no longer would be paid to do some worthless job that doesn't produce anything. We have to keep paying them anyway because it would be austere to cut that out.

Senator HARKIN said in February: We have the richest Nation in the world. If we are so rich, why are we so broke? Is it a spending problem? No, it's because we have a misallocation of capital, a misallocation of wealth. If we are so rich, why are we broke, he says. Is it a spending problem? No, it is because we have a misallocation of capital, a misallocation of wealth.

What he means is the government hasn't taken enough wealth from the American people who worked hard and earned it, so they can distribute it around. That is what he means; that we are entitled to more of it from the economy, and we can extract more of it and then we can pass it out and we can tell all the people who get our checks how much we did for them. By the way, we ask them to vote for us while we are at it. See what I sent you? I need your vote now. By the way, these awful Republicans, they are talking about taking those checks away. You might not get all that money now, or you might get \$98 instead of \$100, and I am going to protect you.

So this is the politics of this thing. It is clear we have a mentality around here that is not healthy, and the mentality is that it is not a spending problem and we don't have to cut spending and the Democratic budget increases spending over the baseline we are on. It raises taxes. We will submit a document for the record that we think shows we have \$1.5 trillion in tax increases in this bill. But whether it is \$1.5 trillion or \$1 trillion, the deal is that spending goes up, and there is virtually no alteration in the debt course of America over the next 10 years.



So why is it that it is a spending problem? Let me explain it. It actually came to me more clearly during a hearing recently where Mr. Elmendorf, who is the Director of CBO, the Congressional Budget Office—and a very smart man and a decent individual—was talking about the growth in spending and taxes and the tax increases that just occurred and that sort of thing. This is the story.

I asked him this: If we raised enough taxes to balance the budget today, and if the economy is growing at 2 percent, would the taxes grow at about 2 percent a year?

He said: Yes. They work hard to figure out what kind of tax growth it is, but taxes basically grow with the economy. As more people are working, the economy grows, and they pay more taxes. If they grow at 4 percent, the government takes in more money than if it grows at 2 percent.

But the question was, What if spending is growing at 5 percent? Even if we raise enough money today to close the \$1.2 billion deficit we had last year to zero, and the economy is growing at 2 percent, and spending is growing at 5 percent, we will immediately start off on an unsustainable debt course.

So I asked him: Well, then, that is the definition of an unsustainable course, isn't it; that you are on a path to raise spending more than you are on a path to have revenue come up?

And that is where we are. We can't keep raising taxes and keep allowing our spending rate to increase beyond what the economy will sustain. This economy, this government, this America that has produced the greatest wealth, the greatest freedom, the greatest prosperity, the greatest growth, the greatest innovation the world has ever known was not built on a state-dominated economy. It is not a socialist government state; it is not a European economy. It is a growth economy. We will make a mistake that we will regret, and it will be a colossal error for the future of this country if we alter that great characteristic of this fabulous country of which we are a part.

We are a government of limited powers, a constitutionally controlled government. It does not dominate our economy. It does not dominate the people's lives. People are free, and they should be encouraged to be independent and resourceful and to take care of themselves and their families. When they have a hard time, we need to help them. We have programs that spend \$750 billion a year. I kid you not.

If you cobble together all the means-tested welfare programs that go to some—well, Medicaid. Medicaid is a free program for people whose income is below a certain level. Medicaid is a means-tested welfare social program, and there are a lot of them. It is the biggest. But you put all those together

and it amounts to \$750 billion a year in expenses or outflow. There are at least 83 of these programs, which are not brought together. They have independence, an independent management, different and independent departments of our government. They are not coordinated.

What we need to do when a person is hurting and they have lost their job and they need food stamps and TANF and unemployment compensation and other benefits that they are entitled to, and will get—and will continue to get, at least that kind of compensation—we need to be producing a system where these programs are brought together. We need to meet with that person—perhaps a single mom who has lost her job, maybe a young person who hasn't been able to find work—and we need to use some of those monies instead of just sending aid out and a person comes in every month and signs up and gets a benefit to help that person. What kind of skills do they need? Do they need an automobile to go to work? How can we help them move from dependency to independence? How can we help them create a healthy life for themselves, their family and their future? That is where we need to focus, and we are not doing that. We are not even close to that.

The 1996 welfare reform accomplished a lot of that. The number of children in poverty dropped dramatically. They did a lot of reform. The welfare office became an employment office in many areas of the country. It helped people move into an advanced lifestyle and away from dependency. But we have gradually drifted through the Bush years and into the Obama years to where those qualities of that program have been undermined, and President Obama is overtly advocating relaxing some of the rules that mandate work requirements for some of the people involved. He is retreating, too, and that is the wrong way to go.

We have a group of our excellent Senators—fine people—meeting in secret. Maybe they are down the hall now. I don't know where they are, but they are plotting right now on how to pass an immigration plan. We just can't wait to see what it is so we can just vote for whatever they decide we ought to have. You know what they tell us? We can't get workers. We have to have foreign workers. Yet we have never had more people on welfare, never had more people on food stamps.

In 2001 we spent \$20 billion on food stamps. Last year we spent \$80 billion on food stamps. It has gone up fourfold, but we are told there are not enough Americans to do work. Somehow this welfare office needs to be dealing with this problem, and we need to have a consolidated program. But there is no plan in this budget, and no plan that has been offered on the floor.

Any time anybody makes a suggestion that we make reform, they get at-

tacked. I have been attacked. I offered an amendment when the Agriculture bill was moving last year and we were on track to spend \$800 billion over 10 years on food stamps. We found there was a categorical eligibility provision that was being abused substantially, allowing people who basically did not qualify for food stamps under the program to get the food stamps. So I proposed to close it. It would have saved \$10 billion. We would spend \$790 billion over 10 years rather than \$800 billion. And I was attacked. I was kind of shocked, really. It was said that I was trying to balance the budget on the backs of hungry people. I wasn't trying to balance the budget on hungry people, I was trying to close an abuse of the program and, actually, thankfully, would have saved \$10 billion—\$1 billion a year over 10 years.

So this is where we are. We have a firm resistance to reform throughout the system, and it is not a little bit of money. These 80-some-odd welfare programs—hold your hat—over the next 10 years are supposed to grow, as predicted by the Congressional Budget Office, by 80 percent—80 percent.

My fine budget staff has looked at those numbers and they have concluded if we could improve those 83 programs and let them grow at 60 percent instead of 80 percent, we could save the taxpayers \$1 trillion over 10 years.

I kid you not, \$1 trillion. This goes a long way toward balancing our budget and helps us in a lot of different ways. If it is done right, it will be better for the people who need help than the present 83 disjointed programs that have no coherence and no focus on helping poor people actually improve their lives.

I grew up in the country. I grew up with poor people. I was poor. We didn't have central heating. I have no doubt our income was below the poverty line most of the time I was growing up. We had a garden. My daddy had a country store. We got by. But we didn't have any money. I remember when we got our first air conditioner—and it gets hot in Alabama. We moved from one room to the other when you turned it off. You didn't want to pay for electricity you didn't need. We had a fireplace in the living room. That was the only heat we had. The fireplace burned in the winter all the time. We cut our own wood. I worked construction in the summers both summers I was going to college, saving a few bucks being a carpenter's helper and working out in the Alabama heat. It didn't hurt me. And this idea that people aren't willing to work and we have to import foreign labor and we have to give people welfare because we can't find them a job, while businesses say we don't have enough workers, is somehow a messed-up idea. This is not helping. We have got to confront this problem. There is

no plan to confront this problem or talk about it in any realistic way. It is time for us to be honest about this country's problems.

We do have a spending problem. Spending is going up faster than the economy is growing, and it will always create a deficit. You can't create something out of nothing. Julie Andrews sang, "Nothing comes from nothing. Nothing ever could." That is so true. So we need to have a government that is leaner, that is more productive, that does more for the American people than it is doing now for less money.

My office has been spending less than we are allocated every year. I believe this year the Senate has reduced its budget about 10 percent over the last couple of years. I am down about 20 percent. This idea that you can't cut spending throughout this government is one of the most ridiculous ideas that has ever been raised.

I was a U.S. Attorney. I managed an office of lawyers and staff. When Ronald Reagan came in and we didn't have any money, we watched every dime we spent. The former Deputy Attorney General of the United States, Larry Thompson, was from Atlanta and I was U.S. Attorney in Alabama. We were such dyed-in-the-wool frugal Reagan hawks, when we were made U.S. Attorney we came to a conference and we roomed together, in separate beds, but we thought it was cheaper and saved money for the taxpayers. This is the kind of mentality that needs to get back into what we are doing, and I would say that it is time for us to confront this.

The vision of the Members of this side, and I think a lot of Members of that side, is not that far apart. But I want to be clear about a couple things. This budget needs to be put on a path to balance. It can be done without cutting spending in any dramatic way. All you have to do is reduce the rate of growth in spending. The budget will balance in 10 years. We need to do that. We need to plan to do that. As I explained before, the debt is already pulling down economic growth in America. It is pulling down the growth we have. The debt has reached such a level, 104 percent of GDP, that it is above the limit and the level that the International Monetary Fund, the Bank for International Settlements, the European Central Bank, and the Rogoff-Reinhart study say begins to pull down growth. We are losing jobs, we are losing promotions, we are losing pay raises as a result of this debt right now.

We share the view on both sides of the aisle that we need to be looking to create growth. Our colleagues say, Let's keep doing what we have been doing the last number of years. We have another stimulus package, we have another \$100 billion, and we are going to borrow this money because we

are already in debt, and to spend an additional \$100 billion requires borrowing an additional \$100 billion, so we are going to borrow \$100 billion and we are going to spend it, and this is going to make the economy stronger. Sorry. We have been there, done that. We say no. We have got to end this mentality. We need to make this government leaner and more productive. We need to have this government do things that create growth and jobs that do not add to the debt.

What are some of those things? Simplified taxes, eliminate unnecessary regulations, more American energy. Those are the kinds of things we can do that don't cost money that create jobs. Complete the Keystone Pipeline. Don't keep sending money to Venezuela or Saudi Arabia. Create jobs in America. Ask the people in North Dakota; they have got growth and prosperity as a result of energy production. These are the kinds of things we can do and we believe in and will continue to work for.

I would say that maybe, even though we have a big difference—and this budget will be quite different from the House budget—I don't say it is impossible that in conference some sort of more global agreement could be reached to put America on a sound path. We will have to deal with the entitlements. Entitlements represent half of the spending—and, with interest, more than half of the spending. Medicare, Social Security, those are growing well above the inflation rate and their growth level needs to be contained a little bit. We can make them sound, and people can retire and know that Medicare will be there for them, it won't fail, and that Social Security will be there for them, it won't fail. And we are going to stop adding to our debt until it reaches such a level that it could not only slow growth but could cause a financial crisis, as we had in 2007, and as they are having now in some of the European countries and that so many countries have had over the years.

We are excited to have a budget on the floor for the first time in 4 years. It does provide an opportunity for the American people—as our chair, Senator MURRAY, said—to compare the visions for America. It also provides an opportunity for our Members to learn about what things cost, how much you can get through tax increases, what kind of spending cuts are required, whether we have to cut or how much we can grow spending and still balance the budget. These kinds of things are learned when a bill actually goes to the floor.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, President Obama, being interviewed on ABC by George Stephanopoulos, not only said "my goal is not to chase—a balanced budget" but he also said, "we don't have an immediate crisis in terms of debt," and "in fact, for the next 10 years, it's gonna be in a sustainable place."

I would say two things about that. He appointed Mr. Erskine Bowles to be chairman of the fiscal commission. They spent quite a lot of time working on this debt question. They took testimony from experts, they examined documents, and they did what a good, public, spirited group would do. Mr. Bowles was Chief of Staff for President Clinton and a very successful businessman. Alan Simpson, his Cochair, was a former Republican Senator from Wyoming.

That is not what they told us. In the committee, 2 years ago, in the Budget Committee—maybe a little over 2 years now—they gave a joint statement in which they said this Nation has never faced a more predictable financial crisis.

What they were saying was the level of debt we are operating on, the unsustainability of the debt path, was so great that we will have some sort of fiscal crisis.

I remember about that same time, the Chairman of the Fed, Mr. Bernanke, testified that we have all these outyears and we talk about the debt numbers and all that, but we don't have to worry about them. I am paraphrasing, but this was pretty close to what he said. I think these were his exact words: But it will never happen.

What he basically told us was there would be a fiscal crisis before we get this far down the road—the demographics, the aging population, fewer workers, greater debt every year—mushrooming in the outyears.

I am troubled the President thinks that as a matter of fact, the next 10 years is going to be in a sustainable place. I don't believe he knows that. I will tell my colleagues a couple reasons why. Senator STABENOW had a chart about how great the economy or the fiscal situation of the country looked about the time President Bush took office. The last month of President Clinton's term in office was negative growth. I think that was the first month of negative growth in maybe 8 years. In fact, when President Clinton took office, he didn't inherit a recession, regardless of what the myth is around here. Former President Bush did have a recession in his second year or so of his term and he took action and the economy bounced back. About

the time President Clinton took office, the economy was growing and it continued to grow through the decade. We don't know all the forces. We talk about it. We play politics about it. But nobody knows precisely what moves an economy, whether it was something 10 years ago or something 10 months ago that caused the difficulty. We make guesses and we do our best judgment.

So here we go. In early 2000, I am on the Budget Committee and Mr. Greenspan testified—the maestro, the guru, the Federal Reserve Chairman, the greatest we had ever had; the economy had long years of growth. He told the committee we are going to have surpluses as far as the eye can see. He discussed with the Budget Committee what would happen when we had all these surpluses and we would pay down the entire debt of the United States of America. Then he asked us what we would do. What is the Federal Government going to do with the extra money? Are they going to buy the bonds of Venezuela? Does it buy British bonds? What does it do with its money? Does it buy property? This was the mindset in early 2000, and he was the Federal Reserve Chairman. Didn't he see the demographics? Didn't he recognize—there was a little caution in his statement, but he was very positive.

I went back and read it again recently, because it teaches me that this man, at the peak of his powers—one of the greatest economic minds in history; at least it was so felt at that time—completely missed it, I have to tell my colleagues. He didn't think we had a problem in the future with debt. He didn't say by 2009 we are going to be running trillion-dollar deficits, right? So this makes me a bit humble about our ability to predict.

Mr. Bowles said we are on a path to a debt crisis. That is what he told us in the committee. I believe Chairman Conrad or ranking member Judd Gregg asked him: When?

He said: I think about 2 years.

Two years came and we didn't have a debt crisis. So now the President of the United States is saying we can continue for 10 years, no problem, no worries. I am happy. You are happy. We don't have to cut spending. We need to keep borrowing. We need to keep running up debt because we absolutely don't want to have austerity. We don't want to have austerity. We want to be happy and spend. So that is the deal.

I am telling my colleagues, nobody knows. It can happen just that quick. Kent Conrad told me—we were standing right over there—he said the rate we are heading is coming off that wall like a rubber ball at warp speed. He was on the debt commission, the fiscal commission. He was worried about the fact of our unsustainability on the debt course.

Things look good. The Sun is shining out there today. We don't want to talk

about that. Who wants to be negative? Who wants to be Dr. Doom? Do my colleagues remember Dr. Doom or Nouriel Roubini, who said: We were going to have a debt crisis in 2005 or 2006. I am not sure when he predicted that. He said: The banks are borrowing too much money. It is unsustainable. We are going to have a crisis.

Months went by and we didn't have a crisis. One year went by, we didn't have a crisis. They mocked him. They called him Dr. Gloom. After 2007, when the bottom fell out and we had the worst recession since World War II, the reasons it happened were just what Mr. Roubini said. People said: Dr. Gloom wasn't so wrong after all. Maybe we should have listened to him.

I am just telling my colleagues, I believe we have a responsibility as men and women of public service, managing the finances of the United States of America, and we have a President who is in denial.

I think it is time for this Congress to assert itself and say we are not going to risk this country. I believe our debt is already too high. I believe it without a doubt. It is a fact. The Rogoff and Reinhart study was based on public debt, and our public debt is now over 100 percent of GDP. It is greater than the entire economy. That means we pull down and we place our country at risk because we are slowing growth, as I indicated earlier.

But this is what Secretary Geithner said in 2011 before the Budget Committee. I asked him what did he think about the Rogoff and Reinhart study, because it was troubling to the committee. Everybody on the committee knew about it. The fiscal commission people had consulted about it. We had Carmen Reinhart testify before the committee and then again a little later. So I asked him about it. This was his answer to my question to him, as I recall:

It's an excellent study. And you could say in some ways what you summarize from it, understates the risks, because it's not just that governments or countries that live with very high debt-to-GDP ratios are consigned to weaker growth.

As I have been contending throughout the day—

They're consigned to the damage that comes from periodic financial crises as well.

February 17, 2011, Secretary Geithner, President Obama's own Secretary.

So he was warning us that when the debt gets this high, we are in a danger zone.

We know there are some countries that have more difficult problems than we. There was an article recently from the CATO Institute talking about some of the countries in the world. Japan is one of the most dangerous. What if the third, fourth largest economy in the world, Japan—one of our key trading partners—was to have an economic col-

lapse such as Greece? Do my colleagues think it can't happen? I don't think it can't happen. I don't know. They are running way too high a debt-to-GDP ratio. Their population is aging even more quickly than ours.

Then we have France and Spain and Italy. Any one of those countries had an economy so large they can't be bailed out like Greece. What would happen if Europe were to go into turmoil? I am not predicting that to happen, but I am telling my colleagues we are on a path where I don't believe any responsible person can say it couldn't happen to us, and we could be embroiled in this too. The worst thing that could happen to us is we have to face a fiscal crisis where we get our debt under control at a time when the country is in a recession as a result of financial mismanagement. It would make it be an utter nightmare. As many experts have said, we have shifted a lot of debt from the private sector to the government. The government picked up liabilities it had no business picking up and the result is it has increased its debt substantially.

I am very concerned that we not treat this lightly. I am very unhappy the President of the United States who, to my knowledge, never had an economics course in his entire life—a community organizer—is going on national television when the needle of our debt is in the red zone, by any estimation, and he blithely says: We don't have an immediate crisis in terms of debt. In fact, for the next 10 years, it is going to be in a sustainable place.

I don't believe he is correct to say that. I have not heard any economists say that with full authority, certainly not a lot of them, and I am worried about where we are.

There is another chart I wanted to show about the question of taxes. This is a chart that I saw in Barron's magazine just a few weeks ago. Gene Epstein did this chart. On the cover of Barron's was a picture of the President, having made his State of the Union Address, and the caption on the front of the newspaper was "The way to Greece" or something like that, and it was a very serious analysis of the deep, systemic debt problems this Nation has, and a plea for us to act, to move forward and avoid the risks we are now undertaking.

One part of what they did was to actually analyze what we could do with more taxes, particularly taxes on upper income people, and they ran the numbers. I believe this is an accurate run of the numbers. On the left side, it has the public debt as a percentage of the GDP and on the right at the bottom are the years over time. Mr. Epstein ran it based on increasing taxes and increasing taxes a lot.

His first run was the purple line, how much the debt would go up; how much the debt would go up if the current tax

rate stayed in effect. This is the purple line. It grows a little faster than the green line and the red line. It grows a little faster because the taxes are a little lower than his next two estimates.

Then he estimated for the wealthy people who were raised from 35 to 40 percent, what if they were raised to 50 percent? In Alabama, it is about average. We have a 5-percent income tax in our State. So for the wealthy, making it 50 percent, plus paying 5 percent to the State, he is paying a pretty big chunk of his money right off the top. But let's assume it went up there. It has almost no impact on the debt course of America according to the Barron's analysis.

The third one, the red one is based on raising the tax rate of upper income people to 50 percent and then rolling back all the tax cuts President Bush had for the lower income people, the middle-class people who got substantial reductions in their rates and we have been operating that for about 13 years now and we made those permanent.

President Bush was attacked for having tax cuts, but I am pleased to see my Democratic colleagues are joining with the Republicans to make 99 percent of those tax rates permanent. It must not have been so evil if everybody overwhelmingly voted to make them permanent. So if we raised all those rates and had a 50-percent tax increase on the wealthy, we still hadn't changed the debt course of America.

What does that say? It says the debt problem in America is a spending problem, and a big part of that spending problem is the huge mandatory programs we have.

I am a lawyer. What is a mandatory program? It means when you reach 66, 67, you walk in and ask for your Social Security check and they have to pay you whether there is any money in the bank or not, whether the government has any money or not. The government has to borrow the money and pay your check because you are entitled to it as a matter of law at a certain age you qualify. Many of our entitlement programs are based on income. If your income is below a certain level, you are entitled to the money whether Uncle Sam has it or not, and that is based on law. That is based on legislation Congress passed that entitled people under certain circumstances to obtain Federal money and get it as a matter of entitlement.

When those programs are surging at 6 percent a year—Medicaid, the poor person's insurance program is projected to grow 8 percent a year over the next decade, 117 percent over the next 10 years—when those programs are growing at that rate and the economy is growing at 2 percent, you have a problem. You do not have to go to the Harvard Business School to know that. You really do not have to go to Harvard to know that.

When I talk to the American people, they understand it fully. They expect that we are going to have to make tough choices in this country to get the country on the right path, and they are girding themselves to support such tough choices, but they want them fair. They are willing to tighten their belt, but they do not want somebody who never works and lays around and watches TV all day, the soap operas, to have an advantage over people who are out working hard every day. But, anyway, people are prepared for that. The good news is, that as the economy grows, we do not have to cut spending, we just have to reduce the rate of growth in spending. This is not a myth I am talking about. This is absolute fact. You can spend more. This government can spend more every year. We can spend more at the rate of 3.4 percent, instead of increasing it at 5.4 percent, and the budget balances over 10 years. How much better is that? Most people think we have to have cuts across the board.

Now some programs are going to have to be cut. And let's be frank. What is the real challenge for us? Social Security and Medicare are great programs that our seniors depend on, and can grow steadily, can grow more than 3.4 percent, really. But those programs have a double problem. Not only do we want to see a cost of living occur for our seniors, but we have more seniors on the program every year. So this makes the numbers harder to deal with.

So you can say: Well, Social Security is just going to grow 4 percent instead of 5.5 percent and people will not lose much money. They will get a \$4 increase instead of a \$5.5 increase. No, no, it is more complicated than that because since you have more people on Social Security and Medicare, because of the age of the population that we have, it will be a larger impact than that—not disastrous, sustainable.

And we can do other things. We can say: Well, we want to work a little longer. We want to change the rate of the increase, the inflation index that most experts tell us should be altered under a new system that would save some money on the inflation index. So that is the kind of thing people have been talking about. The Gang of 6 talked about it. The President talked about it. Vice President BIDEN talked about it. The debt commission talked about it. The gang, the 12 people, in the Budget Control Act, tried to talk about a serious alteration of our spending path in which we fix Social Security and put it on a sound path, we fix Medicare and put it on a sound path, and we fix the entire budget of the United States in a way that is sustainable.

I would say people I talk to in the business community, people I talk to who testify before the committee, ex-

perts and just common people, tell me repeatedly: If you guys put this country on a sound path, so we knew we could see what the future is, we could plan for the future, and we would know our finances are getting better and moving to a balanced budget instead of getting worse. We believe people would not lose money, they would spend more money. We would have more growth. More people would be working and not drawing welfare and unemployment insurance, and the budget of the United States would start improving right there because more people would pay taxes and fewer people would need help from the government.

That is the spiral we need to be on. We are now still muddling through with exceedingly low growth, and they are still predicting low inflation. So you consider Social Security, maybe increasing it 6 percent a year, and inflation is just 2 percent. The Congressional Budget Office is predicting that inflation will be 2.2 percent, I think, a year, equaling almost 25 percent over 10 years. That is how much inflation will add over 10 years. Who knows? But we have kept low rates longer than anybody thought. The economy is not moving. If the economy actually jumped 4 percent or 5 percent growth for 2 or 3 years, you probably would have a jump in inflation. Obviously, CBO is not expecting that. They are expecting only slow growth over the next 10 years, and I think that is consistent with the consensus of independent analysts. So I wanted to share that thought.

The question before the House is—and all our colleagues need to confront it honestly—is this budget the kind of budget that puts America on a sound path? Is it what we need to do at this moment in history to change the debt course of America, to create confidence, to create the kind of growth that will increase that 2-percent growth, to get it to 3, 3.5, 4 percent?

Just 2 years ago, the Congressional Budget Office projected growth for 2013—the year we are in—would be 4.6 percent. The year before that, they predicted, last year, 2012, that we would have over 3 percent, 3.6 percent, something like that, growth. We have fallen way below that both years. I think the reason is the debt is pulling down growth, at least that is part of the reason. But regardless, the truth is, we are having to adjust ourselves to what Bill Gross at PIMCO, the largest bond group in the world, would call a new normal. The new normal is, we are not likely to see 5, 6-percent growth even in really great times in the next 10 or 15 years—maybe the next 20 or 30 years. We are just not likely to, for a lot of reasons. Of course, nobody knows. Mr. Greenspan thought we were going to have surpluses, and we did not. And we could have growth we are not expecting. Nobody knows. But we just have to

make the best judgment we have, and the best judgment we have is that we are not on a sound path.

So we are responsible leaders, and we have to ask ourselves, is the budget here going to do the right thing? We must remember and can never forget who will suffer the most if we have a fiscal crisis. Won't it be the poor? Won't it be the people in the most fragile working environments? Won't it be the people with less skills? Won't they be the ones who would suffer the most? Don't we have an obligation as a Senate to reach out to the House and say: We get it. This is dangerous. We do not know for sure where we are going. But we know. Shame on us if we allow decent, hard-working people—struggling to get by right now—to get hammered by another fiscal crisis that Erskine Bowles and Alan Simpson virtually guaranteed was on the way?

I think we have a duty. I think we have a responsibility. I think when the American people find out it is not going to take massive slashing of spending, as our colleagues say—a lot of the programs can be more efficient than they have ever been, and we get just as much benefit, even if they do not get as much money. There has not been any reform, any management improvements in this government in decades.

I will just say politically, I thought that was the greatest offer Governor Romney had. He was a very good manager. In my opinion, we have had enough speechmakers, we have had enough war Presidents, we have had enough grand and glorious stuff. We need somebody to run this government, like the Presiding Officer ran the State of Virginia. It takes hard work, and you have to stay on top of it. It would have been great for us to have had a real top management, so that every Cabinet person, when they are hired, understands they have a duty to produce more for less for the American people, and every subcabinet and subcabinet and subcabinet person, and every department head gets the message, from top leadership on down: You are expected—as Larry Thompson and I did—to share a hotel room if need be to save running up debt in the U.S. Government.

This budget does not do it. I think we quoted earlier what the Washington Post said on March 15:

In short, this [budget] document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

That is a serious condemnation.

What about USA Today, I guess maybe the widest read publication of its kind in the country? A USA Today editorial:

The plan produced by the Senate Budget Committee Chairman Patty Murray . . . is a disappointing document. It is a namby-

pamby plan that underwhelms at every turn. The Murray budget neither balances the budget nor reins in entitlements . . . the nation would be helped if Democrats were to embrace Ryan's goal of a balanced budget.

That is USA Today. They are not a rightwing publication, but they have written some good material on the budget. So has the Washington Post. Both of those have covered the budget situation more than most publications—both of them—and they have been trying to say to the Congress and to the President: You guys need to get together and do something. So both these editorials reflect a very informed judgment by two independent publications of national repute that the Senate—which they have been watching—has failed to produce a budget that puts the country on a sound path. I just have to tell you, I think they are totally correct. I wish it were not so.

Investor's Business Daily:

[An] IBD review of the budget data shows that the Senate vastly overstates the size of its spending cuts.

Boy, that is correct. They vastly overstate how much spending is cut in this bill. It goes on to say:

In fact, it could be that the Senate [budget] would, if enacted, increase federal spending by hundreds of billions of dollars.

Was Investor's Business Daily correct? Yes. Spending increases under this budget. Spending is not decreased at all under this budget, although we are told that it does. And we are told 20-some-odd times it is a balanced plan. They even go so far as to say it is a balanced budget. They have said it is a balanced plan so much, they started saying it is a balanced budget. It is nothing nowhere close to being a balanced budget. What they mean by "balanced" is, they promised that there will be \$1 trillion in tax increases and \$1 trillion in spending reductions. And it increases spending. Give me a break. There is not a one-to-one. It increases spending. There is no cut in spending off the current law we are now on.

They tried to claim credit for the Budget Control Act almost 2 years ago. President Obama resisted that. You remember how he just threatened the whole government was going to sink into the ocean? Why? Because we would not raise the debt ceiling. The Republicans said: We have to have some cuts, Mr. President. We have to do something about the debt course. We cannot continue. We are not going to allow you to continue running with the credit card of the people of America if you do not show that you are changing your habits and you are containing some of your lust to spend.

So, finally, an agreement. He hated it worse than anything. Finally, an agreement was done. He signed it. I agree if you will raise my debt ceiling right now, for \$2.1 trillion, I promise in the future that I will cut spending \$2.1 trillion. Over 10 years. If you let me do

it over 10 years, OK, I will sign it. But I have to have my debt ceiling now.

Less than 2 years later we have already increased the debt ceiling \$2.1 trillion. We are right up there again having to raise the debt ceiling again. It will be a matter of weeks that this has to be confronted again. Well, what about the spending cuts?

Before the ink was dry on that agreement signed by the President himself—I have the document right here. In blue ink, "Barack Obama" right there, agree to cut \$2.1 trillion in spending over 10 years. This was not a big cut. If spending were flat for 10 years, we would have spent \$37 trillion. As I recall, if under the baseline then in effect we were expected to grow to \$49 trillion over 10 years—\$49 trillion. This would have reduced it to \$47 trillion.

So we reduced the growth of spending from \$37 trillion to \$47 trillion instead of \$49 trillion. You would have thought we were throwing the sink in the country into the ocean. But in January, 6 months later, he proposes a budget which wipes out 60 percent of that agreement, those savings. So I am just going to tell you the way I felt. I have talked to my Republican colleagues. You know, we all—none of us are perfect. Sometimes we make improvident promises. We cannot just fulfill them. We cannot honor them. I try not to do that, but I have done it. Any person who is honest knows they have had to face those choices. But I am not voting to change the sequester. I am prepared to change it, and I support totally the spreading out of the cuts. They are too much on the Defense Department. I can explain how much it hammers the Defense Department. It is not acceptable.

But I am going to tell you, I told the American people that the Congress of the United States agreed to cut \$2.1 trillion in exchange for raising the debt ceiling \$2.1 trillion. And 6 months later, I am not changing; 18 months later, I am not changing. If we give up on that, we have no credibility whatsoever. The American people should never trust this Congress again. They ought to vote all of us out of office.

That was a solemn promise made before the whole world that we would sustain these cuts. President Obama has not stopped trying to eliminate them. This budget does just that. It eliminates 60 percent of the Budget Control Act cuts. It eliminates the sequester entirely. It is absolutely unacceptable. It will not happen. I do not know why anybody would want to vote for the budget. A vote for this budget is a vote to go back on a promise that was made in August 2011 to act a little bit responsibly when the debt ceiling of the country was raised.

The Wall Street Journal, March 15, right after the budget comes out. They have been very critical. This is just one of them. Well, first, Politico, March 17. A Washington beltway publication, Politico—they like to dig up stuff. This is

what they said, "To win over her caucus, Murray begins from the left of Obama himself."

Apparently, Politico's conclusion is that the budget that came through committee was driven by people to the left of President Obama. I know this: Last year the chairman of the Budget Committee, Kent Conrad, was prepared to bring a budget to the floor. My staff and I spent weeks preparing for the markup. They met in a Democratic conference. Some of the more liberal members hollered they could not accept Kent Conrad's budget, the Democratic budget he was going to set forth. So they, basically, refused to let him mark up a budget in the Budget Committee and refused to bring it to the floor of the Senate even though U.S. law called for the Budget Committee to have hearings and called for a bill to be brought to the floor. They just refused to do it in violation of plain law.

So the Wall Street Journal said: The bill manages the unique achievement of offering no net nondefense spending cuts and no entitlement reform worth the name, while proposing to raise \$1.5 trillion in new tax revenue in such a way that would ruin the prospects for bipartisan tax reform.

Let me stop right there. Our colleagues keep saying we are going to close loopholes and we are going to raise revenue and nobody is going to have to pay more. Well, these loopholes, as Senator GRASSLEY showed us from the Finance Committee chart, these are real serious deductions. They are programs that are deeply entrenched, and many of them our Democratic colleagues have protected and expanded with great tenacity. They will never vote to give them up probably unless some epiphany occurs around here. So how are we going to get tax reform?

Last week at the Budget Committee hearing the chief Democratic witness testified that he believes the corporate tax rate in America was unacceptably high, that we now have the highest corporate tax rate in the developed world, and that 35 percent is not acceptable. He said it needs to be the mid-twenties. This is not the Republican witness, but the Republican witness agreed with him. Most Republicans agreed with this approach. Many of the Democrats did.

So he said: You close loopholes on corporations, make the tax simpler, more growth oriented, you can bring the tax rate down to 25 percent without in any way losing revenue. You can make it revenue neutral. So that was an interesting thing.

I asked him as a followup: But if you close the loopholes on corporations, if you close the loopholes on corporations and raise revenue, do you not need that money so you can reduce the rate from 35 to 25?

He said: Yes. All of it should be dedicated to rate reduction. We have Sen-

ator RON WYDEN, a Democratic Senator, Senator MAX BAUCUS, the chairman of the Finance Committee, all believe this needs to be done.

A lot of work has been done on this for several years. The President has even indicated that this is the kind of approach that is worthwhile. But our colleagues, claiming they are going to close loopholes, do not save the money for tax reduction. They want to take the new revenue raised from closing loopholes and spend it. Then it is not available for the bipartisan tax reform to which the Wall Street Journal made a reference.

That is when I asked the witness: Do you not have to save this money to reduce rates at the end of the year?

He said: Yes, you have to save these loopholes, these deductions—really most of them are perfectly legitimate deductions that businesses use. But they are going to take them away from them, in effect raising the amount of taxes they pay. But they were going to bring the rates down.

That is the bipartisan plan that was in the works for a long time. Mr. Kleinbard is our witness. This is what he said: Corporate income tax statutory rate of 35 percent is today far outside world norms. The rate needs to come down. I, therefore, conceive of corporate tax reform as a roughly revenue-neutral undertaking in which the corporate tax base will be broadened through closing business tax expenditures and loopholes and the resulting revenues used to pay down the corporate rate.

That was March 5 in our committee. I know a lot of Senators, Democrats on the committee, agreed with that. If we look at the budget, the new revenue obtained from closing loopholes, really closing deductions and some tax expenditures—liberals have started calling deductions tax expenditures. So if you have a charitable deduction or you have some sort of depreciation as a business, those are not deductions anymore. They have become tax expenditures. So it is like the United States Government is mad at you because you did not send enough money.

But the truth is, it is the corporate person's money or the corporation's money or the private individual's money. When you eliminate his deductions, you make him or her pay more taxes. So Mr. Kleinbard was crystal clear. This is what the bipartisan discussions have been. The Wall Street Journal is exactly right. If you spend that money that you raised from closing loopholes, expenditures, and deductions, you do not have it to reduce rates. You cannot fix the tax reform.

The Wall Street Journal goes on to say:

As a statement of governing principles, the Senate Democratic budget shows that if they get the chance, they would govern like they

did in 2009 and 2010. Much higher taxes to fund much higher spending to finance a much bigger government. It is the status quo only more so.

I have to say, I think that is correct. Hard for me to understand how anybody can dispute that. Next, I have been saying—I have not heard much pushback—that the sequester elimination which allows the expenditure of \$1.2 trillion more than we are presently on a path to extend, that this elimination of the sequester was not scored in the Democratic budget.

When I asked the staff members, he said: Well, you know, we never did intend to make that permanent. It was always temporary. Then he said: Well, we got billions of dollars in PAUL RYAN's budgets over here.

I said: No, no. I am talking about this budget. You claim you are not scoring, as an increase in spending, \$1.2 trillion, which you allowed to occur by eliminating the reduction in spending required in current law that is part of the law of the United States today and will not be changed?

This is baloney. Surely, Congress will never change this. Surely, we will not go back on the promise we made in 2011 when we raised the debt ceiling. But, anyway, this is what the Associated Press said about it: Because the Democrats want to restore \$1.2 trillion in automatic spending cuts over the same period, cuts imposed by Washington's failure to reach a broader budget pact—the committee did not reach an agreement, so these automatic cuts occurred—MURRAY's blueprint increases spending slightly when compared with current policy.

So you take the \$1.2 trillion there, and you have tax increases over here, but the increases in spending are greater than the taxes. They conclude that it increases spending overall, increases spending overall.

The chairman, and probably the Budget Committee Members who support this, want to assert somehow this is a one-for-one budget, a balanced plan, a balanced budget amendment. You have \$1 trillion in tax increases and \$1 trillion in spending cuts, but they are not there.

This chart is a very important chart on the subject I am talking about. It is, I believe, pretty much not disputable. I don't like to raise this, but I am not going to take it.

Mr. Lew came before our committee, the Director of the Office of Management and Budget, and he said our budget will not add to the debt, spends only money we have and puts us on a path to pay down the deficit.

I asked Mr. Lew—he said it on national television, CNN with Candy Crowley. He said it with other networks too when he announced his budget. Three days later, he was at the Budget Committee. I asked him was that accurate. He said it was accurate.

It absolutely was not accurate. His budget never produced a single year in which the deficit fell below \$600 billion. Yet he told the American people squarely in the eye his budget would stop adding to the debt, spend only money we have, and allow us to pay down the debt.

This is one of the greatest misrepresentations in history. We are never going to have bipartisan agreement in this Congress until we learn to be honest about numbers. This budget is not honest about numbers, I need to tell you.

They claim a big savings and big reduction in spending and totally overlook this. Where is the deficit? They claim they reduce the deficit by \$1.85 trillion, \$1.850 billion. Let's look at that number. What about the sequester I have been talking about? They eliminate sequester and spending goes up \$1.223 trillion.

Was this scored in their number? No. They tell us we have 1.85, and we have to take off 1.2 because they didn't score the obvious increase in spending that their budget plan for the next 10 years includes. Take that off. We have looked at it more carefully. It took us a while to find this and took a while to get these in the budget numbers, but we have a good staff.

They found out, unlike what we thought at first, there was no pay-for for the doctors. For the last number of years, we found the payment schedule for doctors is totally inadequate based on a law passed in the nineties which has cut their payment to a degree that if we cut them another 20-some-odd percent, they would quit taking patients. They couldn't operate.

We put the money in every year because we need to put the money in or else they will not treat our patients. They can't afford to. Everybody, Republicans and Democrats, we hate it. We wish it weren't so, but it is every year we need to confront this thing which should have long been made a permanent fix. Every year it hasn't been, so every year we need to find the money.

We also found the 2009 stimulus extension in the bill which continued more borrowing and spending for a stimulus was not accounted for. You add those, and there is another \$348 billion which ought to be scored. It leaves us with a subtotal of \$279 billion. That sounds nice, but that is not correct.

Where are we next? Is there anything in this budget we have found that is not sound, gimmicky, which misrepresents the facts? Yes, there is, a big one. That is the war spending.

President Obama has long been very late in producing his budget. It should have been here in the Senate February 4, and it still hasn't been produced. It is one of the oddest things I have ever seen. He basically punted to the Congress and refused to lay out the budget

the law requires him to submit. He violates it all the time.

People ask me all the time, why does the President not follow the law? It is a very bad thing. He should follow the law. He sets a bad example. Children around this country, adults around this country, when they find out the President ignores law, the Senate ignores law, it is not good for America. We are a nation of laws.

The President, the last budget he sent, last January of 1 year ago, he laid out what he projected the costs would be for the war on terror. He is bringing those costs down dramatically, some say too fast, some say not fast enough, but they are coming down dramatically. He projects, however, we are still going to have military efforts against our enemy with whom we are at war, al-Qaida, for the next 10 years.

That costs money. He projected the cost over 10 years for the war on terror would be \$467 billion. I think that is pretty close to accurate. You could give or take a little bit, but apparently we are not stopping drone attacks.

I just met with our Ambassador who is negotiating an agreement with Afghanistan. We are projecting to have troops over there for a long time. More and more are in the support role, but it is an expense to maintain the war against terror.

We are free to attack al-Qaida wherever they are. We have people in Iraq, Yemen, Mali, and different places throughout the world where our interests have been threatened, and that costs money.

What did our good friends on the Senate Budget Committee do? They needed more money in savings. They wanted to say they cut spending. They came up with a clever idea; we will just cut all the war spending and pretend we will not spend it. That is it. OK. We will just pretend we are not going to spend that much.

One year from that, the total amount they say we are going to spend over 10 years is not \$467 billion, it is 75. The last 8 years will be zero, so we spend 75 over 2 years, and we will not spend any more money. There will be peace in the world, we will not have to chase al-Qaida, we will not need drones, troops, and special forces operating around the world. We will be completely out of Iraq and Afghanistan. Won't that be great? Let's just play it that way.

I have to tell you, they know that is not going to happen. Even President Obama is projecting substantial reductions.

If you take that down, what we find is the budget doesn't reduce the deficit at all. The budget increases the deficit based on the course we are on today, apples to apples, oranges to oranges.

We are not playing around with different baselines to gimmick it up. This is the right way to analyze the situation.

I just have to say, the American people need to know the budget before us does not do what it says it will do. Even what it says it will do is insufficient, but it doesn't come close to doing what it says, and it is not close to doing what is needed. It will never balance the budget, not in 10 years, not in any time. It makes no changes, none, to the deeply troubling surging growth of our entitlement programs, welfare programs, of Medicaid; the 83 means-tested welfare programs which are expected to grow 80 percent over the next 10 years, there are no changes.

There is no reform there we believe in. I am disappointed. Presumably, we may see it pass out of the Senate on a party-line vote, go to the House, and we will see what happens in conference. Could anything come out of conference? It is possible. I am not overconfident, particularly if we can't get Members of the Senate to lay out good numbers.

How can we negotiate with a person such as PAUL RYAN, who absolutely knows what is up and what is down? There is not a person in America who knows the numbers better than PAUL RYAN.

He has integrity. He works hard. He has dedicated himself to mastering this subject. He has mastered it, and he has laid out a plan. I am not saying I agree with everything in his plan. It is not before us. He has laid out a plan. He is prepared to negotiate, to discuss with people who are willing to discuss how to reach some compromise and some consensus on some of the things we need to do. It is very hard to do that if you are putting up bogus numbers such as this.

What about The Hill, another one of the inside Washington publications. On March 13, The Hill reported:

Murray argues that her budget cuts \$1.85 trillion from deficits over 10 years. But once the sequester cuts are turned off, Murray's budget appears to reduce deficits by about \$800 billion, using the Congressional Budget Office's baseline. The Murray budget does not contain net spending cuts with the sequester turned off.

We score here about 700 after you take that—645. They estimated 8, but essentially they are making the same point. The budget the Democrats produced did not score the sequester.

As we wrestle with these issues, talking about spending and how we create growth in our economy—and all of us want growth—we just contend growth is better achieved through progrowth policies than by borrowing and spending.

I wish to say there is academic research which validates that opinion. Senator MURRAY's budget, the Democratic budget, proposes yet more stimulus and proposes a 60-percent increase in spending over the next 10 years, a \$162 billion increase over next year alone.

This is an increase in spending next year, not a reduction, of 162 next year.



It is a fair criticism around here that the only budget that counts is the next year. It does tend to control next year, but it often normally gets altered before the second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth, but it doesn't tell us a plan.

I contend reducing excessive spending without increasing taxes makes the economy stronger, not weaker. Let's look at this. Real evidence supports this. It shows reducing spending can help an economy which has too much debt. A Harvard University study which I think all of us have seen, the OECD, developed nations, looked at 107 different periods of fiscal adjustments in these nations.

This is what they have found:

Spending cuts are much more effective than tax increases in stabilizing the debt and avoiding economic downturn.

I believe that is accurate. If it is, that is very important for us to know. Many countries have reduced spending and had large increases in job growth thereafter.

You would hear our Members say: Oh, you can't cut spending; it will hurt job growth. You could have something in the short term, but these countries have had substantial increases in job growth after cutting spending—Austria, Denmark, Finland, Estonia, Netherlands, Norway, Sweden. This chart gives some of that insight: "Job Gains 5 years After Successful Spending Reductions." Look at these again. Japan in 1987 had an 8.6-percent growth; Canada in 1997 had 11.1 percent; Netherlands in 1997, 9.5 percent; United States in 1997, after spending reductions, 5.2 percent. That is when we were on the path to balance the budget. That was when Newt Gingrich and the House Republicans met with President Clinton and negotiated and fought and wrestled and shut the government down and cut spending and the economy grew. And then Sweden, in 1998, had 6.5 percent growth. The average job growth over these five countries was 8 percent after cutting spending.

One I noticed on here is really something we should consider; that is, the small country of Estonia, which was part of the Soviet Union, dominated by Russia and the Communists. It is a great little country in the Baltics. I was there 2 years ago. Senator Jon Kyl took us there. They had just suffered through the same financial catastrophe in 2007 to 2008 that we had, but it hit them worse. They had a larger drop in GDP than we did, and it was very damaging. They had to decide what to do about it, so they began to consider what to do about it, and they didn't go for this idea that they had to borrow, borrow, borrow so they could keep spending because the revenue had dropped so much and they were going to keep spending at the same level. That isn't what the Estonians decided to do. This new democracy, this free

enterprise, this free country, so excited about their future, do you know what they did? They cut spending. They cut spending big time—big time.

This is what a Cabinet member told me. We had dinner, a group of us, and he said Cabinet people had their pay cut 40 percent. He said their pay was cut 40 percent, and he said: But I can tell you who is really mad and giving me a hard time.

I said: Who is that?

He said: My wife. She is a doctor. We hammered them too.

So Estonia hardly had a debt increase at all. Now Estonia has been showing some of the fastest growth of any country in Europe, maybe any country in the developed world. So cutting spending, making their government leaner, more productive, and people taking pay cuts did not destroy their economy. It allowed them to bounce back quite successfully. I am so proud to see their numbers continue to be great economically because they were courageous. The first thing their leaders did was take pay cuts themselves.

Other countries have not followed this path. Other countries haven't tightened their belts or they have relied too heavily on tax increases to reduce deficits. These countries have not fared as well. Greece, Portugal, the United Kingdom and Spain all have had big tax increases as part of their deficit reduction plans, and these results are confirmed by studies at the International Monetary Fund, the University of Chicago, and the University of California.

So we spent \$830 billion on stimulus in early 2009. That passed through here without my vote, and I opposed it at the time vigorously. But it was passed, and every dime of it was borrowed. We didn't have the money. We were in debt. But the geniuses said we have to stimulate the economy. Oh, if we don't borrow money and spend it, we will sink into oblivion. It wasn't what Estonia did, but we did that. We spent the money, and we haven't seen the growth we needed. We helped surge our debt.

We continue to spend substantially. We continue to run up debt the likes of which we have never seen before. I believe that debt right now is slowing economic growth and that debt right now could be a threat to our financial security in the future. It is sad to see us go in that direction.

Spending reductions are doable. We can do this. A lot of people think it is not possible. They get depressed, and every time someone talks about spending reductions, people start whining: It can't be done. It can't be done. We will hurt the Defense Department because the cuts on the Defense Department were too great.

But the Defense Department will still be there if we don't fix it the way these cuts are imposed. It will still be there—and who knows, it could be stronger.

I am worried about it. In fact, the way the sequester was crafted, at the request of the President, one-half of all the cuts in the entire \$1.2 trillion in cuts fell on the Defense Department, which makes up one-sixth of the Federal Government. So these cuts fell on the Defense Department disproportionately. Medicaid was increasing at 8 percent a year, no cuts; food stamps had gone up from \$20 billion to \$80 billion in 11 years—fourfold—but got no cuts; and, of course, Social Security had no cuts. There was a 2-percent maximum reduction trim on Medicare providers, which are the doctors and hospitals. They had a minor cut. So a huge portion of the budget had none, but the Defense Department took a huge, huge cut. It was not smart the way we did it, but the amount of cuts, if properly allocated across the entire government's spending, would have little impact on reducing growth but would really begin to solidify public confidence that we have a smart plan to get out of this debt.

If we just slow the spending growth to 3.4 percent a year over the next 10 years, we could balance this budget without raising taxes. You have heard that said. It is true. This is true. We do not have to have substantial spending cuts; we can do it and still have growth.

Some programs need to be cut. Some programs have to be cut. Some programs are growing much faster than 3.4 percent. Medicaid is growing at 8 percent. It needs to be reformed. We can't sustain that kind of increase year after year after year.

Most Americans know the old story about the rule of seven. If you increase something at 7 percent a year on your savings account, it doubles in 10 years. So if you have 8 percent, you are seeing a 117-percent increase in spending over 10 years.

So if we allow 3.4 percent a year in spending growth, that means we would spend \$11,000 per person in 2022, 10 years out—\$11,000 per person by the Federal Government. That is a higher rate of spending per person than we had in 2007. Yet we are going broke.

We can reduce spending without affecting services. We can. Federal programs—many of them—are very wasteful, very inefficient, duplicative, and subject to fraud. I just held up the GAO 2012 report that listed a pile—page after page—of programs that are wasteful, duplicative, and so forth. We have social service, domestic disaster assistance, Internal Revenue Service enforcement efforts that all have duplicative gaps and are not properly managed. They talk about how the programs are duplicative, how the programs are mismanaged, how they need to be tightened up, and there is a whole list of these things. There are about 50 different major programs—51—that need reform. We haven't done any of that.



What does Congress say to the American people? Well, we don't have time to execute, carry out, or study GAO's report. That is too much work. Just send us more money. No, we don't have time to do this. You don't understand—these little programs, they do not save much money. They do not make any difference. We don't have to focus on them. Send us more money. You have to send us more money.

I think the American people may be getting tired of this.

Nine different agencies, according to GAO, run over 50 job-training programs for people with disabilities. This budget proposes to create more. We had an amendment offered at the Budget Committee that would create another job program. I mean, we have them all over the place. It sounded like a good idea. Something good happened in some State, so we have a plan to offer Federal legislation to do it here or expand it.

Last year alone, Washington paid out \$44 billion to people who, through deceit or error, did not deserve Medicare payments. Let me repeat. Forty-four billion dollars was paid out to people who, through deceit or error, did not deserve Medicare payments. That is more money than we spend running our national parks, the FBI, the Federal Aviation Administration, the Army Corps of Engineers' civil works projects, and the Internal Revenue Service combined. Forty-four billion is a lot. That is just about what the Federal highway budget is—\$44 billion. Fraud, deceit, and error out the door in Medicare alone.

Well, Mr. President, we have been at it a long time. I am very unhappy that the budget process has been shifted to the end of the week. I am very unhappy that we are at a point where we are not going to have as full a debate because people are going to be stressed, they are going to be here at night and maybe into the weekend. Somebody may say: Well, SESSIONS, it is your fault. Why don't you just yield back this time? But it would take every Senator here to yield back the time. And if I did, I am sure somebody would object. And I am not yielding back time now.

We have problems. We can yield, we can work through the night, we can compromise tonight and maybe save a few hours, or we can work to be as accommodating to our colleagues as we can. I am willing to do that. But I just have to say that this budget should have been up earlier. We should have reached an agreement with Senators MORAN and AYOTTE and given them amendments early in the week or last week, and we could have had the budget up Monday. We wouldn't have had all this fuss. We would have had Monday, Tuesday, Wednesday, Thursday, and we would have had a full day, completed all amendments, and been out of here. But, oh no, I think there is some-

thing to the fact that it was considered to be a good idea just to carry this budget over to the end of the week and that Senators would want to leave and we would just wrap it all up, do it in the dead of night so the American people wouldn't see, perhaps, what is going to be done, wouldn't pay much attention to the votes, and we could get out of here and do the least possible public discussion of this bad budget that we can.

Now, some might say: Well, that is really not so.

I think it is so. We haven't had a budget on the floor for 4 years. Why? Senator REID said publicly that it is foolish to have a budget. Why did he say that? He meant it was foolish politically. I have said this before. He knows how I feel about it.

He said it was foolish—politically, basically—to have a budget. Why? Because writing a budget requires a party to lay out their vision for the future, to be prepared to defend it in public debate, and to have amendments on it. He has been controlling this Senate to a degree no majority leader has ever controlled the Senate, and the one thing he is not able to control is the budget process: You have 50 hours and virtually unlimited amendments. He didn't want to do that. So he was willing to violate the law of the United States and not bring up a budget so he wouldn't have to do this.

Finally, this year the House got fed up. They have been passing an honest budget that lays out a future plan for America. They have defended it publicly. They have taken unfair attacks and abuse for doing their duty every year—like they are supposed to do.

So they sent over a bill this year. It said: No budget, no pay, Congress. If you don't bring up your budget, you don't get paid. So now we have a budget for the first time in 4 years. Maybe the House should be given a medal for that.

But I am not happy. I don't believe we are doing this right. I was disappointed that for the first time in 3 years, when a budget was brought up in the Senate committee, we had statements made one afternoon for a few hours before we even saw the chairman's mark. It was produced after that, and we had 1 day—the next day—to offer amendments. That wasn't a very good process, in my view.

If we really want to deal with the debt—the greatest danger of our time—and deal with it properly, why wouldn't we want to have an open public hearing? Why wouldn't we have had expert witnesses all year to help talk to us? We had a few hearings, but we could have had a lot more because this has complex questions for us to decide. We should have had more time in committee, and we should have had full time on the floor of the Senate. So I don't make any bones about it. I wish we had done it differently.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRESIDENT'S MIDDLE EAST TRIP

Mr. LEAHY. Mr. President, President Obama arrived in the Middle East today. It is his first visit as President to Israel and the West Bank.

Some in the press have focused on the fact that the White House has lowered expectations for what will be accomplished in the 3 days of the President's visit. Others, including Members of Congress, have signed letters to the President.

Rather than prejudge what can be achieved by this trip or try to tie the President's hands concerning the Middle East, I want to simply make a few straightforward points.

First, no one who knows the Middle East can honestly expect momentous accomplishments from a short visit like this, especially when the new Israeli Government is still in the process of forming. But despite that, it is very positive that the President is traveling to the region, and this is as good a time as any.

Second, the peace process, as we have come to refer to it, between Israelis and Palestinians has been stalled for a dozen years. In many ways the prospects for an end to the conflict are worse today than in the mid-1990s, and there is plenty of blame to go around. Just traveling to Israel and the West Bank reaffirms this administration's interest in helping the parties find ways to make progress on the key issues. Ultimately, however, it is up to them, not the United States, to resolve their differences.

Third, it reaffirms President Obama's longstanding support for Israel. While during the Presidential campaign there were shameful attempts to portray the President as somehow not committed enough or supportive enough of Israel, that was pure politics. The record is abundantly clear that he has been, is—and, there is every reason to believe, will continue to be—a strong supporter of Israel. Top Israeli officials have acknowledged this.

That is not to say that we and the Israeli Government are going to agree

on every issue. Israel and the United States share fundamental interests, but we are different countries and sometimes our interests diverge. That is to be expected.

Fourth, the President's visit is an opportunity for Israelis and Palestinians to recognize that the status quo is unsustainable. Maintaining this untenable limbo is neither in their interests nor in the interests of our great Nation. Unilateral actions by either side are harmful to the peace process. Rhetoric that dehumanizes or demonizes the other is harmful. Settlement construction in disputed territory is harmful. Incitement to violence is harmful. Both sides need to demonstrate that they want lasting peace through negotiations.

The President will also visit Jordan, which is facing increasing pressure from the flood of Syrian refugees, an issue that concerns us all. The fiscal year 2013 continuing resolution that is expected to pass the Senate this week includes additional assistance for Jordan and for Syria's other neighbors to help address these needs.

And, of course, there are growing concerns about Iran's nuclear program. I believe the President has wisely proceeded with caution in the way his administration has responded to this grave threat. While some have urged the President to adopt a purely military policy toward Iran, the advice of our top military leaders is restraint. We should exhaust other means at our disposal to try to convince Iran to abandon its nuclear ambitions and to avoid another war in that part of the world.

Mr. President, I commend President Obama for traveling to the Middle East. Real peace with enduring security between Israelis and Palestinians has long been and remains a key goal of the United States. It is one toward which the Congress and the administration should work together.

#### FREE SPEECH IN THE AMERICAS

Mr. LEAHY. Mr. President, there is much at the Organization of American States that needs to be reformed, but the Inter-American Commission on Human Rights, IACHR, is not among them. Yet that is what the Government of Ecuador and some other Latin American governments purport to be calling for when the OAS general assembly meets this coming Friday.

In reality, it is not about reform at all but a concerted effort to severely weaken the IACHR, the one institution in the Americas that has been a consistent, strong defender of free expression and other fundamental human rights that have been too often denied by those same governments.

I have spoken previously about the courageous work of Colombian lawyer Dr. Catalina Botero, the special

rappporteur for freedom of expression. I have also spoken about the efforts by Ecuador's President Rafael Correa to intimidate and control what remains of an independent press in his country. So I will not repeat myself here.

But the United States is the largest contributor to the OAS, and we have provided additional funds in recent years to support the critically important work of the IACHR. I want to be sure Senators are aware of what is happening, as it could have serious consequences for our future support for the OAS. I ask unanimous consent that an article in the Washington Post by Cesar Gaviria Trujillo, former President of Colombia and Secretary General of the OAS, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, Mar. 19, 2013]

#### MUZZLING A FREE-SPEECH CHAMPION

(By César Gaviria Trujillo)

César Gaviria Trujillo is a former president of Colombia and past secretary general of the Organization of American States.

A historic showdown set to occur at Friday's meeting of the general assembly of the Organization of American States could determine the future of human rights protections throughout the Western Hemisphere.

A group of nations led by Ecuador is pushing to "reform" the Inter-American Commission on Human Rights and its office on freedom of expression. The purported aim of these changes is to "strengthen" human rights protections. If implemented, however, the reforms will severely weaken the commission and make it easier for governments to ignore basic rights and limit free speech.

When I served as president of Colombia from 1990 to 1994, I saw how difficult it could be for national institutions to evolve and change without external pressure. As secretary general of the OAS between 1994 and 2004, I saw firsthand how effective the Inter-American Commission could be in providing this pressure when nations needed help to move forward on human rights.

The commission has played a crucial role, particularly in defending the principles of the Inter-American Democratic Charter. It has pressed for transparency and fair elections, and, equally important, it has intervened when governments sought to undermine judicial independence or free speech. A genuine democracy requires checks and balances as well as freedom of the press.

The changes being promoted would drastically curtail the autonomy that has been critical to the Inter-American Commission's success. One proposal would prevent the commission from obtaining funds from outside the region, effectively putting a financial stranglehold on the panel. As of this year, about a third of the commission's budget comes from Europe.

This measure would have a devastating impact, especially on the commission's Special Rapporteurship for Freedom of Expression, which for many years has led the fight for press freedoms throughout the region and has served as a constant thorn in the side of governments that do not believe in free speech. The office stands to lose virtually all of its budget, making it easier for governments to prosecute their critics, impose censorship and close independent media outlets.

Another reform under consideration would prevent states that have not ratified the American Convention on Human Rights from nominating members to the commission. This measure appears to be designed to limit the involvement of the United States and Canada, neither of which has ratified the convention though they are nonetheless subject to its monitoring and, most important, are major sources of financial and political support for its work.

Our region has made important progress on human rights since the dark days of the Cold War. Nearly all of this hemisphere's dictatorships have been replaced by democracies. Yet these democracies have at times trampled on free speech and other fundamental rights. The Inter-American human rights system is the best mechanism we have for ensuring that governments in the Americas do a better job of protecting these rights and freedoms.

So far, only a handful of countries have joined Ecuador in this determined effort to weaken our regional human rights system. Those governments that are truly committed to human rights and democracy must stand up for the commission this week and put an end to this ill-conceived campaign.

#### CLIMATE CHANGE

Mr. LEAHY. Mr. President, during the past 50 years there has been significant progress in improving living standards in developing countries. Some of the successes have been particularly noteworthy: eradicating smallpox and almost eradicating polio, stabilizing population growth rates in many areas, longer life spans, lower infant mortality, fewer people living in poverty, the expansion of democracy.

Investments in international development made by government agencies, nonprofits, businesses, and philanthropic foundations in the United States and around the world have made a difference. Our country is more secure and our economy more resilient than it would otherwise be, thanks to these investments.

Yet there is plenty of room for improvement to get better value for our overseas investments, particularly to increase the sustainability of the assistance we provide. Too often we set unrealistic goals, do not hold governments accountable for corruption, ignore local input, and channel our aid through contractors that charge high fees and put profit over results.

There are other critical areas that have not received nearly the attention they deserve, either by our government or other donors, including the explosive growth of cities and the world's changing climate.

The President mentioned the looming threat of climate change in his inauguration speech, and like many others I am glad he did. To date, our efforts to address this global challenge have been painfully slow and woefully inadequate. As anyone who works the land will tell you, the world's climate is changing fast—spring is coming earlier, polar ice and glaciers are melting,

and storms are more violent. Scientists say these changes are potentially catastrophic, and that we will experience even more frequent severe weather events, shrinking water supplies, more intense heat waves and droughts, the spread of disease, and more and more threats to food production.

It is the poorest people who are most vulnerable to these phenomena, and who are most likely to be uprooted from their homes as a result. If the international community does not mobilize quickly to address this challenge we risk the reversal of many or most of the international development gains of the last 50 years, leaving an unprecedented crisis for our children and future generations.

Then there is the related challenge of urbanization. I am proud to say that a Vermont organization called the Institute for Sustainable Communities, founded by former Vermont Governor Madeleine Kunin, is leading an effort to accelerate climate solutions among more than 320 U.S. cities—and the list is growing. The institute is focusing on cities because it is in densely populated areas that the opportunity to quickly strengthen climate resilience and reduce greenhouse gas emissions is greatest. This work should be expanded on a global scale.

Currently, only a very small percentage of international development dollars is spent to address problems in urban areas, yet 70 percent of the world's population will live in cities by 2030. The number of people migrating to New Delhi, Mumbai, Dhaka, Lagos, Kinshasa, and Karachi each year is greater than the entire population of Europe. Between now and 2030—only 17 years—the world will need to build a city of 1 million people every 5 days to keep up with the urbanization of the developing world. That is a staggering and frightening statistic.

Those cities are not remotely prepared to handle this flood of desperate people. These are not places like Boston or London, Washington or Paris that expanded gradually over centuries becoming stronger as they grew. Cities in developing countries expand through shantytowns, like the vast slums of Nairobi and Lagos. And bit by bit, the edges of the city creep out and suddenly the city's size has doubled, or quadrupled. Closer to home, Tijuana, on the United States Mexican border, is one of Mexico's fastest growing cities. Tijuana adds about 80,000 people each year, and is projected to be the second largest city in Mexico by 2030. Many of its inhabitants arrive with no place to live and no job. The city's infrastructure is utterly unprepared to handle them. It is a recipe for crime and misery.

Slums are not infrastructure, and in general most infrastructure decisions are not well planned. Most of the developing world does not have running

water or reliable electricity, and nearly 40 percent of the world's population does not have access to basic sanitation, including 1 billion children. That number is likely to rise as rapidly expanding cities become even less able to meet the demand for basic sanitation and health care.

This immense growth in cities is a cauldron for chaos and instability. People living in cities without safe water or electricity, plagued by hunger, disease and unhealthy living conditions, threatened by rising sea levels and violent storms—these desperate conditions are likely to lead to violence, displacement, and even the toppling of governments.

Rapid urbanization is already putting tremendous pressure on the environment and threatens productive farmland. What will happen when there is not enough food or water for cities filled with millions of people? What will happen if the population of Jakarta doubles without an improvement in living conditions?

Yet as cities grow we also have an opportunity to prevent chaos. Growing cities are going to be constructing new buildings—let's make sure they are energy efficient. They are going to be creating new transport systems—let's focus on low-carbon strategies that move people, not just cars. They are going to need to feed hundreds of millions of hungry people—let's make sure urban centers are connected to the rural economy in a sustainable way. And as they build new infrastructure, let's make sure that it is designed to support livable communities and built in ways that are more resilient to extreme weather and sea level rise.

Investing in cities gives us economies of scale. We can accomplish a great deal through investing in efficient infrastructure, and we can apply lessons learned all across the developing world. An estimated 60 percent of the infrastructure needed to keep pace with the growth in urban centers has not been built yet, but it will be by 2030.

Let's focus on helping cities build smarter. It is a lot easier and cheaper to build it right the first time, than to go back and fix it later. And here in the United States there are companies that produce some of the world's best technology and some of the world's best thinking about creating smart cities. Together with our international partners we can meet this challenge if we share our expertise.

International donors, led by the U.S. Agency for International Development, should devote a larger portion of resources and effort to addressing the urgent problems of climate change and rapid urbanization. It is a critical investment for the 21st century.

## VERMONTERS MAKING A DIFFERENCE

Mr. LEAHY. Mr. President, I have been privileged to serve Vermonters for many years as a voice on foreign policy matters, and I am always reminded that my work is a reflection of the outward looking posture of the people of my State. Vermonters have a long history of defending human rights and social justice at home and abroad. The longest functioning international exchange program is based in Vermont, and there are over 3,600 nonprofits registered in Vermont that are carrying out programs to protect the environment, support public health, and many other activities here and abroad.

These small businesses help bring Vermont values to such far off places as Vietnam, central Africa, the Middle East, and Central America. One example of the far-reaching contributions Vermont small businesses make every day is the BOMA Project. Based in Manchester, VT, Kathleen Colson started the BOMA Project in the mid-2000s as a way to help women in Kenya escape extreme poverty. Kathleen's company replaces loans with grants and creates opportunities for these women to start small, sustainable income-generating businesses. To date, her company has launched over 1,100 micro-enterprises across northern Kenya.

Other examples of Vermont organizations doing innovative work to improve the lives of people overseas are the Institute for Sustainable Communities, Pure Water for the World, Clear Path International, the ARAVA Institute for Environmental Studies, and World Learning. And there are many others.

A February 10, 2013, article by the Associated Press quoted Peace Corps recruiter Brian Melman as he spoke about the people who work with these Vermont organizations: "These are people who are willing to think big with small resources. They will go out of their way to make relationships with anyone that they can and to make believers out of all they come across because the passion is so genuine." That article, entitled "Vt. home to many worldwide development groups," is notable because it points out the many ways our small State has contributed in a big way to those less fortunate all across the globe. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Associated Press, Feb. 10, 2013]

VT. HOME TO MANY WORLDWIDE

DEVELOPMENT GROUPS

(By Wilson Ring)

DORSET, VT. (AP).—From a converted garage in Dorset, James Hathaway helps rid Afghanistan and Vietnam of land mines. A few miles away in Manchester, Kathleen Colson helps women in northern Kenya start businesses.

They are just a few of the nonprofit, non-governmental organizations that call Vermont home while doing work worldwide in fields as varied as promoting democracy or clean water. Besides working on development projects in some of the remotest and neediest parts of the globe, the organizations are also pumping millions of dollars and hundreds of jobs into the Vermont economy.

"These are people who are willing to think big with small resources. They will go out of their way to make relationships with anyone that they can and to make believers out of all they come across because the passion is so genuine," said Peace Corps recruiter Brian Melman, who earned a graduate degree at the University of Vermont in Burlington and has also lived in Montpelier.

"There are people in Vermont who accomplish amazing things with just about nothing," he said.

While many of the organizations are small, taken as a whole, Vermont's international nonprofit sector appears to boost the state's economy.

Though precise figures for international nonprofits are hard to come by, a 2011 Vermont Community Foundation report found that 3,626 domestic and international nonprofit organizations bring \$2.5 billion to the state, about 12 percent of the gross state product.

Some groups do local fundraisers. Others attract grant money from foundations while the larger ones work on contracts with government agencies.

The Montpelier-based Institute for Sustainable Communities, formed in 1991, does environmental, health care and other projects in Serbia, China, India and Bangladesh. It's working with Burlington's Champlain College to learn more about the international organizations in Vermont.

"There's a wealth of global experience hidden in our hills and valleys, and most people don't know it," said vice president Barbara McAndrew. "Putting together a real picture of Vermont's international footprint helps us build connections between people working in the same regions. It can raise our profile with national and international funders and it helps us attract and retain talented people."

Melman said that the same sense of community and the desire to help that he sees in Peace Corps volunteers is what led Vermonters to form nonprofits, in many cases based on work they did while overseas in the Peace Corps or other service. Vermont, per capita, produces more Peace Corps volunteers than any other state.

Burlington, he said, "was just absolutely awash with nonprofits," Melman said. "We used to joke that there were more nonprofits than people."

One of Vermont's first international NGOs was the Brattleboro-based organization now known as World Learning. The organization employs 185 people and does work with education, exchange, and development programs in more than 60 countries. It was founded in 1932.

"Even back then, Vermont was attracting innovative, different thinking individuals," said Simon Norton of World Learning.

Norton, who lives in Nevada but travels to Vermont frequently, said there are pockets across the country that have "the same vibe" as Vermont and have many groups working across the globe. He mentioned the San Francisco area; parts of Seattle; Flagstaff, Ariz.; Boulder, Colo.; and Asheville, N.C. In Vermont, it's statewide.

"People choose to either stay or move to Vermont for those small-town community values," he said.

Colson fits the profile. She said she got her first taste of Africa through a program offered by her college and later spent 25 years in Africa running safaris. In the mid-2000s she branched out and started working on a program that helps women start tiny income-generating businesses in areas where opportunities are otherwise unavailable. Now her program, the BOMA Project, has a staff of four.

A native of western New York, she and her husband moved back to the U.S. to raise their children in a small town similar to where she grew up.

Colson now spends about three months a year in Kenya where she travels with an armed bodyguard.

"To be able to be in that place and then come home to Vermont . . . all of a sudden you are in one of the safest places on the planet," Colson said.

Many of the organizations are in Vermont's larger communities, but others are on back roads. Hathaway helped found Clear Path International in the converted garage outside his Dorset home in 2000, where he still works as its communications director. The organization's main office has since moved to Bainbridge Island, Wash.

Rutland-based Pure Water for the World, which helps provide clean water to communities in Honduras and Haiti, employs three people in Vermont and about 25 overseas. It has a budget this year of \$1.2 million, much of which comes from individual donations, said the group's executive director, Carolyn Crowley Meub.

"I know individuals who have a small NGO they run from their living room and are doing all kinds of interesting work from these seemingly small, sleepy towns that are incredibly connected to the world," said Norton.

#### BIG SKY CONFERENCE CHAMPIONS

Mr. BAUCUS. Madam President, Johnny Wooden, the 10-time national championship winning coach of UCLA, once said: "The main ingredient of stardom is the rest of the team."

It takes a little star power and teamwork to win 10 championships, but it takes something extra special to win the Big Sky Coach of the Year Award 20 times. That is Lady Griz Coach Robin Selvig.

Coach Selvig hails from Outlook, MT. He has true grit. He grew up north of the Hi-Line. I know the occupant of the chair knows where the Hi-Line is. That is up in northern Montana. There is a Hi-Line across Montana that even stretches over Highway 2 over into North Dakota.

Under Coach Selvig's leadership, the Lady Griz have made it to the Big Dance 20 times in the NCAA's 32-year history. Selvig has 798 wins in 35 seasons.

I also rise to honor Montana Grizzly men's basketball coach Ben Tinkle. Coach Tinkle was also honored this week as the Big Sky's Coach of the Year for the men's basketball program. Coach Tinkle is leading the team to their second trip in a row to the NCAA tournament, after winning a dramatic Big Sky Conference championship against Weber State. Jordan Gregory's

free throws in the final seconds of the game were icing on the cake that pulled the Griz ahead to win the game. The Griz basketball teams have had many spectacular seasons. And the Congress, I might add, could learn a lesson or two from the Big Sky Conference basketball champions. Both programs join a long tradition of excellence and a long tradition of teamwork that makes Montana proud. That is why they win games. These teams have shown a dedication to their school, their fans, their studies, and their community that is a reflection of our Montana values.

As both the Lady Griz and the Grizzly Men's basketball teams head into the NCAA tournament this week, I take this opportunity to publicly congratulate each player on the roster, the coaching staff, and the entire University of Montana community for this terrific season. I join Montanans in celebrating their teamwork and wishing them the best.

Go Griz.

Madam President, I ask unanimous consent that the names of the players and coaches be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### 12-2013 UNIVERSITY OF MONTANA MEN'S BASKETBALL TEAM COACHES

Wayne Tinkle—Head Coach  
Jonathan Metzger-Jones—Assistant Coach  
Freddie Owens—Assistant Coach  
Kerry Rupp—Assistant Coach  
Matt Erickson—Director of Basketball Operations  
Joey Petschl—Manager

#### PLAYERS

Will Cherry  
Spencer Coleman  
Keron DeShields  
Nick Emerson  
Jordan Gregory  
Kevin Henderson  
Eric Hutchison  
Kareem Jamar  
Andy Martin  
Mathias Ward  
Michael Weisner  
Jake Wiley  
Morgan Young

#### 2012-2013 UNIVERSITY OF MONTANA WOMEN'S BASKETBALL TEAM COACHES

Robin Selvig—Head Coach  
Annette Rocheleau—Assistant Coach  
Shannon Schweyen—Assistant Coach  
Trish Duce—Assistant Coach

#### PLAYERS

Katie Baker  
Kellie Cole  
Kenzie De Boer  
Hannah Doran  
McCalle Feller  
Shanae Gilham  
Torry Hill  
Alexandra Hurley  
Molly Klinker  
DJ Reinhardt  
Maggie Rickman  
Carly Selvig  
Alyssa Smith

Rachel Staudacher  
Jordan Sullivan  
Haley Vining

### HONORING OUR ARMED FORCES

STAFF SERGEANT STEVEN BLASS

Mr. GRASSLEY. Mr. President, I rise to pay tribute to the life of SSG Steven Blass, who was killed in a helicopter crash in Afghanistan while serving his country. My thoughts and prayers are with his wife Tricia, his young son Hayden, his parents, Randy and Carol, and all his family and friends. I know they are feeling his loss very deeply now, as is the entire community of Estherville, IA, his hometown. I understand that Steven Blass was patriotic even as a child and that joining the Army had been a dream of his. He was doing what he loved when he gave the ultimate sacrifice. His love of country and zeal for freedom represent the very best of America. Like all the patriots before him, his sacrifice has helped keep the torch of liberty burning bright. The United States of America is indeed fortunate to have a native son like Steven Blass, eager to serve his country and risk everything for his fellow citizens. We are forever in his debt. Although it is a debt which we can never repay, it is a debt we must honor by remembering SSG Steven Blass and what he did for all of us.

### AFFORDABLE CARE ACT ANNIVERSARY

Mr. WHITEHOUSE. Mr. President, this Saturday marks the third anniversary of the passage of the Affordable Care Act. At age 3, the law is protecting consumers against abusive insurance practices, helping seniors by lowering prescription drug costs, and building the infrastructure to expand health insurance coverage to millions of Americans. For the first time, patients' interests and needs are being put ahead of those of the insurance and drug companies.

The Obama administration has worked tirelessly to implement the law, in the face of constant opposition. My Republican colleagues in Congress have voted to repeal or defund the Affordable Care Act well over 30 times. It is a chilling, if useless, political refrain from the tea party.

On this third anniversary, it is important not only to reflect on how far we have come but to continue pressing forward on the Affordable Care Act's many improvements to our health care system, particularly the delivery system reforms.

The Council of Economic Advisers' 2013 "Economic Report of the President" identified a number of sources of waste in our health care system, including the fragmentation of the delivery system; duplicate care and over-treatment; the failure of providers to

adopt best practices; and payment fraud. The council notes:

Taken together, [these factors] have been estimated to account for between 13 and 26 percent of national health expenditures in 2011. The magnitude of this waste offers an equally large opportunity for spending reductions and improvement in quality of care and an opportunity that underpins many of the provisions of the Affordable Care Act.

Thankfully, we have the tools necessary to seize the opportunity described by the Council of Economic Advisers to drive down costs and improve the quality of patient care. The Affordable Care Act included 45 provisions dedicated to improving the way we deliver health care in 5 priority areas: payment reform, primary and preventive care, measuring and reporting quality, administrative simplification, and health information technology.

The effort to extract from the wasteful swamp of our health care bureaucracy a lean, humane, patient-centered system is vital. National health spending hit \$2.7 trillion in 2011 or about 18 percent of GDP. The next least efficient developed country—the Netherlands—spent 12 percent of its GDP on health care in 2010. Germany and France spent 11.6 percent of their GDP on health care. If we were as efficient as the Netherlands, if we merely moved from last place to second-to-last place in health care efficiency, we would save over \$800 billion per year.

For all of our excess spending, one might expect that Americans live longer, healthier lives. But that is not the case. The Institute of Medicine recently compared the United States to 17 peer countries. We were worst for prevalence of diabetes among adults, worst for obesity across all age groups, and worst in infant mortality. We suffer higher death rates and worse outcomes for conditions such as heart disease and chronic lung disease.

According to the Week, avoidable infections passed on due to poor hospital hygiene kill as many people in the United States—about 103,000 a year—as AIDS, breast cancer, and auto accidents combined. These deaths are tragic because they are largely preventable. As we have shown in Rhode Island, when hospital staff follow a checklist of basic instructions washing their hands with soap, cleaning a patient's skin with antiseptic, placing sterile drapes over the patient, etc.—rates of infection plummet, and the costs of treating those infections disappear. The costs of treating the 100,000 who die, as well as the hundreds of thousands who suffer nonlethal infections, disappear.

Delivery system reform has real promise in improving the management and prevention of chronic disease. These diseases accounted for 7 out of 10 deaths in the United States in 2011 and at least 75 percent of our health care spending.

I am not alone in saying that a correct diagnosis of the problem will lead

us to delivery system reform. Gail Wilensky, the former Administrator of the Center for Medicare and Medicaid Services under President George H.W. Bush, said in 2011, "If we don't redesign what we are doing, we can't just cut unit reimbursement and think we are somehow getting a better system."

In the private sector, George Halvorson, chairman and CEO of Kaiser Permanente said, "There are people right now who want to cut benefits and ration care and have that be the avenue to cost reduction in this country and that's wrong. It's so wrong, it's almost criminal. It's an inept way of thinking about health care."

Saving money by reforming how we deliver health care isn't just possible, it is happening. At a 2011 hearing I chaired of the Senate Health, Education, Labor, and Pensions Committee, Greg Poulsen of Intermountain Healthcare said:

Intermountain and other organizations have shown that improving quality is compatible with lowering costs and, indeed, high-quality care is generally less expensive than substandard care.

So when Republicans say we must cut Medicare and Medicaid benefits to fix our deficit, that assertion is flat-out wrong.

Attacking Medicare and Medicaid is consistent with a particular political ideology, but it is not consistent with the facts. It ignores the fact that we operate a wildly inefficient health care system and that our health care spending problem is systemwide, not unique to Federal health programs. It is not just Medicare and Medicaid; former Secretary of Defense Robert Gates said of the Defense budget, "We're being eaten alive by health care."

The President's Council of Economic Advisers estimates that we could save approximately \$700 billion every year in our health care system without compromising health outcomes. The Institute of Medicine recently put this number at \$750 billion. Other groups are even more optimistic: The New England Healthcare Institute has reported that \$850 billion could be saved annually. The Lewin Group and former Bush Treasury Secretary Paul O'Neill have estimated annual savings of a staggering \$1 trillion. Most recently, the Commonwealth Fund laid out a set of policies that would accelerate health care delivery system reform and slow health spending by \$2 trillion over the next 10 years.

These savings will have a dramatic impact on the Federal budget. The Federal Government spends 40 percent of America's health care expenditures. If the estimate by the Council of Economic Advisers is correct, we could reduce the Federal deficit by up to \$280 billion per year. If we achieve only one-quarter of the Council of Economic Advisers' estimate, the Federal savings would be \$70 billion annually. Over a

10-year budget period, that amounts to \$700 billion in Federal health care savings all without taking away any benefits, all while likely improving quality of care.

In a report I issued last year for the Senate Health, Education, Labor, and Pensions Committee, I found that the administration has made considerable progress on implementing the 45 delivery system reform provisions in the law. But more can and must be done. Specifically, I again urge the administration to set a cost-savings target for health care delivery system reform. A cost-savings target will focus, guide, and spur the administration's efforts in a manner that vague intentions to "bend the health care cost curve" will not. As the Commonwealth Fund concluded, "The establishment of targets can serve both as a metric to guide policy development and as an incentive for all involved parties to act to make them effective."

In 1961, President Kennedy declared that within 10 years the United States would put a man on the Moon and return him safely. The message—and the mission outlined—was clear. The result was a vast mobilization of private and public resources to achieve that purpose.

This administration has a similar opportunity—particularly now, at the height of the implementation of the Affordable Care Act. We need to put the full force of American innovation and ingenuity into achieving a serious cost-savings target for our Nation's health care system. But it is hard to do that if they won't set one.

I urge the administration to set a cost-savings target, with a number and a date. And then let's get to work to give American families the health care system they deserve. Instead of waste and inefficiency, poor outcomes and missed opportunities, we would have a health care system that is the envy of the world.

#### ADDITIONAL STATEMENTS

##### MUSIC EDUCATION

• Mr. MANCHIN. Mr. President, I rise with great pride that my home State of West Virginia received special recognition today for its support of music education in our public school system. The recognition came from three organizations that are committed to music education—the VH1 Save The Music Foundation, the National Association of Music Merchants—NAMM, and the National Association for Music Education—NAfME.

I want to extend my personal thanks to the leaders of all three organizations for recognizing West Virginia, for their support of our efforts to rebuild music programs in our State and for making a special day even more special—with

an award ceremony today that included performances by singer-songwriter Vanessa Carlton, jazz guitarist and former New York Yankees champion Bernie Williams and Red Hot Chili Peppers drummer Chad Smith.

I enjoyed their performances, but I also was moved by their stories of personal and professional benefits from their music education. Their stories made clear how the opportunity to learn about the arts and to perform as an artist helps students' ideas and realities beyond words and numbers in textbooks.

But even more special was the fact that the Save The Music award ceremony included a performance from a student jazz ensemble from Shepherdstown Middle School, which received a VH1 Save The Music grant in 2012. I was so proud to listen to these young musicians. They are a wonderful example of the extraordinary way music can impact the lives of students, not just in West Virginia but all over the country.

I would like to congratulate these students on their performance today and on their many accomplishments leading up to this special day—and I wish them many more successes in the future. Also, I would like to especially thank Shepherdstown Middle School Principal Elizabeth Best and Shepherdstown music teacher Mrs. Chad Conant for their generous contributions and assistance.

On behalf of the State of West Virginia, I was honored to accept, along with fellow West Virginia Senator JAY ROCKEFELLER and Randall Reid-Smith, Commissioner of the West Virginia Division of Culture and History, a Support Music Award from NAMM, which works in partnership with the VH1 Save The Music Foundation and NAfME.

I deeply appreciate the acknowledgment of our efforts to support music education. And, of course, I deeply appreciate the contributions to music education that these organizations make in West Virginia and throughout the United States.

The VH1 Save the Music Foundation is a nonprofit organization dedicated to restoring instrumental music education programs in America's public schools, and raising awareness about the importance of music as part of each child's complete education. To date, VH1 Save the Music has provided more than \$49.5 million in new musical instruments to 1,850 public schools in more than 192 school districts around the country, impacting the lives of over 2.1 million children. Research sponsored by NAMM shows clearly that students participating in music education do better in school and go on to college.

Since 2009, the VH1 Save the Music Foundation has given instrumental music education grants valued at \$1.05

million to 35 schools in 30 counties throughout West Virginia. And I am informed that the Foundation is committed to funding music education in all 55 counties of the Mountain State. This initiative started when I was Governor, and I am pleased to see it moving forward so positively.

This collaboration is a true example of the huge benefits of public-private partnerships. It is also a strong incentive for all of us to work for more Federal and State funding to enhance music education in our public schools.

In today's global economy, creativity is essential. Consequently, education in the arts is more important than ever because education in the arts helps students be inventive, resourceful and imaginative. Music education is not just a privilege—it is essential.●

#### REMEMBERING VIRGINIA "GINNY" HILL WOOD

• Ms. MURKOWSKI. Mr. President, today I wish to honor Virginia "Ginny" Hill Wood. On March 8, 2013, Ginny passed away at the young age of 95. Alaska lost a true pioneer and advocate for Alaska's wilderness. The Alaskan outdoors was always at the center of her life; she guided her last backcountry trip at age 70, cross-country skied into her mid-80s, and gardened into her early 90s.

Born Virginia Hill on October 24, 1917, Ginny grew up in Washington and Oregon, where she fell in love with the outdoors. She took her first plane ride at the early age of 4 sitting in her father's lap as they flew with a barnstorming pilot. Ginny attended Washington State University, and in 1938 she took a break when she biked through Europe for a year before resuming her studies at the University of Washington. She was eager to pursue her passion for flying, and joined the Civilian Pilot Training Service in college. During World War II, she enrolled in the Women Airforce Service Pilots corps, known as WASP, and ferried all types of military planes throughout the Lower 48.

Her flying and sense of adventure brought her north to Alaska. Ginny landed, literally, in Fairbanks, AK at Weeks Field on a very cold New Year's Day in 1947—along with fellow pilot and great friend Celia Hunter in a second aircraft. Her arrival in Fairbanks when the town was just barely out of its rough mining camp days is illustrative of her pioneering spirit. People were not flocking to Fairbanks in January of 1947, and it was especially rare to find a female pilot. She soon began flying tourists from Fairbanks to Kotzebue. In the late 1940's Ginny took a bicycling tour throughout postwar Europe with Celia Hunter, and when asked where she was from, Ginny would say "Alaska."

In 1950, Ginny married Morton "Woody" Wood, a forest ranger at Mt.



McKinley National Park. On a rainy day in the summer of 1951, Ginny, Woody, and Celia arrived near the northern boundary of Mt. McKinley National Park in search of some land to homestead within view of Denali. That fall, Celia Hunter homesteaded 67 acres. Together, the founders built Camp Denali with locally-harvested spruce logs and reclaimed materials from the National Park Service, often with the help of friends and visitors, who would drop in just to look, but would stay to help haul logs. Ginny and Celia ran Camp Denali for 25 years, operating the remote tourist resort, forging livelihoods out of ingenuity, hospitality, and love of the land.

Ginny was a committed, persistent, eloquent voice for conservation issues in Alaska. She was not afraid to speak on behalf of her values, and will be remembered in part as Alaska's pioneer conservationist. Her independent lifestyle, from building cabins, flying in the bush, and guiding in the Brooks Range and ANWR has inspired and served as an example for those around her. Her service as a WASP earned her a Congressional Gold Medal. She also received the Alaska-Siberia Lend Lease Award for her flying in 2002. I had the honor of presenting Ginny her Congressional Gold Medal at her cabin in Fairbanks in 2010 as she was unable to attend the ceremony in Washington, DC. Pouring through her scrapbook and listening to her stories was a visit I will always remember.

Though many have noted that she served as a role model for other women, Ginny stated that "I did what I wanted to do and I happened to be a woman." I admired her strong commitment to protecting the beauty of Alaska and her zest for life.

I extend my sincerest condolences to Ginny's remaining family; her daughter Romany Wood and son-in-law Carl Rosenberg of San Cristobal, NM. Alaska has lost a friend and champion. May she rest in peace.●

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-852. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amitraz; Pesticide Tolerances" (FRL No. 9381-1) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-853. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9779-2) re-

ceived in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-854. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Region 4 States; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9792-2) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-855. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Washington; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference" (FRL No. 9768-9) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-856. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend" (FRL No. 9792-8) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-857. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes; State of California; Imperial Valley Planning Area for PM 10; Clarification of Nonattainment Area Boundary" (FRL No. 9791-6) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-858. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Physical Protection of Byproduct Material" (RIN3150-A112) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Environment and Public Works.

EC-859. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Requirements for Long-Term Care (LTC) Facilities; Notice of Facility Closure" (RIN0938-AQ09) received in the Office of the President of the Senate on March 19, 2013; to the Committee on Finance.

EC-860. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-23) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Finance.

EC-861. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the United States having provided limited technical support to French forces that conducted an operation in Somalia; to the Committee on Foreign Relations.

EC-862. A communication from the Deputy Assistant to the President and Executive Secretary and Chief of Staff of the National Security Staff, transmitting, pursuant to law, a report relative to the War Powers Resolution (Public Law 93-148); to the Committee on Foreign Relations.

EC-863. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of a proposed amendment of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-019); to the Committee on Foreign Relations.

EC-864. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the effectiveness of United Nations efforts to prevent sexual exploitation and abuse and trafficking in persons in UN peacekeeping missions; to the Committee on Foreign Relations.

EC-865. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Hanford site in Hanford, Washington, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-866. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from General Steel Industries, Granite City, Illinois, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-867. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Baker Brothers site in Toledo, Ohio, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-868. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Joslyn Manufacturing and Supply Co. at the covered facility in Fort Wayne, Indiana, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-869. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Battelle Laboratories King Avenue site in Columbus, Ohio, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-870. A communication from the Investigative Specialist, Directorate of Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act" (RIN1218-AC79) received in the Office of the President of the Senate on March 11, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-871. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "The Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program Activities Report for Fiscal Years 2009 and 2010"; to the Committee on Health, Education, Labor, and Pensions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 622. An original bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

\*Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense.

\*Alan F. Estevez, of the District of Columbia, to be a Principal Deputy Under Secretary of Defense.

\*Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force.

\*Air Force nomination of Lt. Gen. John E. Hyten, to be Lieutenant General.

Air Force nomination of Maj. Gen. Tod D. Wolters, to be Lieutenant General.

Marine Corps nominations beginning with Brigadier General John J. Broadmeadow and ending with Brigadier General Vincent R. Stewart, which nominations were received by the Senate and appeared in the Congressional Record on January 22, 2013.

Navy nomination of Rear Adm. Bruce E. Grooms, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Alexander M. Archibald III and ending with Timothy Y. Salam, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

Army nomination of Michael J. Burke, to be Major.

Army nomination of Charles A. Slaney, to be Colonel.

Army nominations beginning with Sara L. Carlson and ending with David R. Trainor, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

Army nominations beginning with James W. Ness and ending with Zachary T. Irvine, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

Marine Corps nominations beginning with James B. Thompson and ending with Jason A. Woodworth, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Michael A. Brown and ending with Michael E. Samples, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHATZ:

S. 618. A bill to require the Secretary of the Interior to conduct certain special resource studies; to the Committee on Energy and Natural Resources.

By Mr. PAUL (for himself and Mr. LEAHY):

S. 619. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

By Mr. CORNYN:

S. 620. A bill to withhold the salary of the Director of OMB upon failure to submit the President's budget to Congress as required by section 1105 of title 31, United States Code; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN (for himself, Mr. KIRK, Mrs. FEINSTEIN, Mr. ROCKEFELLER, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 621. A bill to amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 622. An original bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Mr. CARDIN (for himself and Mr. VITTER):

S. 623. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; to the Committee on Finance.

By Mr. BURR (for himself, Ms. MIKULSKI, Mr. RUBIO, Mr. HATCH, Mrs. BOXER, and Mr. BENNETT):

S. 624. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mrs. SHAHEEN, Mr. ISAKSON, and Mr. CARPER):

S. 625. A bill to provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

By Mr. SANDERS:

S. 626. A bill to de-link research and development incentives from drug prices for new medicines to treat HIV/AIDS and to stimulate greater sharing of scientific knowledge; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 627. A bill to provide incentives for investment in research and development for new medicines, to enhance access to new medicines, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. BAUCUS, Mr. BEGICH, and Ms. KLOBUCHAR):

S. 628. A bill to amend title 10, United States Code, to extend the duration of the Physical Disability Board of Review and to expand the authority of such Board to review of the separation of members of the Armed Forces on the basis of mental condition not amounting to disability, including separation on the basis of a personality or adjustment disorder; to the Committee on Armed Services.

By Mr. PRYOR (for himself, Mr. BOOZMAN, Mr. TESTER, Mr. GRASSLEY, Mr. LEAHY, Mr. JOHNSON of South Dakota, Mr. HARKIN, Mr. BEGICH, Mr. FRANKEN, and Mr. WYDEN):

S. 629. A bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI (for herself, Ms. LANDRIEU, Mr. BEGICH, and Ms. HEITKAMP):

S. 630. A bill to establish a partnership between States that produce energy onshore and offshore for our country with the Federal Government; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MURPHY, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. COWAN):

S. 631. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself, Mr. SESSIONS, and Ms. AYOTTE):

S. Res. 82. A resolution commemorating the 30th anniversary of the proposal for the Strategic Defense Initiative; to the Committee on Armed Services.

By Mr. CASEY (for himself, Ms. COLLINS, Mr. BROWN, Ms. LANDRIEU, and Mr. BLUMENTHAL):

S. Res. 83. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. CASEY, Mr. JOHNSON of South Dakota, Mr. CHAMBLISS, Mr. LEVIN, Mr. DURBIN, Mrs. SHAHEEN, Mr. REED, Mr. WYDEN, Mr. KIRK, Mr. CARPER, Mr. SCHUMER, Ms. MIKULSKI, Mr. CARDIN, Mr. COCHRAN, Mr. WHITEHOUSE, Mr. MANCHIN, Mr. LAUTENBERG, Mr. MURPHY, Mr. BEGICH, Mr. BROWN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. RUBIO, Mrs. FEINSTEIN, Mr. BLUNT, Mr. NELSON, Mr. ISAKSON, and Mr. ENZI):

S. Res. 84. A resolution recognizing the 192nd anniversary of the independence of Greece and celebrating democracy in Greece and the United States; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. CARDIN):



S. Res. 85. A resolution designating April 2013 as "National Congenital Diaphragmatic Hernia Awareness Month"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 17

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 17, a bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 169

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 288

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 288, a bill to increase the participation of historically underrepresented demographic groups in science, technology, engineering, and mathematics education and industry.

S. 294

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 309

At the request of Mr. HARKIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Montana (Mr. TESTER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 330

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr.

KIRK) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 350

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 350, a bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

S. 392

At the request of Mr. UDALL of New Mexico, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 484

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 484, a bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities.

S. 496

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 504

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 504, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. RISCCH) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 610

At the request of Mr. JOHANNES, the name of the Senator from Idaho (Mr. RISCCH) was added as a cosponsor of S. 610, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 614

At the request of Mr. INHOFE, the names of the Senator from Colorado (Mr. UDALL) and the Senator from South Dakota (Mr. JOHNSON) were

added as cosponsors of S. 614, a bill to require the continuation of tuition assistance programs for members of the Armed Forces for the remainder of fiscal year 2013.

S. 615

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 615, a bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 37

At the request of Mr. BROWN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 37, a resolution expressing the sense of the Senate in disapproving the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 77

At the request of Mr. MENENDEZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 77, a resolution expressing the sense of Congress relating to the commemoration of the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand.

AMENDMENT NO. 65

At the request of Mr. COBURN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 65 proposed to H.R. 933, amend the title to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

AMENDMENT NO. 67

At the request of Mr. COBURN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 67 intended to be proposed to H.R. 933, amend the title to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

AMENDMENT NO. 72

At the request of Mr. INHOFE, the names of the Senator from Louisiana

(Ms. LANDRIEU), the Senator from Colorado (Mr. UDALL), the Senator from Oregon (Mr. WYDEN), the Senator from Delaware (Mr. COONS), the Senator from Maine (Ms. COLLINS), the Senator from Kansas (Mr. ROBERTS), the Senator from North Dakota (Mr. HOEVEN), the Senator from Louisiana (Mr. VITTER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Nevada (Mr. HELLER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Indiana (Mr. DONNELLY), the Senator from South Dakota (Mr. JOHNSON), the Senator from Florida (Mr. NELSON), the Senator from Montana (Mr. BAUCUS) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of amendment No. 72 proposed to H.R. 933, amend the title to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

At the request of Ms. AYOTTE, her name was added as a cosponsor of amendment No. 72 proposed to H.R. 933, supra.

#### AMENDMENT NO. 126

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of amendment No. 126 intended to be proposed to H.R. 933, amend the title to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHATZ:

S. 618. A bill to require the Secretary of the Interior to conduct certain special resource studies; to the Committee on Energy and Natural Resources.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 618

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Pacific Islands Parks Act of 2013".

#### SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Interior.

#### SEC. 3. SPECIAL RESOURCE STUDIES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a special resource study of each of the following sites:

(A) The Ka'u Coast on the island of Hawaii, Hawaii.

(B) The northern coast of Maui, Hawaii.

(C) The southeastern coast of Kauai, Hawaii.

(D) Historic sites on Midway Atoll.

(E) On request of the Governor of the Commonwealth of the Northern Mariana Islands,

the island of Rota in the Commonwealth of the Northern Mariana Islands.

(2) CONTENTS.—In conducting each study required under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the site and the area surrounding the site;

(B) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the site by Federal, State, or local governmental entities or private and nonprofit organizations;

(D) consult with any interested Federal, State, or local governmental entities, private and nonprofit organizations, or individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives considered under the study.

(b) UPDATES.—

(1) IN GENERAL.—The Secretary shall update the study authorized by section 326(b)(3)(N) of the National Park Service Studies Act of 1999 (as enacted in title III of Appendix C of Public Law 106–113; 113 Stat. 1501A–195) relating to World War II sites in the Republic of Palau.

(2) CONTENTS.—In updating the study described in paragraph (1), the Secretary shall—

(A) determine whether conditions have changed to justify designating the site as a unit of the National Park System;

(B) consider other alternatives for preservation, protection, and interpretation of the site by Federal, State, or local governmental entities or private and nonprofit organizations;

(C) consult with any interested Federal, State, or local governmental entities, private and nonprofit organizations, or individuals; and

(D) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives considered under the study.

(c) APPLICABLE LAW.—The studies and updates to the study required under section shall be conducted in accordance with section 8 of the National Park System General Authorities Act (16 U.S.C. 1a–5).

(d) REPORT.—Not later than 3 years after the date on which funds are first made available for the studies and updates to the study under this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of each study and updates to the study; and

(2) any conclusions and recommendations of the Secretary based on the results described in paragraph (1).

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act such sums as are necessary.

By Mr. PAUL (for himself and Mr. LEAHY):

S. 619. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I join with Senator PAUL to introduce the Justice Safety Valve Act of 2013, which will start to take on the problem

of the ever-increasing Federal prison population and spiraling costs that spend more and more of our justice budget on keeping people in prison, thereby reducing opportunities to do more to keep our communities safe. This bill will combat injustice in Federal sentencing and the waste of taxpayer dollars by allowing judges appropriate discretion in sentencing.

As a former prosecutor, I understand that criminals must be held accountable and that long sentences are sometimes necessary to keep violent criminals off the street and deter those who would commit violent crime. I have come to believe, however, that mandatory minimum sentences do more harm than good. As Justice Kennedy said, "In too many cases, mandatory minimum sentences are unwise and unjust."

Currently a "safety valve" provision allows low-level drug offenders to avoid mandatory minimum penalties if certain conditions are met. The bill we introduce today would extend that safety valve to all Federal crimes subject to mandatory minimum penalties, allowing a judge to impose a sentence other than a statutorily designated mandatory sentence in cases in which key factors are present. The judge would be required to provide notice to the parties and to state in writing the reasons justifying the alternative sentence.

The United States has a mass incarceration problem. Between 1970 and 2010, the number of people incarcerated grew by 700 percent. Although the United States has only 5 percent of the world's population, we incarcerate almost a quarter of its prisoners. At the end of 2011, 2.2 million people were in jail or prison in the United States. That means we incarcerate roughly 1 in every 100 adults.

As of last week, the Federal prison population was over 217,000. Almost half of those men and women are imprisoned on drug charges. Compare this with 1980, when the Federal prison population was just 25,000. Since 2000 alone, the Federal prison population has increased by 55 percent.

As more and more people are incarcerated for longer and longer, the resulting costs have placed an enormous strain on the Justice Department's budget and have at the same time severely limited the ability to enact policies that prevent crimes effectively and efficiently. At a time when our economy has been struggling to recover from the worst recession in the last 75 years and our budget is limited, we must look at the wasteful spending that occurs with overincarceration.

At the federal level, over the last 5 years, our prison budget has grown by nearly \$2 billion. In 2007, we spent approximately \$5.1 billion on Federal prisons. Last year, the Federal Bureau of Prisons requested more than \$6.8 billion. That means less money for Federal law enforcement, less aid to State

and local law enforcement, and less funding for crime prevention programs and prisoner reentry programs. In short, we have less to spend on the kinds of programs that evidence has shown work best to keep crime rates down. Building more prisons and locking people up for longer and longer—especially nonviolent offenders—is not the best use of taxpayer money and is, in fact, an ineffective means of keeping our communities safe.

The proliferation of Federal mandatory minimum sentences is not the only factor driving the increase in incarceration rates, but it is an important factor. The number of mandatory minimum penalties in the Federal code nearly doubled from 1991 to 2011. Even those defendants not subject to mandatory minimums have seen their penalties increase as a result of mandatory penalties being incorporated into the U.S. sentencing guidelines.

In addition to driving up our prison population, mandatory minimum penalties can lead to terribly unjust results in individual cases. This is why a large majority of judges oppose mandatory minimum sentences. In a 2010 survey by the U.S. Sentencing Commission of more than 600 Federal district court judges, nearly 70 percent agreed that the existing safety valve provision should be extended to all Federal offenses. That is what our bill does. Judges, who hand down sentences and can see close up when they are appropriate and just, overwhelmingly oppose mandatory minimum sentences.

Congress has too often moved in the wrong direction by imposing new mandatory minimum sentences unsupported by evidence while failing to reauthorize crucial programs like the Second Chance Act to rehabilitate prisoners who will be released to rejoin our communities. Our reliance on mandatory minimums has been a great mistake. I am not convinced it has reduced crime, but I am convinced it has imprisoned people, particularly nonviolent offenders, for far longer than is just or beneficial. It is time for us to let judges go back to acting as judges and making decisions based on the individual facts before them. A one-size-fits-all approach to sentencing does not make us safer.

This is a bipartisan issue. Sentencing reform works. States, including very conservative States such as Texas, that have implemented sentencing reform have saved money and seen their crime rates drop.

I thank Senator PAUL for his dedication to this cause and for working with me on this legislation. I hope other Senators will join us in advancing this legislation and ensuring that taxpayer dollars are used more efficiently to better prevent crime rather than simply building more prisons.

By Mr. CORNYN:

S. 620. A bill to withhold the salary of the Director of OMB upon failure to submit the President's budget to Congress as required by section 1105 of title 31, United States Code; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I rise to introduce the No Budget No OMB Pay Act of 2013.

The No Budget No OMB Pay Act of 2013 will prohibit paying the salaries of the OMB Director, the Deputy Director of OMB, and the Deputy Director for Management of OMB for any period of time that the President is late in meeting his statutory requirement of submitting a budget by the first Monday of February.

As many of my colleagues know, it has been over 1,400 days since the Senate has passed a budget. It is certainly progress that the Majority has decided to finally put forward a budget and that the Senate will be able to debate and amend a budget—a budget that raises taxes by \$1.5 trillion, increases Washington spending by 62 percent, and fails to balance the budget anytime in the next ten years.

Unfortunately, for the first time in recent memory, Congress is acting before receiving the President's budget. According to a recent headline in the March 11, 2013 edition of the National Journal this is unprecedented and is a break from a 92-year tradition of having the President exercise leadership in the budget process.

Current law requires the President to send his budget by the first Monday of February. But President Obama has ignored this requirement. In fact, he has missed the statutory deadline four out of five times. This year he was required to issue his budget proposal on February 4, 2013. But he missed this deadline. So while the Senate is finally acting, it has been 44 days since the President has failed to live up to his commitment.

We know that for Congress to get paid, it must live up to its responsibilities and pass a budget. The OMB Director and other high-level OMB officials also have obligations to meet. After all, these officials are responsible for putting together the President's budget. Both the executive and legislative branch share responsibility when it comes to the federal budget. But without Presidential leadership Washington spending will remain out of control. Taxpayers deserve better. They deserve accountability.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 620

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “No Budget, No OMB Pay Act of 2013”.

#### SEC. 2. DETERMINATION OF COMPLIANCE WITH STATUTORY REQUIREMENT TO SUBMIT THE PRESIDENT'S BUDGET.

Not later than 3 days after the President's budget is due, the Inspector General of the Office of Personnel Management shall—

(1) make an annual determination of whether the Director of the Office of Management and Budget (OMB) and the President are in compliance with section 1105 of title 31, United States Code; and

(2) provide a written notification of such determination to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate and the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives.

#### SEC. 3. NO PAY UPON FAILURE TO TIMELY SUBMIT THE PRESIDENT'S BUDGET TO CONGRESS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of the Director of OMB, Deputy Director of OMB, and the Deputy Director for Management of OMB during any period of non-compliance determined by the Inspector General of the Office of Personnel Management under section 2.

(b) NO RETROACTIVE PAY.—The Director of OMB, Deputy Director of OMB, and the Deputy Director for Management of OMB may not receive pay for any period of noncompliance determined by the Inspector General of the Office of Personnel Management under section 2 at any time after the end of that period.

#### SEC. 4. EFFECTIVE DATE.

This Act shall take effect upon the date of enactment of this Act.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MURPHY, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. COWAN):

S. 631. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, 10 years ago, Senator Ted Kennedy first introduced the Healthy Families Act. This landmark legislation addressed a problem that so many working families struggle with each and every day—how do I balance my job responsibilities with my health and the health of my family? The Healthy Families Act sought to make that difficult juggling act a little bit easier by ensuring that hardworking people have access to paid sick days. At the time, supporters of the bill, myself included, argued that families were under increasing strain, with rising costs, stagnant wages, and disappearing job security. We argued that families were forced to make impossible choices between their jobs and

their families. We pledged that working families deserved better.

Today, a decade later, the circumstances facing working families are even more challenging: Americans are still struggling to get by. Wages are still stagnant, job security is even more tenuous, and too many workers struggle with whether to give up a paycheck or put their jobs at risk whenever a child has an asthma attack or an elderly parent comes down with the flu. Ten years later, working families still deserve better.

Today, 10 years later, almost 40 percent of American workers, including  $\frac{3}{4}$  of low-wage workers, don't have the ability to earn even a single paid sick day. For these workers, missing work due to an illness, injury, or doctor's appointment can mean putting their job and their family's financial security in jeopardy. As a consequence, many of these workers have no choice but to report to work sick or send their children to school or day care sick—which puts public health in jeopardy as well.

Health officials urge people with contagious illnesses to stay home from work to avoid spreading disease. But workers in industries with the most intensive contact with the public, such as food service and hospitality, are the least likely to have paid sick days. In 2010, three-quarters of food service workers lacked paid sick days. So not surprisingly, nearly two-thirds of restaurant workers have reported cooking or serving food while sick. Similarly, most personal care and service jobs, like child care workers and elder care workers, work with vulnerable populations but are unable to take a sick day without risking their jobs or paychecks. This has clear implications for public health. In fact, a recent study found that a lack of workplace policies including paid sick days contributed to an additional 5 million cases of influenza-like illness during the H1N1 outbreak in 2009.

It doesn't have to be this way. We can give working people the tools they need to protect their families' health and economic well-being while also safeguarding the public health.

This is why Congresswoman ROSA DELAUNO and I are reintroducing the Healthy Families Act, which would allow U.S. workers to earn up to seven paid sick days per year to recover from short-term illness, care for a sick family member, seek routine medical care, or seek help if they are victims of domestic violence. This important legislation will provide much-needed security for hardworking families struggling to balance the obligations of work and family. It will improve public health and decrease health costs by preventing the spread of disease and giving employees better options for obtaining preventive care and treatment. It will also help victims of domestic violence to protect their families and their futures.

Providing paid sick days to workers will be good for working people and their families, and good for our businesses and our economy as well. Allowing workers to attend to their own health or their families' health fosters good will and loyalty toward employers, and boosts morale and productivity in the workplace. In fact, 70 percent of lost productivity due to illness is not attributed to absent workers but rather to "presenteeism," the practice of employees working while sick, infecting their colleagues, and being less productive themselves. Businesses whose workers have paid sick days will also benefit from reduced turnover—and its high associated costs—when workers can hold on to their jobs. Paid sick days can also help reduce occupational injuries. In fact, a recent study found that workers with access to paid sick leave were 28 percent less likely than workers without paid sick leave to suffer nonfatal occupational injuries. Employers themselves are beginning to recognize the positive effects of paid sick days. Five years after paid sick days were implemented in San Francisco,  $\frac{3}{4}$  of employers surveyed said they were "supportive" of paid sick days, while one third said they were "very supportive."

Ensuring that workers have paid sick days will also reduce health care costs, by helping ensure that workers get timely care including preventive care, before medical issues become acute. A 2011 study shows that a universal paid sick days policy would reduce preventable visits to the emergency room and result in cost savings of \$1.1 billion per year, including \$500 million in savings for public health insurance like Medicaid. And a 2012 study showed that workers with paid sick leave were more likely to get cancer screenings, including a mammogram, Pap test, or endoscopy, and they were more likely to have visited a doctor in the previous year than workers without paid sick leave.

One more very important benefit: paid sick days will allow workers peace of mind and financial security. They won't face a lost paycheck or a lengthy job search each time they become ill. They won't face reduced income and have to cut back on their spending on food, medicine, and other necessities bought in their local communities. Working people will have the security of knowing that if illness strikes, they will be able to tend to their families without losing their jobs or their paychecks.

I thank my colleagues who are joining me today as original cosponsors of this critically important legislation, and I encourage all Senators to join us in supporting the Healthy Families Act. This bill is no less important today than it was when it was first introduced by my friend, the late Senator Ted Kennedy, a decade ago. Know-

ing that 10 years have gone by and workers around the country have still not secured paid sick days should not discourage us. It should strengthen our resolve to see this basic right afforded to all working Americans and their families.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 631

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Healthy Families Act".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Working Americans need time to meet their own health care needs and to care for family members, including their children, spouse, domestic partner, parents (including parents-in-law), and other children and adults for whom they are caregivers.

(2) Health care needs include preventive health care, diagnostic procedures, medical treatment, and recovery in response to short- and long-term illnesses and injuries.

(3) Providing employees time off to meet health care needs ensures that they will be healthier in the long run. Preventive care helps avoid illnesses and injuries and routine medical care helps detect illnesses early and shorten their duration. A 2012 study published by BioMed Central Public Health of results of the National Health Interview Survey found that lack of paid sick leave is a barrier to receiving cancer screenings and preventive care. Workers with paid sick leave were more likely to have a mammogram, Pap test, or endoscopy, and were more likely to have visited a doctor in the previous year, than workers without paid sick leave, even when the results were adjusted for sociodemographic factors.

(4) When parents are available to care for their children who become sick, children recover faster, more serious illnesses are prevented, and children's overall mental and physical health improve. In a 2009 study published in the American Journal of Public Health, 81 percent of parents of a child with special health care needs reported that taking leave from work to be with their child had a "good" or "very good" effect on their child's physical health. Similarly, 85 percent of parents of such a child found that taking such leave had a "good" or "very good" effect on their child's emotional health.

(5) When parents cannot afford to miss work and must send children with contagious illnesses to child care centers or schools, infection can spread rapidly through child care centers and schools.

(6) Providing paid sick time improves public health by reducing infectious disease. Policies that make it easier for sick adults and children to be isolated at home reduce the spread of infectious disease. A 2012 study published in the American Journal of Public Health found that a lack of workplace policies like paid sick days contributed to an additional 5,000,000 cases of influenza-like illness during the H1N1 pandemic of 2009.

(7) Routine medical care reduces medical costs by detecting and treating illness and injury early, decreasing the need for emergency care. These savings benefit public and

private payers of health insurance, including private businesses. A 2011 study by the Institute for Women's Policy Research found that a universal paid sick days policy would reduce preventable visits to the emergency room and result in cost savings of \$1,100,000,000 per year, including \$500,000,000 in savings for public health insurance like Medicaid.

(8) The provision of individual and family sick time by large and small businesses, both here in the United States and elsewhere, demonstrates that policy solutions are both feasible and affordable in a competitive economy. A 2009 study by the Center for Economic and Policy Research found that, of 22 countries with comparable economies, the United States was 1 of only 3 countries that did not provide any paid time off for workers with short-term illnesses.

(9) Measures that ensure that employees are in good health and do not need to worry about unmet family health problems help businesses by promoting productivity and reducing employee turnover.

(10) The American Productivity Audit completed in 2003 found that lost productivity due to illness costs \$226,000,000,000 annually, and that 71 percent of that cost stems from presenteeism, the practice of employees coming to work despite illness. Studies in the *Journal of Occupational and Environmental Medicine*, the *Employee Benefit News*, and the *Harvard Business Review* show that presenteeism is a larger productivity drain than either absenteeism or short-term disability.

(11) Working while sick also increases a worker's probability of suffering an injury on the job. A 2012 study published by the American Journal of Public Health found that workers with access to paid sick leave were 28 percent less likely than workers without paid sick leave to suffer nonfatal occupational injuries.

(12) The absence of paid sick time has forced Americans to make untenable choices between needed income and jobs on the one hand and caring for their own and their family's health on the other.

(13) Nearly 40 percent of the private sector workforce, and 25 percent of the public sector workforce, lacks paid sick time. Another 4,000,000 theoretically have access to sick time, but have not been on the job long enough to use it. Millions more lack sick time they can use to care for a sick child or ill family member.

(14)(A) Workers' access to paid sick time varies dramatically by wage level.

(B) For private sector workers—

(i) for workers in the lowest quartile of earners, 71 percent lack paid sick time;

(ii) for workers in the next 2 quartiles, 36 and 25 percent, respectively, lack paid sick time; and

(iii) even for workers in the highest quartile, 16 percent lack paid sick time.

(C) For public sector workers—

(i) for workers in the lowest quartile of earners, 25 percent lack paid sick time;

(ii) for workers in the next 2 quartiles, 7 percent lack paid sick time; and

(iii) for workers in the highest quartile, 2 percent lack paid sick time.

(D) In addition, millions of workers cannot use paid sick time to care for ill family members.

(15) Due to the roles of men and women in society, the primary responsibility for family caregiving often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men.

(16) An increasing number of men are also taking on caregiving obligations, and men who request paid time for caregiving purposes are often denied accommodation or penalized because of stereotypes that caregiving is only "women's work".

(17) Employers' reliance on persistent stereotypes about the "proper" roles of both men and women in the workplace and in the home continues a cycle of discrimination and fosters stereotypical views about women's commitment to work and their value as employees.

(18) Employment standards that apply to only one gender have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(19) It is in the national interest to ensure that all Americans can care for their own health and the health of their families while prospering at work.

(20) Nearly 1 in 3 American women report physical or sexual abuse by a husband or boyfriend at some point in their lives. Domestic violence also affects men. Women account for about 85 percent of the victims of domestic violence and men account for approximately 15 percent of the victims. Therefore, women disproportionately need time off to care for their health or to find solutions, such as obtaining a restraining order or finding housing, to avoid or prevent physical or sexual abuse.

(21) One study showed that 85 percent of domestic violence victims at a women's shelter who were employed missed work because of abuse. The mean number of days of paid work lost by a rape victim is 8.1 days, by a victim of physical assault is 7.2 days, and by a victim of stalking is 10.1 days. Nationwide, domestic violence victims lose almost 8,000,000 days of paid work per year.

(22) Without paid sick days that can be used to address the effects of domestic violence, these victims are in grave danger of losing their jobs. One survey found that 96 percent of employed domestic violence victims experienced problems at work related to the violence. The Government Accountability Office similarly found that 24 to 52 percent of victims report losing a job due, at least in part, to domestic violence. The loss of employment can be particularly devastating for victims of domestic violence, who often need economic security to ensure safety.

(23) The Centers for Disease Control and Prevention has estimated that domestic violence costs over \$700,000,000 annually due to the victims' lost productivity in employment.

(24) Efforts to assist abused employees result in positive outcomes for employers as well as employees because employers can retain workers who might otherwise be compelled to leave.

#### SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that all working Americans can address their own health needs and the health needs of their families by requiring employers to permit employees to earn up to 56 hours of paid sick time including paid time for family care;

(2) to diminish public and private health care costs by enabling workers to seek early and routine medical care for themselves and their family members;

(3) to assist employees who are, or whose family members are, victims of domestic violence, sexual assault, or stalking, by providing the employees with paid time away from work to allow the victims to receive

treatment and to take the necessary steps to ensure their protection;

(4) to address the historical and persistent widespread pattern of employment discrimination on the basis of gender by both private and public sector employers;

(5) to accomplish the purposes described in paragraphs (1) through (4) in a manner that is feasible for employers; and

(6) consistent with the provision of the 14th Amendment to the Constitution relating to equal protection of the laws, and pursuant to Congress' power to enforce that provision under section 5 of that Amendment—

(A) to accomplish the purposes described in paragraphs (1) through (4) in a manner that minimizes the potential for employment discrimination on the basis of sex by ensuring generally that paid sick time is available for eligible medical reasons on a gender-neutral basis; and

(B) to promote the goal of equal employment opportunity for women and men.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) **CHILD**.—The term "child" means a biological, foster, or adopted child, a stepchild, a child of a domestic partner, a legal ward, or a child of a person standing in loco parentis, who is—

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

(2) **DOMESTIC PARTNER**.—The term "domestic partner" means the person recognized as being in a relationship with an employee under any domestic partnership, civil union, or similar law of the State or political subdivision of a State in which the employee resides.

(3) **DOMESTIC VIOLENCE**.—The term "domestic violence" has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)), except that the reference in such section to the term "jurisdiction receiving grant monies" shall be deemed to mean the jurisdiction in which the victim lives or the jurisdiction in which the employer involved is located.

(4) **EMPLOYEE**.—The term "employee" means an individual who is—

(A)(i) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not covered under subparagraph (E), including such an employee of the Library of Congress, except that a reference in such section to an employer shall be considered to be a reference to an employer described in clauses (i)(I) and (ii) of paragraph (5)(A); or

(ii) an employee of the Government Accountability Office;

(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16c(a));

(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(D) a covered employee, as defined in section 411(c) of title 3, United States Code; or

(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code.

(5) **EMPLOYER**.—

(A) **IN GENERAL**.—The term "employer" means a person who is—

(i)(I) a covered employer, as defined in subparagraph (B), who is not covered under subclause (V);

(II) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(III) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(IV) an employing office, as defined in section 411(c) of title 3, United States Code; or

(V) an employing agency covered under subchapter V of chapter 63 of title 5, United States Code; and

(ii) is engaged in commerce (including government), or an industry or activity affecting commerce (including government), as defined in subparagraph (B)(iii).

(B) COVERED EMPLOYER.—

(i) IN GENERAL.—In subparagraph (A)(i)(I), the term “covered employer” —

(I) means any person engaged in commerce or in any industry or activity affecting commerce who employs 15 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year;

(II) includes—

(aa) any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer; and

(bb) any successor in interest of an employer;

(III) includes any “public agency”, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)); and

(IV) includes the Government Accountability Office and the Library of Congress.

(ii) PUBLIC AGENCY.—For purposes of clause (i)(III), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(iii) DEFINITIONS.—For purposes of this subparagraph:

(I) COMMERCE.—The terms “commerce” and “industry or activity affecting commerce” mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include “commerce” and any “industry affecting commerce”, as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142 (1) and (3)).

(II) EMPLOYEE.—The term “employee” has the same meaning given such term in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)).

(III) PERSON.—The term “person” has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(C) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

(6) EMPLOYMENT BENEFITS.—The term “employment benefits” means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an “employee benefit plan”, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

(7) HEALTH CARE PROVIDER.—The term “health care provider” means a provider who—

(A)(i) is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or

(ii) is any other person determined by the Secretary to be capable of providing health care services; and

(B) is not employed by an employer for whom the provider issues certification under this Act.

(8) PAID SICK TIME.—The term “paid sick time” means an increment of compensated leave that can be earned by an employee for use during an absence from employment for any of the reasons described in paragraphs (1) through (4) of section 5(b).

(9) PARENT.—The term “parent” means a biological, foster, or adoptive parent of an employee, a stepparent of an employee, parent-in-law, parent of a domestic partner, or a legal guardian or other person who stood in loco parentis to an employee when the employee was a child.

(10) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(11) SEXUAL ASSAULT.—The term “sexual assault” has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(12) SPOUSE.—The term “spouse”, with respect to an employee, has the meaning given such term by the marriage laws of the State in which the employee resides.

(13) STATE.—The term “State” has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(14) STALKING.—The term “stalking” has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(15) VICTIM SERVICES ORGANIZATION.—The term “victim services organization” means a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence, sexual assault, or stalking or advocates for such victims, including a rape crisis center, an organization carrying out a domestic violence, sexual assault, or stalking prevention or treatment program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process.

#### SEC. 5. PROVISION OF PAID SICK TIME.

(a) ACCRUAL OF PAID SICK TIME.—

(1) IN GENERAL.—An employer shall permit each employee employed by the employer to earn not less than 1 hour of paid sick time for every 30 hours worked, to be used as described in subsection (b). An employer shall not be required to permit an employee to earn, under this section, more than 56 hours of paid sick time in a calendar year, unless the employer chooses to set a higher limit.

(2) EXEMPT EMPLOYEES.—

(A) IN GENERAL.—Except as provided in paragraph (3), for purposes of this section, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)) shall be assumed to work 40 hours in each workweek.

(B) SHORTER NORMAL WORKWEEK.—If the normal workweek of such an employee is less than 40 hours, the employee shall earn paid sick time based upon that normal work week.

(3) DATES OF ACCRUAL AND USE.—Employees shall begin to earn paid sick time under this section at the commencement of their employment. An employee shall be entitled to use the earned paid sick time beginning on the 60th calendar day following commencement of the employee’s employment. After that 60th calendar day, the employee may use the paid sick time as the time is earned. An employer may, at the discretion of the employer, loan paid sick time to an employee in advance of the earning of such time under this section by such employee.

(4) CARRYOVER.—

(A) IN GENERAL.—Except as provided in subparagraph (B), paid sick time earned

under this section shall carry over from 1 calendar year to the next.

(B) CONSTRUCTION.—This Act shall not be construed to require an employer to permit an employee to accrue more than 56 hours of earned paid sick time at a given time.

(5) EMPLOYERS WITH EXISTING POLICIES.—Any employer with a paid leave policy who makes available an amount of paid leave that is sufficient to meet the requirements of this section and that may be used for the same purposes and under the same conditions as the purposes and conditions outlined in subsection (b) shall not be required to permit an employee to earn additional paid sick time under this section.

(6) CONSTRUCTION.—Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee’s termination, resignation, retirement, or other separation from employment for earned paid sick time that has not been used.

(7) REINSTATEMENT.—If an employee is separated from employment with an employer and is rehired, within 12 months after that separation, by the same employer, the employer shall reinstate the employee’s previously earned paid sick time. The employee shall be entitled to use the earned paid sick time and earn additional paid sick time at the recommencement of employment with the employer.

(8) PROHIBITION.—An employer may not require, as a condition of providing paid sick time under this Act, that the employee involved search for or find a replacement worker to cover the hours during which the employee is using paid sick time.

(b) USES.—Paid sick time earned under this section may be used by an employee for any of the following:

(1) An absence resulting from a physical or mental illness, injury, or medical condition of the employee.

(2) An absence resulting from obtaining professional medical diagnosis or care, or preventive medical care, for the employee.

(3) An absence for the purpose of caring for a child, a parent, a spouse, a domestic partner, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, who—

(A) has any of the conditions or needs for diagnosis or care described in paragraph (1) or (2); and

(B) in the case of someone who is not a child, is otherwise in need of care.

(4) An absence resulting from domestic violence, sexual assault, or stalking, if the time is to—

(A) seek medical attention for the employee or the employee’s child, parent, spouse, domestic partner, or an individual related to the employee as described in paragraph (3), to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;

(B) obtain or assist a related person described in paragraph (3) in obtaining services from a victim services organization;

(C) obtain or assist a related person described in paragraph (3) in obtaining psychological or other counseling;

(D) seek relocation; or

(E) take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic violence, sexual assault, or stalking.

(c) SCHEDULING.—An employee shall make a reasonable effort to schedule a period of paid sick time under this Act in a manner



that does not unduly disrupt the operations of the employer.

(d) PROCEDURES.—

(1) IN GENERAL.—Paid sick time shall be provided upon the oral or written request of an employee. Such request shall—

(A) include the expected duration of the period of such time;

(B) in a case in which the need for such period of time is foreseeable at least 7 days in advance of such period, be provided at least 7 days in advance of such period; and

(C) otherwise, be provided as soon as practicable after the employee is aware of the need for such period.

(2) CERTIFICATION IN GENERAL.—

(A) PROVISION.—

(1) IN GENERAL.—Subject to subparagraph (C), an employer may require that a request for paid sick time under this section for a purpose described in paragraph (1), (2), or (3) of subsection (b) be supported by a certification issued by the health care provider of the eligible employee or of an individual described in subsection (b)(3), as appropriate, if the period of such time covers more than 3 consecutive workdays.

(ii) TIMELINESS.—The employee shall provide a copy of such certification to the employer in a timely manner, not later than 30 days after the first day of the period of time. The employer shall not delay the commencement of the period of time on the basis that the employer has not yet received the certification.

(B) SUFFICIENT CERTIFICATION.—

(1) IN GENERAL.—A certification provided under subparagraph (A) shall be sufficient if it states—

(I) the date on which the period of time will be needed;

(II) the probable duration of the period of time;

(III) the appropriate medical facts within the knowledge of the health care provider regarding the condition involved, subject to clause (ii); and

(IV)(aa) for purposes of paid sick time under subsection (b)(1), a statement that absence from work is medically necessary;

(bb) for purposes of such time under subsection (b)(2), the dates on which testing for a medical diagnosis or care is expected to be given and the duration of such testing or care; and

(cc) for purposes of such time under subsection (b)(3), in the case of time to care for someone who is not a child, a statement that care is needed for an individual described in such subsection, and an estimate of the amount of time that such care is needed for such individual.

(ii) LIMITATION.—In issuing a certification under subparagraph (A), a health care provider shall make reasonable efforts to limit the medical facts described in clause (i)(III) that are disclosed in the certification to the minimum necessary to establish a need for the employee to utilize paid sick time.

(C) REGULATIONS.—Regulations prescribed under section 13 shall specify the manner in which an employee who does not have health insurance shall provide a certification for purposes of this paragraph.

(D) CONFIDENTIALITY AND NONDISCLOSURE.—

(i) PROTECTED HEALTH INFORMATION.—Nothing in this Act shall be construed to require a health care provider to disclose information in violation of section 1177 of the Social Security Act (42 U.S.C. 1320d-6) or the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

(ii) HEALTH INFORMATION RECORDS.—If an employer possesses health information about an employee or an employee's child, parent, spouse, domestic partner, or an individual related to the employee as described in subsection (b)(3), such information shall—

(I) be maintained on a separate form and in a separate file from other personnel information;

(II) be treated as a confidential medical record; and

(III) not be disclosed except to the affected employee or with the permission of the affected employee.

(3) CERTIFICATION IN THE CASE OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.—

(A) IN GENERAL.—An employer may require that a request for paid sick time under this section for a purpose described in subsection (b)(4) be supported by 1 of the following forms of documentation:

(i) A police report indicating that the employee, or a member of the employee's family described in subsection (b)(4), was a victim of domestic violence, sexual assault, or stalking.

(ii) A court order protecting or separating the employee or a member of the employee's family described in subsection (b)(4) from the perpetrator of an act of domestic violence, sexual assault, or stalking, or other evidence from the court or prosecuting attorney that the employee or a member of the employee's family described in subsection (b)(4) has appeared in court or is scheduled to appear in court in a proceeding related to domestic violence, sexual assault, or stalking.

(iii) Other documentation signed by an employee or volunteer working for a victim services organization, an attorney, a police officer, a medical professional, a social worker, an antiviolence counselor, or a member of the clergy, affirming that the employee or a member of the employee's family described in subsection (b)(4) is a victim of domestic violence, sexual assault, or stalking.

(B) REQUIREMENTS.—The requirements of paragraph (2) shall apply to certifications under this paragraph, except that—

(i) subclauses (III) and (IV) of subparagraph (B)(i) and subparagraph (B)(ii) of such paragraph shall not apply;

(ii) the certification shall state the reason that the leave is required with the facts to be disclosed limited to the minimum necessary to establish a need for the employee to be absent from work, and the employee shall not be required to explain the details of the domestic violence, sexual assault, or stalking involved; and

(iii) with respect to confidentiality under subparagraph (D) of such paragraph, any information provided to the employer under this paragraph shall be confidential, except to the extent that any disclosure of such information is—

(I) requested or consented to in writing by the employee; or

(II) otherwise required by applicable Federal or State law.

**SEC. 6. POSTING REQUIREMENT.**

(a) IN GENERAL.—Each employer shall post and keep posted a notice, to be prepared or approved in accordance with procedures specified in regulations prescribed under section 13, setting forth excerpts from, or summaries of, the pertinent provisions of this Act including—

(1) information describing paid sick time available to employees under this Act;

(2) information pertaining to the filing of an action under this Act;

(3) the details of the notice requirement for a foreseeable period of time under section 5(d)(1)(B); and

(4) information that describes—

(A) the protections that an employee has in exercising rights under this Act; and

(B) how the employee can contact the Secretary (or other appropriate authority as described in section 8) if any of the rights are violated.

(b) LOCATION.—The notice described under subsection (a) shall be posted—

(1) in conspicuous places on the premises of the employer, where notices to employees (including applicants) are customarily posted; or

(2) in employee handbooks.

(c) VIOLATION; PENALTY.—Any employer who willfully violates the posting requirements of this section shall be subject to a civil fine in an amount not to exceed \$100 for each separate offense.

**SEC. 7. PROHIBITED ACTS.**

(a) INTERFERENCE WITH RIGHTS.—

(1) EXERCISE OF RIGHTS.—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this Act, including—

(A) discharging or discriminating against (including retaliating against) any individual, including a job applicant, for exercising, or attempting to exercise, any right provided under this Act;

(B) using the taking of paid sick time under this Act as a negative factor in an employment action, such as hiring, promotion, or a disciplinary action; or

(C) counting the paid sick time under a no-fault attendance policy or any other absence control policy.

(2) DISCRIMINATION.—It shall be unlawful for any employer to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, for opposing any practice made unlawful by this Act.

(b) INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.—It shall be unlawful for any person to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, because such individual—

(1) has filed an action, or has instituted or caused to be instituted any proceeding, under or related to this Act;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act.

(c) CONSTRUCTION.—Nothing in this section shall be construed to state or imply that the scope of the activities prohibited by section 105 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2615) is less than the scope of the activities prohibited by this section.

**SEC. 8. ENFORCEMENT AUTHORITY.**

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection:

(A) the term “employee” means an employee described in subparagraph (A) or (B) of section 4(4); and

(B) the term “employer” means an employer described in subclause (I) or (II) of section 4(5)(A)(i).

(2) INVESTIGATIVE AUTHORITY.—

(A) IN GENERAL.—To ensure compliance with the provisions of this Act, or any regulation or order issued under this Act, the Secretary shall have, subject to subparagraph (C), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)), with respect to employers, employees, and other individuals affected.

(B) OBLIGATION TO KEEP AND PRESERVE RECORDS.—An employer shall make, keep, and preserve records pertaining to compliance with this Act in accordance with section 11(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(c)) and in accordance with regulations prescribed by the Secretary.

(C) REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.—The Secretary shall not require, under the authority of this paragraph, an employer to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this Act or any regulation or order issued pursuant to this Act, or is investigating a charge pursuant to paragraph (4).

(D) SUBPOENA AUTHORITY.—For the purposes of any investigation provided for in this paragraph, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

(3) CIVIL ACTION BY EMPLOYEES OR INDIVIDUALS.—

(A) RIGHT OF ACTION.—An action to recover the damages or equitable relief prescribed in subparagraph (B) may be maintained against any employer in any Federal or State court of competent jurisdiction by one or more employees or individuals or their representative for and on behalf of—

- (i) the employees or individuals; or
- (ii) the employees or individuals and others similarly situated.

(B) LIABILITY.—Any employer who violates section 7 (including a violation relating to rights provided under section 5) shall be liable to any employee or individual affected—

- (i) for damages equal to—
- (I) the amount of—
- (aa) any wages, salary, employment benefits, or other compensation denied or lost by reason of the violation; or
- (bb) in a case in which wages, salary, employment benefits, or other compensation have not been denied or lost, any actual monetary losses sustained as a direct result of the violation up to a sum equal to 56 hours of wages or salary for the employee or individual;

(II) the interest on the amount described in subclause (I) calculated at the prevailing rate; and

(III) an additional amount as liquidated damages; and

(ii) for such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(C) FEES AND COSTS.—The court in an action under this paragraph shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) ACTION BY THE SECRETARY.—

(A) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 7 (including a violation relating to rights provided under section 5) in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(B) CIVIL ACTION.—The Secretary may bring an action in any court of competent jurisdiction to recover the damages described in paragraph (3)(B)(i).

(C) SUMS RECOVERED.—Any sums recovered by the Secretary pursuant to subparagraph (B) shall be held in a special deposit account

and shall be paid, on order of the Secretary, directly to each employee or individual affected. Any such sums not paid to an employee or individual affected because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

(5) LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an action may be brought under paragraph (3), (4), or (6) not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(B) WILLFUL VIOLATION.—In the case of an action brought for a willful violation of section 7 (including a willful violation relating to rights provided under section 5), such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(C) COMMENCEMENT.—In determining when an action is commenced under paragraph (3), (4), or (6) for the purposes of this paragraph, it shall be considered to be commenced on the date when the complaint is filed.

(6) ACTION FOR INJUNCTION BY SECRETARY.—The district courts of the United States shall have jurisdiction, for cause shown, in an action brought by the Secretary—

(A) to restrain violations of section 7 (including a violation relating to rights provided under section 5), including the restraint of any withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to employees or individuals eligible under this Act; or

(B) to award such other equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(7) SOLICITOR OF LABOR.—The Solicitor of Labor may appear for and represent the Secretary on any litigation brought under paragraph (4) or (6).

(8) GOVERNMENT ACCOUNTABILITY OFFICE AND LIBRARY OF CONGRESS.—Notwithstanding any other provision of this subsection, in the case of the Government Accountability Office and the Library of Congress, the authority of the Secretary of Labor under this subsection shall be exercised respectively by the Comptroller General of the United States and the Librarian of Congress.

(b) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The powers, remedies, and procedures provided in the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as defined in section 101 of that Act (2 U.S.C. 1301)), or any person, alleging a violation of section 202(a)(1) of that Act (2 U.S.C. 1312(a)(1)) shall be the powers, remedies, and procedures this Act provides to that Board, or any person, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(4)(C).

(c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—The powers, remedies, and procedures provided in chapter 5 of title 3, United States Code, to the President, the Merit Systems Protection Board, or any person, alleging a violation of section 412(a)(1) of that title, shall be the powers, remedies, and procedures this Act provides to the President, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(4)(D).

(d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.—The powers, remedies, and procedures provided in title 5,

United States Code, to an employing agency, provided in chapter 12 of that title to the Merit Systems Protection Board, or provided in that title to any person, alleging a violation of chapter 63 of that title, shall be the powers, remedies, and procedures this Act provides to that agency, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(4)(E).

(e) REMEDIES FOR STATE EMPLOYEES.—

(1) WAIVER OF SOVEREIGN IMMUNITY.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th Amendment to the Constitution or otherwise, to a suit brought by an employee of that program or activity under this Act for equitable, legal, or other relief authorized under this Act.

(2) OFFICIAL CAPACITY.—An official of a State may be sued in the official capacity of the official by any employee who has complied with the procedures under subsection (a)(3), for injunctive relief that is authorized under this Act. In such a suit the court may award to the prevailing party those costs authorized by section 722 of the Revised Statutes (42 U.S.C. 1988).

(3) APPLICABILITY.—With respect to a particular program or activity, paragraph (1) applies to conduct occurring on or after the day, after the date of enactment of this Act, on which a State first receives or uses Federal financial assistance for that program or activity.

(4) DEFINITION OF PROGRAM OR ACTIVITY.—In this subsection, the term "program or activity" has the meaning given the term in section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

#### SEC. 9. COLLECTION OF DATA ON PAID SICK TIME AND FURTHER STUDY.

(a) COMPILATION OF INFORMATION.—Effective 90 days after the date of enactment of this Act, the Commissioner of Labor Statistics shall annually compile information on the following:

- (1) The number of employees who used paid sick time.
- (2) The number of hours of paid sick time used.
- (3) The number of employees who used paid sick time for absences necessary due to domestic violence, sexual assault, or stalking.
- (4) The demographic characteristics of employees who were eligible for and who used paid sick time.

(b) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall annually conduct a study to determine the following:

- (A)(i) The number of days employees used paid sick time and the reasons for the use.
- (ii) The number of employees who used the paid sick time for periods of time covering more than 3 consecutive workdays.

(B) The cost and benefits to employers of implementing the paid sick time policies.

(C) The cost to employees of providing certification to obtain the paid sick time.

(D) The benefits of the paid sick time to employees and their family members, including effects on employees' ability to care for their family members or to provide for their own health needs.

(E) Whether the paid sick time affected employees' ability to sustain an adequate income while meeting needs of the employees and their family members.

(F) Whether employers who administered paid sick time policies prior to the date of enactment of this Act were affected by the provisions of this Act.



(G) Whether other types of leave were affected by this Act.

(H) Whether paid sick time affected retention and turnover and costs of presenteeism.

(I) Whether the paid sick time increased the use of less costly preventive medical care and lowered the use of emergency room care.

(J) Whether the paid sick time reduced the number of children sent to school when the children were sick.

(2) **DISAGGREGATING DATA.**—The data collected under subparagraphs (A) and (D) of paragraph (1) shall be disaggregated by gender, race, disability, earnings level, age, marital status, family type, including parental status, and industry.

(3) **REPORTS.**—

(A) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

(B) **FOLLOWUP REPORT.**—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a followup report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

#### **SEC. 10. EFFECT ON OTHER LAWS.**

(a) **FEDERAL AND STATE ANTIDISCRIMINATION LAWS.**—Nothing in this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, disability, sexual orientation, gender identity, marital status, familial status, or any other protected status.

(b) **STATE AND LOCAL LAWS.**—Nothing in this Act shall be construed to supersede (including preempting) any provision of any State or local law that provides greater paid sick time or leave rights (including greater amounts of paid sick time or leave, or greater coverage of those eligible for paid sick time or leave) than the rights established under this Act.

#### **SEC. 11. EFFECT ON EXISTING EMPLOYMENT BENEFITS.**

(a) **MORE PROTECTIVE.**—Nothing in this Act shall be construed to diminish the obligation of an employer to comply with any contract, collective bargaining agreement, or any employment benefit program or plan that provides greater paid sick leave or other leave rights to employees or individuals than the rights established under this Act.

(b) **LESS PROTECTIVE.**—The rights established for employees under this Act shall not be diminished by any contract, collective bargaining agreement, or any employment benefit program or plan.

#### **SEC. 12. ENCOURAGEMENT OF MORE GENEROUS LEAVE POLICIES.**

Nothing in this Act shall be construed to discourage employers from adopting or retaining leave policies more generous than policies that comply with the requirements of this Act.

#### **SEC. 13. REGULATIONS.**

(a) **IN GENERAL.**—

(1) **AUTHORITY.**—Except as provided in paragraph (2), not later than 180 days after the date of enactment of this Act, the Secretary shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in subparagraph (A) or (B) of section 4(4) and other individuals affected by employers described in subclause (I) or (II) of section 4(5)(A)(i).

(2) **GOVERNMENT ACCOUNTABILITY OFFICE; LIBRARY OF CONGRESS.**—The Comptroller General of the United States and the Librarian of Congress shall prescribe the regulations with respect to employees of the Government Accountability Office and the Library of Congress, respectively, and other individuals affected by the Comptroller General of the United States and the Librarian of Congress, respectively.

(b) **EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.**—

(1) **AUTHORITY.**—Not later than 90 days after the Secretary prescribes regulations under section 13(a), the Board of Directors of the Office of Compliance shall prescribe (in accordance with section 304 of the Congressional Accountability Act of 1995 (2 U.S.C. 1384)) such regulations as are necessary to carry out this Act with respect to employees described in section 4(4)(C) and other individuals affected by employers described in section 4(5)(A)(i)(III).

(2) **AGENCY REGULATIONS.**—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Board may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(c) **EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.**—

(1) **AUTHORITY.**—Not later than 90 days after the Secretary prescribes regulations under section 13(a), the President (or the designee of the President) shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(4)(D) and other individuals affected by employers described in section 4(5)(A)(i)(IV).

(2) **AGENCY REGULATIONS.**—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the President (or designee) may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(d) **EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.**—

(1) **AUTHORITY.**—Not later than 90 days after the Secretary prescribes regulations under section 13(a), the Director of the Office of Personnel Management shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(4)(E) and other individuals affected by employers described in section 4(5)(A)(i)(V).

(2) **AGENCY REGULATIONS.**—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Director may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

#### **SEC. 14. EFFECTIVE DATES.**

(a) **EFFECTIVE DATE.**—This Act shall take effect 6 months after the date of issuance of regulations under section 13(a)(1).

(b) **COLLECTIVE BARGAINING AGREEMENTS.**—In the case of a collective bargaining agree-

ment in effect on the effective date prescribed by subsection (a), this Act shall take effect on the earlier of—

(1) the date of the termination of such agreement; or

(2) the date that occurs 18 months after the date of issuance of regulations under section 13(a)(1).

### **SUBMITTED RESOLUTIONS**

#### **SENATE RESOLUTION 82—COMMEMORATING THE 30TH ANNIVERSARY OF THE PROPOSAL FOR THE STRATEGIC DEFENSE INITIATIVE**

Mr. BEGICH (for himself, Mr. SESSIONS, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 82

Whereas on March 23, 1983, President Ronald Reagan delivered a televised address to the Nation on the nuclear and ballistic missile threat to the United States and appealed to the people of the United States to support the development of new technologies to counter this threat;

Whereas March 23, 2013, marks the 30th anniversary of this landmark address;

Whereas President Reagan believed that United States security is based on being prepared and willing to meet all threats;

Whereas President Reagan envisioned a defensive, non-nuclear capability to intercept and destroy strategic nuclear missiles before they reached the United States and our allies;

Whereas President Reagan envisioned these defenses to significantly reduce any incentive an adversary may have to threaten or attack the United States and our allies;

Whereas the proposal for these defenses, together with the defenses themselves, have come to be known as the "Strategic Defense Initiative";

Whereas President Reagan's vision has been inspired through the efforts of dedicated Americans and allies who have championed the pursuit of deterrence and protection to overcome immense technical hurdles in developing ballistic missile defense technologies and systems to protect the United States, our allies, and our vital interests overseas;

Whereas on January 15, 1991, soldiers from the 11th Air Defense Artillery brigade changed modern warfare forever when they successfully intercepted an Al Hussein Missile launched from Iraq towards Dhahran, Saudi Arabia;

Whereas missile defense was used in combat and was successful during Operation Desert Storm and Operation Iraqi Freedom in defending the United States Armed Forces and the forces of our allies;

Whereas the United States has achieved 58 successful missile defense intercept tests since 2001;

Whereas the capability of United States missile defenses were first successfully put on alert in response to a July 2006 missile launch by North Korea, and later put on alert for all subsequent missile launches by North Korea (including its last launch in December 2013), and was successfully demonstrated on February 21, 2008, when a Standard Missile-3 interceptor launched

from the USS *Lake Erie* intercepted and destroyed a disabled satellite of the National Reconnaissance Office;

Whereas ballistic missile defense technology continues to be developed, tested, and operationally deployed by the United States, 21 allies and friends of the United States, and the North Atlantic Treaty Organization (NATO);

Whereas the Missile Defense Agency and the United States Armed Forces stand ever vigilant to deter aggression and preserve the peace;

Whereas the Missile Defense Agency epicenter for test, integration, and fielding United States rocket technology, located in Huntsville, Alabama, is responsible for guiding the programs essential to the overall success of the Missile Defense Agency mission;

Whereas the United States Ballistic Missile Defense System is intended to lead any potential adversary to conclude that the risks of attacking the United States or our allies, or our troops in theater, far outweigh potential gains;

Whereas the AEGIS Ballistic Missile Defense System functions as a key, proven component of the integrated United States Ballistic Missile Defense System and as the foundation of sea-based ballistic missile defense for the United States, Japan, Norway, the Republic of Korea, Spain, and the North Atlantic Treaty Organization;

Whereas the United States Army Air Defense Artillery Missile Defense Systems function as a key, proven component of the integrated United States Ballistic Missile Defense System and as the foundation of land-based ballistic missile defense for Bahrain, Germany, Israel, Japan, Kuwait, the Netherlands, Qatar, the Republic of Korea, Saudi Arabia, Taiwan, Turkey, the United Arab Emirates, and the North Atlantic Treaty Organization;

Whereas the AEGIS Ballistic Missile Defense System and the United States Army Air Defense Artillery Missile Defense Systems effectively serve to deter aggression and devalue the missiles of those who would threaten the peace and security of the United States and our allies;

Whereas the Ground-Based Midcourse Defense System and its effective interceptor missiles currently deployed at Fort Greely, Alaska, and Vandenberg Air Force Base, California, together with the Missile Defense Integration and Operations Center in Colorado Springs, Colorado, function as key components of the integrated United States Ballistic Missile Defense System;

Whereas the Ballistic Missile Defense Review of 2010 concluded the Ground-Based Midcourse Defense System is the only system currently capable of protecting the United States from an intercontinental ballistic missile;

Whereas the dedicated members of the Alaska National Guard in the 49th Missile Battalion at Fort Greely, Alaska, stand ready on a daily basis to defend and protect the Nation; and

Whereas the integrated ballistic missile defense system is a key element of the national defense of the United States and a vital capability to deter aggression and preserve freedom and peace: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the vision and efforts of President Ronald Reagan to promote peace and security;

(2) recognizes and expresses support for the refusal of the people of the United States to

accept United States vulnerability to a ballistic missile attack on the homeland or overseas; and

(3) commemorates the 30th anniversary of the address of President Reagan to the Nation on national security and the Strategic Defense Initiative.

#### SENATE RESOLUTION 83—SUPPORTING THE GOALS AND IDEALS OF MULTIPLE SCLEROSIS AWARENESS WEEK

Mr. CASEY (for himself, Ms. COLLINS, Mr. BROWN, Ms. LANDRIEU, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 83

Whereas multiple sclerosis can impact men and women of all ages, races, and ethnicities;

Whereas approximately 2,100,000 individuals worldwide have been diagnosed with multiple sclerosis;

Whereas multiple sclerosis is typically diagnosed between the ages of 20 and 50, yet it is estimated that between 8,000 and 10,000 children and adolescents are living with multiple sclerosis;

Whereas multiple sclerosis is an unpredictable neurological disease that interrupts the flow of information within the brain and between the brain and the rest of the body;

Whereas symptoms of multiple sclerosis range from numbness and tingling to blindness and paralysis and the progress, severity, and specific symptoms of multiple sclerosis in any 1 individual cannot yet be predicted;

Whereas there is no laboratory test available that definitely defines a diagnosis for multiple sclerosis;

Whereas although multiple sclerosis is not directly inherited, studies show that genetic factors can indicate that certain individuals are susceptible to the disease;

Whereas the exact cause of multiple sclerosis is still unknown and there is no cure;

Whereas in rare cases, multiple sclerosis is so progressive that the disease is fatal, but most people with multiple sclerosis have a normal or near-normal life expectancy;

Whereas severe multiple sclerosis can shorten the life span of an individual;

Whereas the Multiple Sclerosis Coalition, an affiliation of multiple sclerosis organizations dedicated to the enhancement of the quality of life for all individuals affected by multiple sclerosis, recognizes and supports Multiple Sclerosis Awareness Week;

Whereas the mission of the Multiple Sclerosis Coalition is to increase opportunities for cooperation and provide greater opportunity to leverage the effective use of resources for the benefit of the multiple sclerosis community;

Whereas the Multiple Sclerosis Coalition recognizes and supports Multiple Sclerosis Awareness Week during March of every calendar year;

Whereas the goals of Multiple Sclerosis Awareness Week are—

(1) to invite individuals to join the movement to end multiple sclerosis;

(2) to encourage individuals to demonstrate a commitment to moving toward a world free of multiple sclerosis; and

(3) to acknowledge the individuals who have dedicated time and talent to promote multiple sclerosis research and programs; and

Whereas this year, Multiple Sclerosis Awareness Week is recognized during the

week of March 11, 2013, through March 17, 2013: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of Multiple Sclerosis Awareness Week;

(2) encourages States, territories, possessions of the United States, and localities to support the goals and ideals of Multiple Sclerosis Awareness Week by issuing proclamations designating Multiple Sclerosis Awareness Week;

(3) encourages media organizations to participate in Multiple Sclerosis Awareness Week and help provide education to the public about multiple sclerosis;

(4) commends the efforts of the States, territories, and possessions of the United States to support the goals and ideals of Multiple Sclerosis Awareness Week;

(5) recognizes and reaffirms the commitment of the United States to ending multiple sclerosis by promoting—

(A) awareness about individuals that are affected by multiple sclerosis; and

(B) education programs, supporting research, and expanding access to medical treatment;

(6) recognizes all individuals in the United States living with multiple sclerosis;

(7) expresses gratitude to the family members and friends of individuals living with multiple sclerosis, who are a source of love and encouragement to those individuals; and

(8) salutes the health care professionals and medical researchers who—

(A) provide assistance to those individuals affected by multiple sclerosis; and

(B) continue to work to find ways to stop the progression of the disease, restore nerve function, and end multiple sclerosis forever.

#### SENATE RESOLUTION 84—RECOGNIZING THE 192ND ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. CASEY, Mr. JOHNSON of South Dakota, Mr. CHAMBLISS, Mr. LEVIN, Mr. DURBIN, Mrs. SHAHEEN, Mr. REED, Mr. WYDEN, Mr. KIRK, Mr. CARPER, Mr. SCHUMER, Ms. MIKULSKI, Mr. CARDIN, Mr. COCHRAN, Mr. WHITEHOUSE, Mr. MANCHIN, Mr. LAUTENBERG, Mr. MURPHY, Mr. BEGICH, Mr. BROWN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. RUBIO, Mrs. FEINSTEIN, Mr. BLUNT, Mr. NELSON, Mr. ISAKSON, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the founding fathers of the United States, many of whom read Greek political philosophy in the original Greek language, drew heavily on the political experience and philosophy of ancient Greece in forming the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, "It is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate

our ancestors and be thought worthy of them if we succeed in resembling you”;

Whereas the Greek national anthem, the “Hymn to Liberty”, includes the words, “most heartily was gladdened George Washington’s brave land”;

Whereas the people of the United States generously offered humanitarian assistance to the people of Greece during their struggle for independence;

Whereas Greece, in one of the most consequential “David vs. Goliath” victories for freedom and democracy in modern times, refused to surrender to the Axis forces and inflicted a fatal wound at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia where the Axis forces met defeat;

Whereas Winston Churchill said, “if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been” and “no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks”;

Whereas hundreds of thousands of people of Greece were killed in Greece during World War II in defense of the values of the Allies;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested billions of dollars in the countries of the region, thereby helping to create tens of thousands of new jobs, and having contributed more than \$750,000,000 in development aid for the region;

Whereas the Government and people of Greece actively participate in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe, and have more recently provided critical support to the operation of the North Atlantic Treaty Organization in Libya;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat the Government and people of Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim countries and Israel;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields with Turkey, and has also improved its relations with other countries in the region, including Israel, thus enhancing the stability of the wider region;

Whereas the governments and people of Greece and the United States are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

Whereas those efforts and similar ideals have forged a close bond between the people of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2013, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 192nd anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 192 years ago.

#### SENATE RESOLUTION 85—DESIGNATING APRIL 2013 AS “NATIONAL CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS MONTH”

Mr. SESSIONS (for himself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to.:

##### S. RES. 85

Whereas congenital diaphragmatic hernia occurs when the diaphragm fails to fully form, allowing abdominal organs to migrate into the chest cavity and prevent lung growth;

Whereas the Centers for Disease Control and Prevention defines congenital diaphragmatic hernia as a birth defect;

Whereas congenital diaphragmatic hernia occurs in 1 of every 2,500 births;

Whereas congenital diaphragmatic hernia affects approximately 1,600 babies each year in the United States;

Whereas the majority of congenital diaphragmatic hernia patients have underdeveloped lungs or poor pulmonary function;

Whereas congenital diaphragmatic hernia patients often endure long-term complications, including pulmonary hypertension, pulmonary hypoplasia, asthma, gastrointestinal reflex, feeding disorders, and developmental delays;

Whereas congenital diaphragmatic hernia survivors sometimes endure long-term mechanical ventilation dependency, skeletal malformations, supplemental oxygen dependency, enteral and parenteral nutrition, and hypoxic brain injury;

Whereas congenital diaphragmatic hernia patients have a survival rate ranging from 62 percent to 90 percent depending on the severity of the defect, the treatment available at delivery, and whether extracorporeal membrane oxygenation must be used;

Whereas congenital diaphragmatic hernia has affected more than 600,000 babies throughout the world since 2000;

Whereas babies born with congenital diaphragmatic hernia endure extended hospital stays in intensive care with multiple surgeries;

Whereas congenital diaphragmatic hernia is as common a birth defect as spina bifida and cystic fibrosis;

Whereas congenital diaphragmatic hernia is diagnosed in utero in only 75 percent of cases;

Whereas congenital diaphragmatic hernia is treated through mechanical ventilation, extracorporeal membrane oxygenation machines (commonly known as “heart and lung bypass machines”) and surgical repair;

Whereas patients often outgrow congenital diaphragmatic hernia surgical repair, leading to reherniation and requiring additional surgery;

Whereas the occurrence of congenital diaphragmatic hernia does not discriminate based on race, gender, or socioeconomic status;

Whereas the cause of congenital diaphragmatic hernia is unknown;

Whereas the average hospital bill for a congenital diaphragmatic hernia patient is \$500,000; and

Whereas the total annual cost of medical care for children with congenital diaphragmatic hernia in the United States is more than \$800,000,000: Now, therefore be it

*Resolved*, That the Senate—

(1) designates April 2013 as “National Congenital Diaphragmatic Hernia Awareness Month”;

(2) declares that steps should be taken to—  
(A) raise awareness of and increase public knowledge about congenital diaphragmatic hernia;

(B) inform minority populations in the United States about congenital diaphragmatic hernia;

(C) disseminate information on the importance of good neonatal care for congenital diaphragmatic hernia patients;

(D) promote good prenatal care and the use of ultrasounds to detect congenital diaphragmatic hernia in utero; and

(E) encourage research on congenital diaphragmatic hernia in order to discover its causes, develop treatments, and find a cure; and

(3) calls on the people of the United States, interest groups, and affected persons to—

(A) promote awareness of congenital diaphragmatic hernia;

(B) take an active role in the fight against this devastating birth defect; and

(C) observe National Congenital Diaphragmatic Hernia Awareness Month with appropriate ceremonies and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 136. Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table.

SA 137. Mr. MORAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 138. Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ALEXANDER, and Mr. ENZI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 139. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 140. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 141. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 142. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 143. Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 144. Ms. COLLINS submitted an amendment intended to be proposed by her to the

SA 201. Mr. CRUZ submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 202. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 203. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 204. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 205. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 206. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 207. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 208. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 209. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 136.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR THE PROHIBITION ON FUNDING OF THE MEDIUM EXTENDED AIR DEFENSE SYSTEM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to prohibiting use of funds for defense programs not authorized by law, which may include the Medium Extended Air Defense System (MEADS), without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 137.** Mr. MORAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth

the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 31, line 19, increase the amount by \$1,400,000,000.

On page 31, line 20, increase the amount by \$322,000,000.

On page 31, line 24, increase the amount by \$784,000,000.

On page 32, line 2, increase the amount by \$238,000,000.

On page 32, line 7, increase the amount by \$42,000,000.

On page 32, line 11, increase the amount by \$14,000,000.

On page 46, line 11, decrease the amount by \$1,400,000,000.

On page 46, line 12, decrease the amount by \$322,000,000.

On page 46, line 16, decrease the amount by \$784,000,000.

On page 46, line 20, decrease the amount by \$238,000,000.

On page 46, line 24, decrease the amount by \$42,000,000.

On page 47, line 3, decrease the amount by \$14,000,000.

**SA 138.** Mr. ISAKSON (for himself, Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO ESTABLISHING A BIENNIAL BUDGET AND APPROPRIATIONS PROCESS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to establishing a biennial budget and appropriations process, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 139.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO UPHOLD SECOND AMENDMENT RIGHTS AND PREVENT THE UNITED STATES FROM ENTERING INTO THE UNITED NATIONS ARMS TRADE TREATY.**

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to upholding Second Amendment rights, which shall include preventing the United States from entering into the United Nations Arms Trade Treaty, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 140.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO MODIFY THE METHODOLOGY OF THE DEPARTMENT OF TRANSPORTATION'S COMPLIANCE, SAFETY, ACCOUNTABILITY PROGRAM.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution for 1 or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would modify the methodology of the Department of Transportation's Compliance, Safety, Accountability Program to ensure that motor carriers' Safety Measurement System scores in each of the measurement categories bear a strong statistical relationship to future crash risk, based on peer reviewed research, and only consider crashes that the motor carrier caused or reasonably could have prevented, without raising revenue, by the amounts provided in such legislation for that purpose if such legislation would not increase the deficit during—

(1) the 5-year period ending on September 30, 2018; or

(2) the 10-year period ending on September 30, 2023.

**SA 141.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 405. POINT OF ORDER AGAINST LEGISLATION IMPOSING A USER FEE WITH RESPECT TO GENERAL AVIATION.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would impose a user fee

with respect to general aviation in any year covered by this resolution.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 142.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 20, line 19, increase the amount by \$5,000,000.  
 On page 20, line 20, increase the amount by \$3,250,000.  
 On page 20, line 23, increase the amount by \$5,000,000.  
 On page 20, line 24, increase the amount by \$4,250,000.  
 On page 21, line 2, increase the amount by \$5,000,000.  
 On page 21, line 3, increase the amount by \$4,750,000.  
 On page 21, line 6, increase the amount by \$5,000,000.  
 On page 21, line 7, increase the amount by \$5,000,000.  
 On page 21, line 10, increase the amount by \$5,000,000.  
 On page 21, line 11, increase the amount by \$5,000,000.  
 On page 21, line 14, increase the amount by \$5,000,000.  
 On page 21, line 15, increase the amount by \$5,000,000.  
 On page 21, line 18, increase the amount by \$5,000,000.  
 On page 21, line 19, increase the amount by \$5,000,000.  
 On page 21, line 22, increase the amount by \$5,000,000.  
 On page 21, line 23, increase the amount by \$5,000,000.  
 On page 22, line 2, increase the amount by \$5,000,000.  
 On page 22, line 3, increase the amount by \$5,000,000.  
 On page 22, line 6, increase the amount by \$5,000,000.  
 On page 22, line 7, increase the amount by \$5,000,000.  
 On page 46, line 11, decrease the amount by \$5,000,000.  
 On page 46, line 12, decrease the amount by \$3,250,000.  
 On page 46, line 15, decrease the amount by \$5,000,000.  
 On page 46, line 16, decrease the amount by \$4,250,000.  
 On page 46, line 19, decrease the amount by \$5,000,000.  
 On page 46, line 20, decrease the amount by \$4,750,000.  
 On page 46, line 23, decrease the amount by \$5,000,000.  
 On page 46, line 24, decrease the amount by \$5,000,000.  
 On page 47, line 2, decrease the amount by \$5,000,000.  
 On page 47, line 3, decrease the amount by \$5,000,000.

On page 47, line 6, decrease the amount by \$5,000,000.

On page 47, line 7, decrease the amount by \$5,000,000.

On page 47, line 10, decrease the amount by \$5,000,000.

On page 47, line 11, decrease the amount by \$5,000,000.

On page 47, line 14, decrease the amount by \$5,000,000.

On page 47, line 15, decrease the amount by \$5,000,000.

On page 47, line 18, decrease the amount by \$5,000,000.

On page 47, line 19, decrease the amount by \$5,000,000.

On page 47, line 22, decrease the amount by \$5,000,000.

On page 47, line 23, decrease the amount by \$5,000,000.

**SA 143.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO HEALTH INSURANCE COVERAGE FOR SENIOR EXECUTIVE BRANCH OFFICIALS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the health care options of senior executive branch officials, including but not limited to the President, vice-president, and cabinet level officials, which may require them to purchase health care coverage through health insurance exchanges established under the Patient Protection and Affordable Care Act in the same manner as Senators, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 144.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DEFINITION OF FULL-TIME EMPLOYEE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolu-

tions, amendments, motions, or conference reports related to employer penalties in the Patient Protection and Affordable Care Act, which may include restoring a sensible definition of “full-time employee”, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 145.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR SENSIBLE REGULATORY REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for sensible regulatory reform for Executive departments and independent regulatory agencies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 146.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 13, line 9, increase the amount by \$201,587,000.

On page 13, line 10, increase the amount by \$181,428,000.

On page 13, line 14, increase the amount by \$18,143,000.

On page 46, line 7, decrease the amount by \$201,587,000.

On page 46, line 8, decrease the amount by \$181,428,000.

On page 46, line 12, decrease the amount by \$18,143,000.

**SA 147.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:



At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR SMALL BUSINESS ASSISTANCE IN ACCESSING FOREIGN MARKETS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to small businesses in accessing foreign markets, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 148.** Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. MCCAIN, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 22, line 23, decrease the amount by \$19,000,000.

On page 22, line 24, decrease the amount by \$19,000,000.

On page 23, line 2, decrease the amount by \$23,000,000.

On page 23, line 3, decrease the amount by \$23,000,000.

On page 23, line 6, decrease the amount by \$27,000,000.

On page 23, line 7, decrease the amount by \$27,000,000.

On page 23, line 10, decrease the amount by \$27,000,000.

On page 23, line 11, decrease the amount by \$27,000,000.

On page 23, line 14, decrease the amount by \$30,000,000.

On page 23, line 15, decrease the amount by \$30,000,000.

On page 23, line 18, decrease the amount by \$32,000,000.

On page 23, line 19, decrease the amount by \$32,000,000.

On page 23, line 22, decrease the amount by \$35,000,000.

On page 23, line 23, decrease the amount by \$35,000,000.

On page 24, line 2, decrease the amount by \$35,000,000.

On page 24, line 3, decrease the amount by \$35,000,000.

**SA 149.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO INCREASE THE CAPACITY OF AGENCIES TO ENSURE EFFECTIVE CONTRACT MANAGEMENT AND CONTRACT OVERSIGHT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of Federal agencies to ensure effective contract management and contract oversight, including efforts such as additional personnel and training for Inspectors General at each agency, new reporting requirements for agencies to track their responses to and actions taken in response to Inspector General recommendations, urging the President to appoint permanent Inspectors General at agencies where there is currently a vacancy, and any other effort to ensure accountability from contractors and increase the capacity of Inspectors General to rout out waste, fraud, and abuse in all government contracting efforts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 150.** Mr. BENNET (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, strike line 9 and insert the following:

(8) wildland fire preparedness, mitigation, suppression, or recovery, including watershed management or flooding associated with wildfires, and air tanker recapitalization; or

**SA 151.** Mr. BENNET (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE ENERGY CONSERVATION AND CLEAN ENERGY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to energy conservation and clean energy, which may include competitive grants to States for energy conservation and clean energy measures at the State level, by the amounts provided in the legislation for those purposes, provided that the legislation would

not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 152.** Mr. PORTMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . MEDICAL MALPRACTICE REFORM.**

(a) MODIFICATION OF FUNCTIONAL LEVELS.—

(1) FUNCTION 920.—The levels for function 920 in this resolution are amended by—

(A) reducing the budget authority for each fiscal year by—

- (i) \$100,000,000 in fiscal year 2014;
- (ii) \$880,000,000 in fiscal year 2015;
- (iii) \$3,070,000,000 in fiscal year 2016;
- (iv) \$5,240,000,000 in fiscal year 2017;
- (v) \$6,510,000,000 in fiscal year 2018;
- (vi) \$6,980,000,000 in fiscal year 2019;
- (vii) \$7,450,000,000 in fiscal year 2020;
- (viii) \$8,000,000,000 in fiscal year 2021;
- (ix) \$8,570,000,000 in fiscal year 2022; and
- (x) \$9,160,000,000 in fiscal year 2023; and

(B) reducing the outlays for each fiscal year by—

- (i) \$100,000,000 in fiscal year 2014;
- (ii) \$880,000,000 in fiscal year 2015;
- (iii) \$3,070,000,000 in fiscal year 2016;
- (iv) \$5,240,000,000 in fiscal year 2017;
- (v) \$6,510,000,000 in fiscal year 2018;
- (vi) \$6,980,000,000 in fiscal year 2019;
- (vii) \$7,450,000,000 in fiscal year 2020;
- (viii) \$8,000,000,000 in fiscal year 2021;
- (ix) \$8,570,000,000 in fiscal year 2022;
- (x) \$9,160,000,000 in fiscal year 2023.

(2) FEDERAL REVENUES.—The levels for Federal revenues in this resolution are amended by increasing the level for each fiscal year by—

- (A) \$10,000,000 in fiscal year 2014;
- (B) \$90,000,000 in fiscal year 2015;
- (C) \$350,000,000 in fiscal year 2016;
- (D) \$640,000,000 in fiscal year 2017;
- (E) \$730,000,000 in fiscal year 2018;
- (F) \$1,010,000,000 in fiscal year 2019;
- (G) \$1,160,000,000 in fiscal year 2020;
- (H) \$1,230,000,000 in fiscal year 2021;
- (I) \$1,300,000,000 in fiscal year 2022; and
- (J) \$1,380,000,000 in fiscal year 2023.

(b) RECONCILIATION.—Not later than October 1, 2013, the Committee on Judiciary shall report changes in laws, bills, or resolutions within its jurisdiction to reduce the deficit by \$110,000,000 in fiscal year 2014 and \$63,860,000,000 for the period of fiscal years 2014 through 2023.

**SA 153.** Mr. PORTMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR EXPORT PROMOTION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to small businesses in accessing foreign markets, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 154.** Mr. PORTMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

**SEC. 4. CONGRESSIONAL BUDGET OFFICE ESTIMATES.**

(a) REQUEST FOR SUPPLEMENTAL ESTIMATES.—In the case of any legislative provision to which this section applies, the Congressional Budget Office, with the assistance of the Joint Committee on Taxation, shall prepare, to the extent practicable, as a supplement to the cost estimate for legislation affecting revenues, an estimate of the revenue changes in connection with such provision that incorporates the macroeconomic effects of the policy being analyzed. Any macroeconomic impact statement under the preceding sentence shall be accompanied by a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing—

(1) such estimate; and  
(2) the conventional estimate in connection with such provision.

(b) LEGISLATIVE PROVISIONS TO WHICH THIS SECTION APPLIES.—This section shall apply to any legislative provision—

(1) which proposes a change or changes to law that the Congressional Budget Office determines, pursuant to a conventional fiscal estimate, has a revenue impact in excess of \$5,000,000,000 in any fiscal year; or

(2) with respect to which the chair or ranking member of the Committee on the Budget of either the Senate or the House of Representatives has requested an estimate described in subsection (a).

**SA 155.** Mr. PORTMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 3, and insert the following:

**TITLE II—RESERVE FUNDS****SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR CORPORATE TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would cut the corporate tax rates while reducing lower-priority business tax preferences, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,630,000,000.

**SA 156.** Mr. GRASSLEY (for himself, Mr. ENZI, Mr. MCCONNELL, Mr. CORNYN, Mr. HATCH, Mr. BURR, Mr. ROBERTS, Mr. PORTMAN, Mr. ISAKSON, and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 3 and insert the following:

**TITLE II—RESERVE FUNDS****SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE-NEUTRAL PRO-GROWTH TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a revenue structure that is more efficient for individuals and businesses, leads to a more competitive business environment for United States enterprises, and may result in additional rate reductions without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,630,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

**SA 157.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE THE PRESIDENT, VICE-PRESIDENT, POLITICAL APPOINTEES IN THE EXECUTIVE BRANCH, CONGRESSIONAL LEADERSHIP STAFF, AND CONGRESSIONAL COMMITTEE STAFF TO PARTICIPATE IN THE HEALTH INSURANCE EXCHANGES ESTABLISHED UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may be related to the health care coverage of members of Congress and the executive branch which may include requiring the President, Vice-President, political appointees in the executive branch, Congressional leadership staff, and Congressional committee staff to participate in the health insurance exchanges established under the Patient Protection and Affordable Care Act without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.



**SA 158.** Ms. AYOTTE (for herself and Mr. THUNE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4 \_\_\_\_ . POINT OF ORDER AGAINST CONSIDERATION OF A BUDGET RESOLUTION THAT INCLUDES REVENUE INCREASES WHILE THE UNEMPLOYMENT RATE IS ABOVE 5.5 PERCENT.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that includes a revenue increase while the unemployment rate is above 5.5 percent.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(c) DETERMINATION OF REVENUE INCREASE.—For purposes of this section, a revenue increase is an increase in Federal Revenues in any fiscal year above total revenues in the same fiscal year of the most recent Congressional Budget Office baseline.

(d) DETERMINATION OF UNEMPLOYMENT RATE.—For purposes of this section, the unemployment rate is the Current Population Survey seasonally adjusted national unemployment rate for the most recent month, published by the Bureau of Labor Statistics.

**SA 159.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENATE POINT OF ORDER AGAINST THE CONSIDERATION OF ANY LEGISLATION AFTER APRIL 15TH UNTIL A BUDGET RESOLUTION IS AGREED TO IN THE SENATE.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between Houses or conference report after April 15th until the Senate passes a concurrent resolution on the budget.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly

chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SA 160.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE TRANSPARENCY IN THE VALUE-ADDED PRODUCER GRANT PROGRAM TO PREVENT SPENDING TAXPAYER DOLLARS ON WASTEFUL GOVERNMENT GIVEAWAYS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that may increase transparency and accountability in the value-added agricultural product market development grant program of the Department of Agriculture by allowing for a systemic review of the program through the Office of the Inspector General of the Department of Agriculture without raising revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 161.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR ACHIEVING FULL AUDITABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE BY 2017.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to achieving full auditability of the financial statements Department of Defense by 2017, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 162.** Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amend-

ment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO EXPAND AND ENHANCE THE NO CONTRACTING WITH THE ENEMY PROVISIONS TO PREVENT UNITED STATES TAXPAYER DOLLARS FROM GOING TO THE ENEMIES OF THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to preventing contracting dollars from going to the enemies of the United States, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 163.** Ms. AYOTTE (for herself and Mr. CORKER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO MODERNIZE THE NUCLEAR WEAPONS COMPLEX AND STRATEGIC DELIVERY SYSTEMS OF THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to modernizing the nuclear weapons complex and strategic delivery systems of the United States, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 164.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO DELAY IMPLEMENTATION OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT UNTIL THE NATIONAL UNEMPLOYMENT RATE FALLS BELOW 5.5 PERCENT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may be related to a delay of the implementation of the Patient Protection and Affordable Care Act for economic or employment concerns without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 165.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT THE DEPARTMENT OF LABOR FROM IMPLEMENTING A PROPOSAL TO EXPAND THE DEFINITION OF "FIDUCIARY" UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 TO INCLUDE APPRAISALS OF EMPLOYEE STOCK OWNERSHIP PLANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may prohibit the Department of Labor from expanding the definition of "fiduciary" under the Employee Retirement Income Security Act of 1974 (ERISA) to include appraisals of employee stock ownership plans without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 166.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, between lines 11 and 12, insert the following:

(10) the reining in of onerous regulations on our Nation's fishing industry;

**SA 167.** Ms. AYOTTE submitted an amendment intended to be proposed by

her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 51, line 9, insert "without raising new revenue," after "growth,".

**SA 168.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 51, line 19, insert "without raising new revenue," after "businesses,".

**SA 169.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 5, insert "without raising new revenue," after "program,".

**SA 170.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 19, insert "without raising new revenue," after "sistance,".

**SA 171.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, line 12, insert "without raising new revenue," before "by the amounts".

**SA 172.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of section 302(a), strike the period and insert the following: " , except that, in the case of a measure that relates to the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), the Chairman may only make such a revision if the measure includes a provision to implement program integrity controls to prevent cost overruns by the Employment and Training Administration of the Department of Labor.".

**SA 173.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT LOW-INCOME FAMILIES FROM ELECTRICITY COST INCREASES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reform the Clean Air Act (42 U.S.C. 7401 et seq.) to prevent any new or amended regulation that increases the cost of electricity on low-income families from becoming effective until approved by the Governor of each State, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 174.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT VULNERABLE FAMILIES FROM JOB KILLING REGULATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would ensure Federal agencies consider the full cost of regulations, including indirect job losses and the negative

health impacts of indirect job losses, prior to enacting or amending any regulation or rule, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 175.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST THE EXPENDITURE OF FUNDS TO ENFORCE OIL REFINERY REGULATIONS AGAINST FAMILY FARMS.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would allow funds to be used to enforce any oil refinery rule or regulation against family farms.

(b) **WAIVER AND APPEAL.**—

(1) **WAIVER.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) **APPEAL.**—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 176.** Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSI (for herself and Mr. SHELBY) to the bill H.R. 933, making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013; as follows.

Amend the title to read: “An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.”

**SA 177.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023, which was ordered to lie on the table; as follows:

**SEC. \_\_\_\_.** Deficit-neutral reserve fund related to the reduction of wasteful spending, which may include but is not limited to the establishment of a new committee of the Senate with the purpose of examining and proposing annually legislation to reduce wasteful, inefficient, and duplicative spending.

The Chairman of the Senate Committee on the Budget may revise the budget authority

and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendment, amendments between houses, motions, or conference reports related to the reduction of wasteful spending, which may include but is not limited to the establishment of a new committee of the Senate with the purpose of examining and proposing annually legislation to reduce wasteful, inefficient, and duplicative spending, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 178.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **DEFICIT-NEUTRAL RESERVE FUND TO REMOVE CONTRADICTORY DATA COLLECTION REQUIREMENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would remove contradictory data collection requirements imposed on financial institutions by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 179.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 29, line 25, increase the amount by \$547,000,000.

On page 30, line 4, increase the amount by \$628,000,000.

On page 30, line 8, increase the amount by \$158,000,000.

On page 30, line 12, increase the amount by \$28,000,000.

On page 30, line 16, increase the amount by \$29,000,000.

On page 30, line 20, increase the amount by \$29,000,000.

On page 30, line 24, increase the amount by \$29,000,000.

On page 31, line 3, increase the amount by \$29,000,000.

On page 31, line 7, increase the amount by \$30,000,000.

On page 31, line 11, increase the amount by \$31,000,000.

On page 46, line 12, decrease the amount by \$7,000,000.

On page 46, line 16, decrease the amount by \$78,000,000.

On page 46, line 20, decrease the amount by \$577,000,000.

On page 46, line 24, decrease the amount by \$722,000,000.

On page 47, line 3, decrease the amount by \$737,000,000.

On page 47, line 7, decrease the amount by \$753,000,000.

On page 47, line 11, decrease the amount by \$769,000,000.

On page 47, line 15, decrease the amount by \$785,000,000.

On page 47, line 19, decrease the amount by \$801,000,000.

On page 47, line 23, decrease the amount by \$817,000,000.

**SA 180.** Mr. ROBERTS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$559,000,000.

On page 5, line 10, decrease the amount by \$1,339,000,000.

On page 5, line 11, decrease the amount by \$1,329,000,000.

On page 5, line 12, decrease the amount by \$1,299,000,000.

On page 5, line 13, decrease the amount by \$1,269,000,000.

On page 5, line 14, decrease the amount by \$1,239,000,000.

On page 5, line 15, decrease the amount by \$1,239,000,000.

On page 5, line 16, decrease the amount by \$1,249,000,000.

On page 5, line 17, decrease the amount by \$1,259,000,000.

On page 5, line 18, decrease the amount by \$1,269,000,000.

On page 5, line 23, decrease the amount by \$559,000,000.

On page 5, line 24, decrease the amount by \$1,339,000,000.

On page 5, line 25, decrease the amount by \$1,329,000,000.

On page 6, line 1, decrease the amount by \$1,299,000,000.

On page 6, line 2, decrease the amount by \$1,269,000,000.

On page 6, line 3, decrease the amount by \$1,239,000,000.

On page 6, line 4, decrease the amount by \$1,239,000,000.

On page 6, line 5, decrease the amount by \$1,249,000,000.

On page 6, line 6, decrease the amount by \$1,259,000,000.

On page 6, line 7, decrease the amount by \$1,269,000,000.

On page 6, line 12, decrease the amount by \$559,000,000.

On page 6, line 13, decrease the amount by \$1,339,000,000.

On page 6, line 14, decrease the amount by \$1,329,000,000.

On page 6, line 15, decrease the amount by \$1,299,000,000.

On page 6, line 16, decrease the amount by \$1,269,000,000.

On page 6, line 17, decrease the amount by \$1,239,000,000.

On page 6, line 18, decrease the amount by \$1,239,000,000.

On page 6, line 19, decrease the amount by \$1,249,000,000.

On page 6, line 20, decrease the amount by \$1,259,000,000.

On page 6, line 21, decrease the amount by \$1,269,000,000.

On page 35, line 11, decrease the amount by \$559,000,000.

On page 35, line 12, decrease the amount by \$559,000,000.

On page 35, line 15, decrease the amount by \$1,339,000,000.

On page 35, line 16, decrease the amount by \$1,339,000,000.

On page 35, line 19, decrease the amount by \$1,329,000,000.

On page 35, line 20, decrease the amount by \$1,329,000,000.

On page 35, line 23, decrease the amount by \$1,299,000,000.

On page 35, line 24, decrease the amount by \$1,299,000,000.

On page 36, line 2, decrease the amount by \$1,269,000,000.

On page 36, line 3, decrease the amount by \$1,269,000,000.

On page 36, line 6, decrease the amount by \$1,239,000,000.

On page 36, line 7, decrease the amount by \$1,239,000,000.

On page 36, line 10, decrease the amount by \$1,239,000,000.

On page 36, line 11, decrease the amount by \$1,239,000,000.

On page 36, line 14, decrease the amount by \$1,249,000,000.

On page 36, line 15, decrease the amount by \$1,249,000,000.

On page 36, line 18, decrease the amount by \$1,259,000,000.

On page 36, line 19, decrease the amount by \$1,259,000,000.

On page 36, line 22, decrease the amount by \$1,269,000,000.

On page 36, line 23, decrease the amount by \$1,269,000,000.

**SA 181.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013; and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$356,000,000.

On page 5, line 10, decrease the amount by \$428,000,000.

On page 5, line 11, decrease the amount by \$433,000,000.

On page 5, line 12, decrease the amount by \$437,000,000.

On page 5, line 13, decrease the amount by \$442,000,000.

On page 5, line 14, decrease the amount by \$446,000,000.

On page 5, line 15, decrease the amount by \$452,000,000.

On page 5, line 16, decrease the amount by \$456,000,000.

On page 5, line 17, decrease the amount by \$464,000,000.

On page 5, line 18, decrease the amount by \$470,000,000.

On page 5, line 23, decrease the amount by \$356,000,000.

On page 5, line 24, decrease the amount by \$428,000,000.

On page 5, line 25, decrease the amount by \$433,000,000.

On page 6, line 1, decrease the amount by \$437,000,000.

On page 6, line 2, decrease the amount by \$442,000,000.

On page 6, line 3, decrease the amount by \$446,000,000.

On page 6, line 4, decrease the amount by \$452,000,000.

On page 6, line 5, decrease the amount by \$456,000,000.

On page 6, line 6, decrease the amount by \$464,000,000.

On page 6, line 7, decrease the amount by \$470,000,000.

On page 6, line 12, decrease the amount by \$356,000,000.

On page 6, line 13, decrease the amount by \$428,000,000.

On page 6, line 14, decrease the amount by \$433,000,000.

On page 6, line 15, decrease the amount by \$437,000,000.

On page 6, line 16, decrease the amount by \$442,000,000.

On page 6, line 17, decrease the amount by \$446,000,000.

On page 6, line 18, decrease the amount by \$452,000,000.

On page 6, line 19, decrease the amount by \$456,000,000.

On page 6, line 20, decrease the amount by \$464,000,000.

On page 6, line 21, decrease the amount by \$470,000,000.

On page 35, line 11, decrease the amount by \$356,000,000.

On page 35, line 12, decrease the amount by \$356,000,000.

On page 35, line 15, decrease the amount by \$428,000,000.

On page 35, line 16, decrease the amount by \$428,000,000.

On page 35, line 19, decrease the amount by \$433,000,000.

On page 35, line 20, decrease the amount by \$433,000,000.

On page 35, line 23, decrease the amount by \$437,000,000.

On page 35, line 24, decrease the amount by \$437,000,000.

On page 36, line 2, decrease the amount by \$442,000,000.

On page 36, line 3, decrease the amount by \$442,000,000.

On page 36, line 6, decrease the amount by \$446,000,000.

On page 36, line 7, decrease the amount by \$446,000,000.

On page 36, line 10, decrease the amount by \$452,000,000.

On page 36, line 11, decrease the amount by \$452,000,000.

On page 36, line 14, decrease the amount by \$456,000,000.

On page 36, line 15, decrease the amount by \$456,000,000.

On page 36, line 18, decrease the amount by \$464,000,000.

On page 36, line 19, decrease the amount by \$464,000,000.

On page 36, line 22, decrease the amount by \$470,000,000.

On page 36, line 23, decrease the amount by \$470,000,000.

**SA 182.** Mr. ROBERTS submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013; and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$1,909,000,000.

On page 5, line 10, decrease the amount by \$3,735,000,000.

On page 5, line 11, decrease the amount by \$3,735,000,000.

On page 5, line 12, decrease the amount by \$3,713,000,000.

On page 5, line 13, decrease the amount by \$3,668,000,000.

On page 5, line 14, decrease the amount by \$3,628,000,000.

On page 5, line 15, decrease the amount by \$3,950,000,000.

On page 5, line 16, decrease the amount by \$3,950,000,000.

On page 5, line 17, decrease the amount by \$3,971,000,000.

On page 5, line 18, decrease the amount by \$4,014,000,000.

On page 5, line 23, decrease the amount by \$1,909,000,000.

On page 5, line 24, decrease the amount by \$3,725,000,000.

On page 5, line 25, decrease the amount by \$3,735,000,000.

On page 6, line 1, decrease the amount by \$3,713,000,000.

On page 6, line 2, decrease the amount by \$3,668,000,000.

On page 6, line 3, decrease the amount by \$3,628,000,000.

On page 6, line 4, decrease the amount by \$3,950,000,000.

On page 6, line 5, decrease the amount by \$3,950,000,000.

On page 6, line 6, decrease the amount by \$3,971,000,000.

On page 6, line 7, decrease the amount by \$4,014,000,000.

On page 6, line 12, decrease the amount by \$1,909,000,000.

On page 6, line 13, decrease the amount by \$3,725,000,000.

On page 6, line 14, decrease the amount by \$3,735,000,000.

On page 6, line 15, decrease the amount by \$3,713,000,000.

On page 6, line 16, decrease the amount by \$3,668,000,000.

On page 6, line 17, decrease the amount by \$3,628,000,000.

On page 6, line 18, decrease the amount by \$3,950,000,000.

On page 6, line 19, decrease the amount by \$3,950,000,000.

On page 6, line 20, decrease the amount by \$3,971,000,000.

On page 6, line 21, decrease the amount by \$4,014,000,000.

On page 35, line 11, decrease the amount by \$1,909,000,000.

On page 35, line 12, decrease the amount by \$1,909,000,000.

On page 35, line 15, decrease the amount by \$3,735,000,000.

On page 35, line 16, decrease the amount by \$3,725,000,000.

On page 35, line 19, decrease the amount by \$3,735,000,000.

On page 35, line 20, decrease the amount by \$3,735,000,000.

On page 35, line 23, decrease the amount by \$3,713,000,000.

On page 35, line 24, decrease the amount by \$3,713,000,000.  
 On page 36, line 2, decrease the amount by \$3,668,000,000.  
 On page 36, line 3, decrease the amount by \$3,668,000,000.  
 On page 36, line 6, decrease the amount by \$3,628,000,000.  
 On page 36, line 7, decrease the amount by \$3,628,000,000.  
 On page 36, line 10, decrease the amount by \$3,950,000,000.  
 On page 36, line 11, decrease the amount by \$3,950,000,000.  
 On page 36, line 14, decrease the amount by \$3,950,000,000.  
 On page 36, line 15, decrease the amount by \$3,950,000,000.  
 On page 36, line 18, decrease the amount by \$3,971,000,000.  
 On page 36, line 19, decrease the amount by \$3,971,000,000.  
 On page 36, line 22, decrease the amount by \$4,014,000,000.  
 On page 36, line 23, decrease the amount by \$4,014,000,000.

**SA 183.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013; and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$535,000,000.  
 On page 5, line 10, decrease the amount by \$1,305,000,000.  
 On page 5, line 11, decrease the amount by \$1,295,000,000.  
 On page 5, line 12, decrease the amount by \$1,270,000,000.  
 On page 5, line 13, decrease the amount by \$1,240,000,000.  
 On page 5, line 14, decrease the amount by \$1,220,000,000.  
 On page 5, line 15, decrease the amount by \$1,200,000,000.  
 On page 5, line 16, decrease the amount by \$1,175,000,000.  
 On page 5, line 17, decrease the amount by \$1,165,000,000.  
 On page 5, line 18, decrease the amount by \$1,600,000,000.  
 On page 5, line 23, decrease the amount by \$535,000,000.  
 On page 5, line 24, decrease the amount by \$1,295,000,000.  
 On page 5, line 25, decrease the amount by \$1,295,000,000.  
 On page 6, line 1, decrease the amount by \$1,270,000,000.  
 On page 6, line 2, decrease the amount by \$1,240,000,000.  
 On page 6, line 3, decrease the amount by \$1,220,000,000.  
 On page 6, line 4, decrease the amount by \$1,200,000,000.  
 On page 6, line 5, decrease the amount by \$1,175,000,000.  
 On page 6, line 6, decrease the amount by \$1,165,000,000.  
 On page 6, line 7, decrease the amount by \$1,600,000,000.  
 On page 6, line 12, decrease the amount by \$535,000,000.  
 On page 6, line 13, decrease the amount by \$1,295,000,000.

On page 6, line 14, decrease the amount by \$1,295,000,000.  
 On page 6, line 15, decrease the amount by \$1,270,000,000.  
 On page 6, line 16, decrease the amount by \$1,240,000,000.  
 On page 6, line 17, decrease the amount by \$1,220,000,000.  
 On page 6, line 18, decrease the amount by \$1,200,000,000.  
 On page 6, line 19, decrease the amount by \$1,175,000,000.  
 On page 6, line 20, decrease the amount by \$1,165,000,000.  
 On page 6, line 21, decrease the amount by \$1,600,000,000.  
 On page 35, line 11, decrease the amount by \$535,000,000.  
 On page 35, line 12, decrease the amount by \$535,000,000.  
 On page 35, line 15, decrease the amount by \$1,305,000,000.  
 On page 35, line 16, decrease the amount by \$1,295,000,000.  
 On page 35, line 19, decrease the amount by \$1,295,000,000.  
 On page 35, line 20, decrease the amount by \$1,295,000,000.  
 On page 35, line 23, decrease the amount by \$1,270,000,000.  
 On page 35, line 24, decrease the amount by \$1,270,000,000.  
 On page 36, line 2, decrease the amount by \$1,240,000,000.  
 On page 36, line 3, decrease the amount by \$1,240,000,000.  
 On page 36, line 6, decrease the amount by \$1,220,000,000.  
 On page 36, line 7, decrease the amount by \$1,220,000,000.  
 On page 36, line 10, decrease the amount by \$1,200,000,000.  
 On page 36, line 11, decrease the amount by \$1,200,000,000.  
 On page 36, line 14, decrease the amount by \$1,175,000,000.  
 On page 36, line 15, decrease the amount by \$1,175,000,000.  
 On page 36, line 18, decrease the amount by \$1,165,000,000.  
 On page 36, line 19, decrease the amount by \$1,165,000,000.  
 On page 36, line 22, decrease the amount by \$1,600,000,000.  
 On page 36, line 23, decrease the amount by \$1,600,000,000.

**SA 184.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE EXPORTS FROM THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to promoting the export of goods, including manufactured goods, from the United States through reform of environmental laws, which may include the regula-

tion of greenhouse gas emissions produced outside the United States by goods exported from the United States, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 185.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR HEALTH INSURANCE PREMIUM REDUCTIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that prohibit the Secretary of Health and Human Services from using funds for the implementation or management of health benefit exchanges, including any associated health insurance cost sharing subsidies, until the chief actuary of the Centers for Medicare & Medicaid Services certifies that the implementation of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 have resulted in a reduction in the average health insurance premiums for Americans of \$2500, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 186.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8; setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT HEALTH CARE RATIONING.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts

for advancements in genomics and personalized medicine, the unique needs of health disparity populations, and differences in the treatment response and the treatment preferences of patients, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 187.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_.** DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT MARKETING MATERIALS RELATING TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that prohibit the use of funds for promotional or marketing materials promoting the Patient Protection and Affordable Care Act or its benefits, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 188.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_.** DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS WHAT THE PRESIDENT OF THE UNITED STATES HAS CALLED A "HEALTH SPENDING PROBLEM".

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that delay the implementation of the Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the Health Care and Reconciliation Act of 2010 (Public Law 111-152), until such time as the Office of the Chief Actuary for the Centers for Medicare & Medicaid Services certifies that the Patient Protection and Affordable Care Act, as so amended, will not lead to a net increase in National health expenditures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or rev-

enue over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 189.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_.** DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS WHAT THE PRESIDENT OF THE UNITED STATES HAS CALLED A "HEALTH SPENDING PROBLEM".

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that delay the implementation of the Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the Health Care and Reconciliation Act of 2010 (Public Law 111-152), until such time as the Congressional Budget Office certifies that the Patient Protection and Affordable Care Act, as so amended, will not lead to an increase in the net Federal budgetary commitment to health care, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenue over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 190.** Mr. MANCHIN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_.** DEFICIT-NEUTRAL RESERVE FUND FOR UNDERGROUND AND SURFACE COAL MINING SAFETY AND HEALTH RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to underground and surface mining safety and health research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 191.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S.

Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332.** DEFICIT-NEUTRAL RESERVE FUND TO REDUCE THE DEPENDENCE OF THE UNITED STATES ON IMPORTS OF RARE EARTH METALS FROM THE PEOPLE'S REPUBLIC OF CHINA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to reducing the dependence of the United States on imports of rare earth metals from the People's Republic of China, which may include research into alternative technologies, promotion of recycling, or encouragement of the production of rare earth metals in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 192.** Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 60, strike line 7 and insert the following: credentialing requirements; or

(6) supporting additional efforts to increase access to health care for veterans in rural areas through telehealth and other programs that reduce the need for such veterans to travel long distances to a medical facility of the Department of Veterans Affairs;

**SA 193.** Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332.** DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AND REFORM THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that strengthen and reform the National Nuclear Security Administration, by



the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 194.** Mr. COATS (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE 3.8 PERCENT TAX ON INVESTMENT INCOME IMPOSED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may repeal the 3.8 percent tax on investment income imposed by section 1411 of the Internal Revenue Code of 1986 without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 195.** Mr. COATS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF ANY BUDGET SUBMITTED BY THE PRESIDENT.**

When the Congressional Budget Office submits its report to Congress relating to a budget submitted by the President for a fiscal year under section 1105 of title 31, United States Code, such report shall contain—

(1) an estimate of the pro rata cost for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year of any deficit that would result from the budget; and

(2) an analysis of the budgetary effects described in paragraph (1).

**SA 196.** Mr. COATS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST LEGISLATION INCREASING NET DIRECT SPENDING WHEN THE NATIONAL DEBT EXCEEDS THE SIZE OF THE ECONOMY OF THE UNITED STATES.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, amendment between the Houses, motion, or conference report that increases the net level of direct spending, excluding net interest, relative to the most recent Congressional Budget Office baseline during any period in which the gross Federal debt exceeds 100 percent of United States Gross Domestic Product in the prior year.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(c) DETERMINATION OF GROSS FEDERAL DEBT AS A PERCENT OF GROSS DOMESTIC PRODUCT.—For purposes of this section, the percent of total gross Federal debt as a percent of Gross Domestic Product shall be determined by the Chairman of the Committee on the Budget of the Senate on the basis of the most recently published Congressional Budget Office estimate of nominal Gross Domestic Product in the prior calendar year.

**SA 197.** Mr. COATS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE-NEUTRAL AND PRO-GROWTH TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reform the Internal Revenue Code of 1986 to boost economic growth, lower tax rates, and broaden the tax base without confiscating higher levels of revenue from taxpayers as a whole, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 198.** Mr. SANDERS (for himself, Mr. HARKIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the concurrent resolution S.

Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR DISABLED VETERANS AND THEIR SURVIVORS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to protecting the benefits of disabled veterans and their survivors, which may not include a chained CPI, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 199.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. DEFICIT-NEUTRAL RESERVE FUND TO LIMIT FEDERAL LAND HOLDINGS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to programs that discourage the Federal Government from owning or controlling more than a majority of the total land mass in any of the States, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 200.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR PREVENTING DOMESTIC DRONE KILLINGS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports related to the prevention of drone killings of citizens of the United States in the United States, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 201.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR CHOICE-BASED EARLY EDUCATION SCHOLARSHIPS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to school choice, which may include providing a portion of Department of Education funding to the States to allow for scholarships for low-income students in kindergarten through grade 12 to use at either a public or private school, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 202.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports relating to the repeal of the Patient Protection

and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 203.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 4, line 6, decrease the amount by \$20,000,000,000.

On page 4, line 7, decrease the amount by \$40,000,000,000.

On page 4, line 8, decrease the amount by \$55,000,000,000.

On page 4, line 9, decrease the amount by \$70,000,000,000.

On page 4, line 10, decrease the amount by \$82,110,000,000.

On page 4, line 11, decrease the amount by \$95,881,000,000.

On page 4, line 12, decrease the amount by \$115,534,000,000.

On page 4, line 13, decrease the amount by \$135,203,000,000.

On page 4, line 14, decrease the amount by \$149,801,000,000.

On page 4, line 15, decrease the amount by \$159,630,000,000.

On page 4, line 20, decrease the amount by \$20,000,000,000.

On page 4, line 21, decrease the amount by \$40,000,000,000.

On page 4, line 22, decrease the amount by \$55,000,000,000.

On page 4, line 23, decrease the amount by \$70,000,000,000.

On page 4, line 24, decrease the amount by \$82,110,000,000.

On page 4, line 25, decrease the amount by \$95,881,000,000.

On page 5, line 1, decrease the amount by \$115,534,000,000.

On page 5, line 2, decrease the amount by \$135,203,000,000.

On page 5, line 3, decrease the amount by \$149,801,000,000.

On page 5, line 4, decrease the amount by \$159,630,000,000.

On page 46, line 7, decrease the amount by \$183,323,000,000.

On page 46, line 8, decrease the amount by \$45,663,000,000.

On page 46, line 11, decrease the amount by \$186,590,000,000.

On page 46, line 12, decrease the amount by \$186,590,000,000.

On page 46, line 15, decrease the amount by \$224,131,000,000.

On page 46, line 16, decrease the amount by \$224,131,000,000.

On page 46, line 19, decrease the amount by \$254,932,000,000.

On page 46, line 20, decrease the amount by \$254,932,000,000.

On page 46, line 23, decrease the amount by \$298,289,000,000.

On page 46, line 24, decrease the amount by \$298,289,000,000.

On page 47, line 2, decrease the amount by \$348,950,000,000.

On page 47, line 3, decrease the amount by \$348,950,000,000.

On page 47, line 6, decrease the amount by \$421,311,000,000.

On page 47, line 7, decrease the amount by \$421,311,000,000.

On page 47, line 10, decrease the amount by \$470,358,000,000.

On page 47, line 11, decrease the amount by \$470,358,000,000.

On page 47, line 14, decrease the amount by \$519,061,000,000.

On page 47, line 15, decrease the amount by \$519,061,000,000.

On page 47, line 18, decrease the amount by \$548,033,000,000.

On page 47, line 19, decrease the amount by \$548,033,000,000.

On page 47, line 22, decrease the amount by \$584,973,000,000.

On page 47, line 23, decrease the amount by \$584,973,000,000.

**SA 204.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 48, line 14, decrease the amount by \$10,000,000.

On page 48, line 15, decrease the amount by \$10,000,000.

On page 48, line 18, decrease the amount by \$10,000,000.

On page 48, line 19, decrease the amount by \$10,000,000.

On page 48, line 22, decrease the amount by \$20,000,000.

On page 48, line 23, decrease the amount by \$20,000,000.

On page 49, line 2, decrease the amount by \$10,000,000.

On page 49, line 3, decrease the amount by \$10,000,000.

On page 49, line 6, decrease the amount by \$10,000,000.

On page 49, line 7, decrease the amount by \$10,000,000.

On page 49, line 10, decrease the amount by \$10,000,000.

On page 49, line 11, decrease the amount by \$10,000,000.

On page 49, line 14, decrease the amount by \$10,000,000.

On page 49, line 15, decrease the amount by \$10,000,000.

On page 49, line 18, decrease the amount by \$20,000,000.

On page 49, line 19, decrease the amount by \$20,000,000.

**SA 205.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:



**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REFORM THE USE OF FEDERAL FUNDS PAID IN CIVIL LITIGATION THAT SEEKS TO COMPEL FEDERAL REGULATORY ACTION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports for legislation relating to the reform of the use of Federal funds to pay legal costs arising from civil actions, which may include actions against the Environmental Protection Agency or the Department of the Interior seeking to compel regulatory action by those agencies, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 206.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 46, line 11, decrease the amount by \$16,000,000,000.  
 On page 46, line 12, decrease the amount by \$16,000,000,000.  
 On page 46, line 15, decrease the amount by \$30,000,000,000.  
 On page 46, line 16, decrease the amount by \$30,000,000,000.  
 On page 46, line 19, decrease the amount by \$44,000,000,000.  
 On page 46, line 20, decrease the amount by \$44,000,000,000.  
 On page 46, line 23, decrease the amount by \$59,000,000,000.  
 On page 46, line 24, decrease the amount by \$59,000,000,000.  
 On page 47, line 2, decrease the amount by \$73,000,000,000.  
 On page 47, line 3, decrease the amount by \$73,000,000,000.  
 On page 47, line 6, decrease the amount by \$87,000,000,000.  
 On page 47, line 7, decrease the amount by \$87,000,000,000.  
 On page 47, line 10, decrease the amount by \$101,000,000,000.  
 On page 47, line 11, decrease the amount by \$101,000,000,000.  
 On page 47, line 14, decrease the amount by \$116,000,000,000.  
 On page 47, line 15, decrease the amount by \$116,000,000,000.  
 On page 47, line 18, decrease the amount by \$130,000,000,000.  
 On page 47, line 19, decrease the amount by \$130,000,000,000.  
 On page 47, line 22, decrease the amount by \$144,000,000,000.  
 On page 47, line 23, decrease the amount by \$144,000,000,000.

**SA 207.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO END PAYMENT OF FEDERAL FUNDS USED IN PROMOTING NUTRITION PROGRAMS THROUGH ANY PARTNERSHIPS BETWEEN FEDERAL AGENCIES AND FOREIGN EMBASSIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would end payment of Federal funds used in promoting nutrition programs through any partnerships between Federal agencies and foreign embassies, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 208.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND TO ACHIEVE SAVINGS BY PROHIBITING ILLEGAL IMMIGRANTS OR ILLEGAL IMMIGRANTS GRANTED LEGAL STATUS FROM QUALIFYING FOR FEDERALLY SUBSIDIZED HEALTH CARE.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings in health care that may be related to prohibiting illegal immigrants or aliens who were unlawfully present in the United States prior to receiving a grant of legal immigration status from qualifying for Federally subsidized health care without raising revenues, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

**SA 209.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revis-

ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND TO ACHIEVE SAVINGS BY PROHIBITING ILLEGAL IMMIGRANTS OR ILLEGAL IMMIGRANTS GRANTED LEGAL STATUS FROM QUALIFYING FOR A REFUNDABLE TAX CREDIT.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings that may be related to the prohibition of illegal immigrants or aliens who were unlawfully present in the United States prior to receiving a grant of legal immigration status from qualifying for refundable tax credits, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 20, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Aviation Safety: FAA's Progress on Key Safety Initiatives."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 20, 2013, at 10 a.m. in room SD-406 of the Dirksen Senate Office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 20, 2013, at 9:30 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Reforming the Delivery System: The Center on Medicare and Medicaid Innovation."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 20, 2013, at 2:15 p.m., to hold a hearing entitled, "Counterterrorism Policies and Priorities: Addressing the Evolving Threat."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 20, 2013, at 11:30 a.m. in President's Room of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 20, 2013, at 10 a.m., to conduct a hearing entitled, "Hurricane Sandy: Getting the Recovery Right and the Value of Mitigation."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 20, 2013, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, "The Future of Drones in America: Law Enforcement and Privacy Considerations."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 20, 2013, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Building an Immigration System Worthy of American Values."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON VETERANS' AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 20, 2013, at 10 a.m., in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled, "VA Mental Health Care: Ensuring Timely Access to High-Quality Care."

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON SCIENCE AND SPACE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Sub-

committee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 20, 2013, at 10 a.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Assessing the Risks, Impacts, and Solutions for Space Threats."

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Emily Sharp and Michael Branson, detailees to the Budget Committee, be granted floor privileges for the duration of the consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Ronald Dabrowski, a detailee with the Finance Committee, be granted floor privileges for the remainder of the 2013 calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent the following members of my Budget Committee staff be granted full floor access for the duration of the consideration of S. Con. Res. 8, John Righter and Mike Jones.

The PRESIDING OFFICER. Without objection, it is so ordered.

## GOLD STAR WIVES DAY

Mrs. MURRAY. Mr. President, I ask unanimous consent that Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 67.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 67) designating April 5, 2013, as "Gold Star Wives Day."

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 67) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 5, 2013, under "Submitted Resolutions.")

## 192ND ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mrs. MURRAY. Mr. President, I ask unanimous consent the Senate proceed

to the immediate consideration of S. Res. 84, submitted earlier today by Senator MENENDEZ and others.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 84) recognizing the 192nd anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 84) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## NATIONAL CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS MONTH

Mrs. MURRAY. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 85, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 85) designating April 2013 as "National Congenital Diaphragmatic Hernia Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 85) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## ORDERS FOR THURSDAY, MARCH 21, 2013

Mrs. MURRAY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Thursday, March 21, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. Con. Res. 8, the Budget Resolution; further, that there be 34 hours remaining on the concurrent resolution divided between the chair and the ranking member.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M.  
TOMORROW

sent it adjourn under the previous order.

Mrs. MURRAY. Mr. President, if there is no further business to come before the Senate, I ask unanimous con-

There being no objection, the Senate, at 10:45 p.m., adjourned until Thursday, March 21, 2013 at 9 a.m.

## EXTENSIONS OF REMARKS

### MEMORIAL TO DONALD HECKARD

#### HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 2013

Mrs. WALORSKI. Mr. Speaker, I come to the House floor today with a heavy heart; yet, also with personal pride to pay tribute to a great American, Hoosier, mentor, and friend to many: Donald H. Heckard. Don was born on June 19, 1924, in Cass County, Indiana, and he passed away March 1, 2013.

Countless Hoosier friends marked the passing of an iconic figure who cast a significant influence over Indiana politics and vocational education for nearly a half century. For many of the current generation, Don Heckard was the archetypal Hoosier Republican. Conservative in matters of personal and public finance, Don's key to success was his ability to assess an issue, make good decisions, and apply hard work and dedication to the task at hand. Don spent his entire life as a steward of the land in Noble Township, Cass County and was proud to be called a farmer. He was also the owner operator of Logan City Ice Company for thirty three years. To all those who bought ice bags in central Indiana on a hot summer day, Don was known as "Logan Ice."

With strong beliefs in his community and love of family, Don actively served his church in Logansport, Indiana, as a deacon, trustee, elder and Sunday school teacher. Don was appointed by then Governor Otis Bowen as a State Director and Chairman of the Board of the Ivy Tech Community College. Don presided over a period of dramatic growth and development of the regional campus program.

Gerald Gerry Lamkin, President of Ivy Tech Community College, 1983–2007, in his book, "Building Indiana's Community College: My 40-Year Journey," paid tribute to Don Heckard as follows:

I've written much about Don Heckard of Logansport. Of many exceptional members of the State Board of Trustees, none was better than Heckard. I'm not sure what made him so effective? Perhaps it was that he was a farmer, businessman and politician and good at all of them. (As a district party chair, he sat on the Republican state committee. Political people from across Indiana and the nation sought his advice and still do.) A thoughtful man, he's loyal to friends and associates. He sizes up situations well, consistently makes good decisions, possesses excellent judgment and is unflappable. He doesn't argue for perfection, but does expect effort and effectiveness. These qualities made him an extraordinary trustee.

Don had a deep love for his country and expressed his patriotism by his active involvement in politics. He served as a County Councilman for eleven years, and beginning in the 1970s, as Cass County Republican Chairman, Second and Fifth Congressional District Chair-

man during the governorships of Otis Bowen and Robert Orr, contributing significantly to their election and to Republican control of the legislature during the period. Don served as a committed Ford delegate to the GOP National Convention that nominated Gerald Ford for the presidency in 1976, and subsequently served as State Chairman of Farmers for Ford. As a Congressional District chairman, Don served on the Republican State Committee and was a delegate to thirteen Indiana Republican State Conventions. Don was also a mentor and personal advisor to Congressman Steve Buyer for 18 years.

Indiana has a special way to recognize one of the state's favorite sons and daughters by awarding the Sagamore of the Wabash as Indiana's highest citizen award. Don was twice an honoree named Sagamore of the Wabash, once by Governor Otis Bowen and the other by Governor Robert Orr.

Don was a noble businessman, civic and political leader, and devoted family man from what American history has crowned the greatest generation. His principles, work ethic, virtues, and values have left positive impressions to the betterment of others in a manner in which the name of Donald H. Heckard will be forever etched in our National Book of Remembrance.

### HONORING THE 192ND ANNIVERSARY OF GREEK INDEPENDENCE

#### HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 2013

Mr. GRIMM. Mr. Speaker, today I stand with my colleagues on both sides of the aisle in honoring a joyous day for our proud constituents of Greek and Cypriot descent. As an enthusiastic member of the Congressional Hellenic Caucus, I am truly honored to commemorate the 192nd Anniversary of Greek Independence and celebrate the ties that connect our two great democracies in strength and fellowship.

In reflecting on Greece and America's longstanding tradition as friends and allies, we also honor the accomplishments of countless Greek and Cypriot Americans, many of which first immigrated to our country and grew their livelihoods in New York City, a longstanding bastion America's magnificent diversity. I represent the 11th Congressional District of New York and am proud to serve a large and thriving Greek and Cypriot American community. The remarkable cultural festivals thrown by the Holy Cross Orthodox Church in Bay Ridge, or the Holy Trinity/St. Nicholas Greek Orthodox Churches on the West Shore of Staten Island are beloved neighborhood celebrations that are looked forward to by residents of all backgrounds every year. The countless busi-

nesses, services, and entrepreneurial endeavors provided by Greek and Cypriot Americans in Staten Island and Brooklyn attest to the strength of, and support for, this thriving community.

Greek Independence Day is an ideal moment for all Americans to contemplate the roots of our own democratic tradition. It is important to remember that when the Founding Fathers set out to structure our young republic on firm footing, many of the laws and principles were based on the ancient political philosophy of the Greeks. Appreciating the very architecture of the United States Capitol, our Temple of Freedom, or reading through the Constitution reveals the profound impact the culture and history of Greece has had on our modern customs and institutions.

It is with great pride that I rise today to honor the independence of a nation that, for centuries, has championed the very rights it has had the distinct honor and privilege of nurturing into existence: those of liberty and participation in the democratic process. I have come to know first-hand the vibrant cultural heritage Greek and Cypriot Americans offer to local communities in Staten Island and Brooklyn, and I have every confidence that the common bonds between the United States, Cyprus, and Greece shall live on for generations to come.

#### CHRISTINE COOPER

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Christine Cooper for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Christine Cooper is an 8th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Christine Cooper is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Christine Cooper for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## PERSONAL EXPLANATION

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. LUETKEMEYER. Mr. Speaker, on roll-call No. 75, final passage of the SKILLS Act on March 15, 2013, it was my intention to vote in support of final passage. Had I been present, I would have voted "yea."

## HONORING VU QUANG NINH

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, this past weekend, I heard of the passing of my late friend, Mr. Vu Quang Ninh, founder of Little Saigon Radio and a media trailblazer in the Vietnamese American community. Mr. Ninh passed away peacefully in Orange County at age 82.

Mr. Ninh lived a very prosperous and productive life, dedicated to public service. His career spanned more than half a century in both Vietnam and the United States. Mr. Ninh grew up in turbulent times during the Vietnam War. He was called on by Prime Minister Ngo Dinh Diem of Vietnam to take charge of Armed Forces Radio right after his graduation from the Army Academy. Mr. Ninh later served as the head of the youth department in Central Vietnam and produced many radio programs, collaborating by the United States and the Republic of South Vietnam government.

After the fall of Vietnam, Mr. Ninh resettled in California but the dream of becoming a radioman never left him. In 1980, he established Radio Tieng Vong Que Huong (Echo of the Motherland), which lasted for 3 years. Mr. Ninh paved the way for the Vietnamese-Americans in the world of radio broadcast when he established Little Saigon Radio. He turned the station into a strong and constructive voice for the community. Today, my thoughts are with his family, friends and the Little Saigon Radio family. His loss will be remembered and felt by all those who were inspired by his legacy.

## DARLENE TAPIA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Darlene Tapia for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Darlene Tapia is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Darlene Tapia is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels

strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Darlene Tapia for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

## RED CROSS MONTH

**HON. SUSAN W. BROOKS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mrs. BROOKS of Indiana. Mr. Speaker, since 1943, every President has declared March as "Red Cross Month." This year is no exception. As the Chairman of the House Committee on Homeland Security Subcommittee on Emergency Preparedness, Response, and Communications, I recently was able to visit the National Red Cross, along with the Ranking Member of the Subcommittee—Mr. PAYNE, Jr. from New Jersey, to learn about their operations and show our support. During the visit, we learned that each year the Red Cross responds to about 70,000 natural and man-made disasters, ranging from small incidents, like house fires, to large-scale disasters like Hurricane Sandy and the 2010 earthquake in Haiti. Additionally, the Red Cross, through numerous blood drives, provides approximately 40 percent of the Nation's blood supply.

The visit also provided us with the opportunity to tour the Digital Operations Center. The Digital Operations Center is the first social media-monitoring platform dedicated to humanitarian relief. The Digital Operations Center equips the Red Cross to better share safety and preparedness tips during natural disasters and aims to empower communities suffering during disasters to use social tools to seek help. After visiting the Digital Operations Center, I was very impressed with how the Red Cross has begun to leverage social media and uses smartphone apps to keep citizens informed before, during, and after disasters.

I am personally thankful for the Greater Indianapolis Red Cross chapter and its volunteers. This chapter has truly embraced the Red Cross ethos of turning "compassion into action." Just last year, volunteer Disaster Action Teams responded to more than 500 house fires and assisted over 700 families in recovering from emergencies and disasters. Additionally, more than 30 volunteers from East and Central Indiana were an integral part of the Red Cross' relief operations after deadly tornadoes struck Southern Indiana in March of last year. These examples highlight just a few of the capabilities a typical local Red Cross chapter can offer.

In the upcoming weeks, when you are back in your Congressional District, please take a moment to thank your local Red Cross for all the work they do. The Red Cross is vital to our Nation's ability to prepare for, respond to, and recover from disasters, regardless of the size, and they deserve our appreciation.

## SHIPYARD LAYS KEEL OF THE JOHN WARNER SUBMARINE

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. WOLF. Mr. Speaker, I am pleased to announce that former Virginia Senator and Secretary of the Navy John Warner was honored last Saturday at a keel laying ceremony at Newport News Shipbuilding, a subsidiary of Huntington Ingalls Industries. This is a special occasion for the Navy and the Commonwealth of Virginia as the *John Warner* SSN 785, a 377-foot nuclear-powered submarine, is the first *Virginia*-class fast attack submarine to be named after a person. The submarine's apt namesake shows John Warner's dedication to the service of our country. Construction of the 12th *Virginia*-class submarine began in 2009 and it is scheduled to be delivered to the Navy in 2015. I am pleased to have served with John Warner in Congress and submit a Daily Press accounting of the ceremony.

[From the Daily Press, Mar. 17, 2013]

## SHIPYARD LAYS KEEL OF THE JOHN WARNER SUBMARINE

(By Michael Welles Shapiro)

On Saturday the former lawmaker whose fingerprints are all over Newport News Shipbuilding's involvement in the construction of *Virginia*-class nuclear submarines watched as his initials were welded onto a piece of the shipyard's latest boat.

In a rarity in military shipbuilding, the shipyard laid the keel of a fast-attack submarine with its namesake, former senator and Secretary of the Navy John Warner, in attendance.

The boat is the 12th in the *Virginia*-class program and it is scheduled for delivery to the Navy in 2015. The shipyard, a unit of Huntington Ingalls Industries, builds the boats in partnership with General Dynamics Electric Boat in Groton, Conn., a unique arrangement that Warner is credited with helping to start.

Shipyard president Matt Mulherin said naming the latest submarine for Warner is fitting because "he led the efforts to create this teaming agreement between Newport News Shipbuilding and Electric Boat to cooperatively build these submarines."

Navy leaders also spoke glowingly of the joint construction program. Adm. John Richardson, the director of the Naval Nuclear Propulsion Program, said, "the on-time, on-cost, on-quality implementation of this program is well-known."

Warner also received accolades from lawmakers in attendance.

Sen. Mark Warner, who is no relation, said he admired the former senator for being a politician who was willing to set aside politics when push came to shove.

Mark Warner, a Democrat, said that when he was governor, John Warner, a Republican, spoke out in support of a Mark Warner budget bill that had stalled during a partisan tug of war.

"We could use a lot more John Warners in the United States Congress at this point," he said.

John Warner's wife, Jeanne, is the submarine's sponsor.

To close the ceremony the couple chalked their initials on a steel plate before shipyard worker Matthew Shilling welded the letters onto the metal.

Shilling, 27, said after the ceremony that he'd been practicing welding block letters during the week leading up to the keel laying.

But Warner threw the shipbuilder a curve when he wrote his "J" in cursive with a flourish. "I was nervous," Shilling said, saying he's more accustomed to working in a loud construction environment.

Warner also improvised a bit as the ceremony wrapped up.

The Navy and Marine Corps veteran made an unexpected gesture to show that the submarine represents not just him but an entire generation that served in World War II.

He asked the sub's prospective commanding officer, Cmdr. Dan Caldwell, to have a small pin that he and others who served received at the end of the war kept onboard the submarine near the steel plate.

#### WHAT'S IN A NAME?

From 1903 to the late 1960s, attack submarines like the Warner were given the names of fish and creatures of the deep—the Seawolf, the Sturgeon and the Whale, for instance.

In his speech, Warner attributed a change in that convention to former Secretary of Defense Melvin Laird.

Warner said he and Adm. Hyman Rickover—the famed admiral who pushed Congress to buy nuclear-powered ships—were called in to meet with Laird and the secretary brought up the topic of ship names.

Laird told the two men, "fish don't appropriate, and fish don't vote, so stop calling them fish," according to Warner.

Since 1973 the country's two large classes of attack submarines have been named for cities and states. The two exceptions to those traditions are a boat that was named for Rickover and built in the 1980s and the Warner.

Military ships of any sort are seldom named for living people.

Starting in the 1970s about three ships a decade have been named for people who are living at the time of the announcement, according to a July 2012 Navy report to Congress on naming conventions.

The list includes four presidents, former Arizona Rep. Gabby Giffords, astronaut and former senator John Glenn and comedian Bob Hope, who was famous for his numerous United Service Organizations shows to entertain military personnel.

"(W)hile naming ships after living persons remains a relatively rare occurrence . . . it is now an accepted but sparingly used practice for pragmatic (Navy) secretaries of both parties," the report says.

"(O)ccasionally honoring an especially deserving member of Congress, U.S. naval leader or famous American with a ship name so that they might end their days on earth knowing that their life's work is both recognized and honored by America's Navy-Marine Corps Team, and that their spirit will accompany and inspire the team in battle, is sometimes exactly the right thing to do."

Asked how he felt about having a submarine named for him, Warner said, "I'm not too much of a philosopher," but "I'm humbled."

receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Devon Fox is an 11th grader at IB Program at Lakewood High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Devon Fox is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Devon Fox for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### HONORING EAST CENTRAL HIGH SCHOOL

#### HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of my constituents at East Central High School in Dearborn County, Indiana.

The Business Professionals of America chapter at East Central High School recently competed in the 2013 State Leadership Conference held in Indianapolis. Students participated and placed in the Broadcast Production, Global Marketing, Financial Math and Analysis, Entrepreneurship, Fundamentals of Word Processing, and Advanced Accounting competitions.

Business Professionals of America competitions are a great way for students to develop leadership and technology skills that are most needed for today's competitive workforce and economy.

I want to congratulate the team and those students who participated in the state contest: Brittany Begley, Lucas Gramman, Jake Griffin, Jesse Hamilton, Danielle McClure, Hannah Patton, Tyler Seiwert, Payton Stonefield, and A.J. Waltz. I also want to recognize the faculty sponsors, Kelly Pettit and Tina Waechter, for their leadership in these students' lives. In addition, Jake and Danielle qualified for the National Competition and will be representing the state in May.

I ask the entire 6th Congressional District to join me in congratulating the East Central High School Business Professionals of America team for their hard work and in wishing them continued success in competition.

#### NEWBORN SCREENING SAVES LIVES ACT

#### HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. SIMPSON. Mr. Speaker, I am proud to join with my friend and colleague from Cali-

fornia, Congresswoman ROYBAL-ALLARD, to introduce the Newborn Screening Saves Lives Reauthorization Act of 2013. This legislation would reauthorize critical federal programs that assist states in improving and expanding their newborn screening programs, supporting parent and provider newborn screening education, and ensuring laboratory quality and surveillance.

Over 4 million babies will be born across the United States this year, and each and every one will be touched by newborn screening. Most screenings are done using a simple "heel stick" blood sample collected before the newborn leaves the hospital. These screenings test for serious genetic, metabolic or hearing disorders that may not be apparent at birth.

Approximately 1 in every 300 newborns in the United States has a condition that can be detected through screening. If left untreated, these conditions can cause serious illness, lifetime disabilities and even death. Without early interventions, these infants and their families suffer enormous emotional and economic burdens. Imagine the burden of knowing that your child died or is suffering from a disease that could have been prevented if identified through newborn screening. No baby should suffer or die if a screening test can prevent it.

Newborn screening not only saves lives but, it also saves money. As a former dentist, I know well the importance of diagnosing and treating a condition early in a child's life. According to a 2012 study on severe combined immunodeficiency (SCID)—one of the 31 core, treatable conditions recommended for state newborn screening programs—the Medicaid cost of treating a baby with SCID in the first two years of life can cost more than \$2 million dollars. Yet, an infant diagnosed early can be cured through a simple bone marrow transplant—costing just \$100,000 if performed in the first three months of life.

In 2008, Congresswoman ROYBAL-ALLARD and I introduced the original Newborn Screening Saves Lives Act (P.L. 110-204), which encouraged states to uniformly test for a recommended set of disorders and provided resources for states to expand and improve their newborn screening programs. Prior to passage, the number and quality of newborn screening tests varied greatly from state to state. In 2007, only 10 states and the District of Columbia required infants to be screened for all of the "core conditions" recommended by the Secretary's Advisory Committee on Heritable Disorders in Newborns and Children. Today, 44 states and the District of Columbia require screening for at least 29 of the 31 treatable core conditions.

The Newborn Screenings Saves Lives Reauthorization Act builds upon the foundation laid by the original legislation and will ensure that infants continue to receive comprehensive and effective screenings. The legislation reauthorizes programs at the Health Resources and Services Administration to assist states' efforts to improve their screening programs, educate parents and health care providers, and improve follow-up care for infants with

#### DEVON FOX

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Devon Fox for

conditions detected through newborn screening. The legislation also renews the Secretary's Advisory Committee on Heritable Disorders in Newborns and Children, which maintains and updates the Recommended Uniform Screening Panel that states use to adopt and implement new conditions. Improvement of data quality is also needed to track the clinical outcomes of children more effectively and to refine protocols for short-term and long-term follow-up of children with conditions identified through newborn screening. That is why the Reauthorization Act establishes a grant program within the Centers for Disease Control and Prevention to assist states in developing follow-up and tracking programs.

Mr. Speaker, I ask that my colleagues join with me in supporting this critical legislation—because no baby should die or suffer the devastating health consequences of a condition that could have been treated or prevented if identified through newborn screening.

DOMONICK GUIGON

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Domonick Guigon for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Domonick Guigon is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Domonick Guigon is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Domonick Guigon for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING MS. LANA FELTON-GHEE

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Ms. Lana Felton-Ghee, a constituent of Pennsylvania's 1st District, for her upcoming 66th birthday on April 8th.

Born, raised and educated in Philadelphia, Lana is well known for her successes in business and politics. Graduating from Temple University, Ms. Felton-Ghee led a longtime, high profile career in marketing and public relations. She established her own business in 1995, Lana Felton-Ghee Associates, Inc., and took on challenging projects in our area and throughout the country. Her expertise was rec-

ognized nationally, and she became a key consultant on campaigns for figures such as Mayor Ed Rendell and President Bill Clinton.

Throughout her busy and successful career, Ms. Felton-Ghee also made time for a fulfilling family life and is a proud mother of four and grandmother of ten.

I ask that you and my other distinguished colleagues help me in honoring Ms. Felton-Ghee and her birthday. Ms. Felton-Ghee is the epitome of a life-long Philadelphian and a model citizen. We can all learn something from her fortitude and her commitment to her career, her city and her family. She has been known to say that "there is no place like Philadelphia," but Philadelphia would not be nearly as bright a place without her vibrant and dedicated personality.

#### PERSONAL EXPLANATION

**HON. ALAN GRAYSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. GRAYSON. Mr. Speaker, on rollcall No. 76—Approving the Journal, 77—H. Con. Res. 18, and 78—H. Con. Res. 19.

Had I been present, I would have voted "yea." I was absent because of a flight problem.

EDNA SOLIS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edna Solis for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Edna Solis is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Edna Solis is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Edna Solis for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING THE OHIO  
CHRISTIAN UNIVERSITY MEN'S  
BASKETBALL TEAM

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. STIVERS. Mr. Speaker, I rise today to congratulate the Ohio Christian University

men's basketball team on their first-ever National Christian College Athletic Association (NCCAA) National Championship win.

Ending a perfect season, the OCU Trailblazers triumphed over the Arlington Baptist University Patriots with a score of 73–62. It was a very close game, and the Patriots had a one point lead by the end of the first half. However, the Trailblazers came back in the second half, limiting the Patriots to 24 points. The OCU defense shut down ABU in the final two minutes, leading the team to the championship title.

Again, I extend my congratulations to the Ohio Christian University men's basketball team on their perfect season and NCCAA title. I am proud of all the hard work and dedication that has led to the team's accomplishments. These hardworking young men have brought pride to the people of Ohio's 15th Congressional District, and I commend them for this outstanding achievement.

IN RECOGNITION OF THE ELMIRA  
COLLEGE WOMEN'S ICE HOCKEY  
TEAM

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize the Elmira College women's ice hockey team, winner of the 2013 NCAA Division III National Championship. Led by the strong play of goaltender Taylor Steadman, who posted her 11th shutout of the year, the Soaring Eagles skated to a 1–0 victory over Middlebury College on March 16.

Under the leadership of head coach Dean Jackson, the Soaring Eagles finished the season with a remarkable 24–5–1 record. This marks the third time that Elmira College has captured the National Championship since its women's ice hockey program was established in 2002.

The unrivaled success of the Elmira College women's ice hockey team is a testament to the hard work and dedication of the players and coaches. The months of practice and training culminated in the highest level of success that an athletic team can achieve, being crowned as the national champions. This team is a source of pride in Elmira and across my entire district, and I am honored to recognize their great athletic accomplishment.

DAMON BOLTON

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Damon Bolton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Damon Bolton is a 12th grader at Lakewood High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Damon Bolton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Damon Bolton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### INTRODUCTION OF THE LEAD HAZARD TITLE X AMENDMENTS ACT OF 2013

#### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Ms. SLAUGHTER. Mr. Speaker, I rise today to introduce the Lead Hazard Title X Amendments Act.

Although the prevalence of lead poisoning in children has dropped dramatically since the 1970s, the number of children suffering from lead poisoning remains unacceptably high. Over half a million children under the age of 6 in the United States, disproportionately from African-American or low-income communities, are suffering from elevated blood lead levels. There is no safe level of lead exposure for children, yet an estimated 37.1 million homes still have lead-based paint somewhere in the building.

Lead poisoning, which can occur at very low levels of exposure, causes brain damage in infants and toddlers, resulting in poor educational outcomes and widening the achievement gap. Lead poisoning robs children of IQ points, causes cognitive and behavioral issues, and a results in a lifetime of adverse health effects. Each year, lead poisoning costs the United States more than \$50 billion in lost productivity. Educating children suffering from lead poisoning costs public school system special education programs an extra \$38,000 per child every three years. When it costs less than that to eliminate lead from a home, it hardly makes sense that we permit any of our nation's children to be the victims of lead poisoning.

The bill I am introducing today, the Lead Hazard Title X Amendments Act, modernizes the Department for Housing and Urban Development's Lead Hazard Control Program. By making much needed updates to the program, we can better protect our children and allow for more efficient lead eradication from homes.

This Act will allow families living in all housing, including efficiency apartments, to be eligible for Lead Hazard Control grants. It will broaden the categories of eligible grant recipients, it will allow non-profit agencies and tribal governments to apply for lead abatement funds, and it will simplify the grant application process by allowing Lead Hazard Control grantees to use eligibility information from other government programs to qualify for funds. Finally, this Act will enable grantees already receiving Lead Hazard Control funding

to easily and efficiently tap other resources for additional Healthy Housing repairs, including addressing asthma, carbon monoxide, and other safety concerns.

We cannot afford for any of our children not to reach their full potential. I urge my colleagues to stand with me to protect all our nation's children from lead poisoning.

DAVID ROLAND

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud David Roland for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. David Roland is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by David Roland is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to David Roland for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING JAMES D. RUTH

#### HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. ROHRBACHER. Mr. Speaker, I rise today to acknowledge the accomplishments of Mr. James D. Ruth upon his retirement from the Orange County Sanitation District and from over 50 years of public service. Jim was appointed Interim General Manager of the Orange County Sanitation District, OCSD, in December 2005 for what was supposed to be a six-month role. But instead of serving a short term, his steady management and skill in delivering public services resulted in his six-month assignment turning into a seven-year term of service.

Mr. Ruth stayed to steer OCSD through difficult times, accumulated a number of significant accomplishments, and gained national and international acclaim for the management of the third largest wastewater treatment plant west of the Mississippi River. During his tenure, Jim Ruth streamlined the agency by eliminating waste and duplication and trimming costs without sacrificing service to the 2.5 million Orange County residents that rely on OCSD every day. He negotiated a two-tier pension system and was a leader in implementing reduced employee costs across the board.

Of special interest to me, Jim Ruth oversaw OCSD's participation in the completion of the

Groundwater Replenishment System. He also presided over the dedication of OCSD's secondary treatment upgrade. Both of these projects provide for a reliable and safe clean water supply while protecting Orange County's beautiful beaches.

I applaud Jim's service to our community over the years, and most recently, his service to OCSD. While I wish Jim a long and happy retirement, he should know that his accomplishments throughout his career will not soon be forgotten.

HONORING RICHARD D. STEINBERG, CFA

#### HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Richard D. Steinberg, who recently received the Mitzvah Society Award from the Jewish Federation of South Palm Beach County. Rich is a respected financial advisor, dedicated community leader, and generous philanthropist who I am also proud to call my friend.

That Rich has received this prestigious award should be no surprise. Rich is known to his friends and colleagues as a compassionate leader who always puts the well-being of his family, clients, and community above all else. These qualities have contributed to his success as a Chartered Financial Analyst and as President and CIO of Steinberg Global Asset Management. In this role, Rich helps individuals, companies, philanthropists, donors and other clients manage their investments so that they can achieve their goals.

While Rich's professional life alone is worthy of admiration, it is his involvement in the South Florida community that truly sets him apart. A proud Jewish American, Rich's commitment to his community has led him to serve in many leadership roles for the Jewish Federation for South Palm Beach County and the Jacobsen Jewish Community Foundation. Rich serves on the Governance Committee for the Professional Advisory Committee (PAC) of the Jewish Federation for South Palm Beach County, and is Vice Chair and Investment Committee Chair of the Jewish Federation for South Palm Beach County's Foundation Executive Committee. He has also helped secure millions of dollars for local projects in South Florida while balancing these efforts as a devoted husband to a lovely wife and an energetic father who regularly volunteers at his children's schools.

Rich is a model citizen whose dedication to faith, family, friends, and clients has made an immeasurable impact on our community. It is truly an honor to recognize his contributions today.



DOMINIQUE BURKEY

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dominique Burkey for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Dominique Burkey is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Dominique Burkey is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Dominique Burkey for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

## PERSONAL EXPLANATION

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. NADLER. Mr. Speaker, I was unable to be in Washington, DC, on March 18–19, 2013. Had I been present, I would have voted “aye” on rollcall vote Nos. 77 and 78, authorizing the use of the Capitol Grounds; “no” on rollcall vote Nos. 79 and 80, ordering the previous question and the rule providing for consideration of the House Budget Resolution; and “no” on rollcall vote No. 82 relating to committee expenses for the 113th Congress.

CONGRATULATING MR. PATRICK LOGAN, RECIPIENT OF THE WALT DISNEY LEGACY AWARD

**HON. DANIEL WEBSTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to congratulate Mr. Patrick Logan on earning the Walt Disney Legacy Award. The Walt Disney Legacy Award is the most prestigious award given to Cast, Crew and Imagineers who exemplify all three of the Walt Disney Company values of Dream, Create and Inspire.

The Walt Disney Legacy Award is a global program that is generally limited to less than the top 1 percent of eligible Cast Members. To ensure that only the most deserving are awarded this prominent honor, Cast Members only become eligible for this program by a process of peer nomination and vetting through multiple nomination review committees.

To receive this award, Mr. Logan has demonstrated the character qualities of dreaming, creating and inspiring through his actions in support of the Walt Disney Company's business objectives and goals. His unselfish commitment of his time and active focus on improving the Disney experience for millions of guests is to be commended. Mr. Logan constantly goes above and beyond to make certain each guest, many of whom are children, receive an experience from the Walt Disney Company that is a magical celebration and memory.

His accomplishments do not end with the Walt Disney Legacy Award. He has also been the lead point of contact in Walt Disney Company events and community service outreach in the State of Florida and various states around the country.

On behalf of the citizens of Central Florida, I am pleased to recognize and applaud Mr. Patrick Logan for his hard work, dedication and leadership. He is most deserving of the Walt Disney Legacy Award. May his character and passion inspire others to follow in his footsteps.

EDITE MALOKU

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edite Maloku for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Edite Maloku is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Edite Maloku is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Edite Maloku for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

## INTRODUCTION OF THE SOUND SCIENCE ACT OF 2013

**HON. STEPHEN LEE FINCHER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. FINCHER. Mr. Speaker, I rise today to discuss my bill, the Sound Science Act of 2013, which directs the Office of Science and Technology Policies (OSTP) to require each agency to develop guidelines to maximize the quality, objectivity, utility, and integrity of scientific information used by federal agencies.

My legislation requires appropriate peer review, the disclosure of scientific studies used

in making decisions, and an opportunity for stakeholder input. It also requires federal agencies to give greatest weight to information based on reproducible data that is developed in accordance with the scientific method. Further, it deems agency actions that do not follow such procedures to be arbitrary and subject to challenge by affected stakeholders.

Mr. Speaker, many of the regulations developed by the federal agencies are well intentioned, yet recently there have been reports that federal agencies, such as the Food and Drug Administration (FDA), may be moving well beyond hard-science in the rule making process, which would have significant negative impacts on a wide range of industries. For example, some outside interest groups are pressuring the FDA to take action against antimicrobial soaps, asserting that antimicrobial soaps are no more effective than common soap, even though antimicrobial soap has been mandated in hospitals and doctors' offices for decades. Additionally, chicken and pork farmers are concerned that the FDA's decision to review long-standing industry practices in the area of antibiotics without a sound scientific basis will adversely affect animal welfare and will have a negative impact on food safety.

Simply put, the rules and regulations promulgated by federal agencies affect both businesses and the consumer. Bottom line, the U.S. economy is in a fragile state, any hurdle, fee, or foreign advantage, will cost the U.S. economy valuable jobs. Higher costs to comply with regulations undermine businesses ability to compete globally, while causing consumers to pay more for products.

Mr. Speaker, I urge my colleagues in the House (and Senate) to support me in passing the Sound Science Act of 2013 in order to ensure the scientific integrity of federal agencies.

## COMMEMORATING THE 192ND ANNIVERSARY OF GREEK INDEPENDENCE

**HON. RUSH HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. HOLT. Mr. Speaker, today we mark the 192nd anniversary of Greece declaring its independence from the Ottoman Empire. After eight years, Greece was free again for the first time in nearly five centuries. As a former colonial people, we Americans instinctively have a sense of affinity for other peoples seeking to throw off the shackles of foreign rule. In the case of Greece, that feeling is particularly powerful because our very conceptions of democracy, self-government and citizen participation in the life of the nation come directly from ancient Greece.

Today, the people of Greece are struggling with new and serious challenges, especially deep-seated economic problems that have not only rocked the economic foundations of the nation but have put Greek democracy itself at risk. The rise of the “Golden Dawn” movement is a reminder that anti-democratic forces in a society can emerge with frightening speed. I am encouraged that the overwhelming majority of Greeks have rejected the

fascist and racist ideology of "Golden Dawn", and America should continue to do all it can to help our Greek ally achieve a full and enduring economic recovery. The bonds of friendship between America and Greece are strong in no small part because of our common commitment to a core value of Western civilization: democracy. On this 192nd anniversary of the rebirth of Greek democracy, I wish the people of Greece and all Greek-Americans a happy independence day.

CONGRATULATING THE INDIANA  
WESLEYAN UNIVERSITY WILDCATS  
WOMEN'S BASKETBALL TEAM

**HON. SUSAN W. BROOKS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mrs. BROOKS of Indiana. Mr. Speaker, I am honored to congratulate the Indiana Wesleyan University Women's Basketball team for winning the NAIA Division II National Women's Basketball Championship. The IWU Wildcats from Marion, Indiana defeated the Davenport University Panthers, winning their second national title in seven years.

The Wildcats played in the spotlight of the NAIA throughout this phenomenal season, which ended with a winning record of 35-3. Since the 1999-2000 season, Coach Steve Brooks has demonstrated outstanding leadership while serving as the head basketball coach. Last year, his leadership both on and off the court was publicly recognized when he was selected as the RUSSELL ATHLETIC/WBCA NAIA National Coach of the Year, and this year he was honored as the NAIA Phyllis Holmes Coach of the Year, an honor he also received in 2007. As the daughter of a high school football coach, I understand the time commitment and personal sacrifices required to lead young athletes to victory, and applaud Coach Brooks' leadership.

In recognition of their achievements, one of the Wildcats was named to the NAIA All-American First Team, while another teammate was chosen as a NAIA All-American Honorable Mention. This outstanding accomplishment is a reflection of the quality and character of IWU's players as well as their exceptional athletic talent. The coaches and players of the IWU team exemplify the highest virtues of the community: teamwork, loyalty, sportsmanship, and dedication.

Once again, congratulations Wildcats, we are very proud of you. We look forward to cheering you on through another great season next year.

EDWIN SAENZ

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edwin Saenz for receiving the Arvada Wheat Ridge Service

Ambassadors for Youth award. Edwin Saenz is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Edwin Saenz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Edwin Saenz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. SMITH of Washington. Mr. Speaker, on Thursday, March 14 and Friday, March 15, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted: "no" on rollcall vote No. 70 (on ordering the previous question on H. Res. 113); "no" on rollcall vote No. 71 (on agreeing to the resolution H. Res. 113); "yes" on rollcall vote No. 72 (on approving the journal); "yes" on rollcall vote No. 73 (on agreeing to the Tierney substitute amendment to H.R. 803); "yes" on rollcall vote No. 74 (on the motion to recommit H.R. 803 with instructions); and "no" on rollcall vote No. 75 (on passage of H.R. 803).

PERSONAL EXPLANATION

**HON. KEVIN MCCARTHY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. MCCARTHY of California. Mr. Speaker, the Majority Whip Office asked Representative MICHELE BACHMANN to work on a project during the RSC budget vote. We assured her that we would inform her prior to our closing the vote. We did not, and for that we take responsibility and apologize both to her and her constituents.

Representative BACHMANN would have voted in the affirmative for the Republican Study Committee substitute to H. Con. Res. 25.

CONGRATULATING MEDSTAR ST.  
MARY'S HOSPITAL IN  
LEONARDTOWN, MARYLAND, AS  
A TOP-100 HOSPITAL

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. HOYER. Mr. Speaker, I rise to congratulate MedStar St. Mary's Hospital in

Leonardtown, Maryland, for being named one of the Nation's 100 Top Hospitals by Truven Health Analytics.

This honor comes as St. Mary's concludes celebrations marking its centennial year, having been established in 1912 to provide quality medical care to families in rural St. Mary's County. Over the years, as the County's communities have grown, so too have its medical needs, and St. Mary's Hospital has become a full-service hospital with ninety-five beds and state-of-the-art facilities.

St. Mary's Hospital provides surrounding communities with inpatient, outpatient, and emergency services with a reputation for compassionate care and excellence in performance. It's no wonder to those of us familiar with St. Mary's Hospital that it has achieved the distinction this year as one of the hundred best hospitals in America.

Last August, St. Mary's Hospital received an \$84,335 grant from the U.S. Department of Health and Human Services Rural Health Network Development Planning Grant Program. This grant is supporting the development of a Community Health Center Planning Network to meet the needs of underserved areas in rural St. Mary's County. Improving access to affordable care for those living in Maryland's Fifth District remains one of my highest priorities. I was proud to have helped St. Mary's Hospital secure the grant, and I look forward to continuing to work with its administrators and staff to ensure it has the resources it needs to fulfill its mission of providing quality care in our communities.

I join in thanking all the doctors, nurses, administrators, support staff, and emergency responders who have made St. Mary's Hospital the success it is today. After a century of service to Southern Maryland, St. Mary's is surely headed for many more years of excellence.

IN HONOR OF HOWARD CORO

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2013*

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the achievements of Howard Coro. Howard joined the North Thompsonville Fire Department on August 30, 1972. Rising through the ranks to Lieutenant and then to Captain in 1994, Howard retired from his post in July of 2012 after forty years of service to the people of Enfield, Connecticut.

Early in his career Howard distinguished himself from his peers and earned the North Thompsonville Firefighter of the Year Award in 1975. He went on to assist in the training of hundreds of new firefighters across the region and was involved with a variety of local committees within the fire department. Howard was instrumental in overseeing the renovation and addition to the current North Thompsonville fire station.

Throughout his decades of service, Howard responded to countless emergency calls. Whether he was responding to a fire, a hazmat incident, or an automobile accident, Howard was someone Enfield residents could count on to help during their most urgent

times of need. This compassion and dedication to the people of Enfield truly set him apart.

We owe great deal of gratitude to the first responders who risk their lives every day to protect their communities. I ask my colleagues to join with me in applauding Howard Coro's courage and service.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 21, 2013 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### APRIL 9

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

10 a.m.  
Committee on Energy and Natural Resources  
To hold hearings to examine the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

SD-366

##### APRIL 11

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-G50

##### APRIL 16

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the situation in Afghanistan.

SH-216

##### APRIL 17

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a

closed session in SVC-217 following the open session.

SH-216

##### APRIL 18

10 a.m.  
Committee on Armed Services  
To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC-217 following the open session.

SD-106

##### APRIL 23

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

##### APRIL 25

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

##### MAY 8

9:30 a.m.  
Committee on Armed Services  
Subcommittee on Airland  
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

## HOUSE OF REPRESENTATIVES—Thursday, March 21, 2013

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MILLER of Florida).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 21, 2013.

I hereby appoint the Honorable JEFF MILLER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

Send Your Spirit upon the Members of this people's House to encourage them in their official tasks. This is an important day for our Nation. As the Members approach the votes they are making today, may they be imbued with courage and leadership that looks to the health and vibrancy of our great Nation.

Assure them that, in the fulfillment of their responsibilities, You provide the grace to enable them to be faithful to their duties and the wisdom to be conscious of their obligations and fulfill them with integrity.

As the Congress looks to the upcoming Holy celebrations of millions of Americans, may they and may we all be mindful of God's love for us. May we be faithful stewards, not only of God's creation, but also of God's desire that all people would be free from whatever inhibits them to be fully alive.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. OLSON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OLSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. WOMACK) come forward and lead the House in the Pledge of Allegiance.

Mr. WOMACK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 20, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 20, 2013 at 8:22 p.m.:

That the Senate passed with amendments H.R. 933.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

### HAPPY BIRTHDAY TO JAMES OSCAR CLEMONS

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to offer early birthday greetings

to one of America's Greatest Generation. James O. Clemons turns 90 next week, and it's important for him to know how grateful we are for his service to country.

Inducted into the Army in 1943, Mr. Clemons found himself in the Army Air Corps as a flight engineer, mechanic, and gunner. Based in Italy during World War II, Tech Sergeant Clemons and his unit, the 827th Bomb Squadron, 484th Bomb Group, 15th Air Force, flew missions in Italy, the Balkans, Austria, Germany, and southern France. A recipient of the Distinguished Flying Cross and of a number of other decorations, Tech Sergeant Clemons, like millions of other great Americans, answered his Nation's call, and as Tom Brokaw wrote in his famous book: "They won the war. They saved the world."

Mr. Speaker, we're losing this generation of patriots. In fact, Tech Sergeant Clemons and Tail Gunner Joseph Wythe are the last living crewmembers of his unit. So it is with a great source of honor that, in advance of his special day next week, March 27, and on behalf of the people's House, I say, Happy 90th birthday to James O. Clemons of Catoosa, Oklahoma.

### JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. I head back to my district tomorrow to face the thousands of people who sent me here to help them find jobs—800 days ago.

Mr. Speaker, what do I say to them? They know the real deficit is jobs. Do I say that the Republicans in Congress don't get it and that they don't understand that people are suffering and struggling and starving and looking for work? Millions of people are out of work, and this body seeks to fire millions more.

Wake up, America. It's time to bring the President's American Jobs Act to the floor for a vote. It deserves a vote.

Mr. Speaker, our mantra should be "jobs, jobs, jobs—and more jobs."

### ESTABLISHING A SELECT COMMITTEE TO INVESTIGATE THE BENGHAZI ATTACK

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Mr. Speaker, while we are right to focus this week on passing a budget that puts our country

back on a responsible economic path, I rise today to remind my colleagues that it has been over 6 months since four Americans, including our ambassador, were killed by terrorists in Benghazi, Libya.

In 6 months, what have we learned? We still don't know why U.S. military assets in the region were not ready, alert and in a position to respond. We still don't know why injured survivors of the attack have been pressured not to come forward with their stories. Frankly, we still don't know what specifically is being done to ensure that decisions about the security of our diplomatic missions are given the highest priority.

I stand with Congressman FRANK WOLF and 58 of our colleagues in supporting an effort to establish a select committee to investigate and report on the Benghazi attack. Only by aggressive congressional oversight will we ensure that our pitiful response to this attack will never be repeated.

I hope my colleagues on both sides of the aisle will join me in demanding the administration provide the straight answers that Americans deserve.

#### THE SAFE CLIMATE CAUCUS

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to remind this House of the threat that climate change poses to our communities and to emphasize the need for increased Federal investment in new and innovative technologies to protect and improve the world we live in.

This past October, Hurricane Sandy hit the mid-Atlantic, including my home State of New Jersey. Hurricane Sandy was one of the most costly storms in history. Society will bear the costs of climate change. Society is bearing the costs of climate change. The debt was wracked up as we recklessly burned fossil fuels over a century, filling the atmosphere with excess CO<sub>2</sub>. Now the debts are coming due as wildfires, droughts, superstorms, and floods—a costly debt in lives and dollars.

We would be wise to invest in more resilient infrastructure and sustainable, non-fossil energy sources, in good science related to climate change. We as a country should rise to the challenge. The United States is not a poor, impoverished Nation. We are just acting like one. We should be investing as if we believe there is a future for us.

#### HOUSE GOP BUDGET

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I rise today in strong support of the House Republican budget.

When a family racks up debt, it can take decades to pay off. The interest alone can add up to thousands of dollars. That's money that can be spent on braces, college tuition, or on a bigger home. The same is true for government.

Ignoring our debt will force us to break the promises we've made to seniors and to the poor. We won't be able to protect Medicare, Medicaid, and Social Security for those who need it. The House Republican budget cuts spending by \$4.6 trillion over 10 years, and it balances our budget within 10 years without raising taxes. In stark contrast, the House Democrat budget balances when Jesus comes back. A budget that spends too much hurts all Americans, but the poor and elderly are hurt the most.

It's time to fix our debt and get our country back on track. I urge my colleagues to support the Republican budget.

□ 0910

#### BALANCED DEBT REDUCTION PACKAGE

(Ms. PINGREE of Maine asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE of Maine. Mr. Speaker, today, thousands of Federal workers across the country, including nearly 5,000 at the Portsmouth Navy Shipyard in Kittery, Maine, will start getting furlough notices. These men and women in Kittery are some of the hardest working, most skilled and dedicated shipyard workers in America. Year in and year out, they repair and refit submarines to the highest standards, on time and on budget. Last year, some of them even risked their lives to put out a fire on board the USS *Miami* and save it from becoming a total loss.

Now the Federal Government is telling them they could have to take what could amount to a 20 percent pay cut. That is going to be a real hardship for working families in Maine and New Hampshire. And to add insult to injury, they could even have their security clearances suspended if they fall behind on their finances.

It is outrageous that Congress has not done its job and passed a balanced debt reduction package. It is outrageous that Congress has resorted to these arbitrary and extreme budget cuts. The public workers in the Portsmouth Naval Shipyard and around our country deserve our thanks, not a 20 percent pay cut.

#### A BALANCED BUDGET

(Mr. HULTGREN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, with the House nearing important votes on adopting a bold, responsible plan toward a balanced budget, I rise today to speak to a question that is on the mind of many families in my district in Illinois and families across the Nation: How does Congress passing a budget directly help our economy to grow private sector jobs and restore opportunity for more American families?

The answer is actually very simple. The House Republican budget would create certainty in the job market through our commitment to reform and simplify the Tax Code, giving entrepreneurs and small businesses the confidence they need to expand and create new jobs.

Furthermore, unlike the Senate Democrats' plan, our budget would balance in 10 years without raising taxes. This would give bond houses and credit rating agencies confidence in our ability to reduce spending and get our debt under control, making it more affordable for families and small businesses to get loans.

Our budget plan means more jobs for American families. Let's act today to make that commitment to the American people.

#### TURNING A DEAF EAR

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, we will be voting on the Republican budget, better known as the Ryan budget, today. This budget has the distinction of actually being vetted by the voters of this country in the last election.

Voters said a resounding "no": no to the end of Medicare as we know it, no to the Medicaid cuts, no to the repeal of ObamaCare, no to the protection of the tax cuts for the superwealthy, and no to balancing the budget on the backs of the middle class.

This Ryan budget plan that this body will vote on in a few hours does exactly these things again. For the third time, the voters have said "no." If we pass it, we are turning a deaf ear to the people.

I ask my colleagues to vote "no" on the Ryan budget.

#### DEFENSE OF MARRIAGE ACT

(Mr. HUELSKAMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUELSKAMP. Mr. Speaker, next week an important issue will be coming before our United States Supreme Court, and that is a challenge to our Defense of Marriage Act and a challenge to a proposition in the State of California.

I would encourage the Court to not be distracted by many issues circulating. The fundamental issue before

the Court is this: the U.S. Supreme Court attempt to provide a radical 50-State mandate to change the definition of marriage.

I encourage the Court to uphold marriage and to uphold the will of the people represented in a vote in California and many other States, as well as a vote of the Defense of Marriage Act by this body and signed by President Bill Clinton. Uphold the will of the people. Uphold the definition of marriage. I appreciate the Supreme Court sticking to those points.

#### SAVING JOBS AND PREVENTING GUN VIOLENCE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, in a few weeks, transportation security officers, Customs and Border Protection, and Border Patrol agents with very devastating furloughs and cuts are jeopardizing the national security of this Nation.

Today, we can make a decision by voting on the Van Hollen Democratic substitute and a resounding “no” on the Republican budget. The Van Hollen bill gets rid of the sequester. It, in fact, saves 750,000 jobs and creates over 1.5 million jobs. We can do the right thing for America.

Then, Mr. Speaker, I would ask that we look and do the right thing for gun control, gun regulation, gun violence prevention, and pass legislation such as H.R. 65, that is my Child Gun Safety and Gun Access Prevention Act, that provides for safety locks and educational grants to train people how to be safe in using their guns and also provides for an age level for young people not being able to possess these guns.

This is a way that America wants us to go. Let us travel a pattern of saving jobs and preventing gun violence intervening in the lives of those who need our protection. That is what this Congress should be doing—providing the pathway for America’s success.

#### CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that the Speaker may postpone further proceedings on the motion to concur in the Senate amendments to H.R. 933 as though under clause 8(a)(1)(A) of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. PERLMUTTER. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. PERLMUTTER. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. The objection is withdrawn.

There was no objection.

#### GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 933, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the order of the House of March 20, 2013, I call up the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, with the Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause, and insert in lieu thereof:

#### SHORT TITLE

SECTION 1. This Act may be cited as the “Consolidated and Further Continuing Appropriations Act, 2013”.

#### TABLE OF CONTENTS

SEC. 2. The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Availability of funds.

#### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs

- Title VI—Related Agency and Food and Drug Administration
- Title VII—General provisions

#### DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related agencies
- Title V—General provisions

#### DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

- Title I—Military Personnel
- Title II—Operation and Maintenance
- Title III—Procurement
- Title IV—Research, Development, Test and Evaluation
- Title V—Revolving and Management Funds
- Title VI—Other Department of Defense Programs

Title VII—Related agencies

Title VIII—General provisions

Title IX—Overseas contingency operations

#### DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

- Title I—Departmental management and operations
- Title II—Security, enforcement, and investigations
- Title III—Protection, preparedness, response, and recovery
- Title IV—Research and development, training, and services
- Title V—General provisions

#### DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Defense
- Title II—Department of Veterans Affairs
- Title III—Related agencies
- Title IV—Overseas contingency operations
- Title V—General provisions

#### DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

- Title I—General Provisions
- Title II—Energy and Water Development
- Title III—Financial Services and General Government
- Title IV—Interior, Environment, and Related Agencies
- Title V—Labor, Health and Human Services, and Education, and Related Agencies
- Title VI—Legislative Branch
- Title VII—Department of State, Foreign Operations, and Related Programs
- Title VIII—Transportation and Housing and Urban Development, and Related Agencies

#### DIVISION G—OTHER MATTERS

##### REFERENCES

SEC. 3. Except as expressly provided otherwise, any reference to “this Act” contained in division A, B, C, D, or E of this Act shall be treated as referring only to the provisions of that division.

##### EXPLANATORY STATEMENT

SEC. 4. The explanatory statement regarding this Act printed in the Senate section of the Congressional Record on or about March 11, 2013, by the Chairwoman of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

##### AVAILABILITY OF FUNDS

SEC. 5. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

#### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs and for other purposes, namely:

## TITLE I

## AGRICULTURAL PROGRAMS

## PRODUCTION, PROCESSING AND MARKETING

## OFFICE OF THE SECRETARY

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$46,388,000, of which not to exceed \$5,051,000 shall be available for the immediate Office of the Secretary; not to exceed \$498,000 shall be available for the Office of Tribal Relations; not to exceed \$1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed \$1,422,000 shall be available for the Office of Advocacy and Outreach; not to exceed \$25,046,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$24,242,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed \$3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$9,006,000 shall be available for the Office of Communications: Provided, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed \$11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

## EXECUTIVE OPERATIONS

## OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$16,008,000, of which \$4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

## NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$14,225,000.

## OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,049,000.

## OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$44,031,000.

## OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$6,247,000: Provided, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

## OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$893,000.

## OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$22,692,000.

## AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

## (INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$271,336,000, to remain available until expended, of which \$175,694,000 shall be available for payments to the General Services Administration for rent; of which \$13,473,000 is for payments to the Department of Homeland Security for building security activities; and of which \$82,169,000 is for buildings operations and maintenance expenses: Provided, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: Provided further, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

## HAZARDOUS MATERIALS MANAGEMENT

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, \$89,016,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed \$125,000 for certain confidential operational expenses,

including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

## OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$45,074,000.

## OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, \$3,405,000.

## OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, \$893,000.

## ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$77,397,000.

## NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$179,477,000, of which up to \$62,500,000 shall be available until expended for the Census of Agriculture.

## AGRICULTURAL RESEARCH SERVICE

## SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,101,853,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That section 732(b) of division A of Public Law 112–55 (125 Stat. 587) is amended by adding at the end the following new sentence: “The conveyance authority provided by this subsection expires September 30, 2013, and all conveyances under this subsection must be completed by that date.”: Provided further, That funds may be received from any State, other political subdivision, organization,



or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$738,638,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: Provided, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: Provided further, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

#### NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

#### EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$475,854,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93-471 shall be available for retirement and employees' compensation costs for extension agents.

#### INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$21,482,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2014.

#### OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$893,000.

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$821,851,000, of which \$1,500,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$15,970,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$36,858,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$696,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$52,000,000, to remain available until expended, shall be used to support avian health; of which \$4,335,000, to remain available until expended, shall be for information technology infrastructure; of which \$153,950,000, to remain available until expended, shall be for specialty crop pests; of which, \$9,068,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$56,638,000, to remain available until expended, shall be for tree and wood pests; of which \$2,750,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: Provided, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, \$4,971,000 shall remain available until expended: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2013, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic

and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,175,000, to remain available until expended.

#### AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$78,863,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

#### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$62,592,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

#### FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

##### (INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

#### PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,331,000.

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, \$40,261,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

#### LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to



the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$811,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,001,427,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2013 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110-246: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, \$893,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,208,290,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839b-2), \$5,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387, 114 Stat. 1549A-12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$1,500,000,000 for guaranteed farm ownership loans and \$475,000,000 for farm ownership direct loans; \$1,500,000,000 for unsubsidized guaranteed operating loans and \$1,050,090,000 for direct operating loans; emergency loans, \$34,658,000; Indian tribe land acquisition loans, \$2,000,000; guaranteed conservation loans, \$150,000,000; Indian highly fractionated land loans, \$10,000,000; and for boll weevil eradication program loans, \$100,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, \$20,140,000 for direct loans; farm operating loans, \$58,490,000 for direct operating loans, \$17,850,000 for unsubsidized guaranteed operating loans, emergency loans, \$1,317,000, to remain available until expended; and Indian highly fractionated land loans, \$173,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$312,897,000, of which \$304,977,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, \$74,900,000: Provided, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: Provided further, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit

Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$893,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$830,998,000, to remain available until September 30, 2014: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$14,700,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$893,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the

development and operation of agricultural cooperatives; and for cooperative agreements; \$206,857,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

#### RURAL HOUSING SERVICE

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$900,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$27,952,000 for section 504 housing repair loans; \$31,277,000 for section 515 rental housing; \$150,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$53,730,000 shall be for direct loans; section 504 housing repair loans, \$3,821,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$11,000,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2013.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$16,526,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$410,627,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under sec-

tion 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$907,128,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than \$3,000,000 is available for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That any unexpended balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2013 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

##### MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, \$27,782,000, to remain available until expended: *Provided*, That of the funds made available under this heading, \$10,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, \$17,782,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income resi-

dents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

##### MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$30,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

##### RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$33,136,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

##### RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,200,000,000 for direct loans and \$57,481,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$3,880,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$28,428,000, to remain available until expended: *Provided*, That \$6,121,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and

community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That \$5,938,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106-387), with up to 5 percent for administration and capacity building in the State rural development offices: Provided further, That \$3,369,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

#### RURAL BUSINESS—COOPERATIVE SERVICE

##### RURAL BUSINESS PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, \$85,904,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed \$1,000,000 shall be made available for two grants to qualified national organizations to provide technical assistance for rural transportation in order to promote economic development and \$3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

#### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

###### (INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$18,889,000.

For the cost of direct loans, \$6,052,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$900,000 shall be available through June 30, 2013, for Federally Recognized Native American Tribes; and of which \$2,000,000 shall be available through June 30, 2013, for Mississippi Delta Region counties (as determined in accordance with Public Law 100-460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$4,438,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

#### RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

###### (INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$180,000,000 shall not be obligated and \$180,000,000 are rescinded.

#### RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$27,706,000, of which \$2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed \$3,456,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

#### RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$3,400,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

#### RURAL UTILITIES SERVICE

##### RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C,

306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$524,466,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$993,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That \$66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105-83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance programs: Provided further, That not to exceed \$19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$5,750,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed \$15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed \$3,400,000 shall be for solid waste management grants: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: Provided further, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section, for projects whose features include agricultural water supply benefits, groundwater protection, environmental enhancement and flood control, \$40,000,000: Provided, That such loans shall be made by the Rural Utilities Service.

RURAL ELECTRIFICATION AND  
TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, \$100,000,000; loans made pursuant to section 306 of that Act, rural electric, \$6,500,000,000; guaranteed underwriting loans pursuant to section 313A, \$500,000,000; cost of money rural telecommunications loans, \$690,000,000: Provided, That up to \$2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$34,467,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND  
BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, \$42,239,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$24,950,000, to remain available until expended: Provided, That \$3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: Provided further, That \$3,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, \$4,000,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, \$10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,  
NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, \$811,000.

FOOD AND NUTRITION SERVICE  
CHILD NUTRITION PROGRAMS  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$19,916,436,000, to remain available through September 30, 2014, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, \$16,504,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, \$35,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR  
WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$7,046,000,000, to remain available through September 30, 2014: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$60,000,000 shall be used for breastfeeding peer counselors and other related activities, \$14,000,000 shall be used for infrastructure, and \$35,000,000 shall be used for management information systems: Provided further, That funds made available for the purposes specified in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of funds in the contingency reserve that are without fiscal year limitation: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$77,290,160,000, of which \$3,000,000,000, to remain available through September 30, 2014, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: Provided further, That this appropriation shall be subject to any work registration or workforce requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: Provided further, That funds made available under this heading may be used to enter into contracts and

employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$253,952,000, to remain available through September 30, 2014: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2013 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2014: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$143,505,000: Provided, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED  
PROGRAMS

FOREIGN AGRICULTURAL SERVICE  
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$176,789,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND  
FOOD FOR PROGRESS PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83-480) and the Food for Progress Act of 1985, \$2,806,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": Provided, That funds made available for the cost of

agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

#### FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,435,000,000, to remain available until expended.

#### MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

#### COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$6,806,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$6,452,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

#### TITLE VI

#### RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$4,223,295,000: Provided, That of the amount provided under this heading, \$718,669,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; \$97,722,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$299,000,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$20,242,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until ex-

pendent; \$23,848,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$6,031,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available until expended; \$505,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; \$12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; \$15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended: Provided further, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2013 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2013 received during fiscal year 2013, including any such fees assessed prior to fiscal year 2013 but credited for fiscal year 2013, shall be subject to the fiscal year 2013 limitations: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$887,162,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$1,261,369,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$329,708,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$167,576,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$393,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$59,429,000 shall be for the National Center for Toxicological Research; (7) \$482,398,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$168,971,000 shall be for Rent and Related activities, of which \$61,713,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$213,352,000 shall be for payments to the General Services Administration for rent; and (10) \$259,342,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: Provided further, That the Secretary may, prior to the due date for such fees, accept payment of prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts pay-

ment in fiscal year 2013 shall not be included in amounts provided under this heading: Provided further, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: Provided further, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$5,320,000, to remain available until expended.

#### INDEPENDENT AGENCY

#### FARM CREDIT ADMINISTRATION

#### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$63,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

#### TITLE VII

#### GENERAL PROVISIONS

#### (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles of which 170 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances of the Department of Agriculture that are remaining available at the end of the fiscal year, to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be

available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 726 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. Funds made available by this Act under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification

to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over \$25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2014, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. Notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

SEC. 716. None of the funds made available in fiscal year 2013 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of \$20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commod-

ities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): Provided, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 717. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 718. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 719. For an additional amount for “Food and Drug Administration, Salaries and Expenses”, \$50,000,000, to remain available until expended, of which \$40,000,000 is for one-time activities directly related to implementation of the Food Safety Modernization Act, and of which \$10,000,000 is for one-time activities directly related to improving the safety of the human drug supply.

SEC. 720. There is hereby appropriated \$1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 721. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of \$1,400,000,000;

(3) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb–1) in excess of \$73,000,000; and

(4) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of \$2,500,000 for the Natural Resources Conservation Service.

SEC. 722. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246 in excess of \$981,000,000, as follows: Child Nutrition Programs Entitlement Commodities—\$465,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000: Provided, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of \$41,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2013: Provided further, That \$117,000,000 made available on October 1, 2013, to carry out section 19(i)(1)(E) of the Richard B. Russell National



School Lunch Act as amended by section 4304 of Public Law 110-246 shall be excluded from the limitation described in subsection (b)(2)(A)(vi) of section 14222 of Public Law 110-246: Provided further, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74-320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: Provided further, That of the available unobligated balances under (b)(2)(A)(v) of section 14222 of Public Law 110-246, \$150,000,000 are hereby rescinded.

SEC. 723. Subject to authorizing legislation by the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, the Secretary may reserve, through April 1, 2013, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural economic development program; rural microenterprise program; biorefinery assistance program; rural energy for America program; value-added producer grants; broadband program; water and waste program; and rural community facilities program.

SEC. 724. There is hereby appropriated \$600,000 for the purposes of section 727 of division A of Public Law 112-55.

SEC. 725. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2014 appropriations Act.

SEC. 726. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

- (1) creates new programs;
  - (2) eliminates a program, project, or activity;
  - (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
  - (4) relocates an office or employees;
  - (5) reorganizes offices, programs, or activities; or
  - (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the

Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 727. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 728. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 729. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 730. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other

Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 731. Notwithstanding any other provision of law, any area eligible for rural housing programs of the Rural Housing Service on September 30, 2012, shall remain eligible for such programs until September 30, 2013.

SEC. 732. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 733. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 734. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 735. In the event that a determination of non-regulated status made pursuant to section 411 of the Plant Protection Act is or has been invalidated or vacated, the Secretary of Agriculture shall, notwithstanding any other provision of law, upon request by a farmer, grower, farm operator, or producer, immediately grant temporary permit(s) or temporary deregulation in part, subject to necessary and appropriate conditions consistent with section 411(a) or 412(c) of the Plant Protection Act, which interim conditions shall authorize the movement, introduction, continued cultivation, commercialization and other specifically enumerated activities and requirements, including measures designed to mitigate or minimize potential adverse environmental effects, if any, relevant to the Secretary's evaluation of the petition for non-regulated status, while ensuring that growers or other users are able to move, plant, cultivate, introduce into commerce and carry out other authorized activities in a timely manner: Provided, That all such conditions shall be applicable only for the interim period necessary for the Secretary to complete any required analyses or consultations related to the petition for non-regulated status: Provided further, That nothing in this section shall be construed as limiting the Secretary's authority under section 411, 412 and 414 of the Plant Protection Act.

SEC. 736. None of the funds made available by this or any other Act may be used to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

SEC. 737. Of the unobligated balance of funds available to the Department of Agriculture for the cost of broadband loans under the heading "Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program" in prior appropriation Acts, \$25,320,000 is rescinded.

SEC. 738. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104), \$28,045,000 are hereby rescinded.

SEC. 739. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

SEC. 740. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 741. There is hereby appropriated for the "Emergency Conservation Program", \$11,100,000, to remain available until expended; for the "Emergency Forestry Restoration Program", \$14,200,000, to remain available until expended; and for the "Emergency Watershed Protection Program", \$65,454,000, to remain available until expended: Provided, That not less than \$48,257,000 made available for the Emergency Watershed Protection Program under this general provision are provided for necessary expenses for a major disaster declaration issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

SEC. 742. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed \$100,000,000 or such rules have already been published in compliance with Section 721 of the Consolidated and Further Continuing Appropriations Act, 2012, Public Law 112-55: Provided, That no funds made available by this or any other Act be used to publish a final or interim final rule in furtherance of, or otherwise to implement, proposed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)): Provided further, That none of the funds made available by this or any other Act may be used to implement such rules until 60 days from the publication date of such rules: Provided further, That none of the funds made available by this Act may be used to enforce or to take regulatory action based on or in furtherance of sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations, as they exist at the time this Act is passed, or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria embodied in these sections: Provided further, That the Secretary of Agriculture shall, within 60 days, rescind sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations.

SEC. 743. Notwithstanding any other provision of this Act—

(1) the amount made available for buildings operations and maintenance expenses in the matter before the first proviso under the heading "AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$52,169,000;

(2) the amount made available for necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act in the matter before the first proviso under the heading "FOOD SAFETY AND INSPECTION SERVICE" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$1,056,427,000; and

(3) the amount made available to provide competitive grants to State agencies in the second proviso under the heading "CHILD NUTRITION PROGRAMS" under the heading "FOOD AND NUTRITION SERVICE" under the heading "DOMESTIC FOOD PROGRAMS" in title IV shall be \$10,000,000.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013".

#### **DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

##### **TITLE I**

##### **DEPARTMENT OF COMMERCE INTERNATIONAL TRADE ADMINISTRATION OPERATIONS AND ADMINISTRATION**

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$482,538,000, to remain available until September 30, 2014, of which \$11,360,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than \$16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22

U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

##### **BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION**

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$101,796,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

##### **ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS**

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees authorized by section 27 (15 U.S.C. 3722) of such Act, \$187,300,000, to remain available until expended; of which \$5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which \$5,000,000 shall be for loan guarantees under section 26; and of which up to \$5,000,000 shall be for loan guarantees under section 27: Provided, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds for loan guarantees under such sections 26 and 27 combined are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$70,000,000.

##### **SALARIES AND EXPENSES**

For necessary expenses of administering the economic development assistance programs as provided for by law, \$37,500,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.



MINORITY BUSINESS DEVELOPMENT AGENCY  
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$28,689,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$100,228,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$256,255,000: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, \$667,953,000, to remain available until September 30, 2014: Provided, That \$649,953,000 is appropriated from the general fund and \$18,000,000 is derived from available unobligated balances from the Census Working Capital Fund: Provided further, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That within the amounts appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND  
INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$45,994,000, to remain available until September 30, 2014: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES,  
PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE  
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO,

\$2,933,241,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2013, should the total amount of such offsetting collections be less than \$2,933,241,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of \$2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2013 for official reception and representation expenses: Provided further, That in fiscal year 2013 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: Provided further, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): Provided further, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND  
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND  
SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), \$621,173,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": Provided, That not to exceed \$5,000 shall be for official reception and representation expenses: Provided further, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$143,000,000, to remain available until expended, of which \$128,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$14,500,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e), \$60,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,112,614,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That in addition, \$119,064,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the \$3,246,678,000 provided for in direct obligations under this heading \$3,112,614,000 is appropriated from the general fund, \$119,064,000 is provided by transfer and \$15,000,000 is derived from recoveries of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$212,664,000: Provided further, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of debilitated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: Provided further, That in

addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

#### PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,926,036,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: Provided, That of the \$1,941,036,000 provided for in direct obligations under this heading, \$1,926,036,000 is appropriated from the general fund and \$15,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

#### PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2014: Provided, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

#### FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

#### FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans

and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: Provided, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$56,000,000: Provided, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

##### RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of Department of Commerce facilities, \$2,040,000, to remain available until expended.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$28,753,000.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under

section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112-55) is amended—

(1) by striking "paragraph (2)" and inserting "subsection (e)(2)"; and

(2) by striking "this subsection" and inserting "subsection (e)".

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112-55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

SEC. 110. Section 113(b)(3) of division B of Public Law 112-55 is amended by striking "2012" and inserting "2013".

This title may be cited as the "Department of Commerce Appropriations Act, 2013".

#### TITLE II

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$110,822,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

##### JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS  
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$313,438,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$85,985,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL  
ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$881,000,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): Provided further, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$162,170,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are re-

ceived during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at \$47,170,000.

SALARIES AND EXPENSES, UNITED STATES  
ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$1,969,687,000: Provided, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: Provided further, That not to exceed \$25,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking: Provided further, That of the total amount appropriated, \$10,000,000 shall only be available after the Attorney General certifies that each United States Attorney is participating in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That not less than \$1,500,000 shall be for debtor audits: Provided further, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, \$223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS  
SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS  
SERVICE

For necessary expenses of the Community Relations Service, \$12,036,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to

the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,196,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,647,383,000, to remain available until expended: Provided, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$90,039,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$521,793,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under

this heading may be used under authorities available to the organizations reimbursed from this appropriation.

**FEDERAL BUREAU OF INVESTIGATION  
SALARIES AND EXPENSES**

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,185,007,000, of which not to exceed \$216,900,000 shall remain available until expended: Provided, That not to exceed \$184,500 shall be available for official reception and representation expenses: Provided further, That \$500,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States.

**CONSTRUCTION**

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; \$80,982,000, to remain available until expended.

**DRUG ENFORCEMENT ADMINISTRATION  
SALARIES AND EXPENSES**

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,050,904,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

**BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
EXPLOSIVES**

**SALARIES AND EXPENSES**

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,153,345,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$15,000,000 shall remain available until expended: Provided, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of "Curios or relics" in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States

Code: Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: Provided further, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

**FEDERAL PRISON SYSTEM**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF FUNDS)**

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed \$35, of which \$808 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,820,217,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed \$5,400 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2014: Provided further, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: Provided further, That of the amount provided under this heading, not less than \$99,496,000 shall be for activation of newly constructed prisons in Berlin, New Hampshire, Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton, West Virginia, as requested in the Department's fiscal year 2013 budget.

**BUILDINGS AND FACILITIES**

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$90,000,000, to remain available until expended, of which not less than \$66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

**FEDERAL PRISON INDUSTRIES, INCORPORATED**

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

**LIMITATION ON ADMINISTRATIVE EXPENSES,  
FEDERAL PRISON INDUSTRIES, INCORPORATED**

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

**STATE AND LOCAL LAW ENFORCEMENT  
ACTIVITIES**

**OFFICE ON VIOLENCE AGAINST WOMEN  
VIOLENCE AGAINST WOMEN PREVENTION AND  
PROSECUTION PROGRAMS**

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and for related victims services, \$416,500,000, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided—

(1) \$189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) \$10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: Provided, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: Provided further, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: Provided further, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;

(6) \$25,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$15,500,000 is for a grant program to support families in the justice system, including for the purposes described in the safe havens for children program, as authorized by section 1301 of the 2000 Act, and the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(12) \$5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) \$500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

#### OFFICE OF JUSTICE PROGRAMS

##### RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of

1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); and other programs, \$127,000,000, to remain available until expended, of which—

(1) \$48,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which \$36,000,000 is for the administration and redesign of the National Crime Victimization Survey;

(2) \$43,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act: Provided, That of the amounts provided under this paragraph, \$5,000,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the National Institute of Justice for research, testing and evaluation programs;

(3) \$1,000,000 is for an evaluation clearinghouse program; and

(4) \$35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); and other programs, \$1,140,418,000, to remain available until expended as follows—

(1) \$392,418,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitu-

tional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, \$4,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, \$5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), \$6,000,000 is for a criminal justice reform and recidivism reduction program, and \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) \$255,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): Provided, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$5,000,000 for a border prosecutor initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) \$19,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(5) \$13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386, and for programs authorized under Public Law 109-164;

(6) \$41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(7) \$9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(8) \$12,500,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) \$3,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(10) \$9,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403;

(11) \$4,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110-315;

(12) \$20,000,000 for implementation of the Adam Walsh Act and related activities;

(13) \$13,000,000 for an initiative relating to children exposed to violence;

(14) \$18,000,000 for an Edward Byrne Memorial criminal justice innovation program;

(15) \$21,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: Provided, That \$1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(16) \$1,000,000 for the National Sex Offender Public Website;

(17) \$5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(18) \$12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110-180);

(19) \$6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(20) \$12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(21) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program): Provided, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108-405;

(22) \$6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(23) \$38,000,000 for assistance to Indian tribes;

(24) \$68,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), of which not to exceed \$5,000,000 is for a program to improve State, local, and tribal probation supervision efforts and strategies;

(25) \$4,000,000 for a veterans treatment courts program;

(26) \$1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(27) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(28) \$12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79);

(29) \$3,500,000 for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98-473); and

(30) \$2,750,000 to establish and operate a National Center for Campus Public Safety:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

#### JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); and other juvenile justice programs, \$279,500,000, to remain available until expended as follows—

(1) \$44,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process:

Provided, That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) \$90,000,000 for youth mentoring grants;

(3) \$20,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) \$10,000,000 shall be for the Tribal Youth Program;

(B) \$5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; and

(C) \$5,000,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(4) \$19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) \$25,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(6) \$11,000,000 for community-based violence prevention initiatives;

(7) \$67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act);

(8) \$1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(9) \$2,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of the amounts designated under paragraphs (1) through (6), (8) and (9) may be used for training and technical assistance: Provided further, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

#### PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### COMMUNITY ORIENTED POLICING SERVICES

##### COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Pub-

lic Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), \$222,500,000, to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: Provided further, That of the amount provided—

(1) \$12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) \$190,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: Provided, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: Provided further, That within the amounts appropriated, \$15,000,000 shall be transferred to the Tribal Resources Grant Program: Provided further, That of the amounts appropriated under this paragraph, \$10,000,000 is for community policing development activities in furtherance of the purposes in section 1701.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107-296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.



SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102-395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such

headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs, and of such amounts, \$1,300,000 shall be transferred to the Bureau of Prisons for Federal inmate research and evaluation purposes.

SEC. 215. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated by this or any other Act making appropriations for fiscal years 2010 through 2013 for the following programs, waive the following requirements:

(1) For the Adult and Juvenile Offender State and Local Reentry Demonstration Projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and Local Reentry Courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w-2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the Prosecution Drug Treatment Alternatives to Prison Program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q-3), the requirements under section 2904 of such part.

(4) For Grants to Protect Inmates and Safe-guard Communities under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2013, \$154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

This title may be cited as the "Department of Justice Appropriations Act, 2013".

### TITLE III

#### SCIENCE

##### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,850,000.

##### NATIONAL AERONAUTICS AND SPACE

#### ADMINISTRATION

#### SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$5,144,000,000, to remain available until September 30, 2014, of which up to \$14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of reestablishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: Provided, That \$75,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey: Provided further, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed \$8,000,000,000: Provided further, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

#### AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft,

\$570,000,000, to remain available until September 30, 2014.

#### SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$642,000,000, to remain available until September 30, 2014.

#### EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,887,000,000, to remain available until September 30, 2014: Provided, That not less than \$1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: Provided further, That not less than \$1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously: Provided further, That of the funds made available for the Space Launch System, \$1,454,200,000 shall be for launch vehicle development and \$402,800,000 shall be for exploration ground systems: Provided further, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: Provided further, That \$525,000,000 shall be for commercial spaceflight activities: Provided further, That \$308,000,000 shall be for exploration research and development.

#### SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$3,953,000,000, to remain available until September 30, 2014.

#### EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including

uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$125,000,000, to remain available until September 30, 2014, of which \$18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$40,000,000 shall be for the National Space Grant College program.

#### CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,823,000,000, to remain available until September 30, 2014: Provided, That not less than \$39,100,000 shall be available for independent verification and validation activities.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$680,000,000, to remain available until September 30, 2018: Provided, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: Provided further, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: Provided further, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed \$3,791,000: Provided further, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$38,000,000, of which \$500,000 shall remain available until September 30, 2014.

#### ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3) by striking the period at the end inserting "; and"; and

(3) by adding at the end the following:

"(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs."

#### NATIONAL SCIENCE FOUNDATION

##### RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,983,280,000, to remain available until September 30, 2014, of which not to exceed \$500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That not less than \$158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110-69.

##### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$196,170,000, to remain available until expended: Provided, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

##### EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$895,610,000, to remain available until September 30, 2014: Provided, That not less than \$54,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110-69.



## AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$299,400,000: Provided, That not to exceed \$8,280 is for official reception and representation expenses: Provided further, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

## OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,440,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$14,200,000, of which \$400,000 shall remain available until September 30, 2014.

## ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2013".

## TITLE IV

## RELATED AGENCIES

## COMMISSION ON CIVIL RIGHTS

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,400,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1963 (42 U.S.C. 1975a): Provided further, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: Provided further, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of

such appointment, also hold the position of Inspector General of the Commission on Civil Rights: Provided further, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: Provided further, That the Inspector General may waive any statutorily required reporting requirement (with the exception of the semiannual report required by section 5 of the Inspector General Act of 1978) upon a certification to the Committees on Appropriations of the House of Representatives and the Senate that such report is not necessary for effective oversight of the Commission: Provided further, That of the amounts made available in this paragraph, \$450,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110-233), the ADA Amendments Act of 2008 (Public Law 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$370,000,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

## INTERNATIONAL TRADE COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$83,000,000, to remain available until expended.

## LEGAL SERVICES CORPORATION

## PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$365,000,000, of which \$339,400,000 is for basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$17,000,000 is for management and grants oversight; \$3,400,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: Provided, That the Legal Services Corporation may continue to provide

locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this division, and section 3003 of division G, the Legal Services Corporation shall be considered an agency of the United States Government.

## ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134) is amended by striking "on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code" and inserting "triennially by the Bureau of the Census, except that, with respect to fiscal year 2013, the change in allocation resulting from the amendment made to this subparagraph by the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 shall only be half of the change which would otherwise result from that amendment in order to phase in the change over a 2 year period".

MARINE MAMMAL COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,081,000.

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

## SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$51,251,000, of which \$1,000,000 shall remain available until expended: Provided, That not to exceed \$111,600 shall be available for official reception and representation expenses.

## STATE JUSTICE INSTITUTE

## SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall remain available until September 30, 2014: Provided, That not to exceed \$2,250 shall be available for official reception and representation expenses: Provided further, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

## TITLE V

## GENERAL PROVISIONS

## (INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) Subject to subsections (b) and (c), none of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 45 days in advance of such reprogramming of funds.

(c) Subsection (b) of this section shall sunset on September 30, 2013.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A-87, Attachment B, Item 1(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in any fiscal year in excess of \$730,000,000 shall not be available for obligation until the following fiscal year.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the re-

ligious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and program-matically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end

use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or

procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

#### (RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) "Working Capital Fund", \$26,000,000;

(2) "Legal Activities, Assets Forfeiture Fund", \$722,697,000;

(3) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program", \$1,028,000;

(4) "Federal Prison System, Buildings and Facilities", \$64,700,000;

(5) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$12,000,000;

(6) "State and Local Law Enforcement Activities, Office of Justice Programs", \$43,000,000; and

(7) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013, specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 529. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 530. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 531. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—  
(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 532. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 533. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

SEC. 534. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 535. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 536. None of the funds made available in this Act may be used to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

SEC. 537. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 538. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 539. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 540. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 541. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 542. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

SEC. 543. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate those being funded by other Federal agencies.

This division may be cited as the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013”.

#### **DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

##### **TITLE I**

##### **MILITARY PERSONNEL**

##### **MILITARY PERSONNEL, ARMY**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and

aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,199,263,000.

#### MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,902,346,000.

#### MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,531,549,000.

#### MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,052,826,000.

#### RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,456,823,000.

#### RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,874,023,000.

#### RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for per-

sonnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$658,251,000.

#### RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,722,425,000.

#### NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,981,577,000.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,153,990,000.

### TITLE II

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$35,409,260,000.

##### OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$41,614,453,000.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,034,963,000.

##### OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,780,406,000.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

###### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,862,980,000: Provided, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That \$8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,182,923,000.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,256,347,000.

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$277,377,000.

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,261,324,000.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,154,161,000.

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,494,326,000.

#### UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

#### ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available

for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$529,263,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,133,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

##### (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

#### COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

#### DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$50,198,000.

#### TITLE III

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,028,754,000, to remain available for obligation until September 30, 2015.

##### MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories



therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,535,433,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,857,823,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,641,306,000, to remain available for obligation until September 30, 2015.

#### OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,741,664,000, to remain available for obligation until September 30, 2015.

#### AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in

public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,382,152,000, to remain available for obligation until September 30, 2015.

#### WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,036,871,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$659,897,000, to remain available for obligation until September 30, 2015.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$565,371,000;  
Virginia Class Submarine, \$3,217,601,000;  
Virginia Class Submarine (AP), \$1,652,557,000;  
CVN Refuelings, \$1,613,392,000;  
CVN Refuelings (AP), \$70,010,000;  
DDG-1000 Program, \$669,222,000;  
DDG-51 Destroyer, \$4,036,628,000;  
DDG-51 Destroyer (AP), \$466,283,000;  
Littoral Combat Ship, \$1,784,959,000;  
LPD-17 (AP), \$263,255,000;  
Joint High Speed Vessel, \$189,196,000;  
Moored Training Ship, \$307,300,000;  
LCAC Service Life Extension Program, \$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$290,035,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,584,212,000, to remain available for obligation until September 30, 2017: Provided, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign fa-

cilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,955,078,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,411,411,000, to remain available for obligation until September 30, 2015.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,774,019,000, to remain available for obligation until September 30, 2015.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,962,376,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States

Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$594,694,000, to remain available for obligation until September 30, 2015.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,082,508,000, to remain available for obligation until September 30, 2015.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,878,985,000, to remain available for obligation until September 30, 2015.

#### DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$223,531,000, to remain available until expended.

#### TITLE IV

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,676,627,000, to remain available for obligation until September 30, 2014.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,963,398,000, to remain available for obligation until September 30, 2014: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,432,738,000, to remain available for obligation until September 30, 2014.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,631,946,000, to remain available for obligation until September 30, 2014: Provided, That of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

##### OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

#### TITLE V

##### REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

##### NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the

obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

#### TITLE VI

##### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,715,304,000; of which \$30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to \$15,934,952,000 may be available for contracts entered into under the TRICARE program; of which \$521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,308,377,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: Provided further, That of the funds provided to develop a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

##### CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments;



and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

**DRUG INTERDICTION AND COUNTER-DRUG  
ACTIVITIES, DEFENSE**

**(INCLUDING TRANSFER OF FUNDS)**

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,159,263,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

**OFFICE OF THE INSPECTOR GENERAL**

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$350,321,000, of which \$347,621,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,700,000, to remain available until September 30, 2015, shall be for procurement.

**TITLE VII**

**RELATED AGENCIES**

**CENTRAL INTELLIGENCE AGENCY RETIREMENT  
AND DISABILITY SYSTEM FUND**

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

**INTELLIGENCE COMMUNITY MANAGEMENT  
ACCOUNT**

For necessary expenses of the Intelligence Community Management Account, \$534,421,000.

**TITLE VIII**

**GENERAL PROVISIONS**

**SEC. 8001.** No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

**SEC. 8002.** During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving

at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

**SEC. 8003.** No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

**SEC. 8004.** No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

**(TRANSFER OF FUNDS)**

**SEC. 8005.** Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

**SEC. 8006.** (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

**SEC. 8007.** (a) Not later than 60 days after enactment of this Act, the Department of Defense

shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

**(TRANSFER OF FUNDS)**

**SEC. 8008.** During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

**SEC. 8009.** Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

**SEC. 8010.** None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided

further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

#### (TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall

be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from “Aircraft Procurement, Air Force”; and

(3) \$932,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided; That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related

articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Rec-

ognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally

affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: Provided, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

#### (RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer, \$98,400,000;

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer Advance Procurement, \$2,500,000;

"Shipbuilding and Conversion, Navy, 2007/2018": CVN Refueling Overhaul, \$14,100,000;

"Procurement of Ammunition, Army, 2011/2013", \$14,862,000;

"Other Procurement, Army, 2011/2013", \$108,098,000;

"Aircraft Procurement, Navy, 2011/2013", \$43,860,000;

"Shipbuilding and Conversion, Navy, 2011/2015": DDG-51 Destroyer, \$215,300,000;

"Weapons Procurement, Navy, 2011/2013", \$22,000,000;

"Aircraft Procurement, Air Force, 2011/2013", \$93,400,000;

"Other Procurement, Air Force, 2011/2013", \$9,500,000;

"Operation and Maintenance, Defense-Wide, 2012/XXXX", \$21,000,000;

"Aircraft Procurement, Army, 2012/2014", \$47,400,000;

"Other Procurement, Army, 2012/2014", \$179,608,000;

"Aircraft Procurement, Navy, 2012/2014", \$19,040,000;

"Shipbuilding and Conversion, Navy, 2012/2016": Littoral Combat Ship, \$28,800,000;

"Shipbuilding and Conversion, Navy, 2012/2016": DDG-51 Destroyer, \$83,000,000;

"Weapons Procurement, Navy, 2012/2014", \$36,467,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014", \$16,300,000;

"Procurement, Marine Corps, 2012/2014", \$132,555,000;

"Aircraft Procurement, Air Force, 2012/2014", \$394,299,000;

"Missile Procurement, Air Force, 2012/2014", \$52,898,000;

"Other Procurement, Air Force, 2012/2014", \$55,800,000;

"Procurement, Defense-Wide, 2012/2014", \$16,000,000;

"Research, Development, Test and Evaluation, Army, 2012/2013", \$41,000,000;

"Research, Development, Test and Evaluation, Navy, 2012/2013", \$246,800,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", \$149,460,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be

used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by

any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this Act may be used to support any

training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-

time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$133,381,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8069. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$479,736,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8071. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and



KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program \$156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program \$135,000,000.

SEC. 8073. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8074. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8075. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8076. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8077. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, he

shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8080. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8081. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8082. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8083. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8084. Up to \$15,000,000 of the funds appropriated under the heading "Operation and

Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8085. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8086. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8087. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8088. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account

for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that—

- (1) creates a new start effort;
- (2) terminates a program with appropriated funding of \$10,000,000 or more;
- (3) transfers funding into or out of the National Intelligence Program; or
- (4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8093. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites

pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8096. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8097. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

- (1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or
- (2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term se-

lected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8098. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8100. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8101. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8102. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: Provided, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the



same time period as the appropriation to which they are transferred: Provided further, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

SEC. 8104. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8105. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8106. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. In addition to amounts provided elsewhere in the Act, there is appropriated \$270,000,000 for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further,

That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8109. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8110. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated

or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantánamo” means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—  
(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8111. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—  
(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8112. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8113. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8114. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8115. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Authorization Act for Fis-

cal year 2006 (Public Law 109-163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1).

SEC. 8116. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8117. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: Provided, That this section shall not apply to actions affecting C-5, C-17, or E-8 aircraft, or the units associated with such aircraft: Provided further, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 8118. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8119. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8120. None of the funds made available by this Act shall be used to retire C-23 Sherpa aircraft.

SEC. 8121. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by \$72,718,000.

SEC. 8122. None of the funds made available by this Act may be used to enter into a contract for UH-60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8123. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8124. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8125. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8126. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for

Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8127. None of the funds made available by this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboronexport: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8128. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

SEC. 8129. (a) REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.—The Secretaries of the military departments shall carry out tuition assistance programs for members of the Armed Forces during the remainder of fiscal year 2013 using amounts specified in subsection (b).

(b) AMOUNTS.—The minimum amount used by the Secretary of a military department for tuition assistance for members of an Armed Force under the jurisdiction of that Secretary pursuant to subsection (a) shall be not less than—

(1) the amount appropriated or otherwise made available by this Act for tuition assistance programs for members of that Armed Force, minus

(2) an amount that is not more than the percentage of the reduction required to the Operation and Maintenance account for that Armed Force for fiscal year 2013 by the budget sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE IX

### OVERSEAS CONTINGENCY OPERATIONS MILITARY PERSONNEL

#### MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$9,790,082,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$774,225,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$1,425,156,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,286,783,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$156,893,000: Provided, That such amount is designated by the Congress for

Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$39,335,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$24,722,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$25,348,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$583,804,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$10,473,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$28,452,018,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,839,934,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$4,116,340,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$9,249,736,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$7,714,079,000:

Provided, That of the funds provided under this heading, not to exceed \$1,650,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: Provided further, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$157,887,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$55,924,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$25,477,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$60,618,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$392,448,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$34,500,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

###### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$582,884,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: Provided, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: Provided further, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### AFGHANISTAN INFRASTRUCTURE FUND

###### (INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", \$325,000,000, to remain available until September 30, 2014: Provided, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: Provided further, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: Provided

further, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: Provided further, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: Provided further, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: Provided further, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: Provided further, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: Provided further, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: Provided further, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: Provided further, That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$5,124,167,000, to remain available until September 30, 2014: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to

obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$550,700,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$67,951,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$15,422,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$338,493,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,740,157,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$215,698,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$22,500,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$283,059,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$98,882,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$822,054,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$305,600,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$34,350,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$116,203,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,680,270,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$188,099,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,500,000,000, to remain available for obligation until September 30,

2015: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$29,660,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$52,519,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$53,150,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$112,387,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$243,600,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$993,898,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense",

\$469,025,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

##### (INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$1,622,614,000, to remain available until September 30, 2015: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$10,766,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: Provided further, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: Provided further, That the AROC must approve all projects and the execution plan under the “Afghanistan Infrastructure Fund” (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading “Operation and Maintenance, Army” may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading “Operation and Maintenance, Air Force” up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any

other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: Provided further, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

#### (RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Retroactive Stop Loss Special Pay Program, 2009/XXXX”, \$127,200,000;

“Afghanistan Security Forces Fund, 2012/2013”, \$1,000,000,000;

“Other Procurement, Army, 2012/2014”, \$207,600,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$32,176,000;

“Procurement, Marine Corps, 2012/2014”, \$2,776,000;

“Mine Resistant Ambush Protected Vehicle Fund, 2012/2013”, \$400,000,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$50,000,000;

“Joint Improvised Explosive Device Defeat Fund, 2012/2014”, \$40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and

operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

This division may be cited as the “Department of Defense Appropriations Act, 2013”.

#### **DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, namely:

##### **TITLE I**

##### **DEPARTMENTAL MANAGEMENT AND OPERATIONS**

##### **DEPARTMENTAL OPERATIONS**

##### **OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT**

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$130,000,000: Provided, That not to exceed \$45,000 shall be for official reception and representation expenses: Provided further, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: Provided further, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

##### **OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT**

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), \$218,511,000, of which not to exceed \$2,250 shall be for official reception and representation expenses: Provided, That of the total amount



made available under this heading, \$5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and \$9,680,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: Provided further, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112–331, submit to the Committees on Appropriations of the Senate and the House of Representatives with the President's budget proposal for fiscal year 2014, submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading "Office of the Under Secretary for Management" under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

#### OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), \$51,500,000, of which \$5,000,000 shall remain available until September 30, 2014, for financial systems modernization efforts.

#### OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, \$243,732,000; of which \$118,000,000 shall be available for salaries and expenses; and of which \$125,732,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: Provided, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each of fiscal years 2013 through 2016, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or underway;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

#### ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$322,280,000; of which not to exceed \$3,825 shall be for official reception and representation expenses; and of which \$94,359,000 shall remain available until September 30, 2014.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$121,164,000, of which not to exceed \$300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

#### TITLE II

#### SECURITY, ENFORCEMENT, AND INVESTIGATIONS

#### U.S. CUSTOMS AND BORDER PROTECTION SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; \$8,293,351,000; of which \$3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed \$34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: Provided, That for fiscal year 2013, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: Provided further, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

#### AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, \$719,866,000; of which \$325,526,000 shall remain available until September 30, 2015; and of which not less than \$138,794,000 shall be for the development of the Automated Commercial Environment.

#### BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, \$324,099,000, to remain available until September 30, 2015.

#### AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses and operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; \$799,006,000; of which \$283,570,000 shall be available for salaries and expenses; and of which \$515,436,000 shall remain available until September 30, 2015: Provided, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2013 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112–74.

#### CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, \$233,563,000, to remain available until September 30, 2017: Provided, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2014.

#### U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; \$5,394,402,000; of which not to exceed \$10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$11,475 shall be for official reception and representation expenses; of which not to exceed \$2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than \$305,000 shall be

for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than \$5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: Provided, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That of the total amount provided, \$15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed \$6,000,000 shall remain available until expended: Provided further, That of the total amount available, not less than \$1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which \$138,249,000 shall be for completion of Secure Communities deployment: Provided further, That the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso and the funds obligated during that quarter to make such progress: Provided further, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: Provided further, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2013: Provided further, That of the total amount provided, not less than \$2,753,610,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: Provided further, That of the total amount provided, \$10,300,000 shall remain available until September 30, 2014, for the Visa Security Program: Provided further, That not less than \$10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: Provided further, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: Provided further, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: Provided further, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

#### AUTOMATION MODERNIZATION (INCLUDING TRANSFER OF FUNDS)

For expenses of immigration and customs enforcement automated systems, \$33,500,000, to re-

main available until September 30, 2015: Provided, That of the total amount provided, up to \$1,000,000 may be transferred to the Department of Justice Executive Office of Immigration Review to improve case management and electronic communication with U.S. Immigration and Customs Enforcement: Provided further, That no transfer described in the previous proviso shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

#### CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$5,000,000, to remain available until September 30, 2016.

#### TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$5,052,620,000, to remain available until September 30, 2014, of which not to exceed \$7,650 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, not to exceed \$3,975,517,000 shall be for screening operations, of which \$408,930,000 shall be available for explosives detection systems; \$115,204,000 shall be for checkpoint support; and not to exceed \$1,077,103,000 shall be for aviation security direction and enforcement: Provided further, That of the amount made available in the preceding proviso for explosives detection systems, \$99,930,000 shall be available for the purchase and installation of these systems: Provided further, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: Provided further, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2013 so as to result in a final fiscal year appropriation from the general fund estimated at not more than \$2,982,620,000: Provided further, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2014: Provided further, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2013, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: Provided further, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: Provided further, That the preceding proviso shall not apply to personnel hired as part-time employees: Provided further, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That the Administrator of the Transportation Security Administration shall, within 270 days of the date of enactment of this Act, establish procedures allowing members of cabin flight crews of air carriers to participate in the Known Crewmember pilot program, unless the Administrator determines that meeting the requirement within this timeline is not practicable and informs the Committees on Appropriations of the Senate and House of Representatives of the basis for that determination and the new timeline for implementing the requirement: Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

#### SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, \$124,418,000, to remain available until September 30, 2014.

#### TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, \$192,424,000, to remain available until September 30, 2014.

#### TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$954,277,000, to remain available until September 30, 2014: Provided, That of the funds appropriated under this heading, \$20,000,000 may not be obligated for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2013: Provided further, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

#### FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, \$907,757,000: Provided, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of



enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

#### COAST GUARD OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and service-life replacements, not to exceed a total of \$31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding \$1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; \$7,074,782,000; of which \$594,000,000 shall be for defense-related activities, of which \$254,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which \$24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed \$15,300 shall be for official reception and representation expenses: Provided, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: Provided further, That of the funds provided under this heading, \$75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a revised future-years capital investment plan for fiscal years 2014 through 2018, as specified under the heading Coast Guard "Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

#### ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, \$13,151,000, to remain available until September 30, 2017.

#### RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; \$132,528,000.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment; as authorized by law; \$1,545,393,000; of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$10,000,000 shall remain available until September 30, 2017, for military family housing, of which not more than \$6,828,691 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which \$1,082,800,000 shall be available until September 30, 2017, to acquire, effect major

repairs to, renovate, or improve vessels, small boats, and related equipment; of which \$190,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which \$64,000,000 shall be available until September 30, 2017, for other acquisition programs; of which \$84,411,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which \$113,682,000 shall be available for personnel compensation and benefits and related costs: Provided, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: Provided further, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: Provided further, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: Provided further, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: Provided further, That subsections (a) and (b) of section 6402 of Public Law 110-28 shall apply with respect to the amounts made available under this heading.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$19,690,000, to remain available until September 30, 2017, of which \$500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

#### RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,423,000,000, to remain available until expended.

#### UNITED STATES SECRET SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of

Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$1,555,913,000; of which not to exceed \$19,125 shall be for official reception and representation expenses; of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which \$2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which \$6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2014; and of which \$4,000,000 shall be for activities related to training in electronic crimes investigations and forensics: Provided, That up to \$18,000,000 for protective travel shall remain available until September 30, 2014: Provided further, That \$4,500,000 for National Special Security Events shall remain available until September 30, 2014: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: Provided further, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: Provided further, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: Provided further, That for purposes of section 503(b) of this Act, \$15,000,000 or 10 percent, whichever is less, may be transferred between "Protection of persons and facilities" and "Domestic field operations".

#### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, \$56,750,000; of which \$4,430,000, to remain available until September 30, 2017, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which \$52,320,000, to remain available until September 30, 2015, shall be for information integration and technology transformation execution: Provided, That the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that

describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

### TITLE III PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

#### NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

##### MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, \$50,220,000: Provided, That not to exceed \$3,825 shall be for official reception and representation expenses.

#### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$1,157,529,000, of which \$200,000,000, shall remain available until September 30, 2014: Provided, That of the total amount provided for the "Infrastructure security compliance" program, project, and activity, \$20,000,000 shall not be available for obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program that includes the number of facilities covered by the program, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2013.

#### FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: Provided, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives not later than May 1, 2013, that the operations of the Federal Protective Service will be fully funded in fiscal year 2013 through revenues and collection of security fees, and shall adjust the fees to ensure fee collections are sufficient to ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff"): Provided further, That the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

#### OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), \$232,422,000: Provided, That of the total amount made available under this heading, \$113,956,000 shall remain available until September 30, 2015: Provided further, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: Provided further, That the Secretary

shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

(1) the proposed appropriation for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services:

Provided further, That amounts obligated under Public Law 112-175 for National Protection and Programs Directorate, "United States Visitor and Immigrant Status Indicator Technology" shall be charged to the appropriate successor account of the following: National Protection and Programs Directorate, "Office of Biometric Identity Management"; U.S. Customs and Border Protection, "Salaries and Expenses"; or U.S. Immigration and Customs Enforcement, "Salaries and Expenses".

#### OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, \$132,499,000; of which \$26,702,000 is for salaries and expenses; and of which \$85,390,000 is for BioWatch operations: Provided, That of the amount made available under this heading, \$20,407,000 shall remain available until September 30, 2014, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: Provided further, That not to exceed \$2,250 shall be for official reception and representation expenses.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, \$973,118,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295;

120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917): Provided, That not to exceed \$2,250 shall be for official reception and representation expenses: Provided further, That for fiscal year 2013 and thereafter, for purposes of planning, coordination, execution, and decision making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of the Homeland Security Act of 2002 (Public Law 107-296): Provided further, That of the total amount made available under this heading, \$35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: Provided further, That of the total amount made available under this heading, \$22,000,000 shall remain available until September 30, 2014, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: Provided further, That of the total amount made available under this heading, \$5,000,000 shall remain available until September 30, 2014, for expenses related to modernization of automated systems: Provided further, That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

#### STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, \$1,466,082,000, which shall be allocated as follows:

(1) Not less than \$346,600,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than \$46,600,000 shall be for Operation Stonegarden: Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) Not less than \$500,376,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than \$10,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) Not less than \$97,500,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1135 and 1163), of which not less than \$10,000,000 shall be for Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) Not less than \$97,500,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) Notwithstanding section 503 of this Act, \$188,932,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(E) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1182).

(H) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) The Citizen Corps Program.

(J) The Driver's License Security Grants Program in accordance with section 204 of the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(K) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) The Buffer Zone Protection Program Grants.

(N) Regional Catastrophic Preparedness Grants.

(6) \$235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which \$157,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (5), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: Provided further, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: Provided further, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: Provided further, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: Provided further, That in fiscal year 2013 and thereafter: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Pre-

paredness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

#### FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), \$675,000,000, to remain available until September 30, 2014, of which \$337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and \$337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000.

#### RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2013, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: Provided further, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2013, and remain available until September 30, 2015.

#### UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

#### DISASTER RELIEF FUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,007,926,000, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: Provided, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: Provided further, That the

Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: Provided further, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99-177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event; and

(D) the date on which funds appropriated will be exhausted;

Provided further, That of the amount provided under this heading, \$6,400,000,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided further, That the amount in the preceding proviso is designated by the Congress as being for dis-

aster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$95,329,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

#### NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$171,000,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$149,000,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2014: Provided, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: Provided further, That in fiscal year 2013, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) \$132,000,000 for operating expenses;

(2) \$1,056,602,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) \$120,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): Provided further, That total administrative costs shall not exceed 4 percent of the total appropriation.

#### NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), \$25,000,000, to remain available until expended.

#### EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

#### TITLE IV

#### RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

##### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, \$111,924,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: Provided, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: Provided further, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

##### FEDERAL LAW ENFORCEMENT TRAINING CENTER

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$228,467,000; of which up to \$44,758,000 shall remain available until September 30, 2014, for materials and support costs of Federal law enforcement basic training; of which \$300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed \$9,180 shall be for official reception and representation expenses: Provided, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That section 1202(a) of Public Law 107-206 (42 U.S.C. 3771 note), as amended by Public Law 112-74, is further amended by striking "December 31, 2014" and inserting "December 31, 2015": Provided further, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: Provided further, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

#### ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$28,385,000, to remain available until September 30, 2017: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

#### SCIENCE AND TECHNOLOGY MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$132,000,000: Provided, That not to exceed \$7,650 shall be for official reception and representation expenses.

#### RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, \$703,471,000; of which \$538,539,000 shall remain available until September 30, 2015; and of which \$164,932,000 shall remain available until September 30, 2017, solely for operation and construction of laboratory facilities.

#### DOMESTIC NUCLEAR DETECTION OFFICE MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, \$39,650,000: Provided, That not to exceed \$2,250 shall be for official reception and representation expenses: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

- (1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;
- (2) identify and describe the specific investments being made by each Departmental component in fiscal year 2013 and planned for fiscal year 2014 to support the domestic architecture and the security of sea, land, and air pathways into the United States;
- (3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and
- (4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2013 and 2014.

#### RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, \$226,830,000, to remain available until September 30, 2014.

#### SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radio-

logical detection systems in accordance with the global nuclear detection architecture, \$51,455,000, to remain available until September 30, 2015.

#### TITLE V GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates a new program, project, or activity;
- (2) eliminates a program, project, office, or activity;
- (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;
- (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or
- (5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that:

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity;
- (3) reduces by 10 percent the numbers of personnel approved by the Congress; or
- (4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be in-

creased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103-356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2013: Provided, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2013 budget: Provided further, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: Provided further, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: Provided further, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: Provided further, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2013 from appropriations for salaries and expenses for fiscal year 2013 in this Act shall remain available through September 30, 2014, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

- (1) make or award a grant allocation, grant, contract, other transaction agreement, task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;
- (2) award a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;
- (3) make a sole-source grant award; or
- (4) announce publicly the intention to make or award items under paragraph (1), (2), or (3)

including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under “State and Local Programs”.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration “Aviation Security”, “Administration”, and “Transportation Security Support” for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: Provided, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 517. Any funds appropriated to Coast Guard “Acquisition, Construction, and Improvements” for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking “2012” and inserting “2013”.

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 520. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the “Office of the Secretary and Executive Management”, the “Office of the Under Secretary for Management”, or the “Office of the Chief Financial Officer”, may be obligated for a grant or contract funded under such headings by any means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, including the AbilityOne Program, that is authorized under chapter 85 of title 41, United States Code;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 3101 (b) of title 41, United States Code; or

(4) by another Federal agency using funds provided through an interagency agreement.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the Secretary

shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract to which the waiver applies and an explanation of why the waiver authority was used: Provided, That the Secretary may not delegate the authority to grant such a waiver.

(d) In addition to the requirements established by subsections (a), (b), and (c) of this section, the Inspector General of the Department of Homeland Security shall review departmental contracts awarded through means other than a full and open competition to assess departmental compliance with applicable laws and regulations: Provided, That the Inspector General shall review selected contracts awarded in the previous 3 fiscal years through means other than a full and open competition: Provided further, That in selecting which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: Provided further, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 4, 2015, and every 3 years thereafter.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 523. Funds made available in this Act may be used to alter operations within the Civil



Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 524. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 525. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2012,” and inserting “Until September 30, 2013,”;

(2) in subsection (c)(1), by striking “September 30, 2012,” and inserting “September 30, 2013,”.

SEC. 526. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 527. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 528. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 529. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 530. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: Provided, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: Provided further, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 531. None of the funds appropriated by this Act may be used to conduct, or to implement

the results of, a competition under Office of Management and Budget Circular A-76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 532. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102-393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: Provided, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 533. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 534. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

SEC. 535. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 536. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 537. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note), as amended by section 550 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83), is further amended by striking “on October 4, 2012” and inserting “on October 4, 2013”.

SEC. 538. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 539. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 540. None of the funds made available in this or any other Act for fiscal year 2013 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 541. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 542. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations”;

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the “Administrator”).

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the “Sponsoring Entity”.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 543. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 544. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 545. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 546. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, \$7,500,000 shall be allocated by United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for "United States Citizenship and Immigration Services" for the purpose of providing immigrant integration grants, \$2,500,000.

(c) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 547. For an additional amount for necessary expenses for reimbursement of the actual costs to State and local governments for providing emergency management, public safety, and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, \$5,000,000, to remain available until September 30, 2014.

SEC. 548. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations available to the Department of Homeland Security: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 549. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 550. (a) For an additional amount for data center migration, \$55,000,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 551. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immi-

gration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: Provided, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: Provided further, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 552. For an additional amount for the "Office of the Under Secretary for Management", \$29,000,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: Provided, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of this Act detailing the allocation of these funds.

SEC. 553. In making grants under the heading "Firefighter Assistance Grants", the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 554. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 555. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2013, 2014, 2015, and 2016, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, "Salaries and Expenses" under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology" under such title, and section 568 of such Act.

SEC. 556. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 557. (a) Notwithstanding Office of Management and Budget Circular A-11, funds made available in fiscal year 2013, or any fiscal year thereafter, under Department of Homeland Security, Coast Guard, "Acquisition, Construction, and Improvements" for—

(1) long lead time materials, components, and designs of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for production, outfitting, post-delivery activities, and spare or repair parts; and

(2) production of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for outfitting, post-delivery activities, and spare or repair parts.

(b) The Secretary of Homeland Security shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with subsection (a) of this section and consistent with the Department of Defense Financial Management Regulation (Volume 2A, Chapter 1 C. Procedures for Full Funding) to include the costs associated with outfitting and post-delivery activities; spare and repair parts; and long lead time materials. The requirement set forth in this section shall not preclude the immediate availability or allotment of funds for fiscal year 2013, pursuant to subsection (a).

(c) In this section—

(1) the term "long lead time items" means components, parts, material, or effort which must be procured in advance of the production award in order to maintain the production schedule;

(2) the term "outfitting" means procurement or installation of onboard repair parts, other secondary items, equipment, and recreation items; precommissioning crew support; general use consumables furnished to the shipbuilder; the fitting out activity to fill a vessel's initial allowances; and contractor-furnished spares; and

(3) the term "post-delivery activities" means design, planning, Government-furnished material, and related labor for non-production and non-long lead time items contract activities and other work, including certifications, full operational capability activities and other equipment installation; spares, logistics, technical analysis, and support; correction of Government-responsible defects and deficiencies identified during builders trials, acceptance trials, and testing during the post-delivery period; costs of all work required to correct defects or deficiencies identified during the post-delivery period; and costs of all work required to correct trial card deficiencies on a vessel of a particular class, as well as on subsequent vessels of that class (whether or not delivered) until the corrective action for that cutter class is completed.

SEC. 558. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, "Infrastructure Protection and Information Security", \$202,000,000 for the "Federal Network Security" program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: Provided, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: Provided further, That not later than April 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: Provided further, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: Provided



further, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): Provided, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107-347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 559. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 560. (a) Notwithstanding sections 58c(e) and 1451 of title 19, United States Code, upon the request of any persons, the Commissioner of U.S. Customs and Border Protection may enter into reimbursable fee agreements for a period of up to 5 years with such persons for the provision of U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services. Such requests may include additional U.S. Customs and Border Protection services at existing U.S. Customs and Border Protection-serviced facilities (including but not limited to payment for overtime), the provision of U.S. Customs and Border Protection services at new facilities, and expanded U.S. Customs and Border Protection services at land border facilities.

(1) By December 31, 2013, the Commissioner may enter into not more than 5 agreements under this section.

(2) The Commissioner shall not enter into such an agreement if it would unduly and permanently impact services funded in this or any other appropriations Acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees.

(b) Funds collected pursuant to any agreement entered into under this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(c) The amount of the fee to be charged pursuant to an agreement authorized under sub-

section (a) of this section shall be paid by each person requesting U.S. Customs and Border Protection services and shall include, but shall not be limited to, the salaries and expenses of individuals employed by U.S. Customs and Border Protection to provide such U.S. Customs and Border Protection services and other costs incurred by U.S. Customs and Border Protection relating to those services, such as temporary placement or permanent relocation of those individuals.

(d) U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Commissioner that a fee imposed under subsection (a) is due, fails to pay the fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current U.S. Treasury borrowing rates. Additionally, any person who, after notice and demand for payment of any fee charged under subsection (a) of this section, fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of the fee. Any amount collected pursuant to any agreement entered into under this subsection shall be deposited into the account specified under subsection (b) of this section and shall be available as described therein.

(e) Each facility at which such U.S. Customs and Border Protection services are performed shall provide, maintain, and equip, without cost to the Government, facilities in accordance with U.S. Customs and Border Protection specifications.

(f) The authority found in this section may not be used to enter into agreements to expand or begin to provide U.S. Customs and Border Protection services outside of the United States.

(g) The authority found in this section may not be used at existing U.S. Customs and Border Protection-serviced air facilities to enter into agreements for costs other than payment of overtime.

(h) The Commissioner shall notify the appropriate Committees of Congress 15 days prior to entering into any agreement under the authority of this section and shall provide a copy of the agreement to the appropriate Committees of Congress.

(i) For purposes of this section the terms:

(1) "U.S. Customs and Border Protection 'services'" means any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs and immigration inspection-related matters.

(2) "Person" means any natural person or any corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(3) "Appropriate Committees of Congress" means the Committees on Appropriations; Finance; Judiciary; and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations; Judiciary; Ways and Means; and Homeland Security of the House of Representatives.

SEC. 561. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 562. Twenty percent of each of the appropriations provided in this Act for the "Office of the Secretary and Executive Management", the "Office of the Under Secretary for Manage-

ment", and the "Office of the Chief Financial Officer" shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before May 1, 2013, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 563. Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on October 1, 2013, and ending on September 30, 2014, section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

"(iv) Each petition to compete for consideration for a visa under section 1153(c) of this title shall be accompanied by a fee equal to \$30. All amounts collected under this clause shall be deposited into the Treasury as miscellaneous receipts."

Provided, That the Department of State, in consultation with the Department of Homeland Security, shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO-07-1174.

SEC. 564. The Administrator of the Federal Emergency Management Agency shall cancel the liquidated balances of all remaining uncanceled or partially cancelled loans disbursed under the Community Disaster Loan Act of 2005 (Public Law 109-88) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234), as amended by section 4502 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28) to the extent that revenues of the local government during the period following the major disaster are insufficient to meet the budget of the local government, including additional disaster-related expenses of a municipal character. In calculating a community's revenues while determining cancellation, the Administrator shall exclude revenues for special districts and any other revenues that are required by law to be disbursed to other units of local government or used for specific purposes more limited than the scope allowed by the General Fund. In calculating a community's expenses, the Administrator shall include disaster-related capital expenses for which the community has not been reimbursed by Federal or insurance proceeds, debt service expenses, and accrued but unpaid uncompensated absences (vacation and sick pay). In calculating the operating deficit of the local government, the Administrator shall also consider all interfund transfers. When considering the period following the disaster, the Administrator may consider a period of 3, 5, or 7 full fiscal years after the disaster, beginning on the date of the declaration, in determining eligibility for cancellation. The criteria for cancellation do not apply to those loans already cancelled in full. Applicants shall submit supplemental documentation in support of their applications for cancellation on or before April 30, 2014, and the Administrator shall issue determinations and resolve any appeals on or before April 30, 2015. Loans not cancelled in full shall be repaid not later than September 30, 2035. The Administrator may use funds provided under Public Law 109-88 to reimburse those communities that have repaid all or a portion of loans, including interest, provided as Special Community Disaster Loans under Public Law 109-88 or Public Law 109-234, as amended by section 4502 of Public Law 110-28. Further, the Administrator may use funds provided under Public Law 109-88 for necessary expenses to carry out this provision.

SEC. 565. The Inspector General shall review the applications for public assistance provided

through the Disaster Relief Fund with a project cost that exceeds \$10,000,000 and the resulting decisions issued by the Federal Emergency Management Agency for category A debris removal for DR-1786 upon receipt of a request from an applicant made no earlier than 90 days after filing an appeal with the Federal Emergency Management Agency without regard to whether the Administrator of the Federal Emergency Management Agency has issued a final agency determination on the application for assistance: Provided, That not later than 180 days after the date of such request, the Inspector General shall determine whether the Federal Emergency Management Agency correctly applied its rules and regulations to determine eligibility of the applicant's claim: Provided further, That if the Inspector General finds that the Federal Emergency Management Agency determinations related to eligibility and cost involved a misapplication of its rules and regulations, the applicant may submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111-5 not later than 15 days after the date of issuance of the Inspector General's finding in the previous proviso: Provided further, That if the Inspector General finds that the Federal Emergency Management Agency provided unauthorized funding, that the Federal Emergency Management Agency shall take corrective action.

SEC. 566. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 567. None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

SEC. 568. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 569. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: Provided, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

#### (RESCISSIONS)

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

- (1) \$1,800,000 from Public Law 112-74 under the heading "Analysis and Operations";
- (2) \$73,232,000 from funds made available in Public Law 112-10 and Public Law 112-74 under the heading U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology";
- (3) \$3,108,311 from unobligated prior year balances from U.S. Immigration and Customs Enforcement, "Construction";

- (4) \$25,000,000 from Public Law 110-329 under the heading Coast Guard "Acquisition, Construction, and Improvements";

- (5) \$43,000,000 from Public Law 111-83 under the heading Coast Guard "Acquisition, Construction, and Improvements";

- (6) \$63,500,000 from Public Law 112-10 under the heading Coast Guard "Acquisition, Construction, and Improvements";

- (7) \$23,000,000 from Public Law 112-74 under the heading Coast Guard "Acquisition, Construction, and Improvements"; and

- (8) \$21,667,000 from Public Law 112-74 under the heading Transportation Security Administration, "Surface Transportation Security".

#### (RESCISSION)

SEC. 571. Of the funds provided in Public Law 110-161, Public Law 110-329, and Public Law 111-83, under the heading "National Predisaster Mitigation Fund" for congressionally directed spending items, \$12,000,000 are rescinded from projects for which no applications were submitted or from projects which were completed for an amount less than that appropriated.

#### (RESCISSIONS)

SEC. 572. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

- (1) \$199,657 from "Operations";
- (2) \$445,328 from U.S. Customs and Border Protection "Salaries and Expenses";
- (3) \$63,045 from U.S. Customs and Border Protection "Violent Crime Reduction Programs";
- (4) \$86,597 from U.S. Immigration and Customs Enforcement "Violent Crime Reduction Programs";

- (5) \$1,739 from Coast Guard "Acquisition, Construction, and Improvements";
- (6) \$1,329,239 from Federal Emergency Management Agency "Office of Domestic Preparedness";

- (7) \$3,262,677 from Federal Emergency Management Agency "National Predisaster Mitigation Fund"; and
- (8) \$2,291,844 from Transportation Security Administration "Administration".

#### (RESCISSIONS)

SEC. 573. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2012 (Public Law 112-74; 125 Stat. 984) are rescinded:

- (1) \$314,674 from "Office of the Secretary and Executive Management";
- (2) \$185,813 from "Office of the Under Secretary for Management";
- (3) \$114,391 from "Office of the Chief Financial Officer";
- (4) \$59,507 from "Office of the Chief Information Officer";

- (5) \$568,188 from "Analysis and Operations";
- (6) \$45,525 from "Office of Inspector General";
- (7) \$568,480 from U.S. Customs and Border Protection "Salaries and Expenses";

- (8) \$3,581,483 from U.S. Immigration and Customs Enforcement "Salaries and Expenses";
- (9) \$1,075,942 from Transportation Security Administration "Federal Air Marshals";

- (10) \$18,142,454 from Coast Guard "Operating Expenses";

- (11) \$991,520 from Coast Guard "Reserve Training";

- (12) \$1,033,599 from Coast Guard "Acquisition, Construction, and Improvements";

- (13) \$2,371,377 from United States Secret Service "Salaries and Expenses";

- (14) \$82,084 from National Protection and Programs Directorate "Management and Administration";

- (15) \$1,683,470 from National Protection and Programs Directorate "Infrastructure Protection and Information Security";

- (16) \$184,583 from National Protection and Programs Directorate "United States Visitor and Immigrant Status Indicator Technology";

- (17) \$259,874 from Federal Emergency Management Agency "Salaries and Expenses";

- (18) \$206,722 from Federal Emergency Management Agency "State and Local Programs";

- (19) \$450,017 from Office of Health Affairs;

- (20) \$205,799 from United States Citizenship and Immigration Services;

- (21) \$512,660 from Federal Law Enforcement Training Center "Salaries and Expenses";

- (22) \$244,553 from Science and Technology "Management and Administration"; and

- (23) \$128,565 from Domestic Nuclear Detection Office "Management and Administration".

SEC. 574. Fourteen days after the Secretary of Homeland Security submits a report required under this division to the Committees on Appropriations of the Senate and the House of Representatives, the Secretary shall submit a copy of that report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

This division may be cited as the "Department of Homeland Security Appropriations Act, 2013".

### **DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

#### TITLE I

#### DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,684,323,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,549,164,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

#### MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and

real property for the Air Force as currently authorized by law, \$322,543,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, DEFENSE-WIDE  
(INCLUDING TRANSFER OF FUNDS)**

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,582,423,000, to remain available until September 30, 2017: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$315,562,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$26,969,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

**MILITARY CONSTRUCTION, ARMY NATIONAL  
GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$613,799,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$42,386,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$305,846,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$49,532,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$10,979,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$254,163,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$4,641,000, to remain available until September 30, 2017.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$530,051,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including

acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$102,182,000, to remain available until September 30, 2017.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$378,230,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,824,000, to remain available until September 30, 2017.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$497,829,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$52,238,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**CHEMICAL DEMILITARIZATION CONSTRUCTION,  
DEFENSE-WIDE**

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$151,000,000, to remain available until September 30, 2017, which shall be only for the Assembled Chemical Weapons Alternatives program.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 1990**

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$409,396,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 2005**

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$126,697,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for

those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award

any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military

Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that

the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 126. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 128. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army

and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts, \$20,000,000 are hereby cancelled: Provided, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Department of Defense Base Closure Account 2005", from prior appropriations Acts, \$132,513,000 are hereby cancelled: Provided, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer \$10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

## TITLE II

### DEPARTMENT OF VETERANS AFFAIRS

#### VETERANS BENEFITS ADMINISTRATION

##### COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$60,599,855,000, to remain available until expended: Provided, That not to

exceed \$9,204,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

##### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, \$12,023,458,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

##### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$104,600,000, to remain available until expended.

##### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2013, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$157,814,000.

##### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$346,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

##### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,089,000.

##### VETERANS HEALTH ADMINISTRATION

##### MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described

in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$155,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2012; and in addition, \$43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title

38, United States Code, \$582,674,000, plus reimbursements, shall remain available until September 30, 2014.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$258,284,000, of which not to exceed \$25,828,000 shall remain available until September 30, 2014: Provided, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: Provided further, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: Provided further, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: Provided further, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: Provided further, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: Provided further, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as

provided in section 2413 of title 38, United States Code: Provided further, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$424,737,000, of which not to exceed \$20,837,000 shall remain available until September 30, 2014: Provided, That the Board of Veterans Appeals shall be funded at not less than \$86,006,000: Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

##### GENERAL OPERATING EXPENSES, VETERANS

##### BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,164,074,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$113,000,000 shall remain available until September 30, 2014.

##### INFORMATION TECHNOLOGY SYSTEMS

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,327,444,000, plus reimbursements: Provided, That \$1,021,000,000 shall be for pay and associated costs, of which not to exceed \$30,630,000 shall remain available until September 30, 2014: Provided further, That \$1,812,045,000 shall be for operations and maintenance, of which not to exceed \$126,000,000 shall remain available until September 30, 2014: Provided further, That \$494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the



Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall remain available until September 30, 2014.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$532,470,000, of which \$502,470,000

shall remain available until September 30, 2017, and of which \$30,000,000 shall remain available until expended: Provided, That \$5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: Provided further, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving

veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations

of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as

any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National Cemetery Administration" accounts for fiscal year 2013, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical services", "Medical support and



compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112-74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than \$25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

SEC. 232. Funds made available under the heading "Medical services" in title II of division H of Public Law 112-74 may be used to carry out section 1787 of title 38, United States Code.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$62,929,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,481,000: Provided, That \$2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$65,800,000, of which not to exceed \$27,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, \$103,000,000, to remain available until September 30, 2017, of which, \$84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and \$19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,590,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—

Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$150,768,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112-10 and division H in title IV of Public Law 112-74, \$150,768,000 are hereby rescinded: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 511. (a) *IN GENERAL.*—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is

not necessary to protect the interests of the Government.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 517. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency that are stationed within the United States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the “Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013”.

#### **DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

#### **TITLE I**

#### **GENERAL PROVISIONS**

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112–74).

(2) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74).

(3) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74).

(4) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112–74).

(5) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112–74).

(6) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74).

(7) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55), except for the appropriations designated by the Congress as being for disaster relief under

the heading “Department of Transportation, Federal Highway Administration, Emergency Relief” and in the last proviso of section 239 of such Act.

(8) The Disaster Relief Appropriations Act, 2012 (Public Law 112–77), except for appropriations under the heading “Corps of Engineers—Civil”.

(b) For purposes of this division, the term “level” means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112–74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112–74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112–175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) “Department of Labor, Office of Workers’ Compensation Programs, Special Benefits for Disabled Coal Miners”, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$40,000,000, to remain available until expended.

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$106,335,631,000, to remain available until expended.

(3) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs”, for payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,100,000,000, to remain available until expended.

(4) “Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency”, for payments to States or other non-Federal entities under title IV–E of the Social Security Act, \$2,200,000,000.

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$19,300,000,000, to remain available until expended.

SEC. 1110. Each amount made available in this division by reference to an appropriation that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111–322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after “ending on” and before “shall be made” and inserting “December 31, 2013,”; and

(2) in subsection (c), by striking the matter after “ending on” and before “no senior executive” and inserting “December 31, 2013.”

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note) is repealed.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013—

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows:

- (1) The Department of Agriculture.
- (2) The Department of Commerce.
- (3) The Department of Education.
- (4) The Department of Energy.
- (5) The Department of Health and Human Services.
- (6) The Department of Homeland Security.
- (7) The Department of Housing and Urban Development.
- (8) The Department of the Interior.
- (9) The Department of Justice.
- (10) The Department of Labor.
- (11) The Department of State and United States Agency for International Development.
- (12) The Department of Transportation.
- (13) The Department of the Treasury.
- (14) The National Aeronautics and Space Administration.
- (15) The National Science Foundation.
- (16) The Judiciary.
- (17) With respect to amounts made available under the heading “Executive Office of the President and Funds Appropriated to the President”, agencies funded under such heading.
- (18) The Federal Communications Commission.
- (19) The General Services Administration.
- (20) The Office of Personnel Management.
- (21) The National Archives and Records Administration.
- (22) The Securities and Exchange Commission.
- (23) The Small Business Administration.
- (24) The Environmental Protection Agency.
- (25) The Indian Health Service.
- (26) The Smithsonian Institution.
- (27) The Social Security Administration.
- (28) The Corporation for National and Community Service.
- (29) The Corporation for Public Broadcasting.
- (30) The Food and Drug Administration.
- (31) The Commodity Futures Trading Commission.

SEC. 1114. Not later than May 15, 2013, and each month thereafter through November 1, 2013, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

- (1) set forth obligations by account; and
- (2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2013”.

## TITLE II

### ENERGY AND WATER DEVELOPMENT

SEC. 1201. The amounts available for “Corps of Engineers—Civil, Department of the Army, Corps of Engineers—Civil, Construction” are hereby reduced by \$20,000,000.

SEC. 1202. Notwithstanding section 1101, the level for “Department of the Interior, Central Utah Project, Central Utah Project Completion Account” shall be \$19,700,000, of which, \$1,200,000 shall be deposited into the “Utah Reclamation Mitigation and Conservation Account” for use by the Utah Reclamation Mitigation and Conservation Commission. In addition \$1,300,000 is provided for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior.

SEC. 1203. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: “Department of Energy, Energy Effi-

ciency and Renewable Energy”, \$1,814,091,000; “Department of Energy, Nuclear Energy”, \$759,000,000; “Department of Energy, Science”, \$4,876,000,000; “Department of Energy, Advanced Research Projects Agency—Energy”, \$265,000,000, to remain available until expended.

SEC. 1204. Notwithstanding section 1101, of the unobligated balances from prior year appropriations available under “Department of Energy, Northeast Home Heating Oil Reserve” \$6,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1205. (a) Notwithstanding section 1101, the level for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities” shall be \$7,577,341,000.

(b) Section 301(c) of division B of Public Law 112–274 shall not apply to amounts made available by this section.

SEC. 1206. In addition to amounts otherwise made available by this division, \$110,000,000 is appropriated for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Non-proliferation” for domestic uranium enrichment research, development, and demonstration.

SEC. 1207. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for “October 1, 2012”.

## TITLE III

### FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1301. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19–381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74; 125 Stat. 940) is amended by striking “November 1, 2012” and inserting “November 1, 2013”.

SEC. 1302. Notwithstanding section 1101, the level for “District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia” shall be \$24,700,000, of which not less than \$9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1303. Notwithstanding section 1101, the fifth proviso under the heading “Federal Communications Commission, Salaries and Expenses” in division C of Public Law 112–74 shall be applied by substituting “\$98,739,000” for “\$85,000,000”.

SEC. 1304. Notwithstanding any other provision of this division, amounts made available by section 1101 for “Department of the Treasury, Departmental Offices, Salaries and Expenses” and “Department of the Treasury, Office of Inspector General, Salaries and Expenses” may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112–141).

SEC. 1305. Notwithstanding section 1101, the level for “Office of Government Ethics, Salaries

and Expenses” shall be \$18,664,000, of which \$5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112-105).

SEC. 1306. Notwithstanding section 1101, the level for “Small Business Administration, Business Loans Program Account” for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be \$333,600,000.

SEC. 1307. Of the unobligated balances available for “Department of the Treasury, Treasury Forfeiture Fund”, \$950,000,000 are rescinded.

SEC. 1308. Notwithstanding section 1101, the Community Development Financial Institutions Fund is authorized during Fiscal Year 2013 to guarantee bonds and notes pursuant section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.): Provided, That no funds appropriated by this Act for “Department of the Treasury—Community Development Financial Institutions Fund Program Account” shall be available for the cost, if any, of guaranteed loans (as defined in section 502 of the Congressional Budget Act of 1974) pursuant to section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to subsidize total loan principal not to exceed \$500,000,000.

SEC. 1309. Sections 9503(a), 9504(a) and (b), and 9505(a) of title 5, United States Code, are amended by striking “Before July 23, 2013” each place it occurs and inserting “Before September 30, 2013”.

SEC. 1310. Notwithstanding section 1101, the level for “Executive Office of The President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation” shall be \$0.

SEC. 1311. Notwithstanding section 1101, the level for “The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” shall be \$1,040,000,000.

SEC. 1312. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), as amended, is amended—

(1) in the third sentence (relating to the district of Kansas), by striking “21 years or more” and inserting “22 years and 6 months or more”; and

(2) in the seventh sentence (relating to the district of Hawaii), by striking “18 years or more” and inserting “19 years and 6 months or more”.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act of 2006 (Public Law 109-115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern district of Missouri) by inserting “and 6 months” after “20 years”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273; 28 U.S.C. 133 note) is amended—

(1) by inserting after “authorized by this subsection” the following: “, except in the case of the central district of California and the western district of North Carolina”;

(2) by striking “10 years” and inserting “11 years”; and

(3) by adding at the end the following: “The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge

named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”.

SEC. 1313. Notwithstanding section 1101 of this division or division A, the level for the “Commodity Futures Trading Commission” shall be the level specified under Public Law 112-55 and the authorities and conditions, including comparable periods of availability, provided under such Public Law shall apply to such appropriation.

SEC. 1314. Notwithstanding section 1101, the level for “Federal Deposit Insurance Corporation, Office of the Inspector General” shall be \$34,568,000.

#### TITLE IV

#### INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1401. Notwithstanding section 1101, the levels for the following appropriations of the Department of the Interior shall be:

(a) \$950,757,000 for “Bureau of Land Management, Management of Lands and Resources”: Provided, That the amounts included under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$950,757,000” for “\$961,900,000” the second place it appears;

(b) \$0 for “Bureau of Land Management, Construction”;

(c) \$1,213,915,000 for “United States Fish and Wildlife Service, Resource Management”;

(d) \$19,136,000 for “United States Fish and Wildlife Service, Construction”;

(e) \$2,214,202,000 for “National Park Service, Operation of the National Park Service”;

(f) \$131,173,000 for “National Park Service, Construction”;

(g) \$105,910,000 for “Bureau of Indian Affairs, Construction”;

(h) \$84,946,000 for “Insular Affairs, Assistance to Territories”: Provided, That the matter under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$75,684,000” for “\$78,517,000”; and by substituting “\$9,262,000” for “\$9,480,000”;

(i) \$146,000,000 for “Office of the Special Trustee for American Indians, Federal Trust Programs”; and

(j) \$726,473,000 for “Department-wide Programs, Wildland Fire Management”: Provided, That of the amounts made available by section 140(b) of Public Law 112-175 (126 Stat. 1321), \$7,500,000 are rescinded.

SEC. 1402. The contract authority provided for fiscal year 2013 by 16 U.S.C. 4601-10a is rescinded.

SEC. 1403. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking “on” the first place it appears and inserting “before, on,”; and

(2) in paragraph (2)—  
(A) by striking “located” the second place it appears;

(B) by inserting at the end of the following: “Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).”; and

(C) by striking “(a)” in the first sentence and inserting “(a)(1)”.

SEC. 1404. (a) Division II of Public Law 104-333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking “2012” and inserting “2013”.

(b) Effective on October 12, 2012, section 7 of Public Law 99-647, as amended by section 702(d) of Public Law 109-338 and section 1767 of Public Law 112-10, is further amended by striking “the date” and all that follows and inserting “September 30, 2013”.

(c) Section 12 of Public Law 100-692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking “2012” and inserting “2013”; and

(2) in subsection (d), by striking “the date that is 5 years after the date of enactment of this sub section” and inserting “September 30, 2013”.

(d) Section 108 of Public Law 106-278 (16 U.S.C. 461 note) is amended by striking “2012” and inserting “2013”.

SEC. 1405. Notwithstanding section 1101, the levels for the following appropriations of the Environmental Protection Agency shall be:

(a) \$785,291,000 for “Science and Technology”;

(b) \$2,651,440,000 for “Environmental Programs and Management”;

(c) \$1,176,431,000 for “Hazardous Substance Superfund”: Provided, That the matter under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$1,176,431,000” for “\$1,215,753,000” the second place it appears; and by substituting “September 30, 2012” for “September 30, 2011”; and

(d) \$3,579,094,000 for “State and Tribal Assistance Grants”: Provided, That the amounts included under such heading in division E of Public Law 112-74 shall be applied to fund appropriated by this division as follows: by substituting “\$1,451,791,000” for “\$1,468,806,000”; by substituting “\$908,713,000” for “\$919,363,000”; and by substituting “\$19,952,000” for “\$30,000,000”.

SEC. 1406. (a) Of the unobligated balances available to the Environmental Protection Agency under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) “Hazardous Substance Superfund”, \$15,000,000.

(2) “State and Tribal Assistance Grants”, \$35,000,000, as follows:

(A) \$10,000,000 from unobligated Brownfields balances.

(B) \$5,000,000 from unobligated categorical grant balances.

(C) \$10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) \$10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1407. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1408. Notwithstanding section 1101, the levels for the following appropriations of the Department of Agriculture shall be:

(a) \$1,536,596,000 for “Forest Service, National Forest System”;

(b) \$369,800,000 for “Forest Service, Capital Improvement and Maintenance”; and

(c) \$1,971,390,000 for “Forest Service, Wildland Fire Management”.

SEC. 1409. Notwithstanding section 1101, the levels for the following appropriations of the Department of Health and Human Services shall be:

(a) \$3,914,599,000 for “Indian Health Service, Indian Health Services”; and

(b) \$441,605,000 for “Indian Health Service, Indian Health Facilities”.

SEC. 1410. Notwithstanding section 1101, the level for “Smithsonian Institution, Salaries and Expenses” shall be \$640,512,000.

SEC. 1411. Notwithstanding section 1101, the level for “Advisory Council on Historic Preservation, Salaries and Expenses” shall be \$7,023,000: Provided, That of the funds appropriated herein, \$1,300,000, to remain available until expended, may be used for expenses related to the relocation from the Old Post Office Building.

SEC. 1412. Notwithstanding section 1101, the level for “Presidio Trust, Presidio Trust Fund” shall be \$0.

SEC. 1413. Notwithstanding section 1101, the level for “Dwight D. Eisenhower Memorial Commission, Salaries and Expenses” shall be \$1,050,000 and the level for “Dwight D. Eisenhower Memorial Commission, Capital Construction” shall be \$0: Provided, That section 8162(m) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as added by section 8120 (a) of Public Law 107–117 (115 Stat. 2273), is amended by adding at the end the following:

“(3) EXPIRATION.—Any reference in section 8903(e) of title 40, U.S.C. to the expiration at the end of, or extension beyond, a 7-year period shall be considered to be a reference to an expiration on, or extension beyond, September 30, 2013.”.

SEC. 1414. Notwithstanding section 1101, section 408 of division E of Public Law 112–74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting “112–10, and 112–74” for “112–10” and by substituting “2012” for “2011”.

SEC. 1415. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

SEC. 1416. No funds made available under this Act shall be used for a 180-day period beginning on date of enactment of this Act to enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

#### TITLE V

#### LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1501. Of the funds available to the Department of Labor, Employment and Training Administration in this or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to \$30,000,000 may be transferred to “Department of Labor, Employment and Training Administration, Office of Job Corps” for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: Provided, That not less than \$10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: Provided further, That not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for

which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of the Job Corps during Program Years 2012 and 2013 and the savings gained by implementing each initiative.

SEC. 1502. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account of the Unemployment Trust Fund for administrative expenses of “Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations” shall be \$3,940,865,000 (which includes all amounts available to conduct in-person re-employment and eligibility assessments and unemployment insurance improper payment reviews), of which \$3,115,142,000 shall be for grants to the States for the administration of State unemployment insurance laws under paragraph (1). For the purposes of this section, the first proviso under this heading in Public Law 112–74 shall be applied by substituting “2013” and “4,585,000” for “2012” and “4,832,000”, respectively.

SEC. 1503. Notwithstanding section 1101, language under the heading “Department of Labor, Mine Safety and Health Administration, Salaries and Expenses” in Public Law 112–74 shall be applied to funds appropriated by this Act by substituting “is authorized to collect and retain up to \$2,499,000” for “may retain up to \$1,499,000”.

SEC. 1504. Notwithstanding section 1101, the level for “Department of Labor, Veterans Employment and Training” shall be \$264,436,000, of which \$226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: Provided further, That of the level provided under such heading, not less than \$14,000,000 shall be for the Transition Assistance Program, and \$3,414,000 shall be for the National Veterans Employment and Training Services Institute.

SEC. 1505. All funds provided for the Health Centers program, as defined by section 330 of the Public Health Service Act, by this Act or any other Act providing appropriations for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services by September 30, 2013, of which \$48,000,000 shall be awarded for base grant adjustments.

SEC. 1506. The Director of the Centers for Disease Control and Prevention (hereafter referred to in this division as “CDC”) may detail CDC staff without reimbursement for up to 30 days to support an activation of the CDC Emergency Operations Center, so long as the Director provides notification within 15 days of the use of this authority and a full report to the Committees on Appropriations of the House of Representatives and the Senate within 30 days after the use of this authority, which includes the number of staff and funding level broken down by the originating center and number of days detailed: Provided, That the annual reimbursement cannot exceed \$3,000,000 across CDC.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1507. To facilitate the implementation of the permanent Working Capital Fund (“WCF”) authorized in Public Law 112–74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: Provided, That on or after October 1, 2013, the CDC shall transfer other amounts available for business

services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: Provided further, That assets purchased with funds appropriated for or reimbursed to business services in this or any other Act may be transferred to the WCF and customers billed for depreciation of those assets: Provided further, That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activity funding: Provided further, That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfer made under the authority provided in this section.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1508. Notwithstanding section 1101, the level for “Department of Health and Human Services, National Institutes of Health, Office of the Director” shall be \$1,528,181,000: Provided, That the fourth proviso under such heading shall be applied to funds appropriated by this Act by substituting the following: “: Provided further, That \$165,000,000 shall be for the National Children’s Study (NCS), except that not later than July 15, 2013 the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act: Provided further, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council (IOM/NRC) panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations: Provided further, That no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public”.

SEC. 1509. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance” shall be \$1,016,000,000.

SEC. 1510. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” shall be \$2,328,313,000: Provided, That in addition to the amounts required to be reserved by the States under section 658G of the Child Care and Development Block Grant Act, \$297,078,000 shall be reserved by the States for activities authorized under section 658G of such Act, of which \$108,950,000 shall be for activities that improve the quality of infant and toddler care.

SEC. 1511. In addition to amounts otherwise made available by section 1101, \$33,500,000 is appropriated for “Department of Health and Human Services, Administration for Children and Families, Children and Families Services” for making payments under the Head Start Act: Provided, That notwithstanding section 640 of such Act, up to \$25,000,000 of such funds shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: Provided further, That amounts allocated to

Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the “base grant” in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act.

SEC. 1512. Notwithstanding section 1101, the level for “Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund” shall be increased by \$17,000,000 for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, to remain available until expended.

SEC. 1513. Of the amount provided by section 1101 for “Department of Education, Safe Schools and Citizenship Education” for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, \$3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

SEC. 1514. Notwithstanding section 1101, the provisos under the heading “Department of Education—Special Education” shall be applicable as if the following four provisos were inserted after the first proviso: “: Provided further, That the Secretary shall distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State’s allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), in accordance with section 611(d)(3)(A)(i)(II) and (III) without regard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second preceding proviso to local educational agencies in accordance with section 611(f): Provided further, That the amount by which a State’s allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years.”.

SEC. 1515. Of the amount provided by section 1101 for “Department of Education, Higher Education” for subpart 2 of part A of title VII of the Higher Education Act of 1965, up to \$4,451,000 shall be available to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of such act.

SEC. 1516. Notwithstanding section 1101, the level for “Railroad Retirement Board, Limitation on Administration” shall be \$111,149,000.

SEC. 1517. Notwithstanding section 1101, the level for “Social Security Administration, Supplemental Security Income Program” for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act shall be \$17,000,000.

SEC. 1518. Of the funds made available by section 1101 for “Social Security Administration, Limitation on Administrative Expenses”, \$23,000,000 shall be for section 1149 of the Social Security Act and \$7,000,000 shall be for section 1150 of the Social Security Act.

SEC. 1519. Of the funds made available by section 1101 for “Social Security Administration,

Limitation on Administrative Expenses” for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

SEC. 1520. Of the funds made available for the Community-Based Care Transitions Program under section 3026 of Public Law 111-148, \$200,000,000 are hereby rescinded.

SEC. 1521. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112-74 shall be repeated in this Act with respect to funds available for fiscal year 2013.

SEC. 1522. Section 148 of Public Law 112-175 is amended to read as follows: “Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b) of such Act) shall continue through September 30, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.”.

#### TITLE VI LEGISLATIVE BRANCH

SEC. 1601. Notwithstanding any other provision of this Act, for a payment to Irene Hirano Inouye, widow of Daniel K. Inouye, late a Senator from Hawaii, \$193,400.

SEC. 1602. Notwithstanding section 1101, the level for “Joint Congressional Committee On Inaugural Ceremonies of 2013” shall be \$0.

SEC. 1603. Notwithstanding section 1101, the level for “Capitol Police, General Expenses” shall be \$62,004,000.

SEC. 1604. Notwithstanding section 1101, the level of funding for “Architect of the Capitol, General Administration” shall be \$97,340,000.

SEC. 1605. (a) Notwithstanding section 1104, of the amounts made available by section 1101 for accounts under the heading “Architect of the Capitol”, the Architect of the Capitol may transfer an aggregate amount of not more than \$61,247,000 to “Architect of the Capitol, Capitol Building”, solely for expenses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

SEC. 1606. (a) Notwithstanding section 1101, available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol to make the deposit to the credit of the Employees’ Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2013 and each year thereafter.

SEC. 1607. Notwithstanding section 1101, the level for “Library of Congress, Copyright Office, Salaries and Expenses” shall be \$737,000 under the first proviso, and shall be \$34,250,000 under the fourth proviso.

SEC. 1608. Notwithstanding section 1101, the level for “Government Printing Office, Congressional Printing and Binding” shall be \$83,632,000; “Government Printing Office, Government Printing Office Revolving Fund” shall be \$4,000,000.

SEC. 1609. Notwithstanding section 1101, the level for “Government Printing Office, Office of

Superintendent of Documents, Salaries and Expenses” shall be \$31,500,000 and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2011 and 2012.

SEC. 1610. Notwithstanding section 1101, the level for “Government Accountability Office, Salaries and Expenses” shall be \$506,282,000, the amount applicable under the first proviso under that heading shall be \$26,404,000.

SEC. 1611. (a) IN GENERAL.—Available balances of expired Government Accountability Office appropriations shall be available to the Government Accountability Office to make the deposit to the credit of the Employees’ Compensation Fund required by section 8147(b) of title 5 United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each fiscal year thereafter.

SEC. 1612. Notwithstanding section 1101, the level for “Open World Leadership Center Trust Fund” shall be \$8,000,000.

#### TITLE VII

#### DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 1701. (a) Notwithstanding section 1101, the amounts included under the heading “Embassy Security, Construction, and Maintenance” under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$938,125,000” for “\$762,000,000” in the first paragraph; and by substituting “\$688,499,000” for “\$775,000,000” in the second paragraph.

(b) Notwithstanding section 1101, the levels for the following accounts under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: “Contributions for International Peacekeeping Activities”, \$2,006,499,000; “International Boundary and Water Commission, United States and Mexico, Salaries and Expenses”, \$43,499,000; “International Boundary and Water Commission, United States and Mexico, Construction”, \$27,675,000; “American Sections, International Commissions”, \$11,923,000; “International Fisheries Commissions”, \$34,617,000; “Commission for the Preservation of America’s Heritage Abroad, Salaries and Expenses”, \$606,000; “United States Commission on International Religious Freedom, Salaries and Expenses”, \$2,932,000; “Commission on Security and Cooperation in Europe, Salaries and Expenses”, \$2,443,000; “Congressional-Executive Commission on the People’s Republic of China, Salaries and Expenses”, \$1,906,000; and “United States-China Economic and Security Review Commission, Salaries and Expenses”, \$3,312,000.

SEC. 1702. (a) Notwithstanding section 1101, the amounts included under the heading “Global Health Programs” under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting in the first sentence in the first paragraph “\$2,755,950,000” for “\$2,625,000,000”; by substituting in the first sentence in the second paragraph “\$5,720,499,000” for “\$5,542,860,000”; and by substituting in the second proviso in the second paragraph “\$1,650,000,000” for “\$1,050,000,000”.

(b) Notwithstanding section 1101, the amounts included under the heading “Economic Support Fund” under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting after the tenth proviso and before the period the following: “: Provided further, That not less than \$325,400,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated under the heading ‘Development Assistance’ in this Act”.



SEC. 1703. (a) Notwithstanding section 1101, the sixth proviso under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting the following: “Provided further, That funds made available for demining, conventional weapons destruction, and related activities, in addition to funds otherwise made available for such purposes, may be used for administrative expenses related to the operation and management of demining, conventional weapons destruction, and related programs”.

(b) Notwithstanding section 1101, the first sentence under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting “to remain available until September 30, 2014,” after “\$590,113,000.”.

(c) Notwithstanding section 1101, the third proviso under the heading “International Security Assistance, Department of State, Peacekeeping Operations” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$161,000,000” for “\$91,818,000” and “2014” for “2013”.

(d) Notwithstanding section 1101, the amounts included in the first paragraph under the heading “Foreign Military Financing Program” under title IV in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting in the second proviso “\$3,100,000,000” for “\$3,075,000,000” and by substituting in the fourth proviso “\$815,300,000” for “\$808,725,000”.

SEC. 1704. (a) Notwithstanding section 1101, the levels for the following accounts under title V in division I of Public Law 112-74 shall be as follows: “Global Environment Facility”, \$129,400,000; “Contribution to the International Bank for Reconstruction and Development”, \$186,957,000; “Contribution to the Enterprise for the Americas Multilateral Investment Fund”, \$15,000,000; and in the first paragraph under “Contribution to the International Development Association”, \$1,358,500,000; and “Contribution to the Inter-American Development Bank”, \$111,153,000.

(b) Notwithstanding section 1101, the level for the following accounts shall be \$0: “Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions”; “Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia”; and “International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund”.

(c) Notwithstanding section 1101, the level for the second paragraphs for the following accounts under title V in division I of Public Law 112-74 shall be \$0: “Contribution to the International Development Association”; “Contribution to the Inter-American Development Bank”; and “Contribution to the African Development Fund”.

(d) Section 70 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.), is amended in subsection (b) by adding at the end the following:

“(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation, \$4,639,501,466 for payment by the Secretary of the Treasury.

“(4) Of the amount authorized to be appropriated under paragraph (3), \$278,370,088 shall be for paid in shares of the Bank, and \$4,361,131,378 shall be for callable shares of the Bank.”.

SEC. 1705. Of the unexpended balances available under the heading “Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$400,000,000 are rescinded.

SEC. 1706. (a) Notwithstanding section 1101, section 7006 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “Afghanistan, Pakistan, and other hostile or high-risk areas” for “Afghanistan, and Pakistan”.

(b) Notwithstanding section 1101, the amount included in section 7034(f) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$100,000,000” for “\$50,000,000”.

(c) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting before the period in paragraph (2) “; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions”.

(d) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied for purposes of this division by inserting before the period in paragraph (2) “; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions”.

(e) Notwithstanding section 1101, section 7063 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “September 30, 2014” for “September 30, 2013”.

(f) Notwithstanding section 1101, sections 7070(a) and 7072(a) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “headings” for “heading” and substituting “Global Health Programs”, “Economic Support Fund”, and “International Narcotics Control and Law Enforcement” for “Assistance for Europe, Eurasia and Central Asia”.

(g) Notwithstanding section 1101, section 7070 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by adding the following:

“(d) Funds appropriated by this division under the heading ‘Economic Support Fund’ may be made available, notwithstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 3 of the FREEDOM Support Act (Public Law 102-511) and may be used to carry out the provisions of those Acts: Provided, That such assistance and related programs from funds appropriated by this Act under the headings ‘Global Health Programs’, ‘Economic Support Fund’, and ‘International Narcotics Control and Law Enforcement’ shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 102 of the FREEDOM Support Act (Public Law 102-511), and shall be made available in amounts consistent with the amounts made available under the heading ‘Assistance for Europe, Eurasia and Central Asia’ in fiscal year 2012, in consultation with the Committees on Appropriations.”.

(h) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “and 2012” and inserting “2012, and 2013”; and

(B) in subsection (e), by striking “2012” each place it appears and inserting “2013”; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2012” and inserting “2013”.

(i) Notwithstanding section 1101, section 7041(h) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by including the following before the period: “Provided, That prior to obligating funds made available by this Act for assistance for Syria, the Secretary of State shall consult with the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: Provided further, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations”.

(j) Notwithstanding section 1101, the fifth proviso under the heading “Economic Support Fund” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting: “Provided further, That funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan and” for “Provided further, That up to \$30,000,000 of the funds appropriated for fiscal year 2011 under this heading in Public Law 112-10, division B, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for”.

SEC. 1707. (a) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: “Diplomatic and Consular Programs”, \$3,210,650,000, of which \$918,435,000 is for Worldwide Security Protection (to remain available until expended); and “Embassy Security, Construction, and Maintenance”, \$1,272,200,000, of which \$1,261,400,000 is for the costs of worldwide security upgrades, acquisition, and construction, as authorized: Provided, That funds made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated under title VIII in division I of Public Law 112-74 under the heading “Diplomatic and Consular Programs” and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, \$1,109,700,000 are rescinded.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations providing an assessment of security requirements at United States diplomatic facilities worldwide, including those facilities considered expeditionary in nature; a comprehensive plan for addressing such requirements; and a detailed description of Embassy security improvements to be supported from funds made available by this section: Provided, That such report shall be submitted in unclassified form, but may include a classified annex.

(d) Notwithstanding section 1101, the amounts included under the heading “Office of Inspector General” under title VIII in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$59,151,000” for “\$67,182,000”, and by substituting “\$6,000,000” for “\$19,545,000” for the Special Inspector General for Iraq Reconstruction; and by substituting “\$49,901,000” for

“\$44,387,000” for the Special Inspector General for Afghanistan Reconstruction.

(e) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: “International Disaster Assistance”, \$774,661,000; “Migration and Refugee Assistance”, \$1,152,850,000; and “Economic Support Fund”, \$3,119,896,000.

SEC. 1708. Notwithstanding section 1101, title VIII of division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting the following at the end of section 8004:

“SEC. 8005. Funds appropriated by this title under the headings ‘Diplomatic and Consular Programs’, ‘Embassy Security, Construction, and Maintenance’, and ‘Educational and Cultural Exchange Programs’ may be transferred to, and merged with, funds appropriated by this title under such headings: Provided, That such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the transfer authority in this section is in addition to any transfer authority otherwise available under any other provision of law.

“SEC. 8006. Funds appropriated by this title shall be made available for assistance for Jordan, in addition to amounts otherwise made available by this Act.”.

#### TITLE VIII

#### TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding sections 1101 and 1104, the level for limitations on obligation and liquidation of contract authority shall be available in the following accounts equal to the level of the contract authority subject to such limitation appropriated out of the Highway Trust Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101, 32603, and 51001 of Public Law 112-141 for fiscal year 2013:

(1) “Department of Transportation—Federal Highway Administration—Limitation on Administrative Expenses”;

(2) “Department of Transportation—Federal Highway Administration—Federal-Aid Highways—(Limitation on Obligations)—(Highway Trust Fund)—(Liquidation of Contract Authorization)—(Highway Trust Fund)”;

(3) “Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Operations and Programs—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”;

(4) “Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”;

(5) “Department of Transportation—National Highway Traffic Safety Administration—Operations and Research—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”.

(b) Section 120 of division C of Public Law 112-55 shall not apply to amounts made available by this division.

(c) During the period covered by this division, section 1102 of Public Law 112-141 shall be applied—

(1) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(2) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 1802. Notwithstanding sections 1101 and 1104, the language under the heading “Depart-

ment of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)” shall be applied to funds made available by this Act as if the language read as follows: “For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, \$554,500,000, to remain available until expended, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of \$554,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, of which \$235,000,000 shall be for ‘Highway Safety Programs’ under 23 U.S.C. 402, \$29,000,000 shall be for ‘High Visibility Enforcement Program’ under section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), \$265,000,000 shall be for ‘National Priority Safety Programs’ under 23 U.S.C. 405, and \$25,500,000 shall be for ‘Administrative Expenses’ under section 31101(a)(6) of Public Law 112-141: Provided further, That not to exceed \$500,000 of the funds made available for 23 U.S.C. 405 for ‘Impaired Driving Countermeasures’ (as described in subsection (d) of such section) shall be available for technical assistance to the States.”

SEC. 1803. (a) Amounts provided by section 1101 for “Department of Transportation—Federal Transit Administration—Formula and Bus Grants—(Liquidation of Contract Authority)—(Limitation on Obligations)—(Highway Trust Fund)” are available for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as amended by Public Law 112-141), and 20005(b) of Public Law 112-141: Provided, That, notwithstanding sections 1101 and 1104, the proviso under such heading shall be applied to funds provided by this Act as if the proviso read as follows: “Provided, That funds available for the implementation or execution of programs authorized by 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141; and 20005(b) of Public Law 112-141 shall not exceed obligations of \$8,478,000,000.”.

(b) Notwithstanding sections 1101 and 1104, for necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, as amended by Public Law 112-141, \$102,713,000, to remain available until expended, of which \$4,000,000 shall be available to carry out 49 U.S.C. 5329.

(c) Notwithstanding sections 1101 and 1104, amounts provided for “Department of Transportation—Federal Transit Administration—Research and University Research Centers” shall be available for necessary expenses to carry out 49 U.S.C. 5312-5314 and 5322, as amended by Public Law 112-141: Provided, That, of the amount provided under this heading, not less than \$35,000,000 shall be available to carry out the provisions of 49 U.S.C. 5312.

(d) Notwithstanding section 1101, the language under the heading “Department of Transportation—Federal Transit Administration—Capital Investment Grants” in division C of Public Law 112-55 shall be applied to funds appropriated by this Act as if the language: “,

of which \$35,481,000” and all that follows through the end of the first proviso were deleted.

(e) Section 601(e)(1)(B) of division B of Public Law 110-432 shall be applied by substituting the date specified in section 1106 of this division for “4 years after such date”.

SEC. 1804. Section 112 of division C of Public Law 112-55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking “49 U.S.C. 41742(b) shall not apply, and”.

SEC. 1805. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants” shall be \$2,033,000,000: Provided, That the level for project-based rental assistance with rehabilitation projects with 10-year grant terms shall be \$0, and any unobligated amounts appropriated under such heading for such purpose in fiscal year 2012 or in any prior Act shall be applied in fiscal year 2013 by making any such amounts available for any purpose under such heading: Provided further, That the first proviso shall be applied by striking “\$250,000,000” and inserting “\$200,000,000”.

SEC. 1806. Notwithstanding sections 1101 and 1104, the level for “Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program Account” shall be \$12,200,000: Provided, the second proviso under such heading in division C of Public Law 112-55 shall be applied to funds appropriated by this division by substituting “\$976,000,000” for “\$360,000,000”; Provided further, section 184(d) of the Housing and Community Development Act of 1992 is amended to read as follows:

“(d) GUARANTEE FEE.—The Secretary shall establish and collect, at the time of issuance of the guarantee, a fee for the guarantee of loans under this section, in an amount not exceeding 3 percent of the principal obligation of the loan. The Secretary may also establish and collect annual premium payments in an amount not exceeding 1 percent of the remaining guaranteed balance (excluding the portion of the remaining balance attributable to the fee collected at the time of issuance of the guarantee). The Secretary shall establish the amount of the fees and premiums by publishing a notice in the Federal Register. The Secretary shall deposit any fees and premiums collected under this subsection in the Indian Housing Loan Guarantee Fund established under subsection (i).”.

SEC. 1807. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance” shall be \$14,939,369,000, to remain available until expended, which shall be available on October 1, 2012 (in addition to the \$4,000,000,000 previously appropriated under such heading that became available on October 1, 2012), and, notwithstanding section 1111, an additional \$4,000,000,000, to remain available until expended, shall be available on October 1, 2013: Provided, That of the amounts available for such heading, \$1,375,000,000 shall be for activities specified in paragraph (3) under such heading in title II of division C of Public Law 112-55: Provided further, That in applying paragraph 1 under such heading in such Public Law to 2013, under the penultimate proviso strike “(4) for incremental” and all that follows up to the colon and insert “(4) for PHAs, that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate participating families from the program due to insufficient funds”.

SEC. 1808. The heading “DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING, HOUSING CERTIFICATE FUND



(RESCISSION)" in division C of Public Law 112-55 shall be applied by striking "(RESCISSION)" in the heading and by replacing all of the language under such heading with the language under such heading in division A of Public Law 111-117 and by striking "2010" in such replacement language and inserting "2013".

SEC. 1809. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund" shall be \$4,262,010,000: Provided, That such heading shall be applied in fiscal year 2013 by striking "of which" and all that follows up to the period.

SEC. 1810. Section 216 in division C of Public Law 112-55 shall be applied in fiscal year 2013 by striking "September 30, 2012" and inserting "September 30, 2013".

#### DIVISION G—OTHER MATTERS

SEC. 3001. (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through E of this Act; and

(b) For purposes of subsection (a), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, in—

(A) divisions A and E, 2.513 percent; and

(B) division B, 1.877 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.1 percent.

(c) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; and

(e) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

SEC. 3002. Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act.

SEC. 3003. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2013 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2013 for which the cost to the United States Government was more than \$20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act to an Executive branch agency may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012.

SEC. 3004. (a) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in subsection (c) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

(b) Subject to subsection (a), there is hereby rescinded the applicable percentage (as specified in subsection (c)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through F of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through F of this Act.

(c) For purposes of subsection (b), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the

Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent.

(d) Any rescission made by subsection (b) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(e) This section shall not apply to—

(1) amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division F of this Act for "Social Security Administration, Limitation on Administrative Expenses" for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

(f) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

Amend the title so as to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes."

#### MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendments.

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, March 20, 2013, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

□ 0920

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

We present now the bill to fund the Federal Government for the remainder of the fiscal year. This legislation provides funding for essential Federal programs and services, helps maintain our national security, and takes a potential government shutdown off the table.

The House passed a very similar version of this bill just 2 weeks ago, and yesterday the Senate passed their version of this legislation. Now it's back before the House today for our final stamp of approval.

I'm sure I don't need to remind the Members of the deadline that we face

here. The existing continuing resolution expires next Wednesday, so it's vital that we get this bill to the President for his signature straightaway.

The total funding provided in the bill remains at \$984 billion, the level required by the President's sequestration order.

To summarize the contents of this bill briefly, Mr. Speaker, it contains full funding for the Departments of Defense and Veterans Affairs, exactly what the House approved the other week. Without the additional flexibility provided in this bill, the Pentagon could face severe funding constraints, even beyond sequestration, potentially jeopardizing our national security.

In addition to addressing our military equipment and readiness needs, it also provides for the quality of life and health of our troops and veterans. We've added an additional \$2.5 billion for the VA to ensure our Nation's warfighters receive the benefits they have earned for their service.

The Senate added to the bill we passed three additional full-year appropriations bills to H.R. 933, the ones for Homeland Security, Commerce, Justice and Science, and Agriculture.

Now, Mr. Speaker, these were the bills that passed the House, by large margins, with bipartisan backing, and are now, by the Senate, reinserted into the CR for the balance of the year. And it pleases this Member and this chairman that those bills were picked up and certified into the CR that we're passing today.

This funding will support critical law enforcement agencies, protect our Nation's borders and food supplies, and provide important agriculture and rural development investments. We've ensured that critical government services, like food and nutrition assistance programs, remain available to those who need them most.

These updated spending and funding levels will help keep our economy on the path toward recovery, supporting U.S. trade, manufacturing, and job creation. In the other departments and agencies covered by the bill, both the House and Senate made limited, technical changes where absolutely necessary to prevent extensive waste of taxpayer dollars and to avoid any serious and irreversible damage to government programs, and to provide strict oversight of this spending.

The Senate added a number of additional what we call anomalies or exceptions beyond what was included in the initial House draft. I don't think all of the Senate additions are absolutely necessary, but there's no reason to oppose them, not strong enough in this to oppose this legislation.

However, the Senate did not add some important matters, and I want to reiterate briefly what they are. The Senate did not add additional funds for

ObamaCare. The Senate did not add additional funding for the flawed Dodd-Frank law. The Senate did not remove important Second Amendment protections, and they did not dismantle important oversight and funding conditions that help ensure the wise and appropriate use of taxpayer dollars.

Mr. Speaker, all said, this bill is the product of thoughtful, bipartisan conciliation and hard work. We stayed in close touch with Senators MIKULSKI and SHELBY as they managed the bill in the Senate. As a result, the Senate added no poison pills to the bill that passed the House last week.

Even if a continuing resolution is not the most preferable way to fund the government, I believe this bill is the best we can do under these tricky circumstances, and I want to thank my colleagues on the other side of the aisle and on the other side of the Capitol for working closely with us and the committee over the past few weeks.

We still face a long haul for the rest of the year. It may seem far down the line, but the beginning of fiscal 2014 is only 6 months away, not to mention the other fiscal challenges that we face.

Passing this continuing resolution today lays the groundwork for a path forward. It takes a looming fiscal deadline off the table to allow us to finish the rest of our work and ensures our government keeps its doors open through all of that.

Now, Mr. Speaker, all the Members of this body know that the real work of the body is done by staff. In the case of the Appropriations Committee, I can say that 10,000 times. The staff that worked this bill and worked on the committee business, both on the majority and minority side, put in long hours on weekends and all-night sessions and the like.

They are the people who don't get enough praise. This bill, of course, is no different. The staff has worked across the aisle and across the Capitol to make this bill what it is today.

And I want to especially thank the chief clerk. The head of the staff, Bill Inglee, who sits beside me here, has run the committee staff since we've had the chance to chair the committee. I can't say enough good work about him and all of the staff, both sides of the aisle, who have labored so hard with a great heart to make these bills possible. So I want to thank Bill Inglee, especially, for the great work that he has given to the Nation through his work in clerking for the Appropriations Committee.

I ask my colleagues, Mr. Speaker, to do the right thing by the American people and support this legislation and take a shutdown of the government off the table.

I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I came to Congress 25 years ago and joined the Appropriations Committee a few years later. With a strong sense of responsibility and optimism, with hard work and bipartisanship, this committee has the power to transform lives;

To ensure that whether you are from the poorest block of urban America or a penthouse in Manhattan, with hard work, you can achieve the American Dream;

To research treatments and medicines so that we can cure the most tragic illnesses like cancer and HIV/AIDS and childhood disorders like autism;

To give every youngster the opportunities my grandchildren have, not let hardworking parents struggle to find child care or afford pre-K, or think about how they're ever going to pay for a college education;

To invest in the initiatives that have made this Nation great, bolstering our economy, giving Americans jobs, building our infrastructure, teaching our children, and protecting our communities.

□ 0930

While the bill we consider today represents a great deal of compromise, it fails these tests; but with the current continuing resolution expiring in just 6 days, we have run out of options, my friends, to avoid a government shutdown.

When the House first considered this package, I voted against it, in part, because it included just two bills—Defense and Military Construction—leaving every other government agency to live under a continuing resolution from fiscal year 2012. The Senate, wisely, added three additional full-year spending bills to the measure we consider today—Agriculture; Commerce, Justice, and Science; and Homeland Security—and amended the bill to help other agencies adapt to current needs. Senate Appropriations Chairwoman MIKULSKI and I were in constant contact throughout the negotiations. I'm satisfied she got the best deal she could at this time.

Yet I remain deeply dissatisfied that sequestration is not addressed and will slash the very priorities I believe all of us came here to fulfill. This \$68 billion in detrimental cuts will diminish services Americans depend on, job growth, and our overall economy. According to CBO, 750,000 jobs—more than a third of the jobs we created last year—will be wiped out by sequestration. This package lacks vital assistance to fully operate and promote Federal health insurance exchanges needed to give millions of uninsured Americans health care. It also provides inadequate funds to enforce financial reforms to protect consumers.

The majority sets a dangerous precedent by refusing to fund the implementation of laws they simply don't like

but cannot overturn. Health and financial reform are the laws of the land, and the health care law has even been affirmed by the United States Supreme Court.

The American people face serious challenges—children who will lose Head Start, diseases for which we will decrease research, unsafe roads and bridges, and a food supply that could be less safe. We cannot relitigate partisan battles. We should instead forge ahead toward compromise and practical solutions.

In that spirit, I'm pleased the bill includes the administration's full request for embassy security to protect Americans working abroad. In addition, it fully funds our commitments to Israel, our only and vital ally in the Middle East.

H.R. 933 will support 20,757 claims processors to help address the shameful Veterans Administration claims backlog, which delays care to our Nation's veterans. The bill also directs the VA to report to Congress on progress to reduce the backlog, which I intend to follow closely. Transportation funding is also increased to meet the levels authorized under the MAP-21 plan, and critical highway and motor carrier safety programs are included.

Mr. Speaker, despite its imperfections, I will support this bill to avert a government shutdown, which would be disastrous for our economy. As we finally put fiscal year 2013 behind us and move on to 2014, it is my sincere hope that we can work together to stop sequestration's mindless cuts before American jobs and livelihoods are lost.

Once this bill is passed and we have avoided a government shutdown, we must ask ourselves, Why are we here? We're here to ensure every family has access to high-quality health care and every child has the opportunity to learn, grow, and thrive. We're here to protect the safety and economic security of Americans and to leave our world and our country better than we inherited it for our children and grandchildren.

We are failing, and we must do better. Let's restore the sense of responsibility to improve the lives of our constituents and the prosperity of this great Nation.

I want to close by thanking Chairman ROGERS and the wonderful staff on both sides of the aisle. We've all tried to work across the aisle. I hope we can do so as future bills are discussed and as we face a new challenge.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. To my friends on the Appropriations Committee, I do want to congratulate you for working

together. This is a positive sign for this Congress. But the reason I stand today here in this Chamber is that 8 months ago yesterday, 12 people were murdered in an Aurora theater. Fifty-eight were shot and hundreds were traumatized. Three months ago, 22 kids were killed in Newtown, Connecticut. We have yet to have a single hearing on mental health, on gun safety, on background checks, on whether we limit the number of rounds in a magazine on military-style assault weapons.

I rise today because in this bill there is substantive legislation, which I believe is out of order in an appropriations bill, that deals with tracing of guns used in crimes and the prohibition to use any information that might be gained from tracing guns used in crimes and any kind of study to figure out where these are coming from.

And so I dare say that the Appropriations Committee held a hearing on gun safety or magazines or even on this tracing that's in the bill at section 514, pages 169 and 170. I believe, Mr. Speaker, this is a very important subject that this House has got to take up. It can't just be part of some appropriations bill where there's never been real testimony and where we have substantive legislation.

So I appreciate the work that you have done on the appropriations piece, but I don't appreciate the piece where it's substantive legislation concerning gun safety.

Mr. ROGERS of Kentucky. I continue to reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 5 minutes to the ranking member and the distinguished leader of the committee that funds health, education, and labor, the Congresswoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this resolution, which has only marginally improved since the last time we voted on it. This makes deep, permanent, indiscriminate, and harmful sequestration cuts that threaten our economic recovery. These are automatic across-the-board cuts. It hurts our economic recovery and the health and well-being and future of millions of American families.

Both the nonpartisan Congressional Budget Office and Federal Reserve Chairman Ben Bernanke have argued that the sequestration could cost us as many as 750,000 jobs. And that is not all.

□ 0940

This resolution will make unnecessary cuts to vital programs that support families around the country. And these cuts will weigh heaviest on the people we should be helping the most to get back on their feet, the most vulnerable American families still struggling from the Great Recession.

A vote against this resolution is not a vote for a government shutdown.

Speaker BOEHNER has pledged on multiple occasions that he will not let the government shut down. You don't have to support this resolution and sequestration to avoid a shutdown.

If you vote for this resolution, you are voting to undermine the Affordable Care Act by not providing funding to fully implement and ensure access to the health care marketplaces. You are voting to cut \$400 million from Head Start. That means cutting early learning and development services from 70,000 children.

You vote to cut \$282 million from critical job training programs, cutting services from hundreds of thousands of unemployed and dislocated workers, veterans, and students.

You vote to slash \$730 million from Title I grants, cutting Federally funded education services from 2,500 schools and 1 million disadvantaged children. You vote to cut \$580 million from special education grants, shifting the cost of educating 30,000 kids to the State and to local education agencies.

You vote to cut more than \$1.5 billion from the National Institutes of Health, slowing the pace of research and reducing the number of medical advances we make each year—advances that have the potential to save lives.

You vote to cut \$115 million from the Childcare Development Block Grant, further exacerbating the shortage of Federal child assistance by cutting services for 30,000 children.

The list goes on. On top of deep cuts that have already become law, this resolution goes even deeper into every responsibility of good government—public health, research, safety, transportation, you name it. It also includes four egregious provisions related to firearms that would continue to blindfold law enforcement and hamper our ability to combat gun violence.

This is not what the American people want from us. We need to pass a bill that creates jobs, grows the economy, and protects the middle class, seniors, and the most vulnerable. The resolution before us today does none of these things.

You know, whenever we are drafting a budget or debating legislation in the House of Representatives, these are the principles that inform my work as a Member of the Congress.

On Tuesday, in Rome, Pope Francis I asked "all those who have positions of responsibility in economic, political, and social life" to also "be protectors." We need to be protectors. We need to continue to carry that vision of service with us and hope that all elected officials heed what the newly invested Pope has called for and work to ensure that our service is truly a service to others.

We need to not put American families at risk. I urge my colleagues to oppose this continuing resolution.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank the gentleman for yielding.

Mr. Speaker, I want to speak about one small part of the continuing resolution, but one that has a huge impact on constituents in every district in this Nation: military tuition assistance, a popular program used by hundreds of thousands of troops to further their education and become better leaders, both in uniform and back in the civilian job market. Military tuition assistance, Mr. Speaker, is what the administration chose to cut because of sequestration.

The administration didn't have to end this program, but they did. The administration clearly decided to try and make sequester cuts as painful as possible, and our military men and women were being made to suffer the consequences. Instead of cutting waste, they ended a popular benefit for members of the armed services. This administration would rather renege on a promise made to soldiers, airmen, and marines than work together to prioritize spending and get our fiscal house in order.

Thankfully, through bipartisan efforts in both Chambers, we were able to right a wrong. Today's vote compels the administration to keep our government's promise to America's servicemen and -women—and quite frankly, it's a shame it ever had to come to this.

I thank every Member of this body that has worked to restore the military tuition assistance program. It's a small part of this package, but a huge one for our troops.

I urge support of the bill.

Mrs. LOWEY. Mr. Speaker, as we conclude our discussion, I just want to make it clear that I look forward to continuing to work with my friend, Chairman ROGERS, and hopefully we can consider each bill as we address the needs of fiscal year 2014.

I agree with my dear friend, Congresswoman DELAUNO, on the problems with this bill and the accounts that we have not funded adequately. I do hope as we move forward we can work in a bipartisan way to, yes, continue to root out waste, fraud, and abuse, but also address the many needs of our constituents, all the people of the United States of America, and people around the world who look to the United States as a beacon of hope and opportunity.

So I again feel that I will support this bill because we cannot allow the government to shut down in 6 days, but I look forward, with optimism, that we can work together to address the many needs that we have not considered appropriately in this bill.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself the balance of my time, and I will be brief. But I wanted to point out to the body the rarity of what we're doing here today.

This bill funds the government for the balance of the year. The House and Senate picked up earlier approved appropriations bills—some of the 12 of the bills—and incorporated them into this CR. So it's sort of a hybrid bill. A part of it funds the agencies without any particular change from 2012. Then, in these five bills that earlier had passed the House and the Senate committee, now incorporated in this bill, it funds those agencies with full-year funding, with full-year instructions.

The rarity of coming together as we are a week or so before the ending of the CR to pass a new CR, by agreement with the Senate, with the myriad of details involved in these bills—tens of thousands of decisions, actually, that were made a part of this bill—it is remarkable that we're at this point where I think the bill will be approved with a great majority as it was in the Senate—the Senate vote was 73-26, and I think the vote here will be similar. But that's remarkable. It's due to good staff work, number one—dedicated work. It's due to Members of both bodies who were able to listen to their colleagues, understand everyone's needs involved in this process, and for the most part we found conciliation and ability to come together around these common provisions that are good for the country.

This will allow our military a lot more flexibility in how they spend the money we give to them—all the while it's a meager amount compared to what they need. Nevertheless, they're given flexibility, and with the other agencies like Veterans and Homeland Security, with Border Patrol, with veterans' pension cases and trying to help relieve that workload, and all of the agriculture needs of the country included in this bill, as well as the Commerce, Justice, Science part. So we are properly funding things like the FBI and the DEA, the law enforcement agencies, the Commerce and Trade Divisions, as well as all of the others included in the bill.

□ 0950

So, Mr. Speaker, this is a good bill. I'm proud of it. I'm proud of the fact that we were able to do all of this, frankly, as smoothly as it has gone. That's a tribute to the work of people like NITA LOWEY, the new ranking member on the full committee, and the work of Senator RICHARD SHELBY, the ranking Republican on the Senate side, and, of course, the new chairman of the committee over there, Senator BARBARA MIKULSKI.

All of us worked together, and we were determined to produce a product that would be good for the Nation,

number one; but, as it turns out, I think it's good for this body and the Senate. We have proved that when we set our mind to it, we can get complicated, hard things done. And that's what this bill does.

Mr. Speaker, I urge an "aye" vote on H.R. 933, and I yield back the balance of my time.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today against H.R. 933. This bill includes reckless, across-the-board spending cuts known as the sequester, which have a disproportionate impact on critical programs that serve those in our Nation's most vulnerable communities. Although the Senate amendment to the bill strengthens certain programs, they are still subject to sequester level cuts. Because Congress is unwilling to act responsibly, drastic cuts are set to go into effect with this bill, and hundreds of Iowa kids will bear the burden of lawmakers' inaction by no longer having access to Head Start services. Investments for children's education will be cut. Additionally, the bill could impact other everyday services such as the closure of hundreds of air traffic control towers throughout the country, including three in Iowa. Along with the harmful cuts that the sequester brings, the Defense Appropriations portion of the bill continues to fund \$87 billion towards the war in Afghanistan. We need to bring our brave men and women serving in uniform home rather than continue to fund a war that has lasted longer than a decade.

Although I oppose the bill in its current form, there are many provisions in the bill that I do support. I applaud the 1.7% pay increase for military personnel. I support the continuation of a pay freeze for Members of Congress. I support the increased funding for Head Start and the FEMA disaster relief fund over the House bill, though it's still not enough. I also support the increased funding for embassy security following the needs identified after the Benghazi attacks. I am also pleased to know that the bill provides for substantial foreign aid to our ally Israel.

Mr. VAN HOLLEN. Mr. Speaker, while the Continuing Resolution we vote on today is a marginal improvement over the version that passed the House, it still fails to replace sequestration and underfunds our Nation's critical needs. House Republicans have repeatedly blocked legislation to replace sequestration and save the 750,000 jobs that the Congressional Budget Office tells us would be lost this year alone under that failed policy. And now we are voting on a Continuing Resolution that keeps those cuts in place for the rest of the year.

I appreciate the Senate's efforts to improve this bill, updating appropriations plans for the several other Departments and including marginal funding increases for several important priorities, including the National Institutes of Health, the National Science Foundation, Head Start, transportation safety, and local law enforcement. It brings transportation funding in line with the MAP-21 policy that passed last year, freeing up more than \$720 million for important infrastructure projects. And it includes a necessary extension of the TANF program, which was set to expire at the end of this month.

However, by continuing sequestration and failing to update seven of our appropriations bills to reflect current policy and priorities, this bill shortchanges vital programs. It cuts more deeply into environmental programs than even the House bill, making it more difficult to keep our air and water clean and healthy. It underfunds implementation of the Affordable Care Act and Dodd-Frank Wall Street Reform, hampering efforts to expand access to health care, improve consumer protections, and rein in the excesses of the financial industry.

This legislation also continues to scapegoat federal employees, extending their pay freeze through the end of the year. While I believe Congress can afford a pay freeze, the federal workers who care for our veterans, protect our borders, conduct research into life-saving treatments and innovative technologies, and inspect our Nation's food supply cannot. These hardworking federal employees have already had their pay frozen for two years and contributed more than \$100 billion to reduce our deficit. They should not be denied a partial 0.5 percent cost-of-living increase.

Unfortunately, our choice today is between this legislation and a total government shutdown. While I would have liked to see a much better bill before us today—one that responsibly replaces the sequester and makes the necessary investments in critical programs and personnel—I will vote for this bill because a government shutdown would be even more damaging for our economy and the civil servants who work on behalf of our country every day.

But once this bill has passed, and we have avoided yet another manufactured crisis, we must work together to address our most important priority—the economy and jobs. We know from Europeans that austerity does not work—it is time to craft a responsible policy that addresses our jobs deficit and puts our Nation on a path to long-term sustainability.

Mr. BLUMENAUER. Mr. Speaker, this bill represents the lowest common denominator. I am extremely disappointed that it does not prevent the unnecessary cuts of the sequester and that it fails to fund many programs that are vital to Oregon and the Nation.

At this point, however, this bill is the best that we can do. I am voting for it in order to avoid a government shutdown. With this most recent manufactured crisis behind us, I hope that Congress can come together and get serious about making the investments that will implement healthcare reform, rebuild and renew America's crumbling infrastructure, help our neediest families, and protect public health and the environment.

Mr. CAPUANO. Mr. Speaker, I rise today to address a matter of great concern not only for my congressional district, but for the future of science research in the United States. The Massachusetts Institute of Technology, MIT, has been a leader in fusion energy research for decades, and I would like to clarify congressional intent regarding the continued operations of its Alcator C-Mod fusion energy experiment.

While the President's Fiscal Year 2013 budget request contained a substantial increase for the international fusion energy project ITER, based in France, it dramatically reduced domestic fusion energy funding as a

trade-off. As part of this effort, the President's request would schedule the Alcator C-Mod tokamak for closure. I want to be clear: at no point in the appropriations process has Congress approved of or authorized this closure.

The Continuing Resolution before us today, H.R. 933, directs the Department of Energy, DOE, to continue virtually all policy and funding provisions included in currently enacted appropriations legislation for FY 2012 for DOE, including its Office of Science. The Energy and Water Appropriations Subcommittee has previously expressed profound concern regarding the need to maintain a balance between domestic and international funding in the Department of Energy's Office of Fusion Energy Sciences, as well as the need to maintain the US fusion talent base and leadership. Although the President's budget for FY 2013 proposed a major shift in funding from domestic fusion programs, including for the C-Mod fusion facility, neither the House nor the Senate Appropriations Committee approved those changes. It is my understanding that it is the intention of the Appropriations Committee that funding for all major domestic magnetic fusion activities should be continued under H.R. 933, just as they were in FY 2012. Under this Continuing Resolution, the Office of Science should neither start nor stop programs, subprograms, or activities, including those within the Office of Fusion Energy Sciences. In MIT's case, this means that over the course of FY 2013, the Department should provide sufficient funds for operations and research for C-Mod and other domestic fusion facilities consistent with FY 2012 levels, minus sequestration.

MIT's emphasis on American innovation in fusion energy and the training of our next generation of fusion energy scientists is vital to the overall success of our Nation's program. Congress has not approved a closure of the Alcator C-Mod tokamak, and its continued operation through FY 2013 is provided for in H.R. 933.

Mr. DINGELL. Mr. Speaker, I rise in support of the Senate amendment to the Continuing Resolution before us today to continue funding our government in a more prudent manner than was seen in the House Republican measure. I believe that funding of our Nation's most essential programs must continue at a responsible level, and I'm disappointed in the constant partisan politics being played with the important financial matters of our country.

While I still believe that this constant week-to-week, Continuing Resolution funding of our government is irresponsible and incomplete, it is necessary to ensure that our seniors and veterans can continue to receive the important benefits that they deserve, ensure proper funding for our state and local law enforcement programs that protect our communities, and a continued investment in scientific research that will help us to lead the world in discovery and opportunity.

I'm disappointed that this Continuing Resolution does nothing to address the harsh automatic budget cuts of sequestration, does not reinstate proper funding of the much-needed protections authorized in the Affordable Care Act and Dodd-Frank Wall Street Reform laws, and leaves in place broad cuts to environmental protection and food safety and inspection that keep us safe.

But, simply put, this measure will prevent a government shutdown and keep our Nation moving forward, and I believe it will allow us ample time to come together on a 2014 budget that I know the American people are owed and deserve. We cannot afford to keep bringing this great Nation to the brink of the fiscal cliff for nothing more than purely misguided political reasons. It does nothing but further jeopardize the certainty that the American people need, now more than ever, to ensure that their family or small business can find success and prosper.

While at its very core I find this measure incomplete, I will support it and hope that my colleagues agree to come together, craft a budget that properly funds our Nation that can be signed into law by the President, and work each and every day hereafter to put our country back on a path to fiscal responsibility and prosperity.

Ms. KAPTUR. Mr. Speaker, I rise in reluctant support of this continuing resolution.

The action we are taking today will restore some semblance of regular order. The CR, with the inclusion of 5 of the individual bills, is preferable to no appropriations process at all.

Perhaps this catch all bill for the remainder of 2013 will break the logjam and signal restoration of regular order for 2014 bills, a return is long overdue. This is the Congress' rightful Constitutional role and duty—open hearings, normal amendments, and full floor consideration of all 12 appropriations bills.

Two weeks ago as the House first considered the CR, I had hoped to see significant improvement through the process of its consideration. This hope was not fully realized. Though some areas were improved, significantly the inclusion of 3 additional bills, in other areas the CR does not adequately address national needs. The Energy and Water Development jurisdiction is just one example of where the CR falls short.

Congress' failure to do our jobs and pass discrete annual appropriation bills limits our ability to respond to changing realities within government programs as well as our ability to perform appropriate oversight.

The bill does not address the sequester. These unnecessary, indiscriminate reductions will cut economic growth by one-third. Though economists predict sequestration will cost 2 million jobs, not passing the measure would cost even more.

We cannot continue to make decisions whose adverse impact falls primarily on the middle class and those who are the most vulnerable in our country. Our Nation is at its best when we ensure that opportunity is available to everyone, opportunity which is the bedrock of the American dream.

The measure, though far from perfect . . . gives some confidence, albeit late, to the 2013 budget, the public, and the markets so that normal federal transactions can occur—with clarity.

While I believe improvements could and should be made, the alternatives carry a higher risk. I will therefore reluctantly support this bill.

Mr. SERRANO. Mr. Speaker, as the Ranking Member of the Financial Services and General Government Appropriations Subcommittee, I am voting "no" on the Continuing

Resolution sent back to us by the Senate. This bill underfunds several important programs and initiatives, and does not provide adequate funding to continue the implementation of the Affordable Care Act and Dodd-Frank. Moreover, this bill compounds that harm by allowing the sequester to continue.

I am particularly disturbed by serious problems in the Financial Services and General Government section of the bill.

The Internal Revenue Service (IRS) is flat funded at fiscal year 2012 levels, before taking into account the effects of sequestration. This funding level will greatly harm the continued implementation of the Affordable Care Act (ACA). This is a critical year for the ACA as the state exchanges prepare to go live, and as part of that effort, the IRS had asked for an additional \$254 million in funding to help administer several upcoming ACA tax credits and tax changes. Failing to provide this funding will hamper IRS efforts to continue the implementation of these important efforts—which will help individuals and small businesses—and will create more confusion by not providing the IRS with the resources to answer taxpayers' questions.

In addition, the Securities and Exchange Commission (SEC) is flat-funded at fiscal year 2012 levels despite a requested \$94 million increase. This funding level, further reduced by sequestration, will hinder the SEC in the continued implementation of Dodd-Frank, and will harm its enforcement duties. The SEC still needs to implement several of the most important Dodd-Frank rules and reforms, and this funding level will only slow that effort. This bill prevents the SEC from being the strong "cop on the beat" that we need to ensure that the abuses that helped cause the fiscal meltdown don't recur.

Moreover, our Federal Public Defenders, who are part of the Federal Judiciary budget, actually receive a small increase of \$9 million above the fiscal year 2012 level. However, this amount is less than they requested, and not enough to offset the overwhelming impact of sequestration. Our Federal Public Defenders provide indigent criminal defendants with their constitutionally protected right to counsel, and the effect of the CR and sequestration will substantially damage their ability to do their utmost to help their clients.

Lastly, federal employees are once again asked to endure a pay freeze. Our federal employees have already contributed an incredible amount of money to deficit reduction, and another federal pay freeze will only prevent the recruitment and retention of a qualified and committed workforce.

In reality, while this bill purports to maintain finding levels at the FY 2012 level, sequestration means further damaging cuts to these and other accounts. We need a solution that will prevent important services that all Americans depend on from being impacted, and allows all agencies the flexibility to address the current effect of the sequester. This bill fails in that regard.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Wednesday, March 20, 2013, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. LOWEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the previous order of the House, further proceedings on this question will be postponed.

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014

##### GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 25, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 122 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 25.

Will the gentleman from Washington (Mr. HASTINGS) kindly resume the chair.

□ 0955

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. When the Committee of the Whole rose on Wednesday, March 20, 2013, amendment No. 5 printed in House Report 113-21 offered by the gentleman from Maryland (Mr. VAN HOLLEN) had been disposed of.

Pursuant to the rule, it is now in order to consider a final period of general debate, which shall not exceed 10 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I'd like to yield myself 30 seconds.

I want to start off by thanking all of our hardworking staff, and I would like to include for the RECORD a list of all the staff members on the Republican side of the aisle who put such work into this. I want to recognize in particular one member of our team, our health care policy expert, Charlotte Ivancic. She was there for our first budget, and this marks her last budget, as she is now joining Speaker BOEHNER's team. Charlotte devoted long hours to working with Medicare actuaries, and she was instrumental in the bipartisan collaboration with Senator WYDEN and former Clinton Budget Director Alice Rivlin. She always understood that our hard work is for a higher purpose. Her husband, Nick, and their two boys, Otto and Jack, are what motivate her work, and that passion has been contagious. It's been an honor to work at her side.

I want to thank all of the hardworking staffers—on both sides of the aisle—for helping to elevate this important budget debate.

We wish her very good luck.

With that, I reserve the balance of my time.

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Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.



Over the last couple days, we've had a spirited debate on the budget. We have deep differences on this issue, but I want to commend Chairman RYAN for the way he conducts the business of the Budget Committee. The debate is lively but always civil, and I thank him for the way he has run the committee.

I also want to thank all the other members of the Budget Committee for their full participation in this debate and to the staffs, both Republican staff and Democratic staff, who work so hard for their service to our country. I want to commend our team who has been working very hard and ask that their names be included in the RECORD along with the members of the Republican staff.

Mr. Chairman, these budget resolutions are mostly comprised of lots of numbers on lots of pages, but we know that behind these numbers are key decisions about the future direction of our country and our priorities and values as a nation.

I was disappointed that yesterday this House did not pass our Democratic budget alternative that presents a solutions-based approach to address our challenges instead of an ideological approach. Today, I'm going to ask the House to vote against the Republican budget because of its uncompromising ideological approach, and I will explain more about that in a moment.

I reserve the balance of my time.

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Mr. RYAN of Wisconsin. May I inquire of the gentleman from Maryland as to how many speakers he has remaining?

Mr. VAN HOLLEN. I am the only speaker.

Mr. RYAN of Wisconsin. At this time, I would like to yield 1 minute to the Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

□ 1000

Mr. BOEHNER. Let me thank my colleague for yielding and congratulate Mr. RYAN and our members of the Budget Committee for a job well done.

We have a budget here that will, in fact, balance over the next 10 years after having a debate with our colleagues across the aisle and across the building and downtown who all have budgets that never come to balance.

I don't know where "a balanced plan" can be called "a balanced plan" if we never get to balance. The fact is that we've done the hard work of bringing this plan forward.

This budget does more than just balance. It helps improve the lives and concerns of the American people and addresses things that are important to American families such as fixing the Tax Code. Lowering rates means more jobs and higher wages for the American people.

Voting for this budget means supporting the Keystone pipeline, and American-made energy means more jobs and lower energy prices for the American people.

Repealing ObamaCare and supporting patient-centered reforms means more jobs and lower health care costs for the American people; and protecting and strengthening Medicare means a secure retirement for older Americans.

Cutting waste means more fairness and accountability for hardworking taxpayers.

Doing all of this means preserving the American Dream, which is what we were sent here to do.

We've balanced the budget before. In 1997, a Republican Congress working with a Democrat President, Bill Clinton, came together to put forward a plan that would, in fact, balance the budget. And we did. For 4 years we ran a budget surplus.

The President has an opportunity during this critical debate to come forward and to help make this part of his legacy like it has become part of the Clinton legacy, working together on behalf of the American people to solve what we know is a crisis in our country. We can't continue to spend money that we don't have. It's as simple as that.

When you've spent more money than what you've brought in for 50 of the last 60 years, no American family can do this, no business can do this, and no government can do this without bringing on a debt crisis that is sure to imperil the future of our kids and our grandkids.

Vote for the Ryan budget.

Mr. RYAN of Wisconsin. I'm going to reserve the balance of my time since I have the right to close and we have no more speakers.

Mr. VAN HOLLEN. With that, Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I'm going to urge our colleagues to vote against this Republican budget for a variety of reasons.

First of all, this is an uncompromising, ideological approach to our budget issues. We've just been through a major national campaign where both Presidential candidates, President Obama and Governor Romney, agreed on one thing, and that was that the people in this country faced a fundamental choice in the direction we were

going to take. The American people voted, and they resoundingly rejected the approach that is now taken once again for the third year in a row in this Republican budget.

This budget, as we've heard over the last couple of days, fails on a number of counts. Number one, it adopts the European-style austerity approach that we've seen slow down economies in many parts of Europe. We should instead be focusing on job growth and putting people back to work rather than a budget, like this budget, which will result in 750,000 fewer Americans working by the end of this year. That's according to the independent, non-partisan Congressional Budget Office. It will result in more than 2 million fewer people working next year.

It also fails the test of taking a balanced approach because it is founded on the failed idea that giving another round of tax cuts to people at the very high end of the income scale will somehow trickle down and lift up all the other boats. We know that hasn't worked, and yet it is pursued once again such that everybody in the Republican budget is asked to sacrifice except folks at the very top, everybody else, including middle class Americans who will see their tax burden go up in order to finance tax breaks for people at the very high end.

We Democrats offered an amendment in the Budget Committee to say don't increase taxes on middle class Americans, and all our Republican colleagues voted "no." It is based on the idea that we should dramatically cut investments that are important to help our economy grow.

We know we have an aging infrastructure problem. We know we need to modernize our national infrastructure to compete in the global economy; yet this cuts our infrastructure and transportation budget by over 20 percent when we just got a grade of D-plus from the American Society of Civil Engineers and when we have 15 percent unemployment in the construction industry.

It makes it harder for students to go to college. The Republican budget will double the student loan interest rate in July from 3.4 percent to 6.8 percent.

In the part of our budget where we make important investments in science and research and education, it more than doubles the sequester cut.

It violates important commitments we've made to our seniors. It reopens the prescription drug doughnut hole so that seniors with high health care costs will pay thousands of dollars more over the period of this budget. It turns Medicare into a voucher program so seniors are faced with the risk of rising health care costs.

Finally, Mr. Chairman, it's based on this false idea that you can claim to balance the budget in 10 years when you claim also to be getting rid of

ObamaCare when all they do is get rid of the benefits of ObamaCare, but this budget only reaches its claim of balance because they keep the Affordable Care Act, ObamaCare.

I urge my colleagues to reject this approach and to adopt the balanced Democratic approach to dealing with these national challenges.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. I yield myself such time as I may consume.

Mr. Chairman, this budget is constructive. It reveals each side's priorities. It clarifies the divide that exists between us.

We want to balance the budget; they don't. We want to restrain spending; they want to spend more money. We think taxpayers have given enough to Washington; they want to raise taxes by at least a trillion dollars. Take more to spend more. We want to strengthen programs like Medicare; they seem to be complicit with its demise. We see ObamaCare as a roadblock to patient-centered health care reform; they see it as a sacred cow. We think our national security is a top priority; they want to hollow out our military. We offer modernization, reform, growth and opportunity; they're clinging to the status quo: more taxing, more spending, more borrowing.

This plan recognizes that if we cannot handle our out-of-control debt, we will lose control of our future. We cut wasteful spending, and we balance the budget.

This plan recognizes that concern for the poor is not measured by how much money we spend in Washington, but instead how many people we get out of poverty. We reform antipoverty programs so that they work. We help strengthen communities and families. We recognize the need for a vibrant economy.

The Stanford economist that looked at this budget last week said 500,000 jobs right away; \$1,500 more in take-home pay for families in the first year; 1.7 million jobs and \$4,000 in better take-home pay on average for a family in the 10th year.

This plan will protect and strengthen Medicare; and it begins, yes, by repealing ObamaCare because that does great damage to Medicare.

Again, the House is leading the way.

We have a jobs deficit. We have a budget deficit. These are the byproducts of a leadership deficit. We still have no budget from the President in violation of the law. He gets his NCAA bracket in on time, but still there's no budget. This is the fourth time in 5 years. He set a new record this year, 2 months with no plan while we have trillion-dollar deficits and a debt crisis on the horizon.

They have time for the attacks, but no time to offer serious solutions. His party leaders are unfortunately failing to offer a serious account of our chal-

lenge: no serious plan to grow the economy or create jobs, no plan to ever balance the budget. Take more, trillions of dollars more to spend more in Washington. That's what got us in this mess in the first place.

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So what can be done?

The good news is that we now have a vehicle for regular order. The Democrats derailed the budget process each of the last few years and stopped governing when they stopped budgeting. At least we now have a budget process that's moving. We've brought them back in the game this spring. That's a good thing.

So what's going to happen in the weeks ahead?

We will make the case for our priorities. Whether the gentleman from Maryland wants to acknowledge it or not, we have divided government. The American people elected a Republican majority in the House, and our job is to make the case for our policies, find common ground where it exists and see if we can make this divided government work, and that is what we intend to do. We owe the American people a responsible, balanced budget. That's what we are delivering today, and I urge the support of this resolution.

I yield back the balance of my time.

Ms. DELAURO. Mr. Chair, I rise in strong opposition to the disastrous budget put forward by the House Majority. Once again, the Majority has put forward a plan that slashes deeply into our commonsense priorities and tries to balance the budget on the backs of seniors, women, and the most vulnerable.

A budget is about more than just numbers—it is a reflection and embodiment of our values and priorities as a society. Our budget should advance our moral responsibilities as a nation to provide for the common good. I just attended the installation of Pope Francis in Rome, where he stressed the importance of working "to protect all of God's people and embrace with tender affection the whole of humanity, especially the poorest, the weakest, the least important."

But the budget before us, like the previous iterations composed by Chairman RYAN and supported by the House Majority, once again fails this critical moral test. In fact, it gets it exactly backwards. To pay for expanded tax breaks for the wealthiest Americans, two-thirds of the nondefense cuts over ten years here come to programs that serve low- and moderate-income families.

If this budget were to become law, the Economic Policy Institute estimates that two million jobs will be lost next year alone. That is not all. Millions of students would lose the access to college education that comes through Pell Grants. 190,000 children would lose access to Head Start. National Service programs like AmeriCorps would be ended.

Medicaid would be slashed by nearly a third, cutting families off from access to health care. Food Stamps by nearly 18 percent, with up to nine million people cut off from assistance they need so they do not go hungry.

Both would be converted to an inadequate block grant. The health reforms we passed would all be rolled back meaning the donut hole will reopen, women would once again have to pay more for the same insurance as men, and children with preexisting conditions could lose their coverage.

Seniors would have to pay more during retirement for health care. The Child Tax Credit would expire in 2017. And middle-class families would pay \$2000 more a year in taxes, all to pay for a \$200,000 tax cut for millionaires.

The American people already roundly rejected this Reverse Robin Hood plan last November. Instead, they want us to use the budget as a vehicle to create jobs and grow the economy. I urge my colleagues to respect their wishes, and to vote against this latest iteration of the same old Republican budget.

Mr. WOLF. Mr. Chair, I will vote today for H. Con. Res. 25, authored by Budget Committee Chairman PAUL RYAN, because we have a duty to address our nation's looming fiscal obligations. As I have repeatedly said, we cannot continue to kick the proverbial can down the road.

I want to be clear: I would prefer to vote for a bipartisan budget modeled off the Simpson-Bowles plan. It could be improved by incorporating changes in existing law and other proposals, such as the discussions between the president and Speaker BOEHNER, and plans offered by Alice Rivlin and Pete Domenici, and Rep. RYAN and Sen. WYDEN. Like the Ryan plan before us today, I do not agree with every line in the Simpson-Bowles plan. However, I continue to believe that a budget based on this model is the only plan that can put our nation on a sustainable, long-term path to replace sequestration and reform our nation's entitlement programs so they will exist for future generations.

For more than six years, I have forcefully spoken out about the dire need to get our nation's fiscal house in order. I have made thoughtful and serious recommendations for a way forward and have voted for substantial legislation to get our nation back on solid financial footing.

When I came to the floor to vote for last year's budget, we were \$15.5 trillion in debt. Today, we are over \$16.7 trillion in debt. It's projected to grow to \$26 trillion in 10 years—that's a \$10 trillion increase. Our unfunded obligations and liabilities are now projected to be over \$71 trillion. We've just had our fourth straight year of trillion dollar deficits. Four straight years.

And while this year's deficit is projected to be about \$845 billion, that's still unsustainable. The reduction in the deficit can be mainly traced to new tax revenues from the "fiscal cliff" deal versus new spending restraint. I opposed this measure because it failed to seriously address government spending—in fact, it contained new spending—and did not include reforms to strengthen and secure entitlements. While the measure addressed many immediate issues, its adoption is making it more difficult to make needed, comprehensive reforms to our long-term obligations and liabilities and to stop sequestration.



The amount of debt we owe is staggering. Consider that this past August, the Congressional Budget Office predicted we'd be spending \$570 billion on interest payments to service the debt in 2022. However, the February picture is shocking: \$795 billion to serve the debt in 2022. Let me repeat—in August, the Congressional Budget Office predicted that we would be spending \$570 billion to service the debt in 10 years. Their updated February numbers predict we will be sending \$795 billion out the door in 2022 to service the debt, a \$225 billion increase within six months. In six months, the projections have changed to reflect that the Congressional Budget Office thinks we will be spending close to \$11 billion in interest payments per week to more than \$15 billion per week. Fifteen billion dollars each week. And they predict that in 2023, 10 years from now, we will be sending \$857 billion out the door. That's roughly \$16.5 billion dollars per week.

What accounts for these changes? We have been borrowing at historically low levels. I have repeatedly noted my concerns that interest rates on our debt load could increase, and the Congressional Budget Office predictions are starting to reflect this.

That is money that could be invested in our national defense, repairing our roads and bridges or life-saving cancer research.

Notably, this debt is increasingly held by foreign countries. In 1970, 6 percent of debt held by the public was in foreign hands. In 1990, it was 19 percent. But today, 48 percent of our publically held debt is in foreign hands.

Just who are our bankers? Nations such as China, which is spying on us, where human rights are an afterthought, and Catholic bishops, Protestant ministers and Tibetan monks are jailed for practicing their faith, and oil-exporting countries such as Saudi Arabia, which funded the radical madrasahs on the Afghan-Pakistan border resulting in the rise of the Taliban and al Qaeda.

Quite frankly, this borrowing is unsustainable, dangerous and irresponsible.

And what does this mean for individual Americans? Chairman RYAN points out that a 1 percent increase in the interest rates would mean an extra \$400 per year in interest payments for the average family.

That is why I have been urging the president and Congress to make the hard choices to ensure a better future for our children and grandchildren.

That is why I have been working with my colleagues, through my assignment as chairman of the House appropriations subcommittee that funds the departments of Commerce and Justice, to cut \$95 billion in federal spending during fiscal years 2010, 2011 and 2012, including more than \$11.5 billion from my subcommittee alone.

That is why I repeatedly voted against the payroll tax holiday, which stole directly from the Social Security Trust Fund. The 2012 extension took \$93 billion and brought us nearly a month closer to the statutory debt limit. With that one vote, we practically wiped out all the \$95 billion in savings from the cuts enacted during the last Congress.

That is why I also do not and never will sign pledges to lobbyists. My loyalty is to the Constitution, to the people of Virginia's 10th District, and my family.

I have been speaking out about the need to get our nation's fiscal house in order since President George W. Bush was in office.

In 2006, I introduced legislation to create an independent, bipartisan commission to address our debt and deficit. I called it the SAFE Commission, short for Securing America's Future Economy. It said everything should be on the table for discussion: all entitlement spending, all domestic discretionary spending, including defense spending, and tax reform, particularly changes to make the tax code more simple and fair and to end the practice of tax earmarks that costs hundreds of billions of dollars. Congress would be required to vote up or down on the commission's recommendations, just as was done in the base closing process.

I was glad to have been joined in this effort by my good friend and colleague JIM COOPER of Tennessee. Our legislation served as the blueprint for the president's National Commission on Fiscal Responsibility and Reform, commonly referred to as the Simpson-Bowles Commission.

Last year, I spoke in support of and voted for a full substitute amendment, offered by Mr. COOPER and former Representative LaTourette, to the budget that was based on the commission's recommendations. While I was disappointed that this amendment did not pass, I still believe a plan based on this model is the most appropriate and realistic path forward, and I am committed to finding bipartisan solutions.

Last month, I offered a bipartisan amendment to H.R. 444, the Require a PLAN Act, that would require the president to incorporate the Simpson-Bowles recommendations into his budget submission to Congress. This amendment received 75 bipartisan votes.

The Simpson-Bowles Commission produced a credible plan that gained the support of a bipartisan majority of the commission's 18 members. Called "The Moment of Truth," the commission's report made clear that eliminating the debt and deficit will not be easy and that any reform must begin with entitlements. Mandatory and discretionary spending also has to be addressed, as well other "sacred cows," including tax reform and defense spending.

Had just three more members of the Simpson-Bowles Commission supported the recommendations, this plan likely would have passed the Congress and be law today. I was disappointed that the president, and his administration, walked away from the commission. The president failed the country. And the Congress has also failed. This town is dysfunctional. If the plan had advanced, we would already be on our way in getting our nation's fiscal house in order.

We have to find a solution to this debt crisis. Failure is not an option.

Congress and the president must be willing to support a plan that breaks loose from the special interests that are holding Washington by the throat and return confidence to the country.

Congress and the president also need to be honest with the American people and explain that we cannot solve our nation's financial crisis by just cutting waste, fraud and abuse within discretionary accounts. The real runaway spending is occurring in our out-of-con-

trol entitlement costs and the hundreds of billions of dollars in annual tax earmarks. Until we reach an agreement that addresses these two drivers of our deficit and debts, we cannot right our fiscal ship of state.

Absent a bipartisan budget, I vote for the Ryan budget today because it is a credible path forward, if imperfect.

Like last year's proposal, this budget blueprint calls for significant reductions in discretionary spending, for reduced tax rates and for the repeal of the costly health care reform law.

Further, it proposes a balanced budget in the next 10 years. I have consistently voted for a balanced budget amendment to the constitution every time the measure has come before the House—in 1982, 1990, 1992, 1994, 1995 and, more recently, in 2011.

The Ryan plan also points out that we can no longer ignore the trillions of dollars in unfunded liabilities that consume our budget. There may be disagreement on the significant changes in Medicare and Medicaid entitlement programs that he proposes, and while his plan is again silent on changes needed to reform Social Security entitlements, it does recognize that need. Mr. RYAN continues to pull back the curtain on the mandatory spending "elephant in the room," which we can no longer ignore.

I do not agree with everything in this proposal, and will work to improve future legislation that may be considered as a result of its adoption. For example, I regret that this proposal does not offer more on ways to address Social Security and tax reform.

I am also troubled that this resolution unfairly targets the federal workforce. While there are many federal employees in the capital region, it is worth noting that more than 85 percent of the workforce is outside of Washington.

It is also worth noting that more than 65 percent of all federal employees work in agencies that support our national defense capabilities as we continue to fight the War on Terror. The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent from my congressional district. CIA, FBI, DEA agents, and State Department employees are serving side-by-side with our military in the fight against the Taliban.

Let's also not forget the Border Patrol and Immigration and Customs Enforcement agents who are working to stop the flow of illegal immigrants and drugs across our borders.

Or the medical researchers at NIH working to develop cures for cancer, diabetes, Alzheimer's and autism.

Or the VA doctors and nurses treating veterans from World War II to present day.

Or the FDA inspectors working to stop a salmonella outbreak. These are all federal employees.

Mr. Chair, enough is enough. It is simply wrong to claim, as the Ryan budget erroneously continues to do, that these public servants "have been immune from the effects of the recession."

This budget also could be improved by providing for the needs of the most vulnerable in our society. As the Congress deals with the budget, we must always do so in a way that does not neglect the needs of the poor. Scripture (Proverbs 19:17) tells us, "He who is kind to the poor lends to the Lord." And in the New

Testament Jesus talks a lot about the poor. Matthew 25 says that if we ignore the poor and hungry, it is the same as ignoring him. But this budget resolution is an outline for future action, not an enacting piece of legislation that carries the weight of law.

The budget also seeks to shore up our defense capabilities by finding alternative savings to prevent the across-the-board cuts (sequestration) resulting from the Joint Committee on Deficit Reduction's bipartisan failure of leadership, which, regrettably, represents the larger failure of the President and both political parties.

For the first time in four years, the Senate has proposed a budget resolution. While I do not agree with their proposal, and therefore voted "no" on the Mulvaney amendment to demonstrate my opposition to it, it is good for our country that the Senate has finally put forth a written document. Its voice in this debate is needed. I am disappointed that the president has failed to even offer his own budget. This abdication of responsibility has not been seen since the Harding Administration.

This budget recognizes that our fiscal challenges must be dealt with in a timely manner. It is a first step in the process. This is a blueprint that can be molded and changed, but it is a blueprint that committees will use to get to work. I hope this outline will spur the authorizing committees to move forward on comprehensive tax and entitlement reform legislation.

The Appropriations Committee has already led the way in enacting legislation cutting discretionary spending. Only 16 percent of federal spending this year will be non-defense discretionary. Two thirds of our spending is on autopilot, and reforms are urgently needed. We must reform our nation's spending habits to ensure America has the ability to nimbly respond to crises and is able to make the investments needed to spur private growth and American ingenuity.

We, as elected representatives, have a duty to lead. We have a duty to put forth ideas within the public sphere and engage in debate. I'm ready to make the tough choices today. I vote for the Ryan budget so that the House can get to work.

Mr. MARCHANT. Mr. Chair, I rise today to express my support for the House Republican budget.

The Path to Prosperity will balance the budget over the next ten years without raising taxes on the American people.

Furthermore, the House Republican budget will help American job seekers by repealing Obamacare. The Obama health care law contains over a trillion dollars in new taxes on employers, medical device makers, families buying health insurance and others.

Throughout my district, small business owners and CEOs are sitting down with their accountants. They are trying to figure out how they are going to do business next year with this massive tax in place. That is creating uncertainty and impeding job creation.

Repealing Obamacare is critical to getting our economy growing again.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to H. Con. Res. 25, the House Republicans' "Budget Resolution for

Fiscal Year 2014." I oppose this irresponsible budget resolution because it continues the reckless approach to fiscal policy that the House majority championed for years, with disastrous results.

I oppose the resolution before us because it favors the wealthy over middle class families and those struggling to enter or remain in the middle class. I oppose the resolution because it asks major sacrifices of seniors who can barely make ends meet, and fundamentally alters the social contract in our America by turning Medicaid into a block grant.

I cannot and will not support a resolution that attempts to balance the budget on the backs of seniors, children, the poor, or mortgages the future by failing to make the investments needed to sustain economic growth and opportunity for all Americans.

Mr. Chair, we Democrats have a better way. We understand that we are all in this together and that our current economic situation calls for a balanced approach between increased revenues and responsible reduction in expenditures. Our plan will protect and strengthen our recovering economy, reduce the deficit in a responsible way, while continuing to invest in the things that make our country strong like education, health care, innovation, and clean energy.

Mr. Chair, this Republican budget is bad for America but it is disastrous for the people from my home state of Texas who sent me here to advocate for their interests. Let me highlight a few examples.

1. If the Republican budget resolution were to become the basis of federal fiscal policy, 3,435,336 Texas seniors would be forced out of traditional Medicare and into a voucher program. Under the Republican plan to end Medicare as we know it, beginning in 2024 all Texas seniors will receive a voucher instead of guaranteed benefits under traditional Medicare.

2. For the 3,435,336 Texans aged 45–54, the value of their vouchers would be capped at growth levels that are lower than the projected increases in health care costs. Previous analyses showed that this type of plan would cut future spending by \$5,900 per senior, forcing them to spend more out of pocket and diminishing their access to quality care.

3. Additionally, private insurance plans will aggressively pursue the healthiest, least expensive enrollees, thereby allowing Medicare—currently the lifeline for 3,187,332 Texas seniors—to "wither on the vine."

4. If the Republican budget resolution were to be adopted by Congress, 206,304 Texas seniors would pay more for prescription drugs next year. The Republican plan would reopen the "donut hole," forcing seniors to pay the full cost of their prescription drugs if their yearly drug expenses are more than \$2,970 for the year. Seniors reaching the prescription drug "donut hole" would pay an average of \$828 more in prescription drug costs in 2014 and approximately \$13,000 more from now through 2022.

5. Under the Republican budget, 2,445,462 Texas seniors would be forced to pay for preventive health services. By repealing health reform, the Republican plan will require that the 2,445,462 Texas seniors who utilized free preventive services currently covered by Medi-

care in 2012 will face increased costs in the form of higher deductibles, co-insurance, and copayments for certain services, including even cancer screenings and annual wellness visits.

6. The Republican budget slashes \$31.71 billion in nursing home care and other health care services for 754,500 Texas seniors and disabled who currently rely on Medicaid for their long-term care needs.

7. The draconian cuts included in the Republican budget would have a devastating impact on the 1,191 certified nursing homes in Texas that serve 91,717 seniors, with more than half relying on Medicaid as their primary payer. As a result, nursing homes would be forced to slash services, turn away seniors, or close their doors.

Mr. Chair, this budget could have invested in programs that help strengthen the middle class, reduce poverty, and strengthen our economic recovery. Instead, the Republican budget makes deep cuts to the area of the budget helping low-income families put food on the table and make ends meet. These are families who are already struggling with unemployment, lower wages, and just simply trying to make ends meet.

The House Republican budget will push millions more Americans into poverty and put a large number of low-income children, seniors, and people with disabilities at risk. It guts Medicare and Medicaid and calls for massive cuts to food assistance, all in order to protect tax breaks for special interests and for multimillionaires who are not even asking for them.

The Republican budget may be characterized in many ways—cruel, irresponsible, shortsighted, reckless—but "fair and balanced" is not one of them.

In contrast, the alternative budgets proposed by the Democratic Caucus, Congressional Black Caucus, and Congressional Progressive Caucus, which were made in order by the Rules Committee, are each worthy of support because they fairly balance the need for increased revenues and responsible reductions in expenditures with the imperative of making the necessary investments in human capital required to move our country forward.

Specifically, the Alternative Budgets proposed by the Democratic Caucus, CBC, and CPC:

- help create more jobs now;
- replace the sequester;
- make key education investments;
- invest in research and development and clean energy;
- invest in long-term infrastructure;
- preserve Medicare as we know it;
- protect health reform's benefits for seniors;
- protect Medicaid for seniors in nursing homes;
- preserve Supplemental Nutrition Assistance (SNAP);
- reduce the deficit through a smart, targeted, and steady approach provides tax relief for working families and ends tax breaks for the wealthy;
- take a balanced approach to reducing the long-term deficits and debt; and
- put the budget on a sustainable path.

Mr. Chair, under the Democratic budget, the deficit would fall from 7 percent of GDP in 2012 to under 3 percent of GDP by 2015, and

to 2.4 percent of GDP in 2023. The balanced plan put forward by the Democratic Caucus will bring the budget into primary balance in 2017 and complete balance by around 2040—about the same time as the House Republican budget last year.

The Democratic Budget Alternative will generate 1.2 million more jobs this year compared to the Republicans' "austerity first" plan by investing \$200 billion in creating jobs up-front, strengthening the middle class, creating greater upward mobility, and ensuring opportunity for our children and future generations.

Included in the Democratic proposal is \$50 billion to fund jobs that address immediate surface transportation priorities and \$10 billion to establish an infrastructure bank, as well as tax incentives to support small businesses and manufacturing.

Additionally, the Democratic budget immediately ends the sequester, which would otherwise cost the economy 750,000 jobs by the end of the year, and replaces it with deficit reduction resulting from a balanced approach combining responsible spending cuts with increased revenues by cutting tax breaks for special interests and wealthy individuals without increasing the tax burden on middle-income Americans.

Finally, Mr. Chair, as a senior member of the Committee on the Judiciary, let me note my disappointment that an amendment I offered which would have made this dreadful budget resolution a little less hurtful was not made in order by the Committee on Rules.

The Jackson Lee Amendment to H. Con. Res. 25 would put the Congress on record in support of current funding levels for crime prevention grant programs administered by the Department of Justice. The first and most important obligation of government is to ensure the safety of the people and nothing is more destabilizing to communities and inimical to job creation and economic growth than crime. That is why it is counterproductive to cut investments in crime prevention under the guise of balancing a budget to spur economic growth.

It is said often, Mr. Chair, but is no less true, that the federal budget is more than a financial document; it is an expression of the nation's most cherished values. As the late and great former senator and Vice-President Hubert Humphrey said:

"The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in shadows of life, the sick, the needy, and the handicapped."

For that reason that in evaluating the merits of a budget resolution, it is not enough to subject it only to the test of fiscal responsibility. To keep faith with the nation's past, to be fair to the nation's present, and to safeguard the nation's future, the budget must also pass a "moral test."

The Republican budget resolution fails both of these standards. The Democratic alternatives do not. For these compelling reasons, I stand in strong opposition to H. Con. Res. 25 and urge my colleagues to join me in voting against this ill-conceived and unwise measure.

Mr. O'ROURKE. Mr. Chair, I rise today in opposition to H. Con. Res. 25 and in support of the Van Hollen substitute.

The majority has offered a budget that literally doubles down on the sequester. This would be a disaster for El Paso. It would mean twice as many Customs and Border Patrol (CBP) furloughs as they are already facing and longer lines at our bridges into the foreseeable future. Nearly 100,000 jobs in the El Paso region depend on the \$80 billion in yearly cross border trade with Mexico. Longer lines at our ports of entry equals less trade and fewer jobs for El Pasoans. The majority budget includes a nearly \$100 billion cut to Pell Grants for low-income students. At the University of Texas at El Paso (UTEP), 65% of students use Pell Grants to afford their education. It would mean deep and irresponsible cuts to programs my constituents rely on, including Medicare. The non-partisan Congressional Budget Office (CBO) has said the majority budget will result in 750,000 job losses this year. I cannot vote to put the future of so many El Pasoans at risk.

We need a credible, long-term plan that does not compromise the economic recovery now taking place. Although far from perfect, the substitute budget offered by Mr. Van Hollen comes closest to this goal. It fully replaces the sequester with a balanced mix of cuts and revenues and stabilizes our finances by reducing the deficit by \$1.8 trillion over the next ten years. If passed, this budget would prevent the 750,000 job losses associated with the sequester. Ending the sequester will also prevent furloughs for 20,000 El Pasoans, including our Border Patrol agents and civilian employees at Fort Bliss. The Van Hollen substitute also ensures we maintain a strong national defense while acknowledging that our military will be downsizing as the result of two wars ending. I support it as the most reasonable budget offered; however, the Van Hollen substitute fails to offer a solution to strengthen Medicare and Social Security for the long-term.

We need a real budget that can get buy-in from both political parties. Instead of playing to the fears of the political extremes, why not work to find the middle and compromise? I came here to represent the interests of El Pasoans and govern responsibly. I hope that we can put the political posturing of this budget debate behind us and start finding real solutions.

Mr. LANGEVIN. Mr. Chair, the most important action we can take to provide for the long term health and prosperity of our nation is getting people back to work, and ensuring that those who are employed, stay employed. This can only be done by enacting a budget that achieves fiscal balance without imperiling economic progress. Unfortunately, the Republican budget fails this most basic principle. It will cost nearly 2 million jobs next year alone, and that's on top of the 750,000 jobs that will be lost due to sequestration this year. In Rhode Island, we have finally started to recover from the Great Recession that began in 2008, and our unemployment rate has dropped below 10 percent for the first time since 2009. For five years, Rhode Islanders have held on by their teeth, and the Republican budget would undermine the important gains we have made.

The prosperity of our nation is predicated on a healthy middle class—both parties can at least agree on that. Yet the Republican budget

would put our middle class families, the drivers of our economy, further in debt by shifting the burden of paying for tax breaks for the wealthy onto working Americans and their kids.

We have seen this budget before. It's the same plan Governor Romney ran and lost on in November; it's the same budget Chairman RYAN brought before us in 2012. It is a budget that works for the most privileged, at the expense of every day Americans. It raises taxes on working families by as much as \$3,000, shifts costs to future seniors by turning Medicare into a "premium support" program, cuts state Medicaid funding for low income and disabled individuals, and doubles the cuts to programs that help our veterans find work, keep my constituent's homes heated, and save children from going hungry.

There's been no shortage of posturing on the budget, and a surplus of half-truths floating around. What's been in short supply, it seems to me, are the facts.

It is a fact that federal spending over the past three years has grown at its slowest pace since the Eisenhower administration. It is a fact that we have already cut \$2.4 trillion from the budget over the next ten years—and the Democratic alternative budget would increase that reduction to over \$4 trillion. It is a fact that we have cut nearly three dollars in spending for every dollar of revenue, greater than the ratio of cuts-to-revenue proposed in Simpson-Bowles. And according to the Congressional Budget Office, it is a fact that half of the projected budget deficit for 2013 is a result of automatic stabilizers, like unemployment insurance.

There's another important fact here that my Republican colleagues appear to be ignoring. They seem to think that if you reduce budgets for our schools, housing agencies, workforce training programs, veterans services, the Social Security Administration, and the FBI, the services these agencies provide to our communities won't diminish. Their workload certainly won't—in many cases it's on the rise—yet they will have fewer staff and fewer resources to serve our constituents and communities.

This is not a budget I can support in good conscience, and it is not a path that will lead to economic stability. Democrats have offered a fair and balanced approach that keeps the promises made to our seniors, preserves our social safety net, and asks all Americans to pay their fair share in reducing the deficit. Rhode Islanders understand these choices, Americans understand these choices, and they responded loud and clear last November as to which direction they wanted our nation follow. The Republican budget is not what the American people voted for, this is not what Rhode Islanders want, and it is not what our children, our business owners, and our communities deserve.

Ms. EDDIE BERNICE JOHNSON of Texas. I rise today in opposition to the Republican budget developed by Budget Committee Chairman PAUL RYAN. This budget would not only jeopardize seniors, families, and the most vulnerable in our society, it would also destroy jobs and put our Nation's economic recovery at risk. In fact, some estimate that 2 million American jobs could be lost in 2014 under the Ryan budget.

The Ryan budget would protect the wealthy while severely harming seniors and the American middle class. Millionaires would receive an average net tax cut of \$200,000, while middle class families could see their taxes rise by an average of \$2,000. This approach is neither equitable nor balanced.

The Ryan budget would cut the crucial programs our families rely on by slashing non-defense discretionary spending by more than \$1 trillion below the level of the 2011 Budget Control Act caps. This budget denies Americans access to life-saving health care by ending the Medicare guarantee, drastically cutting the Medicaid program, and repealing the Affordable Care Act. These cuts would immediately raise health insurance and prescription drug costs for women, while reducing access to care and support for nursing home residents. The Ryan budget could also result in an 18% cut in help with child care expenses to families working hard to make ends meet, and could cause about 200,000 children to lose access to Head Start in 2014 alone.

We all know that tough decisions must be made regarding the deficit, but our budget must not be balanced on the backs of women, children, seniors, and middle class families. Instead, we must invest in our children, in our students, and in our families to move our Nation forward. We must ensure that all Americans have access to health care. And we must invest in our infrastructure to create jobs and pave the way for a stronger economic future. I urge my colleagues to oppose the Ryan budget and work together to create jobs and protect middle class families.

Mr. DINGELL. Mr. Chair, I rise in opposition to H. Con. Res. 25, the fiscal year (FY) 2014 budget resolution. Once again, this body is considering another misguided budget that asks seniors and middle class Americans to make great sacrifices so the wealthiest among us can get a tax cut. While supporters of this budget claim they deserve credit for producing a budget that balances, this is not a balanced plan, nor a serious one.

The Republican budget is a slippery, dishonest collection of old, failed ideas that the American people roundly rejected in the last election. Some say that this budget plan represents a serious attempt to reform Medicare; in fact, nothing could be farther from the truth. It ends Medicare as we know it by creating a voucher program which would shift costs to our seniors. It also repeals the Affordable Care Act which is already providing critical benefits to those in need across our country and that has been affirmed by the U.S. Supreme Court as constitutional. By reopening the Medicare prescription drug coverage gap, beneficiaries would see their costs increase by over \$13,000 from now through 2022. This is not the treatment our seniors deserve, and I know we can do better for them.

Instead of making critical investments in our economy to promote growth and create jobs, vital domestic programs would face drastic cuts. The entire mandatory Pell grant program would be cut by \$98 billion over 10 years, virtually eliminating the program. Student loan rates would rise from 3.4 percent to 6.8 percent in July, which would have a negative impact on college students across the nation. The budget also doubles down on the disas-

trous sequester and goes even further than that by cutting an extra \$55 billion from domestic discretionary spending in FY 2014 alone. To top it off, the top tax rate would be lowered to 25 percent, costing our nation nearly \$6 trillion over 10 years. In order to pay for these disastrous proposals, critical tax deductions for middle class families would be eliminated, leaving the average family with an increase of \$3,000 in their tax bill. The priorities of this budget are completely backwards.

I commend the gentleman from Maryland, Mr. VAN HOLLEN, for offering a balanced approach in the Democratic substitute budget. This budget replaces the sequester, makes investments which are critical for economic growth, and puts our nation on a sustainable fiscal path. It gives critical support to transportation, education, and small businesses programs which will have a real impact on middle class families and help maintain the upward trajectory of our economy. The Democratic budget also includes \$50 billion for immediate surface transportation projects which will create jobs today, in addition to vital tax incentives for the manufacturing sector which has been so critical to our economic recovery. All of these important goals are achieved while continuing the Medicare guarantee for our seniors and generating enough deficit reduction to eliminate the sequester, thereby avoiding losing 750,000 jobs which would occur if sequestration is allowed to continue.

If my Republican colleagues are serious about producing a balanced budget then let us set aside this partisan rhetoric and recycled ideas and come to the table willing and ready to make tough decisions for the benefit of our country. American families across the country make tough decisions about their family's budget on a daily budget. Whether it is postponing that new car purchase, refinancing their homes, or cutting back on the types of groceries they buy, American families do not have the luxury to return to past bad ideas. They have to make the tough decisions now or face losing their home, missing a tuition payment, or having their heat turned off. Instead of debating political documents such as this one, Congress must put aside the political games and come together to find common ground to put our nation on a sustainable fiscal path in the long term while making much needed investments in the short term. I urge my colleagues to join me in opposing the Republican budget.

Mr. BARR. Mr. Chair, for far too long, Washington has failed to take its spending problem and its budgetary responsibilities seriously. That ends now. With our nation's debt exceeding \$16.7 trillion and billions more added to the debt every day, I am proud to finally help put our nation on a significantly different, more-prosperous path with my support of this year's House Budget from Chairman PAUL RYAN.

This is a responsible budget that will promote a healthier economy, encourage growth and opportunity for all Americans, help create jobs, and avert a debt crisis. This budget will enable us to avoid austerity measures and painful cuts that are inevitable if we fail to reform the status quo.

This budget balances our nation's finances in ten years, because it's wrong to keep

spending money we do not have. This budget cuts wasteful spending and repeals Obamacare. This budget forces the government to live within its means, because it's unfair to leave young people and the next generation with a future of debt and decline. This budget moves us closer to pro-growth tax reform without raising taxes—because families and small businesses should be able to keep more of their hard-earned income instead of having it wasted by Washington bureaucrats.

Importantly, this budget protects and strengthens Medicare for current and future generations of retirees. Last year, I made a promise that I would not support changes to Medicare for people age 55 and older—those born before 1959. Today, I made good on that promise with my support of PAUL RYAN's budget. However, let me be clear: Congress, the President, and the American people cannot again afford to ignore fixing our broken entitlement system this year. The problem with Medicare's looming insolvency gets dramatically worse and more costly each year we delay fixing it, and the current solutions will no longer be sustainable or available if we fail to act this year. If we want to avoid forcing Medicare changes and dramatic cuts for individuals nearing retirement, we need both sides of the aisle to get serious immediately.

This House plan presents a clear vision of what we need to do to balance the budget and foster a healthier economy for today and the future. In fact, according to an analysis conducted by two Stanford economists, the House Budget "would boost the economy immediately," and "raise gross domestic product by one percentage point in 2014, equivalent to about a \$1,500 increase in annual income for each U.S. household." Additionally, these economists estimate that ten years from now, "the entire plan would raise GDP by three percentage points, or more than \$4,000 for each U.S. household."

By contrast, the budgets proposed by Democrat leaders in Congress are full of budget tricks, accounting gimmicks and empty promises. Their budgets ignore the entitlement crisis—the most significant driver of our debt—increase taxes and stimulus spending by trillions of dollars, and never balance—ever.

I ran for Congress because we have a solemn responsibility to pass on a better future to our children, just like our parents did for us. Today, I am pleased that we took a vital step to turn things around and finally put us on a more responsible, prosperous path for the future. But our work and responsibilities continue. The United States can and will remain the greatest country on Earth for generations to come, but it will require a fresh approach to Washington's old ways of doing business.

The CHAIR. All time for debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. HASTINGS of Washington, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 25) establishing the budget for the United

States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023, and, pursuant to House Resolution 122, he reported the concurrent resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the concurrent resolution.

Under clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX and the previous order of the House, this 15-minute vote on adoption of H. Con. Res. 25 will be followed by 5-minute votes on adoption of the motion to concur in the Senate amendments to H.R. 933, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 207, not voting 4, as follows:

## [Roll No. 88]

## YEAS—221

Aderholt	Foxx	McClintock
Alexander	Franks (AZ)	McHenry
Bachmann	Frelinghuysen	McKeon
Bachus	Gardner	McMorris
Barletta	Garrett	Rodgers
Barr	Gerlach	Meadows
Barton	Gibbs	Meehan
Benishek	Gohmert	Messer
Bentivolio	Goodlatte	Mica
Bilirakis	Gosar	Miller (FL)
Bishop (UT)	Gowdy	Miller (MI)
Black	Granger	Miller, Gary
Blackburn	Graves (GA)	Mullin
Boehner	Graves (MO)	Mulvaney
Bonner	Griffin (AR)	Murphy (PA)
Boustany	Griffith (VA)	Neugebauer
Brady (TX)	Grimm	Noem
Bridenstine	Guthrie	Nugent
Brooks (AL)	Hall	Nunes
Brooks (IN)	Hanna	Nunnelee
Buchanan	Harper	Olson
Bucshon	Harris	Palazzo
Burgess	Hartzler	Paulsen
Calvert	Hastings (WA)	Pearce
Camp	Hensarling	Perry
Campbell	Herrera Beutler	Petri
Cantor	Holding	Pittenger
Capito	Hudson	Pitts
Carter	Huelskamp	Poe (TX)
Cassidy	Huizenga (MI)	Pompeo
Chabot	Hultgren	Posey
Chaffetz	Hunter	Price (GA)
Coble	Hurt	Radel
Coffman	Issa	Reed
Cole	Jenkins	Reichert
Collins (GA)	Johnson (OH)	Renacci
Collins (NY)	Johnson, Sam	Ribble
Conaway	Jordan	Rice (SC)
Cook	Joyce	Rigell
Cotton	Kelly	Roby
Cramer	King (IA)	Roe (TN)
Crenshaw	King (NY)	Rogers (AL)
Culberson	Kingston	Rogers (KY)
Daines	Kinzinger (IL)	Rogers (MI)
Davis, Rodney	Kline	Rohrabacher
Denham	Labrador	Rokita
Dent	LaMalfa	Rooney
DeSantis	Lamborn	Ros-Lehtinen
DesJarlais	Lance	Roskam
Diaz-Balart	Lankford	Ross
Duffy	Latham	Rothfus
Duncan (SC)	Latta	Royce
Duncan (TN)	LoBiondo	Runyan
Ellmers	Long	Ryan (WI)
Farenthold	Lucas	Salmon
Fincher	Luetkemeyer	Scalise
Fitzpatrick	Lummis	Schock
Fleischmann	Marchant	Schweikert
Fleming	Marino	Scott, Austin
Flores	McCarthy (CA)	Sensenbrenner
Fortenberry	McCaul	Sessions

Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)

Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup

Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NAYS—207

Amash  
Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Brown (FL)  
Brownley (CA)

Gingrey (GA)  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (NV)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larsen (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loebbeck  
Loftgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney  
Carolyn  
Maloney, Sean  
Markey  
Masse  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McKinley  
McNerney  
Meeks  
Meng  
Michaud  
Moore  
Moran  
Murphy (FL)  
Nadler

Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascarella  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

of Washington changed their vote from "yea" to "nay."

Messrs. STIVERS and STOCKMAN and Mrs. LUMMIS changed their vote from "nay" to "yea."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

# CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2013

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The unfinished business is the vote on the motion to concur in the Senate amendments to the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, offered by the gentleman from Kentucky (Mr. ROGERS) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 318, nays 109, not voting 4, as follows:

## [Roll No. 89]

## YEAS—318

Aderholt	Clay	Foxx
Alexander	Cleaver	Frankel (FL)
Andrews	Clyburn	Franks (AZ)
Bachus	Coble	Frelinghuysen
Barber	Coffman	Gabbard
Barletta	Cole	Gallego
Barr	Collins (GA)	Garcia
Barrow (GA)	Collins (NY)	Gardner
Barton	Conaway	Garrett
Beatty	Cook	Gerlach
Benishek	Cooper	Gibbs
Bentivolio	Costa	Gibson
Bera (CA)	Cotton	Goodlatte
Bilirakis	Courtney	Gosar
Bishop (GA)	Cramer	Gowdy
Bishop (UT)	Crenshaw	Granger
Black	Cuellar	Graves (GA)
Blackburn	Culberson	Graves (MO)
Blumenauer	Cummings	Green, Al
Bonamici	Daines	Green, Gene
Bonner	Davis (CA)	Griffin (AR)
Boustany	Davis, Rodney	Griffith (VA)
Brady (PA)	DeFazio	Grimm
Brady (TX)	Delaney	Guthrie
Brooks (AL)	DelBene	Gutierrez
Brooks (IN)	Denham	Hanna
Brown (FL)	Dent	Harper
Brownley (CA)	Diaz-Balart	Harris
Buchanan	Dingell	Hartzler
Bucshon	Duckworth	Heck (NV)
Burgess	Duffy	Heck (WA)
Bustos	Duncan (SC)	Hensarling
Butterfield	Edwards	Herrera Beutler
Calvert	Ellmers	Himes
Camp	Enyart	Hinojosa
Campbell	Eshoo	Holding
Cantor	Esty	Horsford
Capito	Farenthold	Hoyer
Capps	Fattah	Hudson
Carney	Fincher	Huffman
Carson (IN)	Fitzpatrick	Huizenga (MI)
Carter	Fleischmann	Hunter
Cassidy	Flores	Hurt
Castro (TX)	Forbes	Israel
Chabot	Fortenberry	Issa
Chaffetz	Foster	Jenkins

## NOT VOTING—4

Miller, George

Wasserman

□ 1044

Ms. SINEMA, Ms. LINDA T. SANCHEZ of California and Mr. SMITH

Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Latham  
Latta  
Levin  
Lipinski  
LoBiondo  
Loeback  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)

Miller (MI)  
Miller, Gary  
Moore  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Negrete McLeod  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perry  
Peters (CA)  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Polis  
Pompeo  
Price (GA)  
Price (NC)  
Quigley  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (WI)  
Sanchez, Loretta

Scalise  
Schiff  
Schneider  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Sinema  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Southernland  
Stewart  
Stivers  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Turner  
Upton  
Valadao  
Van Hollen  
Veasey  
Vela  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Waxman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

Speier  
Stockman  
Stutzman  
Swalwell (CA)  
Tierney

Tonko  
Tsongas  
Vargas  
Velázquez  
Waters

Watt  
Welch  
Westmoreland  
Wilson (FL)  
Yarmuth

## NOT VOTING—4

Amodei  
Engel

Miller, George

Wasserman  
Schultz

□ 1054

Ms. WATERS and Mr. CROWLEY changed their vote from “yea” to “nay.”

Mr. GUTIERREZ changed his vote from “nay” to “yea.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore (Mr. CAMPBELL). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ADJOURNMENT TO MONDAY,  
MARCH 25, 2013

Mr. WESTMORELAND. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday, March 25, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT OF MEMBER TO  
SERVE AS CO-CHAIR OF THE  
TOM LANTOS HUMAN RIGHTS  
COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(c) of House Resolution 5, 113th Congress, of the following Member to serve as co-chair of the Tom Lantos Human Rights Commission:

Mr. WOLF, Virginia

□ 1100

## ENERGY INDEPENDENCE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Congressional Research Service, the nonpartisan research arm of Congress, recently issued a report confirming a startling trend over the last 5 years: the amount of oil and natural gas being produced in this

country is down on Federal lands and up dramatically on private and State lands.

The 1.1 million barrels per day increase in oil production from 2007 to 2012 that continues to make national headlines did not come from our national Federal lands. The boom in shale gas production that's providing unprecedented economic opportunities across my district and continues to make national headlines did not come from Federal lands. In fact, Mr. Speaker, natural gas production climbed 40 percent on State and private lands, while falling about 33 percent on Federal lands.

America's energy resurgence is before us today due to the innovation of our private sector, hardworking American men and women from all walks of life, but their efforts are hindered by the actions of this White House, as demonstrated by these figures.

With what has been accomplished by private individuals on privately held lands, just think how much sooner America can be energy independent if this administration joins this effort.

INSPIRING SCIENTIFIC RESEARCH  
AND INNOVATION ACT

(Ms. SCHWARTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHWARTZ. The National Institutes of Health faces significant cuts to basic scientific research funding this fiscal year. These cuts threaten America's capacity to cure diseases, treat chronic and acute conditions, and find new technologies that advance the health of people worldwide.

That is why I am introducing the Inspiring Scientific Research and Innovation Act. It will restore and supplement this funding by appropriating \$3 billion for the remainder of fiscal 2013.

NIH is the single largest source of biomedical research. It funds research efforts at the NIH campus here in Bethesda, at medical centers, cancer centers, and universities across the Nation. The agency generated \$57.8 billion in economic output nationwide in 2012 alone. This work often takes years and affects every family in America touched by serious health conditions and chronic disease. Failure to adequately and consistently fund this research means lost lives, lost science, and lost economic opportunity.

The funding I propose will not increase the Federal deficit. It is paid for by eliminating tax breaks for corporate jets. We must be clear about our priorities and our values as a Nation.

So the choice is clear: scientific advancement and curing disease or taxpayer support for corporate jets. Choose NIH.

## NAYS—109

Amash  
Bachmann  
Bass  
Becerra  
Bishop (NY)  
Braley (IA)  
Bridenstine  
Broun (GA)  
Capuano  
Cárdenas  
Cartwright  
Castor (FL)  
Chu  
Cicilline  
Clarke  
Cohen  
Connolly  
Conyers  
Crawford  
Crowley  
Davis, Danny  
DeGette  
DeLauro  
DeSantis  
DesJarlais  
Deutch  
Doggett  
Doyle  
Duncan (TN)  
Ellison  
Farr  
Fleming

Fudge  
Garamendi  
Gingrey (GA)  
Gohmert  
Grayson  
Grijalva  
Hahn  
Hall  
Hanabusa  
Hastings (FL)  
Hastings (WA)  
Higgins  
Holt  
Honda  
Huelskamp  
Hultgren  
Jackson Lee  
Jeffries  
Jones  
Kennedy  
Kildee  
Kingston  
Larson (CT)  
Lee (CA)  
Lewis  
Lofgren  
Lujan, Ben Ray  
(NM)  
Lummis  
Lynch  
Markey  
Massie

Matsui  
McClintock  
McCollum  
McDermott  
McGovern  
Meeks  
Nadler  
Napolitano  
Neal  
Nolan  
Pallone  
Pascarell  
Perlmuter  
Peters (MI)  
Pingree (ME)  
Pocan  
Posey  
Rangel  
Richmond  
Roybal-Allard  
Rush  
Ryan (OH)  
Salmon  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schrader  
Serrano  
Simpson  
Slaughter  
Smith (TX)

## MONTANA'S TIMBER INDUSTRY

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Montana is well known for its millions of acres of forestland. As a result, acreage that would normally be privately owned and generating tax revenue to help fund local services is instead locked away by the Federal Government.

In 1908, President Teddy Roosevelt signed legislation ensuring that impacted communities will receive 25 percent of the receipts for timber harvests occurring on Forest Service lands. Because Montana has some of the most abundant forests, this commitment to robust timber harvesting also helped to provide jobs for thousands of families in my home State.

Sadly, timber harvests have plummeted by 90 percent in many areas due to out-of-balance Federal policies. Montana was previously home to 30 mills. It is now home to just seven. This means far fewer jobs for Montanans.

The Secure Rural Schools program has provided short-term relief, but revitalizing our timber industry is the only permanent solution to the problem President Roosevelt recognized 100 years ago. This is my number one priority as a member of the Natural Resources Subcommittee on Public Lands. I look forward to championing this issue.

## CONGRATULATING THE STUDENTS RUN L.A. PROGRAM

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute.)

Mr. CÁRDENAS. Mr. Speaker, I just want to literally take a minute to congratulate all of the runners and the families and the supporters of the Los Angeles Marathon. But the unique and beautiful thing about the Los Angeles Marathon is that close to 3,000 young people on this past Sunday finished 26.2 miles—26.2 miles. In preparing to do that, millions of miles were walked and run by the children of Los Angeles.

I'd just like to say thank you to the Students Run L.A. program because they literally got my daughter off the couch last October. And Alina Cárdenas ran her first marathon, and never before had she run a marathon or been a runner; so did her little cousin, Kyle Herrera, as well.

So I just want to congratulate and thank all of those young leaders for doing a wonderful job and all of those men and women who helped them get there.

## COMMEMORATING THE LIFE OF ANDY ATHENS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to commemorate the life of a great American and a dear friend, Mr. Andy Athens, who passed away last week at the age of 91.

Since coming to Congress, Andy's counsel and wisdom have been invaluable to me in my role as cochair of the Hellenic Caucus. His presence will be greatly missed by my colleagues and me on Capitol Hill.

Andy was a veteran of World War II, the chairman of Metron Steel, the first and longest tenured president of the World Council of Hellenes Abroad, and the founder of Orthodox Christian Charities.

Andy's contributions to the Greek Orthodox Church must also not be overlooked. He was a tireless advocate for the Ecumenical Patriarchate, and his devotion was an inspiration for all of us in the Orthodox Church. He was truly an example of how Christ instructed us to live.

Mr. Speaker, the Hellenic and Orthodox communities have lost an unparalleled leader, but we can rest assured his dedication and love for America, Greece, Cyprus, and the Orthodox Church will continue in the many lives he touched. May his memory be eternal.

## CELEBRATING THE HONORABLE LORETTA L. WOOTTEN

(Mr. CARNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNEY. Mr. Speaker, I rise today to honor the many life achievements of the Honorable Loretta L. Wootten, one of Delaware's most devoted public servants. This March as we celebrate the remarkable contributions women have made throughout our Nation's history, I'm proud to recognize Loretta, someone who has broken ground for women in Delaware.

Loretta emerged as a strong leader early in her political career by helping Delaware's own JOE BIDEN win his first bid for the United States Senate in 1972. Since then, she has been a trusted adviser for many Delaware leaders.

In 1986, Loretta became the first woman elected as Register in Chancery in Delaware, a position which she held for four consecutive terms. After retiring in 2000, she once again answered the call of her community by serving as Kent County Clerk of the Peace, which she continues to this day.

In addition to her numerous professional accomplishments, Loretta is a devoted wife to her husband of 51 years and a loving mother and grandmother. She is someone who has earned the re-

spect of everyone in our community and helped make Delaware a better place for future generations. It's a privilege for me to call her a friend and work with her.

□ 1110

## BALANCING THE BUDGET

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, the American people saw today that their House of Representatives is serious in dealing with our crushing debt and deficit.

We took some big steps toward that today. Just minutes ago, we passed a budget that balances within 10 years and yesterday rejected plans that were offered that would never balance a budget. Just minutes ago, we approved a spending plan for the rest of the year that puts us on a path toward balancing that budget.

Mr. Speaker, American families for the past few years had to tighten their belts. Since the beginning of the year, they had to tighten their belts an extra 2 percent with that payroll tax increase in January, and it's about time we did the same belt-tightening in Washington. That's what we did today.

## IN RECOGNITION OF ERIN DiMEGLIO

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute.)

Ms. FRANKEL of Florida. Mr. Speaker, 4 years ago, Erin DiMeglio was a freshman at South Plantation High School. She was a manager, a water girl, and a trainer's assistant for the varsity football team.

Last spring, Erin was invited off season to work out and earned a spot on the varsity football team. Then something historic happened. Erin's number was called, and she became the first girl in Florida to ever play quarterback in a regular-season varsity high school game.

She's been featured on TV and radio shows all over the country, but that's not all. Erin, who was a senior in high school, received the Florida Achievement Award from the National Commission on the Status of Women, a designation meant to empower and recognize women statewide for their achievements.

Erin is breaking barriers and inspiring girls and a new generation of trailblazing women. She said that she's trying to prove that girls can do anything that guys can do. She's right. If you want to do something, go and chase your dream, follow your passion and work hard.

On this Women's History Month, I want to recognize Erin and the strides that women have made.



## END GOVERNMENT INTERFERENCE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, recently the government came out with a 106-page regulatory and safety reform plan for ceiling fans. I did not know ceiling fans were such a hazard to America's health, but apparently they are.

So what's going to happen? That \$40 ceiling fan that you've been buying and putting on your back porch will now go to \$400 because we have to keep these busybody bureaucrats employed. We have to keep them happy because of these hazardous fans.

Now, my friend, Joe "Cut Spending" McCutchen was recently talking to me about the big problem that is too much government, too much spending and interference in our lives. That's why today I supported the Ryan budget and yesterday the Republican Study Committee budget.

These budgets call for tax reform, for health care reform, for less spending and regulatory reform of job-killing regulations like the new 106-page document on ceiling fans.

Let's hope the Senate passes a tough budget. But if they do not, with or without that, let's continue to work on spending cuts, reducing the size of government and ending government interference in our lives.

#### GOP DOCTORS CAUCUS: THE ANNIVERSARY OF OBAMACARE

The SPEAKER pro tempore (Mr. LAMALFA). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the majority leader.

Mr. BURGESS. I thank the majority leader for allowing me to participate in this hour this afternoon. I may well be joined on the floor by some people who wish to speak on the very important occasion of the 3-year anniversary of the signing into law of the President's takeover of American health care, the so-called, inappropriately titled, Patient Protection and Affordable Care Act. I'd just point out that I did attempt to have the word "affordable" stricken from the title 3 years ago, but I was overruled in that endeavor.

It was indeed 3 years ago, March 21, the first day of spring of 2010. The first 3 months of 2010 had seen some pretty unusual activity here in Washington as this bill ground to its eventual rendezvous with destiny in the east room of the White House on the 21st of that month.

Many may recall that during the year of 2009, there was, in fact, at least what gave the semblance of some debate over here in the people's House, over here in the committees of the

House of Representatives. But when this bill got over to the Senate, it was drastically changed, all debate was concluded, and then it was simply a matter of convincing enough Democrats to vote for the Senate bill, and it was eventually signed into law.

I do want to spend some time going through the history of how we got here because I do feel that that is important and people need to understand how a very bad process, a very flawed process gave rise to a very flawed law, which now, 3 years later, we see right on the cusp of the full implementation of this thing, is really going to have a profound and detrimental effect on our country from the standpoint of our economy, our workforce and our job-creation situation with small businesses. Certainly the practice of medicine itself is going to be negatively impacted by the many pages of regulation that are now proceeding in a torrent from the Federal agencies since the President's reelection.

First, I want to take a moment and recognize someone who has been a leader on trying to bring to the surface some of the problems contained within the President's Affordable Care Act, a fellow physician, an anesthesiologist from Maryland. I want to recognize the gentleman from Maryland for as much time as he may consume.

Mr. HARRIS. Thank you very much, and I appreciate you yielding some time to me on this important occasion.

As the doctor from Texas has said, Mr. Speaker, we are going to "celebrate"—and I put that in quotes—the third anniversary of the passage of the Affordable Care Act.

I will tell you a lot of things haven't changed in the past 3 years unfortunately, even though we were promised that things would. For instance, as many Americans know, we were promised that premiums were going to go down magically. What did we find? Premiums went up. They continued to rise. The Affordable Care Act was the wrong solution if the problem was rising health care premiums.

Now, other things have happened in the past 3 years that really haven't changed much. One is that the American people still don't like the Affordable Care Act. We know that in poll after poll after poll, a clear majority of Americans wish this bill just simply didn't exist, yet it still does.

More seriously than even that, over the past 3 years we've had a jobless recovery, and a large part of the blame has to be on some of the policies that were put in place 3 years ago, the cornerstone of which was the Affordable Care Act.

We know, for instance, that there's a new term in the United States now. We thought the 49ers were a team that played in the Super Bowl. No. Now the 49ers are those small businesses that don't have 50 employees yet, created by

people who want to grow businesses, who want to employ people, but they know if they hire that 50th employee, a whole lot of the Affordable Care Act and its mandates and regulations and costs and taxes kick in. So they're going to be stuck at 49 employees.

As some of them say, instead of hiring that 50th or 51st or 60th employee, they'll buy a piece of equipment, they'll find some other way, they'll stop growing that business rather than bring upon themselves the effect of the Affordable Care Act.

Now, we know that it doesn't stop there. America is the land of opportunity. This is why people strive to come to this country. There is a ladder of opportunity. You get on that bottom rung and you keep on climbing in this country, and the sky is the limit.

Mr. Speaker, one problem with the Affordable Care Act is it's knocking people off the bottom rung. They're trying to get on, and they're on that bottom rung and they're getting knocked off. What do I mean by that?

□ 1120

Last year, the President, for instance, bragged on 230,000 new jobs. What the President didn't mention is there were actually over 300,000 part-time jobs created and about 100,000 full-time jobs lost. We created jobs. We created part-time jobs. I don't know about you, Mr. Speaker, but, for me, that's not economic recovery. That's not economic growth. That's not the job creation this country deserves.

We have to ask ourselves: Why would employers stop hiring full time and now hire part time? It's a simple answer. The Affordable Care Act makes it unaffordable for those employers to hire a full-time employee because they know, if they hire a full-time employee, they bring all the rules and regulations and mandates and taxes of the Affordable Care Act into their businesses. So what's their solution? They don't hire the 50th employee, and the employees they hire are part time.

Now, I would offer that's not the way to get out of this economic mess we're in and that we ought to be for job creation. We all know that the problem with the Affordable Care Act is that it has destroyed and it is continuing to destroy jobs. Honestly, the jobs that it destroys the most are the jobs for the people who need them the most—for the people who are on that bottom rung or who are starting to get on that second rung of the ladder and are getting knocked off.

This isn't the kind of recovery America deserves, but it's a logical conclusion from a bill that was poorly thought-out. We remember what the passage of that bill looked like—the deals that had to be made in order to make it a single-party bill. Remember, this was not a bipartisan effort. This was not getting everybody together—



all Americans of all political parties and all ideas—and saying, How do we solve this problem in the best way that can unite us? This was a bill to advance a political agenda; and, unfortunately, it caught up the American economy in that agenda.

As the doctor from Texas, I'm sure, is going to talk about, it didn't have to be this way. There are many other ways to solve the problems that we have.

Mr. Speaker, we have problems with health care in this country. We know that it costs more than other countries. We know, for instance, that someone who has a preexisting condition does have difficulty finding insurance coverage. Yet we also know that the majority of States solve that problem at the State level. They don't need the big hand of Washington reaching into the States and imposing a solution in their States that simply may not work—in this case, imposing a solution on these States and the businessmen and -women in the States that is strangling job creation in the United States, and we know the figures.

What has been unique about the last 3 years—and I'll put it in quotes—of our "recovery" is that, for the first time in my life and for the first time in many Americans' lives, it is a jobless recovery. Sure, the stock market continues to rise, and businesses continue to do well; but that doesn't trickle down to the people who need those jobs, because the Affordable Care Act destroyed jobs and is continuing to destroy jobs in this country.

I am a physician. I won't even get into the effect it's having on our health care delivery system, because I could talk for hours on that and on what physicians tell me and hospitals tell me. Mr. Speaker, most people don't realize that the changes that are going to come with the Medicare cuts in this Affordable Care Act may shut down one in seven hospitals in the United States. Now, think of that. In Maryland, that's five or six hospitals. What neighborhoods are going to be willing to say, Yeah, take my hospital?

This is unaffordable. It's unaffordable to our health care system; it's unaffordable to the way we deliver the best medical care in the world to our citizens; and it's certainly unaffordable to our economy, because jobs ought to be "job one" of this legislature. And if we really felt that, we would either stop the Affordable Care Act right now or at least delay its implementation way into the future when we can have a discussion about how to do this right.

Mr. BURGESS. I thank the gentleman, the doctor from Maryland, for participating with us today.

He used an interesting phrase. Now, instead of the trickle-down economics that Republicans have been criticized for for so many years, it looks like we've got bubble-up poverty that is

coming from the Affordable Care Act, and its devastating effect on employers and employees across this country is certainly something I hear about every time I go home to the 26th District in north Texas.

In fact, 2 weeks ago, I was on a panel in Irving, Texas, with a variety of business owners, hospitals, insurance interests. They were talking about the coming implementation of parts of the Affordable Care Act. We've heard all along from the people who run the small shops—the restaurants, the franchises—of the difficulty that this onerous bill is going to place upon their shoulders, but I was hearing from people that I had not heard from before—car painters, metal shop fabricators, those people who have those shops at between 40 and 60 employees, those who are above 50 employees who are looking for ways to reduce their workforces, and those below 50 employees who understand that they must never do so.

The gentleman also brought up the "49ers," the businesses that will not go above 49 employees. There are also the "29ers," the employers who will not keep somebody on the payroll for longer than 29 hours lest it trigger all of the other requirements of them under the Affordable Care Act. Then you've got the employers on the other side of the question, the large employers, who are looking at a cost of providing health insurance for their employees, which is steadily going up in spite of the assurances of the President and of the Secretary of Health and Human Services.

Those costs are going up every year. They're looking at those costs that are rising. They're looking at the fine under the employer mandate. Some are doing some simple math and are saying, I could save a lot of money—I mean a lot of money—by simply moving my employees off employer-sponsored insurance and into the health exchanges; and that, as a consequence, would balloon the cost for the Federal Government for delivering on this legislation.

We do hear a lot about the effect on the economy. The doctor was right to touch on the effects on the health profession, itself; but there is virtually no aspect of American life that will be untouched by this legislation. Every man, woman, and child amongst us for the next three generations is going to be affected by, again, a law which became law as a result of the worst type of process.

We are very fortunate now to be joined by another person who, for the time that she has been in Congress, since 2006, has been a leader on the dangers and the perils of letting your government control your health care; otherwise they can control every aspect of your life. I am happy to yield to the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Thank you so much, Representative BURGESS, and I should say "Dr. BURGESS" as well. I thank you for your first-class understanding of how devastating ObamaCare is in the lives of real people, and I thank Dr. HARRIS, who just gave his remarks as well.

This is an issue that impacts every single American who is watching us right now, Mr. Speaker; and I hope there are people all across the country who have tuned in to hear what's happening on the House floor, because this is really an update of sorts.

It has been 3 years since the President of the United States signed this devastating bill. Let's just remind the American people of what President Obama said that we could take to the bank. Again, this bill was voted on right here in this Chamber. It was about midnight when it happened. It was midnight on a Sunday night, and I think it was on March 21 the night that it was signed. The President told all of the American people, in fact, that we've got to hurry, hurry, hurry and pass this bill because, if we do that, then the average American household will save about \$2,500 a year on its health insurance premium.

I'd vote for that. That would be a great thing to do. I want every American to save money on his health insurance; but, Mr. Speaker, just the opposite happened.

People have been having increases in their health insurance premiums of well over \$2,500 a year, so the President was off by a factor of about \$5,000. That also doesn't take into account the fact that, under President Obama's leadership, the average American household has actually lost almost \$5,000 of income.

So if you couple both the loss of income under this President's leadership and the fact that the President, with all due respect, didn't tell the American people the truth about how much they would save on health insurance premiums, that has a devastating impact on American households. Particularly, this is really hurting the senior citizens whom we love and whom we care about. Why? Dr. HARRIS told us. Dr. BURGESS told us: President Obama took over \$700 billion out of—where?—Medicare.

□ 1130

Over \$700 billion has come out of Medicare. And where has it been shifted? Into ObamaCare. Who does that hurt? That hurts the people we love, that hurts the senior citizens of this country.

Let me tell you, Mr. Speaker, about who else is devastatingly impacted by ObamaCare. We were all told that we're going to get 30 million new people free health care. Gee, whoop, that sounds great. Let me tell you who's not going to get health care. Let me tell you

what ObamaCare has deep in its pages, and nobody read this bill. Why didn't they read it? It isn't because Members of Congress were too lazy to read it, it's because, unfortunately, the Democrats that controlled the House of Representatives, the Democrats that controlled the Senate, didn't even bother to give the Members the bill in enough time to even read the bill. In the Senate, they had maybe a couple of hours. Here in the House, we had very little time to read the bill. Nobody could read the bill. Maybe that's why the former Speaker of the House, NANCY PELOSI, said, famously: We have to pass the bill to know what's in it.

Well, now we know what's in it. And we also know who's going to be hurt. And more than anyone in this bill, it is women who are hurt by ObamaCare. It is children who are hurt by ObamaCare. And even worse, Mr. Speaker, it is the poorest women and the poorest children who are going to be hurt, and I want to tell you how just very briefly, and then I will yield back after that.

We have found out in this bill that if an employer offers health insurance to their employee who, let's say, is the husband in the home, and he offers health insurance to that husband, the employer doesn't have to offer that insurance to the wife and the children. He can fulfill his obligation to the Federal Government just by offering health insurance to the husband. Today the wife and children are also getting that health insurance. So once he makes that obligation, then the wife and children are on their own. But do you know what the wife and children have to do under the law? They have to buy the very expensive health insurance, not what they want, Mr. Speaker, but what the government tells them they're forced to buy.

How are they going to buy that health insurance? Well, we're told, gee, they can go to a health care exchange. No, they can't. They can't go to a health care exchange because the health care exchange subsidies won't be available to the wife and children because the husband is covered. Isn't that a sneaky deal to pull on American women and on their children.

Now, what about if that wife, let's say, lost her job, as Dr. BURGESS said, because now we're seeing people who were working over 30 hours a week pulled down to 29 hours a week. So let's say the woman, the mom, lost her job and she's on unemployment. If you're on unemployment, are you relieved of the burden? This mom, is she relieved of the burden of paying the tax for health insurance? No. So she has to continue to pay a health insurance tax. While she is on unemployment, she can't go to the State-subsidized exchanges and get her health insurance.

What's her option, Mr. Speaker? She has to take her aftertax income, which

is much reduced because she first has to pay taxes on that income, and then she has to go out and buy health insurance without any government subsidy in the market. Well, isn't this interesting. Government tells her what policy she has to get.

The cheapest policy, under the bronze plan, under these subsidies, is \$20,000 a year. So where, tell me, Mr. Speaker, and I should ask the President of the United States, who came up with this brilliant idea, where, Mr. Speaker, where are poor women supposed to go to buy health insurance they can afford? Not in the ObamaCare regime. Where is she supposed to go with her very sick child who's lost his health insurance from the employer, that his daddy provided for him because his daddy had a job, his daddy had health insurance. That young child had health insurance. That child was very sick with a disease, and he could count on insurance because his daddy had a job. His daddy provided health insurance. But now under ObamaCare, that employer may no longer give that health insurance.

So I'm telling you, Mr. Speaker, this is devastating for moms across America, for children across America, for senior citizens across America. I wish it wasn't so. I wish we were standing here with a better story. The fact is, we tried.

Dr. HARRIS is on this floor. We now have been joined by Dr. ROE from Tennessee. We have three doctors here in this Chamber. He tried to provide better health care for the people in Tennessee and the people in America. Dr. BURGESS has tried all over this country to say there's a better way. We can get more women and children covered. We can make sure more seniors are covered. We can do this thing. Preexisting conditions, we can solve it. But no, that wasn't good enough for our President. It wasn't good enough.

You see, what he demanded and insisted upon was that the government have 100 percent control over health care. One hundred percent control? The American people lose control? What did they get? They get health care, health insurance, I should say, that's more expensive than anything they've ever paid for before, and they get less for it. Well, what a deal, Mr. Speaker. What a deal. The American people, especially vulnerable women, vulnerable children, vulnerable senior citizens, now get to pay more and they get less.

That's why we're here, because we're saying let's repeal this failure before it literally kills women, kills children, kills senior citizens. Let's not do that. Let's love people. Let's care about people. Let's repeal it now while we can, and instead, do what Dr. BURGESS has been trying to do for years, what Dr. ROE has been trying to do for years, what Dr. HARRIS has been trying to do for years: get the highest possible qual-

ity health care to the greatest number of American citizens at the lowest possible price, especially to vulnerable women and vulnerable children and vulnerable senior citizens.

As people of faith—I'm a born again believer in Jesus Christ, and I believe that as part of my duty as a believer in Christ and what He has done for me, that we should do for the least of those who are in our midst. That's my personal belief and my personal conviction, and that's why I want our government to create the space so that we can help people. Because I guarantee you one thing, Mr. Speaker: this doesn't help people. But the good thing is, Dr. BURGESS, we can. And that's why I want to thank you for your leadership in the Health Care Caucus. I want to thank Dr. HARRIS for his leadership in the Health Care Caucus, and I want to thank Dr. ROE for his leadership in the Health Care Caucus, and all of the other doctors and all of the other Members who were busy waving a big red flag before ObamaCare passed, because don't anyone ever forget: this was not a bipartisan effort. This was President Obama. This was the Democrat-led Senate and the Democrat-led House. This was one party that gave us this terrible bill.

Now let it be both parties that come together to help women, help children, and help senior citizens. And God bless you for what you're doing. Thank you so much, Dr. BURGESS.

Mr. BURGESS. I thank the gentle lady from Minnesota for coming and participating. You have a way of saying these things that none of the rest of us are capable of, and your voice is an important one in this debate.

Thank you for recognizing that there were alternatives and there were suggestions. There were ideas that were emanating from the Republican side of the aisle during this entire what passed for debate on the Affordable Care Act.

Mrs. BACHMANN. And if I recall, you wrote a book called "House Calls" just exactly on that topic by Dr. BURGESS.

Mr. BURGESS. Well, I tried to get the word out there. The fact of the matter is, those of us who were here remember the summer of 2009. For most of us, it is indelibly etched on our memories because we went home that summer to our August town halls, and they were unlike anything anyone had ever seen.

I went to Denton, Texas, the town where I grew up. Normally if I can get three dozen people there, the staff is high-fiving all around because we got the word out and we got a good turnout for the town hall. I had 2,000 people show up that morning. We weren't ready for 2,000 people. I had to move the entire event outside and stand under the August sun in Texas on a platform, on a riser with a handheld microphone and a little portable speaker because people wanted to be heard.

□ 1140

They didn't want to hear from me. They didn't care what my ideas were. They wanted me to know what they thought. And they thought: do not do this, do not take a system that is arguably working for 60 to 70 percent of the country and destroy it, because then we will have nothing. So keep the system as it is working and don't trouble those waters because it's not necessary. But if you really have to do something, if you just have to do something, would you help us with cost, because we're concerned about cost. We see cost going up every year. We do wonder at some point if we will be priced out of the system.

So they sent us back here at the end of the August recess with a very clear message: don't mess up the system that's working and help us with cost.

So the President comes to the House of Representatives that September—many of you will remember that—and he was going to lecture us on why we needed to do his plan and his bill. I honestly thought when the President asked for time to come and address a joint session of the House and Senate here in the well of the House, I thought maybe he was going to say: Okay, I heard the American people, let's hit the pause button, let's hit the reset button, let's do something differently from what I've been talking about.

But, no, we doubled down on it. He said: Let's go faster, we've got to get this done. And, again, it was because we have to have control over you, Mr. and Mrs. America, because otherwise we're afraid we'll never get it. Because, do not forget, at the time the President's chief of staff said: Do not let a good crisis go to waste. The country was in economic turmoil. We got a great crisis out there. Let's just take everyone's health care while we're at it, and then we will have that control established, and the people will never get it back once we've taken it.

But the people told us: Don't mess up the system that works. And when you stop and look at it and you take a step back, you actually had a system of employer-sponsored insurance, whether you liked it or not, that was working arguably well. Polls showed that 65 to 67 percent of people said: Okay, this is what we've got, I like this, I can deal with it, I understand it, it's what I've always had.

You also had people who did not have those large-group employer policies. They were the small-group market, the individual market. That's where we should have focused our energy. Those were the individuals who actually needed the most help. Those were the people who needed the protections in the marketplace that, perhaps, they lacked.

The President made a big deal of 12 million to 18 million people in this country with preexisting conditions.

How many people signed up to the Federal preexisting program right before the Supreme Court ruled on the Affordable Care Act? 65,000.

That, as the gentlelady from Minnesota points out, was a manageable problem. That could have been dealt with in an afternoon. The best way to deal with it was to help those States that already had a preexisting program or reinsurance, help them fund those programs that they historically have had trouble funding. Those States that just cannot or will not do one, provide them an alternative stream to bring those patients into their Medicaid system, or even the system that's provided for State employees. But it was doable.

Instead, we have a new Federal program that, guess what, today if you try to sign up because you've got a pre-existing condition, you're turned away. They ran out of money. They didn't plan enough.

So before the exchanges kick in January 1 for the next 8, 9, 10 months, those people are out in the cold, the very people that the President said he was setting out to protect. The population was small; it was manageable. It could have been handled without the Federal takeover of health care from everything in your pill box to your Band-Aid box.

I see we've been joined by one of the outspoken leaders on this issue, the doctor from Tennessee, Dr. ROE. Dr. ROE, I appreciate your service in the Congress, and we're anxious to hear your thoughts on the third anniversary of, *If You Like What You Have, You Can Keep It*.

Mr. ROE of Tennessee. I thank the gentleman for yielding. I appreciate the opportunity to speak again here on the House floor about health care, something that I've dedicated my life to, as many of us have here on the House floor—Dr. BURGESS, Dr. HARRIS, and others.

I think the thing that has bothered me so much about this, and the reason I've made a choice to come to Congress, is to work on health care. There are many other things I wanted to work on, but this was primary. And I've brought a wealth of experience from our State that tried health care, a program called TennCare, where we reformed our Medicaid program in the '90s and then re-reformed it in the mid-2000s when we realized it didn't work.

What happened? What was the argument? Well, the argument and the promise. What was the promise that the President and the opposing party made during the health care debate? We want to include—which is a good thing—more people in health care, provide coverage for more people.

As Dr. BURGESS just pointed out, we had 160 million people in the private insurance market that needed a little tweaking, but didn't need to be blown

up, as we are seeing has happened right here. We have our Medicare patients, 47 million of them, already covered.

Medicaid, which we tried to reform in Tennessee, is an entirely different issue because Medicaid doesn't provide, in my opinion, the best quality of care for lower-income people.

There are studies out there. I read one this morning: 900-and-something-thousand patients who were uninsured actually got better health care outcomes than those patients covered by Medicaid. There is something wrong with a plan that you're expanding that doesn't work now. So I think that was one of the things.

What did we find out in Tennessee? What did we discover? Well, we found out we were spending \$2.5 billion a year on TennCare in our State; 10 years later we were spending \$8.5 billion, over three times what we started out. Half the people that got on TennCare had health insurance and dropped it. This is exactly what you are going to see in the market.

And quality of care went down. Why did it go down? Because when Medicaid paid less, doctors saw less, patients lost access. That is one of the great concerns I have here now, is that right now we don't have enough primary care people, and you are going to see access lost in this State.

I certainly think we have a plethora of ideas about how to improve the health care system. Three years ago, I stood out with MICHELE BACHMANN at midnight outside this Capitol with thousands of people who passionately did not want the Federal Government making their health care decisions. They're still out there. When you go home, you will find out that 55 percent of the folks do not want this and they want it reformed. They want health care reform; they do not want this plan.

I appreciate the opportunity to be down here and speak on this extremely important issue on the third anniversary of ObamaCare.

Mr. BURGESS. I'm so glad that you came to the floor because you bring up an important point. I actually want to ask you a question on one of the things that you brought up.

Many people forget that access to an insurance policy, access to a Federal program, is not the same as access to a physician or access to care. In other words, you can show up with a card, and if there's no office open that takes that card, you're about in the same shape you were before the card was produced. Is that not correct?

Mr. ROE of Tennessee. There's no question, Dr. BURGESS. What we saw happen in our State was—the way governments always fix their problem when they overpromise—is they put a plan out there, more people sign up than they thought, as will happen in the exchanges and the subsidies and so

forth; and when that happens, the way they balance the budget is they cut the providers—the doctors, the nurse practitioners, the hospitals, the home health care. The people that actually give the care get cut.

They finally cut it enough that it doesn't cover the cost of the care. And when that happens, the providers can no longer afford to see you, which means if you lose access, even if you've got the prettiest looking card in the world but you can't get a doctor to see you, the quality of your health care goes down, and ultimately it increases the cost because the severity of your problem which goes undiagnosed, untreated, is more severe to take care of. And then you show up in the emergency room, which is exactly the wrong place. We saw this over and over in our State.

For instance, in New Jersey right now, I think 60 percent of the primary care providers don't take Medicaid. What good does it do to expand Medicaid in a State when you don't have providers that will see those patients.

Mr. BURGESS. If the gentleman would yield for a further question.

Then where do those patients go for their care? You just said it, but I would love for you to repeat it.

Mr. ROE of Tennessee. If you look at Massachusetts, we were told that the number of ER visits were going to go down. They didn't. They went up. That's exactly where they end up. They end up in the emergency room for primary care, which is where they should not be.

Mr. BURGESS. Well, if the gentleman will yield, Doctor, if I recall correctly, on the floor of this House we heard over and over again the problem with the cost of health care in this country is those people who are uninsured. Those free riders who won't bother to buy insurance, they show up at the emergency room. It is the highest delivery point cost. They're the ones that are driving up the cost of care. I heard this in the Supreme Court the second morning in the oral arguments. The Solicitor General made this very point. It's the free riders that are driving the cost up.

Listening to you, it almost sounds as if patients for whom Medicaid is provided as the point of coverage, if there are no providers to provide that coverage, they do what they've always done. They go to the emergency room, the highest cost point for the access for care. How are we solving that problem by increasing that population?

□ 1150

Mr. ROE of Tennessee. Dr. BURGESS, one of the great frustrations I've had in my short 4-year political career here—this is my third term—was there were nine of us in the Physicians Caucus when I showed up here. Not one of us was asked about this bill. I spent my

life out there in the private world, 31 years, practicing medicine, providing care for patients, not bureaucracies and this, but actually seeing one patient right after another, delivering their babies, operating on them.

And what happens is, when you have a public program that promises more than it can produce, guess what? You get that patient in the hospital, and because it doesn't pay for the cost of the care, what happens? You shift that cost to the private sector, not only taking in inflation, but that cost shifting, to force it up. And you were led to believe it was the "free riders." It's the public programs that are the biggest problem there, that are forcing those shifts in costs, and hospitals are caught in a dreadful situation.

They agreed to take the cuts in Medicare because they thought they were going to get an increase in insured people. It turns out what Congresswoman BACHMANN brought up about how can you lose your private insurance, there may be as many people that lose their private insurance as we increase in Medicaid, which is a failed program now.

How bad is that when you take people who had insurance they liked, and they lost it, and now they are forced to no program or a Medicaid program that is fading?

Mr. BURGESS. As the gentleman also points out, no, members of the Physicians Caucus, the Doctors Caucus, were not frequently or ever consulted on this issue. But I know people—and I know, Mr. Speaker, I must refer my comments to you—who might just be casual observers of the conversation this morning and would say, Well, the two doctors are self-serving. Of course you want to be in charge, because that's the way you are.

But the Governors have a big footprint in the delivery of health care in this country. Where were the Governors? Why were the Governors not down in the East Room of the White House? Why weren't the special interests, why wasn't Pharma, why weren't the insurance companies, why wasn't the Service Employees Industrial Union down at the White House making these decisions and not the Nation's Governors? That's one of the great mysteries that may never be answered, but it's a question the American people should ask themselves. Because in all 50 States in this country, the Governors have an enormous health care footprint. They're the ones that administer the State Medicaid programs. They administer the programs for their employees' health insurance. They have their State prison programs. They have an enormous interest in the cost of health care. The Governors should have been invited from the get-go. It is a travesty that they never were. It's political malpractice that the Governors were not

involved in the development of this policy.

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. BURGESS. Yes.

Mr. ROE of Tennessee. One of the things I noticed with our Democratic Governor, Phil Bredesen, who is a health care specialist and was the Governor of our State of Tennessee 8 years during the 2000s, the Obama administration would have been well-served to pay attention to Governor Bredesen, because Governor Bredesen was forced with a situation where he had to balance a budget. The health care costs were eating up this budget, and he had to cut the rolls. That's how the Governor elected to take care of this. After they cut the providers until there weren't any providing, he then had to cut the rolls from the TennCare program. That was very painful and hard to do.

And I would certainly warn Governors out there, when you massively expand these rolls, let me tell you, politically that was very difficult for the legislature and for our Democratic Governor. My hats are off to him for the decisions he had to make. Those were not easy for him to make. And you're absolutely right, the Governors are really the thought processes and the experiments in the local governments and State governments that you can actually do something and see whether it works instead of this massive mess that we have.

I just got a schematic of this yesterday. It's a 21-page—and I should have brought it down here on the House floor—schematic about trying to figure out whether you qualify for health insurance.

Let me tell you how it was when I hired somebody in my office. When I hired a new employee, guess what I did? They came in said, Dr. ROE, do you have health insurance? I said, Yes, we provide health insurance; go sign up on the way out. It took 5 minutes.

This thing is going to take you a week to go through to figure out whether you belong in the Medicaid box, whether you belong in the private insurance box, whether you're going to get it at all, whether you get the subsidy or you don't. It's maddening. And it provides nothing to increase the quality of the care that we are required to do to give to our patients.

Mr. BURGESS. I thank the gentleman for his participation.

The gentlewoman from Minnesota mentioned the effects on the economy, and the effects of this law on the economy are profound. We just passed a budget for the next fiscal year in the House of Representatives. I'm grateful that the budget didn't allow space for the reformation of this health care law, the removal of this health care law.

But I think we're also joined by another gentleman from Texas who wanted to speak briefly about some of the

economic effects, and I'm happy to yield to my friend, Mr. GOHMERT, from Tyler, Texas, to speak on the economic effects.

Mr. GOHMERT. Thank you. I'm so proud of the doctors in our caucus—yourself, Dr. HARRIS, Dr. ROE, Dr. GINGREY. We've got so much knowledge and wisdom when it comes to health care, and we had those resources not consulted at all but, rather, dictated to by people that didn't have a clue what they were doing.

And all those promises that were made, such as you can keep your insurance, we now know millions have not, will not. You were told if you like your doctors, you can keep them. I have talked to doctors, as I know you all have, who say, because of the ObamaCare bill, they're going to go ahead and retire early. Their patients will not get to keep their doctor. ObamaCare ensures that they will not get to see the doctor that they wanted.

The Obama overlay does harm to people getting to see their doctor, does harm to people having insurance, avoiding these kind of disastrous Federal intrusions, filling out all of this stuff. That's one of the big problems with ObamaCare. It allows the Federal Government to have all of your medical records. They'll know all of your deepest secrets. I'm glad I don't have any. But people should have a right to privacy. All these left-wingers that are always out there—and often we side on the same side when it comes to privacy—all of a sudden where are they? They're not making noise about the violation of privacy.

With all of that overlay on everything else, this happens at a time when our economy is still struggling. Yes, the report was unemployment went down one-tenth of 1 percent, but that was because a far greater number didn't even look for work, they're so depressed financially, mentally, and psychologically.

And then this week we hear that Cyprus was just going to siphon off 6, 9, 10 percent of people's bank accounts, just siphon it off as a tax, taking people's money. This is like a bank robbery. They go into the banks and rob them, and the only reason they don't go to prison for robbing these bank accounts is they make the laws and say it's going to be legal for us to rob people of their bank accounts.

But I've heard over and over, Could what is happening in Cyprus happen here in the United States? And I just wanted people to think, as we finish today, and understand it has been happening every day. This President's Federal Reserve Chairman helped him get reelected by printing massive amounts of money, creating massive amounts of money. They're not printing; they just add the numbers. Every day they are taking from people's bank accounts by printing more money, creating more

money, devaluing the money they have in their bank account. They create 10 percent more in money by adding those numbers. They've just taken that right out of their bank accounts. They devalued their home values; they devalued their bank accounts.

So as people wonder this week if what happened in Cyprus could happen here, they need to know it's already happened. What happened in Cyprus was not only the euro; they would be doing what this administration is doing, just printing money like crazy to get themselves out of debt. That allows them to keep spending, run up the cost of health care, but we're printing more money to deal with it.

So on top of all of this suffering and the disastrous effect on health care, you have this financial overlay of this administration taking money out of every bank account every day.

Mr. BURGESS. If the gentleman actually will yield for a technical correction, I don't think it's necessary any longer for the Fed to print money. They created an electronic transaction. So no trees are harmed; no ink is wasted in the process of this activity.

□ 1200

Mr. GOHMERT. If the gentleman would yield, yes, actually, I used to say just exclusively "they're printing more money"—and there are commercials that say that. Then I had a meeting over at the Fed and I found out, Oh, no, we couldn't possibly print all the money we create every day; we're just adding numbers into the system. So I am correct, though, that we're still printing a little more, but we're just adding numbers. We don't even bother to take the paper anymore.

Mr. BURGESS. I thank the gentleman for his participation. Being as he's from Texas, I also feel compelled to add that that 0.1 percent growth, you subtract out the jobs created in Texas this year—somewhere between 200,000 and 300,000—we're in a recession without the State of Texas as a part of the Union. I know the gentleman is grateful for the service of the Governor and State legislature, as am I. They've done a great job in the State.

I'd like to recognize another fellow physician, Dr. GINGREY, a member of the committee, outspoken leader on this issue, and one who never ceases to have great ideas on the right ways to do things if we are going to talk about health care and health care delivery in this country.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Texas, my physician colleague and co-member of the House GOP Doctors Caucus, for giving me just a few minutes.

My colleague from Minnesota, the gentlewoman, Mrs. BACHMANN, earlier talked about the health care law and the just few days that we had—I think it was maybe 3 days in the House and

a matter of hours in the Senate—to read the bill. She is absolutely correct on that. But the thing that is even more egregious is in the rules and regulations of that process that's been ongoing over these past 3 years by the Secretary of Health and Human Services, and what they have done in the interpretation of the law—probably five times as many pages as the 2,700, I think, in the original bill, and we're finding out new stuff every day, Mr. Speaker.

The gentlewoman talked about the fact that an employer could give full coverage and meet the requirements of ObamaCare and not get fined, but not offer any coverage for spouse and children. They're just kind of left flapping in the breeze with no care.

Another thing that just recently came to my attention in reading the rules and regulations is in regard to something called "age banding," colleagues. This age banding rule that typically health insurance companies use—their actuaries, after all, study the risk of a policy to a policyholder—obviously older people in their late fifties, early sixties, with multiple system diseases in some instances, to be able to pay their bills and honor those claims, the premiums are going to have to be higher than they are for these young 28 and 27-year-old, 10-foot tall, bullet-proof healthy young men and women, for whom the premiums should be much lower.

But ObamaCare comes in and says, oh, no, they can't be more than three times higher, when traditionally every State it's been a 5:1 ratio. What it's going to mean is young people—the very ones that we wanted to have health care—the CBO just came out and said 7 million of them now have no health insurance at all because they're either unemployed, underemployed, don't live with mom and dad, are not poor enough for Medicaid, not old enough for Medicare, and what in the world are they going to do?

Because of this age banding rule, a young lady, 27 years old, making \$33,500 a year, her health insurance premium goes up \$800 a year. So these are some of the things that we're talking about.

I'll conclude my remarks by saying this: The people in the 11th District of Georgia—which I've proudly represented now for going on 11 years—they say to me, PHIL, what are you going to do? We know January of 2014 is fast approaching. Should we just give up? Is it a done deal? And I say to them, and they say to me: Don't quit on us, doctor. Don't quit on us. We know that you know there are things that you can do as a Member of Congress, whether it's defund, take—not a paring knife, but a hacksaw to certain sections of this bill. And with every breath in you, we want you, as long as you are a Member of Congress, to keep fighting this monstrosity. That is my

pledge to the people of my district, and the people of Georgia, and the people of this great country.

Mr. BURGESS. I thank the gentleman for his participation.

I'd like to point out that the continuing resolution just passed by this House a few moments ago to fund the government for the rest of the year actually contained an almost \$1 billion reduction in the implementation fund. It also contained a \$360 million reduction to the Department of Treasury for their implementation of their rules.

So there were some serious blows dealt to the implementation side—not by Republicans; this was a pretty bipartisan vote. I think it had 320 votes at the end of the voting period. But this reduction is seen, in a bipartisan fashion, as being important because the gentleman is right: the torrent of regulations that has come out since the President's reelection has been nothing short of just astounding.

No wonder the Governors wouldn't participate. The administration hid the ball until Election Day, and then said, oh, now we're going to give you the rule for essential health benefits. In other words, they wouldn't tell the Governors what you are going to be required to cover, what you are going to be required to pay for. The Governors had no way of knowing until 2 days after Election Day. And then they said: You've got to be nuts; we're not going to sign up for that. So Health and Human Services said, okay, you've got another month. They said: You've got to be nuts; that's Christmas, Thanksgiving. Everybody's on vacation, nobody can evaluate it. So they gave them another month, and then they finally said time's up.

So 26 States said we're not going to do an exchange. The Governors just flat refused. You wouldn't be honest with us about what was going to be required, so we're not playing ball with you. And that is the right decision for them to make. I applaud that decision.

We're closing down on the final moments of the hour. I do want to point out to people this is not a filibuster; this is a regular activity of the House of Representatives. We can come to the floor and talk about a topic that the majority leader and the leadership allowed us the time to talk about—the 3-year anniversary of the signing of the Affordable Care Act. Who could ever forget the Vice President standing up and saying “this is a big darn deal” down at the White House, but—third anniversary of a big darn deal.

The gentlelady from Minnesota is recognized for her comments.

Mrs. BACHMANN. Dr. BURGESS, thank you so much.

I just wanted to add this point to the whole debate that we're having today, that the unintended consequence of all of this is that we've now created a class system in America for health

care. We can't overstate this enough. Before, we just had health care in America, and you tried to find the best doctor and you tried to find the best possible care. But now what ObamaCare creates is this: it's a class-based health care system where we segment patients into three different classes.

Here's one. Here's the one that no American wants to be in. It's the Medicaid ghetto. That's where the lowest possible care, where very few doctors will be available to offer this kind of care, the Medicaid ghetto. Then there's going to be the socialized medicine in the exchanges. Then, finally, there's going to be concierge care for those who are going to be at the top of the heap.

So it won't be the same type of medicine that's available for everyone. We will have different class systems in health care. And guess who's going to get hurt the most? You're exactly right—senior citizens, women, and children. I want to explain just briefly how that will be.

You see, 56 percent of the people that are unhealthy today in America are in households that make less than 133 percent of the poverty level. So if you're sick, you're in a lower-income household, and without employer coverage—and employers, as was stated before by Dr. GINGREY, about 7 million people are going to be thrown off their very good coverage they have now. Over half of our unhealthy citizens will be stuck in Medicaid, and that doesn't provide adequate access. I can tell you from my State of Minnesota, people who are on that scale have to go from rural Minnesota, maybe travel a couple hundred miles to the Twin Cities—which they can't—to find anyone who will offer them the care they need.

Here's the other thing: About 2.5 times as many women than men get their coverage through their husband's coverage. For all of these people who are going to lose their employer-sponsored health coverage, it's more likely to have 2½ times more women. If they're unemployed and out of the labor force, they're in trouble; they're up a creek without a paddle. Because the problem here is going to be that women and children are in jeopardy of not having an option. Even if they make 400 percent more than the poverty line—which really sounds like a lot of money—you're not going to have the availability of getting on the health care exchange. You may not even get in the Medicaid ghetto. So, in other words, you have to pay the tax—which they call a fee—you have to pay the big tax as a woman and as a mother of these children, but you're not getting any health insurance for it.

□ 1210

It is a bad deal, and that's why I thank you, Dr. BURGESS, for what you've done.

Mr. BURGESS. Not only are you not getting health insurance, you're fined on top of it. You pay a fine, and you're still uninsured. At the end of the day, you're still uninsured.

Mrs. BACHMANN. That's right. So, Mr. Speaker, it's the worst of all worlds. Your husband is having to pay for this very expensive insurance for himself, and the employer may be having a match on that, but you're out in the cold, your kids are out in the cold, and you're paying a tax on top of it to add insult to injury. Women are going to suffer, children are going to suffer, and seniors are going to suffer.

Mr. Speaker, there are going to be people who die because of this. In this body, let it be said today that we don't want to see anyone die or anyone hurt or anyone denied. That's exactly what this bill is going to do, which is why we have to repeal it.

The day after this bill was passed, I introduced a bill to repeal, and every single one of the Republicans in this House has voted to repeal ObamaCare. Now, hopefully, we're going to have another vote again soon because we love people, we care about people, and we want them to have the health care they need.

Mr. BURGESS. I thank the gentlelady for her comments.

Where has the press been on this? Can you imagine if 500,000 children lost their health insurance under a Republican President? That would be the headline. We wouldn't hear anything else out of the press for a week. If people still showed up for the Federal pre-existing program and the President said, “No, no more, we're out of money,” if it were a Republican President, that's all we'd hear about: the Republican President has prevented people from signing up to his own pre-existing program that he started.

People need to be aware of what is happening. These things have been insidious. It's been 3 years. There's been a lot of information. It's complicated. I don't understand it anyway. Why do I have to be involved? You have to be involved. As the gentlelady just said, it is going to affect you and your family. Every man, woman, and child in this country for the next three generations is going to be affected by this very bad bill.

It was the worst of processes. This was a bill that came over here from the Senate. The House really never debated this thing. The House passed a bill, H.R. 3590, in July of 2009, but it was a housing bill. H.R. 3590 got over to the Senate. HARRY REID said, I need a bill number for my health care bill. Here's H.R. 3590. What does it do? Oh, housing. Strip all the language out. So he amended it: strike all after the enacting clause and insert. And what was inserted? The rest of the health care law.

The Senate had to digest it and pass it in a few days' time right before

Christmas Eve. A big snowstorm was bearing down on Washington. They all voted for it to get out of town—60 votes in the Senate. It passed.

NANCY PELOSI said, What is this thing? It's garbage. I haven't got 100 votes for this over in the House. But over the next 3 months, they twisted enough arms and they broke enough knees that this thing finally got the votes 3 years ago yesterday, and 3 years ago today it was signed into law. It was signed into law to the detriment of the entire country.

I thank the gentlelady for joining me. I thank all the other Members who are here.

Mr. Speaker, I yield back the balance of my time.

#### CONGRESSIONAL PROGRESSIVE CAUCUS HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I rise on behalf of the Congressional Progressive Caucus to recognize our Special Order hour not only to talk a drop about the budget plans we had this week, but more importantly, this is an hour to honor organized labor in this country and what organized labor has done for the middle class and for so many millions and millions of people across this country.

This week, the Congressional Progressive Caucus put the Back to Work budget before this body. The Back to Work budget is based on a simple concept: the number one problem facing this country is not the deficit, it's the need to improve the economy and create jobs, and the single best way you can address the deficit is to get people back to work. The Back to Work budget did just that. It would have created 7 million jobs, it would have brought unemployment down to 5 percent within 3 years, and it still would have trimmed \$4.4 trillion from the deficit.

What it did is it invested directly in the very things that create jobs—in infrastructure, in police and fire, and in teachers and in other services that are vital to this country—because we've been told by the Congressional Budget Office, the single entity that is a non-partisan agency that both parties rely heavily on, that this year one-half of our deficit is caused by economic weakness, and three-quarters of the deficit in 2014 is caused by economic weakness.

Now, what is economic weakness? That means unemployment and underemployment. If you get the people of this country back to work, you will solve most of our problems in trying to deal with the deficit. So rather than make the end-all goal solving the def-

icit but completely ignoring the economy—and as the Republican budget, we saw that, on the floor today, actually could cost 2 million jobs in this country in the next year—we need right now to be investing in those jobs so that people are getting back to work and supporting their families and becoming taxpayers. When they pay, we'll stop that trajectory and the deficit that we have caused by this weakened economy.

So that's the answer. That's what we need to focus on, and that's why the Congressional Progressive Caucus put the Back to Work budget out this week. It really is the premise of what we really want to talk about, which is our support for the working men and women of this country and the support for organized labor. Because when we put our emphasis on jobs, we're recognizing the very hard work that labor has done in this country.

I just want to share a few historical parts that labor has done which are so important in this Nation.

First of all, we have the weekend because of organized labor. In 1870, the average workweek for most Americans was 61 hours. But many workers, including children, put in 10- to 16-hour workdays 7 days a week. Many workers didn't have a single day off for a week or two in a row.

In response, labor unions in the late 19th century and the early 20th century organized massive strikes demanding shorter workweeks. They fought so that Americans could be home with their loved ones instead of constantly toiling for their employers with no leisure time.

By 1937, these labor actions created enough political momentum to pass the Fair Labor Standards Act. The FLSA created a Federal framework for a shorter workweek that included room for leisure time. So the reason we have our weekends, our days off during the week, is because of the effort a century ago by people in organized labor.

Also, unions helped to end the lack of child labor laws that we had in this country. Child labor was prevalent before the growth of the labor movement. In the 19th and early 20th centuries, child laborers were commonplace in factories, shops, and other workplaces across this country. American children as young as 5 years old worked in large numbers in mines, glass factories, textiles, agriculture, canneries, home industries, and as newsboys, messengers, bootblacks, and peddlers. In fact, children were often preferred because factory owners viewed them as more manageable, cheaper, and less likely to strike.

In many factories, children were forced to climb on and crawl into large, dangerous machines because they were the only workers small enough to do so. These dangerous child labor conditions often caused the problem with

people losing fingers, arms and legs of children that could easily get caught and mangled in devices.

Beyond the equipment, the environment was a threat to children as well as the factories that put out the fumes and toxins. When children inhaled toxins, they would often suffer from illness, chronic conditions or disease. And harvesting crops in extreme temperatures for long hours was considered normal for children. The labor movement spearheaded the fight against the child labor practices that were going on.

As early as 1836, union members at the National Trades' Union convention made the first formal public proposal recommending that States establish a minimum age for factory work. That year, Massachusetts enacted the first State law restricting child labor for workers under 15. Over the next several decades, the efforts of labor movements successfully achieved minimum age laws in other States. In 1881, the AFL proposed a national law banning all children under 14 from employment.

In 1892, the Democratic Party adopted the AFL's child labor platform and began to push for national child labor laws. Finally, in 1938, Congress included minimum ages of employment and hours of work for children in the Fair Labor Standards Act.

Unions have spearheaded the fight for the Family and Medical Leave Act. Labor unions like the AFL-CIO federation led the fight for the 1993 law which requires State agencies and private employers with more than 50 employees to provide up to 12 weeks per year of protected leave for workers to leave for a newborn, a newly adopted child, a seriously ill family member, or the worker's own illness. Thanks to the labor movement, employers are required by the FMLA to continue group benefits, including dental and optical benefits, during family or medical leave.

□ 1220

The law also requires that employees can't be retaliated against for merely taking their federally protected leave; and under the law, when they have completed their family or medical leave, they must be allowed to return to the same or an equivalent position with equivalent pay, benefits, and working conditions.

Here's another thing that organized labor has done for the American people: they've pushed throughout their career for workplace safety. It's not just for children, but for adult workers.

Efforts by the Federal Government to ensure workplace health and safety were minimal until the passage of the Occupational Safety and Health Act of 1970, better known as OSHA. The laws were so lax that in places for some employers, it was cheaper for the employer to replace a worker injured in



the workplace than it was to introduce safety measures. There was little recourse or relief for the survivors of dead workers or injured employees. In the early 1900s, labor unions had pressured many States to enact workers compensation laws that discouraged employers from permitting unsafe workplaces.

Prior to OSHA's enforcement, 14,000 workers died each year from workplace hazards and 2 million more were disabled or harmed during those years in these unsafe workplaces. It wasn't until the 1960s that the movement began for a comprehensive workplace safety law once again backed by the labor movement. That law went into effect on April 28, 1971, declaring Congress' intent "to ensure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources."

Those are just some of the benefits that we have seen because of organized labor's efforts over the last century and a half.

They also were instrumental in passing the Social Security Act of 1935. They were instrumental in the Civil Rights Act of 1964. And their support for World War II was unmatched in making sure that we had workers to deal with what we needed to back home while we had so many people fighting for our country overseas.

Those are just some of the efforts, but there's more. Part of being a part of organized labor has meant so much for this country. If you are a union member, let me just offer a few of the things that you're more likely to have because you're part of a union. One, you will earn higher wages. Union Members earn 30 percent more than their nonunion counterparts. So you'll have a better chance at a living wage, the ability to support your family because you are a part of a union.

You'll have more on-the-job training. Union workers are more likely to have access to formal on-the-job training, making employees more skilled and adding to productivity.

And something I should have mentioned from the beginning is I have been a small business owner for 25 years, over half of my lifetime. I opened a small business when I had hair and it was dark. It was a long time ago. But my business has also been a union business. I have a union specialty printing business. I can tell you one of the very important reasons why many of us who choose to have unions in our businesses is because we know the value of what I just talked about, that training.

Many unions have an apprenticeship program where you can get the very best, most qualified and skilled employees to be able to come to your place from day one. One of those other benefits for me as a small business

owner is they're more likely to stay in my business so that I don't have the turnover of constantly training new employees. I have the benefit of someone who is going to stay with me for a long time.

Another thing, if you're a member of a union, you have safer working places. Union workers are more likely to be trained on health and safety rules, and union workplaces are more likely to enforce OSHA standards. You're also more likely to receive workers' compensation. Union members get their benefits faster and return to work more quickly. When workers are injured, the union helps workers through the often complicated process of filing for workers' compensation, and they protect the workers from employer retaliation.

Finally, you have a better chance as a union member to have health insurance. Nearly 80 percent of the unionized workers receive employer provided health insurance compared with 49 percent of nonunion workers. Union members are more likely to have short-term disability and life insurance coverage.

Those are just some of the benefits that you'll see for union workers. Now, specifically, I would like to talk about some of the problems that unions are facing today because there are several very significant issues. Not only is it in the States and in the Halls of Congress that they're having a hard time making sure that we continue to protect workers and the unions that are working to protect those workers, but very specifically within agencies.

I would like to read a story—I believe it's The New York Times—about a situation that just happened this year in the State of New York. I'm just going to read parts of this article, but I think it will be especially significant. This was written in mid-February. So this happened at the end of January of this year. I'll read it from the beginning, and I'll take a few breaks in here.

The article is: "At Cablevision, Norma Rae Has Been Escorted Outside."

Cablevision claims to take pride in its open-door policy for employees. So two weeks ago, a tight-knit band of cable television installers gathered at a company depot in Brooklyn to pick up route shoots and put ladders and tools in their vans when they trooped inside to ask a vice president for a couple of minutes of his time.

Last winter, these workers overcame fierce management opposition and voted to join the Communication Workers of America only to spend 9 months in rancorous contract talks. They wanted to ask the vice president if Cablevision was serious about a contract agreement or if they only wanted to break their union.

They waited for 20 minutes to talk and then 20 more.

La'kesia Johnson, 44, grew restless and walked to the front office. The manager told her to go back inside. Then the vice president walked in and asked essentially, "Who is supposed to be working now?" Every

worker, 22 in all, raised a hand. "Ladies and gentlemen," the vice president said, according to multiple accounts, "I am sorry to tell you that you've all been permanently replaced."

"What?" Ms. Johnson said, "Replaced? You just fired us? You don't even know what we want." Ms. Johnson said the vice president looked at her and stated, "I don't care what you want."

The article goes on to talk about unions:

Unions win just 50 percent of elections when they successfully negotiate an initial contract just half of the time. The National Labor Relations Board is a dog missing teeth. If workers engage in an illegal strike, the board legally must seek a court injunction. If a company illegally fires workers, the board takes months to investigate and cannot levy any fines.

It goes on further:

I asked Charles R. Schueler, a company spokesperson, about the firings. He said that "22 employees refused to go to work after multiple requests to do so." The workers, I noted, all said they intended to work that day. He repeated his original statement. He also said that Cablevision negotiated in good faith. He then said, "That leaves us with the issue of your conflict. Are you ready?" The reporter said. Sure. You, he said, are a vice chairman of the Communication Workers of America union.

He's got me, sort of. Like most reporters of The New York Times, I'm a member of the Newspaper Guild, which is a part of the Communication Workers of America, which has about 140,000 members in the Northeast. I receive no union pay, and I have no duties. I'm also a Knicks season ticket holder and a Cablevision cable customer. I pay far more to Mr. Dolan's companies than I pay to my union in dues.

Ms. Johnson feels guilty. She's persuaded her colleagues to risk being fired. She speaks of waking in the middle of the night and of bills piling up. Her husband is a freelancer. They depend on her health benefits. "It's stressful. The air in our house is very thick," she says. "Sometimes I break down," Ms. Johnson said, and asks herself if she's been selfish. "But my husband reminds me: 'You have a home family and a work family. You must be loyal to both.'"

What's so significant about this case is the anti-worker attitude that Cablevision brought forth to its workers who voted by law to form a union. It was on January 30, over a year after 282 cable television technicians voted overwhelmingly to be represented by the CWA, that they illegally locked out and fired 22 technicians who were engaged in legally protected legal union activity.

After waiting more than 40 minutes, as the article explained, they were told that they were permanently replaced. Since then, five have been called back to work.

"Permanently replaced" usually refers to workers who are on strike, but none of these workers were on strike. In fact, some of the workers that were fired were already in the field on their jobs. This is a violation of Federal labor law which follows a year of management's delays and refusal to bargain in good faith with the elected union.



□ 1230

They illegally gave raises to every Cablevision technician except those in Brooklyn who voted to form a union in an attempt to blunt the Communications Workers of America's union-organizing drive that they were having in the Bronx. They left Brooklyn consumers behind with slower Internet speeds, and they publicly stated that they would disinvest in Brooklyn because of the unionization vote. They refused in negotiations to agree to even the most basic union contract demands, such as the union security clause and just cause for discharge and discipline.

Rather than negotiate a fair contract, Cablevision spent millions on anti-union lawyers to fight the union, and that's more than it would have cost to settle the contract. All Cablevision employees want is to be able to organize and be treated with respect and fairness, and all Cablevision seems to want to do is spend millions of dollars to take away those very rights. That's just one problem that we've seen with attempts to bust unions.

The reason we've seen that is due to a provision that has also happened just recently with this Senate in its blocking appointments to the National Labor Relations Board, which is the board that oversees what's going on. We've heard the case of the Brooklyn Cablevision story, but here is why it is especially significant. The reason Cablevision had that confidence in treating its workers so poorly is that it was part of a strategy of illegal firings and a lockout of the workers that stems from larger, recent judicial rulings in Washington, D.C., as part of a larger anti-worker strategy.

On January 25 of this year, in the Noel Canning ruling, a three-judge panel of Republican appointees to the U.S. Court of Appeals for the District of Columbia Circuit overturned a National Labor Relations Board unfair labor practice decision because the court deemed that three NLRB members who helped to decide the matter ascended to their positions due to unlawful recess appointments by President Obama in January of 2012. The ruling went on and destroyed the NLRB's ability to enforce U.S. labor law. As a result, Cablevision's firings were executed without fear of reprisal. Cablevision is merely the first company to recognize and to act on the fact that that ruling can be exploited by anti-worker corporations.

The real problem we have is that we can't get the appointments to the NLRB that the President has tried to make because the Senate has refused to place the people. They have taken advantage of the quorum of Senate-confirmed members, and they've made it exceedingly difficult to appoint these because of the 60-vote rule that they have in the Senate. Due to the

GOP's unprecedented obstruction and use of the filibuster and secret hold, they essentially have made it impossible for people to be appointed to the NLRB so as to actually enforce the labor laws that are the law of the land in this country.

Now, it's not just the communication workers who have this story. I have a union in my State of Wisconsin, the Operating Engineers, who had a very similar story; and this is repeated across the country. These are workers with Local 139, with Proppant Specialists, which is a company in Wisconsin that has had a 3-year fight of trying to form a union in violation of U.S. law. The company has stopped them from being able to proceed.

They started back in October of 2010. They filed for a petition for election in April of 2011. They had an election in June of 2011 and voted to form the union, at which time people filed objections to some of the votes. That went on for a period of time until the board decision on April 3, 2012. They certified the election on the 9th of April of last year and said that, indeed, the election after a year was a fair election. There are supposed to have been immediate timelines to have started negotiations for a contract with the union. It's the law of the land. Instead, the company refused to. They sent a letter to the union, declining the union's request for bargaining late in that month of April. The union then filed a complaint against the employer in May, and the investigation by the labor board had started at that point.

The problem is without the teeth of the NLRB, to this day, 3 years after starting this process, the workers who voted to form a union still don't have that right to the union that they have by the law of the land in this country because of what has happened with the NLRB.

Simply, we have to do something to fix this. We have to make sure that the President can appoint the people he has to appoint to the NLRB and make sure that those appointments are confirmed so that they can do their valid, prescribed-by-law jobs to ensure that workers have that right to unions when they vote on that.

Now, we know, if you had the Employee Free Choice Act in place in this country, you wouldn't have to worry about this because it would be very clear that they would be able to negotiate that contract and get that done. The problem is if that were the law of the land, despite support from a bipartisan majority of the House and a strong majority in the Senate, those same 60-vote filibuster rules would hold up the ability for us to pass an Employee Free Choice Act in this country.

So what has happened?

We have this toothless law which now is going to allow for more and more abuse that we're going to see.

This isn't the only law that we've seen like this that has been abused. We've also seen an abuse in the State of Wisconsin, my State.

I was in the State legislature for 14 years before coming this year to be a Member of Congress. Two years ago, we had what we refer to in Wisconsin as the "uprising." Newly elected Governor Scott Walker at the time had a provision to fix the budget. We were slightly in deficit. We were not prescribed by law to fix it, but were close to that point. He decided to have a budget fix; but within that budget fix, he went way farther and attacked the middle class and the workers of the State of Wisconsin. He proceeded to, in that budget fix, put in a provision—one that, I think, the employees have said since they would have agreed to—for them to pay more for their pensions and health care, although that normally would happen through the bargaining process. Then he went as far as to take away their rights to collectively bargain for public employees, and he took away their ability in how they paid their dues to their unions.

What does paying your dues to a union have to do with a shortfall in the State budget of Wisconsin? Absolutely nothing—but Governor Walker abused his job in order to go after the public unions.

We have had collective bargaining laws in Wisconsin for over a half a century—and guess what? We've had labor peace for over a half a century in the State of Wisconsin, only until Governor Walker 2 years ago decided to take that attack on those public workers and their ability to bargain for the most basic rights. When you're talking collective bargaining rights, you're not just talking their wages, their health benefits, their pensions. You're talking their right to bargain for their workplace safety conditions.

I have visited many prisons in the State of Wisconsin, and I used to serve on the corrections committee. Those correctional officers work and put their lives on the line every day for the safety of my family and everyone else's in the State of Wisconsin. When they see a blind spot and when there's not a camera and when there's a security risk, they have to have that right to be able to negotiate for those safety concerns; but that was taken away. That's collective bargaining. It's simply someone's right to bargain for the most basic concerns, like worker safety.

So in Wisconsin, Governor Walker did that. We had the uprising. We call it the "uprising" because, within days of his announcement, we had 10,000, 20,000, 40,000 people come each day to protest the Governor's decisions. On one Saturday, we had 100,000. On another weekend, they estimated it could have been as high as 180,000 people who showed up around the State capitol and in the State capitol in order to protest

losing their rights as employees to bargain for their laws.

What's interesting is that we knew when this fight happened that it was going to be a long and hard battle, but even more so, the Governor tried to be very strategic. He did this against all public employees, but he excluded police officers and firefighters because—let's face it—after 9/11, politically, those are two organizations that are viewed very respectfully by the public. So he tried to basically divide and conquer, but to the police and firefighters of Wisconsin, to their credit, they stood with every other worker and said, An attack on one of us is an attack on each and every one of us. Because they stood with us, it was a stronger, more cohesive effort. You had schoolteachers and State workers and correctional officers and people who worked for the DNR—the Department of Natural Resources—and every State agency standing with police and firefighters and families across the State.

Yet it wasn't having the rallies with 10,000 and 20,000 and 40,000 people that mattered; it was having the 800 people in Bayfield, Wisconsin. Now, if you haven't heard of Bayfield, Wisconsin, don't feel bad. We sometimes say this is a map of Wisconsin. At the very tippy top of the State of Wisconsin, almost in Canada, is a town called Bayfield, but they had 800 people in this small community rally to show their support for workers.

□ 1240

So that is what is so important.

We saw the other consequences of this law. It was the private unions that also saw this problem because they knew what would happen. Just like the problem happening right now to the communication workers in New York, they knew this would happen in Wisconsin.

If first you take away the collective bargaining rights of the public employees, what kind of a signal is that to those companies that have negotiated in good faith with their workers to form private sector unions? Well, sure enough, we know exactly what happened. Within months, we saw unions, private sector unions across the State, start to start a fight with their union. In one particular case, we had a crane company, Manitou Crane, where they had one division, one of the unions that negotiates a contract with them in dispute, and they were going to stop production and do unpaid leave for members of other unions. Now, you can't do that. You shouldn't do that. But they went ahead to try to force that on the other workers in order to try to bust that union.

Mr. Speaker, those are the problems that we're seeing right now in this country.

There's another really strong example that we are seeing right now in this

very body on a very regular basis, and this is the fight we're having on behalf of our United States Postal Service. There has been no question that there has been an attack on the Postal Service. And what happened essentially is a number of years back under the Bush administration, they had this idea to take the Postal Service, the Postal Service alone and no other agency in the Federal Government, and make them prepay their retirement system 75 years into the future.

Let me give you an example what that means. That means they're prepaying the pension of someone who is not born today for their retirement a half a century down the road. No other agency, no private company would do that; but we are requiring the Postal Service. So when you hear the Postal Service is losing money, almost every single dollar of those losses is due to the prepayment of this unusual requirement that only the Postal Service has to pay.

So what happens, the response, clearly I think this is an attempt to try to privatize the system. This is to completely take away a system that I think so many people have relied on for so many years in this country. But this is what we see happening.

Recently, we saw there was a move to go from 6-day delivery to 5-day delivery. When you start to cut back on delivery, it has real ramifications on people, on what they're going to receive and the timeliness of what they're going to receive.

As a small business leader, again for 25 years of my life, many small businesses, especially in rural communities, count on the United States Postal Service to help them conduct their businesses so that they can hire the workers who work for them.

Here's an example. There's a place in Wisconsin called Brooklyn, Wisconsin. It's just outside Madison, Wisconsin, maybe half an hour. The people of Brooklyn, Wisconsin, need a post office even more than the people of Brooklyn, New York, because in Brooklyn, New York, there may be other alternatives. There may be stores that provide similar types of services, not necessarily mail delivery, but other types of delivery that they can go to. But in Brooklyn, Wisconsin, they don't have that luxury. That post office means everything. That small business operating out of Brooklyn, Wisconsin, having that means they can be in business and be able to hire the people in Brooklyn, Wisconsin. And that's Brooklyn. If you go to other rural parts of my district in Lafayette County, in Lafayette County, I guarantee, they have a problem with broadband so they can't necessarily even do an Internet-based business, so that post office means everything to them.

So when we see some of the attacks that are caused by this absolutely ri-

diculous requirement to pre-fund pensions into the future, 75 years into the future, that's why they are having financial difficulties. So there is a bill that I'm on, and others, called the Postal Service Protection Act of 2013. That act would not only maintain the 6-day delivery service we currently have, but it would also give the United States Postal Service the ability to reform its funding structure for their employee pensions. It also would direct them to use revenue to create innovative postal and non-postal products and services to generate new revenue sources.

Let's face it, we know things keep changing in how we are able to communicate and get information out to potential consumers for businesses, and to get out to your neighbors and friends. But allow them the ability to do that because if they can, they can make up for those shortfalls. But this absolutely unfair requirement they have puts more than 1,700 United States Postal Service workers in my Second Congressional District of Wisconsin—it puts their jobs in jeopardy. And for seniors and small businesses and those who live in rural areas, and those who rely on the Postal Service, it means a lot to have that post office, that 6-day delivery, and to have a service that's strong and affordable like it is in this country.

So, the Postal Service is yet one more of these attacks that we've seen.

The bottom line is thanks to organized labor—they have fought so much for the people of this country, for the middle class—one might argue the reason we have a middle class is because of exactly what they've been able to do. Fighting for the very things that we talked about, things like a smaller work week, giving us that weekend, as I discussed at the beginning of this Special Order time that I've had to talk about labor, has been absolutely crucial.

We have seen the child labor laws that at one time put children as young as 5 years old in this country, their lives and limbs, at risk. In large part it has been corrected because of the labor movement over the years.

The fight for family medical leave, which is so important to families now. If you have a child, you adopt a child, you have a family member who is seriously ill and you want to spend that final time with that loved one, the reason we have that law in place is because of the efforts of organized labor and others.

The fact that we have work place safety through the OSHA laws, which is so important, that you can go to work and not have to expect because of that work to have less of a lifetime, that's been created because of labor's efforts, and so much more.

Now, I'm a proud member of the Painters and Allied Trades, the International Union of Painters and Allied

Trades. I'm a business owner and I'm a union member because I'm proud of the workers that I have. When people are paid a fair wage, you get much more of a result for your business. I know that I have long-term employees because, instead of trying to nickel and dime them and not treat them right, by paying a living wage, I get more than that back in return.

And one of the other challenges that unions have faced is this current economy, which is exactly why the Congressional Progressive Caucus introduced the back-to-work budget. Until we get people back to work, we have all of the other economic woes that are surrounded by that. The Painters and Allied Trades are part of the building trades within the union. There are public employee unions, there are private sector unions. But the building trades are the folks who are the bricklayers and the laborers and the operating engineers and the painters and the electrical workers and the carpenters. I could go on and on, and I apologize for the ones that I'm not listing, but those people who work every day in construction, which is one of the markets that's been the hardest hit through this economy, when the economy is good, people who work in the trades are working and they're doing well. But when the economy gets the sniffles, people in construction get a cold. And when the economy gets a cold, people in construction get pneumonia.

It's simply that much of a direct effect from how our economy is doing, which is exactly why we should here in this body not only support the labor laws that we need to and appoint the people to the NLRB so we can enforce the laws we have in place and expand the protections for workers that we need to do in this very body, but we need to get the economy going so that more people are working. Because the more people who are working, that is going to strengthen and support the economy.

I've listened to people on the other side of the aisle, the Republican side, with their budget presentation this week. I know that they are very serious about wanting to address the issues that they address, from deficit reduction to some of the other issues. The problem is that they are going about it in completely the wrong way. You can reduce the deficit best by getting people back to work. In the Progressive Caucus budget, the back-to-work budget, we do just that. We invest in infrastructure. We invest in putting police and fire back to work. We invest in putting teachers back in the schools. We invest in infrastructure so that those people in the construction industry who are hit with double the unemployment that everyone else is right now can get back to work.

□ 1250

And I can tell you, from firsthand experience, why that investment means something. When Congress, several years ago, passed the Recovery Act and passed the dollars that came to communities to invest in communities, we saw the benefit in the State of Wisconsin.

I was the cochair of the Joint Committee on Finance, the committee that writes the State budget for the State of Wisconsin, and we had to approve every single dollar that came through Wisconsin to make sure it went efficiently to build roads, repair schools, and the other services that that funding helped provide.

And when we did that, we had a report from the road-building industry and the vertical construction industry—not exactly your most progressive or liberal organizations—that said 54,000 jobs were saved or created in the State of Wisconsin because of the recovery dollars and our State budget that year, but it was predominantly the recovery dollars.

So I was surprised when I sat in this room for my first-ever State of the Union Speech, and heard President Obama talk about the need for more investment in infrastructure, just like the budget the Democrats proposed, just like the budget the Progressive Caucus proposed.

When you talk about that investment, I saw a press release from our Speaker of this House who said that no jobs were created in this country from the last recovery dollars. Well, fortunately, the very next week, in the Budget Committee, which I serve on, we had Dr. Elmendorf, the head of the Congressional Budget Office, who is our official, nonpartisan, number-crunching agency, and I asked that question.

Is this true? Is this true that no jobs were created because of those recovery dollars?

And he said, according to their statistics, up to 3.3 million jobs were saved or created in this country because of that investment. So it wasn't just the 54,000 jobs in the road-building industry back home, much less the other industries. It is the nearly 3.3 million jobs that were helped because of our influx of cash because, at that time, face it, the economy was down.

If people aren't working, they're not spending money. If they're not spending money, businesses can't grow. If businesses can't grow, they can't hire workers. In fact, just the opposite, they were laying off workers, and it has a cumulative spiral effect down.

But because of those recovery dollars we were able to hold off how deep we fell and, since then, under this President, we have had consecutive job creation happening to try to make up for those very deep losses that we had at the end of the Bush administration.

But we still need to grow even faster, and that's why we need to continue to

work this. When we continue to work hard on creating jobs, we are helping people to be able to help pay taxes and to bring the revenue in so that we can solve our deficit. That is the single best way to solve the deficit.

And again, that same Congressional Budget Office that we all go to, on both sides of the aisle, to get our facts and figures that we work off of, they're the ones who said three-quarters of the deficit we'll have in fiscal year 2014, that we just voted on a budget in this House today on, is caused by economic weakness. In other words, unemployment and underemployment. You fix that, you solve the deficit.

So we don't need to take away the Affordable Care Act and take away all of the benefits that you're going to have from the Affordable Care Act; the fact that an adult child at 26 can still be on a parent's policy, that if you have a preexisting condition, you still have access to health care in this country.

You don't need to repeal that in order to solve the deficit. In fact, just the opposite. We have savings in there that will help reduce the rising cost of health care, because that's a challenge.

I think everyone in this room would agree that we have a challenge of rising health care costs, but we can address that very primarily by keeping that law in place.

But the Republicans have taken that away. In fact, the Republican budget, it's been estimated, would cost 2 million jobs next year if it were to become law. We need a very, very different process and a very, very different place for this country to be.

As a small business owner, I have been an advocate in this House of saying, you can be pro-business, you can be pro-labor. I have a union business. And you can be a progressive. None of those are incompatible.

Again, to me, one of the smartest things that I was ever able to do, as a small business owner, was to have a union shop, because it allowed me to hire some of the best and most talented people, to offer them a fair wage so they can support their families, offer them good benefits so they have health care and are in a better place for their families. And it's a mutual respect that we have that allows it to continue.

It's so important that we have that respect for the people who work in this country, for the middle class, and for those who are aspiring to be in the middle class. That is the backbone of the country we have to fight on.

So when the Republican version of the budget, instead, is going to take trillions of dollars and put it on the backs of the middle class, it's the reason why the Democrats, instead, were looking at getting rid of some of the loopholes that are out there, whether it be the subsidies to Big Oil that we still do, the corporate jet loophole,

that they still fund tax breaks for corporate jets, the fact that we give tax breaks to companies that send jobs overseas, none of that makes sense.

So the Democrats are working hard to try to take care of that, because we know that the backbone, again, is people getting to work in America, and part of the strength of that is the union movement that we have.

So I would hope that people would really realize that it is because of the labor movement that we have been able to benefit so very much from what has been able to support the middle class in this country.

There is so much more that unions are facing across the country, whether it be collective bargaining laws, the right to work less for less laws that we just saw happen in Michigan and other places. It's those sort of laws that sound good on the surface but really hurt the American worker. When you hurt the American worker, that's a serious problem.

So with that, Mr. Speaker, again, on behalf of the Congressional Progressive Caucus, we are so proud to have spent a little time to talk about the middle class and the American labor movement and what it's done for America.

We salute our brothers and sisters in organized labor, thank them for their efforts, and vow to continue to fight on behalf of the middle class, and to make sure that they all have protections and standards by following our laws and passing more laws that give workers a voice.

Mr. Speaker, I yield back the balance of my time.

#### LABOR, LABOR LAW AND THE BUDGET

The SPEAKER pro tempore (Mr. MASSIE). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, again it's my privilege to address you here on the floor of the United States House of Representatives, this great deliberative body. And I listened to the presentation in the previous segment, it brought a number of things to mind that I expect I'll address because there certainly is a different viewpoint, as we all know.

But before I get into the breadth and depth of the topic matter, I'd be very pleased to yield as much time as he may consume to the gentleman from Pennsylvania (Mr. PERRY).

#### INTRODUCTION OF LEGISLATION ADDRESSING SECURITY CONCERNS

Mr. PERRY. I thank the gentleman from Iowa.

Mr. Speaker, I'd like to call attention to legislation addressing security concerns that were drawn out in the aftermath of the September 2012 attack on our consulate in Benghazi, Libya.

As you know, terrorist attacks carried out that year took the lives, needlessly, of four brave Americans.

In December, the Accountability Review Board released its findings and recommendations. This Board found that, prior to the Benghazi attack, some senior State Department officials demonstrated, as they coin it, a serious lack of management and leadership ability that contributed to the inadequate security posture at the consulate.

Now, while this Board can recommend disciplinary action against State Department employees who are found to breach a duty, they also concluded that poor performance in the course of one's employment does not amount to such a breach of duty, which I find fascinating and completely unacceptable. As completely unacceptable as that is, it also requires legislation to change that.

So, while I disagree that it should require legislation, it does. And with that in mind, I have drafted a bill, with the help of the honorable gentlelady from New York (Ms. MENG) that adjusts these criteria.

With this legislation, if the Board finds that a State Department employee's unsatisfactory performance or misconduct has significantly contributed to a security incident, the Board can recommend that the employee be disciplined appropriately. I would ask, at this time, that all our colleagues join us in supporting this bipartisan legislation.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Pennsylvania for his presentation here. And as I listened to his presentation, the Benghazi incident comes to mind. And whether this is relevant or not is a question that I'm not necessarily prepared to answer, Mr. Speaker.

But I do want to make a statement on Benghazi. And I would remind people that we lost an Ambassador, we lost other brave Americans. We had multiple injuries and casualties there that perhaps, they run in numbers that might be counted in the dozens.

□ 1300

The public doesn't yet know a single name of any of the survivors. None of those on, let me say, our side of this argument of the incident in Benghazi know a single name of the survivors. We don't know the depth of the injuries that took place—and some of them were severely injured. They've been kept under wraps. They've been told, purportedly by the news, Mr. Speaker, that they should not speak and talk about what happened in Benghazi.

Now, I remember when Osama bin Laden met his justifiable end. This administration couldn't wait to come out before the cameras and tell us how that all unfolded and couldn't wait to tell us about every detail that wasn't classi-

fied on the end of Osama bin Laden's rein as the head of al Qaeda. They even showed us a picture of the situation room and who was in it. We saw the expressions on the faces of the people in the situation room, including the President, including the Secretary of State, including the Secretary of Defense. And we knew when they came into the situation room, when they heard the reports, how the decisions were made in that White House, and we knew when people left the situation room perhaps to go do something else. I don't remember any of them just simply going to bed.

But what we don't know is this—and this is what this Congress needs to put together. We need a committee that's comprised of the best individuals that we can find from the relevant committees here in this Congress, or any other individuals in this Congress that have special expertise that would raise their knowledge base and their credibility to the point where we can get the maximum report coming out of this Congress.

The circumstances that we have today on looking into the Benghazi incident and the events that flowed from that are several committees that have part of the jurisdiction. The Select Committee on Intelligence has part of the jurisdiction, and they've held some hearings and they have some knowledge. We don't know what that is. Much of it is classified. Much of it just isn't disseminated because that's not the nature of the Select Committee on Intelligence to disseminate information to the public.

Another area might be our Judiciary Committee, under the jurisdiction of what was lawful and what wasn't lawful on what took place there and what might we have been able to do. The Foreign Relations Committee has some jurisdiction. Armed Services has some jurisdiction. That's four committees that I can name off the top of my head, Mr. Speaker. Each of them have taken some kind of look into this.

But here's what happens. If you take a situation like Benghazi, or any major incident, and you break it down into four components and you assign, or the jurisdiction of each committee chair would look at this and claim jurisdiction, which they rightfully can do in this Congress, they would take their component of it, study it. They might write out a report, and it might be complete and it might be completely accurate. They can send that out, the unclassified portion, to the American people. That report goes out. Say that's the Select Committee on Intel.

Then, Mr. Speaker, the Foreign Affairs Committee can meet and they can call the witnesses that they choose to and gather that information and perhaps write a completely objective and completely truthful report and send it out to the public, all of that that's not

classified. The same thing can happen with the Armed Services Committee. The same thing can happen with the Judiciary Committee or any other committees that might have some jurisdiction.

But, invariably, what you have are silos of information—a silo of information coming out of the Select Committee on Intel, part of it classified that would stay in there; a silo of information coming out of Armed Services, out of Judiciary, out of the Foreign Affairs Committee. And these silos of information, just like silos, don't match up. You can't square the circle with the information that comes because there are gaps in their jurisdiction and because there are gaps in the expertise that doesn't match together like a hand in glove or a finely machined gear. And even if they did match perfectly, you would still have four reports from four different committees presented to the public. Each one would have to be deciphered by whom? Scholars? The press? Who might it be?

So if we are going to get to the bottom of Benghazi, we've got to put together a selected committee that represents all of the jurisdictions in the United States Congress and all of the oversight in the United States Congress. And if we do that, then we have the kind of committee, a commission, that is similar in nature to that of the 9/11 Commission, or the Warren Commission, which produced, in the end, one composite report, a book, Mr. Speaker, that the American people can look at, that they can count on it being factual, they can count on it being objective. They can count on it, and they can critique it if they have information out there that challenges it.

The Warren Report was challenged, but it stands still as an accurate representation of the facts of the assassination of John F. Kennedy. The 9/11 Commission stands alone. That report stands alone as the broadest and most objective and complete report that Congress could put together. And we have acted and reacted on recommendations from the 9/11 Commission.

We need to do the same thing with Benghazi. If we do not, Mr. Speaker, history will forever question whether there was a coverup on what happened in Benghazi. In fact, we already know there has been. We know that the administration went out and sent Susan Rice out to five different talk shows on Sunday, just several days later, to tell us that all of this violence that erupted in the streets of Benghazi came about because of a movie, a video that was produced.

Now, as far as I know, the individual that exercised his First Amendment rights to produce that video may still be in jail. That's the only punishment that's come out, that I know of, from

Benghazi. I think he should be released. But that's the first story.

And then we've got different stories that were brought out of the administration, pried out, because usually the press, but sometimes an American citizen, found that information, got it out on the Internet, the press found it, and we've been picking up pieces of Benghazi for 6 months. And we still don't have the truth. The people who survived Benghazi need to come before this Congress, under oath, and tell us their story.

Now, if there are components of this that are classified, if our national security is at risk, then Members of this Congress should be called into a classified setting and told these are the reasons why we're covering this up. If this administration came open with Members of Congress, we would honor the reasons for a classified standing, but they have not. They tried to cover it up in the first place. They tried to convince us it was a video.

Since that time, the argument was made that there was no military relief that could have come into Benghazi because it was logistically not possible. That, I would say, is questionable at best. Piece after piece needs to come out into the public, Mr. Speaker. And I'm a strong advocate for FRANK WOLF's proposal that we set up that committee to examine all of this and produce a report for the American people.

And so that's simply triggered by my questions when I listened to the gentleman from Pennsylvania. And I would expect that you would ask to yield if any of that was inaccurate.

I would be happy to yield to the gentleman from North Carolina.

#### HONORING THE LIFE AND SACRIFICE OF NORTH CAROLINA'S MASON VANDERWORK

Ms. FOXX. Mr. Speaker, I rise to honor the life of Marine Corps veteran Lance Corporal Mason Vanderwork of Hickory, North Carolina.

After multiple tours of duty defending liberty abroad, this 21-year-old hero gave his last full measure of devotion this week in service to our country. We can never adequately thank him or his loved ones for all they have given, nor can most fully grasp the weight of freedom's burden on young servicemembers and their families. But in spite of our incomprehension, our hearts go out to Lance Corporal Vanderwork's wife, Taylor; his mother, Melissa; and his sister, Katelyn.

What I have learned of Mason is striking.

Before graduating from Hickory's St. Stephen's High School, where he was regarded for his work ethic on the field and off, he knew he wanted to join the ranks of America's Marine Corps. Days after graduating, that's exactly what he did. Friends and neighbors recall his kindness and the high caliber of his friendship. They know him as a good

man with a drive to become an even better man.

How sad we are for this great loss. In this time of tragedy, the country is sobered by the breadth of Mason Vanderwork's sacrifice and mourns alongside the people of Hickory. May we remember his loved ones in our thoughts and prayers and commit them to the care of Almighty God.

□ 1310

Mr. KING of Iowa. Reclaiming my time, Mr. Speaker, and saying a prayer myself: God bless that marine and the United States of America.

As we do this transition here this afternoon, Mr. Speaker, I'd like to take up some of the topic of the previous speaker in the Democrat hour who spoke about labor and labor law. It was a strong message from often the opposite side of my viewpoint, and I'm compelled to speak to it in this way, and that is this:

First of all, labor is a commodity; it's a commodity like corn or beans or gold or oil. That labor is the supply, and its demand of labor sets the price of it, just like any other commodity. Yes, it's human beings and it's lives and it's families. As an employer, I met payroll for over 28 years—1,400-and-some consecutive weeks. There were times that we didn't go to the grocery store during those hard economic times because we met payroll first. That was always the highest priority. The first cash that came into King Construction in the worst years, even when the bank was closed by the FDIC, I met payroll.

When that bank was closed, it was, let me see, April 26, Friday afternoon at 3 o'clock. They posted a highway patrolman outside the door with a red tag on the front of it. I found out that they had not only closed up my account, but the accounts of many of my customers. I actually reached into my pocket because I literally had two pennies in my pocket to rub together—it's almost a joke around our family. We still met payroll. We found a way to do it even though I couldn't write a check because the bank was closed.

I thank a lot of the people that work for King Construction and the people that we have worked with and for throughout the years. I've been in the trenches with them. I'm the guy that if they're on an air conditioned cab in a machine, I'm down in the ditch with a shovel. I want to make that job go as good as it can.

I walked in my office before Christmas one year and I found that my secretary had decorated our Christmas tree in the entryway of the King Construction office with these gold decorations printed out like a Christmas tree—a baby Jesus, a snowflake, a star of Bethlehem. When I looked at that tree and I looked at the decorations, the gold emblems, on the front side was engraved the name of one of our employees, or their spouse, or one of their

children. These were the people that I went to work with every day, our employees; but the tree was decorated with the names of all the people that were directly affected by those jobs being available.

We would never be a company that's looking at soon celebrating our 40th year in business if it weren't for people that had worked for us for a long time and been part of this family. When there is a death, we go to the funeral of a family member. When there's a baptism, we go to the baptism. When there's a wedding, we go to the wedding. These are people that are like family—actually, there is even occasionally a little connection of blood that goes on, but it's like family, it is family. I have great respect for the people that do labor every day. And I am a blue collar guy here and at home in Iowa.

But there are two viewpoints here. Another point I want to make, though, is that labor has a right to collectively bargain. They have a right to bargain as a bargaining group is another way to define that. Nobody has a right to intimidate others. Nobody has a right to be heavy-handed about it, but they do have a right to bargain, and I will always defend their right to bargain.

But one of the points that is a big problem for our budget, for example, is this: that the organized labor unions in this country strongly support and promote the Davis-Bacon Act. Now, Davis-Bacon is a law that was passed back in the early thirties by a couple of Republicans from New York. Now, they remind me that it was Republicans that passed that law. I would be the last guy to stand here and say that Republicans are always a hundred percent right, but they were wrong when they did that.

They wrote Davis-Bacon, this Federal law that requires that any construction project that has \$2,000 or more Federal dollars in it shall be by prevailing wage. The definition of prevailing wage, then, is they go out and survey the pay scale and the benefits package that is normal and typical within that labor market. I can say with utter confidence that that scale is a union scale, not a prevailing wage, but a union scale. They're the people that negotiate this. The people that sit down on the boards and the panels do so. They're not measuring prevailing wage; they're simply measuring union scale and applying that to the Davis-Bacon wage scale.

The result is these projects, these Federal projects cost an average of 22 percent more. Now, I have records that go back for years. We do some Davis-Bacon wage scale projects and some are not, so we're flipping back and forth. We've got a pretty good set of records that we've accumulated over the years. In our records, someplace between 8 and 35 percent is the percentage of increase in the cost of a project where

there is a federally imposed wage scale. Part of that time is they doesn't know what the wage scale is, and part of the time it is because they're imposing at higher wage than prevailing wage. Part of the reason for that gap is some projects are material intensive and other projects are labor intensive, so you get that gap between 8 and 35 percent. But a standard here is 22 percent—I often say 20–22 percent increase.

Now, think of that; think what this means. If this Congress were fiscally responsible and they looked at the unnecessary spending that is part of the prescription of the Davis-Bacon wage scale mandate, then we would see the cost of our Federal project—if we repealed Davis-Bacon, we'd see the cost of our Federal projects be reduced by 22 percent.

Now, what would that mean? If there are Federal dollars in a school, that means we could build five schools instead of four. You know there's Federal dollars in a lot of our roads. We could build five miles of roads instead of four. We could build five miles of interstate highway, for example, instead of four miles of interstate highway. We could build five bridges instead of four.

How many roads would have been built by now if we hadn't had the federally mandated Davis-Bacon wage scale put in place? How far would we be with our infrastructure? We're a long ways behind in our bridge reconstruction in particular, but also our highway construction. And every year that I've been in this Congress people come to me and they will say we have to raise the road use tax because we don't have enough money to build our roads.

Now, road use tax, that really should cause a person to think. That is a user's fee. We pay it in the gas that we buy. We expect that when that nozzle goes into our tank and when we squeeze the nozzle to buy the gas, we watch the dollars—and they go up really fast when you see gas that's over four bucks a gallon—we watch those dollars go up on the pump. But we also realize that between the State and the Federal Government a lot of us are paying 40-plus cents a gallon to build the road that we're wearing out with the car we're putting the gas in. That's a user's fee. But when I came here and started to break this down and ask the question: Of that one dollar's worth of gas tax/user fee that is a Federal piece of this—18.3 cents a gallon—of one dollar of that, how much of that actually goes into roads and bridges? I'll tell you, it adds up like this—then we reduce it a little bit on this number:

Three percent, 3 cents out of that dollar went for trails, for bike trails and automobile trails and that kind of thing—3 percent. There was at one time \$16 million in one of our appropriation bills to clean graffiti off the retaining walls in New Jersey. I

thought, can't they get their prisoners out there with a wire brush to do that? And 28 percent going for environmental and archaeological compliance studies and costs. Twenty-eight cents out of that dollar for environmental interests and archaeological interests, looking for arrowheads and endangered species. Can't somebody else pay for that rather than the people that are driving on these roads? When you add Davis-Bacon to that, another 22 percent.

So you have 3 percent for trails, you have 28 percent for archaeological and environmental compliance, you've got 20 to 22 percent for Davis-Bacon wage scale, and 17 percent for mass transit to buy people cheap Metro tickets in Washington, D.C., or subway tickets in New York, or the "el" in Chicago, or, what shall I say, the cable cars in San Francisco, subsidized by people buying gas. Add that all up and you're going to find—if you're good at math and paying attention, Mr. Speaker—that number comes to about 67 or 68 cents out of the dollar that goes for something else other than roads and bridges.

Now, how can we justify raising a user fee on the gas tax, as we call it, rather than re-prioritizing that gas-tax-dollar pie, where you get a third of the money that's going to roads and bridges and two-thirds of the money that's going to something else? That needs to be fixed. I appreciate the gentleman that spoke earlier. If he would take a stand on that, perhaps we could find a bipartisan solution.

□ 1320

Another issue, though, is child labor. He made the argument that it was the unions that drove the child labor issue and now kids don't have to worry when they go to work. That's true, because there's no place for them to work. Hardly anywhere can young people work.

Mr. Speaker, I just ask you to think about, let me say, some years ago there was a time when you could pull into any gas station and some young lad would come running out there with a rag in his back pocket. He would fill your car up. He would wash your windshield, check your oil, check your tires, and collect your money and send you on your way. That doesn't happen anymore. There are few of those full-service stations left. One of the big reasons is child labor laws.

Today, child labor laws are written in such a way that a 17-year-old young person that is awaiting their 18th birthday can't get on the riding lawnmower and cut the grass around the gas station for pay because that's a violation of child labor laws. They can climb in a car at age 16 in my State and drive wherever they choose to go, but they can't mow the lawn in the gas station that they pull up into to buy their gas.

We saw this administration push child labor laws in trying to get it

pushed into the agriculture sector. It was the Department of Labor working with the Department of Agriculture to write rules like, unless you're a son or a daughter of somebody that's got controlling interest in a farm—in other words, you can't be loaned out or, as we say in my country, farmed out to the neighbors or to your kid's aunt and uncle or grandparents to do work. They prohibited youth from participating in herding livestock in a confined area, from being more than 6 feet off the ground so they couldn't paint the under eaves on the machine shed, from having anything to do with livestock that inflicts pain, like ear tagging or tail docking or clipping eye teeth or dewclaws on puppies, for example. They prohibited them from being involved in that, but that same girl that's prohibited from being around when you ring the hog can have her ears pierced—or any other part for that matter—without any objection from the same people that are advocating this.

We have a nanny state that's run amok, Mr. Speaker. It's gone overboard with child labor laws and tried to push these child labor laws into agriculture. There was a major pushback because the family farm understood the value of work for our youth. They manage the safety best on those farms. They care the most about the people that are there. And the Federal Government would only interfere, and then that child would not have the experience of learning the work ethic by going to the neighbor's or aunt and uncle's or grandpa and grandma's.

So even though the labor unions have made, I think, a big contribution with regard to on-the-job safety—the reference to OSHA and the history of that was a good thing. The organization of labor unions to negotiate for better working conditions and wages and benefits package was a good thing. But there has to be some restraint on this. We can't be going backwards.

This statement about a fair wage, well, we should be thinking, what is "fair," Mr. Speaker? You can look up the definition of "fair" in Black's Law, and you'll find a whole series of definitions for "fair."

I say the only time you should use the word "fair" when you're talking about law is when you're talking about the State fair or the county fair or the World's Fair, because otherwise, when you use the word "fair" to talk about justice and equity, you finally come to this point that everybody has got a different view on what the word "fair" means.

Anyone that's raised two or more children, Mr. Speaker, knows that there's no such thing as "fair." If you apply a rule to one child, the other child will say, "That's not fair." And if you apply the same rule to the other child, there will be a reason why the

first one should be exempted. We can never agree on the word "fair." We don't agree on what a fair wage is. That's why supply and demand needs to establish the wage, not somebody's idea of fairness.

The statement about a living wage—a living wage. Well, a living wage for someone in New York City is different from a living wage for someone that lives, let's say, in a low-cost rural area that might be in the Midwest, for example. These definitions of fair wage and living wage are all ways to lever some kind of Federal imposition in that distorts the law of supply and demand.

So that takes me around to this concluding part, Mr. Speaker, which is that the law of supply and demand has caused people to come into the United States illegally and take jobs for a cheaper price than allows for them to live in this society. The result of that is that the cost for people who are in this country illegally—just for the welfare parts that they access—is right at \$55 billion. If they are legalized in the form that is advocated on the other end of the rotunda in here, Democrats and Republicans, in other words, their comprehensive immigration reform and all the other adjectives they use to avoid using the word "amnesty," the cost goes from \$55 billion a year to \$75 billion a year. If you track this group of people—we're talking about 11.2 million people. If you track them for a lifetime, the cost of the welfare benefits becomes \$2.5 trillion.

So, think, Mr. Speaker, this Congress has passed ObamaCare. This is right at near the anniversary of that. Today we voted to repeal it within the, I'll call it, the Ryan budget. That's about \$2.5 trillion as it extrapolates itself out on the budget scale. On top of that, ObamaCare dropped \$2.5 trillion of debt on the American public. If comprehensive immigration reform, slash, amnesty passes this Congress, that drops another \$2.5 trillion of debt on the American people.

What we need is a balanced budget amendment to the United States Constitution, and we need that passed out of the House and out of the Senate with a cap at 18 percent of GDP and a supermajority required in order to raise taxes or to break the debt ceiling that we have, to increase the debt ceiling.

If we do that, if we put a balanced budget amendment out here on the floor of the House and the Senate and if it passes, I'll be ready to look at increasing the debt ceiling for the President. If that doesn't happen, I don't see a reason to raise the debt ceiling. Let's stare him down on that until somebody gives in.

We need to get this spending under control. Myopic policies and fiscally irresponsible policies are not the way to go. ObamaCare needs to be repealed.

We need to restore the rule of law in this country. We've got to shrink down the welfare package that's out here. There are 80 different means-tested welfare programs in the United States—just 2½ trillion for the illegal component of this and a whole lot more if we don't get these entitlements under control.

Mr. Speaker, the solutions are here. They're on this side of the aisle. They're actually in the platform, and I endorse many of them. I appreciate your attention, and I yield back the balance of my time.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until Monday, March 25, 2013, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

812. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8271] received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

813. A letter from the Investigative Specialist, Department of Labor, transmitting the Department's final rule — Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act [Docket No.: OSHA-2011-0193] (RIN: 1218-AC79) received March 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

814. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Additional Safeguards for Children in Clinical Investigations of Food and Drug Administration-Regulated Products [Docket No.: FDA-2000-N-0009] (formerly 2000N-0074) (RIN: 0910-AG71) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

815. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-535, Revision 0, "Revise Shutdown Margin Definition to Address Advanced Fuel Designs", Using the Consolidated Line Item Improvement Process [Project No.: 753; NRC-2012-0280] received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

816. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.:



111207737-2141-02] (RIN: 0648-XC495) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

817. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery [Docket No.: 120109034-2171-01] (RIN: 0648-XC456) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

818. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction [Docket No.: 120403249-2492-02] (RIN: 0648-XC437) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

819. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC451) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

820. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC481) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

821. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC487) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

822. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC482) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

823. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 111213751-2102-02] (RIN: 0648-XC441) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

824. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-2] (RIN: 0648-XC452) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

825. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal To 60 Feet (18.3 Meters) Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC458) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

826. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 38 [Docket No.: 120717247-3029-02] (RIN: 0648-BC37) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

827. A letter from the Director, Department of Justice, transmitting the Department's final rule — Application Procedures and Criteria for Approval of Nonprofit Budget and Credit Counseling Agencies by United States Trustees [Docket No.: EOUST 102] (RIN: 1105-AB17) received March 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

828. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Government Employees Serving in Official Capacity in Nonprofit Organizations; Sector Unit Investment Trusts (RIN: 3209-AA09) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

829. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2012-1157; Directorate Identifier 2012-NM-061-AD; Amendment 39-17371; AD 2013-04-13] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

830. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1164; Directorate Identifier 2012-NM-075-AD; Amendment 39-17370; AD 2013-04-12] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

831. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Hot Springs, SD [Docket No.: FAA-2012-0655; Airspace Docket No. 12-AGL-6] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

832. A letter from the Attorney-Advisor, Department of Transportation, transmitting the Department's final rule — Environ-

mental Impact and Related Procedures [Docket No.: FHW-2012-0092] (RIN: 2125-AF46) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

833. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1224; Directorate Identifier 2012-NM-112-AD; Amendment 39-17372; AD 2013-04-14] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

834. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0721; Directorate Identifier 2012-NM-076-AD; Amendment 39-17356; AD 2013-03-22] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

835. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft-Manufactured Model S-64F Helicopters [Docket No.: FAA-2012-0689; Directorate Identifier 2009-SW-065-AD; Amendment 39-17301; AD 2012-26-06] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

836. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company [Docket No.: FAA-2011-0909; Directorate Identifier 2011-NM-027-AD; Amendment 39-17374; AD 2013-05-02] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

837. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Insurer Reporting Requirements [Docket No.: NHTSA-2013-0024] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

838. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Anchorages; Captain of the Port Puget Sound Zone, WA [Docket No.: USCG-2012-0159] (RIN: 1625-AA01) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

839. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-1015; Directorate Identifier 2007-SW-069-AD; Amendment 39-17363; AD 2013-04-06] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

840. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Updates to Standards Incorporated by Reference; Re-approved ASTM Standards; Technical Amendment [Docket No.: USCG-2012-0866] (RIN: 1625-AA98) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

841. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Docket No.: FAA-2012-1106; Directorate Identifier 2012-



NM-084-AD; Amendment 39-17341; AD 2013-03-06] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

842. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2011-1037; Directorate Identifier 2011-NE-30-AD; Amendment 39-17373; AD 2013-0501] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

843. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Airplanes [Docket No.: FAA-2012-1173; Directorate Identifier 2012-CE-038-AD; Amendment 39-17367; AD 2013-04-09] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

844. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0860; Directorate Identifier 2012-NM-123-AD; Amendment 39-17369; AD 2013-04-11] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

845. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2012-0720; Directorate Identifier 2012-NM-059-AD; Amendment 39-17360; AD 2013-04-03] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

846. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0861; Directorate Identifier 2012-NM-074-AD; Amendment 39-17364; AD 2013-04-07] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

847. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class B Airspace Description; Houston, TX [Docket No.: FAA-2013-0079; Airspace Docket No.: 13-AWA-1] (RIN: 2120-AA66) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

848. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1159; Directorate Identifier 2012-NM-028-AD; Amendment 39-17368; AD 2013-04-10] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

849. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Sault Ste Marie, ON [Docket No.: FAA-2012-0791; Airspace Docket No. 12-AGL-9] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

850. A letter from the Paralegal Specialist, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0091; Directorate Identifier 2013-NM-016-AD; Amendment 39-17366; AD 2013-02-51] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

851. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Goldsboro, NC [Docket No.: FAA-2012-0610; Airspace Docket No. 12-ASO-28] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

852. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-0360; Directorate Identifier 2009-NM-077-AD; Amendment 39-17362; AD 2013-04-05] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

853. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Reims Aviation S.A. Airplanes [Docket No.: FAA-2012-1274; Directorate Identifier 2012-CE-042-AD; Amendment 39-17359; AD 2013-04-02] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

854. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Gaylord, MI [Docket No.: FAA-2011-1401; Airspace Docket No. 11-AGL-27] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

855. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Casper, WY [Docket No.: FAA-2012-0509; Airspace Docket No. 12-ANM-15] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

856. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class B Airspace Description; Tampa, FL [Docket No.: FAA-2013-0080; Airspace Docket No. 12-AWA-6] (RIN: 2120-AA66) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

857. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30887; Amdt. No. 3522] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

858. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2012-1172; Directorate Identifier 2012-CE-040-AD; Amendment 39-17365; AD 2013-04-08] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

859. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard In-

strument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30888; Amdt. No. 3523] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

860. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Commercial Acquisition; Extension of Suspension and Debarment Exclusions, Grants and Cooperative Agreements (RIN: 2700-AD81) received March 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

861. A letter from the Director, Industry Analysis, Office of Policy, Import Administration, ITA, Department of Commerce, transmitting the Department's final rule — Steel Import Monitoring and Analysis System [Docket No.: 121016549-2549-01] (RIN: 0625-AA93) received March 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HASTINGS of Washington (for himself, Mr. WALDEN, Mr. SCHRADER, Mr. SIMPSON, and Ms. HERRERA BEUTLER):

H.R. 1308. A bill to amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon and other nonlisted species, and for other purposes; to the Committee on Natural Resources.

By Mr. PRICE of Georgia (for himself and Mr. KIND):

H.R. 1309. A bill to amend titles XVIII and XIX of the Social Security Act to exclude pathologists from incentive payments and penalties under Medicare and Medicaid relating to the meaningful use of electronic health records; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. ROE of Tennessee, Mr. TIBERI, Mr. HARRIS, Mr. POE of Texas, and Mr. BONNER):

H.R. 1310. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTENGER:

H.R. 1311. A bill to prohibit certain grants under the Child Abuse Prevention and Treatment Act to States that do not provide for certain minimal terms of imprisonment for certain child abusers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee

on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. CHABOT, Mr. FARR, Mr. DEFazio, Ms. PINGREE of Maine, Mr. POLIS, Mr. POE of Texas, Ms. LOFGREN, Mr. SENSENBRENNER, Mr. CONYERS, and Mr. WELCH):

H.R. 1312. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HARTZLER (for herself, Ms. ROYBAL-ALLARD, Mr. FARR, Ms. PINGREE of Maine, Mr. HUIZENGA of Michigan, Mr. MCINTYRE, Mr. WITTMAN, Ms. TSONGAS, Mr. HUELSKAMP, Mrs. ELLMERS, Mr. KINGSTON, Mr. BENISHEK, Mr. SCOTT of Virginia, Mr. WEBSTER of Florida, Mrs. BLACKBURN, Ms. KUSTER, Ms. BROWN of Florida, Mr. WESTMORELAND, Mr. KEATING, Mrs. NEGRETE MCLEOD, Mr. COLLINS of New York, Mr. THOMPSON of Pennsylvania, Mr. DINGELL, Mr. RIBBLE, Mr. KING of Iowa, and Mr. ROSKAM):

H.R. 1313. A bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish; to the Committee on Agriculture.

By Mr. FLORES (for himself, Mr. CARTER, Mr. CONAWAY, Mr. THORNBERRY, and Mr. PEARCE):

H.R. 1314. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself and Mr. YOUNG of Florida):

H.R. 1315. A bill to direct the Federal Trade Commission to revise the regulations regarding the Do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mr. FLORES:

H.R. 1316. A bill to amend title 38, United States Code, to specify the responsibilities of the Directors and Assistant Directors of Veterans' Employment and Training; to the Committee on Veterans' Affairs.

By Mr. LATHAM (for himself, Mrs. MCCARTHY of New York, Mr. PAYNE, Mr. CARTER, Mr. CAPUANO, Ms. SCHWARTZ, Ms. TITUS, and Mr. MCKINLEY):

H.R. 1317. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself, Mr. JONES, Mr. CONYERS, Mr. THOMPSON of California, Mr. CARNEY, Mr. KILDEE, Mr. CÁRDENAS, Ms. MOORE, Mr. LEWIS, Mr. MORAN, Mr. DANNY K. DAVIS of Illinois, Ms. CLARKE, Mr. CONNOLLY, Mr. RUSH, Ms. BASS, Mr.

AL GREEN of Texas, Ms. NORTON, Mr. LARSON of Connecticut, Mr. ELLISON, Ms. FUDGE, Mr. RANGEL, Ms. HAHN, Mr. BUTTERFIELD, Mr. PAYNE, Mr. MCGOVERN, Mr. COHEN, Mr. PETERS of Michigan, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Ms. BONAMICI, Ms. TSONGAS, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. BRADY of Pennsylvania, Ms. WATERS, Mr. GRIJALVA, Mr. VARGAS, Ms. EDWARDS, Mr. MEEKS, Mrs. CHRISTENSEN, Mr. SIREs, Mr. HASTINGS of Florida, Ms. LEE of California, Mr. KENNEDY, Mr. RICHMOND, Mr. LOWENTHAL, Ms. CHU, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Ms. BORDALLO, Ms. DELAURO, Mr. WATT, and Mrs. BEATTY):

H.R. 1318. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives; to the Committee on Education and the Workforce.

By Mr. MCNERNEY (for himself, Mr. COSTA, Mrs. NEGRETE MCLEOD, and Mr. VARGAS):

H.R. 1319. A bill to amend the Federal Crop Insurance Act to expand coverage under plans of insurance available under such Act to include losses to an insured commodity when, as a result of a federally-imposed quarantine, the commodity must be destroyed, and for other purposes; to the Committee on Agriculture.

By Mr. NEAL:

H.R. 1320. A bill to amend title XVIII of the Social Security Act to improve coverage for colorectal screening tests under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH:

H.R. 1321. A bill to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns; to the Committee on Oversight and Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI (for himself, Mr. JONES, and Mr. MCGOVERN):

H.R. 1322. A bill to establish educational seminars at United States ports of entry to improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles that are imported into the United States in accordance with the customs laws of the United States; to the Committee on Ways and Means.

By Ms. SEWELL of Alabama (for herself, Mr. CICILLINE, and Ms. BROWN of Florida):

H.R. 1323. A bill to amend the Internal Revenue Code of 1986 to establish tax-preferred Small Business Start-up Savings Accounts; to the Committee on Ways and Means.

By Ms. SEWELL of Alabama (for herself, Mr. CROWLEY, and Mr. RYAN of Ohio):

H.R. 1324. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit

against income tax for wages paid to employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mrs. BLACKBURN, Mr. MARINO, Mr. CASSIDY, Mr. YOUNG of Florida, Mr. CRENSHAW, Mr. MCDERMOTT, Mr. BACHUS, Mr. GRIMM, Mr. WOLF, and Mr. TIBERI):

H.R. 1325. A bill to amend title XVIII of the Social Security Act to provide Medicare entitlement to immunosuppressive drugs for kidney transplant recipients; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. GENE GREEN of Texas, and Mr. CARTER):

H.R. 1326. A bill to amend title XIX of the Social Security Act to provide for increased price transparency of hospital information and to provide for additional research on consumer information on charges and out-of-pocket costs; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mr. ROGERS of Michigan, and Mr. SHERMAN):

H.R. 1327. A bill to improve United States humanitarian and other assistance to the Syrian people, facilitate the transition of Syria to a democratic government, provide for United States support to the post-Assad government, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. MARKEY, Mr. SABLAN, Mr. PIERLUISI, Mr. YOUNG of Alaska, and Mr. GRIMM):

H.R. 1328. A bill to reauthorize the Great Ape Conservation Act, and for other purposes; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. FALBOMAVAEGA, Mr. MORAN, Mr. FARR, Ms. LOFGREN, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. BORDALLO, and Mr. GRIMM):

H.R. 1329. A bill to reauthorize the Marine Turtle Conservation Act of 2004, and for other purposes; to the Committee on Natural Resources.

By Ms. BASS (for herself, Ms. WILSON of Florida, Mr. HINOJOSA, Ms. FUDGE, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. AL GREEN of Texas, Mr. PAYNE, Mr. JOHNSON of Georgia, Mr. CLYBURN, Mr. CLAY, Mr. WATT, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Ms. LEE of California, Mr. RICHMOND, Mr. LEWIS, Ms. BROWN of Florida, Ms. EDWARDS, Mr. CONYERS, Ms. NORTON, Ms. JACKSON LEE, Mr. RANGEL, Ms. BORDALLO, Mr. SABLAN, Ms. MOORE, Mr. RYAN of Ohio, Mr. GENE GREEN of Texas, Mr. JEFFRIES, Mr. SCHIFF, Mr. BISHOP of Georgia, Ms. LOFGREN, Ms. BROWNLEY of California, and Mr. ELLISON):

H.R. 1330. A bill to increase purchasing power, strengthen economic recovery, and

restore fairness in financing higher education in the United States through student loan forgiveness, caps on interest rates on Federal student loans, and refinancing opportunities for private borrowers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. CHABOT, Mr. GRIMM, Mr. HARRIS, and Mrs. BLACKBURN):

H.R. 1331. A bill to amend certain requirements and penalties implemented under the Medicare and Medicaid programs by the HITECH Act of 2009, which would otherwise impede eligible professionals from adopting electronic health records to improve patient care; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BUSTOS:

H.R. 1332. A bill to amend titles 10 and 41, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mrs. CAPPS, Mr. CONYERS, Ms. DELAURO, Mr. DINGELL, Mr. HONDA, Ms. LEE of California, Mr. LOWENTHAL, Mr. MCGOVERN, Ms. NORTON, Mr. O'ROURKE, Ms. SCHAKOWSKY, Mr. JONES, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. CASTRO of Texas, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. KENNEDY, Mr. LARSON of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. NOLAN, and Mr. CRAMER):

H.R. 1333. A bill to amend title 38, United States Code, to grant family of members of the uniformed services temporary annual leave during the deployment of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CHU (for herself, Mr. HINOJOSA, Ms. CLARKE, Ms. BROWN of Florida, Ms. BASS, Ms. NORTON, and Mr. HONDA):

H.R. 1334. A bill to establish a grant program to ensure that students in high-need schools have equal access to a quality education delivered by an effective, diverse workforce; to the Committee on Education and the Workforce.

By Mrs. DAVIS of California:

H.R. 1335. A bill to require Fannie Mae and Freddie Mac to disclose the minimum purchase price that such an enterprise will accept on the short sale of a residence financed by a mortgage purchased by such an enterprise in order to make short sales a viable alternative to foreclosure; to the Committee on Financial Services.

By Mr. RODNEY DAVIS of Illinois (for himself, Ms. FUDGE, and Mr. STIVERS):

H.R. 1336. A bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making gifts with their returns of income tax to the Federal Government to pay down the public debt; to the Committee on Ways and Means.

By Mr. DESANTIS (for himself, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. FLORES, Mr. KING of Iowa, and Mr. FRANKS of Arizona):

H.R. 1337. A bill to restrict funds for the Palestinian Authority, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DINGELL (for himself, Mr. CONYERS, Mrs. CAROLYN B. MALONEY of New York, Ms. DEGETTE, Ms. SLAUGHTER, Mr. ELLISON, Mr. HIMES, Ms. EDWARDS, Ms. DELAURO, Mr. POLIS, and Ms. NORTON):

H.R. 1338. A bill to amend the Federal Election Campaign Act of 1971 to reassert the authority of Congress to restrict spending by corporations and labor organizations on campaigns for elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. ENGEL (for himself, Mr. REED, Ms. BROWN of Florida, Mr. FARR, and Mr. BLUMENAUER):

H.R. 1339. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Energy and Commerce.

By Mr. FATTAH (for himself, Mr. GRIJALVA, Ms. CLARKE, Ms. HAHN, Mr. HASTINGS of Florida, Mr. LEWIS, Ms. BROWN of Florida, Mr. SCOTT of Virginia, Mr. RANGEL, Mr. CONYERS, Mr. PAYNE, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. AL GREEN of Texas, Ms. WATERS, and Mr. ELLISON):

H.R. 1340. A bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FINCHER:

H.R. 1341. A bill to require the Financial Stability Oversight Council to conduct a study of the likely effects of the differences between the United States and other jurisdictions in implementing the derivatives credit valuation adjustment capital requirement; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 1342. A bill to repeal provisions of the Patient Protection and Affordable Care Act relating to health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H.R. 1343. A bill to amend the Elementary and Secondary Education Act of 1965 to di-

rect the Secretary of Education to award grants for science, technology, engineering, and math education programs; to the Committee on Education and the Workforce.

By Ms. GABBARD (for herself, Mr. JOYCE, and Mr. RICHMOND):

H.R. 1344. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes; to the Committee on Homeland Security.

By Mr. GOSAR (for himself, Mr. MATHESON, Mr. AMODEI, Mrs. LUMMIS, Mr. PEARCE, Mr. WALDEN, Mr. SCHWEIKERT, Mr. CRAMER, Mr. FRANKS of Arizona, Mrs. KIRKPATRICK, Mr. MCCLINTOCK, Mr. SALMON, Mr. CONAWAY, and Mr. STEWART):

H.R. 1345. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 1346. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 1347. A bill to provide for the conveyance of certain Federal lands in Yuma County, Arizona; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1348. A bill to establish the Great Bend of the Gila National Monument in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1349. A bill to establish the Santa Cruz Valley National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. POLIS, Mrs. CAROLYN B. MALONEY of New York, Mrs. NAPOLITANO, Mr. ELLISON, Mr. CONYERS, Ms. SLAUGHTER, Mr. HUFFMAN, Mr. NADLER, Mr. BLUMENAUER, Ms. MCCOLLUM, Mr. FARR, Ms. CHU, Mrs. KIRKPATRICK, and Mr. PASTOR of Arizona):

H.R. 1350. A bill to withdraw the Tusayan Ranger District and Federal land managed by the Bureau of Land Management in the vicinity of Kanab Creek and in House Rock Valley from location, entry, and patent under the mining laws, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. BEN RAY LUJÁN of New Mexico, Mr. MORAN, Mr. POLIS, Mrs. CHRISTENSEN, Mr. MARKEY, Mr. RANGEL, Mr. HUFFMAN, Mr. ELLISON, Mrs. NAPOLITANO, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. CONYERS, Ms. SHEA-PORTER, Ms. LEE of California, Ms.

SLAUGHTER, Mr. CARTWRIGHT, Mr. FARR, Ms. MCCOLLUM, Ms. NORTON, Mr. HASTINGS of Florida, Mr. PIERLUISI, Mr. TAKANO, Mr. BLUMENAUER, and Mr. PERLMUTTER):

H.R. 1351. A bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 1352. A bill to provide for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANNA (for himself and Mr. ISRAEL):

H.R. 1353. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for higher education expenses in a program of study in science, technology, engineering, or mathematics; to the Committee on Ways and Means.

By Mr. HECK of Nevada (for himself, Mr. QUIGLEY, Mr. AMODEI, Mr. CICILLINE, and Mr. GRIMM):

H.R. 1354. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States and for other purposes; to the Committee on the Judiciary.

By Mr. HUELSKAMP (for himself, Mr. GOHMERT, Mr. SCHWEIKERT, Mr. DENHAM, and Mrs. BLACKBURN):

H.R. 1355. A bill to replace certain Federal nutrition programs with a block grant to the States, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. SCHIFF, Ms. LINDA T. SANCHEZ of California, Mr. MCCLINTOCK, Ms. MATSUI, Ms. LEE of California, Mr. HONDA, Ms. WATERS, Mr. CALVERT, Mr. COSTA, Mr. FARR, Mr. ROYCE, Ms. LORETTA SANCHEZ of California, Mr. ROHRBACHER, Mrs. NAPOLITANO, Mr. NUNES, Mr. WAXMAN, Mr. THOMPSON of California, Mr. CÁRDENAS, Mrs. CAPPS, Ms. ESHOO, Mr. COOK, Ms. BROWNLEY of California, Mrs. NEGRETE MCLEOD, Mr. VARGAS, Mr. LAMALFA, Ms. CHU, Mr. CAMPBELL, Mr. SHERMAN, Mr. MCCARTHY of California, Mr. MCKEON, Mr. MCNERNEY, Mr. GARAMENDI, Mr. DENHAM, Mr. TAKANO, Ms. HAHN, Mr. SWALWELL of

California, Mr. RUIZ, Ms. LOFGREN, Mrs. DAVIS of California, Mr. BERA of California, Mr. LOWENTHAL, Mr. VALADAO, Mr. HUFFMAN, and Ms. BASS):

H.R. 1356. A bill to designate the facility of the United States Postal Service located at 1444 Main Street in Ramona, California, as the "Nelson 'Mac' MacWilliams Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Ohio:

H.R. 1357. A bill to amend the VOW to Hire Heroes Act of 2011 to improve the Veterans Retraining Assistance Program by providing assistance under such program for certain training programs that are considered less than full-time; to the Committee on Veterans' Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. CLARKE, Mr. LARSEN of Washington, Mr. HINOJOSA, Ms. NORTON, Ms. LOFGREN, Ms. BROWNLEY of California, Mr. HONDA, Mr. TAKANO, Mr. DANNY K. DAVIS of Illinois, Mr. KILMER, Mrs. CHRISTENSEN, Ms. SCHWARTZ, and Mr. RUSH):

H.R. 1358. A bill to direct the Director of the Office of Science and Technology Policy to carry out programs and activities to ensure that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. JONES:

H.R. 1359. A bill to require the Secretary of Defense to determine and disclose the cost of any transportation provided by the Secretary to Members, officers, or employees of the House of Representatives or Senate who are carrying out official duties outside the United States, and for other purposes; to the Committee on Armed Services.

By Mr. JONES:

H.R. 1360. A bill to amend title 10, United States Code, to provide for forgiveness of certain overpayments of retired pay paid to deceased retired members of the Armed Forces following their death; to the Committee on Armed Services.

By Mr. KIND:

H.R. 1361. A bill to terminate or retire certain aircraft and ship programs of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. KING of New York (for himself, Mr. BISHOP of Georgia, Mr. CAPUANO, Ms. CLARKE, Mr. CUMMINGS, Mr. HONDA, Mr. MEEKS, Mr. MORAN, Mr. POCAN, Mr. SARBANES, and Mr. SIREs):

H.R. 1362. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Oversight and Government Reform.

By Mr. LABRADOR:

H.R. 1363. A bill to promote timely exploration for geothermal resources under existing geothermal leases, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut:

H.R. 1364. A bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Science,

Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mr. CONYERS, Mr. ELLISON, Mr. POLIS, Ms. SCHAKOWSKY, Mr. SWALWELL of California, and Mr. WELCH):

H.R. 1365. A bill to amend the Immigration and Nationality Act to reaffirm the United States historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH (for himself, Mr. FITZPATRICK, Mr. ROGERS of Kentucky, Mr. RAHALL, Mr. KEATING, Mr. WOLF, and Ms. SLAUGHTER):

H.R. 1366. A bill to direct the Commissioner of Food and Drugs to modify the approval of any drug containing controlled-release oxycodone hydrochloride to limit such approval to use for the relief of severe-only instead of moderate-to-severe pain, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LYNCH (for himself, Mr. CUMMINGS, Mr. MORAN, and Ms. NORTON):

H.R. 1367. A bill to amend chapter 89 of title 5, United States Code, to ensure program integrity, transparency, and cost savings in the pricing and contracting of prescription drug benefits under the Federal Employees Health Benefits Program; to the Committee on Oversight and Government Reform.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Ms. SCHWARTZ):

H.R. 1368. A bill to assist States in providing voluntary high-quality universal pre-kindergarten programs and programs to support infants and toddlers; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. ELLISON, Ms. NORTON, Mr. CAPUANO, Mr. MORAN, Mr. RUSH, Ms. TSONGAS, Mr. LYNCH, and Mr. BLUMENAUER):

H.R. 1369. A bill to prohibit the sale of a firearm to, and the purchase of a firearm by, a person who is not covered by appropriate liability insurance coverage; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. CUMMINGS, and Mr. RUSH):

H.R. 1370. A bill to require a site operator of an international travel Web site to provide information on its Web site to consumers regarding the potential health and safety risks associated with overseas vacation destinations marketed on its Web site; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM (for herself and Mr. COLE):

H.R. 1371. A bill to restore to the Indian Health Service funds sequestered under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to the extent that the percentage reduction for that program exceeded 2 percent; to the Committee on the Budget.

By Mr. MICHAUD (for himself, Ms. PINGREE of Maine, and Mr. WELCH):

H.R. 1372. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at or underwent training at Canadian Forces Base

Gagetown, New Brunswick, Canada, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. RAHALL, Mr. COURTNEY, Ms. SHEA-PORTER, Mr. HOLT, Mr. YARMUTH, Mr. ANDREWS, Mr. GRIJALVA, Mr. NADLER, Mr. LANGEVIN, Mr. SCHIFF, Mr. VISLOSKY, Mr. HONDA, Mr. RYAN of Ohio, Mr. BLUMENAUER, Ms. SLAUGHTER, Mr. CONYERS, and Mr. ENYART):

H.R. 1373. A bill to improve compliance with mine safety and health laws, empower miners to raise safety concerns, prevent future mine tragedies, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MOORE (for herself and Ms. SCHAKOWSKY):

H.R. 1374. A bill to amend title II of the Social Security Act to make various reforms to Social Security, and for other purposes; to the Committee on Ways and Means.

By Mr. MULLIN:

H.R. 1375. A bill to facilitate the development of wind energy resources on Federal lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. SIRES, Mr. LANCE, Mr. ANDREWS, Mr. LOBIONDO, Mr. GARRETT, Mr. RUNYAN, Mr. HOLT, Mr. FRELINGHUYSEN, Mr. PALLONE, Mr. PASCRELL, and Mr. SMITH of New Jersey):

H.R. 1376. A bill to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Judge Shirley A. Tolentino Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. PEARCE (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 1377. A bill to authorize the Mescalero Apache Tribe to lease adjudicated water rights; to the Committee on Natural Resources.

By Mr. PETERS of California (for himself, Mr. HUNTER, Mr. HUFFMAN, Mr. GARAMENDI, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA of California, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mrs. CAPPS, Ms. BROWNLEY of California, Ms. CHU, Mr. SCHIFF, Mr. CÁRDENAS, Mr. SHERMAN, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. BECERRA, Mrs. NEGRETE MCLEOD, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Ms. ROYBAL-ALLARD, Mr. TAKANO, Ms. WATERS, Ms. HAHN, Ms. LORETTA SANCHEZ of California, Mr. LOWENTHAL, Mr. VARGAS, and Mrs. DAVIS of California):

H.R. 1378. A bill to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the "James

M. Carter and Judith N. Keep United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. PIERLUISI (for himself, Mr. MICA, Mr. SERRANO, Ms. ROSELEHTINEN, Mr. GRIJALVA, Mr. KING of New York, Mr. CONYERS, Mr. DIAZ-BALART, Mr. GRAYSON, Mr. YOUNG of Alaska, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H.R. 1379. A bill to amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program; to the Committee on Ways and Means.

By Mr. QUIGLEY (for himself, Mr. AMASH, Mr. CUMMINGS, Mr. COOPER, Ms. NORTON, Mr. YARMUTH, Mr. DANNY K. DAVIS of Illinois, Mrs. CAROLYN B. MALONEY of New York, Ms. SPEIER, Mr. KIND, and Mr. POLIS):

H.R. 1380. A bill to require the Public Printer to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. FRANKS of Arizona, Mr. PITTS, Mr. PITTENGER, Mr. COLE, Mr. HARRIS, Mr. DUNCAN of South Carolina, Mr. MESSER, and Mr. LAMALFA):

H.R. 1381. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. YOUNG of Alaska):

H.R. 1382. A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to establish a constituent-driven program that collects priority coastal geospatial data and supports an information platform capable of efficiently integrating coastal data with decision support tools, training, and best practices to inform and improve local, State, regional, and Federal capacities to manage the coastal region; to the Committee on Natural Resources.

By Mr. SABLÁN (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. FALEOMAVAEGA):

H.R. 1383. A bill to amend title XIV of division A of the American Recovery and Reinvestment Act of 2009 to equalize the treatment of States and outlying areas; to the Committee on Education and the Workforce.

By Mr. SABLÁN:

H.R. 1384. A bill to provide for the issuance of a Wildlife Refuge System Conservation Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. MARKEY, Mr. BLUMENAUER, Ms. CHU, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HUFFMAN, Mr. LOWENTHAL, Mr. MICHAUD, Mr. MORAN, Ms. NORTON, Ms. PINGREE of Maine, Ms. WASSERMAN SCHULTZ, and Ms. SPEIER):

H.R. 1385. A bill to amend title VI of the Federal Food, Drug, and Cosmetic Act to ensure the safe use of cosmetics, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHOCK (for himself, Mr. MEEHAN, Mr. VALADAO, Mr. RODNEY DAVIS of Illinois, and Mr. KIND):

H.R. 1386. A bill to support the local decision-making functions of local educational agencies by limiting the authority of the Secretary of Education to issue regulations, rules, grant conditions, and guidance materials, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCHRADER:

H.R. 1387. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain perishable agricultural commodities from the goods whose sale or distribution in commerce may be prohibited subsequent to a violation of such Act; to the Committee on Education and the Workforce.

By Ms. SHEA-PORTER:

H.R. 1388. A bill to extend the temporary suspension of duty on bitolylene diisocyanate (TODI); to the Committee on Ways and Means.

By Ms. SLAUGHTER (for herself, Mr. RANGEL, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Ms. MOORE, Ms. LEE of California, Mr. GRIJALVA, Ms. DEGETTE, Mr. CAPUANO, Mrs. NAPOLITANO, Ms. EDWARDS, Ms. PINGREE of Maine, Ms. LOFGREN, Ms. DELAULO, Mr. CONYERS, Ms. CASTOR of Florida, Mr. MCNERNEY, Mr. QUIGLEY, Mr. JOHNSON of Georgia, Mr. CLAY, Mr. MARKEY, Mr. HONDA, Ms. SPEIER, Ms. SCHAKOWSKY, Ms. TSONGAS, Mr. BLUMENAUER, Mr. HIGGINS, Mr. HOLT, Mr. ELLISON, Ms. CHU, Mrs. DAVIS of California, Mrs. CAPPS, and Ms. MATSUI):

H.R. 1389. A bill to amend title 10, United States Code, regarding restrictions on abortions at medical facilities of the Department of Defense; to the Committee on Armed Services.

By Mr. SMITH of New Jersey (for himself, Mr. DEUTCH, Mr. LOBIONDO, Mr. RUNYAN, Mr. LARSON of Connecticut, Ms. FRANKEL of Florida, and Mr. COURTNEY):

H.R. 1390. A bill to amend title XVIII of the Social Security Act to preserve access to urban Medicare-dependent hospitals; to the Committee on Ways and Means.

By Mr. STIVERS (for himself, Mr. CHABOT, Mr. WENSTRUP, Mrs. BEATTY, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Ms. KAPTUR, Mr. TURNER, Ms. FUDGE, Mr. TIBERI, Mr. RYAN of Ohio, Mr. RENACCI, and Mr. JOYCE):

H.R. 1391. A bill to designate the facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, as the "Lance Corporal Joshua B. McDaniels and Veterans Memorial Post Office Building"; to

the Committee on Oversight and Government Reform.

By Mr. STIVERS (for himself, Mr. CHABOT, Mr. WENSTRUP, Mrs. BEATTY, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Ms. KAPTUR, Mr. TURNER, Ms. FUDGE, Mr. TIBERI, Mr. RYAN of Ohio, Mr. RENACCI, and Mr. JOYCE):

H.R. 1392. A bill to designate the facility of the United States Postal Service located at 2539 Dartmoor Road in Grove City, Ohio, as the "Master Sergeant Shawn T. Hannon and Veterans Memorial Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. STIVERS (for himself, Mr. CHABOT, Mr. WENSTRUP, Mrs. BEATTY, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Ms. KAPTUR, Mr. TURNER, Ms. FUDGE, Mr. TIBERI, Mr. RYAN of Ohio, Mr. RENACCI, and Mr. JOYCE):

H.R. 1393. A bill to designate the facility of the United States Postal Service located at 3700 Riverside Drive in Columbus, Ohio, as the "Master Sergeant Jeffery J. Rieck and Veterans Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. TIPTON:

H.R. 1394. A bill to direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service; to the Committee on Natural Resources.

By Ms. TITUS (for herself, Ms. LOFGREN, Ms. SEWELL of Alabama, and Ms. FUDGE):

H.R. 1395. A bill to amend the Richard B. Russell National School Lunch Act to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays during the school year; to the Committee on Education and the Workforce.

By Mr. VALADAO (for himself, Mr. NUNES, Mr. MCCARTHY of California, Mr. COSTA, Mr. LAMALFA, and Mr. DENHAM):

H.R. 1396. A bill to provide for the inclusion of the State of California as a separate Federal milk marketing order upon the petition and approval of California dairy producers of such inclusion; to the Committee on Agriculture.

By Ms. WATERS (for herself, Mr. ELLISON, Mr. CICILLINE, Mrs. BEATTY, Ms. BASS, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Mr. PAYNE, Ms. SEWELL of Alabama, Mr. DAVID SCOTT of Georgia, Mr. JOHNSON of Georgia, Mr. CLEAVER, Mr. HASTINGS of Florida, Mr. VEASEY, Mr. RICHMOND, Mr. CLYBURN, Mr. WATT, Mr. THOMPSON of Mississippi, and Ms. EDWARDS):

H.R. 1397. A bill to create jobs and reinvest in communities through the rehabilitation of abandoned and foreclosed residential and commercial properties, and for other purposes; to the Committee on Financial Services.

By Mr. WITTMAN (for himself and Mr. HASTINGS of Washington):

H.R. 1398. A bill to facilitate the development of offshore wind energy resources; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1399. A bill to reauthorize the Hydrographic Services Improvement Act of 1998,

and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Florida:

H.R. 1400. A bill to amend title 38, United States Code, to clarify that children of certain veterans are eligible for the Marine Gunnery Sergeant John David Fry scholarship; to the Committee on Veterans' Affairs.

By Ms. BASS (for herself, Mr. SMITH of New Jersey, Mr. MEEKS, Mr. SIRES, Mr. CONNOLLY, Mr. DEUTCH, Mr. KEATING, Mr. CICILLINE, Mr. VARGAS, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. RANGEL, Mr. SMITH of Washington, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. MORAN, Ms. NORTON, Mr. PAYNE, Mr. RUSH, Mr. TAKANO, Mrs. CAROLYN B. MALONEY of New York, Mr. HONDA, Ms. EDWARDS, Mrs. BEATTY, Mr. CAPUANO, Mr. CLEAVER, Mrs. CHRISTENSEN, Mr. DANNY K. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Mr. DAVID SCOTT of Georgia, Mr. HASTINGS of Florida, Mr. CLYBURN, Mr. VEASEY, Mr. THOMPSON of Mississippi, Mr. WATT, Ms. SCHAKOWSKY, Ms. SPEIER, Ms. JACKSON LEE, Ms. HAHN, Ms. FUDGE, Ms. MOORE, Mr. ELLISON, Ms. CLARKE, Mr. LARSEN of Washington, Mr. SCOTT of Virginia, Ms. WATERS, and Mr. BISHOP of Georgia):

H. Res. 131. A resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts toward long-term peace, stability, and observance of human rights; to the Committee on Foreign Affairs.

By Mr. CARDENAS (for himself, Mr. GUTIERREZ, Mr. PASCRELL, Mr. SIRES, Mr. SERRANO, Mrs. NAPOLITANO, Mr. PIERLUISI, Mr. VARGAS, Mr. HINOJOSA, Ms. LINDA T. SANCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRIJALVA, Ms. LEE of California, and Mr. HONDA):

H. Res. 132. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself, Mr. YOUNG of Alaska, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, Mr. LEVIN, Mr. SMITH of Washington, Mr. HONDA, Mrs. CAROLYN B. MALONEY of New York, Ms. LEE of California, Mr. PAYNE, Ms. ROYBAL-ALLARD, Mr. HASTINGS of Florida, and Ms. LOFGREN):

H. Res. 133. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANNA (for himself and Mr. HIGGINS):

H. Res. 134. A resolution condemning the Democratic People's Republic of Korea for its continuing acts of aggression, its expressed intent to break the July 10, 1953, Korean War Armistice Agreement, and for its repeated violations of United Nations Security Council resolutions; to the Committee on Foreign Affairs.

By Mrs. LOWEY (for herself and Mr. CRENSHAW):

H. Res. 135. A resolution recognizing the importance of frontline health workers to-

ward accelerating progress on global health and saving the lives of women and children, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BILIRAKIS, Mr. VAN HOLLEN, Mr. FRELINGHUYSEN, Mr. GRIMM, Mr. GARRETT, Mr. SHERMAN, and Ms. LORETTA SANCHEZ of California):

H. Res. 136. A resolution urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate; to the Committee on Foreign Affairs.

By Mr. PEARCE:

H. Res. 137. A resolution recognizing the security challenges of convening government officials in one specific place and directing the House of Representatives to take appropriate steps so that the House of Representatives can meet in a virtual setting; to the Committee on the Judiciary, and in addition to the Committees on Rules, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. PETERS of California, Mr. BRADY of Pennsylvania, Mr. FITZPATRICK, Mr. MCGOVERN, Ms. BORDALLO, Mr. LOEBSACK, Mr. GRIJALVA, Mr. COHEN, and Mr. TAKANO):

H. Res. 138. A resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day"; to the Committee on Veterans' Affairs.

By Ms. WILSON of Florida (for herself, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. MILLER of Florida, Mr. ROSS, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. WEBSTER of Florida, Mr. BILIRAKIS, Mr. CRENSHAW, Ms. ROS-LEHTINEN, Mr. POSEY, Ms. CASTOR of Florida, and Mr. DIAZ-BALART):

H. Res. 139. A resolution honoring the life of the Honorable Larcenia J. Bullard; to the Committee on Oversight and Government Reform.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PASTOR of Arizona introduced a bill (H.R. 1401) for the relief of Jose Luis Alvarado Cardenas; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HASTINGS of Washington:

H.R. 1308.  
Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. PRICE of Georgia:

H.R. 1309.

Congress has the power to enact this legislation pursuant to the following:

Current law has created a regulatory structure over the health care system. In order to make this system more compatible with a proper Constitutional structure, this bill will ensure that there is less regulation impeding the ability of pathologists to provide important services to patients and doctors.

By Mr. PRICE of Georgia:

H.R. 1310.

Congress has the power to enact this legislation pursuant to the following:

The Fifth Amendment provides that no person shall be deprived of life, liberty, or property, without due process of law. This bill ensures that the rights of Medicare beneficiaries to independently contract are not infringed by the federal government.

By Mr. PITTENGER:

H.R. 1311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause.

By Mr. CHAFFETZ:

H.R. 1312.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3, and the 4th and 14th Amendment to the U.S. Constitution

By Mrs. HARTZLER:

H.R. 1313.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. FLORES:

H.R. 1314.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of the United States.

By Ms. FOXX:

H.R. 1315.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution which states "Congress shall have power to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. FLORES:

H.R. 1316.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. LATHAM:

H.R. 1317.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises"), and the 16th Amendment to the United States Constitution.

By Mr. SCOTT of Virginia:

H.R. 1318.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 of the Constitution; and

Article I, section 8, clause 18 of the Constitution.

By Mr. MCNERNEY:

H.R. 1319.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the United States Constitution.

By Mr. NEAL:

H.R. 1320.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

Clause 1 of Section 8 of Article 1 of the Constitution.

Clause 18 of Section 8 of Article 1 of the Constitution.

By Ms. DUCKWORTH:

H.R. 1321.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 sec. 8 cl. 1) Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Mr. LIPINSKI:

H.R. 1322.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: The Congress shall have Power \*\*\* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SEWELL of Alabama:

H.R. 1323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the sixteenth amendment

By Ms. SEWELL of Alabama:

H.R. 1324.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the sixteenth amendment

By Mr. BURGESS:

H.R. 1325.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article 1, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BURGESS:

H.R. 1326.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: "To regulate

Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article 1, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. ENGEL:

H.R. 1327.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. GEORGE MILLER of California:

H.R. 1328.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. PIERLUISI:

H.R. 1329.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. BASS:

H.R. 1330.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1. Article I, Section 8. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mrs. BLACK:

H.R. 1331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. BUSTOS:

H.R. 1332.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 1333.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Ms. CHU:

H.R. 1334.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3 and Article 1, Section 9, Clause 7 of the Constitution of the United States of America, the authority to enact this legislation rests with the Congress.

By Mrs. DAVIS of California:

H.R. 1335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RODNEY DAVIS of Illinois:

H.R. 1336.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Clause I and II of



Section 8 of Article I and the XVI Amendment of the United States Constitution.

By Mr. DeSANTIS:

H.R. 1337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DINGELL:

H.R. 1338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV.

By Mr. ENGEL:

H.R. 1339.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1; and

Article I, Section 8, Clause 18.

By Mr. FATTAH:

H.R. 1340.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FINCHER:

H.R. 1341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. FLEMING:

H.R. 1342.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause I, Congress has the ability to lay and collect taxes and to provide for the general welfare of the United States, and Amendment XVI.

By Ms. FUDGE:

H.R. 1343.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Ms. GABBARD:

H.R. 1344.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GOSAR:

H.R. 1345.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as "without limitation." This bill falls squarely within the express Constitu-

tional power set forth in the Property Clause. Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging.

By Mr. GRAYSON:

H.R. 1346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. GRIJALVA:

H.R. 1347.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. GRIJALVA:

H.R. 1348.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. GRIJALVA:

H.R. 1349.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. GRIJALVA:

H.R. 1350.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. GRIJALVA:

H.R. 1351.

Congress has the power to enact this legislation pursuant to the following:

Section Article IV, Section 3

By Mr. GRIJALVA:

H.R. 1352.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. HANNA:

H.R. 1353.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HECK of Nevada:

H.R. 1354.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.1

By Mr. HUELSKAMP:

H.R. 1355.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article I, Section 8, Clause 1 and the Tenth Amendment to the United States Constitution. This bill restores the proper balance of power between the federal and state governments as intended under the Tenth Amendment to the United States Constitution by devolving the responsibility of providing food assistance for low income citizens to the states. It reinforces the founding constitutional principle that state governments are properly situated with attending to their citizens' health, safety, and general welfare.

By Mr. HUNTER:

H.R. 1356.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7

By Mr. JOHNSON of Ohio:

H.R. 1357.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1358.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. JONES:

H.R. 1359.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 5 of the U.S. Constitution, which grants Congress the authority to determine the rules of its own proceedings, and Article 1, Section 8 of the U.S. Constitution, which grants Congress the authority to make rules for the government and regulation of the armed forces.

By Mr. JONES:

H.R. 1360.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. KIND:

H.R. 1361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12:

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

By Mr. KING of New York:

H.R. 1362.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LABRADOR:

H.R. 1363.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution

By Mr. LARSON of Connecticut:

H.R. 1364.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

Clause 3 of Section 8 of Article I of the Constitution

Amendment XVI of the Constitution

By Ms. LOFGREN:

H.R. 1365.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. LYNCH:

H.R. 1366.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Mr. LYNCH:

H.R. 1367.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18



By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 the Commerce Clause

By Mr. MARKEY:

H.R. 1370.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Ms. MCCOLLUM:

H.R. 1371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. MICHAUD:

H.R. 1372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GEORGE MILLER of California:

H.R. 1373.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Ms. MOORE:

H.R. 1374.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MULLIN:

H.R. 1375.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. PAYNE:

H.R. 1376.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution

By Mr. PEARCE:

H.R. 1377.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. PETERS of California:

H.R. 1378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. PIERLUISI:

H.R. 1379.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. QUIGLEY:

H.R. 1380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROKITA:

H.R. 1381.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. RUPPERSBERGER:

H.R. 1382.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Mr. SABLAN:

H.R. 1383.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. SABLAN:

H.R. 1384.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8 of the Constitution.

By Ms. SCHAKOWSKY:

H.R. 1385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SCHOCK:

H.R. 1386.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the Constitution of the United States.

By Mr. SCHRADER:

H.R. 1387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. SHEA-PORTER:

H.R. 1388.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. SLAUGHTER:

H.R. 1389.

Congress has the power to enact this legislation pursuant to the following:

the constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18).

By Mr. SMITH of New Jersey:

H.R. 1390.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause I of the Constitution.

By Mr. STIVERS:

H.R. 1391.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. STIVERS:

H.R. 1392.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. STIVERS:

H.R. 1393.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. TIPTON:

H.R. 1394.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3 clause 2 of the United States Constitution.

By Ms. TITUS:

H.R. 1395.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. VALADAO:

H.R. 1396.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of Section 8 of Clause 7 and Article 1 of Section 8 of Clause 18 of the Constitution.

By Ms. WATERS:

H.R. 1397.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses I, III, and XVIII of the Constitution of the United States.

By Mr. WITTMAN:

H.R. 1398.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. YOUNG of Alaska:

H.R. 1399.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Florida:

H.R. 1400.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

Mr. PASTOR of Arizona:

H.R. 1401.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 4

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 3: Mrs. ROBY and Mr. STEWART.  
H.R. 24: Mr. RODNEY DAVIS of Illinois, Mr. LANKFORD, and Mr. LIPINSKI.  
H.R. 39: Mr. PIERLUISI and Mr. GEORGE MILLER of California.  
H.R. 45: Mr. CARTER and Mr. DESANTIS.  
H.R. 138: Mr. HASTINGS of Florida.  
H.R. 139: Mr. PERLMUTTER.  
H.R. 148: Mr. JONES.  
H.R. 164: Mr. SWALWELL of California.  
H.R. 223: Mr. COSTA.  
H.R. 258: Mr. DeFAZIO and Mr. HUDSON.  
H.R. 262: Mr. BARLETTA.  
H.R. 280: Ms. MOORE.  
H.R. 309: Mrs. HARTZLER, Mr. WENSTRUP, Mr. SHIMKUS, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mrs. NOEM, Mr. HALL, Mr. ROE of Tennessee, Mr. SOUTHERLAND, Mr. KING of Iowa, and Mr. ROSS.  
H.R. 311: Mrs. ROBY.  
H.R. 312: Mr. VARGAS.  
H.R. 324: Mr. ANDREWS, Mr. DEUTCH, Mr. FARR, Mr. ISSA, Mr. LARSON of Connecticut, Mr. LATHAM, Mr. MORAN, Mr. OLSON, Ms. SEWELL of Alabama, Mr. THOMPSON of California, Mr. WELCH, Mr. WOLF, Ms. CASTOR of Florida, Mr. COLLINS of Georgia, Mr. CONNOLLY, Mr. CULBERSON, Mr. DeFAZIO, Mr. FORTENBERRY, Mr. GENE GREEN of Texas, Ms. HANABUSA, Mr. HANNA, Mr. HOLDING, Mr. HUELSKAMP, Mr. KIND, Mrs. LOWEY, Mr. McDERMOTT, Mr. PAULSEN, Mr. PERLMUTTER, Mr. PETERS of California, Mr. PRICE of North Carolina, Mr. RIBBLE, Mr. VAN HOLLEN, Mr. TAKANO, Mr. SIREs, Mr. SCHWEIKERT, Mr. RUIZ, Mr. ROTHFUS, Mr. HARPER, Mr. McGOVERN, Mr. PASTOR of Arizona, and Mr. O'ROURKE.  
H.R. 333: Ms. SEWELL of Alabama, Mr. BARBER, Mr. PETERS of California, and Mr. LYNCH.  
H.R. 357: Mr. HONDA.  
H.R. 366: Mrs. BEATTY, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of California, and Mr. MCNERNEY.  
H.R. 427: Ms. DeLAURO and Mr. CárDENAS.  
H.R. 437: Ms. PINGREE of Maine and Mr. PRICE of North Carolina.  
H.R. 452: Mr. FATTAH, Mr. MARKEY, Mr. GUTIERREZ, Mr. CAPUANO, Ms. LOFGREN, Mr. ENGEL, Ms. ROYBAL-ALLARD, Mr. GEORGE MILLER of California, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. RUPPERSBERGER, Mr. YARMUTH, Ms. DeLAURO, Mr. LANGEVIN, Mr. NEAL, Mr. WAXMAN, Mr. HOLT, Mr. BLUMENAUER, Mr. THOMPSON of Mississippi, Mr. SIREs, Mr. ANDREWS, Mr. JOHNSON of Georgia, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. MENG, Mr. LARSON of Connecticut, Mr. CROWLEY, Mr. GRIJALVA, Mr. NADLER, and Mr. SERRANO.  
H.R. 484: Mr. HURT.  
H.R. 486: Mr. WOLF.  
H.R. 494: Mr. CARTWRIGHT, Mr. BUTTERFIELD, Mr. QUIGLEY, Mr. COHEN, Ms. HANABUSA, Ms. TSONGAS, Mr. GRIJALVA, Mr. WATT, Mr. PETRI, Mr. LARSON of Connecticut, Mr. MICHAUD, Mrs. BACHMANN, Mr. DUNCAN of Tennessee, Mr. LOEBSACK, Mr. BOUSTANY, and Mr. LONG.  
H.R. 508: Mr. LATHAM and Mr. STIVERS.  
H.R. 509: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 510: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 511: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 530: Mr. CARTWRIGHT.  
H.R. 563: Mr. POCAN.  
H.R. 565: Mr. RYAN of Ohio.  
H.R. 569: Mrs. MCCARTHY of New York.  
H.R. 570: Mr. RODNEY DAVIS of Illinois.  
H.R. 580: Mr. FORBES.  
H.R. 594: Mr. FORBES and Mr. HIMES.  
H.R. 597: Mrs. MCCARTHY of New York and Mr. COHEN.  
H.R. 627: Ms. JENKINS, Mr. CRAMER, Mr. DAINES, Mrs. ELLMERS, Mr. GIBSON, Mr. GIBBS, Mr. DENT, Mr. FINCHER, Mr. FRELINGHUYSEN, Mr. WOMACK, Mr. CHABOT, Mr. FITZPATRICK, Mr. RUNYAN, Mr. WHITFIELD, Mr. MURPHY of Pennsylvania, Mr. MCKINLEY, Mr. REED, Mr. JOYCE, Mr. UPTON, Mr. GRIMM, and Mr. O'ROURKE.  
H.R. 628: Mrs. DAVIS of California and Ms. TITUS.  
H.R. 632: Mr. PERLMUTTER.  
H.R. 633: Mr. MORAN.  
H.R. 644: Ms. MENG and Mr. TONKO.  
H.R. 647: Mr. BARBER and Mr. CHABOT.  
H.R. 666: Mr. BLUMENAUER and Mr. McGOVERN.  
H.R. 673: Mr. BENTIVOLIO.  
H.R. 675: Mr. HASTINGS of Florida and Mr. GRAYSON.  
H.R. 688: Mr. PAYNE and Ms. BASS.  
H.R. 693: Mr. GARRETT.  
H.R. 698: Ms. LEE of California.  
H.R. 699: Mr. LANGEVIN.  
H.R. 702: Ms. TITUS, Mr. ENYART, Ms. NORTON, Mr. CLAY, Mr. RAHALL, and Mr. CARTWRIGHT.  
H.R. 713: Mr. GUTHRIE and Mr. TIERNEY.  
H.R. 714: Mr. KING of New York.  
H.R. 715: Mr. DIAZ-BALART.  
H.R. 718: Mr. FLORES and Mr. NEUGEBAUER.  
H.R. 721: Ms. HERRERA BEUTLER, Mr. BONNER, Ms. BROWN of Florida, Mrs. CAPPS, Mr. HUIZENGA of Michigan, Mr. GERLACH, Mr. SOUTHERLAND, Mr. LOEBSACK, and Mr. WITTMAN.  
H.R. 724: Mr. PERLMUTTER and Mr. WALZ.  
H.R. 728: Mr. CLAY and Mr. COHEN.  
H.R. 732: Mrs. BROOKS of Indiana.  
H.R. 742: Mr. COURTNEY.  
H.R. 755: Mrs. KIRKPATRICK, Mr. KINZINGER of Illinois, and Mr. WALBERG.  
H.R. 760: Mr. ENYART, Mr. McCAUL, and Mr. POLIS.  
H.R. 761: Mr. WEBER of Texas and Mr. ROGERS of Michigan.  
H.R. 763: Mr. VALADAO.  
H.R. 807: Mr. CALVERT.  
H.R. 811: Mr. PAYNE.  
H.R. 825: Mrs. NEGRETE McLEOD.  
H.R. 831: Mr. ENYART, Mr. MATHESON, Mrs. CAROLYN B. MALONEY of New York, and Mr. NEAL.  
H.R. 846: Mr. FINCHER, Mr. WILSON of South Carolina, Mr. GERLACH, and Mr. PAULSEN.  
H.R. 847: Mrs. MCCARTHY of New York and Mr. REICHERT.  
H.R. 850: Mr. FLORES, Mr. RUNYAN, and Mr. COBLE.  
H.R. 858: Ms. BROWNLEY of California, Mr. BARLETTA, Mr. CRAWFORD, Mr. HARRIS, Mr. McGOVERN, Ms. BONAMICI, Ms. HANABUSA, Mr. CICILLINE, and Mr. RUIZ.  
H.R. 864: Mr. DIAZ-BALART, Mr. WHITFIELD, Mrs. MCCARTHY of New York, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LINDA T. SÁNCHEZ of California, Mr. CUMMINGS, Mr. LIPINSKI, and Mr. MILLER of Florida.  
H.R. 893: Mr. DESANTIS.  
H.R. 896: Mr. BLUMENAUER.  
H.R. 915: Mr. YOUNG of Alaska, Mr. MCNERNEY, Ms. LOFGREN, and Mr. MULLIN.  
H.R. 938: Mr. HUIZENGA of Michigan, Mr. JEFFRIES, Mr. NEUGEBAUER, Mr. WESTMORELAND, Mr. YOUNG of Indiana, Mrs. DAVIS of California, Mr. FATTAH, Mr. WOODALL, Mr. BARROW of Georgia, Mr. RUNYAN, Mr. GIBSON, Mr. FARENTHOLD, Mr. HUNTER, Mr. TONKO, Mr. AMODEI, Mr. GRAVES of Missouri, Mr. RIGELL, Mr. WENSTRUP, Mr. CRENSHAW, Mr. CARTWRIGHT, and Mr. RICHMOND.  
H.R. 946: Mr. PEARCE, Mrs. HARTZLER, Mr. KINGSTON, and Mr. COBLE.  
H.R. 949: Mr. MARKEY.  
H.R. 958: Mr. LOWENTHAL.  
H.R. 961: Mr. MICHAUD, Mr. ISRAEL, and Ms. SCHAKOWSKY.  
H.R. 997: Mr. NUGENT, Mr. CALVERT, and Mrs. HARTZLER.  
H.R. 1005: Mr. COTTON, Mr. SOUTHERLAND, Mr. LABRADOR, Mr. ROE of Tennessee, Mrs. LUMMIS, and Mr. KING of Iowa.  
H.R. 1008: Mr. DELANEY, Mr. ROSKAM, Ms. CASTOR of Florida, Mr. PRICE of North Carolina, and Mr. SIREs.  
H.R. 1014: Mr. NEAL, Mr. JONES, Mr. RUNYAN, and Mr. TAKANO.  
H.R. 1026: Mrs. HARTZLER and Mr. STEWART.  
H.R. 1038: Mr. TIPTON, Mr. ROSS, and Mr. GRAYSON.  
H.R. 1040: Mr. HARRIS, Mr. ROE of Tennessee, and Mr. LAMALFA.  
H.R. 1063: Mr. MULLIN.  
H.R. 1070: Mr. RAHALL, Mr. RUNYAN, Mr. GENE GREEN of Texas, Mr. CONNOLLY, Mr. GRAVES of Missouri, Mr. SCHIFF, and Mr. McGOVERN.  
H.R. 1074: Mr. BURGESS, Mr. YOUNG of Florida, and Mr. NEAL.  
H.R. 1077: Mr. SCHOCK and Mr. LUETKEMEYER.  
H.R. 1078: Mr. POSEY and Mr. McCAUL.  
H.R. 1089: Mr. SCOTT of Virginia.  
H.R. 1122: Mr. CASSIDY.  
H.R. 1128: Mrs. ROBY.  
H.R. 1146: Mr. HARPER and Ms. BONAMICI.  
H.R. 1149: Mr. BONNER and Ms. SEVELL of Alabama.  
H.R. 1163: Mr. CHAFFETZ and Mr. TIERNEY.  
H.R. 1173: Mr. FARR.  
H.R. 1175: Ms. WATERS and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1186: Mr. ROYCE.  
H.R. 1199: Mr. LARSEN of Washington, Ms. BROWNLEY of California, Mr. GENE GREEN of Texas, Mr. TAKANO, Mr. CONNOLLY, Mr. MCNERNEY, Mr. YOUNG of Alaska, Ms. SCHWARTZ, Ms. ESHOO, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. HANABUSA, Mr. HOLT, and Mr. VISCLOSKEY.  
H.R. 1201: Mr. McGOVERN, Ms. PINGREE of Maine, and Mr. BUCHSON.  
H.R. 1218: Mr. BROWN of Georgia.  
H.R. 1243: Mr. MICHAUD.  
H.R. 1250: Mr. LOWENTHAL.  
H.R. 1255: Mr. WESTMORELAND.  
H.R. 1263: Mrs. CAPPS, Mr. LOEBSACK, and Mr. CICILLINE.  
H.R. 1265: Ms. GABBARD, Mr. McGOVERN, Mr. LEWIS, and Ms. SHEA-PORTER.  
H.R. 1281: Ms. MOORE and Mr. GRIJALVA.  
H.R. 1284: Mr. O'ROURKE.  
H.R. 1288: Mr. COBLE, Mr. WATT, Mr. McGOVERN, and Mr. MICHAUD.  
H.R. 1290: Mr. LONG and Mr. HALL.  
H.R. 1294: Mrs. LUMMIS.  
H.R. 1301: Mr. McGOVERN and Mr. RANGEL.  
H.J. Res. 34: Mr. COHEN.  
H. Con. Res. 16: Mr. RODNEY DAVIS of Illinois, Mr. LATHAM, Mr. SMITH of Nebraska, and Mr. HUDSON.  
H. Con. Res. 21: Mr. GRIJALVA and Ms. MCCOLLUM.  
H. Con. Res. 23: Mr. CAMP.  
H. Con. Res. 24: Mr. MESSER.  
H. Res. 10: Ms. LOFGREN.  
H. Res. 30: Mr. GUTIERREZ, Mr. DANNY K. DAVIS of Illinois, and Mr. VEASEY.  
H. Res. 36: Mr. MICA.  
H. Res. 72: Mr. WALZ.  
H. Res. 108: Mr. GRIJALVA.  
H. Res. 112: Mr. GRAYSON.  
H. Res. 119: Mr. LABRADOR and Mr. GRAVES of Georgia.  
H. Res. 129: Mr. HARRIS, Mr. HANNA, Mr. GIBSON, Mr. JONES, Mr. HUELSKAMP, Mr.

GOSAR, Mr. BROOKS of Alabama, Mr. MCKINLEY, Mr. DUFFY, Mr. RICE of South Carolina, Mr. YOHO, Mr. LANCE, Mr. TURNER, Mr. GRIFFIN of Arkansas, Mr. SCHOCK, Mr. DIAZ-BALART, Mr. WOLF, Mr. STIVERS, Mr. MILLER

of Florida, Mr. RIBBLE, Mr. WESTMORELAND, Mr. COLE, Mr. FLORES, Mr. HALL, Mrs. NOEM, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. FLEISCHMANN, Mr. PRICE of Georgia, Mr. KELLY, Mrs. ELLMERS, Mr. FLEMING,

Mr. CAMPBELL, Mr. ROHRABACHER, Mr. WALBERG, Ms. ROS-LEHTINEN, Mr. NUNNELEE, Mr. CARTER, Mr. DUNCAN of Tennessee, and Mr. CALVERT.

H. Res. 130: Mr. DELANEY.

**SENATE—Thursday, March 21, 2013**

The Senate met at 9:00 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of all being, energize our Senators today with Your presence. Out of Your infinite wisdom, speak to their finite hearts and guide them on right paths. Out of Your marvelous grace, minister to their common needs. Lord, inspire them to cherish the ethical road that leads to a destination that honors You. Remind them that they may make plans, but Your purposes will prevail. Enable them to sense Your guidance as they grapple with the problems of our time.

We pray in Your great Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter.

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 21, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**RESERVATION OF LEADER TIME**

Mr. REID. Mr. President, will the Chair report the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

**CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2014**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 8, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 8) setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

Mr. REID. Mr. President, as we just heard, the Senate has resumed consideration of the budget debate of S. Con. Res. 8, the budget resolution. We will continue debate during today's session. Senators will be notified when votes are scheduled, of course.

The budget has 34 hours left, and then following that, we will have some votes. It is up to the two managers of this bill if we have votes before the 34 hours expire. These are two experienced Senators and they know how to handle this budget, but it would seem to me that we should move as quickly as we can to debate these issues. I hope Senators come and offer their opinions as to the budget that Chairman MURRAY has brought to the Senate floor. Maybe some people will want to talk about what passed in the House yesterday, the Ryan Republican budget.

Everyone should understand that this time will run out at the latest at 7 p.m. tomorrow night. It seems to me the two managers could reduce that time somewhat. If they don't, it doesn't matter; we will be here until we finish this budget. If we are here all night Friday, we will be in all night Friday. I spoke to Senator MURRAY, and she was willing to be in all night last night; she is willing to be here all night tonight and all night Friday night until we finish this. We are going to move forward and finish this budget.

**AFFORDABLE CARE ACT**

Mr. REID. Mr. President, three years ago this coming Saturday was a historic time in this country and in the world, actually, because the Affordable Care Act passed. It was a very wintry night when it passed—very cold. It was the greatest single step in generations to help the American people.

This was unique because for the first time—going back to the days of Harry Truman where he talked about a health care bill for the country, to Eisenhower, who talked about a health care bill for this country—we were finally able to accomplish it. We ensured access to quality, affordable health

care for every American with ObamaCare, the Affordable Care Act.

Millions and millions of Americans, as we speak, are benefiting from this legislation. Insurance companies can no longer arbitrarily place lifetime caps on insurance policies during someone's care. No longer can they suddenly say: Sorry, you have cancer or had that bad accident, but you reached \$1,000—or whatever limit they set, \$10,000—and you are through. Go get help someplace else because insurance is over. That arbitrary lifetime cap by insurance companies put Americans just a car accident or an illness away from doom.

Today children are no longer denied insurance because they were born with a disease, disability, or some other problem. They no longer are denied insurance. And being a woman, like my daughter, is no longer a preexisting medical condition. Before ObamaCare passed—and everyone needs to understand this—my daughter Lana had a preexisting condition; she was born a girl. That is gone.

In less than a year, about 130 million Americans with preexisting conditions such as high blood pressure or diabetes can rest assured they will have access to affordable insurance and lifesaving care regardless of their health and how much money they make.

In Nevada alone—a sparsely populated State of some 3 million people—tens of thousands of seniors have saved tens of millions of dollars because 3 years ago we filled the doughnut hole. What that means is they don't have to pay exorbitant prices for their prescription drug coverage.

Health care reform is not only saving money, it saves lives. In Nevada there are thousands of examples, but I will give one about a 26-year-old woman named Sarah Coffey Kugler, a native of Gardnerville, NV. Gardnerville is a beautiful place next to the Sierra Nevada mountains.

Well, this young lady, who was very smart—and still is—was half way through her first year of law school at the University of Connecticut when she was diagnosed with stage 4 Hodgkin's disease. Not stage 1, 2, or 3, but the worst, stage 4. She had done everything right. She knew she needed insurance, so she went to the University of Connecticut and bought the best plan she could for students so she would have health insurance. Due to her cancer and the difficult treatment to fight it, she had to drop out of school. She had no insurance because insurance would not cover her.

As I said, she was no longer a student and, as a result, no longer qualified for

student health insurance. What was she to do? She needed a bone marrow transplant. She and her family thought there was a very strong possibility she would pass away.

Before ObamaCare, Sarah would have been one of tens of millions of Americans who desperately needed lifesaving care but didn't have insurance to take care of it. Before ObamaCare, Sarah might have even become 1 of the 45,000 Americans who die each year because they lacked health insurance. But thanks to the Affordable Care Act, ObamaCare, Sarah was able to sign on to her parents' insurance policy.

Sarah is 1 of 3.1 million young people in America—approximately 35,000 in Nevada—who have benefited from a law that allows children to stay on their parents' health plans until they are 26 years old.

Sarah's story has a happy ending, as so often happens in America where we can get health care. She got the treatment she needed. Her most recent PET scan was clear, and she plans to return to school this coming September and finish law school.

Her mother Sue sent me a letter. She wrote that ObamaCare and the dedicated doctors who took care of her daughter saved her life. There are so many legacies of this landmark legislation. No American will end up in an emergency room because they have no insurance. No American will live in fear of losing his or her insurance because they don't have a job. And in the richest Nation in the world, no insurance company ever again will put a pricetag on a human life.

Long, long ago Thomas Jefferson wrote: "The care of human life and happiness . . . is the first and only object of good government."

I am gratified that the Affordable Care Act, ObamaCare, meets Thomas Jefferson's standard. I am so happy this law came into being. For all of us who participated in that, we will always remember that cold winter when we were in session longer, I am told, than any other time in the history of the country to pass this legislation. We worked hard to pass it. It is already insuring the care of human life, which remains the first object of government, as Thomas Jefferson said it should.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank my ranking member, Senator SESSIONS. We had a good debate, and I think everyone had a chance to see the differences about the values and priorities that drive us, how we see our country, and our future. I am looking forward to having that conversation again today.

The budget we are debating on the floor this week puts our middle-class families first. It reflects our progrowth, pro-middle-class agenda that the American people went to the

polls in support of at the election just a few months ago. It takes the kind of truly balanced approach that families across our country strongly support, and I believe it is a strong and responsible vision for building a foundation for growth and restoring the promise of American opportunity.

I spoke at length last night about our budget. It is built on three principles. No. 1, we have to protect our fragile economic recovery, create jobs, and invest in our long-term growth. This is something every family in America is asking us to focus on.

No. 2, we need to tackle our deficit and debt fairly and responsibly. As Democrats we understand it is a responsibility we bear today, and we do it in this budget. No. 3, we need to keep the promises we made as a Nation to our seniors, our families, and our communities. There are many people who have struggled so much over the last few years and they are counting on us to be there for them again now.

We are going to hear a lot more about all of these principles today, and we are going to discuss the stark contrast between the budget that is expected to move in the House of Representatives today and the plan and path we have put forward here in the Senate as Democrats.

At this time, I yield to Senator SESSIONS for his opening remarks, and we will continue this debate throughout the day.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. I thank the Chair and express my appreciation to Senator MURRAY for her leadership, her courtesy, and her skill in managing the bill through the committee and on the floor. She is an experienced legislator who has strong convictions, but she is easy to work with, courteous, and effective in what she does every day. I thank Senator MURRAY, and I enjoy working with her.

Well, our Chair says this is a pro-growth, pro-middle-class budget. I say it is a pro-tax, pro-spend, and pro-debt budget. It is a budget of deep disappointment. It is a budget that comes nowhere near doing the things necessary to put America on a sound path. It is a budget that does, indeed, reflect the stark differences between our parties. It is rather remarkable to me, the extent to which our majority party in the Senate has no interest in producing a budget that actually balances and actually puts America on the right path.

They say they care about growth, and I know they do. I know they would like to see the economy grow more and more jobs being created because we have had the slowest recovery during this recession since anytime after World War II, at least. It has been very, very slow. But we have done something to a degree we have never done before; that is, borrow and spend to stimulate the economy.

Someone has compared borrowing and spending to stimulate the economy to the idea of someone taking a bucket and scooping up water in one end of the swimming pool and pouring it into the other. We have no net gain. The truth is that we lose some of the water out of the bucket as we walk along the shore. In this case, what we lose is interest on the debt indefinitely because there is no plan to pay down the debt.

So this budget that is before us today does not balance, it does not put us on a sound path, it does not create confidence among the American citizens that the future is going to be sound, that we have gotten this country reoriented in a way that is going to produce long-term growth. Indeed, it is going to do exactly the opposite. It is going to do exactly the opposite. It says, once again, that this Senate is not willing to do the things necessary to put America on a sound course. And it is not that hard. We can do this. It is within our grasp. But our leadership in this Senate, contrary to the House, is not willing to take those good, solid but achievable steps necessary to put this country on a sound path. I just feel that very deeply.

Hopefully, in the context of our debate and a budget being moved through here on a party-line vote, I suppose, as it was in committee, maybe some connection will be made amongst ourselves and our Members and our brains about the real issues facing the country and what we need to do to get on the right path. And maybe even in conference, if not here on the floor, we can have some miraculous agreement that would create the kind of long-term confidence businesspeople and the American people are looking for from the U.S. Congress and the government.

Senator REID indicated he would like to finish. I would like to finish too. We were under the impression that we could have started this voting process on the budget as early as Monday, if not Tuesday. That could have happened. Apparently, the leadership decided to block amendments. That created, on this side, a number of Senators who felt very strongly that they, in fact, had relevant amendments and they wanted them voted on, and they would not agree to time limits until the majority agreed to give them a vote. Whether I was for or against the amendments is not relevant. I thought they should have been given a vote. They are Senators. A big bill moving forward, several appropriations bills cobbled together to fund the government, and we only have four or five amendments. Serious amendments, such as the Moran amendment with 28 cosponsors, Republicans and Democrats, was blocked. He couldn't get an amendment on a relevant issue involving the health and safety of America.

So that has put us behind in the schedule, not anything we have done.

There was not a problem on this side. If they had been given amendments, they would have been done in very short order and could have been completed Monday or early Tuesday.

So here we are. We have under the law 50 hours of debate on the budget, 25 to a side, and an unlimited number of amendments can be offered. So that is going to take time, as it always does, and I am sorry it is getting pushed into the weekend.

I would also just say briefly that as time has gone by, I have been more and more convinced of what I believed from the beginning, which is that this Congress is not capable of producing a massive overhaul of the Federal health care program. I remember the night Senator REID refers to when the final passage, I guess, occurred or the day that it occurred. But what I remember most is being here Christmas Eve—my birthday—when the bill cleared the Senate on a straight party-line vote, 60 to 40. Senator Scott Brown of Massachusetts was elected on a promise to block and kill the legislation. The American people were consistently opposing the legislation. They were able to ram it through before he could take office and cast the deciding vote. They got the absolute minimum number of votes—60—to pass this monstrosity.

I am told now the regulations in the bill are 6 feet high when stacked. We still haven't seen them. That legislation has 1,700 references to this section to be effectuated by regulations to be issued by the department. Regulations continue to pour out in record numbers to try to clarify the hundreds and thousands of ambiguities in the bill.

We were told that people's health insurance premiums would go down, that this was going to bend the cost curve to bring health care costs down. We warned that would not happen. Who was correct 3 years ago? Health care costs are surging. They are not through surging yet. We are going to have more increases as the health care bill takes effect in January of next year. The average person's premium has already gone up \$2,000-plus a year. Small businesses all over America are telling us they are not hiring because of the health care bill. This has clearly been a deficit and a detriment to job creation.

We had no ability to write this health care law. We didn't know enough about it. Speaker NANCY PELOSI said: Well, we have to write it to see what is in it. What she meant was that we are just going to pass some vision of health care reform and the bureaucrats will take care of it. Well, they are not taking care of it well. We are not capable of managing it.

We are endangering the greatest health care system the world has ever known. We are going to see fewer and fewer top-quality young people go into medicine. I am hearing that over and over again. Doctors are telling me they

don't know what to tell their children about going into medicine.

This is just one example of what happens in this country when people in Washington take on the arrogant view that they know how to fix the health care system—one of the most massive, complex, marvelous systems the world has ever known.

You can go to Alabama and see some of the best doctors in the entire world in our State. People go there from all over the world. Dr. Andrews treated RG3 at the University of Alabama at Birmingham, his private practice in Birmingham. People can go to top-quality surgeons in Mobile, Montgomery—throughout the State—Auburn-Opelika, Tuscaloosa, Huntsville. This is true for every State in America.

For people to say our health care is not the best in the world—why do people come here from all over the world? That is one of the most horrible things I have ever heard, really, around here, suggesting we don't. So we have people who die sooner than in some other countries. We have a lot of causes. We have more obesity. We have more smoking. We have fewer people taking care of themselves sometimes. We have a lot of individual problems. We have a higher murder rate. We have high accident rates in automobiles. So we have things that pull down our lifespan, but that doesn't mean our health care isn't good. It doesn't mean our health care is not the best in the world. All of us have seen that.

Mr. President, I wish to ask Chairman MURRAY where we are now on going through the business of the day. I appreciate the chairman's leadership and suggestions as to going forward.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Absolutely. I am happy to get things going here today. Does the manager on the other side have an amendment he wishes to start with this morning?

Mr. SESSIONS. I would like to start with a motion, yes, and I am prepared to do that, and I thank the chairman.

I offer a motion to recommit this budget that is on the floor today to the committee with instructions that it be altered to produce a balanced budget.

That is what I think this Nation needs. I think that is what the American people want, and that is what we are determined to fight for because it is the right thing for the country, not because it is some green eyeshade goal. I have heard that argument, and that is not what is on our minds when we say: Let's balance the budget. It is not what the American people have on their minds when they say: Why don't you guys balance our budget?

What is it that is necessary here? We believe that if we alter our debt course in a responsible way and we begin to reduce the deficits regularly and steadily in an effective way, we can reach a

balanced budget and we can keep on that balanced budget without cutting expenditures. The facts are quite clear that we can increase spending every year, just not as much as we are increasing spending today and just not as much as our Democratic budget increases spending. That is what we believe we should do. I will explain as we go forward how that can create jobs, create growth, will make this country healthier, will create confidence in the world financial community, will see more money come to the United States, and will allow businesses that are sitting on cash to begin to invest and hire people. That is the direction in which we should be going. That is what would be good for America.

But first and foremost, as I explained last night, the Democratic budget on the floor today comes nowhere close to that. It is nowhere close to setting forth a plan that would actually balance the budget. Indeed, the budget never balances under their plan, and it won't balance in the future. Things are only going to get worse. They are going to get worse because it deals in no way with the fundamental, driving forces of the debt this country faces. It does not deal with that. If we don't deal with those issues, then we are not going to get the debt under control. But we can do it. We can do it in a number of ways.

Now, the President has sent a very clear message. Recently on ABC, with George Stephanopoulos, the President said: And so, you know, my goal is not to chase a balanced budget just for the sake of balance.

Who said we are trying to chase a balanced budget just for the sake of balance? That is not what we are doing. We are trying to put America on a sound debt path. We are trying to put America on a sound financial path that will create confidence and avoid the danger of a fiscal crisis.

We started counting last night. My colleagues, yesterday and last night—I think we stopped counting—used the phrase “balance” 24 times: This is a balanced approach. It is a balanced plan. We are seeking primary balance. We are going to have a responsible, balanced plan.

Pretty soon, they will say they have a balanced budget. Well, they don't have a balanced budget. We need to understand that fully.

Secondly, the budget that has been produced does not even put us any closer to a balanced budget than we are today. When we add up the taxes that are being increased, when we add the new spending that is in this bill, it doesn't change the debt course at all.

Earlier this year, Mr. Elmendorf, the Director of the Congressional Budget Office, testified before our Budget Committee. Mr. Elmendorf is an excellent scholar and a man who has managed the money of the budget well. Mr. Elmendorf is—Mr. President, I am having a little trouble concentrating with

the roar going on in my background. I would appreciate it if we could keep it down a little bit.

The ACTING PRESIDENT pro tempore. Regular order.

Mr. SESSIONS. So Mr. Elmendorf told us at the Budget Committee that we are on an unsustainable path. OK. This is after the Budget Control Act, after we reduced the growth of spending \$2.1 trillion, and that includes the sequester. After we did all that, this year he told us we are on an unsustainable debt course. He said this is a danger to America and we have to get off it and we need to make further changes to get on the right course.

So we have looked at this budget, and we thought the committee, which called him, would listen to him, and we wanted to see if the budget that is on the floor now actually helps us get toward a sound financial future. I have to say it does not. It does not change the course we are on. It raises taxes dramatically, but it raises spending and eats up all the new taxes, not altering the amount of debt that will be raised over 10 years.

Isn't that a failed budget plan? Isn't that a failure of leadership? I hate to say that. But the challenge of our time is to deal with our financial crisis. The challenge of our time is to alter the debt course we are on and put us on a sound path, and it has not been met by this budget.

The House budget—we all may have different ideas about some of the things in it—provides for increased spending every single year, but it balances the budget, totally balances the budget, in 10 years. It would balance in 10 years and does it by increasing spending every year, on an average of 3.4 percent a year. So we can increase spending at 3.4 percent a year—increase spending—and balance the budget.

But the problem is the budget the majority sends forth would increase spending at 5.4 percent a year. That does not sound like a lot, but the difference is trillions of dollars. The difference is a plan that puts us on a sound financial path to the future and a plan that leads us on the unsustainable debt course we are now on.

My Democratic colleagues need to look at this. We saw, I guess, in Politico—I had the quote here yesterday that said fundamentally the majority's plan was written by the left of the Democratic conference—the left—and it said explicitly to the left of President Obama. That makes sense if we look at what is in the budget. Look how much they spend, how much they tax, and how they do not reduce the debt we are adding every single year. So that is what we have.

As Chairman MURRAY said, budgets present a contrast. Budgets lay out your vision for the future. A budget de-

fines who you are because it says how much you want to tax in the next 10 years, it says how much you want to spend in the next 10 years, and it requires you to state how much debt you are going to accumulate for America over the next 10 years.

This plan will add another \$7.3 trillion to the debt of America. We are already at almost \$17 trillion. That will take us to about \$24 trillion in 10 years. Interest on that debt is huge. By their own numbers, interest on their debt would amount to approximately \$800 billion in 1 year. Interest on the debt, under their budget, would rise to the point of \$800 billion in 1 year. We spend about \$100 billion on education. We spend about \$40 billion-plus—a little over—on highways, roads, and bridges. That is just an example. We are now surging from \$200 billion, \$250 billion in interest to \$800 billion in interest. As a result of the accounting CBO has provided us, if we follow this path, it is going to crowd out spending for research, it is going to crowd out spending for children, education, health care, and any other program this government wishes to undertake, including defense.

Mr. President, what kind of time limit is there, might I inquire? Is there 30 minutes on this side on this motion?

The ACTING PRESIDENT pro tempore. On the motion, there is 1 hour, equally divided.

Would the Senator like to call up his motion?

Mr. SESSIONS. The first question would be how much time is left on my half of that hour.

The ACTING PRESIDENT pro tempore. The motion has not yet been offered.

Mr. SESSIONS. Mr. President, I call up the motion.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] moves to recommit Senate Concurrent Resolution 8 back to the Committee on the Budget with instructions to report back no later than March 22, 2013 with such changes as may be necessary to achieve unified budget balance by fiscal year 2023.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. This motion would simply say this to our colleagues—it will be a defining vote for our Members; and Members need to understand the meaning of this vote—the question will be: Do you favor a balanced budget? Is it important to you? Have you said: I am going to vote for a balanced budget amendment. Have you said in your townhall meetings and in your campaigns and in your debates: I believe in a balanced budget amendment or I believe in a balanced budget, period.

What we are saying is that this country can balance its budget. We can bal-

ance the budget in America today if we set forth a plan that allows the spending levels to increase by 3.4 percent a year for the next 10 years. Isn't that great news? We can spend 3.4 percent more each year. According to the data the Congressional Budget Office gives us and we rely on, we can do that and still increase spending over the next decade.

Inflation is going to increase about 2 percent or a little over, according to CBO. Inflation will increase about 25 percent over the next 10 years and about 40 percent if we increase spending each year at 3.4 percent. That puts us on a path to balance. It begins to reduce the debt overhang for our country. It brings down the amount of debt we have in our country and puts us on a sound path. It does all the things we need. It sends a message to the world that we have our financial house in order. I believe good Members of this body—Democrats and Republicans alike—have told their constituents and are sincerely of the belief that we can and should balance our budget. When I say “balance,” I mean honest balance, not some balanced approach, not some primary balance, none of that; that when the revenue comes in and the money goes out, it is the same. We are not sending more money out than we are bringing in, in revenue, having to borrow the difference and pay interest on it. Because that is what we have been doing to a degree we have never, ever done before in this country. We have never, ever done before what we are doing now. We have never, ever had 4 consecutive years of trillion-dollar deficits—nothing close to it.

People say President Bush was irresponsible. He should have been more wary of the grand promises that the economy would never have a recession and that things are going to go great. He should have. The next to the last year he was in office, the budget deficit was \$167 billion. It had dropped from a higher figure in his time in office. His last year, it was \$450 billion or \$460 billion.

President Obama has been in office 4 full years, starting his fifth, and his deficits have been averaging \$1,200 billion a year. We have never, ever, ever seen anything like this before. The debt of the United States of America has surged, and our Democratic colleagues do not have a plan that will put us on a sustainable path in the future.

If we come back out of the economy and we restrain the spending growth just a little bit, we can balance the budget. That is what we ought to do. Again, the goal of balancing the budget is not some frivolous goal for political reasons. The goal of a balanced budget is that we would put us on a sound financial course. It will mean we have confronted the challenges of our time. It means we know we cannot continue

to spend systemically more than we bring in, that a debt crisis could occur and we could have a decline in wealth in America.

So when we say we want to recommit to the committee, colleagues, you need to know what this means. It simply means this: We are directing the committee, the majority of whom are Democrats—and they can write the budget as they choose, using whatever tax changes they want to make and whatever spending changes they want to make—but the budget that hits this floor would be a budget that balances, that creates growth, confidence, and prosperity for America. That is what we are asking you to cast a vote for, and I believe you should break ranks on this. I believe you should vote your conscience. I believe every Senator should vote the beliefs of their constituents. Poll after poll after poll shows that the American people prefer a balanced budget. They know we cannot continue to do what we are doing.

I think it has potential. We are willing to work with the majority. We may disagree with the results, but, my goodness, wouldn't it be great if the Senate produced a budget that balances—and it has one vision of how to balance the budget, the House produced a budget that balances and they have their vision about how to balance the budget—and we go to conference and we could actually reach some sort of a compromise that would fix the financial future of America? The whole world would be amazed. They would say: My goodness, the United States—look at this—they have gotten themselves together. We thought they were going goofy. We thought they had completely sold out to spending and borrowing and look at this.

There would be more investment. American businesses would feel better. American workers would feel better. We would begin to have more growth that way.

That is the way we believe jobs and growth are best created, not by the sugar high that comes from borrowing and spending money.

Back when we did the stimulus bill—I would like to share this with my colleagues because a very important concept was explained to us by Mr. Elmen-dorf, the CBO Director. Back when we did the stimulus bill, the \$800 billion—and something that President Obama passed that was going to reduce the unemployment rate dramatically, put the country on a sound path, and stimulate the economy, we asked how were we going to do it? We were going to borrow money—every penny of the \$830 billion—now \$1 trillion with interest—was borrowed and we spent it.

This is what the Director of the Congressional Budget Office said about that. He said: Yes, it will create growth in the short term. It will enhance the growth in the short term. One financial

expert called it a sugar high. We will get that. But once that is over and we have the burden of the debt, it begins to cost us every year and it will cost us as long as that money has been spent, as long as we pay interest on that money, and we are going to pay interest—young people, American people—indeinitely because we have no plan to pay down this debt that we have accumulated. We will be paying interest on that indefinitely.

This is what CBO said back in 2009 when the stimulus bill was passed. They said: Yes, you get a short-term benefit. But CBO said that over 10 years, you will have less net growth than if you did not have the stimulus package at all. Think about that.

So we took the sugar high. We voted to borrow the money. I did not. I opposed it. But it passed to borrow more money, to spend now to try to create a sugar high, pull yourself up by your bootstraps, pour one bucket of water from the pool into another, and this is going to somehow permanently fix our economy.

There were some things that I think would have been legitimate for us to do at that time. I supported a more restrained package that had more infrastructure and actual benefits in it. But, fundamentally, we are almost now at the point where the benefits of that spending have been gone and the detriment is already here. Multiply that. Multiply that by the fact that we now have a total of \$17 trillion borrowed from around the world, and we are paying interest on that every day. But we are paying extraordinarily low interest rates, unlike any we have seen in the history of the world, and those low interest rates are not expected to remain.

This is why they project that with this budget we will have a \$24 trillion debt by 2022, resulting in \$800 billion a year in interest. This would be more than the Defense Department, more than we pay on Social Security today, and more than we pay on Medicare today. This is a huge item.

I would say we want growth. We want prosperity. We want to unleash the natural, inherent, entrepreneurial power of the American spirit, economy, and culture. It is a wonderful thing we have. Our free market infrastructure is magnificent, but it is being handicapped by poor economic financial policies of this country. We need to exit this path and return to a path for a balanced budget amendment.

I thank you for the opportunity to make this motion and hope it will be considered. It would provide the committee with full freedom to produce a balanced budget through any way you choose, through any mix of tax-and-spend policies which would be chosen by the committee. It would then come back to the floor. If we were to vote for it, then it would go to conference and

put us in an extraordinarily better position to achieve a bipartisan agreement this year, which could help pull us out of the economic doldrums. This would put us on a path to economic prosperity to eliminate the debt drag which international studies, the IMF, European Central Bank, Bank of International Settlements, and Professor Rogoff and Professor Reinhart have all shown pulls down growth. They are saying our debt is so high it is lowering economic growth right now.

We would change all of this through a balanced budget coming out of committee. It would put us on the right path without having to reduce spending, actually. We could still increase spending every single year.

I submit my motion, and I yield to the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise to use time in opposition to the resolution.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mrs. MURRAY. Our colleagues have sent a motion to the desk which sends our budget back to committee to balance.

I think we all know what this means. They wish to send our budget back to take months and weeks to put together a budget, which does one of two things in order to balance: It either raises incredible revenue or has devastating cuts. We have seen the package they are talking about. It is the Ryan budget being debated in the House right now. They say they would eliminate the deficit in 2023.

The Republicans have not put this budget out here right now, because they don't want to specify what the cuts are and be responsible for them. They just want some mystical moment to happen back in committee where these tough decisions are made.

We know what they are looking at. They are looking at the Ryan budget. They say it eliminates the deficit, but it does so in a devastating way to middle-class families across this country, families who are already struggling so much.

We hear a lot about balance these days. I want to clarify some real differences, important differences between how the Senate and the House budget use the word "balance."

The proposal which passed through the Budget Committee in the House would be devastating for our economic recovery. It would really threaten hundreds of thousands of jobs this year alone. It makes extreme cuts to our infrastructure, which is crumbling; to education, which is so important to our future; to the innovation this country has been built on, which would lay down a strong foundation for broad economic growth—which our Senate budget is working so hard to make happen.



Their budget in the House which the Republicans now want us to go back to committee and put in place would dismantle Medicare and cut off programs to support our middle-class and most vulnerable families. This sounds pretty unbalanced to me.

Frankly, their budget gets worse. As we learned last week, House Republicans have put forth a budget which calls for huge tax cuts for the wealthiest Americans and makes it unclear how it will be paid for.

Those pay-fors will come on the backs of families who are working hard, average families who would see their taxes increase in order to give that tax cut to the wealthiest Americans. This is what they call balance.

I don't think that is balance. House Republicans like to say they are offering a balanced budget, which I would note also includes savings from the Affordable Care Act they vowed to repeal and tax increases on the wealthiest, which they strongly oppose. They haven't explained how they will reach that goal of reducing those rates down to 25 percent and who will pay for this. It is pretty clear, when you look at the numbers, how that will happen.

The House Republicans never explain how they get to what they call "balance," because the only way they can do it is by raising taxes on the middle class or making deep cuts to vulnerable families and seniors, who depend on these benefits.

Our budget takes a very different approach to balance. We ensure our families today have the ability to get what they need to put their families back on a stable path to recovery. We make sure we invest in the important things this country needs to ensure our middle class has what they need in education and infrastructure. These are the things which allow families to know their kids can go to college, pay their mortgage, receive job training, and get back to work. That is balance.

When we have a responsible approach to spending cuts and to revenue, balance is an important word. Balance is about making sure we do what the Simpson-Bowles report has recommended, what every bipartisan group has said, and contains a responsible mix of revenues and spending cuts. This ensures no one bears the burden of the challenges of this country alone.

I would not call the House Republican bill balanced. Their balance says the wealthiest Americans, the biggest corporations don't contribute to this problem at all. Everything is done on the backs of our middle-class families.

Balance is an important word. It is an important word to every family, every community, every American. The approach we take is balanced, making sure everyone has an opportunity in this country for the future we need. This ensures everybody partici-

pates in solving the problems in front of us.

I take a backseat to no one when it comes to making sure we have a balanced approach. Our budget does that. We are going to be hearing more on it right now. We have a number of colleagues on the floor.

Let me make this very clear. The motion to recommit the Senators on the other side have offered simply says we will return to committee until we get the Ryan bill in front of us. This is something we soundly reject.

I have a number of colleagues here who will participate. I yield to the Senator from Delaware and thank him for his great contributions to our committee this year.

Mr. President, I yield time from the resolution.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent to enter into a colloquy for up to 30 minutes with Senators from California, New York, Illinois, and Maryland.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COONS. Mr. President, at its heart a budget is a statement of values. Last week I joined with my colleagues on the Budget Committee to pass a budget resolution firmly rooted in our values.

With appreciation to the chairmanship of Chairman PATTY MURRAY, the budget we passed reduces our deficit and stabilizes our debt in a balanced, responsible way, relying on an equal mix of spending cuts and cuts to spending through the Tax Code, which is a balance of cuts and increased revenue through tax reform.

This first chart briefly shows we have made significant progress toward the Simpson-Bowles goal of \$4 trillion in reduced Federal spending over the next 10 years. Our budget relies on these two next pieces, reducing loopholes, tax expenditures, and spending cuts. This is the balance I believe the American people called for in the last election.

Our budget promotes economic growth and job creation in the short term, makes critical investments in our competitiveness for the long term. It does all of this while putting a circle of protection around the most vulnerable in our society: children, low-income seniors, and the disabled.

Unfortunately, in my view the budget resolution passed by the House Budget Committee, led by Chairman RYAN, does not reflect these same values or this same balance. It is wildly unbalanced, relying only on spending cuts in order to achieve claims of enormous savings.

Yet when you look closer—and we will turn to this in more detail later in this colloquy—the Ryan budget actually relies on a whole series of decep-

tive gimmicks, impossible arithmetic, and unrealistic assumptions. The only way to make the Ryan budget add up is to increase our deficit or to raise taxes on the middle class by as much as \$3,000 a year.

In my view, the House Republican budget either fails the test of deficit reduction or fails the test of basic fairness. It also, I believe, fails the test of economic growth and would put us on a fast track to austerity.

Let me turn now, if I might, to my friend and colleague from the State of Maryland to ask for his further comments on the contrast between the budget we have adopted here in the Senate and the budget offered over in the House.

Senator CARDIN.

Mr. CARDIN. Let me thank my friend from Delaware, Senator COONS. The Senator is exactly right, as he talks about balance. Senator MURRAY is absolutely right about the balance we have and the budget which has come out of the Budget Committee.

Yesterday we did something which was the right thing to do. We passed the continuing resolution, an omnibus appropriations bill. The good news is we worked together. We completed it, and it was a major improvement from what the House did. The House again was acting in a very partisan, one-way direction which would have caused additional harm.

I was disappointed the bill we passed yesterday was at the sequestration levels. I am against sequestration. I think we should substitute it for strategic reductions in the deficit. This is exactly what the budget coming out of the Budget Committee would do. It will substitute for sequestration a strategic way to get our budget into better balance. This is what we need to do.

The budget, as Senator COONS has pointed out, is our blueprint. It speaks to the priorities we have as a Nation. It is a framework. All of the elements which are necessary for a responsible budget are included in the budget document, which has been brought to the floor. I am proud to support it. It gives us the right blueprint for America's future.

The most important thing is it does get rid of sequestration. Sequestration is across-the-board mindless cuts. It says every priority in this country is exactly the same. That is not the case. The budget coming out of the Budget Committee is a responsible way of substituting for sequestration.

Senator MURRAY mentioned balance. I wish to speak about this chart, which points out the fact of how balanced the budget is. The Senate Democratic budget balances additional spending cuts—Senator COONS is absolutely right—and additional cuts in what we do in the tax expenditures. We spend money through the Tax Code and through appropriated bills. The budget

you brought out balances reductions in both categories. Sequestration only applies through the appropriations process. It doesn't apply to how we spend money through tax expenditures.

It is very interesting, as this is very similar to the other bipartisan proposal which has been brought forward. We talk frequently about Simpson-Bowles. Some of us may have disagreed with the specifics, but we thought it was the right blueprint and the right balance between spending reductions and tax expenditure reductions.

The Senate Democrats' proposal is very similar to Simpson-Bowles on the ratio of cuts. Actually it has more spending cuts and a little bit less revenue. Again, the Gang of Six is very similar. We are very proud our colleagues came together in an effort to try to bring Democrats and Republicans together. The Democratic budget in the Senate builds upon that bipartisan cooperation. It is very similar.

When we look at the House Republicans, they are totally out of step with what is necessary in order to get our country back into balance.

This provides a framework for investment. I appreciate the fact Senator MURRAY has provided ways in which we can invest in infrastructure, invest in research and development, and how we may invest in education. This translates into job growth. The more jobs we create, the more people pay taxes and the less revenue which is used. This is how you also balance the budget.

The Senate Democratic budget, the budget coming out of the Budget Committee, provides for those types of important investments. You also protect the most vulnerable citizens. This is so important. You protect Medicare. Why? Because it is important for the dignity of our seniors.

I particularly appreciated the statements which were made by Senator DURBIN, who was a major player in bringing this out, that going into deficit reduction we want to protect the most vulnerable. We don't want to add to the poverty of America. The Democratic budget which you brought out carries out that commitment, protecting our most vulnerable.

You also lived up to the commitment to our veterans, and I appreciate that very much. President Kennedy said, "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them."

We all say how much we appreciate our veterans and our soldiers and what they have done for our country, protecting the democracy and freedom of our country. This budget does more than just say our appreciation, it acts by deeds, carrying out our commitment to the best health care for our veterans, including mental health services. I particularly appreciate the reserve fund that is permitted that

makes more veterans eligible for benefits and improves the efficiency of the claims processing, which is particularly important in our region where so many veterans have waited way too long to get the benefits to which they are entitled.

Let me mention one last point, which is a huge difference—and Senator MURRAY and Senator COONS have mentioned it. The main difference between the budget the Democrats have brought out and the Republican budget conceived in the House is this is a credible way to manage our deficit, which is the most important thing—managing our deficit in a credible way—that will get our deficit under control. It builds on the deficit reductions we have already done. Since we started this debate and the Simpson-Bowles recommendations came out, we have already done \$2.4 trillion in deficit reduction, \$1.8 in spending reductions, and \$600 billion in revenues. This is very similar to how the Simpson-Bowles proposal was made to have a plausible baseline.

Now, I am not going to get too technical about all this, but it means we are not using smoke and mirrors but are using a realistic baseline in order to do the deficit reduction. It is achievable, it is doable, it is credible, and Senator COONS deals with tax extenders.

One more word about tax extenders, because Senator COONS is absolutely right. We have provisions in the spending programs of this country that invest in energy security that are subject to sequestration because it is an appropriations bill. But we have provisions in the Tax Code that give special breaks to the oil and gas industry. These are expenditures. These are revenues we are hemorrhaging. They should at least be under the same scrutiny as the appropriations bills. What this budget is saying is that we can get some savings from these tax expenditures and then use that to get our debt under control.

Senator MURRAY is absolutely right. One of the huge differences between the Democrats and the Republicans is the Republicans want to reduce the tax breaks for middle-income families to give bigger tax breaks for high-income families. We say we can make the Tax Code more efficient and have a budget that allows for the growth of the middle class and manage our debt in a better way.

The bottom line is this budget produces \$4.25 trillion over the 10-year window compared to Simpson-Bowles, which was \$4 trillion. It is even more deficit reduction than the Simpson-Bowles proposal. It puts us on a sustainable path for a manageable deficit.

What we need to do now is negotiate and get this done for this Nation, and this framework gives us the ability to do that. What Americans want is a bal-

anced approach that allows for growth and that is credible. This budget gives us that pathway and, most importantly, it will give predictability to the American economy, which is what I hear more and more as I go around. People want us to make decisions. We are prepared to make decisions. This budget gives us that pathway, and I congratulate Senator MURRAY. I also congratulate Senator COONS for the work he has done.

Mr. COONS. I thank the Senator for his comments and for his leadership in the Budget Committee and his hard work in the Chamber over many years.

The budget we are bringing forward to this floor today is one that invests in growing the American economy; that gives us a real path forward toward out-educating, out-innovating, and out-building our competitors globally; and one that is focused on job creation but also on deficit reduction in a responsible and balanced way. In my view, the Ryan Republican budget, if adopted, would give us a cure worse than the disease.

To talk about the budget's impact on America's treasured entitlement programs and the promises we have made to our veterans and our seniors, I am grateful to turn to my friend and colleague, Senator BOXER of California, who has joined us.

Mrs. BOXER. I thank Senator COONS so much for including me in this opportunity to speak about the choices we have before us.

Mr. President, may I ask how much time remains for Senator COONS so I have some idea?

The PRESIDING OFFICER (Mr. KING). There is 18 minutes remaining.

Mrs. BOXER. We all know a budget is critical because it is not just a bunch of numbers, it is a statement as to who we are as a people—what are our values, what we think is worth investing in, what we think we should cut, and so on. It is interesting because we have been attacked—Senator MURRAY and the Democrats—for backing a budget the Republicans say is not in balance. Well, I want to argue the point. I think it is, in fact, the only budget, between this budget and the Republican budget in the House—which is the one embraced by the Republicans—that is balanced in many ways.

The first way this budget is balanced is between investments—the things we need to invest in for our Nation; in innovation, education, investing in our kids, investing in their health—and commitments we have made over the years to our senior citizens. I am going to talk more about that in a minute, about what the Republicans do to Medicare in their budget—by the way, they kill it. I will explain how and why. Our budget also moves us toward numerical balance in a way that economists of all sizes and stripes believe is wise, which is to get the deficit down below 3 percent of GDP.

My colleagues don't think that is good enough, although I never heard one word from them—not one word—when George W. Bush came in and shredded the budget. He took a surplus that Bill Clinton and the Democrats, with the help of some Republicans, had put in place, and they shredded it under George Bush by giving tax breaks to the wealthiest, putting two wars on the credit card, adopting a prescription drug plan that didn't allow Medicare to negotiate for lower prices, and the deficit went wild. And it didn't even make sense. I am an old—well, I am old—economics major, and I remember the basics. You don't go into such deep debt because, if there is a recession, you can't really help but spend your way out of it.

So what happened when President Obama got elected is he faced the worst deficit crisis, and that deficit went up to well over \$1 trillion. He has gotten it back to \$850 billion. It is still too high, but the fact is I never heard a word from my really good friends on the other side of the aisle when they were racking up those debts. It was, oh, this supply side stuff is going to be great. Well, it wasn't great. It wasn't good. And I am glad this budget takes us back to the notion of the Clinton years, which is we have a balanced approach between revenues, investments, and commitments to our people.

If we look at the Republican budget—that Ryan budget over there that passed with huge Republican support—we can see what he does. I have to tell the people something they may not know. The Ryan budget, the Republican budget, includes more tax breaks for the people at the top. Surprise. I thought we had an election about this. That didn't seem to matter to the Republicans. A new tax break of \$200,000 a year for people making over \$1 million. Just what we needed, Mr. President. More tax breaks for the people at the top. This is per year. Think about that. The average income is about \$50,000 a year, and the Republicans are giving \$200,000 a year to millionaires. Forget it. That is why they want us to send this budget back—to come out with that kind of a budget? No way. I want a balanced budget.

By the way, how do they pay for this? With unspecified closing of tax loopholes. Well, let me tell you, the amount of money they are putting in these new tax breaks—\$5.7 trillion—is so high they will have to end the home mortgage deduction, which the middle class really needs. The wealthy people don't need mortgages, they can buy their homes outright. The middle class, the upper middle class need this tax break. Charitable deductions, which our charities count on, is another of their loopholes; and making sure you can write off State and local taxes, which helps our States and our cities. That is what they are going after. They

do not say it because it is “unspecified.”

I hope I have made the point that the Republican budget is basically a sham because I don't know any Senator on either side of the aisle who would vote today to do away with the charitable deduction, the home mortgage deduction, or State and local tax deduction. Maybe a couple of them would, but I can tell you, hearing from my folks at home and the charities that depend on that deduction and the real estate people who are finally seeing a little recovery, what a time to do that. So I say that budget is a sham. It doesn't balance and, worse yet, it hurts our people.

I have only one more point to make and then I will yield back the time to my friend.

How much time remains?

The PRESIDING OFFICER. Thirteen minutes are remaining.

Mrs. BOXER. If the Chair will advise me when I have used 5 minutes.

So let me now tell you about Medicare. In the Republican budget, if you are younger than 55, instead of getting the same Medicare your parents had and the same Medicare you have paid into and the same Medicare that you counted on, it is over, folks. It is over. You will get a voucher. There is no more Medicare. They tell you to go out with that voucher and find your own insurance.

Now, we know, because studies have shown us, that plan says you will be paying \$6,000 a year more out of your own pocket for health care. That is what this so-called Medicare—new Medicare—Program is. It is not Medicare. Medicare is a guaranteed benefit where you take the card and go to the doctor. Here you take a voucher.

So now you are 55, and then you get older. If you are lucky enough to get health insurance, and you get older and now you are 70 or 80, and you are taking an insufficient voucher—you are retired—this is a giant nightmare. These are supposed to be the golden years. Well, the people who lose this will have lost the golden Medicare guarantee, I will tell you that.

Here is the final point. The Republicans say if you have Medicare, don't worry. You are fine. Baloney. If you end Medicare, destroy it like the Republicans do, the people left in it are part of a dying program that is being phased out. Who is going to try to improve the quality of that program? It is going to be like fixing an Edsel or fixing your typewriter. There is no more Medicare. It is going to be a program that is dying, that is being phased out, and that will hurt current senior citizens.

So let's be clear. The Ryan budget, the Republican budget, takes the Medicare promise and shreds it, destroys it, and it is the end.

When President Johnson signed the Medicare law in 1965, here is what he said:

No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings they have carefully put away over a lifetime. No longer will young families see their own incomes eaten away because they are carrying out their deep moral obligation to their parents, to their uncles and their aunts.

So I am saying to Senator MURRAY: Thank you, thank you, thank you, for your leadership. I am saying to Democrats such as Senator COONS, who has organized this today, thank you for your leadership, thank you for a budget that recognizes our obligations to our seniors, to our veterans, to our children, to this Nation, to make sure this is a Nation of innovation, and thank you for protecting transportation, an issue that I care deeply about as chairman of the Environment and Public Works Committee. Without being able to move people and move goods, our Nation will not be a leading economic power.

So I thank you, and I yield back to Senator COONS.

Mr. COONS. I thank my good friend from California and the other members of the Budget Committee who have worked so hard to pull together this proposal, this package, this budget resolution that comes to the Senate floor today.

I think this is a great week for the Congress. We are at last, in stark contrast, presenting to the people of the United States a budget path forward adopted by the Republican-led House and a budget path forward adopted by the Democrat-led Budget Committee. Hopefully, this will not just be debated but adopted in this Chamber this week.

Let me briefly summarize the main points made by my colleagues. First, as the Senator from California emphasized, one of the core elements of the Ryan budget plan that gives us real pause and concern is that it doesn't keep our promises to our seniors, to our veterans, and to our most vulnerable populations.

It block grants Medicaid, it repeals the health care law's expansion of Medicaid, it repeals the health care's law exchange subsidies, and, more important than anything else, it turns Medicare into a voucher program. These are fundamental changes.

When Chairman MURRAY began our deliberations as a budget committee, she laid out three core values she wanted us to keep in mind; that our budget resolution should, first, help grow the economy and help the private sector create jobs, and I believe it does that by prioritizing critical investments in infrastructure, in education, and in R&D; second, to keep our promises to our seniors, to our veterans, to those in our country to whom we have made commitments over decades—something I would add, that we also continue to respect and embrace a circle of protection for the most vulnerable in our society; and last, that we make credible

progress toward reducing our deficit and debt but in a sustainable way that allows us to continue to grow our economy from the middle out.

Let me turn for a few minutes to some criticisms or challenges that many of us on the Democratic side of the Senate have of the Ryan Republican budget. Briefly, it relies on outlandishly rosy assumptions about revenue and spending levels. It counts \$716 billion in Medicare savings from the very health care reform law it says is repealed, and that tension within the Ryan budget is irresolvable.

Third, \$810 billion in Medicaid savings are just cost-shifted onto the State governments. As we know, States all across this country are struggling to balance their budgets today. These costs are not trimmed. They are simply shifted from the Federal Government onto the States.

Fourth, RYAN relies on \$800 billion in undefined savings in mandatory programs, significant cuts that would have dramatic and negative impacts on our country and on our economy. There is \$800 billion in cuts that he doesn't specify out of his total \$962 billion in overall savings to so-called other mandatory spending.

Last, RYAN claims his tax cuts for the wealthy—which cost more than \$4.5 trillion—wouldn't add to the deficit. To give some visual sense of the likely impact, it is anything but balanced. While RYAN claims his budget plan would balance the budget—and I challenge that assumption, given all these different mathematical and programmatic challenges—it is also doing it in a way that is fundamentally unbalanced and that doesn't respect our core values. To double down on tax breaks for the wealthiest Americans, to give an additional tax break of more than one-quarter million dollars a year to the very wealthiest Americans while shifting that tax burden onto the middle class doesn't make sense. It doesn't meet the test of fairness and it doesn't meet the test of sustaining economic growth in a balanced way.

Last year, the independent Tax Policy Center analyzed the Ryan rate reduction, the proposal to reduce rates on the wealthiest Americans to 25 percent, and estimated that unless those costs were offset with corresponding tax hikes, it would add \$4.5 trillion to our deficit.

So which one is it? Does the plan shift tax burden to middle-class Americans as was described in some detail by my colleagues or does it actually add to the deficit and fail the test of balance?

Let me move then to the question of revenue and how our budget package achieves some contribution to balance going forward. One of the things that I think is important for folks watching the difference between these two plans to grasp is that both plans make sig-

nificant changes to what my colleague from Maryland talked about as spending through the Tax Code.

We spend almost as much as we receive in revenue through a Tax Code that, in the many years since 1986, has become riddled with loopholes, exemptions, and special treatments, particularly for the wealthiest and best connected. Both plans—the Ryan plan in the House and the Democratic plan in the Senate—both close tax loopholes. Out of an estimated \$14 trillion in these tax expenditures over the next decade, the Ryan plan actually cuts \$5.7 trillion. The Democratic plan that we are moving forward today only cuts 7 percent of these tax expenditures. That is how I think we can credibly say it would not cut into those tax expenditures relied on by the middle class—things such as the home mortgage deduction, the deduction for employer-provided health care, the deduction for charitable contributions. This 7-percent reduction in tax expenditures is much more modest than the significant amount of revenue raised in the Republican plan.

The more important contrast, though, is to what end. What do we do with these two significant differences in revenue raised through closing tax loopholes? As I said a few minutes ago, the Ryan plan would dedicate it almost exclusively to reducing tax rates for corporations and the wealthiest Americans while, in our balanced plan, this is half of the total contributions we make toward deficit reduction.

Let me move toward a close with a few conclusory comments. There are reasons to say the House Republican plan makes cuts that will grind our economy to a halt, makes cuts that are unduly focused on just those areas that we think deserve investment: research and development, infrastructure, education, public health. In my view, it wipes out the chance for us to continue to expand high-tech manufacturing to ensure that we have a more competitive economy, to cure life-threatening diseases, and to bring America's economy fully back to health. It relies on budget gimmicks and on faulty assumptions. In my view, the plan we move forward today is a more balanced and responsible path forward to keeping our promises to seniors and veterans, to protecting the most vulnerable in our society, to dealing with our deficit and debt, and to moving this country forward.

The future that our budget plan would move us toward is the kind I envision for my kids, for my State, and for our country—one where we can grow our economy but continue to respect our most basic values.

Even though the Ryan plan, in my view, fails a basic test of values, it also fails a basic test of balance. We have a budget that this body will take up and consider today and I hope we will pass.

As it passed out of committee with the strong leadership of Chairman MURRAY, I am confident it will pass out of this Chamber today. From that passage, it is my hope that people of the United States can see us begin to work together on a balanced bipartisan plan that will responsibly deal with our deficit and debt, grow our economy but continue to respect our most fundamental values.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, was the time used there time against the motion?

The PRESIDING OFFICER. No. The Senator from Washington specified that the time would be taken off the resolution.

Mr. SESSIONS. Mr. President, we understand what is happening here. The budget produced by the majority does not balance, doesn't come close to balancing, does not change in any measurable way the debt course we are on that the Congressional Budget Office Director said is unsustainable.

This budget taxes more, it spends more, and does not change the debt course we are on; therefore, it is a budget about to bankrupt America because, as Mr. Elmendorf said, our current deficit plan endangers our future.

They have used—we have counted—now over 30 times the word “balanced.” We have heard a balanced approach, a balanced plan; a balanced approach, a balanced plan. But it does not balance.

Senator COONS, a great Senator, was a county commissioner. He balanced his budget and gained acclaim for it, and it wasn't a balanced approach—it was a balanced budget.

The Presiding Officer has been a Governor and balanced his budget. All former Governors in this body balanced budgets—real balance.

A balanced approach means nothing, nada, zero. A balanced approach means nothing. It is an excuse to tax and spend and not change the debt course of America. At some point, every Senator is going to have a moral responsibility to decide whether they want to stay on that course.

The Ryan budget is not before us. This motion that I have does not require the committee to have a Ryan budget. This motion would simply say: Committee, go back and look at this budget. Committee, do a budget that balances, and if you want to tax oil companies, if you want to tax rich people more, lay it out. If you want to cut spending in some other area than RYAN wants to cut spending, do so. But remember, RYAN does not cut spending.

We see the chart up here. How much does RYAN cut spending? RYAN's budget doesn't cut spending. Our proposal is not to cut spending. It increases spending every single year. One of the ways this country is going broke is, when

they reduce the growth of spending, they say it is a cut. That kind of logic is why we are going broke.

If we change the growth rate from 5.4 percent that we are on now to 3.4 percent, this budget would balance. We can grow spending every year and balance the budget—no net cuts. Some programs ought to be eliminated but no net cuts.

We are glad to have Senator THUNE, who has served so ably on the Budget Committee for many years, is thoroughly knowledgeable about these issues and is part of the leadership in our conference and I yield to him on the resolution.

How much time remains on the resolution?

The PRESIDING OFFICER. Approximately, 16 hours, 30 minutes on the resolution.

Mr. SESSIONS. Mr. President, I yield to Senator THUNE.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I thank the Senator from Alabama for his eloquence in laying out what is at stake in this budget debate we are having and for also pointing out, once again, that the budget before us in the Senate doesn't balance.

In a way, the speakers who have been here before on the Democratic side have been talking about another budget. They are talking about a budget that is under consideration in the other House, in the House of Representatives. They are not talking about their budget.

I suspect one of the reasons they don't want to talk about their budget is it is a budget that, for all intents and purposes, will hurt economic growth, cost jobs, and lower take-home pay for middle-class Americans because it doubles down on the failed policies of the past 4 years, which have consisted of more spending, more borrowing and more taxes, and that is what this budget is about.

I wish to quote something from the Washington Post editorial page in regard to the Democratic budget that is before us.

Except for the part about no imminent crisis, the Senate Democratic budget recognizes none of this.

They are talking about the challenges we face with regard to the fiscal crisis we are in.

Partisan in tone and complacent in substance, it scores points against the Republicans and reassures the party's liberal base—but deepens these senators' commitment to an unsustainable policy agenda.

In short, this document gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

This is their assessment of the budget debate that is going on in the Senate. The Washington Post editorial page isn't exactly a bastion of conserv-

ative thought, but note what they say about this: It is not a viable plan. It is not even a responsible public assessment of the country's long-term fiscal predicament.

This is precisely what is wrong with this budget and why the Democrats who come down to the floor of the Senate aren't talking about it. They are coming down to talk about the budget that is under consideration today in the House of Representatives—which, incidentally, does actually balance in 10 years.

The first motion that is under consideration in the Senate is to recommit this back to produce a balanced budget.

It strikes me, at least, that I think most Americans would accept the logic, if you will—the notion, that we ought to be able to submit a balanced budget—at least a budget that balances in a 10-year period.

Most Americans have to make decisions every single year. They have to figure out how they are going to go about balancing their own family budget, how to make what is coming in the door meet the expenses that they have to deal with in their daily lives. Yet the Democratic budget that is before us not only doesn't balance in 10 years, it doesn't balance ever—it doesn't balance ever.

That is why this motion that is before us to recommit this budget to the Senate Budget Committee and to produce a budget that actually does balance is something I hope my colleagues on both sides will support.

It is time we got serious about doing the important work of the Senate, taking care of the people's business, which is to get spending on a more responsible and sustainable fiscal path so future generations of Americans aren't saddled with this massive burden of debt, so we can protect and save programs—important programs such as Social Security and Medicare—which are on a pathway to bankruptcy.

Social Security is already operating at a cash deficit; in other words, there isn't enough money coming in, in the form of payroll taxes, to pay the benefits that are due to Social Security beneficiaries. Medicare is going to be bankrupt 10 years from now and even in the hospital part of that trust fund, by the year 2016, according to the CBO.

It is clear. These things are looking us right in the face. This is not something out there on the horizon, these are issues today that need to be dealt with. Yet the Democratic budget before us does absolutely nothing to address the long-term fiscal challenges facing this country. What are we going to do to save Social Security and Medicare and Medicaid?

In fact, according to the CBO, by the year 2023, 10 years from now, mandatory spending will represent 91 percent of all Federal spending. Think about that. It is about 62 percent today. We

are on a trajectory and a pathway over the next decade to where 90 cents—over 90 cents out of every dollar is paying for those basic core programs with nothing left over. How are we going to fund the military or defense or the other priorities this government deals with every single day when over 90 cents out of every dollar is going to be spent on these programs? Yet this budget does nothing to address those important fiscal problems.

What it does do is it grows government—a 62-percent increase in government spending over the next decade. It adds \$7.3 trillion to the Federal debt, and that is on top of the \$6 trillion that has been added in the last 4 years. It raises taxes. The Democrats will say it is only by \$975 billion, about \$1 trillion. But if you look inside the numbers, they replace the sequester—another  $\frac{1}{2}$  trillion—with a fund, some sort of fund. What is going to fund that? Spending cuts? I do not think so. We are talking about up to a \$1.5 trillion tax increase in this budget on top of the \$1.7 trillion tax increase we have already seen under this President and the Democrats here in the Congress.

What does that mean? They say it is just a tax on the rich. We just need the rich to pay a little more. They need to pay their fair share.

They got a big, fat tax increase with the fiscal cliff. They got a big, fat tax increase with the \$1 trillion in ObamaCare. The rich are getting hit with higher taxes, but what is happening is a lot of these tax increases are starting to hit the middle class, and they are starting to figure this out. If you are a middle-class American and they are saying: Let's soak the rich a little more, that is OK, the rich can pay more—Mr. President, I have to tell you, it is coming at you. If you are a middle-class American, you cannot tax the rich enough to do all the things these guys want to do to increase Federal spending and grow the size of the Federal Government.

Our focus should not be on growing the government; it ought to be on growing the economy. This budget does absolutely nothing to get the economy growing again. It simply does what we have done in the past 4 years; that is, increase spending, increase borrowing, and increase taxes.

If you don't think the taxes are hitting the middle class already, just look at your health insurance premiums because the tax increases in ObamaCare were taxes on, yes, medical device companies, taxes on your health insurance plan, taxes on pharmaceuticals, all of which are being passed on in the form of higher costs to average working Americans.

We have a crisis in this country that affects the middle-income families, people who are out there every single day just trying to do their best to make their budget balance and do the

important things to plan for the future of their children and grandchildren, and here we are in Washington, DC, debating yet more policies that are going to hurt the economy, going to crush job creation in this country and lower take-home pay for those very middle-class American families.

This is the wrong approach. I hope as we debate this we will have an opportunity to vote on amendments. Perhaps there is a way we can make this better. I doubt that to be the case. This budget is so far off in terms of where we need to be going as a country. If we are serious about getting the economy growing and expanding again, creating jobs for middle-class Americans, and doing something about the massive amount of debt we are passing on to future generations, this budget is the exact wrong prescription for that. We can do much better by the American people, and we need to. I hope that during the course of this debate that will become clear and that we will move in a different direction for the future of this country.

I see the leader is here on the floor. I will conclude my remarks at least for the time being and allow him to make his.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I thank my colleague from South Dakota. He is entirely correct. This budget is extreme, and it is unbalanced. What would happen if it passed? We would have a tax hike of up to \$1.5 trillion. That would be the largest in U.S. history. It would cost the average middle-class family literally thousands.

Democrats here in Washington, as Senator THUNE and Senator SESSIONS pointed out, already just got billions of dollars in new taxes at the end of the year—about \$600 billion because the tax law expired, the fiscal cliff; then they got \$1 trillion more out of ObamaCare. So this would be on top of all of that—\$1.5 trillion on top of the \$1.6 trillion that is already going into effect. And there is a nearly two-thirds increase in big government spending.

It would siphon  $\frac{1}{2}$  trillion out of our economy and into the hands of Washington bureaucrats and the people in Congress to spend; 42 percent more debt, with each American owing up to \$73,000; and an average of 850,000 fewer jobs every year. That is about 11,500 jobs in the Commonwealth of Kentucky. Medicare would be allowed to go bankrupt in a few years, and this budget would not balance—not this year, not tomorrow, not ever.

A lot of Democrats here in Washington are saying they simply don't care about balancing the budget anymore. It certainly shows with this one. Their budget will not give Americans a better economy. There won't be any real job creation or the kind of deficit reduction we all know the country

needs, just a massive tax hike and more spending to grow the bureaucracy from the pockets of the middle class out.

Our Democratic friends here in Washington like to say that budgets are not just about dollars and cents, they are about values. What their budget tells me is that they have completely lost touch with the hopes and concerns and aspirations of their constituents, that they are putting the needs of government ahead of those who elected them. The budget we waited 4 years for—4 long years we have waited for a Democratic budget—is just a rehash of the extreme policies that continue to pummel the middle class. As all of us have said, it is time to grow the economy, not the government.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, we have among the many people who serve in the Senate some people who have balanced budgets and done it—

The PRESIDING OFFICER. Who yields time to the Senator from South Dakota? The Senator from Alabama?

Mr. SESSIONS. Mr. President, I yield to the Senator from South Dakota such time as he and Senator JOHANNNS would utilize.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. SESSIONS. Mr. President, if you would, that would be from the resolution.

The PRESIDING OFFICER. I thank the Senator.

The Senator from South Dakota.

Mr. THUNE. We have among the Senators who serve in the Senate people who have balanced budgets and done it the old-fashioned way, the hard way, one of whom is the former Governor of the State of Nebraska, now Senator, MIKE JOHANNNS. Senator JOHANNNS, like me, comes from the midwestern part of the country where common sense prevails and where people are not unaccustomed to having to tighten their belts a little bit during difficult times. As a consequence of that, many of those States in that part of the country are well managed, and they elect leaders who bring those types of principles to their leadership and to the way they govern among their States.

So the Senator from Nebraska, Mr. JOHANNNS, has a long record—not only as a Governor, I might add, but as a mayor. He has been an executive. He knows what it is like to make those hard decisions, and he is someone who, like me, is very concerned that we get on a more sustainable fiscal path for this country, get our fiscal house here in Washington, DC, in order, and make sure we are not bankrupting this country and saddling the next generation with massive amounts of debt.

I yield to my colleague from Nebraska, Senator JOHANNNS.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNNS. Mr. President, I thank the Senator from South Dakota for a nice introduction. I appreciate the opportunity to speak today on the budget that has been proposed by the majority party.

If I might lay a little groundwork, in addition to what the Senator from South Dakota said about me, my time in elected office dates back to 1983. I was first elected to be a county commissioner in Lancaster County. After that, I went to the Lincoln City Council, where I served for a couple of years, primarily because I had concerns about where the budget of the city of Lincoln was headed. I ran for mayor of Lincoln, and I served two terms as mayor of the city of Lincoln in a strong mayor form of government. From there I went to the Governor's office of the State of Nebraska, and from there I went on to become Secretary of Agriculture in the Bush administration, and 4 years ago I joined the Senate after running for election.

I have dealt with government budgets all of my career. I worked on my first budget when I was 32 years old. The one thing I knew was that it had to be balanced or it was not going to work. I have submitted budgets over and over again through those years, all balanced.

But let me focus a little more intently on the State of Nebraska and my time as Governor there. Nebraskans have a very practical approach to spending money. It is very straightforward. If you don't have the money, you don't spend it. It is that straightforward. You see, in our constitution, when the founders of our State wrote our State constitution, they worried about the very thing that is happening with this budget being presented by the majority. They worried that there would be politicians who would figure out that if they just kept borrowing and spending, they could get themselves reelected over and over. But they also realized that was no course for a State, so they put into our constitution that the politicians could borrow \$100,000. I suspect that when our constitution was written over 100 years ago, many at that time looked at \$100,000 and said to themselves: That is a handsome amount of money. Obviously, in today's world, \$100,000 doesn't get you very far. In those years—post-9/11, I might add, when the economy had tanked because of what happened on 9/11—we were not only balancing the budget, we were not borrowing money to do it.

The other thing I would say is this. The Presiding Officer understands this as a former Governor. There was always a day of reckoning for the Governor. It was called the State of the State address, when you would walk into a chamber like this and you would



lay out your plan for the State, and every media outlet in the State was there examining every word of the budget you submitted, every single senator was listening to every word you had to say, and if you laid out a plan that did not work or was filled with gimmicks, then the editorials the next day were devastating. You could never do that.

Let me compare that experience over those many years doing those many things with what I am faced with today as a Senator. This is what I am faced with. In order to support this budget, I, a former Governor, mayor, county commissioner, city council member who has balanced every single budget I ever submitted, would have to go home to Nebraskans and say this: My fellow Nebraskans, I just supported a budget that has over a \$1 trillion tax increase. I would have to go on to say: That would be on top of the \$600 billion tax increase last year. That would be on top of the \$1 trillion of new tax increases in ObamaCare, and that is what I would have to say in order to support this budget to the citizens of Nebraska. I would also have to say to them that notwithstanding the fact that I have balanced your budgets for over 30 years in every budget I ever submitted, our Nation's debt in this budget will grow by \$24.4 trillion by the end of the 10-year budget cycle. That is \$7.3 trillion in new debt.

Let me just offer a thought on that. One could argue that at my age, age 62, maybe that doesn't mean a lot. After all, the Good Lord willing, I am probably not going to be on this Earth forever. It is just the way it works for human beings. Let me look around and see who is going to pay for this. Well, I know this weekend when I go back home—if we get back home—I am going to see my kids and grandkids. My kids are in their thirties. I am going to see my grandkids who range in age from 5 to 13. I am not going to have to look very far because if I vote for this budget, I am saying to my kids and my grandkids: I hope your life turns out OK because you are taking on, at the end of this 10-year budget window, \$24.4 trillion of debt.

Now, let me compare that to how I started my adult life. When I was 20 years old, this Nation owed \$380 billion of debt. So what I am saying to my kids and grandkids is I supported this budget, because here is where you are going to end up. You are going to end up starting your adult life with about \$25 trillion of debt. I started my life with \$380 billion. So when there is a war—which I wish I could say it will never happen, but it does—when there is a flu pandemic, when you want to do something more to educate your children, you are going to be hampered.

They are going to be paying back the debt I ran up during my life if I support this budget. This budget balloons the

debt by 42 percent. That is what I will tell my kids and grandkids when I go home this weekend if I vote for this budget.

Net interest on the debt over the 10 years will total \$5.2 trillion. What do we get out of that? What can we tell our kids and grandkids they get out of that? Well, they get to pay China back for lending us money. No schools will be built, there are no new teachers who will be hired, and there is no better health care which will be provided. That is just to service the debt our generation is running up.

Our debt, as a percentage of the gross domestic product under this budget, never goes below 90 percent of our economy. Actually, for 4 out of the 10 years it is over 100 percent. Every economist will say if we get into that stratosphere, the warning lights will be going off, the flags will be waving—stop, stop, stop borrowing the money. If I would have suggested anything like this as the Governor of Nebraska or the mayor of Lincoln, I would have been laughed out of the chamber.

Annual deficits. Even with all of the tax increases and gimmicks under this budget, we never get under \$400 billion a year in new debt we are taking on. It ranges between \$891 billion annually—on top of the nearly \$17 trillion we owe today—to \$407 billion annually. We never get close to a balance.

Senator SESSIONS says it so well: Balanced? What is balanced about this? I have been balancing budgets my whole life. This is not balanced. This is crazy. This is insane. This is adding debt to the shoulders of our children and grandchildren who are already up to their eyeballs in debt because of the spending that is going on.

Looking at the spending, it actually increases. Today's budget is \$3.6 trillion. Under this budget—if I vote for this—it will go to \$5.7 trillion in 2023, and that is a 60-percent increase.

Entitlements. You know what. I am 62 years old and in June I will be 63. Two more years until Medicare, and a little bit after that I will receive Social Security. People have talked about this great benefit that Senators get. Well, I said to a group back in Nebraska, at 65 I am going to get this great benefit. I am not going to have to pay much for it, and it is going to pay for my health care costs until the moment of my death. Everybody was looking at me. Wow, what is that plan? I said: Ladies and gentlemen, it is Medicare.

I said: At a point in my life where I could afford to pay something for it—and I would be happy to do that. I am not the richest person in the Senate, but I am not the poorest either. So I am going to go on this program and pass it on to my kids and grandkids. Is there anybody here who wants to get up and say: My gosh, that is fair.

That is not fair. We should not be doing that. It is not right. What does

this budget do to address that problem? Nothing.

In a townhall meeting I was at in Lincoln recently, I said: If you are 62 years old, it is probably going to work out for you. We will probably borrow enough money to get Medicare and Social Security throughout my life. For those 40-year-old Members in the Senate or citizens who come to my townhall meeting, I am sorry, but I cannot make that promise to them. The trustees are telling us we cannot make that promise.

We waited 4 years for a budget from the majority. Year after year the majority leader would come down, stand right there and say: We are not going to be doing a budget this year. I wonder what the city council meeting would have been like if I would have gone down in Lincoln, NE, and said: I have been thinking about this, and I will not be doing a budget this year for the city of Lincoln. As Governor, I cannot imagine walking into our chamber back home and saying: I have been thinking about it, and I will not be doing a budget this year. Justifiably so, the people of the great State of Nebraska would have been looking for a new Governor and trying to figure out how to run the existing Governor out of office. Yet that is what we have been doing for the last 4 years.

We have waited 4 years, and we finally get a budget that does nothing for this country except increase taxes, increase the debt, increase spending, increase borrowing, and lay it off on our kids and grandkids with whom we will all go home and spend time this weekend—if we get out of here. It is not right.

Even the newspapers have figured it out. USA Today says:

Disappointing . . . namby-pamby plan that underwhelms at every turn . . . neither balances the budget or reins in entitlements.

Now, I read the Washington Post, but I have to say, they are not always the most favorable to Republicans, and that is the understatement of the day. Here is what the Washington Post said: "Gives voters no reason to believe Democrats have a viable plan." Boy, talk about a condemnation of a plan.

The Wall Street Journal said: "Much higher taxes to fund much higher spending to finance a much bigger government."

The Hill said: "The Murray budget does not contain net spending cuts with the sequester turned off."

I talked at length today about going home and explaining what a "yes" vote would mean on this budget. I am not going to do that. I am not going to go home and tell people I voted for this budget. I just want people to know right now that I will be a "no" vote on this budget. I will be a "no" vote because somebody has to stand for the people who are ultimately going to pay the bill.

We cannot pull the wool over the eyes of Nebraskans. They are just too darn discerning. They do not believe for a moment that all of this debt and spending and taxation is going to be financed by the rich guys. They realize that at the end of the day, this is going to visit home, and this is going to hammer the very people who are out there ranching, farming, running small businesses, and trying to pay their bills and educate their kids so maybe even they can leave a little something behind for the grandkids. That is what we are facing.

We are facing literally a situation where if we don't stand up to this, the day is not very far off where people's Social Security is in jeopardy, their Medicare is in jeopardy, Medicaid is in jeopardy, and we leave our children and grandchildren with this massive pile of debt. There is just no way to deal with it unless we just slam their standard of living and tax the living daylights out of everybody, and that is where this is headed. There is no way I could justify this vote back home.

I proudly announce that today I will be a "no" vote on this budget resolution, and I will do everything I can to stop it. It is the wrong course for our country.

I yield back to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, the Senator from Nebraska could not have put it better. He has great experience with budgets and the people of Nebraska, who are similar to the people I represent in South Dakota.

Someone else who is also from a very similar State, the State of North Dakota—he is yet another Governor who, when he came here, came here in many respects because of his record of accomplishment as a Governor. The people of North Dakota elected him by an overwhelming margin largely because he knows how important it is that a State and country live within their means and that they not spend money they do not have. The Governor, and now Senator, of North Dakota has a long and incredibly strong record when it comes to fiscal matters. Again, like me, he represents a constituency which understands very clearly what is at stake when it comes to balancing our budget and making sure we are not handing that debt down to those children and grandchildren.

It is great to have here the Senator, my colleague and neighbor from North Dakota.

Mr. HOEVEN. Mr. President, I thank the distinguished Senator from South Dakota.

I am pleased to be here to discuss this very important issue, the matter of our budget, for this great Nation and to follow my distinguished colleague from Nebraska. I have had a tremen-

dous opportunity to work with both of these Senators. Senator THUNE and I have been friends for many years and have worked on many issues important to this country and the Dakotas. Likewise, I have had an opportunity to work with Senator JOHANNES when I was Governor of North Dakota; he was Governor of Nebraska.

I want to pick up on some of his comments, but I am going to start out in a broader sense; that is, we are here today to debate a budget for this country. It is something we need to do. It needs to be a budget that moves the country forward. It needs to be a budget that helps us meet the challenges the American people want us to address. It needs to be a budget that sets the right priorities. It needs to be a budget that will help us truly reduce our debt and our deficit, and that means it needs to balance. It needs to be a budget that balances in a timely way. It needs to balance without raising taxes.

We have millions of people in this country who want a job. They want to get back to work, and raising taxes will absolutely hurt our economic growth and hurt their ability to get a job and to get back to work. At the same time we are talking about reducing our deficit and our debt. That means we have to control our spending and find ways to cut and reduce spending in an intelligent way, but at the same time we need economic growth. We cannot have higher taxes to hurt that economic growth, which kills jobs, but also it is that very economic growth, not higher taxes, that produces the revenue—again, combined with the right kind of controlled spending reductions—that gets our debt and deficit under control. The fact is this budget doesn't meet those very fundamental tests. It raises taxes by \$1 trillion—more than \$1 trillion. That would be the largest tax increase in the history of our country. That will hurt our economy. That will hurt our ability to get people back to work. That will hurt the economic growth we need to actually create revenue to address the debt and the deficit. So more than \$1 trillion in higher taxes that will truly hurt our economy. Yet, even with a \$1 trillion tax increase, the budget doesn't balance. Think about that: \$1 trillion in tax increases and the budget doesn't balance. Does that make sense? I don't mean it doesn't balance this year; I don't mean it doesn't balance in 10 years; it doesn't balance.

So we can go through all the individual numbers and talk about all the different aspects of this budget in great detail, and we will. But for starters, on a fundamental basis, the Presiding Officer was a former Governor, as was my colleague from Nebraska, and there are others in this Chamber. We were required by the constitution of our respective States to submit budgets that

balanced, and balanced every single year. This budget raises taxes by over \$1 trillion on the American people, the largest tax increase in the history of our country, and it never balances. That is not setting the right priorities.

The Senator from Nebraska spoke a little bit about how he as a Governor approached presenting a budget, and it is something every Governor has to do. They have to present a budget to their respective legislatures that sets the right priorities.

When I did that budgeting process, the way I approached it was to say, OK, our budget first has to fund the right priorities. We have to set priorities. There is always more demand than there are resources available, so we have to determine what the right priorities are and fund those priorities in the best way we can. We can't fund everything, so we have to set the right priorities.

Second, in our State—and I know in many States—we said as well that we also needed to have a rainy day fund. We needed to be prepared for the future. We shouldn't be running big debt and deficits; we should be having reserves for a rainy day. We should have an adequate reserve fund for the future.

Third, we always looked to determine how we could reduce the tax burden on our hard-working citizens, the taxpayers of our respective States or the taxpayers of this country.

So fund priorities, build proper reserves, be fiscally sound and responsible, just as we do for our homes and businesses. We want to make sure we are in strong financial shape, we are fiscally solid and sound, have a reserve, and reduce the tax burden on our hard-working taxpayers. This budget does none of those fundamental things that go into building the right kind of budget. That is why I can't support this budget and we should not pass this budget.

As we look at our country today, we have to get people back to work. We have to get our economy growing. We have to reduce our deficit and our debt. We need to do it for our well-being today, for the well-being of our country today, and we need to do it for our children. This is about our kids. This is absolutely about our kids. So that means we have to have a budget that reduces our spending, that sets the right priorities, that controls and reduces spending. At the same time, we need progrowth tax reform and not higher taxes that hurt our economy. We need progrowth tax reform that gets our economy going, that gets people back to work. And with a growing economy, we get revenue from growth, not higher taxes. We need to reform our vital programs. We need, in a bipartisan way, to reform our programs such as Social Security and Medicare so we preserve and protect them for the long run. That is



what the American people want. That is what the American people are asking us to do.

So as we set this direction with this budget—something that is incredibly important for our country—with all of these different aspects, we have to have the right priorities. This budget does not have the right priorities.

Members have to ask themselves as they vote on this budget: Does this budget set the right priorities? Does it properly control our spending? Will it put our fiscal house in order? Does it increase or reduce the tax burden on our hard-working taxpayers? We should ask ourselves those questions as we deliberate.

I know the American people will be asking those same questions. Those are the priorities that have to be fully evaluated and properly addressed in any budget, and this budget doesn't do that. For that reason I cannot support it, and I believe it should not be passed. I believe we should go back to work and create a budget that truly does those things: controls spending, sets the right priorities, doesn't raise taxes, and that truly does what the American people want and need us to do.

With that, I turn again to my distinguished colleague from South Dakota. I thank him for leading this colloquy, and I look forward to working with him on this very important issue.

Mr. THUNE. Mr. President, I thank the Senator from North Dakota. I think he put it absolutely right in terms of what the priorities should be and what the stakes are in the budget debate. I thank him for his leadership on this issue.

I want to close with one final point he made. He spoke a lot about the impact on the economy and what happens when we get economic growth. His State is a good example of this, because the State of North Dakota has a growing economy. And when we have a growing economy, we have people who are making money, people who are working, people who are investing, and that means people are paying more taxes, and that is how we get more revenue. What we need is a growing economy.

In the last 4 years, the average growth rate is less than 1 percent, eight-tenths of 1 percent. The 60-year average of economic growth, post-World War II, is 3.3 percent. So we are growing at less than 1 percent. In the last 4 years we have added \$6 trillion to the debt, and we still have 12 million people unemployed and an unemployment rate that continues to hover around 8 percent.

Having said that, wouldn't we think we would want to try something different and go in a different direction? Yet this budget doubles down. It flat doubles down on these failed policies of the past 4 years that are antigrowth, antijobs, and continue to tax and spend

and borrow as if there is no tomorrow. We need a different path. We need a different approach.

So I hope, as we have this debate over the course of the next couple of days, it will become clear not only to the Senators here in this Chamber but to the American people who really is interested in getting revenue the right way, which is through growing our economy, creating jobs, getting Americans back to work, and doing something about the debt and the spending crisis we have in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 60 minutes to the Senator from Virginia. Both Senators from Virginia are here. They are both great members of our committee who have contributed a great deal of time and effort in helping us get on to a path of sustainable economic recovery and deficit reduction. I appreciate the work of both of them.

I yield to the Senator from Virginia to offer a resolution.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, let me, first of all, thank the chairman of the committee for her great work in putting together what is this first step toward getting this issue that has plagued this body and plagued this country behind us.

This budget, as I have said to her and others, wouldn't have been the exact one I would have drafted. However, it reflects the varying concerns of the Democratic caucus. It is a budget that is credible, that is real, that moves us forward, and that has as part of its core all of the critical ingredients.

Anyone who has looked at this problem—I know the chairman of the committee has, I know the ranking member has; many of us have wrestled with this; all of the bipartisan groups have wrestled with this issue—have all said we have to do three or four things. No. 1, we have to have additional revenues. No. 2, we have to do entitlement reform. No. 3, we do need, yes, smart, targeted cuts on both the discretionary side and the defense side.

The Democratic budget, compared to what has now been as I understand in the last hour passed by the House, is the only document, the only budget that has all four of the component parts of any solution that will get this problem of the \$16.5 trillion debt that our Nation faces, and a debt that goes up by \$3 billion a day, to start putting a realistic, real plan in place to attack this problem in a real way.

I wish my colleagues from North and South Dakota were still here, because I, as was my good friend and colleague, the Senator from North Dakota, was a Governor as well and, yes, we had to balance our budgets. I and my colleague, my great friend, the junior Sen-

ator from Virginia, was a Governor as well. I have to tell my colleagues, I will match our record of fiscal responsibility in Virginia and pro-growth policies in Virginia with any State in the Nation. Independent rankings have named Virginia the best managed State in the country, the best State for business, the best State for educational opportunity. Those are not my words, not the words of the Senator from Virginia, but independent validation.

How did we get there? Well, the remarkable thing was what we had in Virginia because of actions of prior administrations. When I came in and when the Senator from Virginia was my lieutenant governor, we had a structural budget deficit. How did we have that structural budget deficit? One, because we had spent too much, yes, but also what we put in place was a tax code and a revenue stream that would never meet the needs of basic operations of government.

That analogy is actually what we face now in the United States of America. Yes, we do need to find ways to limit our spending. But what I find curious from all of my colleagues who talk about this issue is their constant focus on the spend side with virtually no mention of what we in this Nation have done on the revenue side.

Anybody who can read a balance sheet—and I take great pride in the fact that I was a businessman long before I was a politician—realizes we have a revenue side and spending side. If we take a moment and look at what previous Congresses have done on the revenue side, back in early 2002, 2003, we put in place a tax cut that cut \$4.5 trillion out of the revenue stream over 10 years. We had an expectation we would see budget surpluses as far as the eye could see. Well, I think there is not an economist anywhere or, for that matter, virtually any elected official, who would at least acknowledge privately that in retrospect that was a tax cut of unsustainable proportions. What is particularly remarkable when we talk about growth is that some of the period of our Nation's highest economic growth took place during the 1990s under President Clinton when we had a Tax Code that generated that additional \$4.5 trillion of revenue over a 10-year period.

What is remarkable about all of the debates and all of the groups that have looked at this, all of which have included new revenue back into the revenue stream along with targeted cuts, along with entitlement reform, is that every one of those independent reviews of our problem has said the only way we get a balanced approach to get this debt and deficit under control is yes, cuts, yes, entitlement reform, but, yes, additional revenue as well.

The plan that is most often cited on this floor is the Simpson-Bowles report. Simpson-Bowles, on a 10-year

basis, based upon the baselines they used in 2010, would have generated \$2.2 trillion of net new revenue—\$2.2 trillion of net new revenue. Again, thinking about that in the context of what we cut, that is less than half of the amount of taxes we cut back in 2003. So even the most ambitious proposal has said we do not need to go back to the Clinton tax rates when our country was prospering at unparalleled rates. We do not need to put back all of that revenue. We do not even need to put 50 percent of that revenue back in. But we do need to put somewhere between one-third and 40 percent of the revenue back into the revenue stream to make sure we correct the structural deficit on both the spending side and the revenue side.

What does this budget do? Well, we put \$600 billion back in on New Year's Eve in a deal where many of us maybe had to hold our nose or our breath on, but it was back in the revenue stream. We put on top of that now another \$1 trillion back in—\$975 billion back into the revenue stream. That puts us at \$1.575 trillion of net new revenue back in—\$1.575 trillion—literally only one-third of the revenue that was taken out with the \$4.5 trillion tax cut in the so-called Bush tax cuts.

So I find it a little strange for those who are saying: Let's look at the country's balance sheet—and, yes, we have to cut spending—not to reflect back upon the incredible growth we had back in the 1990s and recognize we have both a structural problem on the spending side but also a structural problem on the revenue side.

I have to tell you, from any kind of reasonable standpoint, putting one-third of the revenues we took away back into the revenue stream seems to me to be a reasonable, balanced, thoughtful, and, candidly, on any kind of operational basis, business basis, fiscally conservative approach.

I have colleagues here, and I want to engage in a conversation about sequester, but I also have to make one other point that particularly bothers me about what the House, which just passed their budget, did and I assume that many of my Republican colleagues, I guess, are endorsing.

I 100 percent agree with my colleagues that we have to have a growth agenda in America. You cannot, no matter how much you cut, cut your way to prosperity. And you cannot—and I know our Republican colleagues agree—you cannot spend your way and tax your way to prosperity. You have to have a growth agenda.

Well, for 20 years before I got into politics, my business was investing in businesses that were growth businesses. I was a venture capitalist. I was proud to cofound Nextel, close to 70 other technology-related companies. Anybody who was an investor in businesses—whether you were me or wheth-

er you were Mitt Romney at Bain Capital—looked at a couple of key components of any business in which you would invest. There were generally three items you would look at on any business plan. One was, did that business invest in its workforce, because in a global economy there is a global competition for talent, and the most important criteria you can look at, if a business is going to be successful, is, are the workers going to be trained and are they going to be able to compete and do the job?

The second thing you would look at—of any business I would look at—is, does that business have a plan to invest in its plant and equipment? Whether you are creating software or making widgets, are you going to stay current in a very competitive marketplace with how you make things?

The third issue is, no matter how successful your business is today, are you going to stay competitive in this global economy and how do you stay ahead of the competition, because no matter how good you are today, somebody tomorrow is going to come up with a new idea.

I would invest in businesses that met those three criteria. I would say that former Governor Romney had a very successful record at Bain in many cases. I bet he looked at those same three criteria.

Countries, in a very similar way, have their own business plans, and budgets kind of reflect those business plans. We may call it different items, but we have those same three criteria: workforce, plant and equipment, staying ahead of the competition. We just call it different items. We call it our investment in education and workforce training. In terms of plant and equipment, we call it our investment in infrastructure because how well your economy, how well your country is going to do is how well your roads, your rail, your ports, and your broadband are, how well you can move goods and equipment in an efficient and effective manner. The third item is, how do you stay ahead of your competition? Well, in the global economy, staying ahead of your competition means, what is going to be your value added? That is going to be your intellectual capital and your ideas. That means research and development.

Well, under the growth agenda criteria, under the business plan criteria, under the investment criteria, the House budget that just passed—and I hope I find my Republican colleagues will contradict me and say: No, no, we do not want to do this, but the House budget that just passed takes Federal domestic discretionary spending, which is currently only 16 cents on every tax dollar that we spend in America—and for those viewers, in English, non-Washingtonese, domestic discretionary spending is, yes, money we spend on

the environment and energy and law enforcement and early childhood, but it is also the money we spend in the Federal Government on education, infrastructure, and research and development. It takes that 16 cents—not a very high number right now even—and takes it over about a 20-year period to less than 5 cents.

I have to tell you, I would never invest in a business that spent less than 5 percent of its revenues on its workforce, its plant and equipment, and staying ahead of the competition. I would never invest as a nation in a nation that is spending less than 5 percent of its revenues on the education of its people, the infrastructure of its nation, and the research and development to stay ahead of the competition.

I tell you, I have spent a lot of time as somebody who looks at what some of our competitive countries are doing. China is spending, just on infrastructure, four times the percentage of their GDP what we are; India, significantly more as a percentage of their GDP on education; even Europe, with all its challenges, significantly more than what this House budget would spend on America's business plan, on America's growth agenda.

I have to tell you, I would never invest in it. I have to tell you, I would really question if Governor Romney, whom I have great respect for with his business acumen—I do not think Bain Capital would ever invest in a business plan for America that spent less than 5 percent of its revenue on its growth agenda and its ability to stay ahead of the rest of the world.

So I hope over this coming debate we can talk about growth agendas, we can talk about revenues, we can talk about balance, we can talk about looking at our plan from any historic perspective. But what I want to turn to now—and I apologize to my colleagues who are on the floor—is the question of sequester.

Back in August of 2011, when we got close to the budget ceiling debacle—not exactly a high point for this institution or Congress, and we could debate about who had the idea or where it came from originally, but what was curious about that was we set up a process that said: We are going to figure this out in a way where we will never get to sequester.

I use the analogy for sequester—some of us are old enough—my good friend, the Senator from Maine, may recall the movie "Blazing Saddles." In that movie, "Blazing Saddles," the sheriff comes out and puts a gun to his head, and all the townspeople come up and say: Oh my gosh, the sheriff may pull the trigger.

We in Congress set up that circumstance with the sequester, and unfortunately 2 weeks ago we allowed that trigger to be pulled. Because I believe, as somebody who cut spending as the Governor of Virginia—and I know

my colleague, the new Senator from Virginia, cut spending as well—we know how to make cuts. But there are smart cuts and smart ways to cut, and there are stupid ways to cut, and there could not be created a more stupid way to cut than sequester.

There are 975 separate line items in the Navy budget. Those 975 separate line items in the Navy budget are not of equal value to the taxpayer, nor are they of equal value to the defense of this Nation. But within the framework of sequester, we do not have any ability to pick and prioritize the way any reasonable business leader or any reasonable Governor would. We had to cut them all of an equal amount. The remarkable thing that is happening—and, again, my friend, the Senator from Virginia, will talk to this more—is that there is example after example, under the name of sequester, that supposedly we are cutting spending where we are actually going to cost the taxpayer more than any perceived savings. I will just cite two examples before I turn to my friend from Virginia.

For those viewers, the American government actually does get certain things right. We have even gotten a law that if we do any bulk purchases, we have to get at least a 10-percent discount. If we buy 10 tanks instead of 1 tank, we get a discount. If we buy more than one Virginia class submarine, we get them at \$2 billion apiece. If we buy them individually, they cost \$2.5 billion apiece.

Under the name of sequester, if this is allowed to continue, we will have times where we will have to violate those contracts and not only pay a penalty cost but then not receive the government discount because of volume purchasing. It does not mean we are not going to still have to buy the same amount; it just means it is going to cost the taxpayer more money.

In the case of research, the National Institutes of Health does some remarkable work, but anybody who follows medical research knows you cannot normally finish a research project in a single year. So it may take 4 or 5 years to do a cancer research project. If we allow sequester to continue, you may have 4 years of a cancer research project done, but because you cannot discriminate between projects, you cannot let that fifth year of the contract, so the first 4 years of that research is flushed down the toilet.

My colleagues, there has to be a better way to deal with this. Our budget, which replaces sequester with half revenues and half more targeted spending cuts, I believe moves us in that right direction. We in Virginia, in many ways, are ground zero of the effects of sequester. Many States have not begun to feel it. They will at some point.

I would like to turn to my colleague, my good friend, the new Senator from Virginia, somebody who serves now on

the Armed Services Committee and has made hard choices as Governor as well, who knows what it takes to have a balanced approach to continue to grow the economy. He has continued the kinds of accolades that Virginia has received. I would like to ask the Senator from Virginia if he would be willing to explain in a little bit more detail some of the challenges we face at ground zero in Virginia around sequester and why the approach we have taken in our Senate budget is better than the status quo approach we are now having to deal with.

Mr. KAINE. Mr. President, I would be happy to address that question from my senior Senator and good friend, Mr. WARNER. As he indicated—and I think I can maybe say it a little bit more strongly than he could because he would be a little bit modest. I know of many people in this body who have great experience in governance, great experience in the business sector. I do not know of anyone who has worked harder on issues of fiscal responsibility and who has a greater track record in the business world of understanding what true fiscal responsibility is than my colleague Senator WARNER, and I am glad to engage in this colloquy with him.

I also want to thank our chairwoman, Senator MURRAY, for a job well done in helping shepherd this budget through committee to the floor. This debate, both in committee and here on the floor, that will take place in the next few days will illuminate important choices we need to make as a nation and will illuminate important differences between the Senate's approach and the House's approach.

I echo comments Senator WARNER made. This Senate budget is a compromise, like all are, and there will be more compromise that should take place in any normal process. But the budget does a very good job in a number of ways. It tackles the task, the challenging task of deficit reduction to get us to figures that would be very much the equivalent of what had been recommended in the Simpson-Bowles report, as Senator WARNER indicated. It focuses upon economic growth, a growth agenda, which is the most important thing we need to be focused on in this body, and it does it in a balanced way that incorporates real savings and also appropriate reform of revenues.

It is impossible to fix a balance sheet by just focusing on one side of the balance sheet. Business leaders know this. Governors know this. Everyday Americans know this. I commend Chairwoman MURRAY and the other members of the committee, and I echo the comments made by my colleague, Senator WARNER, about the budget having the critical components.

I feel very confident, if this budget were enacted as is with no change to an

apostrophe, comma, or a line item, this budget would be a positive result for the American economy. It would promote growth, and it would find us continuing on a path to responsible deficit reduction to reach the levels of debt, deficit, or GDP which are appropriate from economic terms.

I would not say the same about the House budget. If it were enacted without a change, comma, or apostrophe, it would not be a positive thing for the American economy—it could be somewhat catastrophic or cataclysmic for the economy.

To get to the question, my senior Senator and friend has asked me about the effects of sequester in Virginia. As some of you might know, I took the floor for my maiden speech on this topic last month—a little bit earlier than I would have wished to have spoken as a freshman Senator. With the spectre of the sequester having such a significant effect on the Commonwealth of Virginia, I felt I couldn't be silent on it. A Senator colleague from Hawaii is here, Senator HIRONO, who I know feels equally strongly about this issue.

I took a tour throughout Virginia in the middle of February, which was designed as sequester was looming. We spoke to people who were affected, especially in the armed services area. I heard their stories about the sequester and the anxieties and threats it posed. Beginning in early April, 90,000 DOD civilian employees will begin to be furloughed in the Commonwealth of Virginia, hundreds of thousands nationally. This will have a very significant effect on the kitchen table, family pocketbook discussions which are happening all over the Commonwealth. This will be a very significant change to the individuals and the lives of their communities.

Mr. WARNER. Will the Senator yield for a question?

Mr. KAINE. I yield to the Senator.

Mr. WARNER. I would ask the Senator, I know he has seen and is very familiar with these installations and their families because of his tenure as Governor. You may also want to make the point: in an area such as Hampton Roads where you put these folks on furlough with literally 88,000, 98,000 immediately affected, will the Senator speak about the point of the ripple effect this has for literally thousands of others who provide the support services—restaurants, gas stations, auto repair, you name it—which rely on those folks having jobs as well?

Mr. KAINE. Absolutely. I am pleased the Senator brought this up. When folks are furloughed and they see their pay reduced, they will spend less at the drycleaner and less at the restaurant. They will delay the purchase of the automobile they planned for this year. They will be doing all kinds of things

to tighten their spending. This will affect shopkeepers and merchants in their area.

When I was Governor, early in my term Ford decided to close a plant in Norfolk with a couple of thousand workers. The ripple effect of that was felt throughout the economy, a couple of thousand workers, was very significant. To take 90,000 civilian DOD employees in a State such as Virginia, heavily concentrated in Northern Virginia and Hampton Roads and furlough them and reduce their salaries will be felt throughout the economy. These civilian furloughs are one of the many effects of sequester.

Sometimes when people hear about furloughs of Department of Defense civilian employees, they might think it is someone sitting in an office. Who knows what they are doing? You need to think about who these people are. I visited Fort Belvoir Community Hospital, one of the premier facilities in the United States which treats wounded warriors, the people who have sacrificed so much for this Nation. When I was dialoguing with a wounded warrior and his wife at Fort Belvoir Community Hospital, they raised sequester. I thought they were raising sequester about something about their veterans' benefits. No. Instead, what they wanted to know is, My nurse is a DOD civilian and my physical therapist is a DOD civilian. Are the people we are asking to care for those who have borne the scars of battle—are they going to have reduced care because of this sequester? This is who these DOD civilian employees are, doing wonderful work, such as the nurses at Fort Belvoir Community Hospital.

Outside of the DOD civilian space, let's move into the private sector world. On this tour I went to the Newport News Shipyard. Senator WARNER and I were there last Saturday for a wonderful occasion honoring former Senator John Warner. This is a shipyard we in Virginia are proud of and proud of nationally. It is a great story. We manufacture the largest and most sophisticated items manufactured on the planet Earth in the Commonwealth of Virginia, nuclear aircraft carriers. They are manufactured and refurbished in Newport News at this shipyard. It is a very special technical expertise, the construction and refurbishing of these aircraft carriers. They are heel-to-toe for months. Then one leaves and the next one comes in. If you get out of line or delay, everything becomes backed up. The result is your shipping fleet isn't ready or as operational as it should be.

There was a pier, a drydock, filled in because the *Truman* was supposed to be coming in for a new refurbishment. It was stopped and sitting across the water in Newport. They couldn't start work because of sequester and uncertainty about the CR.

Many other shipyards in the Hampton Roads area, private, small ship repairs but without the financial muscle of a Huntington Ingalls of Newport News Shipyard, have issued warn notices to lay off employees because the Navy indicated in quarters three and four they would need to scale back on repairs. These were some of the effects they were seeing.

I went to a National Guard armory in Stanton, which was very interesting. I learned the National Guard in Stanton is called the Stonewall Brigade. Their first activity on behalf of the defense of the Nation occurred 20 years before the French and Indian wars. The Stonewall Brigade in Stanton began in 1740 defending the Nation, and they were talking to me about sequester.

How does sequester affect the Guard in Virginia, the Stonewall Brigade? It affects their ability to train their people. A whole series of training exercises planned for the next months or years is now jeopardized. They will not be able to train.

The commander of the brigade said, My people will do anything, but I would rather have them take on the tasks and the challenge knowing they are 100 percent trained and ready, rather than 85 or 90 percent trained and ready. This is an important responsibility we have to those men and women who sign up to be guardsmen in Virginia. Once again, whether it was our DOD civilians, ship repairers, wounded warriors, or guards men and women, you see these immediate effects sequester has in Virginia.

Of all the effects I have mentioned, I will say there was only one which made goosebumps come up on my arm. They were all of concern to me, but there was one which really made me stop and think. I went to visit an ROTC unit at the University of Virginia, which combined students from Navy, Army, and Air Force ROTC programs at UVA, to sit with me and speak about their career path. They spoke about their love for their country, their patriotism and willingness to sacrifice and put themselves in harm's way for their country.

One of them basically said this: I am willing to sign up voluntarily for a career path which will put me in harm's way—because I know it is a dangerous world. But as I am making a decision about my career, I hadn't really factored in the notion, Is my civilian political leadership willing to support me? When I watch Congress indiscriminately cutting budgets and doing an across-the-board cut to the military of the size sequester suggests, I need to ask myself—I will put myself in harm's ways, face bullets, danger, and the likelihood I could be a wounded warrior and a vet in a bed at Fort Belvoir Community Hospital once in my life. Do I want to face the risk a Congress might impose these types of cuts which are so nonstrategic and thereby send a signal

to me what we are doing isn't that valuable?

This was chilling to me. This is the message we send, whether it be the ship welders who could be ship repairers or go somewhere else or bright and talented college students who could be military officers or do something else. When we send a signal from this place, people pay attention. If the signal we send is we have a wavering commitment and are willing to do nonstrategic across-the-board cuts, it is not only affecting today but it could potentially have an effect down the road.

There is an answer to this, a solution. What I heard repeatedly on the trail from Virginians of all political parties is fix this, make a deal, find a compromise, listen to the other side. No one said to me fix this; fix my problem by taking more money away from someone else. I didn't have the warriors say: Fix our defense cuts by cutting Head Start or by cutting other priorities more.

They said go find the kind of balanced approach which would involve cuts and savings, and we all know how to do them. This would also involve the kinds of revenues we need to find a balance to this problem.

The other good thing is we can fix this. In fact, we tried to fix it. There was a bill on the floor here which replaced the first year of these sequester cuts with a balanced mixture of revenues and expenditures. The bill was on the floor for vote, and it received enough to pass. It received more than 50 votes and more than a majority of this body. This is a way of saying we do not want there to be these nonstrategic sequester cuts. Because of the decision to filibuster, to require it to reach not a majority but 60 votes, the will of the majority in this body to turn off sequester for the first year and find a balanced replacement package was thwarted. We have another opportunity in this budget.

I will say one more thing, and then I will throw it back to the Senator with a question. We have before us a sequester alternative in the fiscal year 2014 budget we are debating. The budget includes a path of deficit reduction which is balanced and is both expense cuts and revenues. It also does something very particular with respect to sequester. It replaces blunt across-the-board nonstrategic cuts with targeted and strategic cuts of a lesser magnitude, because we are adding in revenues as well. It also times the cuts so they are not straight across-the-board equal for 10 years but a little more focused on the back end of the 10-year period to help the economy. Signs indicate the stock market, housing market, auto sales, and consumer confidence is picking up.

What this budget does with the sequester is it finds savings but reduces the deficit of savings. It makes them

targeted and strategic, rather than blunt and across the board. It times them in a way which is more conducive to economic growth. This, as one of the many features of this budget, is the better approach to sequester than the one we are currently living under.

I wish to ask the Senator a question. After attending the Budget Committee hearings with me and hearing the debate on the floor thus far about the budget, I have to say I have been a little surprised to hear some of my colleagues. They argue: No, we shouldn't replace sequester. The sequester should go forward. The sequester is a good thing.

I heard this argued in committee. There was opposition to the notion of doing something better than sequester. It was sort of expressed as we said we were going to do the sequester cuts and we need to do them. I have heard it said on the floor, even in the course of the debate since yesterday. Under any circumstances, as somebody who has created and run businesses, who ran a State government and received fiscal accolades for doing it the right way, if we have a reasonable fix, is there any justification for continuing with blunt across-the-board sequester cuts which do not take into account the priority of any of the line items and do not take into account the performance data about whether any of those line items are affected? I would like to hear the Senator address that question.

I know our colleague from Hawaii is also anxious to tell us about sequester effects in her State.

Mr. WARNER. I thank the Senator from Virginia.

I ask unanimous consent to engage in colloquy with my friend, the Senator from Virginia, the Senator from Hawaii, and the Senator from New Hampshire as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER. To briefly respond—I don't want to keep returning to the "Blazing Saddles" analogy, other than the fact these cuts were set up to be the stupidest way possible. No rational group of folks would allow them to come to pass.

The only other point I wish to make is with regard to the Senator's point about the ROTC individuals. I think at times this may not have been part of debate—although there may have been a number of colleagues on the other side of the aisle who have argued strongly against sequester and pointed this out as well. We are not just talking about the immediate short-term effect on that furloughed employee or the ship which may not get repaired. As these cuts were set up to be so ridiculously put forward, the effects of these cuts will actually, in many cases, cost us more money than the savings.

If that ROTC member who has taken 3 years of ROTC decides to quit and not

become an officer, the money we have invested in his or her training up to that point is flushed down the toilet.

If we do not make the ship repairs that are part of our industrial base and if the workers at those ship repair businesses in Hampton Roads and in Hawaii and in New Hampshire and in California and in Alabama and in Mississippi leave those careers and those welders go elsewhere, the cost of replacing that workforce and retraining them because we have said, oops, we made a mistake and we come back and fix it 2 years from now, will end up costing the taxpayer more than the dollars we have saved.

If we continue to defer the maintenance and the training of our Armed Forces so we don't have divisions ready to go into action, the cost to get them back up to military readiness will be exponentially higher the longer we wait than doing these cuts in a smarter, more tailored and more phased-in fashion.

I think the military and everybody I have seen realizes they are going to have to make the kind of cuts to make sure that everything—domestic discretionary, defense, entitlement reform, and revenues—all have to be part of the mix.

Our military does a remarkable job for us, and we owe them not only the kind of platitudes we sometimes say on this floor, but we owe them an ability to manage a budget that is reasonable, that is thoughtful, that does not have this kind of arbitrary, across-the-board-regardless-of-performance cut. We owe that young man or woman who is in the ROTC the commitment that our Nation will stand by their obligations to their training and support of them so they can continue to serve and protect our Nation.

I now want to ask our friend, another new Senator, the Senator from Hawaii, for her comments. Hawaii is a State that has enormous military assets as well as other assets on the frontline of our Nation's shift in focus on Asia. She may want to add as well any particular stories about her views on sequester and how our budget takes a more reasoned and balanced approach.

The Senator from Hawaii.

Ms. HIRONO. I thank the Senator and good morning, Mr. President.

The ACTING PRESIDENT pro tempore. Good morning.

The Senator from Hawaii.

Ms. HIRONO. I wish to thank Senator WARNER for leading this colloquy, and I am glad to join him and my friend Senator Kaine in talking about the effects of sequester and how we need to come up with an alternative to the sequester.

Senator WARNER used the word "stupid" to describe sequester, and I think that is apt, because what family, in trying to get a handle on their budget, would just make an across-the-board

cut to everything in their family's budget. The Senator raised the analogy that no business would do an across-the-board cut, but let's talk about families in our country. No family would cut across the board their food budget, their rent budget. That would not happen. So why are we doing this?

As one of the people who testified before the Armed Services Committee said, sequester was the result of political dysfunction. That is very true because it was never supposed to happen. As Senator Kaine said, I am very surprised to listen to our friends on the other side of the aisle talk about sequester—something that was never supposed to happen, and both Republicans and Democrats had agreed this was not going to happen—now take the position that we are where we are and we need to live by the boundaries of sequester.

What sequester does is it interjects huge uncertainty into our economy, huge uncertainty, at a time when we are still digging out from the worst economic crisis since the Great Depression. Senator WARNER and Senator Kaine have both acknowledged that Virginia is ground zero on the bad effects of sequester. If Virginia is ground zero, I would say Hawaii is ground 0.1. We have a huge military presence in Hawaii. They are a big part of our economy. In fact, there are some 101,000 people in Hawaii who are directly employed with the military. That is 16 percent of our workforce. Some 20,000 of them have gotten notices of furloughs, looking toward a reduction in their pay of 20 percent. Talk about the ripple effect of that kind of reduction in their ability to buy products, we can see what the negative ripple effect would be.

In Hawaii, as I said, the military is such a big part of our economy. States such as Hawaii, such as Virginia are among the first States to experience the negative effects of sequester—immediate. Thousands of letters have been going out to say: Expect to be furloughed, with 11,000 people possibly losing their jobs directly. These are immediate impacts.

The top reason we need to replace the sequester with something balanced, reasonable, fair, and not stupid is that sequester cuts jobs. There will be huge job losses, and economists of all stripes have said don't keep going down this path with these kinds of cuts that will severely hamper economic growth and cost jobs in this country. These are senseless cuts.

The State of Hawaii is already reeling from the potential impacts of sequester which will begin in a couple weeks. We have already gotten many of these notices. But the sequester also represents huge cuts to education, housing assistance, and other programs that are on the chopping block. We must listen to our constituents. So

many of them, I know, have contacted all of us. There was one letter I received from an elderly woman and her husband. She lives on Social Security and on HUD housing grants—HUD vouchers—and she said: Our Social Security checks are so small.

Yes, while sequester doesn't touch Social Security, it certainly has a potential impact of cutting their housing vouchers.

She said: I don't know where we would go if we lost our HUD housing voucher. We would be homeless. I am so distressed, she wrote to me.

Another letter I received was from an Army reservist who was all set to go for his training. Now multiply this situation thousands and thousands of times across our country. He said due to sequester he will no longer be traveling to the TDY location for his training. Yet he planned his calendar based on his going. The letter he got was that his orders had been canceled for training due to sequester and his billet is going unfulfilled to cut costs.

Failing to provide training to this young man and the thousands and thousands of other men and women who are in our Reserves degrades our Nation's readiness.

I received letters from people who work at the Pearl Harbor shipyard, which is the largest industrial employer in the State of Hawaii, with some 5,000 direct employees, both civilian and military, who got their furlough notices. These are highly skilled people with good-paying jobs. When they think about a 20-percent reduction in their salaries, believe me, they are thinking about how to revise their family budgets, and that revision is not going to involve across-the-board "stupid" cuts.

These are just some of the examples of how sequester will hurt a State such as Hawaii. What should we do to replace sequester? My colleagues have talked about it. The American people understand this meat-ax approach to balancing our budget is the wrong way to go because it destroys jobs and it affects many people who are working right now. So the budget put forth by Chairman MURRAY will reverse this path down no man's land, basically. What the Murray budget says is let's provide a balanced approach. Let's ask a little more from the most fortunate and wealthy, including the corporations, while including more smart, targeted cuts to other areas of our budget.

Let's remember once again that we have already implemented and put in place \$2.4 trillion in deficit reduction. So by following the balanced approach that is represented in the Murray budget, we will have reduced the deficit by some \$4 trillion over the next 10 years.

As I said, we need to do this in a responsible, balanced way, and it bears repeating—because we are still hearing from our friends on the other side that

sequester is what we have; let's just live with it—that there is an alternative, friends. The alternative is a fair, balanced, smart way to deal with our budget deficit, to create jobs, and to help our families, because our budgets do reflect our values, and our values are about supporting our families, creating jobs, moving our country forward, and enabling us to continue to dig out from the worst economic crisis since the Great Depression.

I thank Senator WARNER very much for this opportunity to come forward, and I will have a few more things to say perhaps later on about the budget and how Senator MURRAY's budget reflects the kind of values we should be putting forth in our country.

Mr. WARNER. I wish to thank the Senator from Hawaii for the real stories of how these sequester cuts are affecting folks in her State of Hawaii, and, obviously, my friend, the Senator from Virginia, has expressed those challenges as well.

Let me be clear. It is not that our budget proposal doesn't make significant cuts in defense. We still add roughly \$250 billion of cuts in defense over a 10-year period, but we do it in a smarter, targeted, phased-in way.

The last point I wish to make, before I ask my friend, the Senator from Virginia, to close out, is I want to agree with so many of my Republican colleagues who have come and pointed out this is a responsibility we owe to our children and our grandchildren. We, candidly, owe it to ourselves. This \$16.5 trillion in debt goes up \$3 billion a day, and it is unsustainable. As Erskine Bowles once said: It is the most predictable crisis in our lifetimes if we don't grapple with it. And so we need a growth agenda.

Two comments I would simply make in closing: If we look back at recent American history for the period of the highest economic growth, the period that we added the most jobs, the area where America continued to lead in innovation, it was during the 1990s. We had a Tax Code at that point that generated sufficient revenue to meet our needs without dramatic expansion of government. I think, in retrospect, most of us would acknowledge we probably made a mistake when we took \$4.5 trillion out of the revenue stream in some of those cuts that were made earlier.

We have a spending issue, but we also have a revenue issue. What this Democratic plan puts forward doesn't say we have to put all those revenues back. It doesn't say we have to put half those revenues back. What the Democratic plan says, to get us back on this path to balance, to get us back on this path to growth, we have to, roughly, return about one-third of that \$4.5 trillion. With what we did on New Year's Eve and what this budget does, it replaces \$1.575 trillion into the revenue stream.

It doesn't bring us back to the 1990s rate, but I would love the chance to debate my colleagues on how that is not a reasonable assumption.

If we have a structural deficit problem on the spending side, we also have a structural deficit problem on the revenue side, and I believe this approach is reasonable and both fiscally prudent and responsible.

I would simply close as well with saying that we can't tax and cut our way out of this problem. We have to have a growth agenda. Any good company—any good country—has a business plan. Any business plan for any good company—any good country—that is going to compete in the 21st century has to do at least three things: They have to invest in their workforce, invest in their infrastructure, and they have to stay ahead of their competition, which means research and development.

I tell my colleagues, there is no way a plan that says America will invest less than 5 percent of its public revenues in its education, infrastructure, and R&D will keep America the leading economic power in the 21st century. If we want to honor our commitment to our children, we have to leave them not only a nation that is not riddled with debt and deficit but also a nation that continues to be the economic leader in the world. I believe our plan makes and protects those investments in those key components of growth.

I hope, over the coming hours, we will go through this debate—I know we will have a spirited period of a lot of amendments—that this budget will pass, and it will then find agreement with our colleagues in the House.

I want to again commend both the chair and the ranking member in that at the end of the day, we have to find common agreement to get this done. This issue that hovers over all of our other debates has in many ways become a metaphor of whether our institutions can function in the 21st century. So just as the chair and the ranking member found agreement through a markup process where both sides were heard and amendments were offered and debated in a fair and open process, I want to thank both the chair and the ranking member for their commitment. They have different ideas about how we get there, but at the end of the day we do have to get there in common agreement.

Mr. President, I want to give the Senator from Virginia the last word on this issue. So I yield the remainder of my time to the Senator from Virginia.

Mr. Kaine. Mr. President, I thank my colleague Senator WARNER.

I do want to pick up on one of the last points he made, which is the balanced way of getting to where we all want to go. We want to have a growing economy with a lowering unemployment rate. We want to deal with our deficit. These are challenging, complex

goals that are not easy, but we can get there. Even the action of this body last night in passing the fiscal year 2013 appropriations bill and fix shows we can cooperate together and with the House get there. It is my hope that will inspire us going forward.

The question is this: All agree that what has been done thus far in the area of deficit reduction equates to about \$2.4 trillion of deficit reduction that has been done by the last Congress, including the deal on the Bush tax cuts that were made at yearend, \$2.4 trillion of deficit reduction over the next 10 years. And all in looking at that deficit reduction also agree that \$1.85 trillion of the deficit reduction was cutting expenses and a little bit more than \$600 billion of it was revenues that were achieved through the yearend Bush tax cuts deal. So overwhelmingly what has been done thus far has been in spending cuts rather than new revenues. It is very important for us to know that. It is very important for folks to realize that Democrats are willing to make hard calls about spending, and we have done it already.

But the question before this body and the question before the House now is, going forward, what do we do to achieve additional deficit reduction that is consistent with having a growing economy? The approaches of the Senate and the House on this could not be more different.

The House approach basically says all additional deficit reduction should be achieved by cutting spending, by looking at one side of the balance sheet. I do not know of a business, I do not know of a family, I do not know of other units of government that, as they are trying to wrestle with this question, confine themselves only looking at one side of the balance sheet. But that is what the House budget does.

I was thinking about this approach and this question about deficits not long ago, and it struck me that when I look at myself in a mirror, I always wish I was thinner, but I have never once looked in a mirror and wished I was weaker. An all-cuts approach is like looking in a mirror and wishing you were weaker because an all-cuts approach makes you weaker. It makes you weaker in defense, it makes you weaker in education, it makes you weaker in infrastructure.

By laying people off in jobs, it makes you weaker because your unemployment rate is higher. An all-cuts approach is like looking in the mirror and wishing you were weaker.

I don't want to be weaker. I don't want this Nation to be weaker. We have to be stronger. Can we make cuts? Sure, we can. We have, and we will make more. But we ought to be focused on being stronger, about growing the economy and growing jobs.

That is why the approach the Senate takes is the right approach; because by

utilizing revenues appropriately, reforming tax expenditures to reduce them on the equivalent of about 7 or 8 percent a year, these myriad of tax expenditures in the Tax Code, we are able to find investments in infrastructure and soften the indiscriminate cuts that are leading to the job losses that my friend from Hawaii described.

The Senate budget, in achieving additional deficit reduction, is a balanced approach that will make us stronger, not weaker. That is why it is my great hope that we will pass this in a significant way.

THE PRESIDING OFFICER (Ms. BALDWIN). The Senator from Washington.

Mrs. MURRAY. Madam President, I thank the Senators from Virginia and Hawaii for excellent statements and laying out the framework of why it is so important that we have a progrowth bill that is balanced, that deals with both spending cuts and revenue, and I really appreciate their time both in committee and on the Senate floor.

I ask unanimous consent that at 3:45 p.m. today there be up to 60 minutes of debate, equally divided between Senators KLOBUCHAR and COATS, or their designees, for a report on the economic goals and policy under section 305(b) of the Congressional Budget Act.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I have enjoyed listening to our colleagues discuss the issues, particularly the sequester. I know Senator KAINE and I talked about this previously. I would just like to make a few points that are so important for every Member of this body to understand.

Senator KAINE just said additional deficit reduction is needed. He is exactly correct. But this budget has no additional deficit reduction.

They claim they have a balanced approach. They have used that word now 40-some-odd times, "balance." This budget never balances. It does not balance in 10 years, 15 years, and has no vision that would even lead to balance. It remains unsustainable in terms of adding to the debt every single year, resulting in a 1-year interest payment in 2023 of \$800 billion—well more than the defense budget; surging interest from around \$250 billion now to \$800 billion a year—forever, I suppose. And it would go up with the debt rising and with interest rates that could rise even more.

So we don't have additional deficit reduction in the budget that we are being asked to vote on. Senator KAINE said can we make cuts? Yes. Well, I would say we can make more cuts, but we don't. Yes, there is some reduction in some programs, but, on net, no deficit reduction in the budget. So it

doesn't change the debt course. You can't deny that.

What we are saying is, go back to the committee. Write the budget like you want. If you think there ought to be more taxes than I think, that is OK. Bring it up. Let's vote on it. But let's have this budget do what you say, be balanced. They have used this word "balance"—balance, balance, balance—40 more times. We have been keeping up with it. It is so ridiculous. It is utterly unbalanced. It never balances.

By their own admission, the deficits in 1 year are never lower than \$400 billion. So it never balances.

A balanced approach. A balanced plan. Why? Are they guilty of confusing the issue? Do they think the American people will hear their message and think, oh, they have a balanced budget? I suspect that is what they think. Twice I have observed my Democratic colleagues at the committee slip and say they have a balanced budget. They have this in their heads so much, but a balanced plan is what they are really saying.

So what is a balanced plan? The way it has been promoted: \$1 trillion in tax increases, \$1 trillion in spending cuts, a net \$2 trillion in deficit reduction. Not so. It is not so. The tax increases are offset by spending increases.

That is just the way it is. You can spin it any way you want to, but I want to make that point.

One thing I will share about the sequester—and I am so pleased that Senator RUBIO is here, and I look forward to yielding to him. I truly think this is an unwise mechanism to reduce spending. It should not happen. It should be fixed.

I totally agree with my colleagues that this is unfairly and disproportionately falling on the military. I know Senator RUBIO has military bases in Florida. I have them in Alabama and they have them in Virginia, we almost all do. These are patriotic Americans, and these furloughs are in effect 1 day a week, a 20-percent pay cut out of the blue. It is not necessary, and there are other things that have happened.

So how did it happen? Well, it was proposed by the White House, who said: OK, if this special committee doesn't reach agreement on the details of spending cuts, then we will have a sequester across the board. So it originated from the White House. The political theater we have down here is not correct, and we need to be honest about this.

The Republicans agreed to it. It was part of the Budget Control Act. That is the legislation. And who signed the legislation in blue ink right on the back? The President of the United States, Barack Obama.

So he signed it, it is his document, and we agreed to raise the debt ceiling \$2.1 trillion, and we agreed to reduce spending over 10 years by \$2.1 trillion.



Before the ink was dry, the President was proposing to eliminate the cuts he agreed to. He has been fighting to eliminate those cuts from the beginning, and they are not really cuts. If they were properly applied, it would reduce the growth of spending and not cut spending at all.

So the committee that was supposed to find other cuts failed. The sequester went into effect. And it is an anti-military provision. It was designed by Jack Lew, a very liberal member of the President's Cabinet, who was the Director of the Office of Management and Budget at the time.

The President, in my opinion, seemed to be quite happy to see these cuts fall on the Defense Department. He seemed to be happy to have this happen.

Why do I say that? Because he has done nothing to fix it except demand something that he has no right to demand, and that is to violate this agreement to reduce spending and instead raise taxes and spend more. That is not going to happen. Congress is not going to vote to violate the agreement they made with the American people less than 2 years ago. If we give in on that, we might as well quit.

Our colleagues say they want to have a balanced approach to this budget, and they are going to raise taxes. Most people who hear that think the taxes would be used to reduce the deficit, but they are not. The taxes are going to be used to fund more spending over the agreement we have had in place now for about 20 months under the Budget Control Act. They want to increase spending above these levels, and they want to use all the new tax increases they are now proposing to fund it.

It does not change the debt course of America, which Mr. Elmendorf, the CBO Director, told us in committee is an unsustainable path that we are on even after the Budget Control Act was passed in August 2011. So we need to work on it.

I am prepared to offer solutions. The House of Representatives has twice passed legislation that would alter the Budget Control Act so that the cuts don't fall so hard on defense. In fact, they eliminated the additional defense cuts, the second phase of defense cuts, and found cuts elsewhere in the budget and smoothed it out fairly. That is what should happen, and that is where we need to be.

So I would encourage all our citizens, all our Members of Congress, all our military leaders by saying if you want to fix the sequester then address your request to 1600 Pennsylvania Avenue. Address your request to the Commander in Chief of the U.S. military, who has an absolute duty—a responsibility—to ensure that these reductions are done in a fair way.

We have voted and fought for flexibility on this side of the aisle, and we believe in finding, and will vote for,

other reductions in spending to prevent this happening the way it is set to occur under current law.

It seems to me they wanted it to happen this way, so they could come to the floor and make a point somehow that we are dramatically and disastrously hammering the budget, when it is not necessary for it to be done this way. That is the way I see it, and I believe we can reach agreement on this. I think somehow we will because it is not right the way the military—representing one-sixth of all Federal spending—is taking half of the cuts. That is the way it falls right now. It is not right and it is too damaging.

It is great to see Senator RUBIO. I believe he is next up. I yield to him and thank him for his contribution to our discussion.

Madam President, I ask that time be counted against the resolution.

THE PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I thank Senator SESSIONS for enlightening us on this budget as he has been doing all day on the Senate floor.

I want to give some perspective about what we are debating. I think sometimes those of us who work in this building come to believe that Washington, DC, and government is the center of the universe or even the center of peoples' lives, and it is not. All this stuff we are talking about on the Senate floor, not just this day but every day, the reason it is relevant is how it impacts the lives of real people all over this country. What impact does this have on peoples' lives?

Ultimately, I know it is cliché-ish to say this, but it happens to be very true that we are sent here to work for people. We are sent here to work for the people who elected us from the States we come from. So all this stuff we are discussing is relevant to the extent that it impacts the lives of real people in our country and in some respects around the world.

When you talk about cutting spending, what matters is the spending you are cutting and how it is impacting real people, for better or worse. When you talk about raising taxes, those taxes have to be paid by somebody. They are not being paid by some anonymous thing. They are being paid by a person or a business, which is a collection of people. The point is these taxes are being paid.

Talk about the debt. The debt is not simply just a moral financial obligation. The debt also has to be paid. Someone is going to pay that debt one day. Every penny this government borrows someone is going to have to pay back one day. They are going to have to pay it back through higher taxes. If the debt is too high they are also going to have to pay it back through less opportunities. That is why this matters and why it is relevant. It is relevant

because we have to view it through the lens of peoples' real lives, the lives of real people in the real world.

What do people want out of their lives? It is not that complicated. It is what all of us want. They want a job that pays them enough money so they can have a good standard of living, so they can afford to maybe buy a house and have enough time to spend with their families and have leisure activities, maybe take a vacation every year or so. People want that. People want to be able to pursue their dreams. Maybe you have a great idea about a new business you want to start and you want to live in a country where if that is what you want to do with your life, it is actually possible; you can actually do something that you love for a living and they pay you for it.

What everybody wants, no matter where you are in the economic strata, everyone wants to make sure their kids are better off than themselves. That is not unique to Americans. People all over the world want their kids to be better off than they were.

That is what this is about. It is about what role can we play making all these things more possible in this country. The fact that this has been more possible here than anywhere else is what has made us special. So in order to understand what we can do to make that possible we have to understand what makes that happen. How does prosperity happen? How does the kind of prosperity we Americans want for ourselves and our families, for our children, how is that possible? That is also not that complicated. It is largely a function of the private economy, and it is a cycle that is very well understood.

Someone has a good idea for a business, a new business, or growing their existing business. They somehow get access to money, whether it is their own money or money they borrowed or someone invests through them, and they open this business. There is no guarantee that business is going to work out, but they are willing to risk it. And the idea works. All of a sudden this business they started all by themselves out of the spare bedroom of their home now has five employees—and five employees is not just a number, that is five families who are taking home a paycheck. Those are five providers, mothers or fathers, who are bringing home opportunities to their children.

This is how prosperity is created. This is how every one of us has ever gotten a job or how our parents got their jobs. It is because he or someone else risked it and created a business opportunity that provided them a job. This is how prosperity is created.

When you view prosperity this way you come to understand that what we need to do here is to make it easier for that to happen and not harder. Government does have an important role to play in our society. It does.



For example, we believe in a safety net, not as a way of life but to help those who cannot help themselves. We are a society that is too prosperous and, quite frankly, as well as that, we are too humane and too compassionate to not take care of those who cannot help themselves. We always have and we always will. We also need to have a safety net to help those who have failed to get back on their feet and try again. But the safety net was never designed to be a way of life.

By the same token we need to have security. Government plays an important role in our security—our national security for sure, but also in combating crime and enforcing contracts and ensuring that the water we drink is clean, the air we breathe is safe. These are important roles for government to play. But the majority of the things that are going to impact prosperity creation in this country do not come from government. They come from the private sector, and the job of our government is to make it easier for that cycle of prosperity I described to happen.

The job of our government is to create an environment where people are encouraged to and it is easier for them to risk the money they have access to in order to start a new business or grow an existing business so they can hire more people and create more jobs for others. There are a lot of things government can do to help create that environment, but there are a few that are being discussed. I want to point to three.

The first is predictability. What do I mean by that? What I mean is when someone decides they are going to open a business, one of the things that encourages them to hire people is they know what tomorrow is going to look like. They know what the taxes are going to be, they know what the law is going to be, what the economy is going to look like, so they feel encouraged because they can plan and know what tomorrow is going to look like.

Imagine for a moment you are a businessman or businesswoman and you are deciding whether to hire five people next year. One of the first things you want to know is, Am I going to have customers to pay their salaries? How much am I going to owe on taxes and insurance? You want predictability and that is something that has not happened from Washington. There has not been a budget over the last 4 years out of this Chamber, and that creates unpredictability.

I am pleased there is a budget to debate; it is an important debate. Even though we do not agree on everything, I congratulate those who have prepared this budget on bringing it up for a vote on the Senate floor so we can have this debate, a vibrant debate. But part of the problem we have is this budget that is offered doesn't really address the debt. Why does the debt matter?

The debt matters. It matters as a moral obligation for sure. It is wrong to hit future Americans and our young people with this kind of debt, but it is having an impact right now. The debt is not something that is hurting us 20 years down the road or 10 years down the road alone, it is hurting us today. The problem is when people look at this economy and they look at this debt and they say there is no plan in place to fix it, there is no serious plan in place to deal with it, they are worried about risking their money and creating jobs in America.

They believe unless this debt is solved, we are going to have a financial crisis in this country. They believe unless this debt is solved, we are going to have dramatic increases in taxes, which is not going to make America a good place to do business. So there are jobs that are not being created right now because of the fear over the debt and no plan to fix it. This budget does not fix it. This budget does not fix it.

The first thing we need from government is to create an environment where private business can grow and create opportunity, which is predictability. This budget does not do that. The second thing is affordability. We all understand we have to pay taxes. How are you going to pay firefighters and police officers? How do we pay the men and women who defend our freedoms around the world? How are the lights on in this building? Of course we have to pay taxes. This is not about paying taxes or not paying taxes. This is about the fact that there is only so much money in the world. Every penny the government takes in in taxes is money that is not available to invest in a private business.

Every time you take a tax, what you are doing is taking money out of the economy. You have to do that at some point because you need a government, but if you do too much of it then there is not enough money for people to spend at your business. If someone is paying more in taxes, that means they have less money to spend where you work, which means you are going to make less money in tips or in salary or it may even cost you your job if the taxes are too high.

I tell you, we focus on Federal taxes here, but these are not the only taxes people pay. Depending on where you live you are paying local and State and now Federal taxes. You add this up and there are people in this country paying close to half the money they make in taxes. How is that good for growing your economy?

So that is a problem.

This budget talks about raising taxes. It doesn't say how. That is one of the things I wanted to address because I am telling you right now, you can raise taxes 100 percent on the richest people in America, and you will not solve this debt problem. Some statis-

tics say if you raise taxes 100 percent on millionaires it will pay for about 60 days' worth of government. What are you going to do for the other 305 or 304 days of the year? That is a problem. What happens when you run out of rich people to raise taxes on—or so-called rich people? You have to raise taxes on people who are not rich, and you have to raise taxes on the middle class.

That is why I am going to offer two amendments to this budget that I hope will pass. The first amendment says we are not going to get rid of the mortgage interest deduction to pay for new spending and new programs in government. If you want to talk about the mortgage interest deduction in the context of tax reform—I am not sure that is the best idea or bad idea. Let's have that debate. But if you want to talk about it in the context of we are going to take that money and use it in the context of let's grow government, we are going to have a problem because there are middle-class people in this country who already have it hard enough as it is. They are working twice as hard, and they are making half as much. They have paid their mortgage on time every month even though they are upside-down, but because they paid on time, now their bank will not finance them and they are stuck and they are upset and they have a right to be.

Now on top of that you are going to get rid of that mortgage interest deduction? I am not claiming that is what is being offered. I am just saying if no one is going to offer that, let's prevent that now. I am offering an amendment that is going to prevent that.

Here is another thing. We should not raise taxes on the middle class at all to pay for new government, and I will offer an amendment that prohibits that as well. So the second thing we need is affordability. No one is saying we don't need to fund government. Of course we do.

By the way, the best way to fund government is to grow your economy. If we could grow this economy at 4 percent a year for this decade, that would generate about \$3, \$3.5 trillion in new revenue. There is no tax increase in the world that can do that, at least no realistic one.

My last point on this is one of the things government can do is help people to help themselves. In the modern era there is nothing more important in that regard than education. The world has changed. When my parents came here in 1956 from Cuba, they did not have a lot of skills. My dad didn't really go to school. My mom didn't either. And they were able to achieve a middle-class lifestyle in this country as a bartender and a maid. That is almost impossible to do today. That is no one's fault; that is just the way the world has changed.

Today you need a certain level of skill because the information technology age has changed everything. The good news is the jobs that are being created, these new middle-class jobs have a lot more opportunity for better pay. The bad news is we have a lot of people who do not have the skills for those jobs.

We have a skills gap in America that needs to be closed, but the one I want to focus on is school choice. I think it is wrong that the only parents in America who cannot send their kids to the school they want are poor parents. I think that is fundamentally wrong. Middle-class parents can sacrifice and scrape and some of them—not all of them but some of them—can afford to send their kids to the school of their choice. Rich people can send their kids to any school they want, but poor parents in America are stuck.

Envision this for a moment. Envision this for a moment. You are a poor single mom or single dad. You are living already in a dangerous neighborhood in substandard housing, and on top of that you are forced by the government to send your children to a school that is failing and every year the politicians tell you they are going to improve these schools. They say: Give us a chance to pour more money in these schools. We are going to turn them around.

I hope they do. But in the meantime, while they are carrying out this experiment your kids are turning 5 and 6 or 7 or 8, and the clock is running and you can never have those years back. It is wrong. It is wrong that parents who do not have access to funds cannot send their kids to the school of their choice.

One of the things I want to try to do at the Federal level is replicate what we have done in Florida; that is, create an incentive for people to donate their money to private not-for-profit scholarship organizations that give scholarships to low-income families so they can send their kids to their parents' choice, not just to the school of the government's choice. That is important in terms of helping people acquire the skills they need in this new century because if we do not close that skills gap, we are going to have a huge opportunity gap in America, one that is already developing.

I hope we do not underestimate what is happening out there. We have working class people in America who are starting to wonder if this is still the place where if you work hard you can go as far as your talent will take you. They are starting to wonder if this is still the place where if you work hard, you can leave your children better off than yourselves. You have middle-class families who are starting to wonder who is fighting for them. The people who have made it—big companies, big corporations—have lobbyists all over this building standing up for them.

They don't want to take anything away from the people who have made it. They see other people always arguing on behalf of government programs to help people who are struggling. Many of those programs are important. They don't want to take that away from them either. But who is fighting for them? Who is fighting for the people who have done it the right way, who did not take out mortgages they couldn't afford, who will take a job even if it pays half as much and requires them to work twice as long because they do not want to be dependent on government? Their pride will not allow it.

Who is fighting for them? And they are worried about the future. What about the people with the big ideas, the ones who are going to start the next American company? They are starting to wonder whether America is the place to do it when they hear some people basically describe financial success as wrong. They start to wonder whether government is an obstacle or ally in their hopes of opening their business here. This is a fundamental problem for us. This is not an economic debate; this is a debate about our identity as a country.

It is important for us to understand what makes America different from the rest of the world—and we are different. For those people who were born and raised in this country, as I was, it is easy to take this for granted. We should not. It is not like this everywhere. In most countries, a person can only do what their parents did for a living—even today. In most places on Earth, children can only go as far as their family went—even today. This Chamber is full of people—and I am glad to be a part of it—who have gone further than their parents ever did.

If people in this Chamber had grown up in the Old World, they would not be here, nor would they be able to run a business. In the Old World, people were trapped doing what their parents did. What makes us special and different is that it doesn't matter what our parents do for a living. It doesn't matter if we are not well connected or famous. We can go as far as our talent or work will take us. If we lose that, we will lose what makes us special and different. That is what we should be fighting about, and in some ways we are.

I think we actually do have an agreement here. The agreement is that the only solution to our problem is growing our economy. We cannot tax our way out of this problem. We cannot cut our way out of this problem either. The only solution to this problem is to grow our way out of this problem, and I think we agree on that.

I hope the debate we are going to have is, how do we grow our way out of this? How do we create growth in the private economy? Do we allow government to spend as much as it wants

until growth starts to happen? That is what one side is arguing. We have to ask questions, such as, do we embrace the principles of free enterprise and say: Look, government has a role, but it has to be limited. What we have to do is create an environment for the private economy to be incentivized to grow, and it will happen.

I want to have that debate. I want this budget to be that debate.

By the way, no one comes to this with clean hands. I will criticize my own party on this. No one can build up \$16.5 trillion by themselves. This is a bipartisan debt. We have never seen anything like the last 4 years, I will say that. I have never seen anything like the last 4 years in terms of growing the debt. There are Republicans who are complicit in this debt issue as well. We should be honest about that. We should also be honest that at times some in my own party have focused so much on the trees of debt that we lost focus on the forest of growth.

The reason we should care about the debt is because it hurts growing our economy, and that is what the debate should be about. It should be about growth. Let's have a debate here about how we can get our economy growing at least 4 to 4.5 percent a year so we can pull millions of people out of poverty, pay down and stabilize our debt, and get people from the working class to the middle class and from the middle class and beyond. Let's have that debate. Let's argue about what is the best way to create growth. Do we create growth through more government or more free enterprise? Let's have that debate.

For those on my side of the argument, I hope we can have that debate because I like our chances. I like what history has to say about it. I think we can prove that the only nations in the history of the world that have ever accomplished the kind of economic exceptionalism and middle-class prosperity that Americans want and expect and deserve are the countries that have followed the path of limited government, effective government, well-run government, and free enterprise. Our country deserves once and for all to have that debate and stop hiding behind negotiations that it is rich versus poor or the haves versus the have-nots.

Let's have a debate about growth. If we grow this economy, we can protect America, and it will make the world a better place as well.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I yield such time as I may consume from the resolution.

THE PRESIDING OFFICER. The Senator is recognized.

Mr. TOOMEY. Madam President, I wish to commend the Senator from Florida. I could not agree more with

the importance of focusing on economic growth and developing policies that maximize economic growth.

I believe we could have a tremendous economic recovery underway right now, but we don't. The main reason we don't is because we have a dysfunctional government in Washington that has policies that are preventing economic growth.

Unfortunately, the budget resolution our Democratic friends have offered offers more of the same failed policies that would only result in extending this period of miserable economic growth or a lack thereof. I would like to talk about a few aspects of this. I will talk about what they want to do on taxes, but before we get into the substance of the Democratic budget proposal for taxes, I think a little historical context is important, and we don't have to go back to ancient history.

In the last few years, what our Democratic friends and this administration have done is repeatedly raise taxes on all Americans, including middle-income Americans, and they propose much more now. Let's go back, for instance, to the ObamaCare middle-income tax increases. I will run through a quick litany of some of the tax increases we have suffered through as a result of ObamaCare, which raises taxes on people with health savings accounts and flexibility spending accounts. It raises taxes on people with catastrophic medical expenses. It raises taxes on people who purchase medical devices. It raises taxes on people who buy health insurance. It raises taxes on people who don't buy health insurance. It raises taxes on employers who cannot afford to provide health insurance. It raises taxes on people who have family plans that Washington believes are excessive. Is there anyone in America who is not on one or more elements of this list? I very much doubt it. The fact is that ObamaCare was a huge tax increase that added up to \$1.2 trillion over 10 years, and it very much included all kinds of taxes that will be carried by middle-income Americans.

More recently, on January 1 of this year, we had another huge tax increase. That was about \$620 billion over the next 10 years. It was less than 3 months ago. This raises the top rate from 35 percent to 42.5 effectively when we include the phasing out of deductions. If we add in the Medicare increases and the total top Federal marginal tax rate, it is 44.8 percent.

By the way, this is the highest this rate has ever been. Right now, this is the highest this rate has been since Ronald Reagan inherited a disastrous tax code from Jimmy Carter. That was a long time ago. That doesn't include the State and local taxes, which put many Americans at a top marginal tax rate of over 50 percent. The government is taking over half of the income

they are earning, and our friends who are introducing this budget are suggesting that all of this is not enough. They are suggesting that we need yet another big tax increase—in fact, we need a giant one, \$1.5 trillion over the next 10 years in new additional taxes.

I have news for everyone. I don't see how this can possibly be done without significant tax increases on middle-income Americans. I know some folks in this Chamber like to suggest this can be done by soaking the rich again. We can just go back to soaking rich folks again. I don't see how that can work. I will give an example of why I don't think that can work.

The President laid out in his budget last year his plan for a whole new round of taxes for wealthy Americans on top of the tax increases that occurred weeks ago. He specified how he would propose doing it. The gist is that he wants to limit the value of deductions and apply taxes to income that is not otherwise taxed at the moment. He will limit the value of all kinds of deductions. He laid this out. It would be all itemized deductions—mortgage interest deductions, charitable contributions, State and local taxes. They want to tax health insurance exclusions and employee contributions to 401(k)s and IRA plans, section 199 manufacturing deductions, tax exempt interest, contributions to health savings accounts.

All of these things would be limited and would especially affect the wealthy taxpayers under the President's plan—the last budget we got from this President. He has chosen not to comply with the rules whereby he should have already produced one for this year. These tax increases were meant to be in that budget above and beyond the tax increase he got on January 1. Guess what. The President's plan for raising taxes on the wealthy is \$584 billion. That is a lot of money, but it doesn't get us anywhere near the \$1.5 trillion this budget resolution calls for. The President has laid out his plan for how he intends to soak the rich yet again—we know that much—but we don't know yet how he will raise the other \$1 trillion. I can tell everyone where they are going to get that money. It will come from the middle class; that is where the money is.

What are all of these tax increases for? A lot of it is for increasing spending. The Democratic budget would spend more money than the current CBO budget. I know it doesn't look that way if we look just at the top lines. We have to dig deeper. What we discover is that the Democratic budget decides to make a totally different assumption about the American presence in Afghanistan than what CBO does. We are winding down our presence in Afghanistan, but the budget doesn't decide that. That is a separate matter altogether. If we want to compare apples to apples, we make the same assump-

tions about ongoing war expenses. When we do that, we discover that this proposal actually increases spending at a rate faster than what current law calls for. That is what this budget would do.

This budget raises taxes enormously, including very much on the middle-class because I don't see any other way we can get there. It also increases spending.

By the way, the only operative year of a budget is the first year. In the first year, the increase is \$162 billion over what we are going to spend this year. That is a 4.6-percent increase in spending in the year in which inflation is running around 2 percent, and that is what this plan is.

Here is what is most objectionable to me about all of the spending and these huge tax increases. This is a big part of the reason we are suffering through the worst economic recovery since the Great Depression. There is no coincidence here. If we look in the post-war era, in the 3 years following a recession, the economy, on average, has grown by 14.4 percent. That is the average growth over a 3-year period after we have had a recession. What is the growth we have had this time? It is 6.7 percent. It is less than half. This is the worst recovery in our lifetime, and it is no coincidence.

We have had huge increases in spending, and what has that given us? It has given us this feeble economic growth, and it has given us an unemployment rate hovering around 8 percent. We all know that does not include the millions of Americans who left the workforce altogether. They have given up looking for work. It doesn't include the many folks who are underemployed. In fact, we have fewer people working in America today than we did in 2007. And it never takes this long for an economy to bounce back and create the jobs that were lost during a recession. However, it has this time, and it is partly because we are pursuing the wrong policies.

There is huge government spending, stimulus spending, all kinds of growth in government, and huge tax increases and the threat of big tax increases. This is a big contributing factor. Higher taxes reduces economic growth not only because of the money it takes directly out of the economy but because of the incentives. It reduces the incentive to work, to save, to invest. Whatever is being taxed, there is less of for the person to enjoy who actually created it. Sure enough, as a result, we get less of that activity. So the more we raise taxes on work, on savings and investment, the less of it we get. The other thing is that there are tax increases that are looming in the future—and that day will come—and people's behavior is affected by it.

Huge growth in government spending and the corresponding deficits we have

seen have a chilling effect on economic growth itself. People understand that is eventually going to get paid with either higher taxes or we are going to monetize it and diminish the value of our currency and have inflation or some combination of those. So all of this government—of which this budget proposes still more—is part of the reason our economic growth is so meager.

I have one final point to make on this as it pertains to the budget. The irony is that growth is the best way to solve all of our problems. Strong economic growth has a direct benefit for the families who enjoy it, who benefit from the jobs that are created, the higher wages they earn, the elevated standard of living, the integrity that comes from providing for their families. All of those things are the direct benefits from a stronger economy. There is no better way to deal with our budget deficit than stronger economic growth.

In fact, the CBO tells us that just one-tenth of 1 percentage point of sustained increase in the rate of growth in 10 years results in \$280 billion of new revenue. That is not completely linear. However, we are so far below the average that if we just add a full percent, we would be talking about literally trillions of dollars in additional revenue and smaller deficits. All of that would come from economic growth in the context of people who are back to work and an economy that is booming. That is what we ought to be heading for. Unfortunately, this budget doesn't take us there.

I know the Senator from Wisconsin wants to speak, and I will yield the floor in a minute.

I want to say a quick word before I do that about one particularly important amendment we are going to debate beginning around 2 p.m. today and vote on hopefully soon. This goes to a small subset of the tax problems ObamaCare and this budget would create. It is the medical device tax.

The medical device tax is one of the more egregious flaws in ObamaCare, in my view. Part of the reason is it is such a badly designed tax. This tax is badly designed, in my view, because it applies to total sales, so it is even worse than an income tax increase, which would have been a bad idea.

This applies a tax to sales, irrespective of whether a company is making income. So if you are a startup company, if you are a small growing company or if you are an established company and having hard times, this is a tax that disregards whether you are operating in the black and says, We are just going to apply this new tax on your total sales. That is a very badly designed tax, in my view.

It is a particularly bad idea in a sector that has so many young and growing and startup companies that have so much promise. They are making med-

ical devices that are improving the quality of our lives, saving lives that without these inventions wouldn't be saved, and we are going to slap a new tax on the sales of some of these companies that are just trying to get started and not yet profitable. That is a terrible idea. I know in Pennsylvania, the tax has gone into effect. It went into effect on January 1 of this year. It is already costing us jobs, limiting growth, and preventing new factories from being built in Pennsylvania to manufacture medical devices. It is also making health care more expensive. We are all consumers of medical devices of various kinds. We are talking everything from surgical implements to prostheses, to hip replacement to ordinary health care devices.

Lastly, I would suggest that the existence of this tax makes it harder to raise the capital to launch new firms and, therefore, it is going to stifle innovation.

I know there is bipartisan support to repeal this tax. I am very pleased about that. I wish to thank Senator HATCH for his leadership for a long time on this. I know Senator KLOBUCHAR has been a great leader on this issue as well. Several others, including Senator CASEY and myself, feel very strongly about this. I am cautiously optimistic that this amendment could pass. I sure hope it does. It would be a big improvement.

At this time I am happy to yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Before my colleague yields, first I am speaking and taking time off the resolution, but I wish to inquire of my colleague from Wisconsin as to how long he will be speaking, for the information of the body. It was my understanding there had been an informal discussion about having the majority start speaking on the resolution at 12:45. So just for the purposes of colleagues, I wanted to check on how long he thought he would be speaking.

Mr. JOHNSON of Wisconsin. Madam President, I was allocated 15 to 20 minutes. I will try to keep it to 15 minutes to yield at the top of the hour.

Ms. STABENOW. I thank the Senator very much.

Mr. JOHNSON of Wisconsin. Madam President, I ask that my time be used against our allocation on the resolution.

I wish to commend the Senator from Pennsylvania, who is absolutely right. I supplied the medical industry for over 31 years, and the medical device tax will do great harm to medical innovation.

I also wish to commend both the Senators from Florida and Pennsylvania about their great points on the importance of economic growth and how important it is that we concentrate all of

our efforts here in Washington on economic growth.

I truly believe that every Member of this body, people serving in Congress, share the same goals, or the same goal: We want a prosperous America. We want every American to have the opportunity to build a good life for themselves and their family. But often folks on the other side of the aisle accuse Republicans—conservatives—of conducting a war on women or a war on the middle class. Nothing could be further from the truth. I will tell my colleagues what is the truth. It is that with all of our deficit spending here in Washington, we are conducting a war on our children. Fortunately, I do not know of a parent or parents who would willingly drive up their own personal debt, who would max out their credit cards with absolutely no intention of ever paying those debts off, but fully intending to pass those debts on to their children and grandchildren and great-grandchildren. Again, fortunately, I don't know anybody who would do that. Yet, collectively as a Nation, that is exactly what we are doing. We are mortgaging our children's futures.

I ask all Americans to please consider what we are doing in terms of robbing future generations of the prosperity and the heritage and the type of opportunity that we should be handing over to them.

An awful lot of people don't quite understand the connection between our high levels of debt and economic growth. By the way, it is economic growth that actually strengthens middle-income Americans. But if we think about our own personal situations, if we in our own family budget have driven our debt levels up to the point where creditors are calling us all the time, how are we going to grow our own personal economy? In other words, how can we increase consumption when all of our extra dollars are going to pay off our debt, pay our creditors? We are under a great deal of pressure. The answer to the question is a person can't grow their personal economy, they can't grow their own personal consumption. That same economic fact applies to a nation as well. That is why these high levels of debt are harming economic growth and harming the very people all this government spending is purporting to try and help.

One way to take a look at this in terms of the harmful effect of all of the regulation, all the government debt, is economic growth. The fact of the matter is, on average, after 14 quarters, the American economy has grown, after post-World War II recessions, by 19.9 percent. Under Ronald Reagan, our economy grew 20.1 percent in the first 14 quarters. Under this President, our economy has grown by only 7.5 percent. Again, I would argue an awful lot of that has to do with regulations, but an

awful lot of it has to do with the fact that we have increased our debt to unsustainable levels. It is scaring consumers. It is scaring business people away from investing in capital and growing their businesses.

As Republicans, as conservatives, we want every American to pay their fair share. We actually want a balanced approach to deficit and debt reduction. We want more revenue flowing into the Federal Government, but we want to increase revenue the old-fashioned way: by growing our economy.

Just a couple of quick little facts. Even with the meager economic growth we have experienced from 2009 to 2012, revenue has increased to the Federal Government by a total of \$344 billion per year. If we returned to an economy such as we had in 2007, when revenue to the Federal government was 18.5 percent of our economy—it was pretty close to the 50-year average—that would add another \$435 billion per year of revenue.

The tax deal, the “punishing success” tax increase that was part of the fiscal cliff, supposedly will raise \$41 billion in the year 2014. So \$41 billion versus \$435 billion is a tenth as effective. The problem with that “punishing success” scheme is it puts at risk the very growth that is far more effective at raising revenue.

So how do we get our fiscal house in order? Well, we actually have to put our Nation on a glide path toward a balanced budget. We have to return that level of certainty. Global creditors have to be able to look at the United States and say, I think they are getting this situation under control. The only way we can do that is by passing a budget in this body that actually shows a glide path to balance.

Of course, that is not what the Democratic Senate budget resolution will do. It never balances. As Senator TOOMEY was speaking about, we have to take a look at that first year. In comparison to the CBO estimate, it actually increases spending by \$100 billion. It would increase our deficit by \$75 billion. That is the primary thing we have to take a look at because these budget resolutions are only about as good as the paper they are written on, so we have to look at that first year.

The other point I want to make in terms of this budget resolution is the claims in terms of deficit reduction are patently dishonest. The claim to reduce the deficit by \$1.85 trillion in comparison to the CBO baseline is not true. The only way we get that is by comparing apples to oranges. If we adjust the CBO baseline—for example, the \$1 trillion—it counts in more spending, or the \$300 billion of Hurricane Sandy extended spending, or the additional \$200 billion of interest. If we compare apples to apples, this budget at most will reduce the deficit by \$300 billion to \$400 billion. Again, what we have to take a

look at is what it does in that first year, which is actually increases the deficit and increases spending.

This is basically not an honest budget. So my first amendment that I will be offering is a simple amendment. It would establish a point of order subject to a 60-vote waiver or appeal that simply requires a balanced budget in the year 2023. Pretty reasonable. I think the American public actually expects us to live within our means far before that date, but this would be a responsible glide path. I think it is an eminently reasonable amendment, and I certainly hope my colleagues here in the Senate will support a very commonsense approach to providing some level of fiscal discipline to our Federal situation.

The second amendment I wish to offer has to do with the financial situation of States and local governments. Far too many cities are already going bankrupt. We have a chart here that shows a number of cities that have already declared bankruptcy and are going through that process. I think it is extremely important that we here in Congress put States and local governments on notice that they cannot come to the Federal Government looking for a bailout. They need to get their own fiscal house in order. We are not picking on anybody, but it is amazing when we take a look at the unfunded liability that some of these State and local governments are facing right now.

The city of Chicago, for example, has an unfunded liability per household of close to \$42,000. I said \$42,000 per person. New York City is about \$39,000, and San Francisco is about \$35,000.

The point of this amendment is to put State and local governments on notice that the Federal Government will not be here to bail them out. They need to get their own fiscal house in order.

The third amendment I intend to offer has to do with recognizing the truth of the situation with our entitlement programs. At the current level, at the current path, neither Social Security nor Medicare is sustainable. So this amendment is also a very simple amendment. It establishes a point of order that requires in any budget resolution that we reform both Social Security and Medicare to create a 75-year solvency. Again, I think that is pretty reasonable. Let me describe why I think it is so important. I frequently hear all kinds of people claim Social Security is solvent to the year 2035 or the year 2038. It is a moving target. Let's take a look at the true picture in terms of the Social Security financial balance sheet. This comes right from the Social Security Administration. This is looking ahead to the year 2032, a mere 20 years' worth of deficits.

It is true that Social Security actually was running surpluses for decades. It built up a trust fund of—we will talk about that later—about \$2.5 trillion,

\$2.6 trillion. But in 2010, that situation turned around. Now Social Security is paying out more in benefits than it is taking in, in terms of dedicated revenue to the payroll tax. Over the next 20 years, that total cash deficit will equal \$5.1 trillion.

How could anybody, looking at these facts and figures, possibly claim Social Security is solvent? Well, it is because of the fiction—and it is fiction—of the Social Security trust fund. I have a couple of quotes here from the Office of Management and Budget. Talking about the Social Security trust fund, they say:

These balances are available for future benefit payments and other trust fund expenditures, but only in a bookkeeping sense. The holdings of the trust funds are not assets of the government as a whole that can be drawn down in the future to fund benefits. Instead, they are claims on the Treasury.

In other words, they are claims against the Federal Government.

The existence of large trust fund balances, therefore, does not, by itself, increase the government's ability to pay benefits. Put differently, these trust fund balances are assets of the program agencies and corresponding liabilities of the Treasury.

In other words, we have assets worth \$2.6 trillion, we have liabilities of \$2.6 trillion, netting to zero.

One of the analogies I use to describe the trust fund is very similar to this: If a person has \$20 and spends it—by the way, this money is spent; it is gone—and then that person writes him- or herself a note for \$20 and stuffs it in their pocket and says, Hey, I have 20 bucks, they really don't. They have a promissory note they will have to give somebody else to purchase so they can have the real \$20 to spend. That is basically what we have in the Social Security trust fund. It does exist. It is just worth zero.

But here, ladies and gentlemen of America, as shown in this picture, is the Social Security trust fund. It is a file cabinet. It is locked. That is kind of funny because they are actually non-marketable securities, but there you go. That is \$2.6 trillion worth of value that supposedly makes Social Security solvent to the year 2035. It is a fiction. It is false. And until everybody here in Washington starts truthfully describing the extent of our problem with not only Social Security but also Medicare—I was part of that group of Senators who had the privilege of having dinner with the President a couple weeks ago. I found it very interesting that President Obama accurately described the problem in reforming Medicare. He said the problem is that Americans pay in \$1 but they get \$3 worth of benefits. He also went on to say we have a problem because most Americans do not understand that.

Well, today I am asking the President, I am asking Members on the other side of the aisle to join with Republicans to honestly describe the

problem to the American public. You do not solve a problem until you first define it and then secondly admit you have the problem. We have severe problems with Social Security, with Medicare, with other mandatory spending, with our budget. Until we come to terms with that, until we are honest with the American people—stop pulling the wool over their eyes—we have no chance whatsoever of solving these very severe problems.

So with that, I yield back my time.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Michigan, Ms. STABENOW. Mr. President, I will be speaking off of the time on the resolution for a moment and then deferring to Senator MIKULSKI in yielding time to her, as well as our great colleague from Minnesota, Senator KLOBUCHAR, and others who wish to speak as we proceed with the debate on this resolution.

Let me take a moment and say that today the House has passed their budget called the Ryan Republican budget, and it effectively rolls back health care for women in this country. Our budget does exactly the opposite. We protect and strengthen access to health care for women.

Under health care reform, which we strengthen and support in our budget, health insurance plans, as we know, are required to cover women's preventive care, things such as annual wellness visits, domestic violence screenings, and contraception, without copays, coinsurance, or deductibles. The Republican budget that was passed today would take away those protections. Under the budget they passed today, 1.3 million women in Michigan alone could lose their health care.

Insurance plans are now—under what we have passed—not allowed to discriminate against women. That is part of health reform. Being a woman is not a preexisting condition anymore. You cannot charge higher rates, you cannot discriminate in other ways against women in the marketplace when they are looking to buy insurance. And it would prohibit insurance companies from denying access to health insurance for a variety of things, such as being a domestic violence survivor. The Republican budget in the House would take away those critical protections.

Until we passed health reform, as many as 60 percent of the individual insurance plans in this country did not offer basic maternity care, which I think is shocking. I know that whenever I talk with folks about that, they cannot believe that basic prenatal care, which is so important for babies, for women, was not provided. Now it is under our definition of health care.

The Ryan Republican budget would mean that 1 million women and children would not have access to maternal or child health services in Michigan

alone. It would mean that 6,000 fewer women in Michigan would get cancer screenings that could save their lives and that nearly 16,000 children would not get the vaccinations they need to remain healthy.

That is just one area of many reasons why we need to support the budget Senator MURRAY and our committee have put before this body. This is about focusing on women's health, on middle-class growth in terms of education and innovation, and on infrastructure investments to grow our economy. It is important that we are having this debate, and it is important that the women of the country understand that the budget we have before the Senate, the Democratic budget, places women as a priority—their health, the economy for their families, being able to balance their own budgets, and being able to provide futures for their children.

I would now like to yield time off the resolution to our great leader from Maryland, the chair of the Appropriations Committee, a person who, as we know, showed extraordinary leadership in the last few weeks on the floor in a very challenging time, dealing with the current budget, which we have now successfully passed. She also is our leader as it relates to women's health care and the provisions on women's health care in health reform that are now impacting and saving women's lives.

I yield time off the resolution—as much time as she would consume—to Senator MIKULSKI.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the Senator from Michigan for her kind words and also her leadership. She is part of our Democratic leadership team and has been a real champion for jobs that pay a living wage, jobs that lead to the middle class. She is an advocate for making sure we have an economy that builds from the middle class out. Also, as the chair of the full Committee on Agriculture, she has fashioned bipartisan solutions to help our American farmers, particularly the family farm, and to feed the hungry here and around the world. I salute her for her leadership.

Mr. President, I come here today to support the budget put forth by the Democrats in their resolution, led by the very able chair, Senator PATTY MURRAY. We are showing that we can govern. Yesterday we passed the continuing funding resolution in the Senate. It passed 73 to 26. It showed a bipartisan resolution, a resolve to make sure there is no government shutdown, slowdown, slamdown. We now have to look ahead to fiscal year 2014.

I salute Senator MURRAY for what she has done through her committee. First of all, she is dealing with sequester, that Draconian approach that is

going to shred government but most of all shred opportunity and place our fragile economy in jeopardy. She has done it in a balanced way. At the same time, she has protected seniors, veterans, and our most vulnerable by making sure she has looked out for Medicare and Medicaid. Contrasting the Ryan budget, she also showed that she, in our budget, is not going to throw women and children under the bus. I think she has done an outstanding job, and I want to support her.

As we look at what we need to do here in the budget, I was appalled, first of all, to see what the Ryan budget did. Women across America have to balance their family budgets. They know America also has to get its fiscal act together. But the entire Ryan budget places the whole burden of drawing down our public debt on discretionary spending. It preserves tax breaks and tax earmarks and further squeezes those fiscal priorities that impact women and children, impact education, impact empowerment. I think what we have to offer here offers a far greater vision.

One of the things I am deeply concerned about is its impact on women's health care. The Senator from Michigan has spoken about it. We worked on making sure that—when we were working on the Affordable Care Act, we acknowledged the special needs of women. We were appalled in hearings that I had that women were paying more for their health insurance than men of comparable age and health status. We were paying a gender tax.

Now, the Affordable Care Act—disparagingly mentioned on the other side as ObamaCare; affectionately mentioned here as ObamaCare because the President does—our legislation that we passed in the Affordable Care Act eliminated gender discrimination in the insurance industry, that you do not penalize someone because they are a woman.

Then we got right rid of the punitive practices in insurance companies, one of which was to deny families with children with preexisting conditions health care. That meant that if you had a child with autism, if you had a child with cerebral palsy, you could not get health insurance for the rest of your family—punitive, harsh. We got rid of that.

Then there was the way they treated the women. Simply being a woman, as others have said, was a preexisting condition. We were appalled in our investigation that showed that in eight States you were denied health insurance if you were a victim of domestic violence. So you were battered in your own home, and you were battered by your insurance company. Again, we got rid of those punitive practices.

But the Ryan budget gets rid of the Affordable Care Act. So all of those reforms—increasing universal access to



the working poor, getting rid of the punitive practices of insurance companies, ending gender discrimination—will be vitiated. It will be canceled like it did not happen.

During their campaigns, they said they wanted to repeal and replace. Well, PAUL RYAN repeals, but he does not replace. And do you know what. We do not need to have it replaced. We need to keep the Affordable Care Act in place, moving America in the right direction and helping health care be affordable both to families and to businesses. We cannot allow the Ryan budget to stand.

But just being against an idea is not good enough. This is why we support the Murray budget, because she preserves the Affordable Care Act, and she continues to emphasize those reforms we made in quality and prevention and integrative services. We know how, through those quality initiatives, we can save money and save lives.

Others will also speak about Medicare. I cannot believe that we are going to replace Medicare with a voucher—a voucher and a promise. So let's get rid of, not deal with, the health care needs of the elderly. Let's get rid of the financial needs of the Federal Government. So we would rather protect billionaires than protect senior citizens. I think we have our priorities wrong.

Others will speak to Medicaid. I am going to go to Medicaid. I want to speak to Medicaid because of our knowledge about who is on Medicaid. Mr. President, 1.8 million seniors are in nursing homes. What is Medicaid? Medicaid is the only safety net the middle class has when, through the ravages of Alzheimer's, Parkinson's, or other chronic, debilitating disease, you must turn to a long-term care facility, that you have a safety net to help pay the bill. In order to qualify, you have to spend down.

I was a leader here, 25 years ago, in trying to reform the spend-down policy. Twenty-five years later, we have made no reforms. We have had plenty of attacks but no reform.

We cannot turn Medicaid into a block grant. It is going to endanger really the ability of sound nursing homes—either by the private sector or faith-based—in my own State to look at how are they going to fund this.

All we are doing is funding our problems with public debt onto the States. Many people here talk about, oh, we need to go to the Governors. All we are sending to the Governors is more unfunded Federal mandates. We cannot do this to Medicaid, and we cannot do this to the middle class.

Instead, we should be investing in research. I say this because my father died of the ravages of Alzheimer's. We had to spend down the family savings he earned from working over 60 or 70 hours a week in a little grocery store. This is not only our story, it is the story of over 1 million people.

What could we do? I felt so sad for my father. I felt worse because even though I was a Senator, even though I could get Nobel Prize winners on the phone, even though I was an appropriator, there wasn't the cure, the cognitive stretchout for him.

We need to invest in the research. We are on the brink of incredible breakthroughs in neurological science which could either help fund the cure for Alzheimer's or do the cognitive stretchout. We need to spend money to save money. Let's put the money into research and deal with Alzheimer's, Parkinson's, and Lou Gehrig's disease, debilitating things which break the family's budget and family's heart but also contribute to the public debt. We can get there if we make wise and prudent choices. Most of the people in nursing homes are primarily women over the age of 80. What are we going to do? Are we going to abandon them?

This budget is unkind to women, but it is also unkind to children in terms of the opportunity structure.

The Ryan budget caps and freezes Pell grants at \$5,645. It requires families who make less than \$20,000 to qualify for a Pell grant. This means many people who seek Pell grants are single mothers. There is recent data showing many of our families, 63 percent, are in single-parent households. It could be a single mother or a single dad, someone who started out life with hopes and dreams and now has many responsibilities.

Many wish to return to higher education, particularly the community colleges which offer gateways to better jobs in the new economy. In my own State, this could be an associate degree in nursing, in pharmacy tech or in lab tech. This can help keep people in the middle class in affordable living. An affordable education will be the gateway into community colleges. We should be expanding the Pell grants, not shrinking them. It is a new economy, and it is a new family profile.

I could go over this line item by line item. I know others will be talking. When we look at women who need health care for themselves, for their children and their aging parents, the so-called sandwich generation, the Ryan budget vitiates it, but the Murray budget has a way to deal with this.

For education and opportunity, for our children, workforce, and community colleges, the Ryan budget shrinks opportunity and shrinks the ability of people rising to the middle class or staying in the middle class.

I think the Ryan budget is a bad prescription for America. The way I want to deal with the Ryan budget is replace it with a sensible, balanced approach which looks for the hopes and dreams of the American people and is not protecting lavish subsidies and lavish tax breaks to subsidize corporate jets and other such items.

I salute the Senator from Washington State for the great job she accomplished. I look forward to further debate.

Yesterday, we were able to move the continuing resolution for funding. I could not have done it without the great staff I have.

#### RETIREMENT OF CHARLIE HOUY

Mr. President, in a few days the U.S. government will say congratulations and happy retirement to one of our finest public servants, Charlie Houy. After more than three decades of federal service Charlie will retire from the Senate Appropriations Committee.

He has served on the Appropriations Committee for more than 30 years, always following the dictum of his first supervisor, Senator Ted Stevens, that staff, like children, should be seen and not heard. Charlie began his Federal service in 1981 working for the Naval Sea Systems Command as a Presidential Management Intern. He was detailed to the Defense Appropriations Subcommittee in 1983 and worked as a majority professional staff member for Chairmen Ted Stevens, John Stennis, and Daniel Inouye. Charlie was appointed Democratic clerk of the subcommittee in 1995 by Chairman Inouye and remained in that position through 2010.

In 2009, Charlie became the 23rd staff director of the full Appropriations Committee under Chairman Inouye's leadership and did an outstanding job keeping the trains running to get the committee's work done and maneuvering the committee through numerous budget minefields.

During the transition following Chairman Inouye's sudden passing, Charlie expertly brought me up to speed on the short term and long term issues I would be facing as the new chairwoman. Just one day after becoming chairwoman, I found myself managing the Sandy Supplemental on the Senate floor. Charlie was on my side, and at my side. His advice and during this period were invaluable. It more than made up for the fact that he is an avid San Francisco 49ers fan.

His spirit of bipartisanship has earned him praise from members on both sides of the aisle and both sides of the Dome. Senate Majority Leader HARRY REID described Charlie as a person "who has a fantastic knowledge of what goes on in this country as it relates to money." The late Senator Ted Stevens had this to say about Charlie: "He is a consummate expert on defense issues and is well respected by those at the Department of Defense and his colleagues on the Hill . . . I am proud to say he is my friend." The late Chairman Daniel Inouye described Charlie as "one of the finest staff members in the whole Senate . . ."

His accomplishments and expertise earned him a coveted spot on Roll Call's Fabulous 50 staffers for his mastery of policy and procedure and his

ability to influence agendas and legislation.

President Harry Truman once said, "It's amazing what you can accomplish if you don't care who gets the credit." This personifies Charlie. In a town where most people are clamoring over each other for the spotlight, Charlie has used a quiet humility and a tireless work ethic to accomplish great things for our country.

I would also like to recognize and thank Charlie's wife Sharon and his daughter Cassie. Working in the Senate for more than 30 years, there were many late nights and weekends that required Charlie to miss out on family events, crew regattas, and vacations. Thank you for lending us your husband and father during those times.

Mr. President, I stand here today to express my deepest appreciation to Charlie Houy for serving the Senate Appropriations Committee, the Senate, and the American people with integrity and intelligence. His tireless contributions to our nation have been outstanding. I wish him well as he leaves the U.S. Senate for new adventures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent this discussion be taken from the resolution time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Let me thank all the women Senators who are down here speaking so eloquently about the importance of passing a budget resolution which reflects the values and needs of women in this country and the men who are important to them.

I wish to especially thank our dean of women, Senator MIKULSKI, who has made this a lifetime passion to ensure the women who come after her have the strength and ability to participate in the economy in any way they wish. I thank her and the other Senators for their leadership.

Senator KLOBUCHAR will continue this discussion.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I wish to thank Senator MURRAY for her leadership on this budget. This is not an easy thing. We all know this. She actually has been working on this many years. I am very proud of this budget and the work which has been done here, the balanced approach which has been taken.

I wish to thank Senator MIKULSKI, the Senator from Maryland, our fearless leader of the women Senators, who has been there since the beginning and understands these fights in a different way than many of us who are new can't imagine. We will need to continue moving forward for the women of this country and can never step backward, which is where I wish to begin discussing this budget.

The budget Senator MURRAY has proposed is a budget which moves us forward. For a long time, Democrats and Republicans in the Senate have been talking about how we need to get \$4 trillion in budget reduction and deficit reduction over the next 10 years.

We have done \$2.4 trillion. It is a start. It is not all we need to do, but it is a start. Of that amount, the \$2.4 trillion, 70 percent was in cuts. When we look at the proposals which have been made by Simpson-Bowles, Rivlin-Domenici, the Gang of 6, all the groups which have worked on a very strong bipartisan basis, they have all proposed something like 2 to 1 on spending cuts to revenue.

The proposal which has been made on the House side which passed in the House today isn't even close to that. In fact, when we look at Congressman RYAN's budget, there isn't revenue in this budget. He does include some of the past revenues. Even when you do that, that is a 10-to-1 ratio of spending cuts to revenue for this country going forward. It is not the right mix. Yes, we need to balance our budget, but we also need a balance which is budgeted.

The last thing we need to do is balance our budget on the backs of women and children. This is why it is important for people. I will return later to speak about some of the economic issues in my State and why it is so important to move forward and have a budget with a balanced mix of spending cuts and revenue. I truly believe we need a deal here. We need to bring this debt down. It is very important to me because I think it will trigger investment. We need to do it in the right way.

Today, I am focused on one issue; that is, the effect this budget would have on women and children, the budget proposed in the House versus the budget Senator MURRAY has put together.

It is no coincidence the Senator who is leading us through this budget process is the same Senator who joined me last spring when the Violence Against Women Act was on the floor. We needed to rally all 17 women Senators behind us. At the time people thought it was stuck, it was a gridlock and wasn't going anywhere. Then all the women Senators, Democrats and Republicans, came together.

PATTY MURRAY was the leader in this effort. This is why this Senate budget not only maintains but increases critical funding for the Violence Against Women and Family Violence Program. This will give law enforcement better tools for responding to cases of domestic violence and sexual assault, programs which make sure mothers and children have a safe place to go and programs which help victims get back on their feet again. Even more important, this includes programs which save lives.

As a former prosecutor, I know firsthand how important the Violence Against Women Act has been. We were very pleased it was reauthorized on such a strong bipartisan basis. It is incredibly important, not just for those individual victims but for entire families and entire communities. Statistics show kids raised in violent homes are 76 times more likely to be perpetrators of these crimes when they grow up.

This is why I truly appreciate Senator MURRAY's work to ensure we have a policy in place, which is something we worked on in the Judiciary Committee. I see Senator HIRONO from Hawaii. We worked hard on this, as it is important, but also the funding is in place. We consolidated programs, reduced funding with the Violence Against Women Act and did different things in the last Violence Against Women Act to make it more efficient. This is fully funded in this bill, and it is very important for people to know who care about this.

As to health care, something which is very important to our kids, the House budget, as has been noted by Senator STABENOW and others, would slash billions of dollars in basic health care services for children, including prenatal care for expectant moms and vaccinations for kids. Under the House proposal, more than 33,000 women would lose access to maternal and child health care services in Minnesota alone. Meanwhile, another 8,551 children would lose access to lifesaving immunizations. This is only in my State.

Sadly, after the devastating flu season we just experienced, with many children dying across this country, how could anyone think it is a good idea to cut funding for vaccination programs? How could that be one of the proposals in this budget. There are so many loopholes we could close, so many tax subsidies we could eliminate. Why would we cut kids' vaccinations? Sadly, this is what happened in the House today.

While we are on the subject of health care, I also wish to point out the House budget would cut funding for the National Breast and Cervical Cancer Early Detection Program, meaning hundreds of thousands of women would lose access to mammograms, pap smear tests, cervical cancer screening, which is the tip of the iceberg. By repealing the Affordable Care Act, the House budget would threaten preventive care for women across this country. The Ryan budget would eliminate the important reforms to improve patient care, already noted by Senator MIKULSKI and Senator STABENOW. It would eliminate the important reforms to improve patient care and the delivery system which is included in the health care bill.

What is interesting to me is Congressman RYAN does acknowledge the Affordable Care Act has some very good savings in it because he includes



those over \$700 billion in savings in his budget.

This is great, but then he cuts out all those budgets I spoke about which were so important to the American people: to not be banned from health insurance because you have a preexisting condition and to be able to keep kids on their parents' insurance until they are 26 years old. I am looking forward to that with my own daughter.

The third thing I mentioned is closing the doughnut hole for our seniors. Those things are all being cut under this budget.

We have had this debate too many times already. I wish to be clear; the Senate budget not only protects core funding for preventive services but upholds the Affordable Care Act and its most important provisions for women and children.

Let's turn to another front to see how women and children of this country, particularly children, fare and this is education. On the education front, the Senate budget—while still making \$975 billion in cuts, \$975 billion in spending cuts—still maintains core funding for early education through the Head Start Program. The House budget, when combined with sequestration, would push almost 200,000 low-income children out of the program in 2014.

We all know education is one of our best investments. When we look at the global economy and education growing across this country, we are getting real competition from other countries. The last thing we need to do is cut back on education.

This is why the Senate proposal includes continued support for elementary and secondary schools through programs such as IDEA, the ladder which provides early intervention in special education services to kids with disabilities. Our budget also makes key investments in improving literacy and increasing the emphasis on STEM, science, technology, engineering, math.

This is the future. We want to train our own kids in America, as Senator SANDERS is well aware, to ensure they have the skills to be able to compete on the international stage.

What does the House budget do? It slashes close to \$1.2 trillion of investments in education, skills training, science and technology, R&D, transportation and infrastructure over the next 10 years.

Do you know what I think. I think that is being penny wise and pound foolish and not what we should do in the budget for the United States of America. I truly believe we have an amazing opportunity right now. We have seen better unemployment numbers than we have seen in 4 years. The housing market is starting to turn around. People are starting to go back to work. It is not nearly where it

should be. The last thing we need to do is go backward. The last people who want to see us go backward are the women of America.

I was listening as Senator STABENOW spoke about the health care bill, the Affordable Care Act, and during the Finance Committee there was a debate about whether maternity care should be included in the mandatory benefits. One of our colleagues at the time said: I don't understand why maternity benefits should be included. I never needed them.

Without missing a moment, Senator STABENOW looked across the table and said: I bet your mother did.

There are a lot of mothers around America right now who are looking at these budgets because these budgets represent values, the future of our kids and the women and men of this country.

Let's bring our spending down. Let's get over the \$4 trillion figure we are supposed to get out of the debt reduction but do so in a way which doesn't hurt middle-class families and doesn't hurt the families most vulnerable. I know we can do it. We are a great country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, before I begin my remarks, I wish to thank Senator MIKULSKI for the tremendous work she did on the continuing resolution. I know she worked so hard, and yet she is on the floor today to talk about how important passing the Murray budget is. And of course Senator MURRAY is on the floor also, and I want to thank her for her great work.

I stand in solidarity with all the men and women, my colleagues, who are going to be talking about how important it is to pass the Murray budget, which is a balanced budget that reflects our priorities and our values. The last few years have been hard for families across the country. Our economy is still struggling its way out of a great recession, the worst economic crisis since the Great Depression. And we have made progress. For example, the economy has grown and millions of people are back to work. But this progress is not fast enough for too many families in Hawaii and across our Nation.

Regrettably, that doesn't seem to concern some of our colleagues in the House of Representatives. The budget proposed by the House majority, the Ryan budget, would set our economic recovery back and it would do so on the backs of those who can least afford it. Some of the hardest hit will be women and children, the very people who face some of the biggest challenges in today's economy. So I want to focus on how the Ryan budget negatively impacts women in our country.

Women in Hawaii make 82 cents for every dollar earned by a man for the

same job. Monthly food costs in Hawaii are 61 percent higher than in the rest of the country. Forty percent of Hawaii households pay more than 40 percent of their monthly income on housing. Hawaii residents pay some of the highest gasoline prices in the country, which we all know can be a serious hardship on family budgets. Our high cost of living is one of the reasons we have a high percentage of women working in two-parent households in Hawaii.

Across my State and across our country, women are waking up every day, working hard, and making ends meet in any way they can. These challenges I mentioned are being overcome every single day by determined women. They work hard to improve their lives and to give their children an even greater shot at success than they had. For many, the support they receive for health care, education, childcare, paying for food and housing, makes all the difference. Unfortunately, the Ryan budget lays out a vision of America where these people, our families, are left behind.

We are told that budgets reflect our values. I agree. What are the values exemplified and reflected by a budget, the Ryan budget, that makes deep cuts in supports such as the Supplemental Nutrition Assistance Program—SNAP—and the Women, Infants and Children—WIC—Program? Combined, SNAP and WIC help put food on the table for over 50 million—I repeat, 50 million—Americans, primarily women and children. The SNAP cuts in the Ryan budget would put over 180,000 families in Hawaii at risk of losing the ability to put food on their table.

What could be more fundamental than putting food on the table? I don't know anyone who could look these families in the eye and say: Sorry that you can't afford to feed your children anymore. We have to balance the budget. We need to close the deficit. Sorry. That, to me, is unconscionable and runs counter to our core values.

The Ryan budget would also deeply cut childcare assistance and Head Start, as mentioned by my other colleagues, leaving more than 2 million children and their families without realistic early childhood or daycare.

In addition, the Pell Grant cuts in the Ryan proposal would make college less affordable for 6 million women students. Add to that the millions of male students and you are affecting the future education of our country.

These cuts don't just hurt families now, they force parents to choose between jobs and caring for children. They prevent kids from accessing early learning opportunities that we know are vital to enabling these children to succeed in school and in life.

The Ryan budget also slashes support for things such as public transit, housing assistance, and community development. Each of these investments

helps make our communities better places to raise a family, which attracts businesses and creates jobs.

Finally, and most egregiously and seriously, in my view, the Ryan budget cuts health care for women of all ages by repealing ObamaCare. By repealing ObamaCare, the Ryan budget takes us back to when being a woman was a pre-existing condition, thereby disqualifying her for health insurance or costing her many times more for coverage. If we repeal ObamaCare, analysts project that insurance companies could charge women over \$1 billion more in premiums than men are charged for the very same coverage. So by repealing ObamaCare, the Ryan budget discriminates against women. And since when is discriminating against women a core value?

While ObamaCare requires that insurers cover maternity care, only 12 percent of plans on the individual market do so currently. Repealing ObamaCare would also undermine access to reproductive health and family planning services.

Now let's talk about how the Ryan budget would affect seniors. Seniors in our country know the Ryan budget will end Medicare as we know it. They know these changes will force millions of women—and, of course, men—to make do with a voucher for their medical care—a voucher of decreasing value. And since so many women receive lower Social Security benefits than men, while paying higher out-of-pocket health care costs, losing Medicare coverage could be the difference for them between food, housing, or life-saving medication. Now is not the time to be making huge cuts to investments in programs that provide the very economic security we should be working to improve.

Fortunately, the priorities laid out in Chairman MURRAY's budget would help to strengthen the economic security so many families are seeking. The Senate budget resolution prioritizes creating new jobs, expanding opportunity, and laying out a strong foundation for economic growth. It builds on the progress we have made over the past few years instead of tearing that progress down.

I applaud Chairman MURRAY for prioritizing the elimination of the sequester, which the Congressional Budget Office says could eliminate 750,000 jobs. I also applaud her foresight in including investments in early childhood education, clean energy, national security, our veterans and our seniors, and her bill preserves access to health care, opportunities for higher education, and programs such as SNAP and WIC. These supports are vital to keeping our economy moving in the right direction.

The Murray plan will help improve American competitiveness, foster innovation, and open more opportunities for small businesses to succeed, and it

lays out a blueprint for responsibly paying for these investments and reducing our deficit in a balanced way. Each and every one of these priorities helps to improve the economic security of men and women and children—families—in our country.

I hope my colleagues will join me in supporting the Murray plan, a plan that provides a foundation for growth, instead of a plan that takes a meat-ax approach to the economic security of millions of families in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank the Senator from Hawaii for joining a number of very strong Democratic women to talk about the importance of our budget for women in this country, and I appreciate her strong voice here in the Senate.

I yield 30 minutes off the resolution to the Senator from Vermont, who is a great member of our Budget Committee and contributes so much thought to all of it. We appreciate all his work.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank Senator MURRAY for yielding, and I want to thank her and her staff for the excellent work they have done. As a member of the Budget Committee, I have enjoyed working with them.

Everybody knows our country has an \$850 billion deficit and a \$16-plus trillion national debt. But what has not been discussed as often as it should be is how we came into that financial position. How do we have the deficit and how do we have this huge debt?

Let us not forget, as we discuss this issue, that in January of 2001, when President Bill Clinton left office, this country had an annual Federal budget surplus of \$236 billion. A surplus of \$236 billion in January 2001. We now have an \$850 billion deficit. So what happened?

Well, I think many Americans know what happened. When you go to war in Afghanistan and Iraq and you don't pay for those wars, you add to the deficit. When you give huge tax breaks to the wealthiest people in this country and you don't offset that, you add to the deficit. When you pass a Medicare Part D prescription drug program and you don't pay for that, you add to the deficit.

And on top of all of that, we must understand that right now, at 15.8 percent of GDP, revenue coming into the Federal Government is the lowest it has been in 60 years. The reason for that is we are in the midst of a very serious recession—a recession caused by the greed, recklessness, and illegal behavior on Wall Street. Not only has that led to significant increases in unemployment and businesses going under, once again, it resulted in less tax revenue coming in to this government.

And by the way, when we talk about Wall Street and the greed and the recklessness and illegal behavior on Wall Street, I must say I was stunned when the Attorney General of the United States recently suggested it might be difficult to prosecute Wall Street CEOs who commit crimes because of the destabilizing effect that prosecution might have on the financial system of our country and the world. In other words, we have a situation now where Wall Street is not only too big to fail, they are too big to jail. The theory is, if you are just a regular person and you commit a crime, you go to jail. If you are the head of a Wall Street company, your power is so great, the tentacles of that company are so great, that if you are prosecuted, and there is destabilization in that company, it can have worldwide or national implications. That is an issue we have to think long and hard about. We are supposed to be a country of law, and that law should apply to the CEOs of Wall Street companies as well as everybody else.

The other point I want to make deals, if you will, with a moral issue. When you are dealing with a deficit situation—and I just described how we got into the deficit situation—and you say we need to make sacrifices, it is absolutely appropriate to ask who is best able to make those sacrifices. Right now, as I think most Americans know, the wealthiest people in this country are doing phenomenally well. Large corporations are enjoying record-breaking profits. That is one group of people. Meanwhile, the middle class of this country is disappearing, and we have 46 million people living in poverty. So common morality, basic morality, says who should we ask most significantly to help us with deficit reduction? Do we tell an unemployed worker who is struggling to keep his or her family afloat that we are going to balance the budget on their back or do we ask, a huge profitable corporation, that in some cases is paying nothing in taxes, to help us with deficit reduction?

It is important for us to do what we do too rarely on the floor of the Senate—take a hard look at what is happening to the American people right now. I am very pleased we are seeing more job creation. Good thing. We are seeing somewhat of a recovery in housing. Very good thing. But let us understand where the middle class of this country is today, where the working class of this country is today before we demand that we balance the budget on their backs, as the Ryan budget in the House does.

Since 1999, the average middle-class family has seen its income go down by nearly \$5,000 after adjusting for inflation. Median family income today is lower than it was in 1996. Real unemployment is not 7.7 percent, it is 14.3 percent if you count those people who

have given up looking for work and are working part time. Youth unemployment is even higher. More than 25 percent of young Americans are unemployed. In terms of the African-American community, unemployment is off the charts.

When we talk about job creation, we all want job creation. However, it is important to understand that nearly 60 percent of the new jobs that have been created since 2010 are low-wage jobs paying between \$7.80 an hour and \$13.80 an hour.

Jobs, yes. But we want jobs that can take care of families, not just low-wage jobs.

Further, when we are talking about the budget, we don't talk about this at all. I know my Republican friends don't talk about it; most of my Democratic friends don't talk about it. It is anathema here to talk about issues of distribution of wealth and income, but I think it is important before we talk about on whose backs we are going to balance the budget.

Today the United States has the most unequal distribution of wealth and income of any major country on Earth, and the gap between the very, very wealthy and everyone else is growing wider and wider. Incredibly, the wealthiest 400 individuals in this country today own more wealth than the bottom half of America, 150 million people. I think that is an issue we might want to discuss even if it offends some of our wealthy campaign contributors, but I think we should put that on the table.

Today one family—the Walton family of Walmart—owns more wealth than the bottom 40 percent of families in this country. And by the way, you will all be delighted to know they got a huge tax break recently.

Today the top 1 percent owns 38 percent of all financial wealth. That is a stunning number. What is even more stunning is the bottom 60 percent owns 2.3 percent of the wealth in this Nation. One percent on top owns 38 percent of the wealth; the bottom 60 percent owns 2.3 percent. And who do Mr. RYAN and my Republican friends want to balance the budget on? Those 60 percent, the working families who already have nothing, who are losing what they have, who are struggling to keep their heads above water.

But it is not just distribution of wealth, it is distribution of income. If you can believe it—this is again a stunning fact which, for some reason, we don't talk about too much here on the floor. A recent study shows that had all of the new income gained from 2009 to 2011 gone to the top 1 percent, 99 percent gained nothing. So who do we balance the budget on? Of course you go after the middle class, go after the working class, go after low-income people. Well, maybe somebody might want to ask that 1 percent to start paying a

little bit more in taxes before we cut Social Security, Medicare, Medicaid, education, and nutrition.

One of the good parts of the Murray budget is that it provides \$100 billion in funding to put millions of Americans back to work rebuilding our crumbling infrastructure. I would have gone much higher. Because while deficit reduction is a very serious issue, it is even more important that we start putting millions of people back to work who are in desperate need of employment. The fastest way to do that is to rebuild our crumbling infrastructure. One hundred billion is a good start. We need more.

During the consideration of the budget resolution, I plan on offering two amendments. The first, amendment No. 264, would create a reserve fund to reduce the deficit and create jobs by eliminating offshore tax abuse by large profitable corporations. The second, amendment No. 198, would establish a deficit-neutral reserve fund to protect the benefits of disabled veterans—and I speak as chairman of the Veterans' Affairs Committee—disabled vets and their survivors by not enacting the so-called chained CPI. I am pleased that this amendment is being cosponsored by Senator HARKIN and Senator HIRONO. Let me take a few minutes to describe both of these amendments.

At a time when corporate profits are at an all-time high, when the effective corporate tax rate is at a 40-year low, when one out of four profitable corporations pays zero in taxes, it is time for large profitable corporations to significantly contribute to deficit reduction.

The first amendment I will be offering would create a reserve fund to reduce the deficit and create jobs by eliminating offshore tax abuse by large profitable corporations. In 2011, corporate revenue as a percentage of GDP was just 1.2 percent. That is lower than any other major country in the Organization for Economic Cooperation and Development, lower than Britain, Germany, France, Japan, Canada, you name it. Each and every year, corporations and the wealthy are avoiding more than \$100 billion in U.S. taxes by sheltering their income offshore. Offshore tax schemes have become so absurd that one five-story building in the Cayman Islands is now the home to more than 18,000 corporations.

When the Bank of America, Goldman Sachs, JPMorgan Chase, and Citigroup needed a taxpayer bailout in 2008—and I did not vote for that bailout—they told us what great Americans they were, how much they love the United States of America, proud to be an American. But when it comes to paying their taxes, these large Wall Street companies are proud to be with the Cayman Islands. So my suggestion to these corporations: Next time you need a bailout, don't come to the taxpayers of America. Go to the people of the

Cayman Islands and get your bailout there. But so long as you are an American company, how about helping us with deficit reduction and paying some taxes in this country?

But it is not just Wall Street. You have pharmaceutical companies such as Eli Lilly and Pfizer also using offshore tax havens. Apple wants all the advantages of being an American company, but it doesn't want to pay American taxes or American wages. It creates the iPad, the iPhone, the iPod, and iTunes in the United States, manufactures most of its products in China, and then ships most of its profits to Ireland, Luxembourg, the British Virgin Islands, and other tax havens to avoid paying U.S. taxes.

This is a huge issue. By the way, it is not just an American issue. It is an issue facing governments all over the world: Corporations run to tax havens, Cayman Islands, Bermuda, and elsewhere. We have got to address that issue.

I am going to list for the RECORD 15 large profitable corporations that have used offshore tax havens to avoid paying U.S. income taxes in recent years. At the top of the list, Bank of America. In 2010, Bank of America set up more than 200 subsidiaries in the Cayman Islands to avoid paying U.S. taxes. It worked. Not only did Bank of America pay nothing in Federal income taxes but it received a rebate from the IRS of \$1.9 billion that year.

Before you cut Social Security and Medicaid and Medicare, do you think maybe we might want to ask Bank of America—which we bailed out, by the way—to help us with deficit reduction?

General Electric during the last 5 years made \$81 billion in profits. Not only has General Electric avoided paying Federal income taxes during these years, it received a tax rebate of \$3 billion from the IRS. GE has at least 14 offshore subsidiaries in Bermuda, Singapore, and Luxembourg.

Citigroup, Verizon, Honeywell International, JPMorgan Chase, Merck, Corning, Boeing, Goldman Sachs, Microsoft, Qualcomm, Caterpillar, Cisco Systems, Dow Chemicals, major profitable corporations using tax havens to avoid paying in the United States of America. We have an amendment to deal with that issue, and I hope we can have bipartisan support for that amendment.

Now I want to talk about my second amendment, and now I speak as chairman of the Veterans' Affairs Committee.

This amendment, No. 198, would establish a deficit-neutral reserve fund to protect the benefits of disabled veterans and their survivors by not enacting the so-called chained CPI. I am pleased this amendment is being cosponsored by Senators HARKIN and HIRONO.

The time has come for the Senate to send a very loud and clear message to

the American people: We will not balance the budget on the backs of disabled veterans who have lost their arms, their legs, and their eyesight defending our country. We will not balance the budget on the backs of the men and women who have already sacrificed for us in Iraq and Afghanistan, nor on the widows who have lost their husbands in Iraq and Afghanistan defending our country. And we will not balance the budget on the backs of those who served so valiantly in World War II, the Korean war, the Vietnam war, the gulf war, and other conflicts, by cutting Social Security benefits. We will not adopt the chained CPI.

The chained CPI is forcefully opposed by every major veterans organization in this country. I have talked to many of them, and they are outraged after the sacrifices veterans have made that people want to balance the budget on their backs. All veterans organizations are in opposition to the chained CPI, and that includes of course the American Legion, the VFW, the Disabled American Veterans, the Iraq and Afghanistan Veterans of America, Gold Star Wives, DAV. You name the veterans organization, and they are in opposition.

But it is not just the veterans organizations that oppose the chained CPI. The chained CPI is opposed by every major senior citizen group in this country—including the AARP, the largest senior group. And I understand they have been calling Members of the Senate and the House, and I hope Members will listen to what the AARP has to say—and the National Committee to Preserve Social Security and Medicare, and the Alliance for Retired Americans.

The chained CPI is opposed by every major union in this country. I had a press conference not so long ago with Rich Trumka of the AFL-CIO. They are strongly opposed to the chained CPI. The chained CPI is opposed by every major disability group in this country. It is opposed by the National Organization for Women, because they understand what the chained CPI would mean for women.

There are some who believe that lowering costs of living adjustments—COLAs—through the adoption of a chained CPI would be just a minor tweak in benefits. Let's be clear. For millions of disabled veterans and seniors living on fixed incomes, the chained CPI is not a minor tweak. It is a significant benefit cut that will make it harder for permanently disabled veterans and the elderly to feed their families, heat their homes, pay for their prescription drugs, and make ends meet. This misguided proposal must be vigorously opposed.

In one moment or another everybody here has talked about how they want to save Social Security, because they know that back home Social Security

is enormously popular. In poll after poll—whether you are Democrat, Republican, Independent—what people are saying is, Don't cut Social Security. Don't cut benefits for disabled veterans. Now we are going to give Members on both sides of the aisle the opportunity to act on what they have been saying for many years.

Supporters of the chained CPI want the American people to believe that the COLAs for the disabled vets, senior citizens, and the surviving spouses and children who have lost loved ones in combat are too generous. For any senior citizen who is listening to this, the theory behind the chained CPI is the benefits that you have been getting are too generous. And whenever I say this in Vermont, people start laughing. They really do. And I have to say, No, they are not kidding, they are serious.

At a time when some think these benefits are too generous, we should understand that in 2 out of the last 4 years disabled vets and senior citizens did not receive any COLA at all, zero. So I guess a zero COLA is too generous. And this year's COLA of 1.7 percent is one of the lowest ever at a time when prescription drug costs for seniors are going up, health care costs for seniors are going up, heating costs in cold weather States such as mine are going up, food costs are going up. And yet seniors got a 1.7 percent COLA, and there are people who say that is much too generous.

Today, more than 3.2 million disabled vets receive disability compensation benefits from the VA and would be negatively impacted by the chained CPI. Are you really ready after all the great speeches we hear—speeches of thank you to the veterans who put their lives on the line, who gave their lives defending this country—do you really want to cut those benefits for those who lost their arms, their legs, their eyesight? I hope not.

Under the chained CPI, a disabled veteran who started receiving VA disability benefits at age 30 would have their benefits cut by more than \$1,400 at age 45; \$2,300 at age 55; and \$3,200 at age 65. For our Wall Street friends, the people who make millions of dollars a year, that is not a lot of money. But for people who are trying to survive on \$20,000, \$25,000, \$15,000 a year, that is a big hit. In my view, if you respect veterans and the sacrifices they have made, if you respect the "greatest generation" and what they have done to make this country great, you do not balance the budget on their backs.

Let me just conclude by saying I have been to Walter Reed, and I have seen what war has done to veterans. Many of my colleagues have done the same. In Vermont we paid a very heavy price for the Iraq war. I have been to too many funerals. I know many of my colleagues have done the same. I just ask that before we support this so-

called chained CPI, which will make devastating cuts on the backs of disabled veterans and senior citizens, we remember the sacrifices those people made.

Let me ask unanimous consent to have printed letters in opposition to the chained CPI that I have received from the American Legion, Disabled American Veterans, Veterans of Foreign Wars and several other veterans organizations.

Let me quote from a letter I received from the National Commander of the American Legion, Jim Koutz, in opposition to the chained CPI:

On behalf of the 2.4 million members of The American Legion I voice our opposition to [the chained CPI] because of the harmful effects it will have on veterans' and Social Security benefits . . . Under the chained CPI, which cuts the formula used to determine the COLA for VA benefits, disabled veterans who receive this benefit would have their benefits reduced by thousands of dollars over their remaining lifetimes . . . The American Legion understands the need to restore fiscal discipline, but it should not be done by reneging on this country's promises to its veterans who already have earned these benefits through their service to country . . . For these veterans and their families, reducing the current COLA represents real sacrifice . . . We ask you not to do harm to those who have already sacrificed so much for this great nation.

I ask unanimous consent to include the American Legion letter in the CONGRESSIONAL RECORD.

Let me also quote a letter I received from the Executive Director of the Disabled American Veterans—DAV, Barry Jesinoski:

On behalf of all disabled veterans and their families, we stand with you in firm opposition to the application of the chained CPI to disability and pension payments for veterans, dependents and survivors of veterans. In recent years, it has become apparent that even the current COLA has failed to meet the rising costs faced by disabled veterans, their dependents and survivors. Lowering VA benefit payments using a new formula designed to reduce federal spending at large seems an unconscionable policy and would threaten their financial security and must be rejected. America's heroes deserve better from a grateful and caring nation.

I ask unanimous consent to print the DAV letter in the CONGRESSIONAL RECORD.

Let me also quote from a letter I received in opposition to the chained CPI from the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Blinded Veterans Association, Gold Star Wives, the Iraq and Afghanistan Veterans of America, the Vietnam Veterans of America, and several other veterans' groups, in one letter. They came together and here is what this letter says:

As efforts to address our nation's debt continue, we are writing to express our opposition to changing the formula used to calculate the annual cost of living adjustment (COLA) because of the harmful effects it will have on veterans and Social Security benefits. We agree that political leaders need to

restore fiscal discipline, but we believe it should be done with great care and without renegeing on this country's promises to veterans, including the promises of Social Security and VA disability compensation and pension benefits—all of which are modest in size. Many veterans who rely on these programs live on fixed incomes and very tight budgets. For them, every dollar of hard-earned benefits counts in meeting basic expenses, attaining quality of life, and building a better future for themselves and those who depend on them. For many of them, reducing the annual COLA would mean real sacrifice. We ask that you not do that for those who have already sacrificed so much for this great country.

I ask unanimous consent that letter be printed in the RECORD.

So here we are. We are in this deficit situation because of wars that were unpaid for, tax breaks for the wealthiest people in this country, Medicare Part D not paid for, and a recession caused by Wall Street. Now we have folks who are saying we have a serious deficit problem. I agree.

The way we are doing it is to make devastating cuts on the backs of some of the most vulnerable people in this country, including disabled vets and including people who receive Social Security and disability benefits. I do not think that is the moral thing to do. I do not think that is the economically appropriate thing to do.

When you have one out of four major corporations, huge corporations, profitable corporations paying zero in taxes; when the corporate tax rate today, the effective corporate tax rate is the lowest it has been in decades; when the gap between the very wealthy and everybody else is growing wider; there are ways to do deficit reduction that are fair.

I will do everything I can to make sure that as we go forward with deficit reduction we do it in a way that is fair and not on the backs of some of the most vulnerable people in this country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

December 12, 2012.

Hon. HARRY REID,  
Majority Leader, U.S. Senate, Washington, DC.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives, Washington, DC.

Hon. MITCH MCCONNELL,  
Republican Leader, U.S. Senate, Washington, DC.

Hon. NANCY PELOSI,  
Democratic Leader, House of Representatives, Washington, DC.

DEAR LEADER REID, LEADER MCCONNELL, SPEAKER BOEHNER, AND LEADER PELOSI: As efforts to address our nation's debt continue, we are writing to express our opposition to changing the formula used to calculate the annual cost of living adjustment (COLA) because of the harmful effects it will have on veterans and Social Security benefits.

The Congressional Budget Office estimates that adopting the chained consumer price index (CPI) to calculate annual COLAs could save the government \$208 billion over ten years by reducing Social Security, dis-

ability, and other benefits, and by increasing revenues. More than half of this amount—\$112 billion—would come from Social Security cuts, which veterans rely on very heavily for both retirement and disability benefits. Another 11 percent of the savings—\$24 billion—would come from VA benefits, civilian pensions, and military retirement pay.

We estimate that use of the chained CPI would have a significant effect on benefits that millions of veterans depend on in the following ways:

**Social Security Retirement Benefits:** Social Security is one of our nation's most important programs serving veterans and their dependents and survivors. It currently pays benefits to over 9 million veterans—about 4 in 10. The average retirement benefit of a veteran receiving Social Security was about \$15,500 in 2010. Adopting the chained CPI would significantly reduce those benefits, by changing the manner in which COLAs are determined. A veteran with average earnings retiring at age 65 would get nearly a \$600 benefit cut at age 75, and a \$1,000 cut at age 85. By age 95, when Social Security benefits are probably needed the most, that veteran would face a cut of \$1,400—a reduction of 9.2 percent.

Not only would a Social Security COLA cut hurt veterans and their families; it is also misguided policy. Social Security is self-financed by the contributions of workers and employers. In effect, it belongs to its contributors. It is separate from the rest of the budget. To use it to reduce the federal deficit, which it did not cause, or effectively to fund other parts of the government or to help maintain tax breaks unrelated to Social Security, is to break the promise of Social Security.

**VA Disability Compensation Benefits:** Veterans are generally eligible for VA disability compensation benefits if they become disabled due to injuries or illnesses sustained during, or as a result of, military service. There were 3.2 million veterans receiving these benefits in 2010. A veteran receiving VA disability compensation due to a service-connected disability rated at 100 percent is currently entitled to receive \$33,288 a year. Under the chained CPI, which is a cut in the formula traditionally used to determine the COLA for VA benefits, a disabled veteran who started receiving benefits at age 30 would have their benefits reduced by \$1,425 at age 45, \$2,341 at age 55 and \$3,231 at age 65.

**VA Pension Benefits:** Veterans with low incomes who are either permanently and totally disabled, or age 65 and older, may be eligible for pension benefits if they served during a period of war. More than 310,000 veterans received VA pension benefits in 2010. The current benefit for a veteran is just \$12,256 a year. Under the chained CPI, VA pension benefits for veterans aged 65 and older living in poverty would be reduced by \$353 at age 75, \$696 at age 85 and \$1,029 at age 95.

Social Security and veterans' benefits need to be based on an accurate measure of inflation. The current COLA formula understates the true cost-of-living increases faced by seniors and people with disabilities because it does not take into account their higher share of spending devoted to health care, and that health care prices rise much more rapidly than overall prices. Although veterans who have service-connected disabilities and those receiving pension benefits are eligible for VA health care, they may still be impacted by rising out-of-pocket health care costs. Adopting the chained CPI would make the situation worse.

Instead, Social Security and VA benefits should be based on a formula that takes account of these higher health care costs called the CPI-E (Experimental CPI for the Elderly) developed by the Bureau of Labor Statistics. The CPI-E rises at a slightly faster rate than the formula currently used to calculate the COLA, and at a still faster rate than the proposed chained CPI, providing a modestly more generous COLA for seniors and people with disabilities.

We agree that political leaders need to restore fiscal discipline, but we believe it should be done with great care and without renegeing on this country's promises to veterans, including the promises of Social Security and VA disability compensation and pension benefits—all of which are modest in size. Many veterans who rely on these programs live on fixed incomes and very tight budgets. For them, every dollar of hard-earned benefits counts in meeting basic expenses, attaining quality of life, and building a better future for themselves and those who depend on them. For many of them, reducing the annual COLA would mean real sacrifice. We ask that you not do that for those who have already sacrificed so much for this great country.

Thank you for your serious consideration of our views. We look forward to working with you on this important matter.

Sincerely,

Air Force Sergeants Association; Air Force Women Officers Associated; American Military Retirees Association; American Military Society; Association of the United States Navy; Blinded Veterans Association; Gold Star Wives; Iraq and Afghanistan Veterans of America; Jewish War Veterans; Military Officers Association of America; National Association for Uniformed Services; National Guard Association of the United States; National Military Family Association; Paralyzed Veterans of America; Veterans for Common Sense; Veterans of Foreign Wars; VetsFirst, a program of United Spinal Association; Vietnam Veterans of America.

THE AMERICAN LEGION,  
Washington, DC, December 14, 2012.

Hon. HARRY REID,  
Majority Leader, U.S. Senate,  
Washington, DC.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

Hon. MITCH MCCONNELL,  
Republican Leader, U.S. Senate,  
Washington, DC.

Hon. NANCY PELOSI,  
Democratic Leader, House of Representatives,  
Washington, DC.

DEAR LEADER REID, LEADER MCCONNELL, SPEAKER BOEHNER, AND LEADER PELOSI: As efforts to address our nation's debt continue, we understand many proposals and policies are being reviewed. One proposal appears to be the changing of the formula used to calculate the annual cost of living adjustment (COLA) that affects Social Security and other beneficiaries, including many veterans. On behalf of the 2.4 million members of The American Legion I voice our opposition to this proposal because of the harmful effects it will have on veterans' and Social Security benefits.

The Congressional Budget Office estimates adopting the chained consumer price index (CPI) to calculate annual COLAs could save the government \$208 billion over ten years by reducing payments of Social Security, disability, and other benefits. More than half of

this amount—\$112 billion—would come from Social Security cuts, which many veterans rely on for both retirement and disability benefits. Another 11 percent of the savings—\$24 billion—would come from Department of Veterans Affairs (VA) benefits, civilian pensions, and military retired pay. The American Legion opposes the use of the chained CPI because using it would have significant deleterious effects on the benefits millions of veterans depend on in the following ways:

**Social Security Retirement Benefits:** Adopting the chained CPI significantly reduces these benefits by changing the manner in which COLAs are determined. Not only would a Social Security COLA cut hurt veterans, their families, and their survivors; it is misguided public policy. Social Security is financed by the contributions of our members and their employers. In effect, it belongs to its contributors. It is separate from the rest of the budget. To use it to reduce the federal deficit, which it did not cause, breaks the promise of Social Security and it could have harmful effects on the recruitment and retention of the Armed Forces.

**VA Service-connected Disability Compensation:** Veterans are eligible for VA service-connected disability compensation if they become disabled due to injuries or illnesses incurred during, or as a result of, military service. Under the chained CPI, which cuts the formula used to determine the COLA for VA benefits, disabled veterans who receive this benefit would have their benefits reduced by thousands of dollars over their remaining life times.

**VA Pension Benefits:** Veterans with low incomes who are permanently and totally disabled, or are age 65 and older, may be eligible for pension benefits if they served during a period of war. Under the chained CPI, VA pension benefits for veterans aged 65 and older living in poverty would be reduced over their remaining life times.

Social Security and veterans' benefits do need to be based on an accurate measure of inflation. The current COLA formula already understates the true cost-of-living increases faced by seniors and people with disabilities because it does not take into account their higher share of spending devoted to health care, and health care prices rise more rapidly than overall prices. Even though veterans who have service-connected disabilities and those receiving pension benefits are eligible for VA health care, they will still be impacted by rising out-of-pocket health care costs not covered by the VA. Adopting the chained CPI would make their situations much worse over time.

The American Legion understands the need to restore fiscal discipline, but it should not be done by renegeing on this country's promises to its veterans who already have earned these benefits through their service to country. For these veterans and their families, reducing the current COLA represents real sacrifice. We ask you not to do harm to those who have already sacrificed so much for this great nation.

Thank you for your consideration. And thank you for what you have done on behalf of the nation's servicemembers, veterans, and their families and survivors.

Sincerely,

JAMES E. 'JIM' KOUTZ,  
National Commander.

DAV,

Washington, DC, December 17, 2012.

Hon. BERNARD SANDERS,  
U.S. Senate,  
Dirksen Senate Office Building, Washington,  
DC.

DEAR SENATOR SANDERS: On behalf of the DAV, a national veterans service organization with 1.2 million members, all of whom are wartime disabled veterans, I write to express our strongest opposition to any attempts by Congress to replace the current consumer price index (CPI) formula used for calculating the annual Social Security cost-of-living adjustment (COLA) with the Bureau of Labor Statistics (BLS) new formula commonly termed the "chained CPI." As you know, the Social Security COLA is applied annually to the rates for VA disability compensation, dependency and indemnity compensation, and pensions for wartime veterans and survivors with limited incomes. Since the chained CPI is specifically intended to lower the annual Social Security COLA, its application would mean systematic reductions for millions of veterans, their dependents and survivors who rely on VA benefit payments.

In recent years, it has become apparent that even the current COLA has failed to meet the rising costs faced by disabled veterans, their dependents and survivors. These men and women are not traditional consumers of goods and services in the U.S. economy; they are significantly older and suffer disabilities at higher rates than average citizens across the age range of residents of this country. In general, they are heavy consumers of health care, both within the VA and DOD systems, from Medicare and Medicaid, and from private sector providers. The sickest and most infirm among them are unemployable. They are substantial consumers of prescription medications and other health aids. In many cases, they live on fixed incomes and some must subsist on a single source of income: their monthly government disability or pension payment. The current COLA does not even take into account the rising costs of food or fuel. Lowering VA benefit payments using a new formula designed to reduce federal spending at large seems an unconscionable policy and would threaten their financial security and must be rejected. In addition, we urge you to examine whether there are better, more appropriate indexes that recognize the uniqueness of this population's needs and consumption patterns.

Furthermore, these millions of disabled veterans, dependents and survivors suffer the additional indignity of the novel "rounding down" policy Congress imposed in 1991 as a "temporary" means to lower the federal deficit in fiscal year 1992 by reducing the annual COLA increase to the next-lower dollar. Adding a chained CPI formula to this reduction of benefits would serve to lower their standard of living even more, an ironic reversal of the very purposes of these payments.

On behalf of all disabled veterans and their families, we stand with you in firm opposition to the application of the chained CPI to disability and pension payments for veterans, dependents and survivors of veterans. America's heroes deserve better from a grateful and caring nation.

Sincerely,

BARRY JESINOSKI,  
Executive Director  
Washington Headquarters.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Alabama.

Mr. SESSIONS. Madam President, I will be yielding to Senator THUNE, one

of the experienced former members of the Budget Committee. He will be sharing his thoughts. I would say to my colleagues, we have been hearing that the Democratic plan is a balanced approach. It is balanced, but it is not a balanced budget. That means the amount of money that comes in is the same as the amount of money that goes out.

We can do that and increase spending every single year by 3.4 percent. This is very doable. It does not require the slashing of spending on every important account that we care about in Washington. That is what we are here for, and the administration, the Cabinet Secretaries and so forth, they will make sure the limited amount of money any government has is wisely spent. Therefore, we are not talking about devastating cuts. We are talking about better management and working with how to grow spending over the next 10 years—growing spending over the next 10 years by 3.4 percent, not at 5.4 percent. That balances the budget even under the assumption of 2.5 percent inflation. It can be done. That is what the experts tell us, and that is the best estimate we have today.

The motion to recommit the budget is now on the floor—recommit to the committee, with instructions that they decide what to do to alter it so that when it comes back it is balanced, a real balanced budget—not a balanced plan, not a balanced approach, not some balanced theory—but a real balanced budget. Presumably our colleagues think balance is important because they have mentioned the word about 40 times. We have been counting them since we have been on the floor. I think when we get to that vote we will be asking our colleagues: Do you really want to achieve a balanced budget?

Senator SANDERS said: We think you do not tax the rich enough. You need to tax the rich more and more—as if taxing and punishing them will fix the problem of growth in this economy that is truly too slow. We are having the slowest recovery in our Nation's history, at least since World War II. So we do not have a good recovery coming on. We need to be talking about that.

But I guess my final statement is we do not need a balanced approach, we need a balanced budget. There is a gulf of difference between the two.

The plan before us today raises taxes \$1 trillion. They claim it cuts spending nearly \$1 trillion and that it is a balanced approach: tax increases, spending cuts, and deficit reduction. That is the message that has been coming from the other side. Except it is not accurate. This budget increases taxes by \$1.5 trillion. It also increases spending. That is what it does.

We are concerned about that. The net result is there is no change, it seems to me—no change, a good analysis shows, in the debt course we are on.



I see my colleague, Senator THUNE. It is now time to yield to him. I yield to Senator THUNE.

The PRESIDING OFFICER. Will the Senator be yielding off the resolution or off the motion?

Mr. SESSIONS. I thank the Chair. It will be yielding off the resolution.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I rise today along with my colleague from Missouri, Senator BLUNT, to offer a couple of amendments that have been filed and that I hope we get an opportunity to vote on before this process concludes. If you look at the base Democratic budget that has been put before us, it has large tax increases in it; in fact, up to \$1.5 trillion in new taxes.

What we would attempt to do is to ensure that those taxes, higher taxes, do not come by eliminating or capping the Federal tax deduction for charitable giving. We have tens of millions of Americans mired in poverty, and government budgets are more constrained than ever before and what fills that gap is the charitable giving. It is the generosity of people around this country who keep organizations going that are providing these essential and basic functions for many Americans.

In fact, in 2011, Americans gave nearly \$300 billion to support charitable causes. This generosity not only helps to feed the hungry and clothe the needy, it has a real budgetary impact because this is an instance where the private sector is fulfilling a need that would otherwise have to be met by government spending.

Unfortunately, as we know, the White House has proposed limiting the value of itemized deductions for those earning above \$200,000 for singles, and \$250,000 for married couples to 28 percent. Previous estimates were that this proposal would reduce charitable donations by up to \$5.6 billion a year. As the Charitable Giving Coalition has recently stated, that amounts to more than the annual budgets of the Red Cross, Goodwill, YMCA, Habitat for Humanity, the Boys and Girls Clubs, Catholic Charities, and the American Cancer Society combined.

But even this impact understates the degree to which charitable giving could be harmed under the White House proposal because we now have a new baseline with a higher top income tax rate. A new study by the American Enterprise Institute estimates that the President's itemized limitation under the new tax rates will lower total giving by individuals by more than \$9.4 billion per year.

We ought to be exploring new options to expand charitable giving rather than limiting the charitable donations in order to fund higher levels of government spending. If we are going to explore any changes in the charitable de-

duction or any other tax provisions that we have in the Tax Code today, it ought to be in the context of pro-growth revenue-neutral tax reform, not as a way to pay for higher spending, which is what these proposals would do. I hope the vote on this amendment this time around will be just as broadly bipartisan as the one I offered back in 2009, where we got 94 votes in support.

The second amendment will put the Senate on record in support of eliminating the destructive Federal estate tax, better known as the death tax. That amendment I offer with the Senator from Missouri and several others of my colleagues.

I have long believed the Federal estate tax is an unnecessary, counterproductive, and inefficient tax. More important, the death tax strikes many of us as not simply being bad tax policy but a policy that runs counter to the very essence of the American free market system. This is not a tax on rich fatcats, as some will claim. We already have an income tax, and it is one of the most progressive income taxes in the developed world.

The death tax is different. It is a tax on success, a tax on assets that have been accumulated through a lifetime of hard work and generated from income that was already taxed when it was earned. Many of these businesses are "land rich and cash poor," meaning that the value of the business is in the land and in the business assets. These businesses do not have substantial liquid assets sitting around to pay a second layer of tax that is imposed when a loved one passes away. As a result, the death tax often requires that business assets are sold simply to pay the tax.

Consider South Dakota, where we have seen farmland prices increased by over 50 percent in just the past 5 years. States such as Iowa, Kansas, Missouri, Minnesota, and North Dakota have seen similar increases.

Finally, my amendment will give farmers, ranchers, and family business owners peace of mind, and it will do so in a deficit-neutral way. When we voted on a sense-of-the-Senate to eliminate the death tax in 2002, 11 Senate Democrats supported that, including a number of Senators who are still in the Senate today. Much has changed since 2002, but I believe the death tax was a bad tax law then, and it remains so today. I hope to get a strong bipartisan vote on this as well.

Before I shift to my colleague from Missouri, I simply want to say, as I have said before, that when we look at this budget process and the budget proposal put before us by the Senate Democrats, the question we ought to ask is, What does this do to promote economic growth? What does this do to create jobs? More than anything else, what we need in this country is increased economic growth. Increased economic growth will get the people

who are unemployed back to work, which will increase the take-home pay of middle-class Americans.

We have seen a sluggish economy, chronic high unemployment, and a massive amount of debt over the past 4 years. It is time to chart a different course, and the way to do that is to put policies in place that will encourage economic growth. A \$1.5 trillion tax increase is not the way to do that, and we certainly do not want to take away the incentive people in this country have to continue to give out of the generosity of their hearts to our charitable organizations all across the country.

It is also important that once and for all we get rid of the death tax, which is so punitive to people who work so hard and want to pass that on to the next generation of Americans.

I am happy to yield to my colleague from Missouri, who, like me, represents a lot of farmers, ranchers, and hard-working small businesspeople for whom the tax issues are important. He will offer comments on the impact of some of these tax policies and the impact some of the budget proposals coming from the Senate Democrats would have on the State of Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I am glad to join Senator THUNE in proposing these two important amendments and also to join him on the overall point on which we ought to be focused, which is economic opportunity and economic growth.

How do we get people onto the pathway of more opportunity for them and their families? Private sector job creation should be the No. 1 domestic goal of America today. Frankly, it should be the No. 1 domestic goal of everything we do.

When we are dealing with a budget or an appropriations bill that deals with any kind of domestic policy, we ought to be thinking about how this would impact private sector job creation. How does this impact economic growth? How does this impact opportunity? What do we do to change our society for the better and not the other way around?

Clearly, I think we all appreciate the fact that Americans are more generous in giving to religious organizations and charities than anybody else in the world. My belief is that there is no country that comes anywhere close in charitable giving. It is not just the top earners in America who give money to charitable organizations, sometimes it is given by families who have to stretch the dollar to make the contribution they want to make to their church that Sunday or to make the contribution they want to make to the Girl Scouts or Boy Scouts activities or the YMCA or YWCA in their community. Nobody does this the way we do it.

I am proud to join Senator THUNE as he works on these issues. We have worked together for a long time, and Senator THUNE has always been a critical advocate for our charities as well as for families who work hard and create a small business or a family farm or ranch so they are able to pass it along to the next generation.

Let me first talk a little bit more about charities. The ability to voluntarily come together and do things is provided in the first amendment. It is not just an amendment that protects speech and religion, but it protects association, it protects people who make things happen in their community that otherwise would not happen.

Americans give like nobody else in the world. Every day our religious institutions, charities, hospitals, museums, and others come together to take private resources and meet a number of community needs which are met in the best possible way by people who are doing that through a charitable effort. They help to feed the hungry, care for the sick, serve the poor, and contribute to all kinds of educational institutions.

Americans help by undertaking critical research and giving money that goes to either help operate or actually support museums and parks. This is a small example of what Americans do because they give to charity, which is often done better than government bureaucracies; it is cheaper, more effective, more reasonable, and we need to do everything we can to continue to do that.

In 2011 Americans gave nearly \$300 billion to charitable causes, and 75 percent of that giving was done by individuals. Of the 41 million American households who itemize on their taxes—where they can specifically see what they did—86 percent of those households take advantage of the charitable contribution as they calculate their taxes.

The vast majority of people don't give to charities for tax breaks. I was the president of a southern baptist university for 4 years before I came to Congress. Every university president I know knows a little bit about raising money, and every one of them knows that not every contributor is motivated by the Tax Code, but the Tax Code has an impact on whether they meet their goals. However, some contributors are concerned, and the size of that contribution matters as it relates to how they can leverage, frankly, the Tax Code in a way that makes it easier for them to give more to help take care of the things they care about.

We want to be sure we are doing what we can as we try to grow the economy, and an awful lot of our economy comes from the private sector. About 1 out of 10 jobs is in the charitable sector—1 out of 10 jobs is in the charitable sector. When we restrict that charitable sector, we restrict people from doing what they would do otherwise.

Senator THUNE mentioned \$9 billion. Now, \$9 billion of \$300 billion, does that sound like a lot? It sounds like a lot to the kid who got the last scholarship. It sounds like a lot for the park that doesn't get the new playground equipment because the local Kiwanis club could not get to their goal so they could help their community. If we add up charitable contributions that anyone here gives to, in all likelihood, collectively it would amount to less than \$9 billion. So of course it makes a difference, and it is a difference in whether or not they get there. The nonprofit sector employs 1 out of 10 U.S. workers and provides almost 14 million jobs and paid almost \$600 billion in wages and benefits. It is about exactly the same in our State.

This is a part of who we are that we don't want to discourage. There is a reason Americans give more generously to charitable causes than anybody else in the world. Let's not walk away from that.

This amendment will ensure that the limits on charitable giving that are in place in the budget of the majority don't go toward just more government spending. If we want to have a discussion about how we might cut tax rates and encourage the economy, that is one thing, but if the discussion is to discourage people from giving to charities so there will be more money for government to spend, I just say that is the wrong discussion to have.

We should not increase government spending at the expense of America's churches and charities. And, of course, the death tax, small businesses, family farms, ranches have all paid taxes on everything they have. Lots of times they pay taxes on everything they have, such as the income tax and the annual property tax.

Everybody can think of 1 example, if not 100, of the family who works side by side. Frankly, by the time parents leave this Earth, it is really hard to determine who created the wealth. Was it Mom and Dad or was it the son or daughter who was standing right there beside them in the grocery store every day or working with them on the family farm or ranch?

In our State of Missouri, we have more than 100,000 individual farms. It is the second highest number of farms in America. We do not have the biggest farms and ranches in America, but we have more of them than any other State but for one. Those individuals and families have done what they could to try to create opportunity and a livelihood, and they would like to pass that along. What is wrong with that?

Clearly, the point we are at right now with the tax at the time of death is better than it has been in a while—I suppose not better than the 1 year there was no death tax. For 1 year we had no death tax, and that is the ideal that government should try to achieve again.

I am pleased to join Senator THUNE in this effort. I hope we will do what we can to encourage families who have businesses that they can pass along without having death as a taxable event. There are plenty of taxable events in life without having death as a taxable event.

I again thank Senator THUNE for his long advocacy of eliminating this unfairness in our Tax Code. I have been glad to join him in debate after debate over the years on this issue. Let's not move toward thinking we are doing the right thing by doing the wrong thing as it relates to family farms and business.

I also want to say as I conclude that I am going to be offering an amendment on the carbon tax as well. We should not have a carbon tax because the carbon tax that is anticipated in some of the language of this budget raises utility bills. Who is impacted most by a higher utility bill? It is the most vulnerable among us. It is the family who is the last family to get the new refrigerator, it is the family who is the last family to get the better insulated windows, it is the family who is the last family to get more insulation in their ceiling. All of the things we do that raise utility bills have a real impact on them just like whenever we are doing anything that raises costs, such as gasoline prices. The last person or family to get the fuel-efficient car is the one who can least afford to see what happens to their utility bill or their gasoline costs. I am opposed to this kind of tax being passed along to people who have a hard enough time paying their utility bill.

So whether it is the carbon tax or the death tax or a tax on charitable giving, let's not do the wrong thing for the sake of more government spending. Let's do the right thing for jobs and American families.

I ask through the Chair if Senator THUNE has anything he wants to say in conclusion on these amendments.

Mr. THUNE. Madam President, I thank my colleague from Missouri. He has a great deal of experience. As he said, we worked together on these issues for a long time. We both recognize the importance of economic growth. We see a budget put before us by the Senate Democrats that grows the government and not the economy. We believe the focus should be on growing the economy, not the government. The amendments we offered have that thought in mind.

There are other colleagues who are here to speak to the basic budget proposal the Democrats have put forward and talk about some of the amendments they intend to offer.

Thank you.

Mr. SESSIONS. Madam President, I see we have Senator VITTER of Louisiana ready to speak. I ask unanimous consent that their time be taken off the budget resolution.



The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Mr. VITTER. Madam President, I come to the floor on this budget debate and will specifically highlight several amendments that I am presenting that will be voted on in the context of the debate. We address several provisions that I think are important as we vote on moving forward with the budget.

One issue is a reform idea. It is very simple, but it is very basic, and I think it is important in terms of our leading through these fiscally tough times; that is, ending automatic pay raises for Members of Congress. I am joined in this amendment by Senator MCCASKILL of Missouri, and I thank her for her leadership. There is existing Federal law that establishes automatic pay raises for Members of Congress. We don't have to put in a bill, we don't have to debate the measure on the floor, much less vote. I think that is offensive to the American people, particularly in tough economic times such as these.

To Congress's credit, we have passed stopgap legislation to refuse pay raises since 2009, but we need to go the next legitimate step. We need to end all automatic pay raises and have the courage, if it is ever justified over time with inflation, to put in a proposal, to debate it, to vote on it, not to have automatic pay raises for Members of Congress. I urge my colleagues to support this amendment.

A second amendment would require photographic IDs for voting in Federal elections. This is largely provoked by the actions of the Obama administration's Justice Department which has been fighting States that are trying to institute photo IDs. That is allowed under Federal law, and several States are doing that and doing it properly, including Texas and South Carolina, but this Justice Department is trying to shut that down, even though it is allowed by Federal law. Interestingly, that assault on States trying to do their job, trying to do things properly, has been made by the head of the Civil Rights Division at Justice, Thomas Perez, who is now nominated for a Cabinet position—Labor Secretary. This amendment and this proposal would clarify it by actually requiring photo IDs for voting in Federal elections.

We require photo IDs for traveling in airports. We require photo IDs for going into a conference. We require photo IDs for a myriad of things, including visiting the White House. Surely it is a very legitimate, simple requirement that doesn't disenfranchise anyone to make sure the integrity of our election system is preserved. I urge my colleagues to support this amendment.

Third, another amendment I will bring would finally require the US-VISIT system to be properly and fully

executed and put in place. The US-VISIT system, as the Presiding Officer knows, is an entry and exit control system to track foreign nationals who are properly visiting our country with visas, so it tracks them as they come in and go out, and if they don't go out in time, if they overstay their visa, it brings up a red flag that is sent to law enforcement officials.

This is not a small matter because, as we all remember, the 9/11 terrorists overstayed their visas. A proper US-VISIT system would have tracked that, would have caught them, would have done something about it. There has been a crying need since at least 1996. In 1996, Congress passed legislation that mandated the executive branch, within 2 years, establish this sort of system. Of course, it wasn't done in time for 9/11. After 9/11, the 9/11 Commission specifically went back and recommended that we get on this, that we finish the work, that we fully establish the US-VISIT system. It said:

The Department of Homeland Security, properly supported by the Congress, should complete as quickly as possible a biometric entry/exit screening system.

Yet, even now, over a decade after 9/11, 12 years after 9/11, we don't have that system fully in place. We need that system, and this amendment would not just mandate the system but it would say that the Department of Homeland Security cannot grant legal status to those illegally present within the United States until we all comply with Federal law relating to the entry and exit data system required under the law originally passed in 1996.

In the context of immigration reform, I don't think we should consider granting legal status to those here illegally until we have this US-VISIT system, which is an absolutely essential component of enforcement.

A fourth amendment I have that we will be voting on over the next few days is in support of the Prenatal Nondiscrimination Act. This amendment would support that act and express the sense of the Senate that Congress should enact it. What does that act do? It provides that whoever knowingly performs an abortion that is sought based on sex or gender selection would be guilty of violating the law. So it prohibits discriminating against the unborn in the form of abortion sex selection.

A lot of folks don't realize it, but, again, this is not a theoretical issue. This, unfortunately, is an ongoing practice. There are at least four studies from universities—not from ultra-conservative think tanks; UC-Berkeley is not a conservative think tank, University of Connecticut, Columbia University—there are at least four studies that found there is a strong son bias within certain American communities, a bias toward having sons, not daughters. These studies say that is “clear

evidence of sex-selection, most likely at the prenatal stage.”

That is sort of academic speak. What does it mean? It means that parents are selecting and using abortion to that outcome. It is always selection against women, against girl babies, in favor of sons. That is outrageous and it is tragic. We need to follow other countries that have prohibited this practice.

Other countries—the United Kingdom, India, China—have enacted these sorts of bans. The medical community, including the American Congress of Obstetricians and Gynecologists, the American Society of Reproductive Medicine, and the President's own Council on Bioethics, have all condemned sex selection abortions.

In 2007, the United States even spearheaded a resolution to condemn these sorts of sex selection abortions at the United Nations Commission on the Status of Women. Yet we are doing nothing about it in this country. So we should start doing something about this horrible practice in this country. I urge all of my colleagues to support this amendment.

Fifth and finally, I will have an amendment with regard to China, India, and Russia, and greenhouse gas regulation. The amendment and the idea are very simple. It creates a point of order against funding for greenhouse gas regulations until the administration can certify that China, India, and Russia are similarly implementing greenhouse gas regulations to reduce their own emissions.

There are big disagreements and debates about global warming, climate change, greenhouse gas regulation. I wish to forego all that and put it to the side. No matter what one thinks about that—causes and effects, trend lines, or lack of trend lines—one thing is perfectly clear and beyond dispute; that is, whatever the United States does is irrelevant if major players globally, such as China and India and Russia, don't do the same. Clearly, our action is irrelevant unless all three of those countries do the same. China has just surpassed the United States as the world's largest producer of CO<sub>2</sub>. China now produces more than the United States and Canada combined. India is now the world's third largest offender of CO<sub>2</sub>, and Russia is fourth. So unless these three countries adopt some sort of similar regime, our actions do zero in terms of the environment. But our actions would do a lot in terms of costing us jobs, killing jobs, and suppressing economic growth.

This is a very commonsense regulation. It shouldn't matter what one thinks about climate change with regard to how a Senator votes, because, again, our actions will have zero effect if China, India, and Russia are not taking similar action. I urge all of my colleagues to support this important amendment.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I rise in support of Senator SESSIONS' motion to recommit on a balanced budget. I think it is important that we have a balanced plan before us, as we have talked about a lot today, but that means balancing the budget, just as we ought to do in our families and people have to do in their businesses. States all around the country have to do it. Local governments have to do it.

Let's stop spending more than we take in. We can do it over time and without making the kind of severe cuts that were alleged earlier. We can do it by growing the economy and restraining spending. So I am happy to stand in support of that.

I stand here because I am worried about where we are headed. Our debt now is about \$140,000 per household. Think about that. For all of the folks watching today, on average, \$140,000 is what every household in America owes on this debt. This is now something that, in my view, can put us in a perilous situation. Our economy is already weak and we have this huge debt and deficit, which is something that worries me. I think our country is in trouble.

The Democrats have a proposal. Their budget is before us now and this is what we are talking about. It adds another \$7 trillion to that debt. It actually doesn't deal with our budget problems. In fact, it actually makes them worse, which I will talk about soon.

Let me for a minute, if I could, talk about where we are. There is a lot of discussion on the floor about, Gosh, we need to raise more revenue and how this is not about spending; it is about taxes. Republicans are saying, No, the problem is spending. Let me explain why we are saying that. It is arithmetic. It is math. It is what the numbers show.

This is from the Congressional Budget Office. This is the nonpartisan group here in Congress that tells us how much we are spending, how much revenue we are bringing in, and then they make a projection. They did this about 3 years ago. They said, Here is where we are heading as a country. Here is where we are now. Tax revenue is the blue line and spending is the red line. By their projections, by 2015, a couple of years from now, we are going to be back up above the historical levels.

Historically, taxes have been about 18 percent of the economy, and that is the way economists like to look at it: What is the percentage of the economy? Revenue has been about 20 percent. So here is 18 percent and here is 20 percent. This has been the average.

What they are saying is, actually it gets up to just over 19 percent in a cou-

ple of years, by 2015, and then stays up above the historical average over the next decade. In fact, what they tell us is that over the next decade we are going to have the second highest amount of revenue that we have had in the history of our country except for one other decade.

So when we say it is spending, that is the issue. It is because the revenue which, as we know, impacts the economy—the more revenue we take out of the economy the harder it is for the private sector to get ahead and to create jobs. We are saying, by the projections of this nonpartisan group, they are going to be slightly above the average.

The problem is spending. What they tell us is that in a few decades—here is 2040—spending is going to get so high that there is no way to catch up to it with taxes. We can't even do it under the income tax system. It is impossible.

Why do we say spending is a problem? Because if we don't deal with this issue, our kids and grandkids are not going to have the economic future we hope for them. The prosperity of this country will go down the drain because this spending level will make it impossible to create prosperity. That is the issue before us today. Yet, again, we have a budget before us that, unfortunately, doesn't address that issue. In fact, I would argue that it makes it worse.

Some have said, Gosh, we ought to be increasing taxes \$1 for every \$1 of spending reductions. What I would say to that is pretty simple. This line here is about 19 percent of the economy. That is the revenue line. And that is very close to the historical spending line, which is about 20 percent. So let's take 19 percent as the revenue line. The Democrats, who have talked today on the floor about \$1 of revenue for every \$1 of spending cuts, what do they mean by that? Well, this is 39 percent up here, here is 19 percent. So if we take \$1 from each as a percent of the GDP, it would go to about this line here. Where is that? Well, 19 and 39, it is about 29 percent. What does 29 percent mean? That means we would have a government bigger than we have ever had in the history of this country. Again, the average has been about 20 percent in this country. That means we would have to have huge tax increases to get to balance. Nobody on this floor, Democrat or Republican, is talking about tax increases of that magnitude.

Why? Because that would be about doubling the taxes in this country. So everybody listening today would be looking at their taxes and saying: My gosh, my taxes just went up by 100 percent. That is what that would mean. It would mean the biggest government in the history of our country, so the scope and the size of government would grow.

So when you hear "1 to 1," I hope you will just think about it in terms of

what does this mean based on these projections that have been given to us by this nonpartisan group. It means a different country. It means a much bigger government. It means a much bigger burden of taxation. It means we end up not looking like the entrepreneurial, innovative America that has been on the cutting edge and has created the greatest economy on the face of the Earth.

That is our concern. That is why we say we have to deal with the spending. It is pretty simple. Again, it is really a question of math.

Mr. SESSIONS. Madam President, will the Senator yield for a question?

Mr. PORTMAN. I would be happy to yield.

Mr. SESSIONS. Senator PORTMAN is such a valuable member of the Budget Committee. He served as the Director of the Office of Management and Budget. He knows how this situation works.

But that dotted line on the chart, it is just spending, isn't it? It is spending as a percentage of the American economy. So in some sense that surging upward line of spending is even worse than at first glance it might appear.

Mr. PORTMAN. That is true. This chart is as a percent of the GDP. So, look, we all want the economy to grow. Actually, they projected it will grow under the Congressional Budget Office analysis. Even so, that growth in the economy cannot keep up with this great surge in spending.

So other folks have said on the floor over the last 24 hours: Well, gosh, let's go back to the Simpson-Bowles 3-to-1 ratio, where you have \$3 in spending cuts for every \$1 of revenue. That is what Erskine Bowles testified before the supercommittee on, that that was what their revenue was, \$1 of revenue for every \$3 in spending cuts.

That is also not what this budget does, this underlying budget, because it actually increases taxes dramatically. Even under their own calculus, again, it is 1 to 1. We have looked at it. We think the tax increase is between \$1 trillion and \$1.5 trillion in this budget. So it is the biggest tax increase in the history of the country.

What does \$1 trillion mean—or \$1.5 trillion? Well, it means that you are going to have to tax a lot of people other than rich people. I would refer you to an economic expert on this, a guy named Gene Sperling, who is down at the White House, who talks about these economic issues a lot. Here is what Gene Sperling said about raising \$1 trillion. He said you cannot do it without hurting middle-class families. This is his quote:

[A] careful look at the math of these types of caps and limits [on tax preferences] shows that, once one takes into account the reality of their impact on the middle-class families and on charitable donation, plausible limits raise only a fraction of the \$1 trillion or more some have suggested.

It is just too much to raise without going to the folks who are making less

than \$200,000 a year, less than \$100,000, less than \$50,000. So I would just suggest today that we have a problem in this country. It is a spending problem. Yes, we want to get the economy moving, and that will create more revenue. But we have to address that issue and, unfortunately, the budget before us does not do it.

In addition to having these huge tax increases—the biggest in the history of our country—this budget also has huge spending. The spending is actually an increase. When you wipe away the gimmicks that are in the budget that they have proposed—and we have talked a lot about OCO. That just means the spending in Afghanistan. They project that all this spending is going to occur that nobody expects is going to occur, so because it does not, they say, well, that is a savings. Then you are going to be able to spend more to make up for that.

Well, we are going to spend some more in Afghanistan. We all understand that. But we are not going to spend as much as the CBO projects. So those savings are not real, unfortunately. That is in their budget. That is a gimmick.

They also say: Let's do away with this so-called sequester. This is the thing that the Budget Control Act put in place. The Budget Control Act said: Let's find these savings of \$1.2 trillion in spending. Yet in this budget, they say: No, let's replace that. So you have to add that as well because instead of \$1.2 trillion, they are saying half of that is going to be new taxes. So that is less spending cuts.

So when you add all that up, and when you wipe all that away, it looks like the spending increases are about \$900 billion over the next decade. So despite all these problems, we are talking about a huge spending increase.

Now, let's just talk for a second about what the spending increase is on. Here is the debt chart I have in the Chamber that shows the debt climbing to \$24 trillion over the next 10 years, under the Murray budget, under the Democratic budget we are talking about today. But what is the problem? Well, we are starting to do more to get the discretionary spending under control. That means the spending that Congress appropriates every year.

But when you think about the budget as kind of a pie, 62 percent of that budget—the biggest piece of that pie—is not spending that Congress appropriates every year. Congress does not do it because it is on autopilot. That is interest on the debt that you have to spend; and then it is the very important, vital entitlement programs—Medicare, Medicaid, Social Security—but that are not sustainable in their current form.

By the way, everybody agrees with that. The President talks about it publicly. Everybody talks about it pri-

vately. But the fact is, these programs are incredibly important. We want to ensure that they can continue into the future. That is why we need reform—to preserve and protect them. Yet, unbelievably, this budget before us does absolutely nothing there. In fact, when you add up the changes on the entitlement programs over the next 10 years—which, again, is the biggest reason for these huge spending increases; in fact, as a percent of GDP, it is the only reason—all of the spending increases are because of those entitlement programs and interest on the debt, all of them as a percent of the GDP, all of them. Yet this budget does not touch it. In fact, it slightly increases spending as compared to the CBO baseline, as compared to what we are going to do anyway that the Congressional Budget Office just told us about.

That, to me, is the most amazing part of the budget. It is the responsible thing to do. Again, the President has talked about it. Members of both parties acknowledge this. We have to deal with this issue. If we do not, we are not going to be able to have these programs going forward.

Under their budget, the disability fund in Social Security—and a lot of people rely on disability—runs out of money in 2016.

Under their budget, the Medicare trust fund itself goes bankrupt in 2024.

Under their budget, Social Security's fund for senior citizens would go bankrupt in 2033, to the point that under law—remember this is just 20 years from now—a 25-percent benefit cut would be put in place.

That is what this budget would lead to. So it is hard for me to take it very seriously as a budget. It is, I guess, more of a political document.

The final thing I will say is, if we do this, if we go down this path of more spending next year, more spending the next year, huge increases in spending and taxes over the next 10 years, we will not only have a budget that is out of control—and, as I said earlier, risk us having a meltdown in terms of our economy because of a potential crisis we could have, like has happened in southern Europe; Greece is a country people talk about—but think about what it does to our economy.

This huge overhang of debt and deficits everybody now acknowledges is bad for the economy. Some people think it is worse than others think. But if you look at these studies—the Rogoff-Reinhart study has been talked about on the floor. I know that is the one that says, when you get to the level we are at now, you lose about 1 million jobs per year.

Well, something is happening in our economy, and I think a lot of it—the negative part of it—is because of this debt and deficit. We are living through the worst economic recovery since the 1940s. All of us are discouraged by it,

Democrats and Republicans alike. The average growth rate was less than 1 percent over the last 4 years, and that is not acceptable to any of us. We have to deal with this issue because it is the right thing to do for our kids and our grandkids, as we have talked about, the right thing to do for these programs so they are viable and their trust funds do not go insolvent, but also for today's economy. If we do not deal with this issue we are not going to have people taking the risk, making the investment.

There are companies making money out there. Do you know what they are doing with it? They are keeping it on the sidelines because they are afraid of this, because they see this coming. They are worried about making the investments. That is how we are going to create the jobs.

Right now, in the weakest economy we have had in a long time—and the worst economic recovery since the 1940s—we are looking at unemployment numbers that are unacceptably high. We are looking at a place such as Ohio where we have a struggle with manufacturing. We are trying to get back on our feet. We are looking for economic growth again. We are not going to get it unless we deal with this issue.

The Heritage Foundation has looked at this budget, and they have done an analysis of it in terms of its impact on jobs, on the economy. They have said the budget will result in losing 800,000 jobs in our country. In my State of Ohio, they said we will lose 40,000 jobs. We cannot afford to lose 40,000 more jobs.

The nonpartisan Congressional Budget Office—which I mentioned earlier and is the group in Congress that advises us on the economy—has said this new debt will reduce long-term economic growth and cost jobs.

So, ultimately, this is about a choice. Do we want to expand government or do we want to expand the economy? Do we want to create the opportunity to get the private economy moving or do we want to grow the size and scope of government?

We have a fundamental choice to make in this Chamber with regard to this budget today. I am hopeful we will be able to amend the budget so we can take out some of the taxes and the spending and the borrowing, so that it is better for the economy. Even if we cannot prevail—and if this budget passes over the next couple days here—I still hope, as a Congress, working with the President, we can address this issue.

Once this budget debate is behind us on the floor, I hope we can sit down as Republicans and Democrats alike, as Americans, acknowledging that if we do not deal with spending, we cannot get this economy back on track, acknowledging that trying to tax, spend, and borrow your way to prosperity does

not work. We tried it. We have seen the results.

We have also seen the opposite, over time, through the great history of this country. The time-honored principles that have made us this cutting-edge economy, that have made us the envy of the world, relied on entrepreneurship, innovation, keeping taxes low, keeping government spending under control, and encouraging the private sector to do what they do best, which is, to create jobs. This is why I oppose this budget. This is why I also support a better way, to bring back the jobs and get our country back on track.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, there has been a complete abdication of fiscal responsibility in Congress, particularly in the Senate, for the last 4 years, in that there has been no budget passed in this Senate for that period of time. What better manifestation, what uglier manifestation of that fiscal irresponsibility than the \$16.5 trillion in debt.

Another symptom of that problem is the fact that in addition to the Senate not passing a budget for the last 4 years, in 4 out of the last 5 years, the President of the United States has missed the statutory deadline on submitting his proposed budget to the Senate for consideration and to the Congress.

Really, when we are talking about budgeting, the House is going to pass a budget that limits the rate of growth of Federal spending from 5.4 percent to 3.4 percent. It limits the rate of growth. Now, most of America would not call that a cut. But for some reason that is called a cut in Washington. What I would call that is a limitation on the rate of growth of Federal spending.

It is important we get the President's proposed budget, as required by the law. The law requires the President to send his proposed budget to the Congress by the first Monday in February. He has not done so, and we have been advised that we probably will not even see the President's proposed budget until our work here is done. I do not know what the President could do that would render himself any more irrelevant to this important process than not contribute his proposed budget on a timely basis, as required by the law.

Because the President has not complied with the law, I am going to offer an amendment to this budget resolution called the No Budget No OMB Pay Act of 2013. OMB, of course, stands for the Office of Management and Budget, the executive branch agency responsible for preparing the President's proposed budget.

The No Budget No OMB Pay Act would prohibit paying the salaries of the Office of Management and Budget Director, the Deputy Director, and the

Deputy Director for Management for any period of time that the President is late in meeting the statutory requirement to submit his budget, as I said, by the first Monday in February.

I have also filed an amendment to the budget that would allow the Senate to express its support for this legislation.

It is certainly progress that now, after 4 years, Senator REID has seen fit to bring a budget to the floor. That is his prerogative as the majority leader, something we in the minority have no authority to do. But it represents progress—some small progress—that Senator REID has finally decided to bring a budget to the floor and that the Senate is now able to amend and debate that budget resolution.

As you have heard, the proposed budget that has come from the Budget Committee, Senator MURRAY's budget, raises taxes by \$1.5 trillion and increases spending by 62 percent. What is worse, it actually fails to balance within 10 years, which is the budget window.

Equally as unfortunate, for the first time in recent memory, is that the Congress is acting before receiving the President's proposed budget. According to the National Journal, this marks an unprecedented break of 92 years of tradition in having the President make the first move in the budget process.

This is called leadership.

Current law requires the President to send his budget by the first Monday of February, which I have said. President Obama has ignored this requirement. He has missed the deadline 4 out of 5 years he has been President of the United States. This year he was required to issue the budget proposal on February 4, but he missed the deadline once again. While the Senate is acting this week, it has been 45 days since the President has failed to live up to the legal commitment for the President to submit his proposed budget. We all know nowhere else in America, whether in private life, private business, or in local or State government, can you fail to do your job and still be paid—only here in Washington, DC.

We know it is important the President and the executive branch live up to their responsibilities, just as it is important we do so ourselves. If the Office of Management and Budget does not do its job and produce a budget, its top official should not be paid.

Based on legislation we have already passed, both the legislative branch and now, if my budget amendment passes and if Congress embraces this requirement, both executive and legislative branches share responsibility when it comes to the budget. Without us doing our jobs and the President doing his job, spending will remain out of control. We all deserve better and the American people deserve better. They deserve the accountability which

comes from the President fulfilling his legal responsibilities under the law of the land.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Utah.

Mr. HATCH. Madam President, as the Senate continues to debate the first budget resolution in more than 4 years, I am struck not only by the things we know about the Democrats' budget but also the things we don't know. For example, we know the budget would increase our debt by nearly \$7 trillion over 10 years and it would continue on an upward trajectory thereafter. What we don't know is how, while amassing all that debt, our Nation will be able to respond to unforeseeable crises and emergencies in the future.

In addition, we know the budget does next to nothing to address our runaway entitlement spending. What we don't know is how programs such as Medicare, Medicaid, and Social Security would survive over the long term if this budget were to be followed.

Finally, we know this budget includes as much as \$1.5 trillion in new taxes. What we don't know is where all that revenue will be coming from. Last week before the budget was released I came to the floor to speak about the rumors the Democratic budget would include reconciliation instructions with regard to taxes. The concern I expressed at that time was the budget would instruct the Finance Committee to close so-called tax loopholes in order to raise revenue and this would, in effect, end ongoing bipartisan efforts on tax reform. As it turns out, my fears were not unfounded. Specifically this budget instructs the Finance Committee to find nearly \$1 trillion in new revenues to pay for additional spending.

The deadline under these instructions would be October 1 of this year. That clashes directly with the schedule Chairman BAUCUS and I have set out for bipartisan tax reform deliberations in the Finance Committee. This budget would instruct the committee to set aside those reform efforts and, instead, comb through the Tax Code looking for new revenues. In addition, this budget includes deficit-neutral reserve funds and sequester replacement which total more than \$500 billion. According to the Budget Committee, this new spending would be paid for by closing so-called tax loopholes for the wealthy and corporations.

In addition to the \$1 trillion in reconciliation instructions, this budget includes potential for another half trillion in new taxes. This means up to \$1.5 trillion in fresh taxes from this budget will be used to expand our already bloated Federal Government.

The budget repeats the common refrain we hear from our friends on the other side of the aisle that our Tax Code is so full of so-called loopholes

which benefit only the wealthy. According to their arguments, these loopholes may be closed at any time to generate untold amounts of revenue without affecting the middle class or our economy.

During last week's Budget Committee markup, the chairwoman claimed they could hit their revenue target by "closing loopholes and cutting unfair spending in the Tax Code for those who need it the least."

This statement is simply incorrect. First of all, a loophole is something created by accident or carelessness which is then exploited. When my colleagues talk about loopholes, they aren't talking about backdoors created unintentionally or sneaky abuses of the Tax Code, they are talking about tax expenditures, all of which were deliberately placed into the Code for specific reasons. More often than not my Democratic colleagues use the term "loophole" to describe items in the Tax Code they don't like. This doesn't make the label any more honest.

Earlier this week one of my friends on the other side of the aisle took this rhetoric about loopholes up a notch. He described the Tax Code as this treasure trove of special deals and earmarks for the rich and well-connected. He went further by saying, We are at the place where the lobbyists wield the sweet corporate tax deals. He blamed Republicans for this, arguing we were responsible for the existence of these so-called loopholes and earmarks.

Admittedly there are some narrow provisions in the Tax Code—too many, if you ask me. There are supporters of these provisions on both sides of the aisle. Let's be honest. There aren't any real loopholes in the Tax Code, nor are there any earmarks. There are simply tax expenditures. If you look at a list of the largest tax expenditures, you will find a number of deductions and preferences which disproportionately benefit the middle class, middle-income taxpayers. That being the case, if my colleagues want to raise significant amounts of revenue by eliminating tax expenditures, they will have to do so by raising taxes on the middle class.

Look at this chart. If you look at this chart, you will see the revenue targets in the Democratic budget. First up, there is \$975 billion right near the reconciliation instructions to the Finance Committee. Below that are additional revenues included in this budget. As I have mentioned, all told, if you include the specified revenue target for reconciliation and potential increases elsewhere, the budget may include more than \$1.5 trillion in tax increases. Look at this.

Next we have a list of all the tax increases Senate Democrats have voted for over the last 2 years, including the elimination of tax breaks for oil and gas companies, increased taxes for carried interest and the so-called Buffett

rule. All told, these tax hike proposals could raise about \$108.3 billion in new revenues. At the bottom we see the difference between that number, the tax increases which Senate Democrats have actually voted for and the potential tax hikes which are included in the budget.

As I said, we can give the Democrats credit for having identified about \$108 billion in tax increases they support, but that would mean there is as much as \$1.4 trillion in unidentified tax increases in this budget.

How would they reach their target? The budget doesn't spell it out. It leaves more than enough room to speculate. For example, you might simply think they would adopt the idea from President Obama's past budgets to cap itemized deductions for higher income earners at 28 percent.

This seems unlikely for two reasons. First, to date very few Democrats in the Senate have come out in favor of that proposal. Indeed, it would impact things such as charitable contributions and pension deferrals which most have been unwilling to change. Second, and more important, according to the Joint Committee on Taxation, that proposal would generate only about \$423 billion in new revenues over 10 years, which would leave my colleagues about \$1 trillion short of their revenue goal. Still, I can't help but wonder if the tide has shifted with regard to this proposal.

With the Senate budget staking so much on the elimination of so-called loopholes, it will be interesting to see how many Democrats shift positions and endorse the President's proposal, even though it will not yield nearly enough revenue to reach the targets outlined in this budget.

Staying in the world of capping itemized deductions, there is also the proposal outlined by CBO in 2011 to cap all itemized deductions for all taxpayers at 15 percent. This would effectively raise taxes on every tax filer in every bracket who itemized their deductions. Make no mistake. This would be a tax increase on the middle class, meaning it would violate the promises made by President Obama and other Democrats to protect the middle class from further tax increases.

However, it would also generate enough revenue to be in the neighborhood of what the Democrats have outlined in their budget. All told, this proposal would, according to CBO, raise about \$1.2 trillion in revenue over 10 years. Given the outlandish revenue proposal in the budget, this idea, while punitive and damaging to the middle class, can't be ruled out entirely.

I have another chart here which lists the top 10 tax expenditures according to the Joint Committee on Taxation. These 10 items account for 71 percent of what Democrats have called spending in the Tax Code.

What is No. 1 on this list? I will give you a hint. It is not corporate jet depreciation or carried interest. No, it is the tax-free treatment of employer-provided health care. Do you want to do away with that?

What is No. 2 on the list? It is the tax-deferred benefit for retired savings plans.

How about No. 3? It is the measure which provides relief against double taxation on investments. I am referring to the reduced rate on long-term capital gains and dividends. This rate went up recently. It was raised by 59 percent in the fiscal cliff bill. Raising it even more is a sure-fire recipe for job destruction and even slower economic growth.

No. 4 is the deduction for State and local taxes.

No. 5 is the home mortgage interest deduction. Do you want to do away with that?

No. 6 is the tax-free treatment of Medicare benefits.

So far I don't see a lot of expenditures aimed solely at benefiting the wealthy. No, most of these provisions benefit a significant number of middle-income taxpayers or earners.

Three of the four next items on the list are refundable, meaning the person filing the return can receive a check even if they owe no income tax. This is truly where there is spending in the Tax Code. These provisions exclusively benefit lower and middle-income earners. They are not available to those making over \$200,000 a year.

The point is not simply there are a lot of popular tax expenditures. I think people know that already. No, my point is, given the difference between the revenue target in the Democrats' budget and the tax increases they supported on the record, there is no telling how they plan to actually raise their revenue. If they are serious about closing so-called loopholes to the tune of over \$1 trillion, this list is where the real money is. If we are talking about raising that kind of revenue by eliminating tax expenditures, we are necessarily talking about provisions which benefit the middle class. It can't be raised through eliminating tax breaks for oil companies. It can't be raised by instituting the Buffett rule. It can't be raised even by eliminating all itemized deductions for millionaires.

I am sure my colleagues will disagree with this assessment. However, the burden is on them to show where I am wrong, and they can't.

This is their budget and their revenue target. If they want this budget to be taken seriously, the Democrats should come out and state specifically their plan for raising their \$1.5 trillion in additional revenue. You can't simply say: We want the Finance Committee to figure out how to raise taxes by another \$1 trillion to finance our spending spree. That is irresponsible and, as

I said, it poisons the well for fundamental tax reform. You can't simply say: We want to turn off almost half a trillion dollars of sequestration spending cuts, but we won't say how we will pay for it. This is irresponsible and misleading to the American public.

Finally, I wish to point out the budget would also mark a significant shift in the position held by many Democrats with regard to corporate taxes. The Obama administration has repeatedly expressed support for approaching corporate tax reform in a revenue-neutral manner. Prominent Democrats on the Finance Committee have also publicly expressed support for revenue-neutral corporate tax reform in order to make America more globally competitive.

However, the Democrats' budget states: Eliminating loopholes and cutting unfair spending in the Tax Code for the biggest corporations must be a significant element of a balanced and responsible deficit reduction plan.

You cannot have it both ways. Revenue-neutral corporate tax reform means paring back corporate tax expenditures and lowering the corporate tax rate. Revenue-neutral corporate tax reform does not mean, and cannot mean, eliminating tax expenditures which some Members don't like because it polls well, and then using some or all of the resulting revenue gain to further expand the government. This is not tax reform of any kind, this is a tax hike pure and simple. I would be interested to find out whether the Democrats who have publicly expressed support for revenue-neutral tax reform will support this budget.

More generally, I wish to know where the Democrats stand on corporate taxes. Do they want to raise them, or do they want to make American companies more globally competitive? I hope it is the latter. You cannot do both.

When you look at the tax provisions of the Senate budget, it is clear it is nothing more than a political document.

I suspect my colleagues on the other side of the aisle know they cannot hit their revenue targets without impacting the middle class. I think they also know we can't do revenue-neutral corporate tax reform and at the same time raise more tax revenue from the corporate sector. I think they know that in real-world terms, the tax provisions of this budget are several bridges too far. So in the end, I have to assume there is a political calculation being made.

My colleagues apparently believe it makes good political sense to talk about reducing the deficit on the backs of the wealthy and less popular corporations rather than making difficult choices on spending.

The American people need a real blueprint for our Nation's fiscal future,

not more talking points. Once again, I urge my colleagues on both sides of the aisle to reject this budget.

Now I wish to take just a few seconds to talk about one of the budget amendments I expect will be discussed and considered on the floor. I understand it is described as an amendment to "establish a deficit neutral reserve fund to allow States to collect sales and use taxes already owed under State law." This amendment is intended to be a proxy vote for a bill called the Marketplace Fairness Act.

I greatly appreciate the diligent efforts of the supporters of this bill, including Senators ENZI and ALEXANDER. Clearly, a lot of work has gone into this legislation. However, over the last few months, I have been on the floor several times to talk about the importance of restoring regular order in the Senate. The Marketplace Fairness Act has been referred to the Finance Committee. Both Chairman BAUCUS and I have the view that legislation is more properly considered within the context of the committee's current bipartisan efforts on tax reform.

However one feels regarding this amendment, it is undeniable that the Marketplace Fairness Act is controversial and that concerns about and suggestions for the legislation have been raised by many stakeholders. I have met with many people on both sides of the Marketplace Fairness Act, including people from Utah, and have heard many concerns. I am not here to take a position on the substance of this legislation, only to note that it deserves to be fully debated in committee and I am concerned this amendment might not allow those debates to occur.

For this reason, I intend to vote no on this amendment at this time.

What I have said is extremely important. It is not partisan. It is pointing out these doggone problems with this bill, and I hope my friends on the other side will start looking at things such as this. Because we can play politics with these things all day long, but that doesn't make it right and it doesn't make it so we can do what my friends on the other side would like to do, which is raise revenue so they can spend more.

It boggles my mind. We have to find some way of living within our means in this country. If we don't, we are creating a new generation of debtors—our children, our grandchildren, and in many cases—in my case—great-grandchildren as well. It is the debtor generation now. Every one of them owes well over \$50,000 personally, and that is going to go up exponentially if we don't watch what we are doing.

In fact, even if we do watch what we are doing, it is still going to go up. But we have to do everything in our power to give them a future. The debtor generation is all those who are less than 50 years of age but especially our youth.

We simply can't barter away their future because we don't have the guts to stand up and do what is right.

I yield the floor.

Mr. SESSIONS. Madam President, I think we will proceed now to the other side. Then there will be back and forth on the Internet Fairness Act; is that correct?

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, it is my understanding there are a number of Senators who have come to talk on one of the provisions they would like to offer. I think we will start with their side, with Senator ENZI to be yielded to from their side.

If the Senator wants to yield time to him, I will then yield to a Democrat.

Mr. SESSIONS. All right.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. For the information of my colleagues—and I guess this will not be in concrete—I will recognize Senator ENZI for 10 minutes, Senator ALEXANDER for 10 minutes, and Senators BLUNT and AYOTTE for 5 minutes each.

Senator ENZI, I know, has worked hard on this legislation, and I yield to him.

Mrs. MURRAY. Madam President, I note the time will come off the resolution on this.

The PRESIDING OFFICER. That is correct.

The Senator from Wyoming.

Mr. ENZI. Madam President, I rise with Senators DURBIN, ALEXANDER, and others to discuss an amendment I am filing to the fiscal year 2014 budget resolution. The amendment establishes the deficit-neutral reserve fund that allows States to enforce State and local use tax laws and to collect taxes already owed under State law on remote sales.

The amendment captures the bipartisan, bicameral—the House and Senate—policy my colleagues and I are pursuing in S. 336, the Marketplace Fairness Act. I did hear my colleague from Utah mention he would like that to go through regular order. This does not preclude regular order. This would not be a final determination for the bill, but it would give us some kind of indication of the strength behind this idea.

As a former small business owner, I believe it is important to level the playing field for all retailers—in-store, catalogue, and online—so an outdated rule for sales tax collection does not adversely impact small businesses and Main Street retailers. The Supreme Court case earlier encouraged Congress to solve this problem. Thousands of local businesses are forced to do business at a competitive disadvantage because they have to collect sales tax and use tax and remote sellers do not, which in some States can mean a 5- to

10-percent price advantage. We should not be subsidizing some taxpayers at the expense of others.

Sales taxes go directly to State and local governments—that would be counties and cities and towns—which bring in needed revenue for maintaining our schools, fixing our roads, and supporting local law enforcement. If Congress fails to authorize States to collect tax on remote sales and electronic commerce continues to grow, we are implicitly blessing a situation where States can be forced to raise other taxes, such as income or property taxes, to offset the growing loss of sales tax revenue. Do you want that to happen? I sure don't.

Now is the time for Congress to act. Many Americans do not realize when they buy something online, order something from a catalogue from a business outside their own State, they still owe State sales taxes. It is just very difficult to comply with that. For over a decade, Congress has been debating how best to allow States to collect sales taxes from online retailers in a way that puts Main Street businesses on a level playing field with online retailers.

On February 14, 2013, the bicameral, bipartisan Marketplace Fairness Act was introduced to close the 20-year loophole that distorts the American marketplace by picking winners and losers, by subsidizing some businesses at the expense of other businesses, and subsidizing taxpayers at the expense of other taxpayers. All businesses and their retail sales and all consumers and their purchases should be treated equally.

The bill also empowers States to make the decision themselves. If they choose to collect already existing sales taxes on all purchases, regardless of whether the sale was online or in-store, they can, but it takes their action. If they want to keep things the way they are, it is the State's choice.

The Marketplace Fairness Act does not tax Internet use, it does not tax Internet services, and it does not raise taxes. It gives States the right to collect what is owed by the purchasing individual.

I wish to provide some highlights of what the Marketplace Fairness Act accomplishes. The bill gives States the right to decide to collect or not to collect taxes that are already owed. The legislation would simplify and streamline the country's more than 9,000 diverse sales tax jurisdictions and provide two options by which States could begin collecting sales taxes from online and catalogue purchases. The bill also carves out small businesses so they are not adversely affected by the new law by exempting businesses with less than \$1 million in online or out-of-State sales from collection requirements. This small business exemption will protect small merchants and give new businesses time to get started.

Do not let the critics get away with saying this kind of simplification cannot be done. The different tax rates and jurisdictions are no problem for today's software programs. As a former mayor and State legislator, I strongly favor allowing States the authority to require sales and use tax collection from retailers on all sales if the State chooses to do so. We need to implement a plan that will allow States to generate revenue using mechanisms already approved by their local leaders. We need to allow States the ability to collect the sales taxes they already require. If enacted, it would provide approximately \$23 billion in fiscal relief for the States for which Congress does not have to find an offset. This would give States less of an excuse to come knocking on the Federal door for handouts and will reduce the problem of federally attached strings.

The Marketplace Fairness Act is about States rights and it is about fairness. I strongly encourage my colleagues to vote for the Enzi-Durbin amendment to support the goals of States rights and a level playing field for all businesses.

I yield the floor and I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I yield 10 minutes to the Senator from Illinois off the resolution.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, this is a photograph of a store in Palatine, IL, called Soccer Plus. Bob Naughtrip opened this store and sold sporting equipment in the suburbs of Chicago. He had a pretty good business going, but then he ran into something called show-rooming. That consists of people walking into a store and saying: I would like to try on a pair of shoes or some equipment. They would find exactly what they wanted, write down all the information, and then say: Thanks, Bob, walk out the door and order it on the Internet, paying for it without paying sales tax on their purchase. So every time Bob tried to sell something and collect the sales tax in Illinois—which he was required to collect—he was at a disadvantage from the people buying over the Internet. Is that fair?

The Supreme Court said it was up to Congress to decide whether that is fair. It is up to Congress to decide whether Internet sales should be subject to State and local sales taxes. That is why we are here. To my way of thinking, this is just a question of fundamental fairness. We are not talking about imposing a new tax—not at all. We are talking about existing taxes.

In my State of Illinois, incidentally, when I buy something on the Internet, I have a legal obligation to pay sales tax on it, but it is done voluntarily. Many times it is not collected when I

make the purchase. I do it on my State income tax return each year. Most people don't do it at all, so the sales tax is never collected on the Internet purchase.

The purpose of this bill is to allow States, if they wish—voluntarily—to start having Internet retailers collect sales tax for the sales that are made over the Internet to people living in their State. This is voluntary, so the States can decide whether to do it. Is this a new tax? No. In 46 States it is an existing tax. It is now going to be collected as opposed to voluntarily adding it to an income tax return by individuals.

So it is not a new tax, and it is certainly not a tax on the Internet itself. It is just that happens to be the point of purchase. We have on the floor my friend, Senator BAUCUS of Montana. He is from one of the four States in our Nation that do not have a sales tax, and they, of course, are concerned about this issue. Let me make it clear: Anyone purchasing an item on the Internet in Montana is not going to have to pay sales tax if Montana doesn't have a sales tax. The same will be true for New Hampshire, as well as Delaware and Oregon—the four States that have no sales tax. So we are not imposing a new sales tax on Montana or any other State. Those that have the tax will be collecting it under our bill.

How about the Internet retailers who will be covered by this? We created an exemption, as Senator ENZI said. The exemption says they have to have \$1 million in sales on the Internet before they have to do this—\$1 million.

How many Internet retailers would that mean? We think about 1,000, 975 sell more than \$1 million worth of goods each year on the Internet. So about 1,000 retailers on the Internet would be collecting the sales tax. They would look at my home address and they would assess the tax that is owed.

Wait a minute. How will that be assessed when each and every Internet retailer has to go through the burden of establishing this technology, these computer programs? No. The burden is on the States to provide the computer software for the Internet retailers, not at the expense of the Internet retailers. So it is a simple process, and it is a fair process.

Bob was a good businessman. He hired a lot of local people. He collected sales tax and paid his property tax, and with that money they built this road right out in front of his shop, they provided the police and fire services and things that are part of civilization, living in America. He paid the taxes on this, and he lost his business because his competitors weren't collecting the taxes.

I find it interesting, though. I recently made a purchase on Amazon, and they collected the sales tax from



me in Illinois—which they can do. Amazon supports our bill, incidentally. They delivered it, and I believe they used the Postal Service this time, but sometimes they use UPS and FedEx. Their trucks and delivery people use the streets of Chicago and the streets of Springfield. They rely on the basic services we all count on. So even the Internet sales are dependent on some basic services that are going to be provided by a community.

I have heard so many speeches on the floor of the Senate about how much we love and venerate and respect small businesspeople. We are told that if this economy is going to get well and move forward, it is going to be driven by small businesses expanding their employment. Well, I believe that. I have seen it over and over again in Illinois and every State I have visited. But if they are going to have a fighting chance to compete, there ought to be a level playing field, as Senator ENZI said. There ought to be a basic fairness here.

If Bob's business had to collect sales tax for sales to Illinois residents, why wouldn't those who purchase over the Internet be under the same obligation? That is what this says. It basically establishes that responsibility.

Now, of course we have a lot of support for this—support from Governors and mayors and business developers and, of course, small businesses. So if people want to come to the floor and decide what side they want to be on, I urge them to be on the side of the same small businesses they have given speeches about over and over again.

I believe in these men and women. Many of them have gone into small business and taken a lot of risks. They are the backbone of our communities, there is no question about it. Time and time again, we go to them to make sure they are going to build the economy and hire the people whom we need in our local communities. So let's give them a fighting chance. The marketplace fairness bill will do that.

Senator ENZI was on this bill before me, Senator Dorgan from North Dakota before me, and when Senator Dorgan retired, I asked if I could join him. But I thank the Senator from Wyoming for his leadership. As you probably heard, Senator ENZI, before he came to the Senate, was a small businessman himself, and so he knows this firsthand.

So let's stand for business and retailers across America and give them a fighting chance. Let them be competitive. Let them continue to hire and be good neighbors in our communities. And let's say to the Internet retailers: We are glad you are doing well, but play by the same rules and make sure there is a level playing field.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, if I might ask the Senator from Missouri to go ahead of me, if that is agreeable with the Senator from Washington.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I thank my colleagues for recognizing me to make a few comments.

I agree with everything that has been said. I believe this is the fair thing to do. I think it is wrong for government to penalize some businesses over others. I think it is wrong, frankly, to have laws on the books that we know aren't being enforced. To have laws on the books that you know create law violators is the wrong thing to do. And frankly, in almost every State where—as Senator DURBIN pointed out, in his State and my State, which is next door to his State, you are supposed to pay this tax. People just don't do it. I think last year in Missouri we had about 300 people pay this tax in the entire State. I would bet, more than the collective tax they paid, that more than 300 people bought something over the Internet in the State of Missouri last year. So this is a tax that is on the books, it needs to be collected, and we ought to see what we can do to make that happen.

States that don't have a sales tax don't have to collect it. States that don't want to participate don't have to participate. But with all of the technology now available, with the \$1 million exemption for businesses that want to sell a few things over the Internet—or maybe they want to sell everything over the Internet, they just don't sell very much—I think the objections that are reasonable to this have been more than met.

I saw in a publication just last week on this topic three pretty well known conservatives, one talking about the Internet at its inception when William F. Buckley said:

If the advantage of tax-free Internet commerce marginally closes out local industry, reforms are required.

This was at a time when nobody was buying things over the Internet, when it was just getting started, when we didn't want to have a unique tax for the Internet. But in all of those discussions, I never heard a serious discussion that if you are on the Internet, you should avoid taxes that are required to be paid. And William F. Buckley at the time was saying that whenever this becomes a problem, something should be done about it, and that is what this bill would do.

One of my former colleagues when I was in the House, now the Governor of Indiana, Mike Pence, said:

I don't think Congress should be in the business of picking winners and losers. Inaction by Congress today results in a system today that does pick winners and losers.

He is talking about this system.

Al Cardenas, the chairman of the American Conservative Union, said:

There is no more glaring example of misguided government power than when taxes or regulations affect two similar businesses completely differently. Over time, the company that has to comply with a tax or a regulation will lose market share to its competitor who is carved out from this government interference.

That is what this is about.

I had a news conference on this in St. Louis a year or so ago, and as soon as the camera was turned off, the person interviewing me said: You know, one of my wife's friends has a wedding dress shop, and she sees people come in all the time who are clearly there to try on a wedding dress, get the number off the wedding dress, and order it on the Internet. And if the only difference in the cost of that wedding dress—I guess there are lots of variations but, say, 8 or 10 percent—if the only difference is the sales tax, that is not a fair competition.

And the person who went in the store to try on the wedding dress paid their local property taxes, they helped pay for the police protection, they helped pay for the sidewalk and the parking place, and then ordered the wedding dress from somebody who had contributed to none of that.

So I join my colleagues in saying this is the right thing to do. I hope we can get it done. And frankly, if we don't get it done, the States that say this tax needs to be voluntarily paid and know that is not happening should just get that law off the books. Having a law on the books that you know people violate is not the right thing to do.

Madam President, I would give back to Mr. ENZI or Mr. ALEXANDER whatever time I haven't used, and I look forward to hearing others talk on this issue.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the hour for Senators KLOBUCHAR and COATS now begin at 4:10 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I yield 5 minutes to the chair of the Finance Committee, Senator BAUCUS.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I think this amendment is not yet ready. It is premature. This is a very complicated question, and I think there has been a lot of easy talk and a little bit of herd instinct here that, gee, because most States are not sales tax States, therefore this amendment should be adopted.

The fact that this is an extremely complicated question. For example, who is going to enforce this statute? Is the State of California, for example, or the State of Massachusetts going to enforce the noncollection of sales tax in



another State? That is revolutionary. I cannot think of an instance where this Congress has legislated that a State can go into another State and enforce the taxation laws in that second State or when a State has empowered the State court in one State to go to another State and enforce the State taxation in that other State. It has not happened. It is not only complicated, but it is revolutionary. We have not done this before—nothing similar.

I understand the arguments of those who want to pass this. They make some good points. I have said to Senator DURBIN, Senator ENZI, and others that we in the Finance Committee will very seriously take this up as soon as we can and will probably in the context of tax reform.

Let me repeat. It raises lots of questions that have not been addressed with respect to States rights; that is, the degree to which authorities in one State or courts in one State are able to go to another State and enforce State taxation issues.

Certainly, we have the full faith and credit clause in the Constitution where if someone in California, for example, gets a court order or wants to enforce a collection of tax in California, that could not be overturned in another State. That is not this question. This question is whether courts in other States and citizens in other States can go to another State and force the court in that other State to enforce that other State's taxation law. We are not talking about the taxation law in California. We are talking about the other State taxation laws. We have never done that, and I don't think it is wise to start going down that road now.

Second, different States have different State taxation laws for different reasons. Some States have income taxes. Some don't. Some have sales taxes. Some don't. The State of Montana has decided no sales tax, but we will have a significant income tax. Other States say no income tax but a significant sales tax. That is their prerogative. That is how they want to run their State.

What does this do? This basically will have the virtual effect over a period of time of saying that all States have to have a sales tax—forget your income tax—and beyond that, it has to be the same rate. That is what is going to happen here over time if this is enacted into law. You are telling States they have to have a sales tax even if they don't want to. I don't think we want to do that, to say nothing of all the potential complications revolving around different jurisdictions.

I know the authors of this bill say: Computers can take care of it all. That is part of the problem. The computers get shut down, they get hacked. It is not the panacea a lot of people talk about. This is extremely complicated.

Sure, we have to have a full, complete hearing on this, and we should

and we will. The best thing to do right now is to have this amendment withdrawn because otherwise there are going to be a lot of amendments offered today, tomorrow, and tonight that are going to show all the defects of this, and they are all going to pass, and that is going to seriously undermine and be a poison pill for this bill that is pending right now. So the best solution is to withdraw this amendment now. Let's not try to solve this here in the Senate budget resolution but, rather, it should be in the right forum in the right location, and that is the Finance Committee, with big hearings, and we will work all this out because there are very legitimate points to be made on both sides.

What bothers me is there is a lot of easy talk about how good this is, how fair it is, and nobody has thought through all the unintended consequences and all the problems that could arise, and I just started to raise a few of them.

My friend from Oregon had a good thought. What about Canada? What about direct sellers in Canada just across the border? They sell to the United States. Do we have jurisdiction over Canada? I don't think so. And I can see a burgeoning direct sales business and revenue to Canada, as my friend from Oregon thought of. There are a lot of others that we haven't thought about because it has not become ripe. It has not become ripe because we haven't had a direct hearing in a direct forum.

So I just say this is not a good idea. I understand the reasons why some advocate it, but I might say this: If we assume Federal dollars—because someone has to come up with asking Uncle Sam for Federal dollars to enforce this question in another State. Do we want that? I ask, who is the enforcer here? Is it another State? Is it Uncle Sam? I don't know. That has not been thought through.

Therefore, I strongly urge that it not be adopted. Otherwise, we are going to have a ton of amendments that are not going to be appreciated by the supporters of this bill. If they pass, it will dramatically weaken any momentum they think they are going to have. So discretion is the better part of valor. Let's withdraw this, and let's consider this calmly in the right forum.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Montana for his comments, since Senator ENZI has probably been considering this bill his whole career. He came to the Senate nearly 18 years ago, and he introduced it 14 years ago. So even by Senate standards, it has had a good deal of calm deliberation.

We have also had a hearing in the Finance Committee, where the distin-

guished chairman is in charge, and we have asked for a markup, which we haven't had.

Mr. BAUCUS. You will get one.

Mr. ALEXANDER. I thank the chairman for his commitment to a markup. I wonder if I might ask through the Chair when that would come.

THE PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I can't guarantee a time. Nobody around here can. But I think it is appropriate that this is an issue that should come up in the context of tax reform, which the committee is pressing very vigorously. We had a meeting today in the Finance Committee on the first of many steps. Regrettably, Senator ENZI was unable to make it. It was on tax reform. And that is the appropriate forum for this to be brought.

Mr. ALEXANDER. Madam President, I think this illustrates the problem we are having. How can this be a part of tax reform when it is not part of the Tax Code? It has been heard by the Commerce Committee in the Senate. It has been heard by the Finance Committee. It has not been marked up. It has been heard by the House Judiciary Committee. Senator ENZI has been working on it for 14 years.

This is a very simple question. It is a matter of States rights, two words. Does a State, any State, have the right to decide whether to collect existing taxes from some of the people who owe the taxes or from all of the people who owe the taxes?

In the State of Tennessee, at the Nashville Boot Company store, I walk in, I try on a pair of boots, then I go order it over the Internet so I do not have to pay the sales tax. What the State of Tennessee wants to do—the conservative Governor Bill Haslam, the conservative Lieutenant Governor Ron Ramsey, the Republican legislature, these are not a bunch of big tax people—they want to collect the sales tax from everybody who owes it and they would like to require those who sell into Tennessee to do the very same thing they do, what the Nashville Boot Company does when I buy from it: They add the sales tax to the bill. They collect it and send it to the State. How hard is that to do?

My wife gave me an ice cream maker for my birthday last year. I ordered some ingredients to make chocolate ice cream, over the Internet. When I did that they added to my bill the sales tax based on my ZIP Code. It is as easy as looking up the weather on your computer.

That is all we are deciding here. We are only deciding whether we in the Congress are going to make State governments in our constitutional framework play Mother May I, by coming and pleading with us to allow the State to decide what to do about its own taxes. The State of Tennessee wishes to

reduce its tax rate. It wishes to avoid a State income tax. It doesn't like the idea of treating one taxpayer one way and another one another way; and one business one way and another business another way. It wants to make that decision for itself.

When I was the Governor of Tennessee, nothing made me more unhappy than to look up at Washington and see people of my own political party come up here and think since they had taken an airplane to Washington, they had gotten smarter than I was, suddenly, just by an hour plane ride, and they were going to tell me what to do.

Now we have an honor roll of conservatives, and I will just speak to the conservatives on my side for a while, who said we do not think States ought to be playing Mother May I to the Federal Government on this question. Give State legislatures the power to make these decisions for themselves. That is consistent with the tenth amendment. That is consistent with our constitutional framework. And most of them are saying, as ours is in Tennessee: If you give us this power, the right to do it, which the Supreme Court has said you clearly have the right to do it—you, Congress, are the most qualified to do it. You can make this decision. Give us this power and we will lower our tax rate. That is what our State wants to do.

It might use the money another way. They might use it to pay outstanding teachers more, to lower the tuition rate. But States have the right to be right, and States have the right to be wrong.

There was a Supreme Court case 20 years ago at a time when most Senators didn't even know there was an Internet. The Court did say that States could not impose a burden on interstate commerce. But it said Congress could write the rules for doing that. Now it is about as easy to add the sales tax if you are buying from a catalog or buying over the Internet as it is if you buy from a local store. There is no reason for us to take the position that only we know best about how States should make decisions about their services or their taxes.

Some are worried that this might increase taxes. I have said most Governors think they will lower tax rates. But here is the honor roll of conservatives who are asking the Congress to reaffirm our commitment and understanding of our constitutional system which allows States to make this decision: Al Cardenas, chairman of the American Conservative Union; Governor Bob McDonnell, Virginia; Governor Tom Corbett, Pennsylvania; Governor Bill Haslam, Tennessee; Governor Chris Christie, New Jersey; Governor Rick Snyder, Michigan; Governor Butch Otter, Idaho; Governor Mitch Daniels, Indiana; former Governor Jeb

Bush, Florida; former Governor Haley Barbour; the writings of the late William F. Buckley, et cetera, et cetera.

It is time after 20 years to take this simple 11-page bill that says States have the right to decide for themselves whether to collect an existing tax from some of the people who owe it or from all the people who owe it, by requiring the seller to collect the tax at the time of the sale: same tax, same store. They ought to be able to do that.

Finally, I ask unanimous consent to have printed in the RECORD following my remarks the comments of a number of conservative supporters of the Marketplace Fairness Act.

In our State of Tennessee this bill is an insurance policy against a State income tax. We don't have one. We don't want one.

It is also an opportunity for us to treat every taxpayer the same way. If you owe the tax, it is collected at the time of sale and you pay it, you don't avoid it. It is also a chance to treat all of the businesses that sell into Tennessee the same way. If you are going to sell to our 6 million people, we are going to treat you the same way we treat people in the State. We don't want to create an incentive for people to move out of Tennessee in order to sell into Tennessee. We want there to be a level playing field.

If Montana businesses do not want to sell in Tennessee, that is their prerogative. But if they do, we want to treat them in the same way we treat all the other businesses in Tennessee. Let's make it very clear: This is not a tax on the Internet. We have a Federal law that placed a moratorium on Internet access taxes. Let me repeat that. We have a Federal law that is an existing moratorium on taxing the Internet. This is a question about whether the State of Idaho, the State of Wyoming, the State of Tennessee, the State of Massachusetts, or any other State, that may say if we are going to have a sales tax then we are going to collect it in the same way from all the people who sell to the people in our State. That is infinitely logical. With the advent of technology it is about as easy to collect it one way as the other. And it is fair.

I congratulate Senator ENZI and Senator DURBIN for their years of work. I appreciate very much the commitment of the chairman of the Finance Committee to say there will be a markup. I think it is absolutely wrong to think of it as part of tax reform since it is not part of the Tax Code. We might include a milk producers bill in tax reform as well by the Chairman's logic. They do not belong in the same place. This bill boils down to two words: It is a States rights bill. Do we have a tenth amendment, or the spirit of a tenth amendment, or do we not? Do we trust Governors and legislatures to make decisions, or do we not? Then they can de-

cide whether they want to raise or lower taxes, whether they want to collect taxes from some of the people who owe it or from all the people who owe it. That is the issue, these two words: States rights. I think this issue is perfectly appropriate to bring up after 14 years of work by Senator ENZI, after hearing from the Senate Finance and Commerce Committee and the House Judiciary Committee. This is an opportunity for us to express our support for this principle of States rights and to give Governors and legislatures across the country a chance to treat businesses and taxpayers in the same way—stop picking winners and stop picking losers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### CONSERVATIVES SUPPORT E-FAIRNESS

William F. Buckley, Editor At Large, National Review: "If the advantage of tax-free Internet commerce marginally closes out local industry, reforms are required... The mattress maker in Connecticut is willing to compete with the company in Massachusetts, but does not like it if out-of-state businesses are, in practical terms, subsidized; that's what the non-tax amounts to. Local concerns are complaining about traffic in mattresses and books and records and computer equipment which, ordered through the Internet, come in, so to speak, duty free." (William F. Buckley, "Get That Internet Tax Right," National Review Online, 10/19/01)

Al Cardenas, Chairman, American Conservative Union (ACU): "A robust free-market system requires a level playing field, where the government doesn't get to pick winners and losers in the marketplace. Senator Enzi and Congressman Womack deserve praise for their efforts to empower states to make their own revenue policy choices and create a fair system of tax collection. The number one threat to the future of American competitiveness isn't other countries—it's our tax law. When it comes to state sales taxes, it is time to address the area where federally mandated prejudice is most egregious—the policy towards Internet sales, the decades-old inequity between online sales and in-person sales as outdated and unfair." ("Statement from ACU Chairman Al Cardenas Applauding Efforts to Address Marketplace Fairness," Press Release, 2/14/13)

Hanns Kuttner, Hudson Institute: "Current policy gives remote sellers a price advantage, allowing them to sell their goods and services without collecting the sales tax owed by the purchaser. This price difference functions like a subsidy. It distorts the allocation between the two forms of selling. The subsidy from not collecting tax due means a larger share of sales will take place remotely than would occur in a free, undistorted market." (Hanns Kuttner, "Future Marketplace: Free and Fair," May 2012.)

Iowa Governor Terry Branstad: "Gov. Terry Branstad of Iowa this week became the latest in a string of top Republican state officials to back federal legislation giving states more freedom to collect online sales taxes. Branstad's letter of support, obtained exclusively by The Hill, comes not long after another prominent Republican governor, Chris Christie of New Jersey, also urged Congress to get moving on sales tax legislation... In a letter sent Thursday, Branstad encouraged his home-state senators to support

a solution that he said would close a long-standing loophole. 'I understand that the coalition supporting this legislation is now very broad which gives me hope that, under your leadership, this legislation can be passed yet this year,' Branstad wrote to Sens. Chuck Grassley (R) and Tom Harkin (D). 'The Internet is now a robust, mature and dynamic marketplace that does not warrant special protections,' he added. 'The application of sales taxes only to 'brick-and-mortar' retailers, many of which are small businesses, puts those very entities at a competitive disadvantage.'" (Bernie Becker & Kevin Bogardus, "GOP Governors Bolster Sales Tax Push," *The Hill*, 6/10/12)

New Jersey Governor Chris Christie: Governor Chris Christie: "I just want to make clear that I have been working on this issue in my role on the executive committee of the National Governors Association because it is an important issue to all the nation's governors. And I too—along with governors like Governor Daniels and others—urge the federal government and the Congress in particular to get behind Senator Lamar Alexander's legislation to allow states to be able to make these choices for themselves. And I think Senator Alexander's legislation would be a great step forward in that regard. It would give states options to decide how they want to deal with this and not have to any longer deal with the federal prohibition on dealing with it. So, it would allow us to do it in a much more uniform and broader way. So, I'm with Governor Daniels on this and other Republican governors—Governor Snyder of Michigan and others who feel strongly about it. And we've been working on it at the National Governors Association and I know we will continue to and hope to get some type of resolution to it by the end of this year." (Press Conference, Governor Chris Christie, 5/31/12)

Michigan Governor Rick Snyder: "Technology currently exists to quickly and effectively calculate taxes due on sales and can be easily be integrated into online retailers' operations," wrote Snyder, a onetime venture capitalist and former executive at the computer company Gateway. 'It is time for Congress to grant states the authority to enforce sales tax and use laws on all retailers doing business in their state.' (Bernie Becker, "Michigan Governor Joins Online Sales Tax Chorus," *The Hill*, 5/11/12)

Alabama Governor Robert Bentley: "Alabama's Republican governor has urged lawmakers from his state to support online sales tax legislation, adding to the growing roster of GOP officials who are on board with the idea. Gov. Robert Bentley told Alabama's two senators and seven House members the online sales tax bills would improve the state's fiscal situation, and stressed that the legislation would not create a new tax. 'The bills will give Alabama the authority to collect sales taxes—as we currently do from local brick-and-mortar retailers—that are already owed from online retailers,' Bentley wrote in a letter dated April 19. 'Allowing us to effectively close this sales tax loophole would help both our state's finances and our state's small businesses.'" (Bernie Becker, "Alabama Governor Gets Behind Online Sales Tax Push," *The Hill*, 4/25/12)

Nevada Governor Brian Sandoval: "'The only way to completely resolve this issue is for Congress to enact legislation that, within a simplified nationwide framework, grants states the right to require collection by all sellers,' Sandoval said in a statement.'" (Ed Vogel, "Gov. Sandoval Reaches Sales Tax Deal With Amazon," *Las Vegas Review-Journal*, 4/24/12)

Maine Governor Paul LePage: "Last week, Gov. Paul LePage, R-Maine, wrote his state's two U.S. senators, Republicans Susan Collins and Olympia Snowe, to urge them to back legislation introduced by Sens. Mike Enzi, R-Wyo., Dick Durbin, D-Ill., and Lamar Alexander, R-Tenn., that would close a loophole left by a 1992 Supreme Court decision. The high court ruled that states can't require retailers such as catalog and now online retailers to collect sales taxes from customers in states where those companies have no physical presence. 'There's no denying that passing the bill would give thousands of small Maine businesses a real boost,' LePage wrote. 'Through no fault of their own, federal policy now gives some out-of-state corporations an unfair advantage over other Maine retailers.'" (Juliana Gruenwald, "Tea Party Governor Is Backing Net Sales Tax Bill," *National Journal*, 3/20/12)

Virginia Governor Bob McDonnell: "'This bill helps to ensure that online retailers with a physical presence in Virginia are treated the same as traditional brick-and-mortar retailers who are already required to collect and remit existing sales taxes on goods sold in the commonwealth.'" (Press Release, "Governor McDonnell Announces Agreement Reached On Tax Fairness Bill," Governor Bob McDonnell, 2/22/12)

Idaho Governor C.L. "Butch" Otter: "Gov. C. L. 'Butch' Otter backs taxing Internet sales to level the playing field between virtual businesses and brick-and-mortar establishments on Idaho's Main Street. Otter made the remarks to Idaho chamber of commerce leaders meeting in Boise on Monday." ("Idaho Governor Supports Internet Sales Tax," *The Associated Press*, 1/30/12)

Indiana Governor Mitch Daniels: "[S]ales taxes that [states] impose ought to be paid, and paid by everybody equally and collected by everybody in the retail business ... We're not talking about an additional or new tax here—we're talking about the collection of a tax that's existed a long time." (Jeremy Hobson, "Indiana Makes A Deal With Amazon On Sales Taxes," *Marketplace Business*, 1/12/12)

Georgia Governor Nathan Deal: "Gov. Nathan Deal is considering extending the state sales tax to online purchases, he told newspaper publishers Thursday morning ... 'In the absence of congressional activity on that ... I think there will be some appetite to act on that in the legislature,' he said." (Walter C. Jones, "Ga. Considers Online Sales Tax," *The Augusta Chronicle*, 1/12/12)

Indiana Governor and former Representative Mike Pence: "I don't think Congress should be in the business of picking winners and losers. Inaction by Congress today results in a system today that does pick winners and losers." (House Judiciary Committee, Hearing On "Constitutional Limitations On States' Authority To Collect Sales Taxes In E-Commerce," 11/30/11)

Former Mississippi Governor Haley Barbour: "... [E]-commerce has grown, and there is simply no longer a compelling reason for government to continue giving online retailers special treatment over small businesses who reside on the Main Streets across Mississippi and the country. The time to level the playing field is now. ..." (Letter To Sens. Enzi And Alexander Endorsing S. 1832, *The Marketplace Fairness Act*, 11/29/11)

Tennessee Governor Bill Haslam: "The National Governors Association applauds your efforts to level the playing field between Main Street retailers and online sellers by introducing S. 1832, the 'Marketplace Fairness Act.' This common sense approach will

allow states to collect the taxes they are owed, help businesses comply with different state laws, and provide fair competition between retailers that will benefit consumers." (National Governors Association Letter To Sens. Durbin, Enzi, Tim Johnson And Alexander Endorsing S. 1832, *The Marketplace Fairness Act*, 11/28/11)

South Carolina Governor Nikki Haley: "'And I will tell you regardless of what happens with Amazon, we want them. I have told them we want you to do business in this state, but we want you to do it on a level playing field. They got free property, they got tax incentives, they got plenty of things. Don't ask us to give you sales tax relief when we're not giving it to the book store down the street or we're not giving it to the other stores on the other side of town, it's just not a level playing field.'" (Press Conference, Governor Nikki Haley, 4/28/11)

South Dakota Governor Dennis Daugaard: "'On March 11, South Dakota enacted S.B. 146, sales tax legislation that requires out-of-state retailers that sell to in-state residents to notify their customers of their personal use tax obligation. Under the law, online sellers are required to provide clear notice to consumers during the checkout process that a South Dakota use tax is due.'" (Rosemary Hawkins, "Sales Tax Bills Pass In Arkansas And South Dakota," *American Booksellers Association*, 3/31/11)

Former Florida Governor Jeb Bush: "It seems to me there has to be a way to tax sales done online in the same way that sales are taxed in brick and mortar establishments. My guess is that there would be hundreds of millions of dollars that then could be used to reduce taxes to fulfill campaign promises." (Letter To Florida Governor Rick Scott, 1/2/11)

MARCH 19, 2013.

DEAR SENATOR: The undersigned companies and state and national trade associations respectfully request that you vote yes on a proposed amendment to the fiscal year 2014 Senate Budget Resolution to implement S. 336, the Marketplace Fairness Act. The Marketplace Fairness Act would level the playing field for all sellers while assisting the states in collecting approximately \$23 billion in uncollected state sales and use taxes that are currently due on Internet and other remote sales. The bill was introduced by a strong bi-partisan group of Senators, led by Senators Enzi, Alexander, Heitkamp and Durbin—to address the inequality in today's marketplace.

At issue is a decades-old Supreme Court ruling, issued in 1992 before the pervasiveness of Internet commerce, which prohibits states from requiring remote sellers to collect sales and use taxes owed on purchases from out-of-state vendors. This has created an unfair price disadvantage for brick-and-mortar businesses, has led to budget shortfalls for states as sales and use taxes go uncollected, and has placed an undue burden on consumers who do not realize they owe the sales/use tax if it is not collected by the seller, leaving them to face penalties and increased scrutiny from state auditors.

We support the Marketplace Fairness Act because it would give states the authority to manage their sales tax laws while addressing this issue. Only Congress can grant this authority to the states. S. 336 represents the best thinking of all the stakeholders and provides a pathway forward for states to collect sales and use taxes, simplify their tax statutes, and assist vendors with compliance, while providing for a robust \$1 million small business exemption.

As the Congress seeks solutions to address the federal budget and the impacts of sequestration, the Marketplace Fairness Act is a proposal that will help states facing their own budget shortfalls without increasing the federal deficit. Congress has an opportunity to enhance states' rights over sales and use tax collection authority and in the process level the playing field for all merchants. Please support the budget amendment on S. 336, the Marketplace Fairness Act, because the time has come to update our local and state tax laws.

Respectfully,

#### NATIONAL TRADE ASSOCIATIONS

American Apparel and Footwear Association  
American Booksellers Association  
American Farm Bureau Federation  
American Independent Business Alliance  
American Specialty Toy Retailing Association  
American Veterinary Medical Association  
Association for Christian Retail  
California Association of College Store  
Campus Stores of New England  
Certified Commercial Investment Member  
Institute  
College Stores Association of North Carolina  
Consumer Electronics Association  
Consumer Electronics Retailers Association  
Food Marketing Institute  
Heating, Air-Conditioning and Refrigeration Distributors International (HARDI)  
Independent Running Retailer Association  
Institute of Real Management  
International Council of Shopping Centers  
International Downtown Association  
International Economic Development Council  
Jewelers of America  
Middle Atlantic College Stores  
NAIOP, Commercial Real Estate Development Association  
NAMM, National Association of Music Merchants  
National Association of Chain Drug Stores  
National Association of College Stores  
National Association of Electrical Distributors  
National Association of Real Estate Investment Trusts  
National Association of Realtors  
National School Supply & Equipment Association  
National Association of Wholesaler-Distributors  
National Bicycle Dealers Association  
National Grocers Association  
National Home Furnishings Association  
National Retail Federation  
National Sporting Goods Association  
North American Retail Dealers Association  
Outdoor Industry Association (OIA)  
Pet Industry Joint Advisory Council  
Professional Beauty Association  
Real Estate Roundtable  
Realtors Land Institute  
Retail Industry Leaders Association  
Soccer Dealer Association  
Society of Industrial and Office Realtors  
Southwest Association of College Bookstores  
Tri-State Bookstore Association  
World Floor Covering Association  
STATE/LOCAL TRADE ASSOCIATIONS  
Alabama College Bookstore Association  
Alabama Retail Association  
Alaska Veterinary Medical Association  
Alliance of Wisconsin Retailers  
Arizona Retailers Association

Arkansas Grocers and Retail Merchants Association  
Association of Washington Business  
California Business Properties Association  
California Retailers Association  
California Veterinary Medical Association  
Campus Stores of New England  
Carolinas Food Industry Council  
College Stores Association of New York State  
Colorado Retail Council  
Colorado Veterinary Medical Association  
Connecticut Retail Merchants Association  
Delaware Veterinary Medical Association  
Economic Alliance of Snohomish County, WA  
Florida Association of College Stores  
Florida Retail Federation  
Georgia Association of College Stores  
Georgia Retail Association  
Georgia Veterinary Medical Association  
Idaho Retailers Association  
Idaho Veterinary Medical Association  
Illinois Association of College Stores  
Illinois Retail Merchants Association  
Illinois State Veterinary Medical Association  
Indiana Association of College Stores  
Indiana Retail Council  
Indiana Veterinary Medical Association  
Iowa Retail Federation  
Iowa Veterinary Medical Association  
Kentucky Retail Federation  
Kentucky Veterinary Medical Association  
Local First Arizona  
Los Angeles Area Chamber of Commerce  
Louisiana Retailers Association  
Louisiana Veterinary Medical Association  
Maine Merchants Association  
Maine Veterinary Medical Association  
Maryland Retailers Association  
Massachusetts Veterinary Medical Association  
Michigan Association of College Stores  
Michigan Retailers Association  
Michigan Veterinary Medical Association  
Minnesota Business Partnership  
Minnesota Chamber of Commerce  
Minnesota Retail Association  
Minnesota Veterinary Medical Association  
Missouri Retailers Association  
Mountains and Plains Independent Booksellers Association  
Nebraska Retail Federation  
Nebraska Veterinary Medical Association  
Nevada Veterinary Medical Association  
New Atlantic Independent Booksellers Association  
New England Independent Booksellers Association  
New Jersey Retail Merchants Association  
New Jersey Veterinary Medical Association  
New Mexico Retail Association  
North Carolina Retail Merchants Association  
North Carolina Veterinary Medical Association  
North Dakota Retail Association  
Northwest College Bookstore Association (WA, OR, AK, MT)  
Ohio Association of College Stores  
Ohio Council of Retail Merchants  
Oklahoma Veterinary Medical Association  
Pacific Northwest Booksellers Association  
Pennsylvania Retailers' Association  
Retail Association of Mississippi  
Retail Association of Nevada  
Retail Council of New York State  
Retail Merchants of Hawaii  
Retailers Association of Massachusetts  
Rhode Island Retail Federation  
Rocky Mountain Skyline Bookstore Association

Seattle Metropolitan Chamber of Commerce  
South Carolina Association of College Stores  
South Carolina Association of Veterinarians  
South Carolina Retail Merchants Association  
South Dakota Retailers Association  
Southern Independent Booksellers Alliance  
Tennessee Association of College Stores  
Tennessee Retail Association  
Tennessee Veterinary Medical Association  
Texas Retailers Association  
Tri-City Regional Chamber of Commerce  
Tri-State Bookstore Association (ND, SD & MN)  
Tri-State Jewelers Association  
Twin Cities Metro Independent Business Alliance  
Utah Food Industry Association  
Utah Retail Merchants Association  
Utah Veterinary Medical Association  
Vermont Retail Association  
Virginia Retail Merchants Association  
Virginia Veterinary Medical Association  
Washington Retail Association  
Washington State Veterinary Medical Association  
West Virginia Retailers Association  
West Virginia Veterinary Medical Association  
Wisconsin Association of College Stores  
Wisconsin Veterinary Medical Association  
Wyoming Retail Association  
Wyoming Veterinary Medical Association  
COMPANIES  
Abbell Associates, Chicago, IL  
Acadia Realty Trust, White Plains, NY  
Amazon.com, Seattle, WA  
AutoZone, Memphis, TN  
Balliet's, LLC, Oklahoma City, OK  
Barnes and Noble, New York, NY  
Beall's, Inc., Bradenton, FL  
Bed, Bath, & Beyond, Union, NJ  
Belpre Motor Sales, Belpre, OH  
Ben Bridge Jewelers, Seattle, WA  
Best Buy Co., Inc., Richfield, MN  
Blake Hunt Ventures, Inc., Danville, CA  
BrandsMart U.S.A., Hollywood, FL  
Bucksbaum Retail Properties, Inc., Danville, CA  
Build-A-Bear Workshop®, Saint Louis, MO  
Camelot Retail Consulting Group, Wichita, KS  
Cascade Designs  
CBL & Associates Properties, Inc., Chattanooga, TN  
Cencor Realty Services, Dallas, TX  
The Hocker Group, Louisville, KY  
David Hocker & Associates, Owensboro, KY  
DDR Corp., Beachwood, OH  
Dick's Sporting Goods, Coraopolis, PA  
DLC Management Corp., Tarrytown, NY  
Donahue Schriber Realty Group, Costa Mesa, CA  
EDENS, Columbia, SC  
Evergreen Devco, Inc., Glendale, CA  
ExOfficio, Seattle, WA  
Fairfield Corp., Battle Creek, MI  
Federal Realty Investment Trust, Rockville, MD  
FedTax, Norwalk, CT  
Foot Locker, Inc., New York, NY  
Forest City Enterprises, Inc., Cleveland, OH  
Gap Inc., San Francisco, CA  
Garrison Pacific Properties, San Rafael, CA  
General Growth Properties, Chicago, IL  
Ginn Solutions  
Givens Books and Little Dickens, Lynchburg, VA  
Glimcher Realty Trust, Columbus, OH

Hart Realty Advisers, Inc., Simsbury, CT  
 Hutensky Capital Partners, Hartford, CT  
 Hy-Vee Inc., Des Moines, IA  
 Inland Real Estate Corporation, Oak Brook, IL  
 JC Penney, Plano, TX  
 Jo-Ann Stores, Inc., Hudson, OH  
 Bellevue Square Managers, Inc., Bellevue, WA  
 Kimco Realty Corporation, New Hyde Park, NY  
 L. Michael Foley and Associates, LLC, La Jolla, CA  
 Larson Binkley, Inc., Kansas City, MO  
 Lewis Electronics, Cleveland, OH  
 Limited Brands, Columbus, OH  
 Lowes Companies, Inc., Mooresville, NC  
 Macy's, Inc., Cincinnati, OH  
 Malcolm Riley and Associates, Los Angeles, CA  
 Marketing Developments, Inc. MI  
 Marshall Music Co., Lansing, MI  
 Meijer, Walker, MI  
 Michaels Electrical Supply Corp., Lynbrook, NY  
 Monte Cristo Bookshop, New London, CT  
 Pennsylvania Real Estate Investment Trust, Philadelphia, PA  
 Petco, Inc., San Diego, CA  
 Point of View Farm, Inc., Bengali, NY  
 Regency Centers, Jacksonville, FL  
 REI (Recreational Equipment, Inc.), Kent, WA  
 Reininga Corporation, Healdsburg, CA  
 RMRResources, LLC, Ann Arbor, MI  
 Rosen's of Maine, Bucksport, ME  
 Sears Holdings Corporation, Hoffman Estates, IL  
 Simon Property Group, Indianapolis, IN  
 Stafford Properties, Inc., Atlanta, GA  
 Staples, Inc., Framingham, MA  
 Steiner + Associates LLC, Columbus, OH  
 Stirling Properties, Covington, LA  
 Tanger Factory Outlet Centers, Inc., Greensboro, NC  
 Target Corporation, Minneapolis, MN  
 Taubman Centers, Bloomfield Hills, MI  
 The Container Store, Dallas, TX  
 The CortiGilchrist Partnership, LLC, San Diego, CA  
 The Greeby Companies, Inc., Chicago, IL  
 The Home Depot, Atlanta, GA  
 The Howard Group, Albany, NY  
 The King's English Bookshop, Salt Lake City, UT  
 The Macerich Company, Santa Monica, CA  
 The Neiman Marcus Group, Inc., Dallas, TX  
 The Pratt Company, Mill Valley, CA  
 The Rappaport Companies, McLean, VA  
 The SEAYCO Group, Bentonville, AK  
 The Sembler Company, St. Petersburg, FL  
 The Weitzman Group, Dallas, TX  
 Tractor Supply Company, Brentwood, TN  
 VPI Commercial Realty, LLC, Knoxville, TN  
 Wal-Mart Stores, Bentonville, AR  
 WDP Partners, LLC, Phoenix, AZ  
 Weingarten Realty Investors, Houston TX  
 Wendy's Company, Dublin, OH  
 Western Development Corporation, Washington, DC  
 Westfield, LLC, Los Angeles, CA  
 Williams Ski and Patio, Highland Park, IL  
 Wolfe Properties, LLC, St. Louis, MO  
 Woolrich, Inc., Woolrich, PA  
 Zumiez, Inc., Lynwood, WA.

NATIONAL RETAIL  
 FEDERATION®

March 19, 2013.

TO THE MEMBERS OF THE UNITED STATES  
 SENATE: On behalf of the National Retail  
 Federation, I respectfully urge you to vote in

favor of the Enzi amendment in support of S. 336, the Marketplace Fairness Act, to the Concurrent Resolution on the Budget for Fiscal Year 2014.

As the world's largest retail trade association and the voice of retail worldwide, NRF's global membership includes retailers of all sizes, formats and channels of distribution as well as chain restaurants and industry partners from the United States and more than 45 countries abroad. In the U.S., NRF represents an industry that includes more than 3.6 million establishments and which directly and indirectly accounts for 42 million jobs—one in four U.S. jobs. The total U.S. GDP impact of retail is \$2.5 trillion annually, and retail is a daily barometer of the health of the nation's economy.

As the retail industry evolves and digital commerce becomes a more prominent portion of total retail sales, it is critical that the tax laws not discriminate between similar businesses based on how their products are distributed. This collection disparity has tilted the competitive landscape against local stores creating a crisis for brick-and-mortar retailers around the country and in your state. The Marketplace Fairness Act addresses the crisis by removing the constitutional limitation on states' authority to collect sales and use taxes from remote sellers. This legislation will level the playing field, while protecting small businesses from complicated laws in other states with a healthy small business exemption.

The Marketplace Fairness Act is a commonsense piece of legislation necessary to modernize our federal and state understanding of sales tax laws so that they can keep current with real world change in the marketplace. Leveling the playing field for large and small retailers alike will create a business climate where retailers have a better opportunity to grow and create jobs in a truly competitive marketplace. Please support the local retailers in your state by voting for the Enzi amendment in support of S. 336, the Marketplace Fairness Act, to the Concurrent Resolution on the Budget for Fiscal Year 2014.

Sincerely,

DAVID FRENCH,  
 Senior Vice President, Government  
 Relations.

[From, MarketplaceFairnessCoalition]

ERICK ERICKSON IS WRONG, HERE'S WHY:

This morning Erick Erickson published a very misleading post that claims that legislation introduced by Senator Enzi (R-WY) will raise taxes and tax online downloads.

The truth is:

The Marketplace Fairness Act will not raise anyone's taxes; in fact it could help lower taxes by making state tax codes more efficient and restoring state and local control.

The Marketplace Fairness Act does not tax the Internet or Internet businesses.

The Marketplace Fairness Act has nothing to do with iTunes—digital goods are not covered by The Marketplace Fairness Act.

At the end of the day, the Marketplace Fairness Act gets the federal government out of the way of state policymaking and restores free market principles by leveling the playing field between local, brick-and-mortar sellers and their out-of-state competition.

By the way, it is probably a coincidence that he expresses his sincere concern for eBay sellers. Certainly eBay couldn't be behind Erickson's piece. The good news is that the Marketplace Fairness Act protects small

online businesses by exempting the first \$1 million in online sales—not total retail sales but specifically online sales—so the exemption actually applies to businesses with far more than \$1 million in annual sales.

One MORE thing Erickson misses is that the tax is already due. As an avid online shopper himself, if he isn't calculating and remitting the use taxes he potentially owes, he could be audited and face fines and penalties. Truth is that every online shopper faces that threat under the current system and that is why a significant majority of online shoppers want the tax collected at the point of purchase.

At the end of the day we shouldn't be surprised that Erickson is taking the side of faceless Internet sellers who are desperately trying to protect their competitive advantage—as much as 10% in some places.

To quote Ronald Reagan, "facts are stubborn things." Erickson is entitled to his own opinion, but not his own facts.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I yield 5 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me first thank Senator ENZI and Senator DURBIN for bringing forward this amendment. I agree with Senator ALEXANDER for his comment as it relates to this bill. Let me talk about one of the objectives we want to see in taxes. We talk about simplifying, we talk about fairness. We also talk about what is known as the tax gap. That is the gap between the taxes that we have imposed that we should collect and what we really collect. When it comes to sales and use tax, it has been estimated that because of the place in which an individual buys the product there is a \$23 billion gap. That is \$23 billion of taxes that are owed are not collected.

This is an urgent problem. In my own State of Maryland it is \$300 million a year. There are people who are paying higher taxes than they should because Maryland has to impose higher rates to make up for that \$300 million. We all talk about a system where we can spread the base and lower the rates. The first way you do it is by collecting the taxes that everyone should pay.

This is a good-governance issue, this is a fairness issue, this is an issue that is not that terribly complicated. We are not talking about any new tax responsibilities. We are not talking about any new taxes. We are talking about getting our local governments, as Senator ALEXANDER has said, the ability to collect the taxes that they impose in a fair manner. This is a matter of fairness. This is a matter of doing what is right.

Let me give one example that was brought to my attention by a retailer in Maryland, a person who works in an electronics shop in our State, where someone came into that shop recently and was shopping for a TV monitor, a

new TV set. They did all the comparative shopping, brought the expert in from that store, answered all their questions and decided on what television set he was going to buy. He then went on his phone and ordered it from an Internet supplier. The price was identical at the two locations—identical. But the person bought it on the Internet because they did not have to pay the State sales tax. They had to pay the State use tax, but they never paid the State use tax. That is something we have to end. That is wrong. That is basic fairness.

The distinguished chairman of the Finance Committee points out, how do we collect these taxes? Let me point out we already collect taxes in our State from sales that are made outside of our State. We do it when there is that nexus that the Supreme Court has acknowledged, and as has been pointed out, the retailer you buy it from adds the State sales tax by putting in their sales the ZIP Code in which we live and they calculate the sales tax and they remit the sales tax. That is currently being done. This is not an additional burden.

Then I heard how complex it is to figure out what taxes are owed. Let me point out two points about that. First, the bill provides that the States adopt the streamlined sales and use tax agreement so we have a uniformity as far as how this is applied. But let me tell you, I do not even know that is totally necessary because there are computer programs today that figure this out for the retailer. The retailer knows the products they are selling and they know how the retail sales taxes throughout the Nation apply to the products they sell. It is a simple program. This is not a burden to the retailer.

Senator DURBIN already pointed out if you live in New Hampshire or you live in Montana or you live in a State that may not have a sales tax, your citizens are not going to pay a sales tax. It does not increase anyone's sales tax. All we are saying is that when our citizens buy products that are subject to our sales and use tax that they cannot get a competitive advantage by going on the Internet rather than using a retail establishment. What is wrong with that? We are not talking about imposing any taxes on anyone.

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. CARDIN. Let me last point out, in an effort to make sure that no small businesses are disadvantaged, there is a small business sales exemption of up to \$1 million, so we are not talking about very small sales. We are talking about a great deal of revenue.

I thank Senator ENZI for his leadership, and Senator DURBIN. This is long overdue. We should pass this.

The PRESIDING OFFICER. The Senator from Washington?

The Senator from New Hampshire?

MS. AYOTTE. I thought I was next. May I check that?

Mrs. MURRAY. I believe they are yielding time off the Republican side.

MS. AYOTTE. Madam President, I rise in opposition to the amendment I heard that is going to be filed, the so-called Marketplace Fairness Act. I think we have need to rename this legislative proposal for what it is, the Internet Tax Collection Act. I come from a State, New Hampshire, that does not have a sales tax nor do we have an income tax. One of our famous Governors said low taxes are the result of low spending, and that is how we do it.

There has been a lot of talk on the floor today about somehow this Marketplace Fairness Act is about States rights. This act, which really should be named the Internet Tax Collection Act, infringes on the rights of retailers in New Hampshire and businesses that have thrived and grown over something great called the Internet. It forces them to become tax collectors for the rest of the Nation. In fact, they would be forced to become tax collectors for nearly 10,000 tax jurisdictions across this country should this proposal go forward.

I have heard a lot of talk about leveling the so-called playing field. There is nothing level about this playing field. These are cash-strapped States looking for more money and asking Washington to impose burdens on other States that have chosen to have a low tax burden, like States such as mine which doesn't have a sales tax. In fact, this is another attempt to turn our businesses into tax collectors. I think it is wrong.

It is the opposite of States rights. There has been some discussion of conservative support for this. There is absolutely nothing conservative about this proposal because, again, what this is about is officials in cash-strapped States across the country looking for new ways to plug their budget holes. They are attempting to make New Hampshire businesses, and other businesses across this country, use the Internet to collect their taxes. This is not just about the State of Tennessee handling its own taxes, it is making New Hampshire, which has no sales tax, collect for the rest of the Nation, and it is wrong.

The exemption for small businesses is a red herring. This so-called exemption doesn't even match up with what the SBA defines as a small business retailer. We know what will happen with the small business exemption. When the States don't get the revenue they want, they will be right back here again looking for us to repeal the small business exemption, saying: It is not fair that this category of businesses has been exempt. They will be looking for more and more, and here we are in

Washington letting them trample on the States that made the decision not to have a sales tax. This bill should not go forward.

I want to share some stories from New Hampshire. My constituents have written to me about this. A company in Franconia, which is in the northern part of New Hampshire, calls this a job killer. From Pittsfield, an online coin and stamp dealer says: If policymakers decide to impose new sales tax collection burdens on small businesses and force them to collect and remit 9,600 tax jurisdictions nationwide, the legal compliance and administrative cost alone would undoubtedly make it harder and, in many cases, impossible to enjoy the opportunities and benefits of the Internet marketplace.

This is from a business in Amherst:

Our company is a poster child for small family-run Internet businesses. We have over 80,000 customers nationwide. The burden of collecting and distributing sales tax for this would be prohibitively expensive.

Finally, another constituent from Boscaawen believes this would open the door for States to begin taxing across their borders for many other different taxes. Another company from Rindge says:

This bill is absolutely terrifying. I think I may not be able to survive. I may not be significant to many in Washington, but my little machine shop is the center of my family's livelihood.

When I hear my colleagues come to the floor and call this a States rights issue, what about States such as New Hampshire? Why are we going to make this vibrant part of our marketplace, the Internet, a tax collection haven for other States? So businesses in New Hampshire and other States are going to collect taxes for Indiana, and this is all because cash-strapped States are coming here and asking Congress to do this.

By the way, for those who believe this is some kind of conservative bill, this is not my idea of conservative. The Americans for Tax Reform are against this, the Heritage Foundation is against this, the Campaign for Liberty is against this, the National Taxpayer Union is against this, Cato is against this, and the Heartland is against this.

This is not about small government. This is about forcing businesses in States like mine, with no sales tax, to become the tax collectors for the Nation. It is wrong.

This is not about small businesses. I urge my colleagues to vote against the online tax collection act because that is what this really is.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 2 minutes to the Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today in support of the Marketplace



Fairness Act. This act will level the playing field for small business retailers in Minnesota and across the country.

I want to thank Senator ENZI for his years of work on this. He had a retail shoe store. I thank Senator DURBIN, Senator HEITKAMP, and Senator ALEXANDER for introducing this legislation. This legislation will simply allow States to help their brick-and-mortar retailers, including the mom-and-pop shops on Main Street, stay competitive in a marketplace where online sales have become a fact of life. The amendment we offered to the budget resolution today lays the groundwork for passing that legislation. It is a commonsense measure which brings our sales tax into the 21st century.

In Minnesota, the retail industry includes nearly a half million workers, which is about one in five jobs in our State. Those retailers need to compete on price and service every single day. The current sales tax system makes it impossible for them to compete.

Senator CARDIN spoke about something that is very common around this country. I have heard the same exact story myself. It is where someone walks into an electronics store and wants to buy a big flat-screen TV, and they get the guy who knows everything to come over and point out what is the best for their needs. The salesman is a very skilled guy. He was hired because he knows what he is doing. He sells the TV, except he doesn't sell it, not for his store. Instead, the customer gets on their smart phone and buys it online. They buy the same exact model at the same exact price, but because he or she doesn't have to pay the sales tax—they are supposed to, by the way, but they don't—they buy it online. They end up saving \$100 and the brick-and-mortar store, which pays for employees, sewer, schools, and everything which makes a society work, loses the sale and cannot compete. It is just not fair. It is just not fair.

This is a commonsense amendment. Small businesses have an exemption. The exemption is written in the amendment. People cannot say, well, just because they have an exemption, we are going to get rid of the exemption in some way. It is an exemption that is a part of the amendment we are proposing.

I am proud to be on this bill. I am proud of my colleagues on both sides of the aisle. The Marketplace Fairness Act is common sense, it is bipartisan, and I urge my colleagues on both sides of the aisle to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am pleased to yield 5 minutes to the Senator from Rhode Island, who is a member of the Budget Committee and has worked hard to get us to where we are.

I appreciate his input to get us to this point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I have similar stories to those that have been described on the Senate floor today. Indeed, a former Member of this body, who is now the Governor of our State, Governor Chafee, wrote to me about a bookstore owner in Middletown, RI. The bookstore owner talked about patrons who would browse for books in his store, only to leave without actually making a purchase. He said they would make a list of the books they wanted to buy and then went to get them more cheaply on the Internet.

I have been approached by a Rhode Islander who works in a shoe store. He said he has seen people come in and have his employees bring them boxes of shoes to try on so they can find the exact size and model shoe they want only to then walk out the door without a purchase. They have seen it happen enough that they think what happens is the potential customer is instead going to an Internet site so they can buy the shoe more cheaply.

Now, there are true efficiencies and true benefits to shopping over the Internet. It is very valuable, and it is very sensible. Those are real factors. That is part of progress, and we have no quarrel with that. However, we should not be using discrepancies in taxes to favor shoe companies, one over the other, because one sells over the Internet and the other sells out of a brick-and-mortar store where people can actually come in and try on the shoes.

As a result of this loophole, big businesses who do business over the Internet have \$23 billion to fiddle around with that doesn't go to support the kind of civic structure of our society—as Senator FRANKEN talked about.

The complexities are not that great. There is an existing Streamlined Sales and Use Tax Agreement that simplifies this immensely. The tax payments will very shortly be built into the basic business software. The concern about small businesses is misplaced because we completely exempt any business with less than \$1 million in annual sales. They have no obligation to comply with this whatsoever.

The National Governors' Association, the National Conference of State Legislatures, the National Association of Counties, the U.S. Conference of Mayors, the National League of Cities, the Retail Industry Leaders Association, the National Retail Federation, the International Council of Shopping Centers, and amazon.com, to their credit, as well as AFSCME, support this.

I hope we can use the vote on this amendment to show that this is a piece of legislation that we are willing to

move forward on. Then, of course, we will have to go through the legislative process of authorization in order to actually pass it into law. The budget amendment will not pass it into law, but I think it will send an important signal that will bring everybody to the table and finally get us to closure on this important piece of legislation.

I will close by thanking Senator ENZI, whom I see on the floor, for his work and his leadership and dedication in trying to get this right over 14 years. Before it was as easy as it is now to comply with this, he was working on this. Every year it gets easier. Every year the software is able to catch up more. Every year more States join the Streamlined Sales and Use Tax Agreement. He and Senator DURBIN have done a service to this country with their leadership on this issue.

Mr. REED. Mr. President, the Marketplace Fairness Act is about leveling the playing field for brick-and-mortar businesses. We have a bipartisan and bicameral bill to do just that. So I am pleased to join Senators DURBIN, ENZI, and many of my colleagues in offering this budget amendment today to add a deficit neutral reserve fund to ensure marketplace fairness by allowing States to enforce their State and local sales tax laws.

This is a big issue in Rhode Island, where businesses have a hard time competing against out-of-State retailers because of outdated rules that require shops on Main Street to collect revenue, but their out-of-State online competition does not.

When Internet commerce was still in its early stages online companies were basically exempted from collecting State and local sales tax for sales to States where they do not have a physical presence despite the fact there was an obligation to collect sales tax on those purchases.

This puts Main Street businesses at a competitive disadvantage, hurts the ability of Rhode Island to keep jobs in the State, and has strained State budgets all across the United States.

In 2012, Rhode Island lost out on estimated \$70 million in uncollected revenue. Revenue that was owed but because of an outdated Supreme Court decision went uncollected. It is past time that we fix this loophole.

I have talked to a lot of local business owners about this in Rhode Island and many of them say the same thing: Since when is requiring all customers to pay the same sales tax rate a tax increase?

This is a bipartisan proposal. It seeks to keep jobs in our communities, and bring much-needed revenue to strained State budgets all across the United States.

I urge my colleagues to support this amendment and continued efforts to close this long-outstanding loophole.

I thank them and yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 5 minutes off the resolution time to my colleague, Senator WYDEN of Oregon, who is an outstanding member of the Budget Committee. He has been waiting to come and speak. I want to thank him as well for his valuable input throughout the process.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend from the Northwest. We worked it out so I could talk a little bit about Medicare and taxes as well.

Before Senator ENZI leaves, I just want to tell him he is someone who gives public service a good name. We have spent a lot of time working together on a variety of issues, such as tax reform, and particularly this idea of transition rules. I just want to tell the Senator how much I appreciate the way he approaches problem solving. I would say to colleagues that what I have not been able to figure out for the 10 years this debate has gone on is how we are going to make this work for America's innovators and small businesses. Let me give just a couple examples and be very brief.

What concerns me most about the bill as it is written today is State revenue collectors, under this legislation, in effect, will be outsourcing their jobs to America's small businesses, America's innovators. If the bill passes in its present form, those small businesses, our innovators, are going to spend their time trying to figure out how to collect all these taxes across the land rather than creating jobs. I don't think that is anything any of us want to do, Democrats or Republicans. That is point No. 1.

Second, I wish to talk about the international implications of this bill. Senator MURRAY and I and others, including Senator BAUCUS, are very close to the border. What concerns me, especially after the legal analysis I received from the Congressional Research Service, is I think the way this bill is going to work, people are going to end up calling it the shop Canada bill or maybe the shop Mexico bill or, what is even more ominous, the shop China bill. I wish to describe exactly why that is the case using the legal analysis from the Congressional Research Service.

The proposal, of course, requires American businesses to collect sales taxes on behalf of 45 State revenue collectors, but it imposes no such burden on foreign retailers that sell into the United States. So an Oregon business would have to collect taxes for New York, but Chinese firms wouldn't have to collect taxes for any State. Washington State businesses would have to collect taxes for Idaho, but Canadian firms are under no such obligation. I ask my colleagues: What is fair about

sacking these American small businesses, these entrepreneurs, which are adding so much value to the new economy, to make it even more difficult for our small businesses to compete with Canadian sellers and European sellers and Chinese sellers? This bill as written is going to be a huge boon, for example, for the idea of setting up online businesses in Canada.

Small businesses all across the country, especially those that are near the border, in my view, would have every financial incentive to incorporate there. For the life of me, I don't see how that could be good for the American economy or fair to American firms that, for a variety of reasons, are not capable of moving.

Senator ALEXANDER was spot on in terms of talking about how we should look to States rights—I am certainly interested in that—but let's not do it so that in a globalized economy, we make it even tougher for American innovators to compete.

At this point, I ask unanimous consent to have printed in the RECORD a legal memorandum that was prepared for me by the Congressional Research Service that describes in great detail the unfairness the so-called Marketplace Fairness Act would create for American firms in a global economy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,

July 23, 2012.

To: Senator Ron Wyden; Attention: Jayme White

From: Steven Maguire, Specialist in Public Finance, 7-7841; Jeanne Grimmer, Legislative Attorney, 7-5046; Erika Lunder, Legislative Attorney, 7-4538

Subject: Analysis of Possible Modifications to the Marketplace Fairness Act, S. 1832.

This memorandum responds to your questions about the "Marketplace Fairness Act," (S. 1832). The Marketplace Fairness Act (MFA) would modify current law to allow state tax authorities to compel out-of-state vendors to collect sales and use taxes. Your office asked CRS to: (1) analyze the impact of expanding the MFA to require foreign sellers to collect and remit sales tax; (2) identify legislative proposals to achieve this and assess if these are consistent with international trade rules; and (3) suggest other taxes that could be collected and remitted if MFA were to become law.

Generally, extending state sales and use tax collection authority beyond international borders could be complicated both administratively and legally. Under current law, states may only impose sales and use tax collection responsibilities on out-of-state sellers of goods and services to in-state persons if the seller has a "physical presence" in that state. This nexus standard is required by the Commerce Clause of the U.S. Constitution. When no physical presence exists, then the state sales and use taxes would apply to these transactions, though remittance of the tax would fall to the in-state buyer to the extent prescribed by state law. So, when the seller does not have a physical presence in the taxing state, the buyer is typically responsible for remitting the tax to the state.

For example, consider a consumer in Virginia who purchases a camera over the Internet or by phone from a retailer based in New York state. The camera retailer does not have an outlet or a physical presence (substantial nexus) in Virginia. The New York retailer is not required to collect New York sales taxes because the transaction does not occur at the retail outlet and the customer is not a resident of New York state. And, the retailer is not required to collect the Virginia sales tax because the retailer has no physical presence in Virginia. The Virginia consumer, however, is required to remit the use tax to the state.

Under its authority to regulate commerce, Congress has the power to authorize state action that would otherwise be an unconstitutional burden on interstate or foreign commerce, so long as it is consistent with other provisions in the Constitution. The Marketplace Fairness Act (MFA), if enacted, would be an example of Congress exercising that power. Under the MFA, Congress would authorize states to shift the burden for sales and use tax collection from the in-state consumer to the out-of-state seller as long as the state had either adopted the Streamlined Sales and Use Tax Agreement (SSUTA) or if the state implemented "minimum simplification requirements." If either criteria are met, then the state could impose sales and use tax collection liability on any remote vendor if the sale was sourced to that state under the sourcing rules in the SSUTA or the act. Neither set of sourcing rules are restricted to physical presence. So, for the states meeting either criteria, the bill would essentially change the nexus standard under the Commerce Clause by removing the requirement that the seller have a physical presence in the taxing state. While the bill would expand the authority of these states to impose sales and use tax collection obligations on remote vendors, it does not provide the states with additional enforcement mechanisms or authority. As discussed below, states could have difficulty in enforcing the law with respect to foreign vendors with little U.S. presence. CRS was not able to find any legislative proposals that would provide such a mechanism. Since no specific piece of legislation has been proposed, the following discussion of possible trade agreement implications is only a general one.

Removing the "physical presence" requirement does not mean that all remote vendors would be subject to the state collection responsibilities. First and foremost, nexus is also required by the due process guarantees of the Fourteenth Amendment. Unlike the Commerce Clause's nexus requirement, Congress may not change the standard required by the Fourteenth Amendment. Thus, even if MFA were enacted into law, states could still not impose sales and use tax collection responsibilities on entities that did not have sufficient contact with the state required for due process. Furthermore, it is possible that other domestic laws could also limit the ability of states to impose the collection obligations. For example, state law might contain exceptions or other provisions that limit or remove the liability in some cases.

With respect to international law, in general, the United States, or a subdivision thereof, could tax a sale by a non-U.S. merchant to a person in the United States without running afoul of what has been considered to be a consensus view of international law regarding a nation's jurisdiction to prescribe tax laws. As set out in the Restatement (Third) of Foreign Relations Law:



A State may exercise jurisdiction to tax a transaction that occurs, originates or terminates in its territory or that has a substantial relation to the state, without regard to the nationality, domicile, residence, or presence of the parties to such a transaction.

The Restatement further explains that taxes on transactions that occur, originate or terminate in a state "include sales, value-added, excise and severance taxes, as well as export taxes and customs duties." It further notes that "states impose sales and excise taxes or customs duties on transactions in or touching the state, regardless of the relationship between the participants and the state," but that "[a]n excise or tariff . . . may be imposed on a person participating in a transaction by reason of that person's relationship to the taxing site even though the transaction occurs outside the state's territory." This latter principle would appear to have relevance for Internet or mail order transactions involving non-U.S. vendors, where the sales transaction itself may legally be sited outside the United States but the purchaser is located within this country. Further, under international law, if a state has jurisdiction for prescribing a rule of law, it also has jurisdiction to enforce that rule, be it through judicial or nonjudicial means.

At the same time, regardless of its status under international law, a requirement that places the burden of collecting the tax on a non-U.S. vendor with no ties to the United States or a particular U.S. state other than the sales themselves would seemingly pose practical problems with regard to its implementation. It appears difficult to envision a workable mechanism by which the United States could compel such a vendor in a foreign country to collect a U.S. tax. In this regard, punitive trade measures, such as prohibiting the importation of products from foreign companies that fail to collect the tax, would appear to raise issues under the General Agreement on Tariffs and Trade 1994 (GATT 1994). For example, GATT Article XI:1 generally prohibits the imposition of quantitative restrictions on imports from other WTO Member countries and a U.S. measure violating this provision would need to be justified under one of the general exceptions set out at GATT Article XX. It may be that, for practical purposes, implementation of a tax collection requirement imposed on non-U.S. vendors that in fact have no nexus to the U.S. state imposing the tax may call for some sort of reciprocal agreement between the United States and countries in which such vendors are legally constituted. Whether such an agreement is feasible, however, is far from clear and beyond the scope of this memo.

Finally, some have noted that U.S. based retailers may respond to the expanded state tax collection authority by shifting operations outside the U.S. to avoid the collection burden. The costs of moving operations and increased shipping costs, however, would seem greater than any benefit conferred by avoiding the collection burden.

With regards to your second question, national measures involving the imposition and collection of taxes on Internet and catalog sales of products would implicate international trade obligations involving trade in goods and possibly trade in services. Regarding a tax itself, Article III:2 of the General Agreement on Tariffs and Trade 1994 (GATT 1994) prohibits a WTO Member from imposing a sales, excise, or other tax on an imported product in excess of the tax imposed on the like domestic product. In addition, tariffs on products imported into the United States

from non-U.S. vendors would be subject to GATT Article II, which prohibits the United States from exceeding the negotiated or "bound" rates for particular products contained in the tariff schedule that the United States has submitted to the World Trade Organization (WTO) under Article II. Also, as noted above, quantitative restrictions on the importation of products from WTO Member countries are generally prohibited under GATT Article XI: 1. GATT Articles III and XI are generally incorporated into U.S. free trade agreements (FTAs) such as the NAFTA. In addition, FTA parties are subject to the tariff rate and tariff reduction commitments made in the FTA regarding goods originating in the territories of the parties.

WTO obligations in the General Agreement on Trade in Services (GATS) apply to "measures by Members affecting trade in services" and thus, were a U.S. tax collection requirement placed on non-U.S. vendors to qualify as such, the GATS would come into play. For GATS purposes, the measure may be at the federal, state, or local level. According to the WTO Appellate Body, the phrase "affecting trade in services" is intended to give the GATS "a broad reach" and "the term 'affecting' . . . indicates a broad scope of application." Here, the Appellate Body upheld a WTO panel interpretation of the phrase "measures by Members affecting trade in services" finding that "no measures are excluded a priori from the scope of the GATS as defined by its provisions."

"Trade in services" would be involved if foreign vendor were considered to be a service provider—likely a provider of retail services—and the Internet or catalog sale fell within one of the modes of providing a service covered by the GATS. Internet or catalog sales may constitute either cross-border provision of a service or the consumption of a service abroad, i.e., the provision of a retailing service from the territory of the vendor into the territory of the U.S. consumer, or the consumption of a retailing service in the territory of the vendor by a U.S. consumer. If the measure were in fact covered by the GATS, the United States would be subject, *inter alia*, to the GATS most-favored-nation (MFN) obligation, meaning that it would need to accord to the services and service suppliers of any other WTO Member treatment no less favorable than it accords to the like services and service suppliers of any other country.

In addition, the United States has made a sectoral commitment under the GATS with respect to retailing services where these two modes of service supply are concerned, thus implicating additional GATS obligations. Thus, to the extent that catalog or Internet sales constitute a retailing service, and the service is provided cross-border or consumed abroad, the United States would be subject to GATS obligations involving market access and national treatment of services and service providers of other WTO Members in the retailing sector. Market access commitments generally involve prohibitions on various types of quantitative restrictions, such as limitations on the total value of service transactions in the sector in the form of a numerical quota. The GATS national treatment obligation requires that, regarding all U.S. measures affecting the supply of services, the United States must accord to services and service suppliers of any other WTO Member treatment no less favorable than that it accords to its own like services and service suppliers. U.S. free trade agreements also contain obligations involving trade in services, including MFN obligations and na-

tional treatment obligations that are not premised on specific sectoral commitments.

While U.S. trade agreements do not appear to expressly address a situation where a foreign service provider of one agreement party is required by another agreement party to collect sales, excise or similar taxes on sales made by the former in the territory of the latter, the obligations described above would be relevant if a case can be made that the requirement is covered by the GATS or the services chapter of an FTA. Further, were a quantitative restriction placed on retail sales services by a foreign service provider to U.S. consumers as a punitive measure for non-collection of sales taxes, GATS market access commitments may well be implicated. As is the case with the GATT, a measure that violates a GATS obligation may be justified under a GATS general exception if all the requirements of the exception are met.

Regarding your third question, the proposed MFA is narrowly focused on sales and use taxes and would not allow for states to use this new authority for the collection of any other taxes:

No obligation imposed by virtue of the authority granted by this Act shall be considered in determining whether a seller or any other person has a nexus with any State for any tax purpose other than sales and use taxes.

The MFA also expressly provides that:

Nothing in this Act shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes,

(2) affecting the application of such taxes, or

(3) enlarging or reducing State authority to impose such taxes.

If you have any questions, please call Steven Maguire on 7-7841, Jeanne Grimmer on 7-5046, or Erika Lunder on 7-4538.

Mr. WYDEN. Mr. President, I will just wrap up with this. As colleagues look at this—and we are going to have plenty of debate—let's think through the implications of what the administrative water torture is going to be all about for small businesses and why it doesn't make more sense for State tax collectors to do their job, No. 1; and No. 2, let us not make it harder for American small business to compete in tough global markets. It is plenty tough as it is.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I yield 5 minutes to Senator COCHRAN.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is encouraging that for the first time in 4 years the Senate is considering a budget resolution. The absence of a resolution during this time has contributed to a breakdown in the legislative process. As a result, we have operated the Federal Government without a blueprint for revenues or spending.

Unfortunately, the budget resolution being considered by the Senate does not reflect a workable effort to get our country back on a sustainable path.

But rather than setting us on a new path toward a more affordable, efficient, and effective Federal Government, the Budget Committee has laid

out a plan for higher taxes and more spending. It does not even pretend to balance the budget. Support of this budget would represent support for a bigger Federal Government and a weaker economy.

I have heard from many of the hard-working citizens in my State who are ready for better economic times and more opportunities to improve their lives. Our priority should be to help strengthen the economy and get government spending under control. The Obama administration has embraced a course which locks us into higher and higher deficits for the foreseeable future.

I am hopeful we can amend this resolution to produce a serious proposal that will lead to a more efficient, more effective Federal Government that better serves hard-working Americans rather than increasing the government's burden upon them.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield 3 minutes off the resolution to the Senator from Minnesota, and then she will take her 30 minutes as the chairman of the Joint Economic Committee following that.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator MURRAY for her great leadership. I also wish to thank Senator ENZI and Senator DURBIN on the Marketplace Fairness Act. This is a bill and an amendment that needs to pass. It is incredibly important to small businesses, big businesses, and to people across this country who work for retailers.

When I travel around my State, I hear from small, locally owned retailers about the competitive disadvantage they face against online retailers, small businesses such as Creative Kidstuff that sells educational and developmental books for kids and Thrifty White Pharmacy, a full-service, employee-owned drugstore.

Right now, States are currently unable to require out-of-State or online-only retailers to collect sales tax and it puts local mom-and-pop stores at a disadvantage. Not only that, but this tax loophole is draining billions of dollars in lost revenues from State and local governments—\$23 billion last year alone across the country.

In effect, this tax loophole subsidizes some taxpayers at the expense of others and some businesses over others. That is why we call this the Marketplace Fairness Act.

I have been committed to a competitive agenda for this country since I got to the Senate, and part of that agenda includes not only encouraging competition and innovation, but it is also about having an even playing field for our businesses. Minnesota alone lost about \$394 million in 2011 from out-of-

State sales that are legally due but not collected. This lost revenue translates into over 7 percent of Minnesota's general sales tax liability in 2011. That is what we are talking about. This is real money.

One of the longstanding principles of tax fairness is that similarly situated taxpayers should be taxed similarly. A bookstore on Grand Avenue in St. Paul has to charge a sales tax, while an online retailer selling that same book hundreds of miles away does not. A consumer buying a T-shirt in downtown Duluth is taxed differently than his friend who is buying that same T-shirt on the Internet. Someone buying a TV at Best Buy—hometown company—in Richfield, MN, is taxed differently than if he buys the same TV online.

Our current situation encourages tax avoidance, undermines our tax system, and ultimately creates a competitive disadvantage for brick-and-mortar retailers at a time when we want them to succeed.

I am so excited that there is a bipartisan group of Senators supporting this bill. Our momentum is growing. We can see it today on the floor.

I ask unanimous consent to have printed in the RECORD a list of some of the supporters from my State that includes major stores such as Target and Best Buy to the Uffda Shop in Red Wing, MN. I have shopped there and I suggest my colleagues do the same. It also includes Mary's Morsels & Catering and Sleepy Eye Floral & Design, to give my colleagues just a sense of the hundreds of companies that support this in Minnesota.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Stand With MainStreet.com.]

Minnesota imposes a sales tax that brick-and-mortar retailers (and their websites) collect at the time of purchase and remit to the state. Today some online-only retailers (including Amazon.com) are exploiting a loophole that allows them to not collect Minnesota sales tax on these same purchases, placing the burden on consumers to self-report and pay that tax directly. However, few do. This gives online sellers a competitive advantage by not collecting the tax and creating the perception that online-only purchases are "tax free." The Minnesota Legislature is considering a proposal to require large online-only retailers to collect sales tax at the time of purchase like brick-and-mortar retailers are already required to do and to bring fairness to the marketplace. Competition among businesses, whether they operate on the Internet or in Minnesota communities, is important. The proposal being considered by the Legislature establishes fairness for a 21st century marketplace and makes sure that all sellers have the same tax collection obligations.

#### E-FAIRNESS SUPPORTERS

##### STATEWIDE BUSINESSES;

Target; Walmart Home Depot; JCPenny; Best Buy; Creative Kidstuff; Barnes & Noble; Sears; Thrifty White Pharmacy; Walgreens.

#### SMALL BUSINESSES

Hennen's Furniture; Happy Sleeper Furniture; Quality Appliance & TV Center; Roberts Fine Jewelry; Eichorn's Furniture; Brownie Furniture; Jenia's Appliance & TV; Woodward's Books; Puffes Fine Jewelry; Ferrin's Furniture; Red Wing Appliance; Wanshura Jewelers; Johnson-Mertz Appliance; Garon Bros Jewelers; Security Jewelers; First Photo; Bookstore at Fitgers; Ski Hut; Explorations; J Skylark Co.

Toys for Keeps; Logan's Furniture; Appliance Village Co. Master Jeweler; Waconia Farm Supply; Factory Direct Furniture; Linsk Flowers; Drury's Furniture; Grand Jete; Schroeder's Appliance Center Kern's Appliances; Bethany Book & Gift; Cycle City; Bob & Frans Factory Direct; Cattale's Books & Gifts; Uffda Shop; Rick's Home Furnishings; Yetzer's Home Furnishing; Vacuum Cleaner Outlet & Services; Valley Book-seller; Bakkum Enterprises, LLC; Mary's Morsels & Catering LLC.

Spicer Bike & Sports; Uncle Hugo's Science Fiction; Bookstore/Uncle Edgar's Mystery Bookstore; T & M Athletics; Artistic Floral; Diekman's Jewelry; Rhoda's Closet Inc.; Hillary's; Pete's Surplus; Christian Book Store; Glenwood Floral & Greenhouses; Kraning Jewelry Inc.; Jenny & Co; The Framing Place and Gallery; Yarn Harbor; Gem Classics Inc.; Teske's Jewelry Inc.; Adventure Cycle and Ski; Bissen's Tavern; J B Off Sale Liquor.

Casey's Bar Inc.; Country Rose Floral; Collins Feed & Seed Center; Liquor Mart; A Johnson and Sons Florist; Kalli's Place; That Special Touch Flower Shop; Strom Clothing Co.; Thomas Liquors; Dar's Pub Inc.; Judy's House of Gifts; Suzanne's Jewelry; Big Guys Bar; Beltone Hearing Care Center; Woodward's Books, Yarns, Fabrics; Anderson Memorials Inc.; Eastside Express; Northwedge Greenhouse; Tradewind Products Art II (Framing & Art Supplies).

Fleur de lis; Replay MMG; Sleepy Eye Floral and Design; Chapel of Love; Grand Performance; Uncle Louie's Café; OFF Sale Liquor; Artistic Treasures; Phillson Award Etc. LLC; Double J Café; Antle's Long Guns & Accessories; Village Liquor; Dan's Dugout; Bremer's Bar Inc.; Shooters Pub LLC; Bill's Repair; Town and Country Café; Stavrakis Jewelers; Wothe Bait; Life in Lavender.

Lake City Radio Shack; A&W Consulting; Bloomington Jewelry & Trophy Co.; Brinky's Liquor; C&J Store; Country Floral; Cross-town Market; Deb's Snow Sled Inn; Hwy. 25 Liquor; La La Homemade Ice Cream; Mike's Drive-In Liquor, Inc.; Moments On Main; On Sale Liquor; Oriental Orchid; Preston Liquor Store LLC; RMR Inc. Roger's Grove City Liquor; Slim's Wood Shop; Stogies Discount Tobacco; Trailhead Cycling & Fitness.

Nelson OFF Sale Card Shop; Colonial Laundry; Tara's Sewing Shop; Witoka Tavern; Doug's Bar; Bud Rose Flowers; The Attic Gallery; Cattales Books & Gifts (new & used book store); The Gumdrops Tree; Pioneer Cycle; Buskala's Jewelry; Straight River Sports & Fitness; Van Guilders; Bayside Floral; Waldeland Jewelry & Gift; Soderbergs Floral and Gift.

#### BUSINESS ORGANIZATIONS

Midwest Bookseller Association; Midwest Hardware Association; Minnesota Retailers Association; Minnesota Chamber of Commerce; Hibbing Area Chamber of Commerce; Saint Paul Area Chamber of Commerce; Dakota County Regional Chamber of Commerce; Richfield Chamber of Commerce; Minnesota Business Partnership; American Booksellers Association; Alexandria Lakes Area Chamber; Litchfield Chamber of Commerce; Woodbury Chamber of Commerce;

Chisholm Area Chamber of Commerce;  
TwinWest Chamber of Commerce.

OTHER

Dakota County Board of Commissioners;  
Sleepy Eye Herald Dispatch.

Ms. KLOBUCHAR. Mr. President, I will conclude my remarks by saying this is an opportunity to help our State and local governments, but it is a big opportunity to help the employees and workers of this country who work every day, showing those TVs, making sense of things, explaining how things work, going to work every day, putting those flowers in the vases. They deserve an equal playing field. This amendment does it.

I am now going to begin my 30 minutes of Joint Economic Committee time. I am the vice chair of the Joint Economic Committee, which is a joint committee with the House and I am the Senate chair.

I ask unanimous consent to speak for up to 10 minutes, that Senator TESTER be permitted to speak for up to 8 minutes, that Senator SANDERS be permitted to speak for up to 5 minutes, that I then again be permitted to speak for up to 5 minutes, and that Senator FRANKEN be permitted to speak for up to 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I wish to first thank Senator MURRAY again for her leadership on the Budget Committee. Day in and day out, month in and month out, she has been working on this budget and she has achieved, along with the committee, a smart, balanced proposal for meeting our country's fiscal challenges.

This is not the first time I have come to the Senate floor to talk about the critical need for a balanced approach and to bring down our debt in a balanced way, but this is the first time in a long time I have actually felt optimistic that we are going to get a budget through the Senate and optimistic that there are a lot of stirrings of bipartisanship and compromise. While our budget, as has been pointed out and I will point out, is very different than the House budget, I think there are still grains of compromise there. We have seen this willingness in the Senate, with our Republican colleagues, to talk about bringing the debt down, whether it is the Gang of 6 or the Gang of 8 or whether it is the work of Simpson-Bowles or the work done with the Rivlin-Domenici group. These are all reasonable proposals. We don't agree with everything in them, but they are all reasonable proposals and they contain some balance.

The other reason I am optimistic is that we have a great opportunity here. I was reminded of this last week when former Republican Senator Judd Gregg testified before our Joint Economic Committee. He actually paraphrased the Foreign Minister of Australia say-

ing, "The United States is one debt deal away from leading the entire world out of economic doldrums."

I couldn't agree more. Look at the economic news we have had in just the last month. We know there is so much work to do, that there are too many people unemployed, and there is too much investment that is not being made. But we also know that we saw the best month for unemployment numbers than we have seen in 4 years. We are seeing a turnaround in the construction market. We are seeing a turnaround in the housing market. I can tell my colleagues that in my State, we have unemployment that is at about 5.6 percent. So we are seeing progress, but we have more to do. The last thing we need to do now is to go backward. We need to go forward, and that is what Senator MURRAY's budget does in a very balanced way.

As I have said many times before, we are talking about balance. I believe the Senate budget achieves the right equilibrium. It includes an equal mix of responsible spending cuts and new revenue from closing loopholes and ending wasteful spending in the Tax Code. Our proposal builds on the \$2.4 trillion in deficit reduction we have already received—I don't think every citizen knows that—\$2.4 trillion. Let's remember 70 percent of that was spending cuts and the other 30 percent was revenue. That is a balance. It is not exactly the balance we wanted on our side of the aisle, but if we were to adopt the House budget right now, we would be at, if we include the past revenues, 10-to-1 spending cuts to revenue. That is not the balance we are seeing in the other proposals that have been made by these bipartisan groups.

How does our budget do this? The additional debt reduction to the \$2.4 trillion we have done to get to over \$4 trillion in debt reduction—first of all, \$975 billion in targeted cuts and \$975 billion in revenue. Again, this will help us to surpass the bipartisan goal of \$4 trillion and put our debt-to-GDP ratio at about 70 percent.

Some of the most important points in the Senate budget include the fact that it replaces sequestration—which is just a hammer—with smart, targeted cuts while also making critical investments in areas such as education, workforce training, and infrastructure.

When I get out in our State with our unemployment rate at 5.6 percent, I hear time and time again that there are jobs unfilled, that we need to train workers, that we need our high school kids to be going into trades again, to be going into technology, math, and science. This budget accounts for that. It produces savings in Medicare and Medicaid by eliminating waste and fraud, promoting efficiency, and emphasizing cost alignment. We know a little bit about this in Minnesota, with the Mayo Clinic and the way we deliver

health care in a high-quality, low-cost way.

One study out of Dartmouth showed that if they simply used in the rest of the hospitals across the country the cost-effective ways of the Mayo Clinic, we could save \$50 billion—\$50 billion in 5 years with chronically ill patients. That gives a sense of what we are talking about when we talk about high-quality, low-cost care.

Our budget also recognizes there is a massive amount of spending that takes place through the Tax Code to the tune of over \$1 trillion per year in tax expenditures.

I come from a State with a thriving renewable energy sector, and 2 years ago we agreed to let the ethanol tax credit expire at the end of 2011, which saved billions of dollars. In fact, that was \$60 billion in 10 years—\$60 billion. I do not understand why the oil industry cannot follow ethanol's lead. I am proud of the work they are doing. I have been out to Lewiston. I have seen the drilling in North Dakota. It has helped to increase our own domestic oil production and decrease our dependency on foreign oil. But I do not believe the oil companies still need \$40 billion in 10 years. That is a lot of money we could bring in to reduce the debt.

We can make other commonsense changes. One I would propose is with the home mortgage deduction, very near and dear to everyone's heart. Cap it at \$500,000 in value of a home. If you buy a million-dollar home, great. Then you get it for up to \$500,000 in value of the home. That brings in tens of billions of dollars in debt reduction.

All told, the proposal that is coming out of Senator MURRAY's budget reduces the deficit by approximately \$2 trillion. If enacted, our debt will continue on a downward path, where our debt-to-GDP ratio will be, as I mentioned, about 70 percent. The Congressional Budget Office has stated that a debt-to-GDP ratio in that range would also result in a 1-percent increase in the size of the economy in that year.

We cannot discount the impact that a growing economy can have on deficit reduction. CBO expects GDP growth to be above 3 percent in 3 of the next 4 years. As the economy grows, we will see more revenue, and we will see lower deficits.

Former CBO Director Alice Rivlin, who just testified last week at a Joint Economic Committee hearing on the very topic of debts and deficits, said this:

The really important thing is to keep the debt from growing faster than the economy.

I could not agree more. Deficit reduction must be paired with economic growth. This is where we need to be, and I am optimistic that ultimately—while we have many differences that we are going to hear a lot about today—ultimately, we are going to come together on something that works for America.

Unlike the proposal in the House, I will tell you the Senate budget preserves and protects Medicare, ensuring that it is there for our seniors today and strong for our children and grandchildren tomorrow.

I firmly believe we can make some reforms to our Social Security safety net, and that those reforms—that money—can go right back into Social Security to keep it solvent. On the Medicare front, there are many things we can do without reducing the benefits for our current seniors, for the people who deserve that help.

Look at what we could do. The VA negotiates prescription drug prices and gets much less expensive drug prices for high-quality drugs. Right now, we do not do that with Medicare. By negotiating prescription drug prices under Medicare Part D, you could produce \$240 billion in savings over 10 years right there. Why not leverage the power of America's seniors? They have a lot of power.

We all agree we need to reduce our debt. But our ultimate goal is not simply a balanced budget; it is a budget that is balanced.

Let's look at what goes on with the Ryan budget. Well, the Ryan budget gives millionaires a huge tax cut, drastically lowering their income tax rate from 39.6 percent to 25 percent.

Last year, the Joint Economic Committee, on which I serve, estimated that a similar plan introduced would have given millionaires an additional \$285,000 in tax breaks, while hitting the average middle-class family with a \$1,300 tax hike.

He also claims his tax cuts for the wealthy, which would cost about \$4.5 trillion—and I say that because I believe they would be paid for by the middle class—will not add to the deficit. But RYAN refuses to name one specific loophole or expenditure that his budget would eliminate to pay for the tax cuts.

Some experts project that such extreme cuts, as we would see in his budget, would cost jobs. I believe that is true. That is why, as we are seeing this improvement in stabilization of our economy, we need to do things in a balanced way over the long term. We need to send the clear message that we are reducing this debt and get to our goal of \$4 trillion in debt reduction in 10 years. But we simply cannot do it by doing it on the backs of the middle class who are still struggling in this country.

I urge my colleagues to support this budget proposal. It is time to get it done. I truly see this as a time of opportunities not only in the next 2 days to get the budget done, but also in the next few months as we negotiate with our colleagues across the aisle to get a budget for America.

Thank you very much, Mr. President.

I now yield 8 minutes to Senator TESTER of Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank the senior Senator from Minnesota. I thank her very much for her comments.

I rise to join my colleagues who understand the need to strengthen our economy while taking responsible steps to reduce our deficit.

Four short years ago we were coming out of the worst economic recession, depression, since the dirty thirties. Today, this country needs a budget that tells Americans we are serious about growing our economy and creating jobs. Strengthening our economy will increase economic opportunities for all Americans and allow small businesses to expand and hire more workers. But a stronger economy will also help us reduce our deficit without cutting the investments that lay the groundwork for a better future for our kids and grandkids: investments in education, in infrastructure, in our health, investments in our veterans.

That is why the budget we are debating today is the responsible path forward for this Nation. It sets forth our priorities. It reduces our deficit without cutting the legs out from underneath our economy. It also tells Americans that we are not going to sacrifice those critical investments to strengthen our economy and enable our economy to grow.

Montanans know what it is like to live within their means. We do not spend what we do not have. And our State government is required to have a balanced budget. That is why Montana is one of the few States that survived the recession without dropping into the red. I am going to get into that in another area shortly.

We cannot tear the Federal Government apart to make up for the decisions that put us here in the first place. Ten years ago, we put two wars on the credit card at the same time we drastically cut taxes. Those choices quickly squandered the budget surplus we had in the 1990s.

Today the Republican plan approved by the House, known as the Ryan budget, uses tricks and gimmicks and smoke and mirrors to balance the budget. It sacrifices the welfare of our seniors, our students, and our veterans to get us back to the good old days.

It ends Medicare as we know it. It hands seniors a voucher that down the road will grow at half the rate of anticipated medical costs. Under their plan, for a procedure that a senior can afford today, tomorrow they will get a voucher for a part of what that procedure will cost, and they will be told: You make up the rest. And if you don't, too bad.

The Ryan plan also freezes Pell grants for students at a time when education costs continue to grow too fast for middle-class families to afford. Pell

grants, education—a major driver in our economy.

It also makes it harder for low-income and unemployed veterans to get the health care they need. The Ryan plan is what I speak of. It cuts funding for women's health care and reduces coverage for preventative health services, such as cancer screenings—affecting 47 million women across this country. It does this while protecting tax loopholes for large corporations and failing to invest in roads and bridges. And the senior Senator from Minnesota knows all about bridges that collapse. She had one collapse in Minnesota. Those investments are necessary.

If you balance the budget by taking the country apart, what is the point of balancing the budget?

Now, there is no doubt we must reduce the deficit, and the Democratic plan responsibly cuts our deficit by putting us on a responsible long-term path that gets our fiscal house in order while investing in initiatives that grow our economy. It reduces the deficit by nearly \$2 trillion over the next 10 years. Now, that is not chump change, and that is on top of the work we have already done over the last few years to reduce the deficit by \$1.6 trillion. It does this while protecting seniors, women's health, middle-class families, and students.

Here is the kicker: Only the Democratic plan reforms the Tax Code and puts those savings toward deficit reduction. The Republican plan specifically forbids new revenue from tax reform to go to lower the deficit. For a party that claims balancing the budget is its holy grail, it is puzzling that Republicans want to use tax revenue to pay for more tax cuts. This is just one of many radical proposals and budget gimmicks they are proposing.

If you are for a balanced budget, then you must be for balanced deficit reduction. Every bipartisan commission that has looked at the problem agrees: to responsibly balance the books, you need to save money through a comprehensive plan that cuts spending, reforms entitlements, and fixes our Tax Code—and uses that savings to pay down the debt.

The time for commissions and working groups is past. We should have learned those lessons. We are here now to do the work to get our long-term deal to fix the budget. We will have to compromise, and that is the way it should be, because working together is what built this country. But only one plan is closer to where we need to be at the end of this debate. The Democratic plan cuts spending, keeps in place reforms to our health care system, and mandates the tax reform we need.

Tax reform will not be easy, but there are a few things that should not be hard to agree on either. I think tax loopholes for big oil and gas companies and corporations that ship jobs overseas should be wiped off the books.

We have two paths we can follow. One path drags this economy into a ditch by dismantling Medicare and cutting investments in infrastructure and our future. The other path takes a balanced approach to put this country on the road to long lasting economic growth and stability.

We have been lurching from one crisis to another for far too long. It has hurt job growth because businesses are holding back. They do not know where the debate in Washington is headed.

Offering them more certainty and strengthening this economy is something we need to do. We need to do it in a responsible way. We need to come together around a plan that strengthens our economy in the short term while taking real steps to reduce our deficit in the long term.

Senator MURRAY's plan is a better choice. It meets the needs of the American people. It shows them we are willing to lead. That is what we were sent here to do.

Mr. President, may I ask how much time I have?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. TESTER. Perfect. Let me also take 2 minutes to comment on an amendment that some of my colleagues spoke of that will be filed to this resolution.

It is an amendment that would not only impose new burdens on small businesses but would also fundamentally alter the rights of States by allowing them to tax entities located outside their borders.

Now, I heard a few Senators earlier today advocating for the elimination of the current standard that only allows States to tax entities with a physical presence in that State.

Montana is one of those States that does not pay a sales tax. We do not want a sales tax. It has been on the ballot a number of times. It has been voted down by the people every time. But under the provisions that some in this Chamber are pushing, small businesses in Montana would be forced to do the bidding of the departments of revenue in other States by collecting and remitting their sales taxes.

Montana's budget is currently operating at a surplus—without a sales tax. The idea that other States would balance their budgets on the backs of Montana's hard-working businesses is not only wrong, it is flat insulting.

This is an unfunded mandate on Montana's small businesses, and it is a slippery slope of what businesses will do to take their collections out of State.

Where is it going to go from here? Agricultural products grown and raised in Montana and marketed in other States? This is an aberration of States rights—rights which so many in this Chamber say they support. I would urge my colleagues to vote against any measures that would gut these States rights.

With that, I thank the Senator from Minnesota and yield the floor.

Mr. SESSIONS. Mr. President, what is our agreement at this point?

Ms. KLOBUCHAR. Mr. President, the Joint Economic Committee has 30 minutes on our side, and I do not know on the Republican side. I think we are about halfway or more into it.

Mr. SESSIONS. You are into it?

Ms. KLOBUCHAR. Yes.

Mr. SESSIONS. OK.

The PRESIDING OFFICER. There is 12 minutes remaining in the period of time allotted for Joint Economic Committee remarks.

Mr. SESSIONS. I thank the Chair.

Ms. KLOBUCHAR. If the Senator would like to speak for a minute or so, if he has something he would like to say.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I appreciated Senator TESTER's remarks and his belief that Montanans believe they should live within their means, and he supports a plan to reduce the deficit. But I just want to share with my colleagues that the budget that is before us today is not balanced. It does not reduce the deficit. It taxes a lot more, but its spending increases at the same level, and there is no net change in the unsustainable debt course we are on.

He said it reduces the deficit by \$2 trillion. I want you to know that is what the Budget Committee claims for that budget, but it is not accurate. It does not reduce the deficit \$2 trillion. It does not. It keeps us on the same path.

It is not a balanced deficit reduction plan, because it doesn't reduce the deficit. It increases taxes and increases spending, if you call that balance. It is not the right kind of plan. I wish we could get together on fundamentals of numbers in that budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I think we have made our case here with the \$975 billion in spending cuts that are contained in the budget, and the fact that to date we have made \$2.4 trillion in debt reduction, and of that 70 percent or \$1.5 trillion has been spending cuts. What we are simply trying to do with this budget is keep this balanced approach to not set an economy—which was literally on its heels a few years ago—back in the same place. We want to do deficit reduction. We want to give our businesses the kind of consistency and incentive to invest, but not do it in a way which Chairman Bernanke has said would cause a sharp contraction by doing too much too soon at once on the backs of the middle

class and seniors. I am very hopeful in the coming months I will be able to find some kind of compromise and agreement with our colleagues.

The American people are tired of the gridlock. They want to see people are willing to work together. I truly believe courage is not just standing alone but standing next to someone you don't always agree with for the betterment of this country. Senator SESSIONS and I have worked very well together on Judiciary matters, and I wish to continue to do this on the budget.

Turning to another matter, I spoke about marketplace fairness, and I support that amendment to this bill. I also want to talk about the medical device tax repeal. As I mentioned before, one of my major focuses in the Senate has been on an innovation agenda, the idea we should manufacture items in this country, invent things, and export to the world. This is how we are going to get out of the current situation we are in. I believe we can do it.

We need to do it by promoting innovation all across this country. My State has a long history of innovation, bringing the world everything from the pacemaker to the Post-it note. We are home to one of the world's leading medical device companies, Medtronic, started by Earl Bakken in his garage. It is not just the large medical device companies and their employees who keep this industry running, the small- and medium-sized companies and their entrepreneurs are incredibly vital as well.

In Minnesota we have over 400 medical device companies employing more than 35,000 people across the State. This thriving technology, the medical technology sector, has been one of the keys to our success and one of the bright spots in America's economy. When you look at the potential for exports, as you see a growing middle class in China and in India, people are finally going to the hospital. They are beginning to receive good health care. We have a great potential here for more jobs in America as long as we do this correctly.

The United States is currently the largest net exporter of medical devices in the world, yielding a trade surplus of roughly \$5.4 billion a year. Medical device companies are also responsible for creating millions of high-paying, highly skilled American jobs, exactly the kinds of jobs we want in this country. These are the kinds of jobs where every parent sends their kid to high school and says, is he or she going to learn something which will create a job? I am looking at our pages right now, and I can tell you medical device jobs are one of those kinds of jobs.

In order to ensure our country remains a world leader in medical device innovation, we need to address the 2.3-percent excise tax on medical devices. As you know, this came out through

the Affordable Care Act. At the time I opposed that tax. We negotiated and were able to get it halved from \$40 billion to \$20 billion in 10 years. It still isn't right because it creates too much of a burden.

Medical device manufacturers are not the ones which are going to get multiple new customers, millions of new customers out of the increase in coverage in the health care bill. Pharmaceuticals might. They negotiated something. Think about it. A lot of medical devices are used by people who are older. They tend to have health care coverage with Medicare and other things. This is the issue here is this is not at the right rate, this is not the right tax, and it should be repealed. The tax is a burden on medical device businesses but, most importantly, it is a disincentive for jobs. It stifles innovation, and it makes it more difficult for the next generation of lifesaving devices to make it to the market. I have been fighting to reduce it, repeal it, and to delay it since the first day it was introduced. At the end of last year, I rallied a record number of Democratic Senators behind the effort. While we couldn't get an agreement included in the fiscal cliff negotiations, we had great traction. I think there were 18 or 19 Democratic Senators in strong support.

I see Senator COATS from Indiana, as part of the strong support we had on the Republican side for repealing this tax.

This is why Senator HATCH and I have filed an amendment to the budget resolution to repeal this tax and help give these businesses and their employees the certainty and stability they need to keep researching, developing, and inventing the next medical breakthrough. Our amendment now has the support of 28 of my colleagues from both sides of the aisle. I am hoping we can continue to work in a bipartisan way.

I yield 2 minutes to my colleague Senator FRANKEN of Minnesota to speak about this important issue.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I rise today to speak about the promise of biomedical innovation in our country, as did Senator KLOBUCHAR. I talk a lot about the importance of biomedical innovation because in my home State of Minnesota there are 400 medical device companies, and there are more than 30,000 employees who support our economy while creating high-quality jobs. They do it while saving and improving patients' lives.

The industry is being punished for its innovation and growth. The medical device tax is cutting into the proceeds which go toward research and development and workforce training. By taxing companies on the first dollar of sales, they are especially hurting the

very small companies, the startup companies, which may not be in profit yet. This is why I am happy to join with Senator KLOBUCHAR, with Senator HATCH, in filing this amendment to the budget resolution to allow for the repeal of the medical device tax. This amendment is an important first step toward fully repealing the tax and providing much-needed relief for our innovators and doing it in a fiscally responsible way.

Along with Senator KLOBUCHAR, I fought this tax from the beginning. The health care law will insure 30 million new Americans while also improving the health care of every American citizen. While I am proud to be a champion of that law, I believe the medical device tax is not the way to pay for it.

On this point, I disagree with the Obama administration, as I did from the beginning. Senator KLOBUCHAR also disagreed from the beginning. We fought against the tax and ultimately we were successful in getting it cut in half from what it was when it came out of the Finance Committee.

As a member of the HELP Committee, I will continue to improve our regulatory process. I am very proud I had a part in helping create the Medical Device Innovation Consortium, a private-public partnership in this industry which is a first of its kind. Part of this, I believe, is the full repeal of the Medical Device Act. As a first step, I ask my colleagues join those of us who are cosponsors of this critical amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I thank Senator FRANKEN for his strong words in support of this amendment. I thank him for being a cosponsor of this amendment.

May I ask how much remains on the Joint Economic time?

The PRESIDING OFFICER. There is 4 minutes remaining.

Ms. KLOBUCHAR. I want to thank the Senators who joined me today as we work to advance a smart, balanced approach for meeting our country's fiscal challenges. The time is ripe for common ground on a budget plan to move the economy forward. While I don't know if we will have that bipartisan plan in the next few days, I think we will get a budget through this Chamber which will pave the way for the kinds of bipartisan negotiations we need to have. We need to keep this country moving, and moving in the direction we need.

When I go out there and talk to small companies throughout my State, they want us to get something done. They want to have consistency so we are not playing green light, red light with the Tax Code; that they know exactly where they stand. I think they all acknowledge everyone is going to have to

sacrifice a little here. I think they acknowledge we are going to have to do something which makes a difference and not just speak about it anymore. We have not only the opportunity but the responsibility to find common ground on a deficit reduction plan which will help build a stronger, more resilient framework for economic renewal so families and businesses have the certainty they need.

I think we know neither party is going to get everything it wishes, but this doesn't mean we can put our heads in the sand and pretend this isn't happening. I truly appreciate my Republican colleagues. When we meet behind closed doors and speak about this, they have a willingness to compromise. I think this is what will happen in the future. However, our job in the next 2 days is to get a fair budget through a balanced budget.

This is what Senator MURRAY's budget is. I have been part of this, and I look forward to working with her and our colleagues in the future to show the American people we can stand tall and do what is right.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise today as the senior Senate Republican of the Joint Economic Committee to discuss one of the most fundamental issues this body confronts on a year-to-year basis, or at least should confront on a year-to-year basis, which is passing a budget through which we could operate the rest of the year and measure how we spend hard-earned taxpayer dollars.

Unfortunately, we haven't had one of these budgets for 4 years. I am pleased we finally have arrived at this particular point. I will speak about that in more detail.

A few years back when I was serving as Ambassador to Germany, I made calls on the various ministers. They would be equivalent to cabinet secretaries in our country. I would always try to get a little background information on them before I went to see if we had anything in common, or an ice breaker to start the conversation.

I was calling on one of the ministers and noticed, reading his background first, his birth date was the same as mine. It was a milestone birthday. We were both born in 1943. At the time, the date of my seeing him was just a couple of months after we both celebrated our 60th birthday.

To break the ice, I said to him: Mr. Minister, we have something in common.

He said: What is that?

I said: We both were born on the same day. Therefore, we both reached a very important milestone in life.

He looked at me seriously and said: And how are you doing with all of this?

I said: Well, I am doing fine. I don't feel any different, and I don't think I



think any different. It is almost as if the number is meaningless.

He looked at me seriously and said: You are in serious major denial. This is a big deal. This is a major milestone.

Well, ever since he said that, I have been wondering, gosh, is that little pain in the right shoulder the beginning of more problems and so forth?

It reminded me of the situation we faced here when others have said the debt problem we have is not a major problem or that we don't have a spending problem. It reminded me of the minister who said: You have to be in major denial.

Year after year, we are spending a lot more money than we take in, and there is no end in sight to that. Mandatory spending alone on programs such as Medicare, Medicaid, and Social Security is projected to double in a few years' time. It is estimated each new child born today will inherit \$50,000 or more of debt, which they will need to pay off as they grow, go through their education years, and become part of our economy. They are going to be saddled with this ever-growing debt.

My three latest grandchildren, Grace, Charlie, and Avery, all young, just a few years old, are inheriting a very significant amount of debt which will saddle and stifle their opportunities to participate in the American dream and enjoy many of the same opportunities many of my generation have had.

Interest rates were held down by the Fed at historically low levels. We might also be facing our day of reckoning. I had the opportunity to speak with the Fed Chairman some time back. He indicated we are running out of tools here at the Fed to address these problems. The people up the street who handle the fiscal issues, not the monetary issues, need to stand up and address the problem.

I think we all know we can only keep interest rates low for so long. It is important to understand a 1-percent point increase in interest rates would add over \$1 trillion to the United States debt in a 10-year period of time. These historically low rates are not going to stay historically low forever. They are going to rise as investors lose confidence in America's ability to pay off their debts in the future if we keep plunging into the level of debt and deficit spending which has been taking place here over the last several years. Eventually, we are going to reach that tipping point, and when we reach that tipping point, investors and consumers lose confidence. When that happens, interest rates rise. When interest rates rise, it impacts our economy in a very significant, negative way. All we have to do is look across the Atlantic, in Europe, to see what is happening there to get a glimpse of the crisis that can come with not dealing with the ever-increasing debt and not taking the necessary steps over a period of some time

to put our country on a fiscal path to health.

I think most of us here know that we have to make some tough choices and that it will require political will in order for us to address this. We have been avoiding this for years, and we are going to face a debt-induced catastrophe if we don't address it and address it soon.

So when you are faced with this kind of fiscal mess, what do you do? Well, what families and businesses all across America have had to do when they have faced these types of situations—sit down, create a budget, and put themselves back on a path to balance and prosperity in order to avoid the inevitable: a collapse of the family budget or the business budget. Our communities and our States have had to do this. We see this happening everywhere except in Washington. It is this body and this administration that have refused to step forward, No. 1, to pass a budget on which to guide our spending and, No. 2, to make the decisions necessary to turn this economy around and begin to put us on a better path toward a balanced budget.

Why a budget? Well, it helps us identify priorities. Sitting on the Appropriations Committee, where agency heads and Secretaries come before us and present their requests for the future fiscal year in which we are making decisions, I ask each one of them: Do you have a plan B?

They say: What do you mean by a plan B?

I say: if we continue down this path that is going to ever shrink discretionary spending—whether it is for cancer or paving roads or education or any other worthy project, there is going to be less money if we don't address this spending problem, particularly if we don't address mandatory spending.

I ask them: Have you looked at doing what every family has had to do and what every business has had to do during these 4 years of tepid growth, which just seems to linger and linger and linger? We still have 23 million people out of work. Have you looked at ways in which you can make your spending and the parts of the budget you oversee more efficient and more effective? Are there things you can cut? Are there programs you can eliminate that no longer are effective or perhaps shouldn't have been there in the first place? Are there things you would like to do but without the resources are not able to do at this time?

You know, if a family is faced with lower revenue—dad's salary has been cut or mom has lost that second income or for whatever reason—and they are having a hard time making payments—education for the children, mortgage payments, and so forth—the family has to say: You know, we are going to have to look at how we spend

money, and we are going to have to cut back. Maybe we won't be able to go to Disney World this year as we had planned. Maybe we will need to buy a tent and go to the State park or do something less expensive. And if they have kids with a credit card: We are going to have to put limits on that or you are going to have to scale back.

These are decisions every family has had to make. These are decisions every business owner is faced with and has to deal with, and they are doing that. But this is a decision that hasn't been made here.

Well, it has been 4 years—1,400-some days; I think 1,422 days and counting—since this body, the Senate, has passed a budget which would allow us to determine what our priorities are or at least give us a guidepost as to how we are going to spend money. Four years since this body has presented to the American people, who elected us to come here and represent them, a budget and give them the transparency of how we are spending their money.

Finally, after 1,422 days, after 4 years, we have a budget before us. While I am pleased that is the case and I am pleased we are here debating that, it is disappointing when we learn what that budget offers.

One would think, after 4 years—and particularly after the 4 years we have been through and the 23 million people unemployed or underemployed and the rate of growth of this economy half of what it normally is—that the budget being presented to us would take some steps toward addressing our spending issues and would not incorporate \$1 trillion or more of increased taxes, which will simply go to more spending. How could we possibly support a budget—being \$16.7 trillion in debt—that plunges us further into debt—a staggering increase in debt—and also doesn't reduce spending? That is at least a step but nothing nearly appropriate to what we are facing.

So this budget grows government. Let's not make any excuses. It grows government by increasing spending, and it grows government by a massive increase in taxes just after we have had one a few months ago, not counting the massive increase in taxes that is going to occur beginning in 2014 with the implementation of ObamaCare. When we add that up and look at the cost of that, we face a dire circumstance. So one would think a budget being offered to us would not increase debt by 42 percent but would address the real problem.

I know there has been a dispute about how much of the budget revenue is increased taxes. Some say \$1.5 trillion. Those who have presented the budget simply say: Oh, no, it is only \$1 trillion. Well, whether it is \$1.5 trillion or only—only—\$1 trillion, it is \$1 trillion in new taxes on the American people after they just got hit with more

than \$½ trillion 2 months ago and are going to get hit again with another \$1 trillion when ObamaCare fully kicks in. I mean, it just defies credibility, and I think the investment community and consumers and taxpayers all across America look at this and say: What in the world are you doing?

What are the consequences of this? Well, the Heritage Foundation indicates that the Senate Democrats' budget would cost over 8 million jobs nationwide and 225,000 jobs in my own State over the next 10 years. They estimate that the budget would reduce economic output by \$1.4 trillion and reduce private domestic investment by \$820 billion. We certainly see the trend here, and the trend is a negative consequence not a positive consequence.

So I think these statistics emphasize the fact that the entire mindset behind this budget seems to be how we can find more revenue to fund more government spending rather than how do we grow the economy. Our goal ought to be to grow the economy, not grow an already bloated government with more taxes to pay for more government spending.

This budget never balances the budget. We will never reach the point our States have had to reach in balancing their budgets. The majority of our States have had to pull themselves out of a hole, and they have done so because many are constitutionally mandated by their own State constitutions to balance that budget. Families have had to balance their budgets, and businesses have had to balance their budgets. Only the Federal Government doesn't seem to balance its budget and this plan doesn't even attempt to get us there.

I have been coming to the Senate floor day after day after day this year basically talking about the need for Republicans and Democrats and the President to come together with a bold, credible, and enforceable long-term plan to reduce our debt and put our country back on a path toward growth and prosperity. We need to recognize that it will take more than a quick fix. It is going to take more than this soap opera drama of kicking the can down the road, extending the decisions we have to make for yet another few months behind this, behind that, or whatever. It is going to take the will to roll up our sleeves, stop wasting our time and instead get to work on a plan that will deliver real results for the American people.

To solve this dire situation and reduce dangerously high debt, I believe we need a plan that includes three major things:

We need to reform the way we spend. We need to go through each program at every agency and department and determine how we can do more with less. My colleague from Oklahoma, TOM COBURN, already has taken steps to

triage our Federal Government's spending by identifying programs that are ineffective, unnecessary, and overly duplicative.

We need comprehensive tax reform. The Joint Economic Committee has heard witnesses from the left, from the right, from the middle, nonpartisan, Republican, Democratic, Independents, and there is a consensus: If we don't have comprehensive tax reform together with a sensible, credible, long-term, enforceable deficit-reduction plan, we will not pull ourselves out of this mess we are in.

The growth element of what we need comes through tax reform. Senator WYDEN and I, in a bipartisan way, have worked for years—he worked years before that with former Senator Judd Gregg—on putting together a plan. We are not saying it is the be-all, end-all, but it forms the basis for a simplification of the Tax Code. It is revenue neutral, it addresses our lack of competitiveness around the world in terms of our corporate entities and businesses, it fixes rates at reasonable levels, and it ought to be the basis for at least the discussion and moving forward.

If we don't combine our spending discipline with comprehensive tax reform, we are not going to have the element that will produce the growth and revenue that will bring us closer to balance.

Finally—I talk about this all the time—let's have the courage to address what we know is driving us into more and more deficit and will prevent us, if we don't adjust it, from ever having a rational plan to get us out of this situation, and that is mandatory spending.

Let me quote from the President's own bipartisan commission. They said:

By 2025, revenue will be able to finance only interest payments, Medicare, Medicaid, and Social Security. Every other Federal Government activity—from national defense and homeland security to transportation and energy—will have to be paid for with borrowed money.

That is because our revenues will only pay for these few programs, which are eating up all of our expenditures. So from cancer research to education, from paving roads to air traffic control to meat inspectors, national defense and homeland security, and everything the government does that is an essential function for the Federal Government—all will be paid for with borrowed money.

Let me go back to their statement.

Debt held by the public will outstrip the entire American economy, growing to as much as 185 percent of GDP by 2035. Interest on the debt could rise to nearly \$1 trillion by 2020.

That is just 7 years away. Returning to the quote:

These mandatory payments—which buy absolutely no goods or services—will squeeze out funding for all other priorities.

So not only will the uncontrollable growth of mandatory spending squeeze

out funding for all other programs or priorities in our country, but it will also jeopardize the safety net we have put in place for retirees who have worked hard and put money aside to become eligible when they retire for Social Security and Medicare and for those who find themselves in a situation where Medicaid is a necessary safety net.

We have always taken pride in being a country that is compassionate. We have been a place where, if you work hard, you can earn a good living, you can raise a family, and in later phases of life you will be able to rely on the safety net of health and retirement programs you have invested in. But if we don't act on mandatory spending, if we don't act on Medicare and Medicaid and Social Security, we will all but ensure the demise of these much needed programs for future generations. Failing to act and leaving our children and grandchildren with this enormous debt burden is immoral.

We all know—or we ought to know by now—our current path is unsustainable. Academics, economists, and business leaders from all sides of the political spectrum repeat the same thing: Unless we make the tough choices we have been avoiding for years, we are going to face a debt-induced catastrophe and it is only a matter of time and the clock is running down.

Congress and the President must summon the courage and the political will to do the right thing and take the tough medicine now that will heal this economy. What we have been doing for the last 2 years that I have been here is basically looking at a chronic illness and saying: Take two Advil; maybe you will feel better in the morning. That doesn't work. We need the bold, the credible, and the enforceable plan that will put us on the path to prosperity, and it must include spending discipline, comprehensive tax reform, and mandatory spending reform.

I am going to be offering up to five amendments to this budget. I don't want to spend a great deal of time on this now. I will, for the record, mention the five I am going to offer.

The first is a mandatory spending budget point of order. This would be a point of order against any legislation that increases the net level of mandatory spending at any time our gross Federal debt exceeds 100 percent of the economy or our GDP.

Numerous studies have said that when we reach 90 percent, we are at a tipping point, and it becomes historically proven that it has a serious negative impact on our economy. I have raised this to 100 percent to allow a little room. This point of order will be in place and, if passed, can only be overridden with 67 votes. This should force Congress to think before we act.

Secondly, I am offering an amendment that is called debt transparency



legislation. One of my colleagues and a Member of the House of Representatives, LUKE MESSER, has passed similar legislation in the House with very significant bipartisan support.

It simply requires the Congressional Budget Office to report annually an estimate of the cost per taxpayer of the deficit for any year that the President's budget is projected to be in deficit. The American people deserve to know this number, and this amendment would achieve that.

I am also offering an amendment to repeal the 3.8-percent tax on investment income. If we want to stifle the economy more, if we want to prevent more growth and slow down this economy, throw in yet another tax on the very people who are providing the capital and the investment.

We just talked about the medical device tax, which I have supported, working along with Democratic cosponsor Senator KLOBUCHAR from Minnesota and many others who have joined us. It is an absolutely irresponsible tax, simply a way for the administration to pay for the costly health care law that taxes the very industry that is providing us revenues, high-paying jobs, and helping our trade balance exported quality products. This is crippling, and it is forcing some of these companies to look overseas because of this egregious surtax on top of all the other taxes they pay. So I support the amendment of Senator HATCH and Senator KLOBUCHAR to repeal that medical device tax.

I am also offering an amendment designed to fix our broken and convoluted Tax Code. I see Senator WYDEN has come to the floor. Senator WYDEN and Senator Gregg started a heroic project several years ago to put together a comprehensive tax reform package. The work and the hours spent in pulling this together is amazing. When Senator Gregg left the Senate, he called me and he said: This is something I think you ought to take a look at. Perhaps you can take my place and work with Senator WYDEN so it can be a bipartisan effort going forward. We have discussed this with our colleagues. It should serve as the basis for tax reform.

As I said earlier in my remarks, we cannot address this problem without spending discipline and comprehensive tax reform combined. All the witnesses who have come before us in the Joint Economic Committee have asserted this and enforced this; that it is the necessary element to provide the growth to accompany the spending discipline and, added to that, the mandatory entitlement reform.

Finally, an EPA amendment—which working with my colleague Senator MANCHIN, a Democrat, again, a bipartisan effort—to deal particularly with an EPA rule. I will not go into the details of that.

But these will be some of the amendments I will be offering in conjunction with my colleagues to hopefully make this budget a better piece of legislation.

To conclude, it has been 4 years since the Senate has passed a budget. The plan before us, in my opinion, has not been worth the wait. It will not help generate more jobs for the more than 23 million Americans who are either unemployed or underemployed. It will not improve this slow economy. It will not save Medicare and Social Security from going broke. It will not produce a path to bipartisan comprehensive tax reform. It will not ever balance the budget. It will not help hard-working Americans get back to work and get ahead in this life. We can do better than this.

After 4 years of inaction, the American people deserve better than this plan. The American people elected a divided government. It was not a mandate for either party. It is a challenge, a challenge all of us need to accept.

So let us act now. Let us summon the courage to stand and work together on a truly balanced plan—not one that calls for ever more spending and ever higher taxes but one that puts in place real reforms.

The first step is passing a credible budget. Sadly, in my opinion, this budget doesn't match the need. Hopefully, we can make the adjustments for this to put us on that path to prosperity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield myself 10 minutes off the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, we are having this debate in hopes of ultimately reaching a fair and bipartisan budget deal. We all know that is not going to be easy, so the least we can do is get our facts straight. It is kind of disappointing to see that rather than engaging in a productive conversation, some of our Republican colleagues prefer to launch some pretty inaccurate attacks. I would like to take just a moment to correct some of those inaccuracies so we can focus on the urgent task at hand.

Some Republicans continue to claim the Senate budget includes a \$1.5 trillion tax hike. I talked about this last night, but I wish to make it clear again. This is not true. Here are the facts:

Of the \$975 billion in new revenue from those who can afford it the most, \$480 billion is matched with responsible spending cuts to fully replace sequestration, \$100 billion goes toward targeted, high-priority infrastructure repairs and job training to help boost our economy and put Americans back to work. The rest goes to reduce the def-

icit. But, unfortunately, rather than seriously considering the credible path we have presented in our budget plan, some Republicans have decided to play some games with these numbers and are not telling the truth.

Instead of subtracting the sequestration replacement portion and the investment package from that \$975 billion in total revenue, they are trying to say we should add it all together. They are taking one side of the ledger, combining that with the other side of the ledger, and coming to a conclusion that makes absolutely no sense. It doesn't make sense. You don't have to take my word for it. Fact checkers and reporters have called this claim false. They have called it a step too far. The Washington Post fact checker even gave it two Pinnochios.

Republicans have also made the argument that this budget actually only includes \$300 billion in deficit reduction. That distorts the facts. It is not true, and it is inconsistent actually with what Republicans have claimed in the past.

Our budget includes 1.85 in deficit reduction, evenly divided between responsible spending cuts and new revenue. That revenue comes from closing loopholes and cutting wasteful spending from a Tax Code that has been skewed toward the wealthiest Americans and biggest corporations. But some Republicans say that because part of what we are doing is replacing sequestration with smarter deficit reduction, that this somehow diminishes the savings.

I actually find this kind of interesting because I served on the Joint Select Committee on Deficit Reduction when Republicans and Democrats discussed ways to replace sequestration, which was, of course, well after sequestration had been signed into law. We didn't reach an agreement because Republicans refused to include revenue. But we did agree then that deficit reduction to replace sequestration was deficit reduction. In fact, my colleague Senator TOOMEY put forward a plan to replace sequestration—to replace sequestration that he said would have “reduced our deficit by \$1.2 trillion.”

I find it odd that some Republicans were willing to count replacing sequestration as deficit reduction when they were putting forth plans to do it, but they will not treat the Senate budget the same way, especially since bipartisan groups, including Simpson-Bowles and Domenici-Rivlin and the Committee for Responsible Federal Budget, all used the same starting point that the Senate budget does. Like us, these groups knew sequestration was not deficit reduction. It was there to trigger deficit reduction that would come from replacing it. That was the whole point.

In fact, the Center on Budget and Policy Priorities noted that the Senate

budget uses the appropriate starting point:

“Bowles and Simpson received no criticism when they did the same thing for their new budget plan of a few weeks ago.”

I didn't hear any Republicans complaining then. This just goes to show that, sadly, some of our Republican colleagues appear more interested in politicized attacks than serious consideration of our plan. The American people deserve better. They deserve better. They want an honest conversation. That is what we are trying to have with the credible approach we put forward.

Finally, I wish to strongly dispute the criticism I have heard that Democrats somehow don't take reducing our deficit and debt seriously. Despite what you may have heard, Democrats care deeply, as we both know, about restoring our Nation's fiscal health. We think it would be absolutely wrong to pile up unsustainable debt and hand it to our children. That is exactly why the Senate budget presents a serious, credible, and sustainable approach to getting our debt and deficits under control.

Experts on both sides of the aisle have generally come together around a few principles for a responsible deficit reduction plan. The Senate budget builds on the work of the last 2 years to meet each of those benchmarks.

In 2010, the Simpson-Bowles fiscal commission recommended finding roughly \$4 trillion in deficit reduction over 10 years. This has now become the benchmark of other serious bipartisan proposals. The Senate budget builds on the \$2.4 trillion in deficit reduction that has already been done in the last 2 years since Simpson-Bowles, with an additional \$1.85 trillion in new deficit reduction, for a total of \$4.25 trillion in deficit reduction since the Simpson-Bowles report.

What the Senate budget does is it takes us the rest of the way to that \$4 trillion goal and actually beyond it. Following the recommendations of Simpson-Bowles and the Senate Gang of 6 plan, the Senate budget importantly reduces the deficit to below 3 percent of GDP by 2015 and keeps it well below that level for the rest of our 10-year window in a responsible way. It pushes our debt as a percentage of the economy down, moving it in the right direction, as we have been told is an important goal.

So our budget reaches these benchmarks the way the American people have consistently said they want it done and the way economists and experts across our political spectrum have recommended—with an equal mix of responsible spending cuts across the Federal budget and new revenue raised by closing loopholes and cutting wasteful breaks that, by the way, primarily benefit the rich.

This budget responsibly cuts spending by \$975 billion. As a member of the

Budget Committee, the Presiding Officer knows we made some pretty tough choices to get there.

We think every program, including the ones that we know are important, needs to be wringing out the waste and trimming fat and reducing costs so our taxpayers get that benefit. So \$500 billion of our deficit reduction comes from responsible savings on the domestic spending side, including, by the way, and I remind all, \$275 billion in health care savings that we do in a way that does not harm seniors or families.

There are no sacred cows. We have put everything on the table. But we do it in a responsible way to preserve and protect and strengthen programs such as Medicare and Medicaid that the American people support as well. Our budget saves \$240 billion by carefully and responsibly reducing defense spending while giving the Pentagon enough time to plan and align the reductions to time with the drawdown of our troops from overseas. The remainder of the savings, \$242 billion, comes from savings on interest payments due to lower debt.

Taking the balanced approach the American people have consistently called for, our Senate budget matches those responsible spending cuts with \$975 billion in new revenue, which is again raised by closing loopholes and cutting unfair spending in the Tax Code while locking in tax cuts for the middle class and low-income working families so we protect them from paying anymore.

There is bipartisan support for reducing the deficit by making the Tax Code more fair and efficient. During the fiscal cliff negotiations, Speaker BOEHNER proposed that we reduce the deficit by \$800 billion by closing what he called special-interest loopholes and deductions. So the Senate budget takes him up on that. Every bipartisan group that has tackled this issue in a serious way recommended a lot more revenue than the \$600 billion raised from the wealthiest Americans in the yearend deal.

If our budget passes, the total deficit reduction since the Simpson-Bowles report will consist of 64 percent spending cuts, 14 percent tax rate increases on the rich, and 22 percent new revenue from closing loopholes and cutting wasteful spending in the Tax Code. That is a responsible approach. It is a balanced and fair approach. It is the one endorsed by bipartisan groups and experts and it is one that is supported by the vast majority of the American people.

I want to say this again. Here are the facts. Our budget does not include a \$1.5 trillion tax hike. It does raise \$975 billion, again from closing loopholes and cutting wasteful spending in our Tax Code. It reduces the deficit by \$1.85 trillion when analyzed the same way Republicans have analyzed their own proposals. And Democrats do care deep-

ly about our country. We do want to reduce our debt and deficit, which is exactly why we have put forward a responsible proposal to put our debt and deficit on a downward sustainable path. As we continue this debate over the next day I urge my Republican colleagues to stick to the facts. Let's end the misinformation. Let's work together on the job the American people want us to focus on and get a comprehensive budget deal and get our country back on track.

Mr. President, I yield 10 minutes off the resolution to Senator WYDEN.

Mr. SESSIONS. Mr. President, will the Senator yield for a question? I will not insist on an answer but I wish to raise something.

Mrs. MURRAY. If the Senator would withhold, because we have two Senators waiting to talk. I will be happy to answer that. Can we let two of them go on our time?

Mr. SESSIONS. You have the time. That will be fine. Thank you.

Mrs. MURRAY. I yield 10 minutes to Senator WYDEN and 35 minutes to Senator LEVIN.

Mr. LEVIN. If I can ask Senator WYDEN to yield, that 35 minutes will be allocated by me among a number of Senators on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, when we began the budget debate in Senator MURRAY's committee last week, I said that Senator MURRAY's challenge gave new meaning to the idea of playing a tough hand. Many thought her task was essentially "Mission Impossible."

The fact is, for all of us who know Senator MURRAY well, she has spent her whole life coming up with solutions to those matters that people said were "Mission Impossible." She spent her whole life coming up with accomplishments that actually solve problems. I commend Senator MURRAY for all of her work on this matter. I think it is very clear that when we get the kind of bicameral, bipartisan agreement that addresses the major concerns we are debating here on the floor, it is going to be in no small measure because Senator MURRAY continued to reach out to all sides. I want her to know how much I appreciate that.

I think we all understand these are complicated issues. At the same time, the challenge of coming up with a bipartisan agreement here is not rocket science in terms of identifying what the issues are. There are two issues here. One of them is taxes and the other is Medicare. The two of them in fact are inextricably linked in many respects, because I have heard some on the other side of the aisle say I will look at ways to reform taxes if colleagues on the Democratic side will look at ways to protect Medicare and at the same time hold down its costs.

We have heard other Senators say the reverse. So these issues are inextricably linked.

One of the reasons I support this budget this evening is that I think this budget provides significant space for Democrats and Republicans, as this process goes forward, to produce bipartisan solutions on those two issues, the tax question and the Medicare issue, in the days ahead.

Let me take a few minutes. Senator COATS talked about our bipartisan efforts. I have had a chance for the last 5 years to work with two very thoughtful, conservative Republicans—Senator COATS and our former colleague Senator Gregg. Senator BEGICH and I have been part of a bipartisan team that is, in effect, seeking to modernize some of the principles that a very big group of Democrats and Ronald Reagan agreed to in the 1980s, which is to clean out some of these outlandish special-interest tax breaks.

I see my good friend Senator LEVIN tonight. He is going to outline just some of those outlandish tax breaks. We ought to clean them out and use a portion of those dollars to hold down the rates and keep progressivity. In the 2 years after Democrats and Republicans did that in the 1980s, the country created millions of new jobs. No one can say that every one of them was due to that tax reform effort, but it certainly helped.

We had Senator ENZI on the floor earlier this evening. I have been working with him on something that I think has been missed in the tax reform debate, and that is Senator ENZI has said when are people going to start talking about the transition rules you would need to actually implement the tax reform plan because today in a global economy—and Senator MURRAY and I come from a part of the world that is so trade sensitive—here we have Senator ENZI talking about something very practical that ought to be very attractive to the most progressive Member of the Senate and the most conservative Member of the Senate. Under the Murray proposal these are the kinds of ideas we should be looking at in the days ahead.

Let me now turn, if I might, to the Medicare issue. Again, we all understand it is right at the heart of this when Senator MURRAY and Congressman RYAN and all those who are going to be in a bipartisan conference are negotiating. I continue to believe it is critically important to protect the Medicare guarantee, something I have battled for since the days when I was codirector of the Oregon Gray Panthers, and we can do it in a way that will hold down costs. This is another area where Senator MURRAY has given us a chance to look at some of the solutions that could win support on both sides of the aisle. I will touch on them briefly.

For years now we have had advocates on all sides of the political spectrum talk about the value of merging Part A, which is the hospital portion of Medicare, with Part B, the doctors and outpatients part of the program. Here is a chance to save billions of dollars while also helping vulnerable seniors hold down some of their out-of-pocket expenses. It is there for the doing under the Murray budget. I think we can forge bipartisan support for it.

Let me move on now to the question of chronic care. This is where more than 70 percent of Medicare costs go, for those who are suffering from heart and stroke and cancer and diabetes. The accountable care organizations, which are an important part of the Affordable Care Act, are clearly going to help with respect to how we look to treat this population. But it is not going to lift all the boats. There are a lot of very effective plans and group practices around the country that are going to give us the opportunity to put in place integrated, effective plans to help the most sick among us. We ought to pursue it. The Murray budget will give us that opportunity.

I will close simply by saying there are some very good ideas for promoting Medicare quality and holding costs down, which cost very little, such as the approach Senator GRASSLEY has given me the chance to partner with him on, that would open for the first time the Medicare database so that we would get a sense of what Medicare was paying various doctors and providers for various services.

I know colleagues are waiting to speak. I will wrap up by saying that on the biggest challenges of our time, which I think come down to two issues, taxes and Medicare, the Murray budget gives us a chance to come together in a bipartisan way. We are not going to get it all done, obviously, this week. But we are going to have a chance to do it and I think in both of these areas, taxes and Medicare, there are Senators on both sides of the aisle who can pick up on this budget and find a way to help Senator MURRAY and others who are going to participate in these discussions get us to the solutions we need that will strengthen our economy and protect our people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first I commend Senator MURRAY and the Budget Committee for the plan they have presented to us. It represents an enormous step forward on an issue of huge significance to American taxpayers. It is a step toward balanced deficit reduction.

An important part of balanced deficit reduction is reducing the deficit without severely damaging important protections for and investments in American families. One way to do that is by

ending unjustified tax loopholes and ending the damage they have inflicted on our budget. Senator MURRAY's summary of the Foundation For Growth, the budget plan before us, refers to "the sheer magnitude of the revenue lost to off-shore tax abuse, wasteful and inefficient loopholes, and other business tax breaks."

Many Senators have focused on this issue over the months and the years. A number of them will, I expect, be joining me on the floor over the next few minutes. For many years as chairman of the Permanent Subcommittee on Investigations I have focused on the maze of offshore schemes and complex gimmicks that are concocted to allow a privileged few to avoid paying the taxes that are rightfully owing.

Our subcommittee has, on a bipartisan basis, filled volume after volume with damning detail on how these schemes work and the damage they cause. As Senator MURRAY and the Budget Committee have pointed out in their blueprint, we are at a moment in history when we can remove this blight. The pressures on the Federal budget and the threat to economic growth and prosperity that they represent require action. We must close these loopholes. The relentless arithmetic of our budget situation compels it; fairness and justice demand it.

We come to the floor today in support of the revenue provisions in the budget resolution before us. We are going to outline the ways for ending these tax avoidance schemes, the preposterous contortions that too many corporations and wealthy individuals employ to avoid paying taxes. We will illustrate the huge loss in Federal revenues, the resulting rise in deficits from these contortions, and will show how that loss has contributed to a shift in the tax burden from corporations and the wealthy to middle-class families and small businesses. This is a shift that has occurred largely without the notice or the approval of the American public. We are going to demonstrate how closing these loopholes is integral to any balanced deficit reduction agreement that is built on the common good.

The case for additional revenue and for closing tax loopholes as a source of that revenue is overwhelming. Serious deficit reduction requires more revenue, as everybody from the Simpson-Bowles Commission to the Domenici-Rivlin task force to the Concord Coalition to Fix the Debt, has recognized. They have rightly concluded that without additional revenue, the deficit reduction numbers simply do not add up. Republicans have insisted that the discussion of revenue as part of our deficit-reduction approach is finished.

The other day Speaker BOEHNER claimed, "The talk about raising revenue is over." He is mistaken. Our effort is picking up steam. These Republican protests cannot erase the fact

that Federal revenue remains significantly below its historic average as a percentage of the gross domestic product of our economy, and that revenue is, and under current trends will continue to be, below the levels we have needed in the recent past to balance the budget.

In particular, the loss of corporate tax revenues is an ongoing cause of deficits. At a time when corporations enjoy record profits, the highest in half a century, revenue from corporate income taxes has fallen off as a percentage of our taxes collected.

In 2006, corporate tax revenue made up about 15 percent of all Federal revenue. In 2012, it had fallen to 10 percent. Somebody has to pick up the slack. In this case it has been average American families. Why is corporate revenue a shrinking share of our Treasury even though the U.S. corporate tax rate, at 35 percent, is one of the highest in the developed world? It is because the top tax rate doesn't tell the story. While our tax rate at the upper limit is 35 percent on corporations, the average U.S. corporate taxpayer's actual tax rate was just 12 percent in 2011, which is the lowest in generations.

A recent study by two think tanks found that 30 of our largest corporations with combined profits of more than \$160 billion paid no income tax, zero, from 2008 to 2010.

The Permanent Subcommittee on Investigations, which I chair, has outlined in great detail the black magic that these corporations employ to make their tax bills disappear. One major culprit is offshore tax avoidance. This is hardly a new problem, but it is receiving attention like never before—perhaps because it is simply too big to ignore any longer.

This recent edition of *The Economist*—just a few weeks ago—pointed out in its lead story and on its cover that tax haven abuse is now a \$20 trillion problem for the global economy. That is \$20 trillion, not billion. They also have a special report on this offshore finance. The headline here—and it is an eye-popper, I hope—is that “The Missing \$20 Trillion—How To Stop Companies And People Dodging Tax.”

The Permanent Subcommittee on Investigations has been digging into these abuses for years. Last year a subcommittee report outlined how three U.S. companies—Apple, Google, and Microsoft—had used offshore gimmicks to avoid taxes on almost \$80 billion in profits. Much of this tax avoidance stems from manipulation of intellectual property and other intangibles. Companies develop valuable knowledge within the United States, often using tax credits, grants, and other Federal support. They then transfer that valuable property under various legal schemes to offshore subsidiaries at bargain basement prices, thereby shifting

the profit that this valuable property generates overseas where it is shielded from taxes.

Other offshore schemes involve pretzel-like twisting of tax laws. For example, the subcommittee found that Hewlett-Packard employed such a gimmick to bring home money that was held offshore—bring it back to the United States—without paying the required taxes. Here is what the law requires: When profits are brought back to the United States, the profits are taxed. The IRS allows an exemption for very short-term loans from offshore subsidiaries to their domestic parent. Hewlett-Packard exploited that exemption by concocting a rotating series of alternating loans from a pair of offshore subsidiaries to make billions of dollars in what should have been taxable repatriated income appear to be short-term loans exempt from taxation. This is a gimmick that is so blatant that even some of Hewlett-Packard's accountants questioned it.

Our subcommittee found that Hewlett-Packard used this offshore cash—used it here—shielded it in taxes to help run its U.S. operations during the 2010 fiscal year. To quote from the subcommittee's description:

There does not appear to be a gap of a single day during that period where the loaned funds of either BCC or CHCC—

The two offshore subsidiaries in question—

were not present in the United States. Moreover, a similar pattern of continuous lending appeared to be occurring for most of the period between 2008 and 2011.

Now they are talking about short-term loans—which I believe is 30 days or less—but they are supposed to be exempt from taxes when they are lent from an offshore subsidiary back to the parent here in the United States. This has been going on for years without a gap by using a gimmick that they found in the Tax Code, which is egregious. It is time to act.

Senator WHITEHOUSE and I introduced a Cut Unjustified Tax Loopholes Act not too long ago. Our bill would help address some of these tax schemes, and others as well. It is a powerful weapon in our deficit-reduction arsenal if we will use it.

Today a coalition of more than two dozen national public interest groups, as well as dozens of State and local organizations, released a letter urging the Senate to adopt our Cut Loopholes Act.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 21, 2013.

DEAR SENATOR, We write to ask you to join as a cosponsor of the Cut Unjustified Tax Loopholes Act (S. 268), introduced by Senators Carl Levin (D-MI) and Sheldon White-

house (D-RI). This bill would close a myriad of corporate tax loopholes that serve no public purpose and would raise at least \$190 billion over ten years. We urge the Senate leadership to include the provisions of this bill in any budget deal struck this year. The legislation tackles offshore tax loopholes that allow and even encourage many large U.S. companies to shift U.S. jobs and profits to offshore subsidiaries. Corporations that benefit from all of the advantages of doing business here are able to use creative tax planning to avoid paying taxes on income legitimately earned in the United States.

As federal revenues from corporations hover at multi-generational lows, cracking down on offshore tax abuses should be at the top of the Congressional “to do” list. The Senate Permanent Subcommittee on Investigations has estimated the cost to taxpayers of tax-avoidance schemes involving tax havens at \$100 billion annually. New estimates put the amount of lost revenue as high as \$150 billion: \$90 billion from corporate tax avoidance and \$40–\$70 billion from individual tax evasion. Tax haven abuse is widespread: at least 83 of America's top 100 publicly traded companies have subsidiaries in offshore tax havens, according to the GAO. Some of these subsidiaries are nothing more than P.O. boxes. In fact, 18,857 corporate “headquarters” are registered at one modest five-story building in the Cayman Islands.

This is also a jobs problem. At a time when far too many Americans are facing unemployment, our tax code is rewarding U.S. corporations for moving and operating abroad rather than in the U.S. It allows corporations to immediately deduct some of their expenses for moving and operating those overseas facilities even though the companies can defer U.S. taxes on the offshore profits indefinitely. The CUT Loopholes Act would promote investments in American jobs by removing some of these incentives.

The non-partisan Congressional Research Service recently found that U.S. multinational corporations reported “profits” in offshore tax havens that far-exceeded the entire economies of those tax havens. For example, in 2008, U.S. multinational corporations' reported profits in Bermuda and the Cayman Islands exceeded 645% and 545% of those tax havens' GDPs, respectively. After surveying the multinational corporate profits reportedly from tax havens, that report found “these numbers clearly indicate that the profits in these countries do not appear to derive from economic activities related to productive inputs or markets, but rather reflect income easily transferred to low-tax jurisdictions.”

Here is an example of how these loopholes work. A recent investigation by the Senate Permanent Subcommittee on Investigations found that Microsoft avoided \$4.5 billion in federal income taxes over three years by using sophisticated accounting maneuvers to artificially shift its income to tax-friendly Puerto Rico. The company sold certain intellectual property rights to its Puerto Rican subsidiary. Now the parent company pays that subsidiary 47% of the revenue generated from its American sales despite the fact that its products were developed and sold in the U.S.

Businesses should compete based on the quality of the products and services they offer, not on the cleverness of their tax attorneys in exploiting loopholes like these. Tax haven abuse by large multinational corporations puts small businesses—and even

large domestic businesses—at a competitive disadvantage in the marketplace. Along with individual filers, they must shoulder the extra tax burden through higher taxes, a reduction to public services, or a larger share of the federal. A 2012 U.S. PIRG report found that the average extra tax burden shifted to just one ordinary taxpayer due to tax haven abuse adds up to \$426 per year. If small businesses were to make up for the revenue lost just from the corporate abuse of tax havens, each small business in America would have to pay \$2,116. It is time for Congress and President Obama to correct this imbalance and make sure multinational corporations are contributing their share.

Offshore tax loopholes create winners and losers. The winners are multinational corporations, usually in financial services, high tech, and pharmaceutical industries. The losers are those businesses who stay here in the U.S. and those who can't afford to hire expensive tax planners and lobbyists. Those on the losing end of these loopholes include retailers, small businesses, and ordinary taxpayers, who are forced to pick up the tab for tax haven abuse.

Due to the substantial loss of revenue, governments at all levels, here and around the world, cut programs and jobs that are critical to economic recovery and growth. We are finally seeing international bodies such as the European Union, the G-20 and the Organization for Economic Cooperation and Development and government leaders from U.K. to India taking action. The United States should be leading these efforts, not following and certainly not ignoring the fact that these stateless corporations are not going to act until we eliminate these loopholes for good. Additionally, by closing these corporate tax loopholes we send a message around the globe that corporate tax avoidance is unacceptable whether it be in the developing or developed world.

As Congress looks for ways to reduce the federal deficit and debates tax reform proposals, members should start with the elimination of these loopholes, which could raise as much as \$1.5 trillion in revenue over the next ten years. Policies that would close a number of the most egregious of these offshore tax loopholes are included in the Cut Unjustified Tax Loopholes Act (S. 268). The Levin-Whitehouse bill would end incentives that encourage the offshoring of jobs and profits.

Diverse constituencies, including small business, labor, faith, and public interest groups support closing these loopholes. We urge you to stand with taxpayers by joining as a co-sponsor of the Cut Unjustified Tax Loopholes Act and urging your leadership to close these loopholes as part of any budget agreement made in the next year.

Sincerely,

Action Aid USA  
Alliance for a Just Society  
American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)  
American Sustainable Business Council  
American Friends Service Committee  
Business for Shared Prosperity  
Center of Concern  
Center for Effective Government  
Citizens for Tax Justice  
EG Justice  
Financial Accountability and Corporate Transparency Coalition  
Foreign Policy In Focus  
Foundry United Methodist Church  
Friends of the Earth US  
Global Financial Integrity  
Jubilee USA Network

Main Street Alliance  
Maryknoll Office for Global Concerns  
New Rules for Global Finance  
Presbyterian Church (USA)  
Public Citizen  
Service Employees Union International (SEIU)  
Tax Justice Network USA  
TransAfrica  
U.S. Public Interest Research Group (PIRG)

#### STATE/LOCAL ORGANIZATIONS

Arizona PIRG—AZ  
Jubilee San Diego—CA  
California PIRG—CA  
Nicaragua Center for Community Action (NICCA)—CA  
Resurrection Lutheran Church—CA  
Colorado PIRG—CO  
Connecticut PIRG—CT  
Pax Christi Catholic University of America—DC  
Foundry United Methodist Church—DC  
Florida PIRG—FL  
Georgia PIRG—GA  
Georgia Rural Urban Summit—GA  
Georgia Fair Share—GA  
9 to 5 Atlanta—GA  
MoveOn Atlanta—GA  
Atlanta Jobs with Justice—GA  
Provincial Council of the Clerics of St. Viator (Viatorians)—IL  
Illinois Maternal and Child Health Coalition—IL  
AIDS Foundation of Chicago—IL  
Autism Society of Illinois—IL  
Union Church of Hinsdale—IL  
American Bottom Conservancy Illinois—IL  
Citizens Against Ruining the Environment—IL  
Eco-Justice Collaborative—IL  
Holy Cross International Justice Office—IN  
Sisters of the Holy Cross Congregation Justice Committee Notre Dame, Indiana—IN  
Des Moines Chapter—Women's International League for Peace and Freedom (WILPF)—IA  
Iowa Annual Conference of the United Methodist Church—IA  
Iowa Citizens for Community Improvement—IA  
Iowa Move to Amend—IA  
Green Dubuque—IA  
Iowa Progressive Action Coalition—IA  
Iowa Citizen Action Network—IA  
Iowa Mainstreet Alliance—IA  
Iowa PIRG—IA  
Iowa Policy Project—IA  
Maryland PIRG—MD  
Maryland United for Peace and Justice—MD  
Institute for Justice and Democracy in Haiti—MA  
Jubilee Justice Task Force of the United Church of Christ—MA  
Jubilee Massachusetts—MA  
Massachusetts PIRG—MA  
Immaculate Heart of Mary Justice, Peace and Sustainability Office—MI  
Holy Innocents Episcopal Church—MI  
PIRG in Michigan—MI  
Missouri PIRG—MO  
Missourians for Tax Justice sub-committee of the MO Association for Social Welfare—MO  
Economic Justice Task Force—MO  
Progress Now Nevada—NV  
New Hampshire PIRG—NH  
New Jersey PIRG—NJ  
NJ Working Families Alliance—NJ  
NJ State Industrial Union Council—NJ  
NJ Save Our Schools March—NJ  
NJ Main Street Alliance—NJ

NJ Citizen Action—NJ  
New Mexico PIRG—NM  
North Carolina PIRG—NC  
Jubilee Oregon—OR  
Oregon PIRG (OSPIRG)—OR  
Pennsylvania PIRG—PA  
Grey Nuns of the Sacred Heart—PA  
Small Business Chamber of Commerce—SC  
Texas PIRG—TX  
Vermont PIRG—VT  
Jubilee Northwest—WA  
Fuse Washington—WA  
Washington PIRG—WA  
Hill Connections—WI  
Madison Teachers Inc—WI  
Wisconsin Alliance for Retired Americans—WI  
Citizen Action—WI  
Wisconsin Community Action Program—WI  
Wisconsin Education Association Council—WI  
Wisconsin PIRG—WI.

Mr. LEVIN. I see there are a number of my colleagues who have joined me here in this effort so I will close with the following comment. Some of the people argue that they will consider closing tax loopholes but only if the resulting revenue is used to lower tax rates rather than reducing the deficit. This position is unwise for two reasons. First, the budget deficit is a significant problem for our country, and we should address it. Senator MURRAY's budget wisely takes the view that we need to act to reduce the deficit.

Second, the people who elected us overwhelmingly believe that reforms to end these tax schemes, which I have outlined, should contribute to deficit reduction. A recent poll shows that more than 80 percent of Americans believe that revenue we recover from closing tax loopholes should be dedicated to reducing the deficit, not to cutting rates.

Let's follow the path this budget resolution before us outlines: spending cuts, yes, but prudent, carefully considered cuts that preserve our most important priorities; Savings from reform of entitlement programs, yes, but reforms to keep the faith with seniors today and in the future. And, yes, revenue, revenue that ends the privileges of an influential few who have for far too long enjoyed unjustified tax breaks that boost corporate profits and the bank accounts of the wealthy few at the expense of ordinary Americans.

Earlier today Senators WHITEHOUSE, MCCAIN, and I—a bipartisan group—filed an amendment to the budget resolution suggesting the need to close tax loopholes. Our amendment makes reference to ending offshore tax abuses by large corporations. Our amendment provides that at least some of the revenue generated must be used for deficit reduction. This bipartisan amendment makes a strong statement on the momentum that is building for balanced, commonsense deficit reduction.

There is a group of Senators who have come to the floor with me so we can end these tax schemes and gimmicks. I thank Senator MCCAIN, Senator WHITEHOUSE, and I thank my

other colleagues who are here today for the work they put into a very vitally important issue.

Mr. President, I believe Senator WHITEHOUSE is ready to proceed. Senator WHITEHOUSE is my principal cosponsor on this amendment, along with Senator MCCAIN.

Mr. President, how much time do I have?

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator has 24 minutes remaining in his name.

Mr. LEVIN. Is 9 minutes sufficient?

Mr. WHITEHOUSE. It is more than sufficient.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank Senator LEVIN for his leadership on this issue. I am proud to be part of his Levin-Whitehouse group in putting this together. If we boil down the discussions that we are having back and forth about the budget, they come to a very simple question; that is, can we use the money that is in tax avoidance, in tax loopholes toward solving our sequester problem, our deficit problem, and our debt problem?

The way this has been described so far is that there are spending cuts. That is one part of the equation. The other part of the equation is tax increases. That has been the way this has been framed. That overlooks the third big piece of the problem, which is money that goes out the backdoor of the Tax Code without ever coming into the U.S. Government in revenues. I want to let people who are watching know—because they probably won't believe it—what a colossal number that is.

We get \$1.09 trillion in revenue out of the individual Tax Code. We get \$181 billion in revenue out of the corporate Tax Code. We give away \$1.02 trillion out the backdoor of the Tax Code for individual deductions and loopholes. We give away \$157 billion out the backdoor of the Tax Code in corporate deductions and loopholes. The IRS estimates that there is \$385 billion which never even gets into the formula because of what Chairman LEVIN was talking about: companies and individuals who hide their revenue and income offshore so it never even gets into the tax package. If we add it up, there is actually more money lost through tax avoidance than there is collected in tax revenue in this country.

When people talk about only the tax revenue and only spending cuts, they are trying to hide a very big ball. That is the basic difference between the Democratic proposal and the Republican proposal. We want to take \$975 billion, which is only 7 percent of all the money that goes out the backdoor of the Tax Code, and use it toward ending the sequester and balancing the budget. That is our proposal. The Ryan Republican proposal is to take 41 per-

cent of that money that goes out the backdoor of the Tax Code and use every nickel of it to lower the high-end rates for corporations and for wealthy Americans who pay the highest end rates. They don't put a dime from this toward either the sequester or deficit reduction. We cannot have that be the rule.

If we take this number, which is an annual number—the minimum is right here, \$1.02 trillion plus \$157 billion. We do our budget over a 10-year span. These are annual numbers. That means in a 10-budget horizon, we have at least \$11.5 trillion going out the backdoor of the Tax Code. If we allow for moderate growth in the economy, it is not \$11.5 trillion, it is \$14 trillion. If we throw in the nearly \$400 billion in offshoring, we are up to nearly \$18 trillion—\$18 trillion that goes out the back door of the Tax Code.

By the way, although there are important middle-class deductions in the middle of this, such as the home mortgage deduction, there is an awful lot of nonsense and mischief in the tax expenditures that go out the back door of the Tax Code. If we want to know why hedge fund billionaires pay a lower tax rate than their chauffeurs and the hospital orderly rolling his cart down Rhode Island hospital hallways in the middle of the night, we can look at the mischief in the Tax Code for the carried interest exception. If we want to know why corporate jets, private jets get favored treatment, look at the accelerated depreciation schedules in the corporate Tax Code. There is a lot of mischief and monkeyshines that have been built into the Tax Code by lobbyists for the wealthy and lobbyists for powerful corporations over the years.

All we want to do—and what this fight is all about—is take \$975 billion out of those trillions and trillions of dollars that go out the back of the Tax Code and use it to get rid of the sequester and to balance the budget. That is what we want to do. And what the Republicans want to do is take 41 percent of that and use every dollar—every dollar—to lower tax rates for the richest people. They don't spend a nickel in all of that toward reducing the deficit or toward ending the sequester.

This Tax Code spending—all the earmarks the lobbyists built into the Tax Code over decades—is the Republican treasure trove. That is their Ali Baba's cave. That is where all the goodies are, and they don't want to spend a nickel of it either getting rid of the sequester or helping with deficit reduction. They want all of the treasure in Ali Baba's cave of special tax deals to stay with the big corporations and with the wealthy in the form of lower tax rates. That is the entire debate between our sides right now.

I think Chairman LEVIN, by putting forward this plan to take this offshore hidden revenue and bring it into the discussion and use it to help solve our

sequester, use it to help support our economy, use it to help reduce our deficit, is a very strong idea, so I am very pleased to support him. I appreciate his leadership. I am delighted Senator JOHN MCCAIN has joined us on this to make this a bipartisan initiative. They show great leadership together, and I am delighted to join them.

With that, with my great appreciation to Chairman LEVIN, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First let me thank Senator WHITEHOUSE. He has been a leader in this effort for a long time. His support here is critical and will really make a difference.

How much time do I have?

The PRESIDING OFFICER. There is 14 minutes remaining.

Mr. LEVIN. I yield 7 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to add my thanks to the chairman of the Armed Services Committee and the leader in this effort to close some of these abusive and unnecessary and wasteful loopholes. I also thank Senator WHITEHOUSE and Senator MCCAIN for their leadership in this effort, which is about fundamental fairness.

Most importantly, let me thank Senator MURRAY for the hard work, the courage, the strength it has taken to put together a budget that is intensely complex, dealing with issues that are hugely challenging, and craft a solution that presents a vision for the future of America that is very distinct and different, as well as very preferable to the one presented by the House budget. The House insists on a cuts-only approach and absolutely refuses to consider new revenue. The solution crafted by Senator MURRAY and her committee has opted for balance and compromise—two words that unfortunately are too often missing from our deliberative process.

Our budget achieves \$1.85 trillion in new deficit reduction, with an even mix of \$975 billion of new revenue and \$975 billion in responsible spending cuts. That is a real achievement.

We are here today to talk about cutting loopholes, tax breaks, giveaways to people who don't need them and corporations that don't deserve them. Their existence undermines the fundamental fairness of our Tax Code.

The fact that more money goes to tax avoidance than to tax revenue is a fundamental, searing indictment of our Tax Code, and it is the reason there is resistance to people paying their fair share. Again and again and again, what I hear from citizens, from taxpayers, from residents of the State of Connecticut is, I would be willing to pay my fair share as long as others are required to do the same.



Fairness is at the core of our Tax Code. It is the reason why voluntary compliance is so important and why it happens—because people rely on its fundamental fairness.

The offshoring of profits and ending those offshore tax abuses that have been described so eloquently by Senator LEVIN and Senator WHITEHOUSE is absolutely necessary to a sense of fairness in our Tax Code. As important as the additional money is the sense of equity it would bring to our Tax Code.

Likewise, fair and effective tax enforcement is critical. I know as an enforcer of civil laws for 20 years as attorney general it is important to a sense of fairness in our society, and effective enforcement requires resources. It requires tightening rules relating to tax shelter promoters; stiffening penalties for the aiders and abettors—the ones who enable violations of our tax laws and tax evasion; and modernizing Federal tax lien registration. We are fond of saying in this body that the devil is in the details. Here, the devil is in nonenforcement of those detailed regulations and rules that require compliance.

Similarly, ending excessive corporate tax deductions or stock options and closing some of the loopholes that apply to derivatives are fundamental to fairness and to preserving a sense that everybody is bearing a fair share of the burden. Those rules that presently permit evasion and abuse must be ended. The consequences are huge because they apply to the vision of the future that each of these rules and budgets contemplate.

The wasteful tax loopholes mean losses in revenue, and those, in turn, mean we must cut programs as a consequence. In my home State of Connecticut alone—just to show some of the consequences of the House or Ryan budget—47,000 seniors would pay more for prescription drugs next year, and that means \$828 for each of them, on average, more in the cost of drugs in 2014 alone and more than \$13,000 over the next decade.

The House budget would cut \$8.73 billion in funding Connecticut receives for nursing care and other health care services for seniors and the disabled, putting at risk tens of thousands of Connecticut seniors who rely on Medicaid for their long-term health care needs.

I have sponsored the Bring the Jobs Home Act, which many others have cosponsored, which would close that loophole for corporations that send jobs and ship employment overseas. We need to bring those jobs back.

The House budget would double down on job-killing cuts to infrastructure and research and economic development programs. The Economic Policy Institute has found that these cuts would cost Connecticut over 24,000 jobs in 2014 alone.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. Our economic recovery is fragile. Job-killing cuts must be stopped.

I thank Senator LEVIN for his leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first of all, let me thank Senator BLUMENTHAL for his tremendous work in this area.

I yield the remainder of my time, which I believe is 6 or 7 minutes, to Senator SHAHEEN. Is that correct?

The PRESIDING OFFICER. That is correct.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank Senator LEVIN for the work he has done to look at the tax loopholes that should be closed and to bring attention to really the fairness we should have in our Tax Code.

I am here to join my colleagues in talking about the importance of passing a budget that will address our debt and deficits and protect middle-class families while investing in our future job growth. I applaud Senator MURRAY for her leadership and the work of the Budget Committee in bringing this document before us.

We have made significant progress in the last few years to get the American economy growing, and we have taken real action to reduce our deficits, but there is more we can do on both fronts, and the budget before us addresses both of these urgent priorities in a responsible way.

No one is questioning the need to address our debt and deficits. The question is, Can we do this in a responsible way? Can we come together in a way that protects our economic recovery?

Unfortunately, because of continued political stalemate, we have seen the across-the-board spending cuts known as sequestration go into effect. Now we need to come together to support a plan to address these harmful automatic cuts because they are hurting small businesses. They are having an impact on our economic recovery. They are forcing furloughs of public employees—in New Hampshire, people such as our Portsmouth Naval Shipyard workers and our air traffic controllers. They are creating economic uncertainty that is putting our economic recovery in jeopardy.

I have had the chance to travel around New Hampshire in the last month or so and talk to companies that are concerned about the impact of these automatic cuts. One of those companies I visited is called Cirtronics, which is a manufacturing company in Milford, NH. The company employs about 150 people, and it manufactures a diverse array of products, from circuit boards, to medical equipment, to defense and homeland security products.

Cirtronics doesn't have any direct government contracts, but many of its clients do. As a result, the company is facing a lot of uncertainty under sequestration. According to its CEO, Geraldine Ferlins, this uncertainty is getting in the way of the company's growth. She said:

How do you plan without knowing how you will be affected? You hear about how CEOs are hesitant to hire. This is why.

Another company in Salem, NH, called Micro-Precision Technologies is a small, family-owned business with about 20 employees that makes semiconductors used in the military, aerospace, medical, and communications industries. About 80 percent of Micro-Precision's business is with the Department of Defense. Sequestration has meant that their orders are down about half for the month of January. They had been planning to hire two new people, but unfortunately they cannot do that because they are so uncertain about what is going to happen.

That is why we need a better approach to addressing our budget situation. We need a plan that looks at all areas of our spending—at our domestic, at our defense, at our mandatory programs—as well as at revenues through tax reform. That is exactly the approach that was taken by the Budget Committee in passing out the budget resolution that is before us this week. That is why I supported it. It replaces the harmful cuts under sequestration with a balanced mix of responsible spending cuts as well as additional revenues. So instead of across-the-board cuts, the budget makes targeted cuts to several areas. It cuts health care spending without harming beneficiaries; it reduces defense spending cuts, as we wind down our operations in Afghanistan; and it results in reduced interest payments on our debt.

The budget also provides a balanced approach by ending, as Senator LEVIN pointed out, the unfair tax breaks for the wealthiest and for big corporations. I certainly applaud Senator LEVIN and Senator WHITEHOUSE, and I was really glad to hear that Senator MCCAIN has joined them in addressing these unfair tax breaks.

The budget does all this, and yet it still invests in our economy in a way that allows it to grow. It provides much needed funding for our aging transportation infrastructure. It creates an infrastructure bank that is a bipartisan idea that allows us to get a greater bang for the taxpayer buck. There is no doubt that we have to do more to fix our debt and deficits, but we need to do it in a smart, responsible way. That is what this budget does.

I certainly hope we will be able to come together this week to replace the harmful cuts under sequestration with a comprehensive and responsible plan for addressing our debt and deficit. That is why I intend to vote for this budget—because it does exactly that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, my colleague, Senator MURRAY, has questioned the \$1.5 trillion in tax increases that we have contended in this legislation. I think it is there because there are two separate reserve funds that would allow taxes to be increased by \$500 billion without legislation and would go through without a supermajority, to be passed on a simple vote.

But our colleagues say that is not there, so I would offer into the RECORD, Mr. President, a number of documents that support our view that it is \$1.5 trillion. Others can agree, disagree about it, as it is presently written. I would offer that for the RECORD and our explanation and why we think that is accurate. I ask unanimous consent to have that material printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AN EXPLANATION OF THE \$1.5 TRILLION TAX HIKE IN THE SENATE DEMOCRATS' FY2014 BUDGET

When the Budget Committee minority staff began analyzing Senate Democrats' FY 2014 budget last week, they discovered that the plan called for not \$975 billion in tax increases—the amount that the majority claimed—but instead \$1.5 trillion in tax hikes.

How is this possible? The answer lies in an arcane budget tool known as a “deficit neutral reserve fund” (DNRf). Because it is not possible to legislate on a budget resolution, DNRfs were created to facilitate the passage of subsequent legislation. They do this by removing future barriers in the form of budget points of order.

To understand how DNRfs work, consider an example: A Senator wants to introduce a piece of legislation to increase funding for border security. Even if that bill's spending is completely offset with new tax revenue, the legislation could still be subject to a budget point of order. (Importantly, if the new spending is offset with spending reductions elsewhere, the bill would not be subject to that point of order.) So if the Senator knows during consideration of a budget resolution that he will be introducing border security legislation at a later time, he can offer a DNRf to preclude the possibility of that point of order being raised when his bill is brought up.

Returning to the Senate Democrats' FY 2014 budget, the majority asserts that their plan “includes budget reconciliation instructions . . . that [instruct] the Senate Finance Committee to report legislation that will reduce the deficit by \$975 billion through changes to the tax code alone.” The budget also calls for an extension of the certain refundable tax credits that were originally included in the 2009 stimulus law (the American Reinvestment and Recovery Act). After accounting for the extension of these tax credits, the summary tables included with the budget reflect a revenue level that is \$923 billion higher than the Congressional Budget Office current law baseline.

In a separate place in their policy document, Chairman Murray proposes to “[re-

place] sequestration using the following equal mix of responsible spending cuts and . . . \$480 billion in new revenue . . .” Finally, the majority also proposes a \$100 billion “jobs and infrastructure” package that “is fully paid for by eliminating loopholes and cutting wasteful spending in the tax code . . .” [see Table 1]

It was initially assumed that this additional \$580 billion was simply a detailed breakdown of a portion of the \$975 billion in tax increases called for through reconciliation, but then Budget Committee analysts found two separate deficit neutral reserve funds (Sec. 301 and Sec. 308) that exactly match those respective amounts. Recall that the sole purpose of a DNRf is to pave the way for legislation that increases both taxes and spending. If the Murray budget intended for the \$580 billion to be a subset of the \$975 billion, they would have had no need to include these two DNRfs. In other words, it must be assumed that the \$580 billion is in addition to the tax hikes called for in the reconciliation instructions.

In total, therefore, the Senate Democrat budget clearly calls for \$1.503 trillion (the \$923 billion from the tax increases through reconciliation adjusted for the extension of the refundable tax credits plus \$580 billion) in tax increases. The budget's authors have protested this calculation, but if they wish to clear up the confusion, surely they would agree to amend their resolution to remove these two DNRfs and remove any possibility that the funds will be used for additional future tax increases.

Table 1—Proposed Tax Increases in the Democrats' Budget

Proposed tax increases	10-year total	Cite in budget document* and how implemented
“Includes \$100 billion . . . paid for by eliminating loopholes”	\$100 billion	Top of page 8 “Infrastructure” Reserve Fund (deficit neutral: higher taxes for higher spending).
“This budget replaces sequestration using . . . \$480 billion in new revenue raised by closing loopholes”	\$480 billion	Middle of page 21 “Replace Sequester” Reserve Fund (deficit neutral: higher taxes for higher spending).
\$975B reconciliation instruction to Finance Cmte, less the extension of stimulus refundable tax credits.	\$923 billion	Middle of page 66 Reconciliation Instruction
<b>TOTAL TAXES IN BUDGET</b>	<b>\$1.503 trillion.</b>	

\* “Restoring the Promise of American Opportunity”, Chairman Patty Murray, March 13, 2013.

APPENDIX A—DETAILED CITATIONS IN CHAIRMAN MURRAY'S BUDGET DOCUMENT, “RESTORING THE PROMISE OF AMERICAN OPPORTUNITY

On page 66 is an explanation of the \$975 billion reconciliation instruction:

The Senate Budget calls for deficit reduction of \$975 billion to be achieved by eliminating loopholes and cutting unfair and inefficient spending in the tax code for the wealthiest Americans and biggest corporations. It recognizes that the Finance Committee, which has jurisdiction over tax legislation, could generate this additional revenue through a variety of different methods.

On page 55 is an explanation of the permanent extension of the 2009 refundable tax credits:

[T]he Senate Budget builds on the middle class tax relief that was legislated in the American Taxpayer Relief Act of 2012 (ATRA) and supports the permanent extension of the American Opportunity Tax Credit . . . as well as the temporary enhancements to the Earned Income Tax Credit and the Child Tax Credit, all of which are scheduled to expire after 2017.

On page 8 is an explanation of the new revenue used to pay for the new infrastructure spending:

Includes a \$100 billion targeted jobs and infrastructure package that would start cre-

ating new jobs quickly, begin repairing the worst of our crumbling roads and bridges, and help train our workers to fill 21st century jobs. This jobs investment package is fully paid for by eliminating loopholes and cutting wasteful spending in the tax code that benefits the wealthiest Americans and biggest corporations.

On page 21 is an explanation of the new revenue used to pay for the sequester replacement:

This budget replaces sequestration using the following equal mix of responsible spending cuts and new revenue from the wealthiest Americans, which builds on the precedent set in the bipartisan year-end deal . . . \$480 billion in new revenue raised by closing loopholes and ending wasteful deductions that benefit the wealthiest Americans and biggest corporations . . .

APPENDIX B—QUOTE FROM KEITH HENNESSEY (STANFORD UNIVERSITY), INCLUDED IN THE WASHINGTON POST ARTICLE “MITCH MCCONNELL'S CLAIM THAT THE DEMOCRATS PLAN A \$1.5 TRILLION TAX HIKE”

Keith Hennessey, another former GOP budget expert who now teaches at Stanford University . . . was especially suspicious of the fact that reserve funds do not have limits—as is sometimes the case in budget resolu-

tions—and said it was perfectly acceptable to argue that the budget “also allows for another \$580 billion in tax increases to offset additional spending increases she [Murray] assumes and promotes aggressively.” He added: “If anything I'd argue that even the \$1.5 trillion number understates the tax increases allowed by the Murray budget resolution. She's requiring \$975 billion in tax increases to reduce future deficits, and allowing for unlimited amounts more to pay for new spending. I find that terrifying.”

Mr. SESSIONS. I would like to say this to my chairman: I am willing to concede the point if the chair would agree to amend the two reserve funds so that they cannot be used to advance tax increases, and I would cease making that argument and accept the fact that you have already almost \$1 trillion in new taxes.

So I would ask through the chair, is the Senator willing to amend those two reserve fund languages so they cannot be used to add another \$500 billion in new taxes?

Mrs. MURRAY. Mr. President, let me just respond again. As the Washington



Post said in giving this concoction two Pinocchios, the reserve funds the Senator refers to lie within there in order to provide the \$975 billion in revenues. So essentially what he is doing is double-counting. So I would just say to the Senator through the Chair that there is no need to have any kind of agreement here. That is what our budget does. It is clear. It is what every expert has said.

Mr. SESSIONS. Mr. President, I thank the chair, and I assume, then, that she refuses to clarify the ambiguity, the certain option to increase taxes by another \$500 billion. That could be eliminated simply by making the suggestion I just announced. She is rejecting that. So I think it is legitimate to assume that the intent of this reserve fund is to raise taxes another \$500 billion.

Secondly, with regard to the situation we have been discussing concerning the sequester, I know the Senator said just a few moments ago that the sequester is not deficit reduction. We can disagree about that, but that was her opinion, apparently. I think it is inaccurate.

But my question to the Senator is, does your budget as now presented on the floor eliminate the spending limits that are in current law under the Budget Control Act and specifically the sequester portion?

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, as I have stated many times out here on the floor—and our budget is very clear—we replace sequestration with a balanced mix of spending cuts and revenues, exactly as we have stated. There is no reason to misconstrue this. That is exactly what our budget does.

Mr. SESSIONS. Well, I wouldn't misconstrue it. So it does eliminate the sequester.

So then the next question would be, did you score the allowed increase in spending of \$1.2 trillion in your budget as increased spending?

Mrs. MURRAY. Mr. President, this is a matter of semantics. We replace the sequestration, very clearly, because it is very damaging to our country.

Mr. SESSIONS. Well, your staff indicated that you could not double-count that money, and if you eliminated the \$1.2 trillion in sequester limit and allowed \$1.2 trillion more to be spent, you would not save \$1.85 trillion but approximately \$700 billion on that decision alone. Do you agree with your staff in their analysis?

Mrs. MURRAY. Mr. President, I assume we are taking this off the Republican time.

The PRESIDING OFFICER. The Senator is correct.

Mrs. MURRAY. Mr. President, let me be very clear: We have put out a budget that is credible. It is clear, and it is a good, solid approach. I know we are

playing with numbers here in terms of baselines. There is no need to do that. We are doing what every single budget has done—Simpson-Bowles and everyone else—replacing the sequestration. We are clear that we have \$975 billion in spending cuts, \$975 billion in revenue. We, within the context of that, replace the sequester cuts. We take the \$2.4 trillion that has already been done since Simpson-Bowles—since Simpson-Bowles and we add another \$1.85 trillion in deficit reduction.

Mr. SESSIONS. One more question, then. Do you still stand by the promotional material that went with the budget—and in the budget document itself—that you have reduced the deficit over current law by \$1.85 trillion or isn't it a fact that eliminating the sequester reduces that to approximately \$700 billion in savings?

Mrs. MURRAY. Mr. President, over the baseline, which we are very clear in what we are using—we are not hiding the ball, as he is trying to do when he is mixing numbers here—we reduce the budget by an additional \$1.85 trillion, absolutely.

Mr. SESSIONS. Mr. President, I would just say that the Associated Press disagrees. It is plainly inaccurate. Plainly, I asked that question, over current law, did they count the sequester increase in spending? And the staff admitted in our Budget Committee mark up that it did not—that increased spending—and therefore we reduce the deficit savings from \$1.85 trillion to about \$700 billion. There is another \$700 billion in gimmicks, so there is no reduction in the deficit in this budget.

The AP reported:

... because Democrats want to restore \$1.2 trillion in automatic spending cuts ... —cuts imposed by [the] failure to strike a ... budget pact—Murray's blueprint increases spending slightly when compared with current policies.

The Hill says:

The Murray budget does not contain net spending cuts with the sequester turned off.

So I will say this is a serious issue. We need to understand that the sequester is law. It is not just a policy, it is in law. It is taking effect right now. The deficit reduction proposed by this bill is not \$1.8 trillion but, in fact, zero.

I thank the Chair and would now recognize Senator BARRASSO for 10 minutes, I believe, and Senator ALEXANDER for 10 minutes. I thank them for their patience.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, within the last 20 minutes, I have heard on the floor comments about the sequester. A previous speaker on the Democratic side of the aisle said the sequester was hurting small business and said the sequester was causing economic uncertainty. Another Senator on the other side of the aisle made reference to the Washington Post.

Well, I would draw the attention of this body to the Washington Post of this morning, a front page story in the Washington Post of today, Thursday, March 21: "Health-care uncertainty weighs down small firms"—not the sequester, uncertainty about the health care law. "Requirements under 2010 law sow confusion, fear among businesses." That is the problem that is driving the fear and the anxiety and the lack of new business starts and the failure to expand business.

In this article, there is a small business owner of an air-conditioning firm in Richmond. He says:

In speaking to them, I am convinced—

He is talking about other customers, he is talking about other businesses—

I am convinced that the primary reason we aren't seeing a robust economic recovery is the uncertainty and costs associated with this health-care law.

"Looming health-care changes hold back small businesses."

Another quote from the article:

It's already hard out there right now. . . . This may be—

"This": the health care law—

the straw that breaks the camel's back.

Not the sequester, not made-up confusion by the Democrats, it is the health care law that is hurting our economy. Even the Federal Reserve, in their Beige Book, said so this past month.

So I rise today to speak on the fiscal year 2014 budget and the choice we face over whether we are going to grow the economy or just grow government bureaucracy.

When I travel home to Wyoming, as I did last weekend and will again this weekend, I hear from hard-working American taxpayers that they do not believe Washington is spending their tax dollars wisely. They think Washington has become far too inefficient, ineffective, and unaccountable. It is not just the people in Wyoming I am hearing it from. According to Gallup, Americans across the country estimate that the Federal Government wastes 51 cents of every dollar it spends. More than half of all taxpayer dollars are wasted is what the American people believe. So when people look at the Federal budget—and the debate that we are having today in the Senate—it is no wonder they are concerned. They want to know how this budget is going to affect them and their quality of life.

Looking at the Democratic budget, I think the American people have every reason to be skeptical and every reason to be concerned. This budget is just more of the same—more taxes, more spending, and more debt—and it never reaches balance, not this year, not 10 years from now, not ever.

This budget does far too little to heal our ailing economy and far too much to expand Washington bureaucracy. The budget the Democrats have put

forward would increase taxes by \$1 trillion. That is on top of the trillion dollars in tax increases in the President's health care law. It is also on top of the tax hikes the President demanded in the January deal to avoid the fiscal cliff. In contrast, the Republican plan from the House Budget Committee will not increase taxes at all.

The Democrats' budget will also rack up \$7.3 trillion in new debt over the next decade. Since President Obama took office 4 years ago, he has added more than \$6 trillion to our national debt. For 4 years, he has run budget deficits of over \$1 trillion each and every one of those 4 years. Now Senate Democrats want to throw good money after bad and add another \$7 trillion on top of that. The President has simply wasted too much of the American taxpayers' money. The American people have been stuck with an enormous bill as well as an anemic economy and economic growth that has been very slow.

The American people think more than half of all Washington spending is wasted, and the Democrats cannot find a single dollar that they think should be saved. Democrats actually want to increase Washington's spending by another \$645 billion.

This budget would spend \$46.4 trillion over the next 10 years. Apparently, President Obama thinks the only things which need to be cut from our budget are White House tours.

Well, Republicans and the American people know there is a lot more we could be cutting. Taxpayers are demanding Washington finally get serious about our budget and stop the political games and political gimmicks. It is time for Washington to do what families across the country have always needed to do, live within their means. Democrats still don't seem to get it. They continue to insist the rules don't apply to Washington, and they should not be held accountable for their spending choices.

Like their other failed policies of the past few years, the Democrats' plan is very much a statement of their priorities. It does nothing to stop the over-regulation which is destroying jobs and strangling our economy. It protects failing government programs from reform. It does nothing to preserve and protect Medicare and Social Security for future generations. It spends more money so Washington Democrats don't need to make a single tough choice. They have made their priorities clear, but they are the wrong priorities for America.

Republicans have offered a plan which starts to rein in Washington's spending and getting it back in line with revenue. This is what we should be doing. With a debt of more than \$16 trillion, it is why, and it is way beyond the time to balance the budget.

We need to finally start to ease the burden of that debt on future genera-

tions. We need to reduce our obligations to countries such as China. We need budget reforms which help to grow our economy and create jobs, or we can go in the opposite direction the Democratic way. The Democratic budget never balances. It never even comes close to balanced.

The smallest deficit it ever achieves would be more than \$400 billion in 2016, and then the deficit begins to climb again. It continues Washington's unrestrained borrowing and spending and continues the damage 4 years of failed Democratic priorities have done to our economy. According to one independent analysis, the Democrats' budget would cost America 853,000 jobs. Total economic output would be \$1.4 trillion less because of this budget. Private investment would be \$82 billion less per year.

As bad as this budget is, at least we finally have a Democratic budget to debate. This is the first time in 4 years the Democrats have even bothered to offer a budget in the Senate.

President Obama has not even submitted a budget. Where is the President's budget? It was due on February 4. Now the White House says they will finally produce a budget maybe sometime in April. This is more than 2 months late.

What we have to work with is an unserious budget plan written by Senate Democrats. It is inadequate to the challenges we face as a country. It is out of touch with what the American people want, and it is a slap in the face to the hard-working taxpayers who will need to pay for it.

If President Obama truly believes we can take a balanced approach to our budget, he should publicly oppose this wildly unbalanced budget which harms America. We need a serious budget, one which grows the economy, not government bureaucracy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I wish to speak for a few minutes about 11 million low-income children in America, children which all of us would like to help. These are children that I wish would have a chance to get a little help getting to the starting line towards realizing the American dream. I am talking about the children we help through the Federal education program called title I of the elementary and secondary education act.

It is the largest of our Federal programs aiding elementary and secondary schools. It provides \$14.5 billion a year to local school districts. The express purpose of it is to help low-income children in schools across our country.

The problem is that the money is not going to help those children as it was intended. It is being diverted for other purposes.

As part of our discussion today and tomorrow on the budget, I will be offering an amendment on behalf of myself, Senator PAUL, Senator RUBIO, Senator TOOMEY, and Senator MCCONNELL, which will redirect the 14.5 billion Federal dollars we spend on behalf of 11 million children living in poverty.

This is the way we would do it: We would simply pin \$1,300 in funds to each of those children, and let this money follow the child to the school they attend, any accredited school, public or private.

In a contentious Washington world this is a problem which seems to have a broad amount of agreement from the left and the right. As I said, this \$14.5 billion, which is appropriated expressly to help these 11 million children, isn't getting to them. It is ending up in other places. It is distributed by a complicated Federal formula which is generally based on the percentage or number of low-income children in a particular school district and the average per-pupil expenditure in the State.

What happens is the money largely follows the teachers' salaries. The children in wealthier districts are usually taught by teachers who earn higher salaries. The children in poor districts are usually taught by the teachers who earn lower salaries. A lot of the title I money ends up in the schools with more of the wealthier children instead of the schools with the poorer children.

Marguerite Roza, in a report by the Center for American Progress—which I think can be fairly described as a progressive think tank, explained:

The difference in actual school expenditures are often substantial because teachers' salaries are based on their experience and credits or degrees earned, and because high-poverty schools have many more less experienced, lower paid teachers and much more turnover than low-poverty schools.

She offers Baltimore as an example:

When teachers at one school in a high-poverty neighborhood were paid an average of \$37,618, at another school in the same district the average teacher's salary was \$57,000.

Assuming the same average number of teachers per school, say 20, the difference in dollars for the two schools is \$387,640. That is a lot of money per school.

Under the Federal formula, this is considered "comparable" or fair, which means the poor school is essentially stuck with newer, less expert teachers. This is a system designed for the bureaucracy and the adults, not the students.

A different report by the Fordham Foundation, which I would call a center-right foundation, came to a similar conclusion. It summed up its findings by saying:

All of these problems have a common root: today, money does not follow children to the schools they attend according to their needs.

Instead, money flows on the basis of factors which have little to do with the needs of students, the resources required to educate them successfully, or the educational preferences of their parents.

We have scholars from the Center for American Progress and Fordham Foundation coming to the same conclusion, largely because the title I money is distributed based on teachers' salaries and because very often the wealthier school districts pay teachers more. We have significantly more title I money in a school with wealthier children than with poor children, even though the purpose of the \$14.5 billion is to help those low-income children move from the back of the line to the front of the line.

This is a lot of money. This is \$1,300 per child. If you have a school full of children who bring \$1,300 with them pinned on their jackets, they have a lot of money to help those children. I think most of us believe that if we are trying to help children get to the starting line, children who might not have had as much help as other children, might not have had a book read to them by their parents, might not have eaten lunch that day, and who have other challenges associated with living in poverty, then we want to make sure we are spending every single dollar designated toward them for them.

Why isn't the right solution simply to say let's take these \$1,300 per student and let it follow the student to the school they attend? This means almost all the money would go to public schools. We have 100,000 public schools in the country, but children are usually assigned to public schools. Sometimes they may choose a public school. This is a matter of State law. This wouldn't interfere with that at all. If the parent chooses instead for their child to go to a nonprofit or attend a private school, as long as that school is accredited, the \$1,300 would follow the child to that school.

Some may say that sounds a little different than the way we do it now. It is a little different, but the main difference is the money follows the child. It is not different that we spend public money in private schools. We already do that with title I money by providing services to children who go to private schools under a formula in the Federal law. We have long experience, dating back to World War II, with public money following college students to community colleges, to universities, and even after World War II to high schools. The GI bill followed the veteran to the school they wanted to go to, whether it was the University of Tennessee, Notre Dame, Yeshiva, or any other school, as long as it was an accredited school.

Of course, in our system of education I think we would all agree that we have had the greatest success with higher education, for a variety of reasons. I

believe one of the reasons for this success is we have provided generous amounts of Federal dollars that follow the student to the accredited college of their choice, public or private. We call those Pell grants. We call those federal loans. More than half of the college students in the country today go there with some government money that follows them to the academic institution of their choice.

By allowing title I money to do this, we could say the \$1,300 scholarship is almost a Pell grant for kids. We could say we will attach it right to the child. It follows the child to the school. It is the most logical way to do that.

Some of my colleagues would like to fix this comparability problem by imposing a whole series of mandates on State and local school districts even though the Federal Government only supplies about 10 percent of all the money spent on local elementary and secondary schools. This would produce a minor revolution in the country, and it would be a gross overextension of Federal power to say that just because we provide 10 percent of the money, and we don't give it effectively, we are going to make it our job to tell Tennessee, Georgia, New Mexico, or any other State how to spend it.

The simple and logical way to solve the comparability problem that the left and the right agree on is to let the \$14.5 billion follow each of the 11 million children living in poverty to the school they attend. Then we could make sure that taxpayer dollars are being used in the most effective way to help these children have the single best opportunity they may have to get a leg up on reaching the American dream, which is through a good education in the best possible school.

I look forward to introducing an amendment to do this. As the ranking member of the Health, Education, Labor and Pensions Committee, I look forward to working with Senator PAUL, Senator RUBIO, Senator TOOMEY, Senator MCCONNELL, and, hopefully, a number of my Democratic colleagues to solve the misallocation of title I money.

Let's do the simple and logical thing: Let the funds follow low-income children to the school they attend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. LEE. Mr. President, I rise today to raise my voice in this important dialogue about the budget currently pending before this body.

I am thrilled as, first, we are actually having this debate. It has been 4 long years since we passed a budget. I am deeply disappointed the President's budget is not part of this discussion. He missed his first Monday in February requirement, and it must not fit into his schedule to produce one until the second week of April.

Budgets are economic documents, but they are also much more than that. Budgets reflect moral choices we make as a nation. They shape the kind of society we will build for the future. Budgets are about setting priorities.

Republicans realize we have a moral obligation to spend the American people's hard-earned dollars wisely. When those tax dollars are paid into the government, we have an obligation to be careful with them. We should spend them only in areas that we need to cover a constitutionally authorized function of government and not \$1 more. That is why we support reforms to fix programs that Washington should be funding, to eliminate programs that it shouldn't be funding and to balance the budget in the process.

We all know the Federal Government wastes hundreds of billions of dollars each year, and the President should work with Congress to identify and remove wasteful areas within the budget. My office has been focused on a very simple message that seems to make sense to every American: Cut this, not that.

The Federal Government wastes hundreds of billions of dollars every year, and instead of targeting waste, it is unfortunate the President is using fear-mongering tactics to scare Americans into believing cuts have to come first from important priorities—priorities such as first responders, law enforcement, national security, and educators.

The President and his allies in Congress want to increase spending and raise taxes. Republicans, meanwhile, want to prioritize spending and keep taxes low. The President is intentionally making cuts to government spending as painful as possible to force more tax increases. Cut this, not that.

This is a debate about priorities. Republicans have identified trillions of dollars in savings that would come from eliminating waste and reforming programs rather than cutting important essential services. The President is choosing to cut the most visible items in order to build opposition to any further spending reductions.

The debate should not be about whether we should cut, but, instead, how we should cut in order to preserve our ability to afford our true national priorities.

Here are some examples of the massive waste: \$1 million spent taste testing food that would be served on Mars; \$4.5 billion in improper food stamp payments used to purchase junk food, fast food, gourmet coffee, guns, and even alcohol; \$1.5 billion for free and subsidized cell phones billed to the American taxpayer; \$230 million spent on first-class and business-class travel.

I say to my colleagues and to the President of the United States, cut food testing on Mars, not teachers; cut free cell phones, not border security; cut premium first-class travel, not air

traffic controllers; cut improper food stamp payments, not first responders.

The President's second inaugural address was an advertisement for the biggest, most expensive government our country has ever seen. It was a pitch for new government solutions, more government programs, and the promises of a government-made utopia. Of course, no mention was made about the future cost of the President's vision for the country, no mention was made about how we would pay for it, and no mention was made of the damage that will occur from our increasing debt and deficits.

Americans and Members of this body hear this message and get pulled into a debate over the proper size of government or whether a certain policy represents good government or bad government. We argue for a smaller or more limited government or for one that is more efficient or more affordable. Unfortunately, this is often where we fail to articulate a positive vision of what America looks like under the type of government we are striving to create. It is time to reframe this debate. It is time for us to focus on the kinds of principles that will lead us to the kind of country and the kind of society we want for our future and for ourselves.

Here is the principle I ask Americans and my colleagues in the Senate to consider: The opposite of bad government is not necessarily good government—at least not just good government. It isn't even necessarily limited government. The opposite of bad government is a strong civil society. A free and strong civil society is built on the innate desire of Americans to contribute freely to the betterment of the community. It is not the product of bureaucratic, centralized decisionmakers handing down rules and regulations for the rest of us to follow. A civil society is the result of the relationships that connect, bind, and strengthen us. It is derived from the condition in each of us to do our part to help those around us.

Civil society is where free individuals thrive and communities flourish. The interconnection of local communities has always been at the heart of our Nation. I am convinced our future success will be found in a return to that connectedness that has driven the American dream from the very beginning of our Nation.

We see the bonds of civil society when a parent instills values in a child, when a doctor heals a patient, when a teacher stays late to help a student learn to read, when a neighbor stops to help a neighbor, when a pastor inspires faith in a troubled soul. These are the keys to restoring our faith in the institutions of civil society and away from dependence on an administrative state full of so-called experts. "We, the people" does not mean a collective adher-

ence to the agenda of the ruling class in Washington. It instead means that as Americans we share certain basic values and principles that when viewed as a whole help form and secure a more perfect union.

Americans' belief in civil society is grounded in bedrock principles of freedom, self-reliance, and self-governance. It is manifested in the form of historic American institutions, including the family, schools, churches, private groups, and civic organizations. These institutions of civil society teach the morals, values, and behaviors that instill faith, confidence, and trust between individuals, communities, and even government. The Constitution of this great Nation provides the framework that ennobles the vision of the individual while, at the same time, enabling the value of the institutions to create an environment where people are secure and prosperous and free.

It is important to remember that government cannot create a civil society, but it can kill it. Over the past 80 years, the Federal Government has expanded well beyond its constitutional limits. History demonstrates that as the power of the Federal Government increases, the ability to self-govern diminishes to a corresponding degree. As self-governance decreases, so too does the influence of the institutions of civil society. Soon, the ability to instill faith, competence, and trust among individuals and communities is replaced by the false promises of big government.

America is extraordinary, not because of who we are but because of what we do. Despite the current crushing weight of our bloated Federal bureaucracy, we can still see the strength of our Nation's fabric through the intertwining actions of the genuine heroes all around us. They are often described as the daily deeds that everyday citizens perform every day, but they are powerful reminders of the strength of the American spirit and the values we share.

We have a moral obligation to future generations to make the peoples' priorities our priorities. The budget debate isn't just about dollars, it is about sense. It is about common sense. Rather than having a budget battle between Democratic and Republican priorities, we should be having a dialog about American priorities.

Republicans recognize that keeping dollars, decisions, priorities and, at the end of the day, power in the hands of the people is what has long made America the greatest civilization the world has ever known. Now is the time to return to that model. I encourage my colleagues to keep that very model in mind as we embark on this critical debate. Working together we can, we must, and we will restore the greatness and prosperity of our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I appreciate the recognition, and I ask unanimous consent—I was going to ask that Senator SHAHEEN be allowed to follow me. She is on the floor now and so she will.

I am pleased to stand and talk about amendment No. 138, sponsored by Senator SHAHEEN of New Hampshire and myself. It is a solution to a problem we have in this country and we have in this body. The problem is we have not been able to appropriate; we have not been able to budget. Our debts and deficits have grown, and it has turned into a situation where we do not function as well as we should over the most important responsibility of government; that is, spending money.

For one second I wish to talk about my side. Then I will defer to a lady who has been there and done that, because the State of New Hampshire is a biennial budgeting State.

We have a process problem. We budget every year, we spend money every year, but we never do oversight, we never look for cost-benefit savings, and we never look at analysis. This biennial budgeting amendment does the following things:

No. 1, it amends the Budget Act to require the Congress to do a 2-year budget, not a 1-year budget; No. 2, and followed by that, it requires them to do 2-year appropriations bills, not 1-year appropriations.

The appropriations bills and the budget are passed in the first year of a Congress, which means the odd-number year. In the even-number year, it is dedicated to oversight, efficiency, and cost-benefit analysis, something we do far too little of in this body and far too little of in this country.

Wouldn't it be nice to have elections every even-numbered year where Members of Congress were running for office based on the savings they are going to find, the efficiency they will create, and the accountability they will have in appropriations, rather than talking about how much more bacon they are going to bring home or how much more money they will spend.

This legislation creates a new majority point of order against any amendment that is not confined and coordinated with the 2-year budget process and the 2-year appropriations process.

I have been in Washington 15 years, and we have gotten into the business of when we do appropriations bills, they are omnibus; and when we do budgets, which we haven't done in 3 years, they end up being more of an argument over political philosophy than a practical roadmap for the American people.

The biennial budgeting process, which has been adopted by 20 of the 50 States in this country, is a process that will work and will force us to do what we know our job is—to appropriate, to

budget, and then to conduct oversight to make sure the money we are spending is efficient.

One side note before I yield to Senator SHAHEEN. The State of Israel, 3 years ago—4 years ago—was having difficulty with deficits and debt. They went to the World Bank for advice and consultation and they recommended—the World Bank did—that they adopt a biennial budget process and a biennial appropriations process. In the 3 years since that time, while operating under those principles, they have gone from deficits to surpluses, and they have gone from debt to a lower debt. In other words, it has worked in Israel, it worked in a democracy, it works in 20 of our 50 States, and it can work in the United States of America.

Every President since Ronald Reagan has endorsed the biennial budget. Members of the Cabinet of the President who were nominated and have been confirmed have endorsed a biennial budget. Pete Domenici started this process 15 years ago, and we want to bring it to a conclusion this year. So I urge my colleagues to support and adopt amendment No. 138, creating a biennial budget process and accountability for our appropriations.

I yield the floor now to the Senator from New Hampshire, who has been there and done this in her State, and she is a great partner with me in this bipartisan amendment for success in this Congress.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I wish to thank my colleague from Georgia Senator ISAKSON for his eloquent and thoughtful remarks in support of the biennial budgeting amendment. I am proud to join him as a cosponsor of this amendment and a cosponsor of the legislation we introduced last week, in fact.

I am pleased to point out on the floor with us is Senator ANGUS KING, my neighbor from Maine, who is also a sponsor of biennial budget legislation.

I appreciate we have the budget resolution before us. I think it is an important step toward returning to regular order. But the fact is, as my colleague just pointed out, since 1980, we have only had two budget processes that have finished on time, according to schedule. We have had every President since that time, since Ronald Reagan, endorse a biennial budget. As my colleague said, I have been there and done that. As Governor of New Hampshire, as the Governors of 19 other States, we have biennial budgets. It has worked very well—because as this amendment would do, and as the biennial budget process would do, it would give us the chance to spend the first year of the budget cycle working on the budget, looking at programs and preparing for the budget and then the second year in oversight, so we can make sure what we are spending our money on is effective

and is doing what we want it to do. It would give us a more transparent process and would, hopefully, allow us to address what has been one of the real challenges we have faced in Congress; that is, getting a budget through on time, according to the process.

As my colleague from Georgia pointed out, as we think about addressing the debt and deficits facing the country, as we think about investments we need to make going forward, thinking about how we can use the process in a way that is more effective, that works better, is something we also ought to be including. We have had a lot of momentum that is built around the biennial budget legislation. In the last Congress, we had 37 bipartisan cosponsors. We had the support of then-budget chair Kent Conrad and ranking member JEFF SESSIONS. So we have some momentum. I think we clearly have an opportunity. I hope we will take advantage of it and that our colleagues will support this effort.

I thank my colleague for his leadership.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I just want to thank the distinguished Senator from New Hampshire for what she has done in supporting this, and I thank my other colleagues who are supporting it. This is an idea whose time has come. I urge every Member of the Senate tonight to vote for this amendment so we can begin a new process and a new day in this Congress. I yield back.

The PRESIDING OFFICER (Mr. KING). The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 5 minutes off the resolution to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. I thank the chairman, and I rise to speak briefly in support of the Senate budget resolution and four amendments that I will be offering. I believe these amendments will improve the underlying budget resolution and they deserve broad support.

First, Udall amendment No. 192 addresses the need to increase access to care for rural veterans.

Many of these veterans, including those in New Mexico, travel long distances between their homes and Veterans' Administration medical centers. Many other States have rural veterans who face the same challenges. I am glad to be joined by Senator MORAN from Kansas as a cosponsor of this bipartisan amendment. Expanding access to health care in rural areas helps our veterans get the care they need.

The second Udall amendment, No. 311, would ensure that the 113th Congress can strengthen and reform the National Nuclear Security Administration. During the past decade NNSA has

shown repeated failures in managing and planning projects. The result is costly overruns, deferrals, and, in some cases, security lapses. These failures are not only a threat to our national security, they pose threats to the safety of the scientists, engineers, and other workers employed at the National Labs.

I cosponsored an amendment to the 2013 Defense Authorization Act with Senator Kyl to form an advisory panel and to take a look at this to make bipartisan recommendations to improve the governance and structure of the NNSA. It is vital that necessary reforms would be completed.

The third Udall amendment, to lay the foundation, is for future hard rock mining reform in the 113th Congress. I have just filed this amendment so it does not yet have a number. We should correct a longstanding fiscal loophole and establish a royalty on hard rock minerals mined on Federal lands. Since 1872, the Federal Government has literally been giving away our gold, silver, uranium, and other hard rock minerals, handing over these public resources for free. A royalty is long overdue. It could be used for the reclamation of thousands of abandoned hard rock mines across the country, as well as for budget deficit reduction.

Oil and gas and coal all pay Federal royalties when extracted from Federal land. All other developed nations apply royalties to hard rock minerals. This amendment does not prejudge what type of royalty Congress might agree on. The mining industry supports one type of royalty. We have worked with Chairman WYDEN, Ranking Member MURKOWSKI, and Majority Leader REID on the text of this amendment, and I hope it is acceptable to a broad range of the Senate.

Lastly, I have also filed an amendment to allow for full funding of the Impact Aid Program. This program is one of the oldest Federal elementary and secondary education programs, going back 63 years. Impact Aid supports school districts that lose local revenues, such as property taxes, when educating pupils who live on Federal lands, such as military bases and Indian reservations. Impact Aid funding has been flat for many years, but the costs of education have gone up significantly, shortchanging many Indian communities.

I am pleased to be joined on this amendment by Senator BAUCUS of Montana who faces many of the same issues as we do in New Mexico and throughout the West. Finally, let me thank Chairman MURRAY for the work on this budget. She has shown real courage and leadership on this budget and pulled together a very diverse committee.

I think this is a budget bill that is good for the middle class, and it is going to be a fair and sensible budget.

The budget is critically important to my State of New Mexico. It replaces the devastating sequester cuts with a balanced approach that will save thousands of jobs in my State. At home in New Mexico, sequestration is not just another political issue, it is a bread-and-butter issue for our family budgets: smaller paychecks, lost contracts, real economic harm.

Not only does the Senate budget resolution put a stop to the sequester, it also helps rebuild our economy with \$100 billion for jobs and infrastructure investment. It will help spur job creation and rebuild the outdated infrastructure on which American businesses depend.

I urge my colleagues to support my amendments and support this budget.

Mr. President, I yield the floor to Ranking Member MURKOWSKI from Alaska.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. REID. Mr. President, would my friend yield for a unanimous consent request?

Ms. MURKOWSKI. Absolutely.

Mr. REID. I do appreciate the courtesy. Members are waiting all over the Capitol and maybe a few other places.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the pending motion be set aside and the following amendments to S. Con. Res. 8 be called up:

Murray No. 433, Hatch No. 297, Stabenow No. 432, Grassley No. 156, Mikulski No. 431, Ayotte No. 158, Cruz No. 202, Murray No. 439, Crapo No. 222, and Shaheen No. 438; that the time until 8:10 p.m. be equally divided between the two managers, or their designees, prior to votes in relation to the Sessions motion and the first four amendments listed; that all after the first vote this evening be 10-minute votes; that there be 2 minutes equally divided in the usual form prior to each vote; that no amendments be in order to the motion or any of the amendments prior to the votes in relation to these items; that following votes this evening, the remainder of today's session be for debate only on the concurrent resolution; further, that when the Senate convenes at 9 a.m. on Friday, March 22, the Senate resume consideration of S. Con. Res. 8 with the time until 11 a.m. equally divided between the two managers or their designees; that at 11 a.m., the Senate proceed to vote in relation to the remaining amendments listed above; that there be 2 minutes equally divided prior to each vote and all after the first vote in this sequence be 10-minute votes; that upon disposition of the last amendment listed, there be 2 hours equally divided between the two managers or their designees remaining on the concurrent resolution; finally, the next amendment in order be an amendment from

the majority side to be followed by a Republican alternative to Shaheen No. 438.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I have been in consultation with Senator MCCONNELL today. We believe this is an appropriate way to go forward. I appreciate very much the work of the two managers on this legislation. This is noteworthy legislation. Debate at this point has been courteous and strong. There are feelings on both sides, and that is what this body is supposed to be.

So I am grateful to the two managers of this bill, and I again appreciate my friend from Alaska yielding.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to take 3 minutes off of our side of the 30 minutes to allow the Senator from Alaska to proceed, and then we will continue on the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I came to the floor, as Senator ISAKSON from Georgia and Senator SHAHEEN from New Hampshire were speaking about the biennial budget amendment and the effort they have undertaken. I just want to acknowledge their leadership on this issue. I think it is smart, I think it is wise, and I think it is something that we as a Senate should surely consider. I wanted to just make that brief comment.

As the ranking member of the Energy and Natural Resources Committee, I know bipartisan progress on energy is possible in this Congress. While it may take our committee some time to develop, consider, and complete legislation within this area, we have a great opportunity to take the first step forward today through the adoption of a number of energy-related amendments that I have offered. I filed three amendments that would help us seize on the historic opportunities within our reach. I hope the Senate would agree to adjust the resolution before us to reflect their beneficial impact.

The first amendment that I have introduced is cosponsored by the Senator from Missouri, Mr. BLUNT. It would raise an estimated \$3.1 billion—not through taxes but by facilitating new energy production on Federal lands and waters that are currently not open to development.

It is worth noting that the \$3.1 billion estimate is probably far too low. Almost certainly that number does not account for the substantial receipts that would result from a good plan to boost Federal production offshore and onshore in Alaska and across the conti-

nental United States. But for this amendment, we relied on the Congressional Budget Office estimates for receipts that we already know we can raise. If we were to take action today, we will also generate far greater receipts in the years ahead. CBO doesn't assume that production will begin within its 10-year window, but it has acknowledged that Federal receipts will grow tremendously by several billion dollars a year once it does.

Some Members might question why this amendment is even necessary at all. They know that oil and natural gas production is rising in this country. After watching a few campaign ads, listening to a few speeches, they might think that everything is fine right now. But that is hardly the case. While overall production has in fact risen, the entirety of that increase has been from State and private lands. Production on our Federal lands and waters—the only area that the Federal Government is responsible for managing—has actually fallen.

According to the Congressional Research Service, oil production on Federal lands is down 6 percent since 2009 while natural gas production is down 21 percent. Just as worrisome, the pace of permitting—which is a key indicator for future production—has also slowed.

The Senator from Missouri and I believe it is time to produce more of our prolific resources beneath our Federal lands and waters. We need the jobs, we need to reduce our deficits, we need to keep energy prices down, and we need to break our dependence on foreign oil. New production will help us accomplish all of those crucial goals, and there is no real downside.

My second amendment is focused on increasing oil production on Federal lands in Alaska. Right now, no production is occurring on those lands. That is the case even though we have more than 200 million acres of Federal land and close to 40 billion barrels of conventional oil just waiting to be produced. The cause, of course, is the Federal Government continues to deny, delay, and generally up-end anyone who tries to bring energy to the market. The consequences are now apparent for all to see.

In 1988, Alaska produced more than 2 million barrels of oil per day. Last year, they had fallen all the way down to 526,000 barrels per day, and it is forecasted to drop even further in the years ahead. In Alaska, we are treating this as an emergency, and the Senate should as well. If our production continues to decline, the Trans-Alaska Pipeline system could be shut down. Our Nation could lose a substantial share of its oil supply. Jobs will be lost, energy prices will rise, our dependence on foreign oil will deepen, sapping our economy and progress that we have made.

These consequences and others that would manifest must be avoided—can



be avoided—and it is within our power to do that. Alaska doesn't need subsidies or loans or grants or tax credits. What we need is permission to produce. We need the Federal Government to work with us, not against us. We need access to our National Petroleum Reserve. We need access to that tiny dot of land in the nonwilderness portion of the Coastal Plains. We also need to be able to explore new areas where resources have not yet been discovered.

My amendment is simple. It would modify the budget resolution to account for substantial receipts—about \$2.5 billion—from increased oil in Alaska. As with the amendment that Senator BLUNT and I have cosponsored, this estimate is probably too low. We anticipate that receipts would grow tremendously once production begins. We always talk about the need for an “all of the above” policy. That would allow for it.

I have one final amendment that I would speak to briefly, and this is one that would facilitate the creation of an advanced energy trust fund. This was part of my energy 2020 blueprint that I released earlier this year. It is specifically designed to help create an energy policy that pays for itself. It would open new lands that are not currently available for development and devote a share of the receipts to energy research.

This concept has gotten pretty broad support, notably from the think tanks, and even more notably from the President himself. But I would be remiss if I didn't point out why my plan works and why the President's does not. While I would raise new receipts from new production, the President would divert revenues from production that is already scheduled to occur.

The result of his plan would be either deficit spending or, most likely, tax hikes elsewhere in the budget. Neither of those would be acceptable to us, particularly when we know there is a better path forward.

My amendments offer us an opportunity to create jobs, to make energy more affordable, to reduce our debt, to break our dependence on foreign oil. That is in the best interests of a coherent energy policy that so many of us are working to develop and certainly in the best interests of our Nation's budget. I encourage my colleagues to take a look at these amendments and, should they be brought before us for a vote, to join me in support of them.

I yield the floor.

THE PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. I think I can yield myself 10 minutes.

THE PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I rise to speak about amendment No. 156. I am offering this amendment to the majority budget to ensure that tax reform

is revenue neutral and the money available to do tax reform is not used for spending, as the underlying resolution proposes. I am pleased to be joined in offering this amendment by a number of my colleagues: Senator ENZI, Leader MCCONNELL, Senator CORNYN, the finance ranking member Senator HATCH, as well as Senators BURR, ROBERTS, PORTMAN, ISAKSON, THUNE, COATS, and RUBIO.

In order to ensure tax reform does not become a tax-raising exercise, this amendment eliminates the nearly \$1 trillion in new revenue and the reconciliation instructions called for in the majority's budget. It further creates a deficit-neutral reserve fund for progrowth, revenue-neutral tax reform.

The budget reconciles the Finance Committee to come up with nearly \$1 trillion in revenue. I spoke last night how difficult that is to do unless you want to tax middle-income Americans. This reconciliation instruction, in addition to raising a lot of money to spend more, dashes the hopes that the Finance Committee can take a bipartisan approach to tax reform. First, it puts in place an arbitrary deadline that requires the Finance Committee to produce a bill by October 1 of this year. Tax reform will be a long and difficult process. Hopefully it will not take 3 years to produce it, as it did in 1986, the last major tax reform we had, but discussions about tax reform should not be cut short to meet an arbitrary deadline. The Finance Committee needs to be allowed to do its work.

Second, reconciliation is not a suitable way to produce tax reform that simplifies the Tax Code. This is because it prohibits any changes to the Tax Code that score as adding anything to the deficit. This requirement is incompatible with the goal of simplifying the Code, making it easier to administer. Chairman BAUCUS has voiced similar concerns, which is why he has concerns about including a reconciliation instruction in the budget.

While the budget does not call explicitly for tax reform to be a part of the reconciliation process, it has that effect by requiring the Finance Committee to come up with nearly \$1 trillion in “savings . . . by eliminating loopholes and cutting unfair and inefficient spending in the Tax Code.”

If such large amounts of low-hanging fruit exist in the Tax Code, you would have thought that either Chairman BAUCUS or I, during the period of time I was finance chairman, would have gone after some of these along with the billions of dollars of loopholes that we have worked to close already. The truth is that the majority's definition of a loophole is so broad as to be void of any real meaning, and their idea of spending in the Tax Code is popular deductions widely used by middle-class Americans such as tax deductions, mortgage interest, charitable giving,

State tax deductions, and in order to raise the revenue they want to, you have to go to those areas. When you do that, you end up taxing middle-class America.

Also, referring to these tax increases as savings or as eliminating loopholes or spending in the Tax Code does not change the fact that to raise nearly \$1 trillion, the middle class will see higher tax bills. The budget of course does not only assume nearly \$1 trillion in tax increases, additional reserve funds in the budget assume another \$500 billion in tax hikes to pay for more spending.

The underlying premise in this budget is that the Federal taxes are too low to support much-needed Federal spending. The budget resolution has this completely backwards because until we get spending under control, we will never be able to raise enough revenue that will suffice to satisfy the spending appetite that some in Congress have.

Yesterday I had charts—I have a different one today—that lists the last five times we had a balanced budget. The last five times were the years 1969 and 1998 through the year 2001—5 years in the last 43 years. As you can see, in each of these years, spending as a percent of GDP was significantly lower than 20 percent—significantly lower than 20 percent. This line represents the spending level of these years, right here, the years when we balanced the budget. Over the next 10 years as projected by the Congressional Budget Office, under current law spending will average 22.1 percent of gross national product as CBO estimates it under current law. Actually the budget resolution would be higher than that 22 percent.

Lower on the chart I have another dotted line which represents projected revenue, right here, about 18.9 percent. That is over the next 10 years. As this chart shows, these revenues are more than enough to bring our budget into balance simply if we return to the spending levels of the late 1990s and 2000.

The larger gap where spending was and where spending is projected to be is where our problem is. In between here and here is where the problem is. Congress has exhibited an appetite in the last few years to go hog wild on spending compared to the average of the last 50 years of about 20 percent.

We all know there is clutter in the Tax Code. There has been a proliferation of tax preferences that should be reexamined. However, they should be reexamined in the context of enacting progrowth tax reform, not as a means to finance higher government spending. The goal of tax reform is to simplify the Tax Code and make it more efficient. The ultimate goal is economic growth, but true tax reform should be revenue neutral. It should not act as a way to increase taxes. Revenue raised

by eliminating tax preferences should be used to lower marginal tax rates because that is where you get economic growth, you encourage entrepreneurship, and that is how you create jobs.

The assumption in the budget that business and corporate loopholes are available for revenue reduction is particularly puzzling. We currently have the highest tax rate among our major trading partners. The President has even recognized the competitive disadvantage this puts us in. That is why he has called for reducing the corporate tax rate from 35 percent down to 28 percent. That is the President of the United States who wants to do that.

At a recent hearing before the Budget Committee on tax expenditures, the Democrats' only witness, Professor Edward Kleinbard, similarly recognized the need to use revenue from eliminating business tax preferences to lower rates. It was his view that the corporate rate should be reduced to the mid-20s by eliminating corporate tax expenditures.

I want to stress this was the opinion of the majority's witness. Raising revenues by closing so-called loopholes or reducing tax expenditures is a tax increase. Unless it is used to offset true tax reform, it is a tax increase that will support more spending, and that is the purpose of it, according to the budget resolution.

Tax reform, then, should be revenue neutral and my amendment would ensure that any reduction in tax preferences is used to lower tax rates. In other words, tax reform and not finance more spending.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield 15 minutes off my time to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, first I thank Senator MURRAY and the Budget Committee for producing a budget that says loudly and clearly that our No. 1 priority is to fight for a stronger middle class, even as we dramatically reduce budgets and stabilize the debt by the end of the decade. I also applaud Senator MURRAY and the committee for producing a budget resolution that insists on a balanced approach to deficit reduction: both spending cuts and revenue increases—both.

I also applaud my colleague Senator LEVIN for his leadership on using his investigating subcommittee, his Permanent Committee on Investigations, to bring to light over the last few years the number of loopholes and the egregious tax spending that we are doing through loopholes that allows corporations and others to get by without paying their fair share of taxes.

Senator CARL LEVIN has long fought to bring fairness to the Tax Code. His

investigations have shown that one of the major things we have to do is to close up some of those egregious loopholes.

My colleague from Iowa was just talking. He pointed out the years we balanced the budget. I note those are the years when we had a Democratic President, President Clinton. We were working off the 1993 deal that was made to both reduce spending and increase revenues. We had growth in the economy. We had low unemployment. We balanced the budget for 5 years in a row.

During that time our revenues averaged about 20 percent of our gross domestic product. Now it is down to less than 18 percent. We also know that demographics, including the tens of millions of baby boomers becoming eligible for Social Security and Medicare, will place vast new demands on our budget. At the same time, we need to make investments in infrastructure, research, and education to prepare our young people and our economy for the competitive global economy that is coming. I remind my colleagues that when President George W. Bush's tax cut was passed in 2001, it was defended on the grounds that it was only going to take a small part of the projected surpluses that we were going to have for the next 10 years. That was what was said.

As we now know, those surpluses didn't materialize. We had the tax cuts, we had two unpaid-for wars that completely wiped out the expected surpluses, and yet we kept those big tax cuts going and that created big deficits. Then the onslaught of the great recession in 2008 pushed our deficits even higher.

To date, only one-eighth of the revenues lost by the Bush tax cuts have been restored. Yet many of the Republicans keep repeating their mantra that we only have a spending problem, not a revenue problem. This is demonstrably not the case.

If we go back in time, when I was here, President Reagan pushed through some tax cuts. To his credit, he realized he went too far. He reversed course and supported two income tax increases. In looking back just 12 years ago, President George W. Bush's tax cuts also went too far, again, contributing to the largest deficit in our history.

One would think we would want to reverse course, but Republicans have dogmatically refused to reverse course on increasing revenues. They are sticking to their ideological mantra. They say: Don't touch tax breaks for the wealthy and the largest corporations. Instead, cut the programs that undergird the middle class and meet the needs of the most vulnerable citizens. They demand that we slash funding for infrastructure, innovation, and education and keep tax cuts for the wealthiest Americans.

There are abundant opportunities for cutting waste, cutting spending, but it needs to happen on both sides. Yes, we need spending cuts. We need to cut spending by closing tax provisions in the Tax Code that hurt our economy. That is where we need to cut some spending—tax spending that goes to the wealthiest and goes to large corporations.

I will cite a few examples. Consider the so-called deferral provision governing taxation of profits earned by companies overseas. Follow this: A U.S. company can deduct the cost of starting a business overseas, such as building a facility. They can deduct the cost of shipping equipment to that plant even if it comes from America. But the Tax Code then allows these companies to delay paying taxes on these profits until its profits are brought back home.

So on one hand, they get tax breaks for building a plant overseas, they get other tax breaks for shipping the jobs overseas, they get tax breaks for shipping equipment that could be used in America overseas—those are immediate. They get the tax breaks right away, but when that plant earns a profit, they are not taxed until and unless they bring those back home. That is totally unfair to U.S. manufacturers who may have a factory in Iowa or New Mexico and pay their full taxes at a full and fair rate. The lost revenue is unfair to Americans who play by the rules, pay their full taxes, and, yes, Americans who rely on essential government services.

Here is another one. U.S. companies can sell their patents to their own subsidiaries with an overseas postal address in a country with low tax rates. The parent company is paid to use the patent, generating profits for the company, but the taxes on those profits are not paid as long as the money is technically in the subsidiary's account even if the money is deposited in a U.S. bank.

Consider another tax outrage, and we all know it by the name of "carried interest." What does that mean? It means that for those individuals who are fortunate enough to make \$10 million a year, they pay income taxes at the rate of 39.6 percent. But if a hedge fund manager makes \$10 million managing a hedge fund and never invested a penny, they get taxed at 20 percent, not 39.6 percent. Twenty percent is the capital gains rate for most of our income. Well, why is that? Well, there is no rational reason. That was just put into the Tax Code I guess by some great tax lobbyist who was hired by the hedge fund industry.

These gimmicks and tax breaks cost the Treasury untold billions of dollars. They serve no constructive economic purpose. In fact, they give incentives to corporations to make decisions that harm the U.S. economy and American



workers. By ending these abuses, we can generate needed revenue while creating a fairer Tax Code, one that does not reward corporations and the wealthy for behaviors that put the rest of us at an unfair disadvantage.

When I hear someone say, well, we are going to have tax reform, but it must be revenue neutral, what I hear is, let's keep all the tax loopholes for the wealthy and these large corporations. I say it is time to end that. We need that revenue for education, reinvesting in the infrastructure of our country, biomedical research, and science research. We need it to make sure that our young people today are able to compete in this global economy in the future.

Compromise, common sense, and good-faith negotiations are what we need today. We do not need someone saying: No, we cannot raise revenues; all we have to do is cut spending. On our side, under the leadership of Senator MURRAY, we have said we will cut spending, but we will also raise revenues. We will have a balanced approach.

I urge my colleagues to vote yes on this budget resolution and to say no to all of these amendments that would upset what I think is a very good, solid budget resolution that has been put forward by Senator MURRAY and the committee. Let's put dogma aside. Let's act rationally and reasonably, and let's come together for a balanced and responsible solution to our Nation's budget challenges.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise in support of amendment No. 297, which has been brought forward by my colleague, Senator HATCH from Utah. I am proud to be a cosponsor of this amendment that establishes a reserve fund to repeal the onerous medical device tax. In fact, the medical device tax is nearly a \$30 billion new excise tax on medical devices. It took effect on January 1 to pay for the President's new health care law, and it affects everything from orthodontics to the most complex lifesaving medical devices—just to name a few: joint replacements, knee braces, pacemakers, visual aids for sight-disabled people. It affects things that help people who are ill, such as lifesaving devices and technologies that people need, and this tax burdens all of them, and it will increase health care costs.

I thank Senator HATCH for his tremendous leadership on this issue. He has been fighting so hard to repeal this onerous tax since it went into effect. I thank Senator HATCH for bringing this important amendment forward because the medical device industry in America is a manufacturing success, and I have seen this in my home State of New Hampshire, where we have nearly 50

medical device companies that employ almost 3,500 Granite Staters. We are very proud of those companies, and we want to keep them in New Hampshire and hopefully grow them. When I campaigned for the Senate, I went to visit many of these companies. They told me about this tax and the impact it will have on their companies.

The medical device technology and medical field in this country is a great success story. In 2008 the industry employed over 420,000 workers, generated more than \$24 billion in payroll, and paid 40 percent higher salaries than the national average in terms of a job. These are great-paying jobs. They are high-quality, good-paying, sustainable jobs, and this tax is going to make sure we have fewer of those good jobs that Americans want so much right now. With the Nation's unemployment rate still unacceptably high, we should be doing everything we can to create a good climate for American companies so they can strive and make sure we have more economic growth and make sure people have good-quality and high-paying jobs.

If this tax is left in place, the medical device tax will absolutely stifle hiring. For example, a 2011 study by the Hudson Institute found that the device tax threatens nearly 43,000 jobs nationwide and will cost \$3.5 billion in wages. I hear a lot of talk from my colleagues about investing. This is something where this tax is basically going to kill good-paying American jobs. It defies common sense. Over 16 percent of respondents to a survey last year said they would reduce staff and employees in order to lower costs before the implementation of this device tax.

In my home State of New Hampshire, a study found that we could lose potentially hundreds of employees due to the cost of this medical device tax.

I had an opportunity to visit one of those companies, Corflex, which is located in Manchester. They manufacture orthopedic medical products. Corflex has seen steady growth over the years. It is a small thriving business in Manchester, NH. When I met with the CEO at Corflex, he showed me their balance sheets. He showed me the balance sheets before the medical device tax went into effect and after the medical device tax went into effect. What he showed me is that they went from being a profitable company to a company that would sustain a loss. This is a great company that was founded by a person in New Hampshire who was an entrepreneur and just had a dream. This tax would change a profitable company into a company that would experience a loss. He said: If this tax is not repealed, it will ultimately force companies, like us, to cut research and development dollars, pass costs on to consumers, or even consider reducing our workforce.

Last year I visited Smiths Medical Facility in Keene, which employs 500

people in New Hampshire. They are doing great work at Smiths Medical. The vice president of global operations of technology told me that repealing the medical device excise tax is about improving patient care and investing in more innovation and jobs.

The medical device tax has sadly already cost the United States thousands of jobs. We need bipartisan action now to repeal this onerous tax that is killing jobs in this country. I know there are Senators on both sides of the aisle who support the Hatch amendment.

For smaller device companies, like many in New Hampshire, this tax hits them even harder. In fact, Teleflex—a Pennsylvania-based company that has a manufacturing plant in Jaffrey, NH—does what many larger medical device companies do: they rely on small companies to do their research and development. The vice president of Teleflex said:

I think the fear is that there is a lot of good that comes out of small medical device companies, and with more costs thrown upon them, it's going to be harder and harder for them to sprout up and make a go of it . . . I think the view in the industry is that this is going to stifle innovation.

Why is this going to stifle innovation? Because this is a tax that is not a tax on profit, it is a tax on revenue. It is a 2.3-percent tax on revenue. What does that do to startups? What does that do to investments? Basically what we are saying is, don't start your new medical device company here with your new idea on how to save American lives because we are going to tax you whether you make a profit or not. That is why this tax is very onerous on startups. It is essentially a tax on innovation.

The device tax also stands to increase health costs, and that is why I don't understand why it was used to fund the President's new health care law—because we are going to see greater costs. In fact, the CMS Actuary, Richard Foster, said he anticipates that the excise tax will generally be passed on to health consumers in the form of higher drug and device prices and higher insurance premiums. It will raise national health costs by a whopping \$18.2 billion by the time we reach 2018.

Even though it only went into effect a couple of months ago, we are already hearing about the job losses in this country because of the medical device tax. We heard that Stryker Corporation laid off 5 percent of its global workforce. Covidien, which makes surgical instruments, recently announced the layoff of 200 American workers. And guess where they plan to shift their production. They are shipping it offshore to Mexico and Costa Rica. And that is the other impact of this tax—encouraging new devices to go elsewhere, to plant their new investment in other countries instead of here in

the United States of America. That is another horrible impact of this medical device tax. Zimmer said it planned to cut jobs and outsource. The CEO of Cook Medical, the world's largest privately owned medical device company, said it will have about \$20 million less to develop and improve patient care and access to technology. We heard so many of these stories about American companies that are being hurt tremendously by this medical device tax.

So what is this about? This is about repealing this onerous tax. This is a tax that taxes innovation, increases health care costs, and also is a tax that kills good-paying American jobs.

Finally, we want the new medical devices to be developed here in this country. We don't want them to be developed in Europe because of an onerous tax. What we are going to see is that Americans are going to have less access to the very new and best products because it is going to become too costly in this country for new companies to develop those products and for startups and, at the end of the day, it will be sad for Americans.

I urge my colleagues to support the Hatch amendment and, again, I thank him for his leadership.

The PRESIDING OFFICER. Who yields time?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I think we have confusion on the time limits. I had reserved 10 minutes; I have 17 on the motion. I think there has been some confusion about it. What is the status of the time?

I ask unanimous consent for 10 minutes.

The PRESIDING OFFICER. The time until 8:10 is divided. Of that remaining time, the Senator from Alabama has 8 minutes. There is still time remaining on the motion.

Mr. SESSIONS. Does that include—The PRESIDING OFFICER. But it cannot be used before 8:10.

Mr. SESSIONS. So that time could be used after 8:10?

The PRESIDING OFFICER. That is correct. After the votes occur.

Mr. SESSIONS. After the votes?

The PRESIDING OFFICER. There will be 2 minutes equally divided.

Mr. SESSIONS. Well, my colleague Senator HATCH is here. The 8 minutes, as I understand, that exist—he wishes to speak. If he spoke, would that count against my time?

The PRESIDING OFFICER. It is the Senator's time to yield.

Mr. SESSIONS. I ask unanimous consent that the vote be delayed until 8:15.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, our Members have been waiting for 2½ hours to get to a vote. I know we have had a lot of time to debate. We will have additional time after the votes as well, as the Senator knows, tonight

and tomorrow morning. I would respectfully ask if we could stay on time because a lot of Members have been waiting for the vote.

Mr. SESSIONS. Well, reclaiming the floor, I ask unanimous consent that the vote start at 8:12, and I will be happy, and we will make it all happen. Senator HATCH can have 1 minute.

Mrs. MURRAY. I assume that means the time will be divided equally, which means the Senator from Alabama would only have 1 additional minute.

Mr. SESSIONS. I will do my best.

I yield to Senator HATCH for 30 seconds.

Mr. HATCH. Mr. President, I rise to say a few words in support of amendment 156 offered by Senator GRASSLEY and myself.

This amendment would strike the tax reconciliation instructions from the budget and, instead, create a deficit neutral reserve fund for pro-growth, revenue-neutral tax reform.

The American people have had it with our current tax code.

It is too complex.

It is overly burdensome.

And, it is an impediment to economic growth and our global competitiveness.

Members from both parties need to work together to reform our tax code to provide greater fairness and simplicity and to ensure that it encourages growth.

In order to do that, we need to work at finding ways to broaden the tax base in order to lower the marginal tax rates.

That is how we encourage economic growth.

That is how we create jobs.

For the first time in many years, there is bipartisan agreement in both the House and Senate on the need to move forward on tax reform.

Unfortunately, rather than letting those efforts move forward, the budget before us today would hijack those efforts.

Under this budget, the Finance Committee would be instructed to scour the tax code in search of nearly \$1 trillion in new revenues in order to pay for new spending.

It is bad enough that this budget would greatly increase our Nation's debt. And, it is bad enough that it doesn't balance at any point.

But, to add massive tax increases on top of that is simply unconscionable.

As I said this afternoon, more than 70 percent of the revenue loss due to tax expenditures comes from the top 10 tax expenditures, most of which predominantly benefit the middle class.

As Senator GRASSLEY stated last night, the top 20 tax expenditures—which also greatly benefit the middle class—account for 90 percent of the revenue loss.

So, as we can see, we simply cannot generate a significant amount of revenue—certainly not in the magnitude

imagined under this budget—without negatively impacting the middle class.

I hope my colleagues will reject this attempt to once again raise taxes on the American people.

Toward that end, I hope they will support our amendment.

I will recap quickly. The Grassley-Hatch amendment assures tax reform will travel on a bipartisan path. It corrects the partisan process in the budget with an elimination of reconciliation. That is all it does, and we ought to all support it.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. I yield 3 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you very much, Mr. President. I thank my colleague, the terrific chair of the Budget Committee, who has worked so hard in putting together the budget.

I wish to speak for a moment on the amendment I will be offering in a few moments that relates to Medicare and protecting Medicare for future generations by keeping it as an intact insurance plan. There are very different visions, as we all know, and this will be an opportunity tonight to vote on which vision we support.

The House, under the Ryan Republican plan, has eliminated Medicare as we know it and replaced it with a voucher program which only covers part of the costs, increasing costs for seniors of around \$6,000 per person. They would have to go back into the private insurance market and try to find insurance that would work for them.

We very clearly say that Medicare is a great American success story. We have created a generation of seniors such as my mom and future generations who will be able to live longer, healthier lives, play with their grandchildren and great-grandchildren because of something they have paid into all of their lives called Medicare.

When we look at the choices, even the people who invented this whole idea passed by the House have said that the proposals “lack safeguards for beneficiaries and threaten to shift costs to the elderly and disabled and force them to shop for coverage in a confusing insurance market.”

That is what the folks who came up with the Republican idea are saying. Even Chairman RYAN's own description of his plan admits: “We are stopping the open-ended, defined benefit system.”

In other words, the Republican plan will end Medicare and end its guaranteed benefits—benefits that seniors have paid into throughout their lives, for the security of knowing they have a health insurance plan; they won't have to go out and try to figure out how to

find private insurance and then have a voucher to pay for part of it.

To add insult to injury, what is most concerning is the money that is taken away from seniors, the costs that are added, the savings in the Republican budget, don't go to save Medicare, they go to give another round of tax cuts for the wealthiest Americans. One more time we are seeing seniors, as we have seen middle-class families, as we have seen the vulnerable in our communities, find themselves sacrificing over and over again so the wealthiest among us, the well-connected, can get another special tax deal.

My amendment makes it very clear. If Members vote for my amendment, they are voting for Medicare. If Members vote against it, they are voting for the Republican plan that dismantles Medicare as we know it and takes the money and turns it around and gives it to another tax cut for the wealthy.

The other side of the aisle and those on the other side of the building have called the Ryan Republican plan a balanced plan. It is certainly not balanced for seniors. It is anything but balanced for the middle class. I hope when the opportunity comes we will see a very strong vote in support of my amendment to guarantee Medicare going forward for our seniors.

Thank you very much.

The PRESIDING OFFICER. Who yields time?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, it is good to be considering a budget again. It has been 4 years since one has been brought to the floor. It is important that we do so because the Nation has never, ever faced a more systemic debt threat to our country.

Erskine Bowles and Alan Simpson both told us before the Budget Committee that this Nation has never faced a more predictable financial crisis. What they meant was that if we don't change course, we are going to have a crisis.

I would say one of the things that would make our economy grow better, create jobs, confidence, and productivity gains would be for this Nation to commit itself in a responsible way over a decade of effort to balance the budget. We can do that with increasing spending every year by 3.4 percent. It does not even require a net reduction in spending each year. It will be hard. It will require us to change some course because we are on a path now to increase spending 5.4 percent a year, and that is the difference in an unsustainable path and a sustainable path.

We have the budget of the majority before us, Senator MURRAY's budget. It is not the kind of budget we should pass. It is the kind of budget—it requires alteration, in my view, and it needs to be placed on a path to balance. I think my Democratic colleagues im-

plicitly agree with that, because they have been talking about balance all week. We started keeping a tally on it.

Look at this chart. We made this chart not too long ago. We determined the word “balance” had been mentioned by the Democrats 120 times. We kept on counting and now it is up to 165 times. Maybe that indicates they believe a balanced budget is important. They say, however, that when they say balance they mean we balance deficit-reduction spending cuts with deficit-reduction tax increases, and that totals \$1.9 trillion in net deficit reduction. Nothing could be farther from the truth. I hate to say that. It is unbelievable to me that in the Senate we have legislation on the floor that is being counted \$1 trillion—really \$2 trillion off—and fundamentally, indisputably, that is correct.

At the Budget Committee hearing last week, I asked a staffer for the Democratic majority:

Can you honestly say that under this budget you can achieve \$1.85 trillion in deficit reduction and eliminate the sequester with only \$975 billion in new taxes?

The answer: “No.”

When I pressed him: Well, what does that mean? He said it would be \$700 billion. And what he was talking about was \$700 billion under current law.

The way the confusion has occurred is our colleagues are switching around in the way they compare spending cuts.

This is the true situation: Under current law—that is the Budget Control Act and the tax increases we had in January—that is current law—we are projecting to continue deficits throughout the entire 10-year period and increase interest charges by dramatic amounts, placing this country in a very serious predicament.

So what do we say about it? Mr. Elmendorf, the Director of CBO, testified a couple of weeks ago before the Budget Committee and I asked him: Under the current law that we are operating under, including the full cuts in the sequester, including the tax increases in January, were we still on an unsustainable course? He said we were.

What I want my colleagues to know with every fiber in my being is: Please know that if you take out the sequester, you increase spending. You do not have \$1.9 trillion in deficit reduction. You have only \$700 billion. And then if you add other gimmicks in the budget, including not scoring the doc fix, misscoring war costs, and misscoring the stimulus spending, we end up with hardly any deficit reduction at all.

We raise taxes in this budget almost \$1 trillion. We have no deficit reduction because we increase spending as much as we increase taxes. So, apparently, my colleagues should know and think about this: A “balanced” plan that has been mentioned 165 times means we raise taxes \$1 trillion and we increase spending \$1 trillion, and there

is no net deficit reduction in the course of this 10-year budget.

So we are asking that this budget go back to the committee and give them full authority to produce a balanced budget in any way they wish to. They can raise taxes, they can cut spending, but we are saying we have to get off the unsustainable debt course. The choice is to have a balanced budget because it will create confidence, it will create business certainty, it will electrify the world, it will help people see that we are on a sound path and not on a dangerous path that could lead to fiscal crisis.

It is so important for my colleagues to know one more thing, and that is experts have told us—Carmen Reinhart with the Reinhart-Rogoff study has told us that when debt reaches 90 percent of the value of our GDP, growth begins to decline in the country. We are now at 104 percent, and the debt factor is the gross debt of the United States is what they used in that study. This is confirmed by the International Monetary Fund, the European Central Bank, and the Bank for International Settlements, all of which have done studies of developed nations with high debt, and they say it cuts growth. Reinhart and Rogoff says 1 to 2 percent. A 1-percent reduction in growth amounts to a million jobs. For the last 3 years, our growth has substantially fallen below what CBO projected. I believe the debt is already pulling down our growth.

I ask my colleagues one more thing: All of us have traveled our States. We have talked to our constituents. We have answered their questions. They ask: Are you going to do anything about the budget? Are you going to balance the budget? Why aren't you bringing up a budget? Don't you, colleagues, say we should have a balanced budget? Don't you say we should be moving toward a balanced budget, at least?

Many of you—at least half of our Democratic colleagues—have said they favor a balanced budget constitutional amendment so we have this country on a right path. You validated your promises back home. You should support moving this bill back to conference and letting the chairman write a budget that balances. It would make this economy much better.

I thank the Chair and yield the floor.

AMENDMENTS NOS. 433, 297, 432, 156, 431, 158, 202, 439, 222, AND 438 EN BLOC

The PRESIDING OFFICER. Under the previous order, the clerk will report the amendments that are in order en bloc.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes amendments en bloc: for Mrs. MURRAY, amendment numbered 433; for Mr. HATCH, amendment numbered 297; for Ms. STABENOW, amendment numbered 432; for Mr. GRASSLEY,

amendment numbered 156; for Ms. MIKULSKI, amendment numbered 431; for Ms. AYOTTE, amendment numbered 158; for Mr. CRUZ, amendment numbered 202; for Mrs. MURRAY, amendment numbered 439; for Mr. CRAPO, amendment numbered 222; for Mrs. SHAHEEN, amendment numbered 438.

The amendments, en bloc, are as follows:

AMENDMENT NO. 433

(PURPOSE: TO AMEND THE RESOLUTION)

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 297

(Purpose: To promote innovation, preserve high-paying jobs and encourage economic growth for manufacturers of lifesaving medical devices and cutting edge medical therapies)

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL OF MEDICAL DEVICE TAX.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the House and the Senate, motions, or conference reports related to innovation, high quality manufacturing jobs, and economic growth, including the repeal of the 2.3 percent excise tax on medical device manufacturers, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 432

(Purpose: To establish a deficit-neutral reserve fund to protect Medicare's guaranteed benefits and to prohibit replacing guaranteed benefits with the House passed budget plan to turn Medicare into a voucher program)

At the appropriate place, insert the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND PROHIBITING MEDICARE VOUCHERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to access for Medicare beneficiaries, which may include legislation that provides beneficiary protections from voucher payments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 156

(Purpose: To protect Americans from a \$1,000,000,000 tax increase and provide for pro-growth revenue-neutral comprehensive tax reform)

Beginning on page 49, strike line 20 and all that follows through page 50, line 3 and insert the following:

**TITLE II—RESERVE FUNDS**

**SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE-NEUTRAL PRO-GROWTH TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a

committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a revenue structure that is more efficient for individuals and businesses, leads to a more competitive business environment for United States enterprises, and may result in additional rate reductions without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,630,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

AMENDMENT NO. 431

(Purpose: To establish a deficit-neutral reserve fund to require equal pay policies and practices)

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR EQUAL PAY FOR EQUAL WORK.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to efforts to ensure equal pay policies and practices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 158

(Purpose: To prohibit the consideration of a budget resolution that includes revenue increases while the civilian unemployment rate is above 5.5 percent, the administration's prediction for the unemployment rate without the stimulus)

At the end of subtitle A of title IV, add the following:

**SEC. 4 \_\_\_\_ . POINT OF ORDER AGAINST CONSIDERATION OF A BUDGET RESOLUTION THAT INCLUDES REVENUE INCREASES WHILE THE UNEMPLOYMENT RATE IS ABOVE 5.5 PERCENT.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that includes a revenue increase while the unemployment rate is above 5.5 percent.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(c) DETERMINATION OF REVENUE INCREASE.—For purposes of this section, a revenue increase is an increase in Federal Revenues in any fiscal year above total revenues in the same fiscal year of the most recent Congressional Budget Office baseline.

(d) DETERMINATION OF UNEMPLOYMENT RATE.—For purposes of this section, the unemployment rate is the Current Population Survey seasonally adjusted national unemployment rate for the most recent month, published by the Bureau of Labor Statistics.

AMENDMENT NO. 202

(Purpose: To establish a deficit-neutral reserve fund to provide for the repeal of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to encourage patient-centered reforms to improve health outcomes and reduce health care costs, promoting economic growth)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports relating to the repeal of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 439

(Purpose: To amend the deficit-neutral reserve fund for tax relief to provide tax relief for low and middle income families)

On page 56, line 12, insert "relief for low and middle income families" after "enterprises,".

## AMENDMENT NO. 222

(Purpose: To establish a deficit neutral reserve fund to repeal the tax increases enacted under the Patient Protection and Affordable Care Act that were imposed on low- and middle-income Americans)

At the appropriate place insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REPEAL TAX INCREASES UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT IMPOSED ON LOW- AND MIDDLE-INCOME FAMILIES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would repeal the tax increases enacted under the Patient Protection and Affordable Care Act that were imposed on low- and middle-income Americans by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

## AMENDMENT NO. 438

(Purpose: To establish a deficit-neutral reserve fund to protect women's access to health care, including primary and preventative health care, family planning and birth control, and employer-provided contraceptive coverage, such as was provided under the Affordable Care Act (PL 111-148))

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO WOMEN'S HEALTH CARE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventative health care, family planning and birth control, or employer-provided contraceptive coverage for women's health care, by the amounts provided in such legislation for these purposes, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. The Senator from Washington.

## AMENDMENT NO. 433

Mrs. MURRAY. Mr. President, I want all of our Members to understand that the second amendment we will be voting on tonight is the Ryan budget.

Now, there seems to be some resistance among my Republican colleagues in bringing up the House Republican budget for a vote, and it is pretty easy to see why that is. Last year's Republican budget was, in fact, soundly rejected by the American people in the election. Since then, it continues to be very clear the American people prefer a balanced and fair approach that puts our economy and our middle class first—not an extreme, irresponsible approach.

Unfortunately, House Republicans put forward a budget last week that doubles down on the rejected ideology that the American people spoke about. They have a new talking point about their same old budget. They now claim their budget would eliminate the deficit in 2023. House Budget Committee Chairman PAUL RYAN has even said it does not really matter how their budget eliminates the deficit.

Americans across our country who will feel the impact of the choices we make in the coming weeks and months believe that it does matter. So while some of my Republican colleagues would probably prefer not to hear about it, I think that the impact of the House Republican budget is a crucial part of this debate, and we owe it to the American people to put our opinions on the record.

We have come a long way, but there are still far too many Americans today who are unemployed or underemployed, which is why our Senate budget's first priority is boosting our economic recovery.

Speaker BOEHNER has actually agreed with President Obama that our debt does not present "an immediate crisis." So you might think the House budget would phase in cuts responsibly so we can protect our fragile recovery.

Instead, the House Republican budget would do serious damage to job creation and job growth, and it doubles down on the harmful cuts from sequestration, which the nonpartisan Congressional Budget Office estimates will lower employment by 750,000 jobs this year alone and slow economic growth.

The House Republican budget will weaken our economy in the long term as well. As any business owner will tell you, in tight times, the last thing you want to do is cut investments that help make you stronger. Well, that is what the House Republican budget does. It cuts investments in education, so our students and workers are less prepared for the jobs of the future. It would undermine our ability to upgrade our roads and bridges and highways and ports even though our national infrastructure just got a D-plus from the American Society of Civil Engineers. And the House budget would greatly reduce our ability to support research and development, making it so much harder for us to maintain the innovative edge that helps us attract new industries and new businesses to the United States.

Americans want to see a budget that puts the middle class first and asks the wealthiest Americans and biggest corporations to do their fair share too as we work toward deficit reduction.

So our Senate budget locks in tax cuts for the middle class while closing loopholes and cutting wasteful spending in the Tax Code. Our budget uses that new revenue from the wealthiest Americans and biggest corporations for

deficit reduction and for investments that support our economy and strengthen our middle class.

The House Republican budget, which we will vote on tonight, does the opposite. According to the Tax Policy Center, the tax plan in the House Republican budget would cost nearly \$5.7 trillion in lost Federal revenue, and the majority of that lost revenue would benefit the wealthiest Americans.

Just like past House Republican budgets, it is once again pretty unclear how this budget would pay for all those tax cuts that are skewed toward the wealthiest. But the reality is that to achieve the goals that are laid out in their budget, House Republicans will either have to add to the deficit—meaning their budget might not actually balance, as they claim—or they are going to have to raise taxes on the middle class.

According to the Center on Budget and Policy Priorities, to keep from increasing the deficit while lowering rates—which they propose to do—the House budget would have to raise taxes by an average of \$3,000 on families making less than \$200,000 a year who have children. But in their plan, the wealthiest Americans will see a net tax cut averaging about \$245,000.

There is no reason middle-class families should have to pay for a tax cut for the wealthiest Americans. That is bad for our economy. It is very unfair. That kind of unbalanced approach is what made Americans reject the House Republican budget in the first place.

The same is true of Medicare. We just heard Senator STABENOW talk eloquently about the importance of Medicare. Well, the House Republican budget would replace the Medicare guarantee with a voucher, capped at growth levels below projected health care costs, forcing our seniors to pay more and more out of pocket, and ending Medicare as we know it.

That is not a solution that our seniors deserve.

AARP said, in their critique of the House Republican budget:

Removing the Medicare guarantee of affordable health coverage seniors have contributed to through a lifetime of hard work is not the answer.

That is not me, that is AARP.

The Senate budget offers a much better answer. Let me remind everyone, in our budget we uphold the principle—consistent with Simpson-Bowles and all other bipartisan deficit reduction proposals—that the most vulnerable families should not be asked to bear the burden of deficit reduction.

Our budget maintains the safety net that has kept millions of families and children above the poverty line during the recession and strongly supports efforts to help our low-income students and others, as they try to get back in the job market.

House Republicans say their budget balances. Nothing in it sounds like balance to me. I would like to remind my

colleagues as this debate continues that unlike what House Republicans have said about how a budget achieves its goals, how it achieves those goals really matters a lot.

The American people have rejected this plan, and, understandably, some of my colleagues across the aisle would prefer not to vote on it. Our Senate budget offers a credible, serious approach to a fair and bipartisan agreement. It puts jobs and the economy first and provides a credible, balanced path forward.

We are going to have to make some tough choices in the coming weeks and months, and I recognize moving away from the extreme approach in the House Republican budget is going to be a tough choice for many of my Republican colleagues. But I hope, as they consider the effects of the House Republican budget on our economy and on our families throughout the country, and the fact that the House Republican approach has been thoroughly reviewed and rejected by the American people, they will now be willing to come to the table, end the gridlock and dysfunction, and discuss a fair, comprehensive budget deal.

Mr. President, I yield the floor and yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

#### MOTION TO RECOMMIT

Mr. SESSIONS. Mr. President, I ask for the yeas and nays on the motion to recommit.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 45 Leg.]

#### YEAS—46

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	Manchin	Wicker
Cruz	McCain	
Enzi	McConnell	

#### NAYS—53

Baldwin	Begich	Blumenthal
Baucus	Bennet	Boxer

Brown	Hirono	Reed
Cantwell	Johnson (SD)	Reid
Cardin	Kaine	Rockefeller
Carper	King	Sanders
Casey	Klobuchar	Schatz
Coons	Landrieu	Schumer
Cowan	Leahy	Shaheen
Donnelly	Levin	Stabenow
Durbin	McCaskill	Tester
Feinstein	Menendez	Udall (CO)
Franken	Merkley	Udall (NM)
Gillibrand	Mikulski	Warner
Hagan	Murphy	Warren
Harkin	Murray	Whitehouse
Heinrich	Nelson	Wyden
Heitkamp	Pryor	

#### NOT VOTING—1

Lautenberg

The motion was rejected.

Mr. REID. Mr. President, I move to reconsider the vote and to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, while I have everyone's attention, today, this evening, and tomorrow, we are going to have a lot of votes. Everyone should understand they are not going to have time to spend a lot of time with constituents, to make phone calls. When the time is up, we are turning it in—Democrats or Republicans. There are no excuses. We have a lot to do and we are determined to get these votes in very quickly.

#### AMENDMENT NO. 433

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this next amendment is the Ryan budget. The House Republicans have doubled down on failed policies by passing the same budget that was rejected by the American people just a few months ago. Now Senate Republicans are going to have to decide whether they agree with this approach.

This budget would be devastating for the middle class and the economy. It would cause millions of our workers to lose their jobs and dismantle programs such as Medicare that seniors and families depend on. It relies on gimmicks and tricks to eliminate the deficit by an arbitrary date and does all that while giving the wealthiest Americans a tax cut.

I encourage my colleagues to oppose this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from South Dakota.

Mr. THUNE. Mr. President, the House Republican budget does something the Democratic budget does not do—it balances. It actually balances in 10 years, and it does it not by taxing more but by spending less, spending at a slower rate—3.4 percent over that 10-year period.

If we look at what the House Republican budget does, it is focused on growing the economy, not growing the government. What the Democratic budget, before the Senate this evening, does is it grows the government, not the economy.

In fact, if we look at the analysis that has been done, it is suspected the Democratic budget would cost us 850,000 jobs and reduce take-home pay for middle-class families by \$1,500. The House Republican budget takes seriously the challenges that are facing this country, takes the steps necessary to save and protect Medicare for future generations of Americans, something this budget—the Senate Democratic budget—does not do.

I urge my colleagues to support this budget, and it is a serious one, that balances the budget in 10 years and puts our economy back in growing mode and our fiscal house back in order.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 59, as follows:

[Rollcall Vote No. 46 Leg.]

#### YEAS—40

Alexander	Fischer	Murkowski
Ayotte	Flake	Portman
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rubio
Burr	Hoeven	Scott
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Corker	Kirk	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	
Enzi	Moran	

#### NAYS—59

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Paul
Bennet	Heitkamp	Pryor
Blumenthal	Heller	Reed
Boxer	Hirono	Reid
Brown	Johnson (SD)	Rockefeller
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Lee	Tester
Cowan	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	

#### NOT VOTING—1

Lautenberg

The amendment (No. 433) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT NO. 297

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote in relation to amendment No. 297, offered by Mr. HATCH.

The Senator from Utah.

Mr. HATCH. Mr. President, what we want to do is repeal the \$30 billion costly medical device tax. It is a gross tax on these businesses. We have already lost 5,000 jobs and we will lose 46,000 more.

I hope everybody will vote for this.

Ms. KLOBUCHAR. Mr. President, this is a bipartisan amendment. This is about innovation and jobs. The medical device industry is one of our biggest exporters. We have so many opportunities out there with a growing middle class in China and India to export even more, but we cannot have a tax that puts us at a competitive advantage. I think people understand that. This is about manufacturing, high-skilled jobs, millions of jobs in America.

I ask my colleagues to vote with Senator HATCH and me to repeal this tax.

The PRESIDING OFFICER. Who yields time?

The Senator from Utah.

Mr. HATCH. Mr. President, I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield back all time and ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 20, as follows:

## [Rollcall Vote No. 47 Leg.]

## YEAS—79

Alexander	Cochran	Hagan
Ayotte	Collins	Hatch
Baldwin	Corker	Heitkamp
Barrasso	Cornyn	Heller
Begich	Cowan	Hoeven
Bennet	Crapo	Inhofe
Blumenthal	Cruz	Isakson
Blunt	Donnelly	Johanns
Boozman	Durbin	Johnson (WI)
Burr	Enzi	Kaine
Cantwell	Fischer	King
Cardin	Flake	Kirk
Casey	Franken	Klobuchar
Chambliss	Gillibrand	Lee
Coats	Graham	Manchin
Coburn	Grassley	McCain

McConnell	Pryor	Thune
Menendez	Reed	Toomey
Merkley	Risch	Udall (CO)
Mikulski	Roberts	Vitter
Moran	Rubio	Warner
Murkowski	Schumer	Warren
Murphy	Scott	Whitehouse
Murray	Sessions	Wicker
Nelson	Shaheen	Wyden
Paul	Shelby	
Portman	Stabenow	

## NAYS—20

Baucus	Heinrich	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Sanders
Carper	Landrieu	Schatz
Coons	Leahy	Tester
Feinstein	Levin	Udall (NM)
Harkin	McCaskill	

## NOT VOTING—1

Lautenberg

The amendment No. 297 was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT NO. 432

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote in relation to amendment No. 432, offered by Ms. STABENOW.

The Senator from Washington.

Mrs. MURRAY. I yield my 1 minute to the Senator from Michigan.

Ms. STABENOW. Madam President, this is a very simple, straightforward amendment. A “yes” vote supports Medicare as an ongoing insurance plan. A “no” vote sides with what the House of Representatives has done with the Ryan Republican budget: dismantling Medicare, turning it into a voucher program, adding \$6,000 on average in costs to seniors and, adding insult to injury, their budget takes the money, doesn’t strengthen Medicare but provides another tax cut for the wealthiest Americans, averaging about \$245,000 for those at the very top. Please vote yes. Let seniors know in this country what they have paid into their entire lives will be there for them and the great American success story of Medicare will remain strong for the future.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I rise to set the record straight. Amendment No. 432, which characterizes the House budget plan as a plan to turn Medicare into a voucher program, is patently false. This amendment is not trying to voucherize Medicare. That is not true. I think it is ironic that my colleagues on the other side of the aisle attack the House budget proposal when the Affordable Care Act took \$716 billion from the bankrupt Medicare Program to create an unsustainable new entitlement.

In no way can the House budget be considered as turning Medicare into a

voucher program, and we reject the characterization of amendment No. 432. The House budget proposal draws from bipartisan proposals put forth by the Breaux-Thomas Medicare Commission, President Bill Clinton, and Domenici-Rivlin.

We are prepared to take the amendment. We will be happy to take it by unanimous consent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 3, as follows:

## [Rollcall Vote No. 48 Leg.]

## YEAS—96

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Johnson (WI)	Sessions
Coats	Kaine	Shaheen
Coburn	King	Shelby
Cochran	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

## NAYS—3

Cruz Lee Paul

## NOT VOTING—1

Lautenberg

The amendment (No. 432) was agreed to.

Mr. MERKLEY. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT NO. 156

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the debate on



amendment No. 156 offered by Mr. GRASSLEY.

Who yields time?

The Senator from Iowa.

Mr. GRASSLEY. Madam President, this amendment strikes a \$975 billion tax increase. This amendment in turn sets up a deficit-neutral reserve fund that will allow the Finance Committee to reform corporate and individual taxes in a revenue-neutral way.

The President got his \$612 billion tax increase January 1. We should not raise taxes another \$1 trillion with unemployment at 7.7 percent. We should not close loopholes for more spending. We won't grow the economy by raising taxes by \$1 trillion as the majority wants to do. We will grow the economy with more efficient progrowth tax reform.

My amendment is progrowth, pro-small business, and pro-jobs. The Democrats' budget taxes the middle class to spend more. It is balanced and fair because they have finally come to the conclusion they cannot raise taxes just on the wealthy; they have to raise it on the middle class.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, again, the goal of our budget is to tackle our deficit and debt responsibly in a way that works for the middle class and the economy. That means a balanced mix of responsible spending cuts and new revenue from those who can afford it the most.

All of the bipartisan groups that have examined our budget situation have acknowledged this reality—Simpson-Bowles, Gang of 6, Domenici-Rivlin—and recommended more revenue than the roughly \$600 billion that we generated in the yearend deal. In fact, Simpson-Bowles and the Gang of 6 each recommended well over \$2 trillion in new revenue, which is several times more than the yearend deal. Repealing this budget's proposed revenue increase and striking the reconciliation instruction would be wholly irresponsible. We cannot cut our way out of this problem.

I urge my colleagues to vote no.

For the information of all Senators, this is the last vote this evening. Tomorrow there are votes beginning at 11. I ask again that all Senators be here. We are going to move through a lot of amendments tomorrow. I have a lot of Senators asking me to have their amendment voted on. I assure everyone that by 1 a.m., 2 a.m. tomorrow night, many Senators won't have that opportunity unless they are here and help move that process along.

I yield the floor and ask for a "no" vote.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 156) was rejected.

Mr. MERKLEY. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, we have had a great debate here on the floor today about the budget. What we have heard is the fact that in the face of unprecedented debt and deficits, we need to get spending under control and grow the economy. Unfortunately, the Democratic budget that has been presented doesn't do that because it actually increases spending and increases taxes.

But there is an alternative, and that is to restrain spending in ways that are smart but also get this economy moving so we have more revenue and revenue the way we ought to get it, which is through growth. One obvious way to do that is through tax reform.

We just had a vote on a tax reform proposal. I am offering a couple of

amendments that I want to talk about tonight. One is with regard to tax reform on the business side, where there is an amazing consensus now between Democrats and Republicans, the White House and the Capitol on how to get this economy moving again by ensuring that our Tax Code becomes more competitive globally—not to cut taxes, not to raise taxes, but in a revenue-neutral way to improve the way we collect taxes at the business level to be sure we can create more jobs at a time when we are suffering through the worst recovery we have had since the Great Depression.

Second, I am going to offer an amendment that ensures that we have the right information from the Congressional Budget Office and the Joint Committee on Taxation, which are the two groups who give us information here on Capitol Hill, as to what tax reform means because we want to be sure that as we reform our Tax Code, we do it in a way that is progrowth and projobs.

Fundamental tax reform should be done across the board, in my view, not just on the business side but also on the individual side. On the individual side, we have a great opportunity to broaden the base of tax and lower the rates to make the code again more progrowth. Most businesses in America pay their taxes through the individual Tax Code because they are what are called passthrough entities, about 85 percent of businesses—they tend to be smaller businesses. That is very important.

But tonight I want to talk about the other part of that, which is the business Tax Code that relates to primarily our larger companies and a lot of the international companies, so-called C corporations.

Back in 1986 we actually reduced the rate on the corporate side from 46 percent down to 34 percent. That was 1986. It was done in a bipartisan way with Ronald Reagan and Tip O'Neill, and the idea at that time was to take our tax rate down to the point that it was competitive, meaning that it was below the average of our global competitors.

In the intervening 2½ decades, guess what has happened. Every single country of the developed world—the so-called OECD countries, our global trading competitors—every single one of them has reformed its tax code. They have lowered their rates, but they have also made their codes more competitive—every single country except us. So America has been on the sidelines while these other countries have moved quickly to improve their tax code. Why? Because they want investment, they want the jobs, and what has happened is, sure enough, they are more competitive.

Capital is now flowing outside of this country. We are losing headquarters. We are in a situation where if there is



a foreign acquisition to be made, those companies in foreign countries have an advantage because they have a more competitive tax code. Our tax rate, which in 1986 was purposely put in place to be just below the average of all the developed economies in the world, is now No. 1. It is the highest rate in the world. That is a No. 1 we don't want to have.

Japan just lowered their rate last year, putting America as the top corporate tax rate in the world. This means, again, we are losing people, we are losing capital, we are losing headquarters, we cannot keep up.

So what is the solution? Well, let's go do what we did back in 1986 again, let's do it quickly, and let's do it on a bipartisan basis because everybody seems to agree that our current code is not competitive, that the rate is too high. We have some disagreements on how to correct it, but actually there is a growing consensus about that as well.

The White House has talked about this. In fact, in a February 2012 white paper issued by the Treasury Department, they said: Let's lower the rate of corporate taxation by broadening the base, meaning reducing or getting rid of a lot of the preferences that have built up in the Tax Code. By the way, hundreds of them have been built up in the Tax Code since 1986. So not only has our rate become high because other countries have lowered theirs, we have added more and more complications to our Tax Code.

It is not just the White House that is talking about this. In front of our committee, the Budget Committee, a professor came to talk to us—who was the Democrats' witness; this was not the Republican witness—who was gung ho also on doing corporate tax reform. This was the Democrats' witness. This is what he said:

... corporate income tax's statutory rate of 35 percent is today far outside world norms. The rate needs to come down. . . . I therefore conceive of corporate tax reform as a roughly revenue neutral undertaking, in which the corporate tax base will be broadened through closing business tax expenditures and loopholes, and the resulting revenues used to pay down the corporate rate.

Pay down the corporate rate.

In the paper from the Treasury Department in February 2012, they said we should reinvest the savings we get from getting rid of some of these loopholes and expenditures and use it, as they said, to invest in lowering the rate.

So here we have an opportunity as a Congress—Republicans and Democrats alike—to do something that is good for jobs. By the way, the Congressional Budget Office has looked at this in terms of who benefits. It is not the corporate boardroom that benefits, it is the workers. They have said 70 percent of the benefit of lowering the corporate rate is going to go to workers in the form of higher salaries, better benefits, and more jobs.

By the way, the Congressional Budget Office has also said if you would like to get this economy moving, probably the best bang for your buck is going to be to do something on the corporate tax code because it has gotten so complex and the rate has gotten so high. If you do this, you are also doing something we ought to be doing generally in our Tax Code; which is you are not picking winners and losers. Instead of the government stepping in and deciding where resources are allocated, you have the private sector doing that, market forces doing that, which is going to help grow the economy.

So just as President Reagan and Democrats did in 1986, we should cap or eliminate inefficient tax preferences and loopholes, and we should use that revenue to reduce both the corporate rate and the individual rate, without adding to the deficit.

Another amendment of mine takes this same idea, which is tax reform on the individual-corporate side, and allows us, as legislators, to understand better what we are doing.

Right now, when the Congressional Budget Office and the Joint Committee on Taxation give us an analysis of taxes, they tell us the revenue is likely to be based on what they call a static score—a static score. It does not take into account the big macroeconomic changes you are likely to see from people's changed behavior from lower rates, for instance.

I will give you an example. Back in 2003, the capital gains tax, as you know, was reduced. So what did they say? Well, the Joint Committee on Taxation and CBO did their analysis, and they said: Well, that means, because you lowered the rate of taxation, you are going to get less revenue, right, because you have less taxes coming in. No. Because they lowered the capital gains tax, there was more economic activity. It turns out we actually got more revenue in. So in 2007 they said revenue was going to go down. In fact, revenues shot up. The same thing happened, by the way, back in 1997, the last time this Congress had a unified balanced budget. That was when Bill Clinton was President, and he worked with the Republican Congress to get some of the spending under control, as we talked about earlier. But they also cut the capital gains rate, and, lo and behold, as I recall, about \$100 billion showed up on the revenue side that folks did not expect because we lowered the capital gains rate. Because of the behavioral change, the dynamic scoring, the macroeconomic scoring, showed that was going to happen, but the static score did not.

So as we begin to formulate what kind of tax reform we should do on the individual side and on the corporate side, wouldn't it be great if we had access to two kinds of analysis: one, the static score—and that will continue to

be the official analysis; nothing changes there—but also why shouldn't we have access to the macroeconomic analysis—not done from the outside, not from groups from the outside that might have a pretty aggressive dynamic score, but let's just use the macroeconomic model that the Joint Tax Committee already does. In fact, they are required to look at it in three different ways. CBO already does. It does not add more work in the sense that this analysis is already being done; it is just that we are getting the benefit of it.

So this second amendment that I hope my Democratic colleagues will also support, as I hope they will the first one, says, quite simply: Let's have more information so we can make smarter decisions. Who could be against that?

Some have said: Well, we do not believe in dynamic scoring. Fine. If you do not believe in dynamic scoring, let's see what happens. We are going to have a static score, which will be the official score still—that is what we will have to use around here—and then we will have that dynamic score. Again, we want that so we can formulate a better tax proposal but also to know what the impact is going to be. We will see what happens.

My belief is that the macroeconomic score is more likely to be accurate, as it has been in the past, and over time I would not be surprised if this Congress decides: My gosh, that is more consistent with the behavior changes you are going to see with good tax reform. Let's make that part of the official analysis. But that is not what we are talking about tonight. The official score would still be the static score.

I believe this will enable us to be better legislators, and certainly it will enable us to have an opportunity, as we look at this budget deficit and these historic debts and the impact it is having on our kids, on our grandkids and on today's economy, to come together as Republicans and Democrats and do the two things that everybody knows have to be done: One, restrain spending, specifically to deal with these important but unsustainable entitlement programs—remember this: The Congressional Budget Office has told us in the report just about 2 weeks ago that the growth of Medicare, Medicaid, and Social Security, incredibly important programs—and that is why we need to save them—that growth will go up by 94 percent over the next 10 years. It nearly doubles. In fact, they have told us that as a percent of the economy, which is how they look at the spending—as a percent of the economy, the only growth in our spending over the next 10 years is going to be from these entitlement programs and interest on the debt. Other parts of our budget actually, as a percent of the economy, are going to be flat or even a little bit

below as a percent of the GDP. But what is going to grow dramatically are these programs.

So we know we have to have entitlement reform to save these programs so that the trust funds do not go insolvent, which they otherwise will. But we also know as part of that we should do tax reform. Those two together—entitlement reform, smart reforms to make these programs work better to ensure they are there for the future, and then tax reform that is progrowth, that is going to generate revenue, to help us because it will change people's behavior, which will change economic growth, which will, in turn, provide more revenue—revenue, really, the right way—will help us get the debt and deficit under control and at the same time give people the opportunity to get back to work, deal with the weakest economic recovery since the Great Depression, help us to get out of the doldrums we are in right now in this economy.

The shot in the arm that tax reform can give us—particularly if we have the right information from these organizations on the Hill: the Congressional Budget Office, the Joint Committee on Taxation—will enable us to move this country forward in ways that can be bipartisan, in ways that can be consistent with what the administration and the Congress are talking about: restraining spending, growing the economy.

I thank the Chair for letting me talk about this tonight. I look forward to having these amendments offered tomorrow. I hope my colleagues on both sides of the aisle will be willing to stand together and to say: Yes, we can do this. We can get this economy moving. We are going to have to change the way we deal with our tax system. We are going to have to retrain the spending. If we do that, our future can be brighter.

I yield back my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I just want to thank the Senator from Ohio for his usual very clear way of explaining things. I know that comes from the tremendous background he has had, not just in the House but actually putting together a White House budget before. I guess the Senator has had access to these different sources of information before and knows how they could work if we could get access to them.

It is hard for me to believe that somebody would not want more information. They can analyze themselves whether they think it is useful. But more information is always better. So I thank the Senator for bringing that amendment here, and his other amendment as well. But as to that one, it is just incredible to me that anybody could oppose it.

So I thank the Senator for the thought he put into it and for the great presentation he did.

Mr. PORTMAN. I thank the Senator. The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I have filed an amendment, No. 233, that I would like to visit with my colleagues about this evening.

I am pleased we are debating a budget. Budgets have great purposes in individual and business lives, and they are certainly important to us as we try to solve the country's fiscal problems.

A budget is a document that determines how much money we have to spend and how we are going to spend it. In determining how we are going to spend money, we establish priorities.

I want to talk about one of my priorities for the investment of our taxpayer dollars. Kansans and citizens from across the country pay their taxes. In many ways, they would be pleased by having to pay taxes if they knew the money was being well spent. One of the areas where I strongly believe we can prioritize and that money can be well spent is in support of the National Institutes of Health.

We have a tremendous opportunity to continue to lead in the world's research to solve individuals' problems with their health, with the treatment of disease, in eradicating disease, and treating the people of our country and really the people of our world.

This amendment I am going to discuss adds \$1.4 billion in spending for the National Institutes of Health. Our citizens and our country face a significant challenge. There is not a family in our Nation who has not suffered from the consequences of cancer and other horrendous diseases. We have seen tremendous success. America leads the world in finding cures and treatments for those diseases.

A problem is, the funding for NIH has remained at a virtual standstill since 2010. In my view, those who come to Congress with the desire to make sure every dime, every nickel is wisely spent, and those who come to Congress with the belief that we need to care for people and provide compassion to all, can come together and jointly agree that money spent on the National Institutes of Health is both. It is a sense of providing well-being, comfort, care, and treatment for people who desperately need that, and it is the realization that when we invest in research, in projects that ultimately cure a disease, we are saving money. We save money by curing and treating diseases, which then means that the cost of health care is reduced.

Long before Congress passed a so-called health care reform bill, I outlined to my constituents in Kansas what we could do to save health care costs. One of the points in my plan was to invest in medical research because

money invested today in research saves lives and reduces costs.

There is also the reality that the United States of America is the place to do research. But we are facing tremendous challenges because of the flat line of NIH spending and the lack of real dollars available for medical research. In fact, we have to worry that there is a brain drain, once again, going on in the United States. Other countries are investing. Other countries with more difficult economic challenges than ours are increasing their funding for medical research.

I have always worried that if we do not compete, if we do not maintain a steady opportunity for research scientists in the United States, we will lose the edge and the economic and health benefits that come from having that edge in a global economy.

Our own Director of the NIH, Francis Collins—highly regarded and with tremendous background, intellect—has indicated that we are seeing the potential for a brain drain. This is what he said in February of this year, just last month:

Since 2003 the NIH budget has basically lost about 20% of its purchasing power by effectively flat budgets that have been eroded by inflation.

The consequence of that to grantees who send us their best ideas in hopes of being supported is that their chance of being funded has dropped from about 1 in 3 which is where it has been for most of the last 50 years now down to about 1 in 6 . . .

Imagine yourself as a young investigator [a scientist] with a great idea, ready to tackle it and to do so in your university setting somewhere [in the United States] knowing that you have only a 1 in or less chance of getting funded, seeing that there seems to be no real clear path forward for achieving stability in the support of biomedical research, wondering whether you can legitimately speak to young people who are wanting to follow in your path about whether this is a path they should choose.

Dr. Collins says this deeply worries her. At a time we need to encourage our children to pursue degrees in education, science, research and medicine and the absence of continued increase in funding for health research, for biomedical research, we clearly send a message this may not be the career you wish to pursue. At the same time as other countries increase their support for biomedical research, we send a message, even though you decide you want to pursue this career, maybe you should pursue it someplace else. This is a serious problem which desperately needs our attention.

I am going to ask my colleagues to support an amendment which establishes a clear understanding of the value of biomedical research, both again that opportunity to increase the longevity of our lives, to improve the quality of our lives, to combat those diseases which are so devastating to so many families in our country, knowing when we do that, not only are we improving individual lives, the well-being

of families across our Nation, but we are also investing in an opportunity to reduce the long-term costs of health care in the United States.

This issue is one of great importance to me, and I can't imagine there is a Senator in our Chamber who hasn't experienced the challenges of disease and death in their own families. We have seen tremendous strides in turning this around. It is so clear to me we need to make certain those strides continue.

I was pleased to have the Senator from Illinois seek me out on the Senate floor this evening to suggest there is an opportunity for us to work together. While I have an amendment filed, Senator DURBIN and I are having a conversation tonight, tomorrow, to see if there is a way we can come together in a joint amendment to fully establish all of us are in favor of funding the NIH, the National Institutes of Health, at a magnitude and a level which will again restore us to the forefront of medical research around the globe.

We will send a message to our students and future scientists America is the place medical research should occur and where they should pursue their careers. Disease can be conquered and lives can be restored. Most important, there may be hope in the United States. The serious and debilitating diseases, the causes of death so many families face day after day and year after year, can be cured and treated.

I look forward to those conversations with my colleagues to find the right words to bring us together to demonstrate significant and real support for funding the National Institutes of Health.

I yield my time.

Mr. CHAMBLISS. Mr. President, I wish to speak on what almost qualifies as a historic event:

For the first time in 4 years, the Senate will try to complete a budget resolution.

Since 2009—the last year the Senate passed a budget—the government has run deficits in excess of \$1 trillion every year. The Democrats' budget resolution that we are currently debating will, in fact, only reduce net deficits by \$279 billion.

I have spoken on the Senate floor and around the country for the past 2 years in favor of a budget that will end excessive spending, provide a platform for tax reform, and rid ourselves of oppressive debt and deficits. But I am afraid that even after the Senate has completed its work, I will still be advocating for those changes.

Senate Democrats have not used their proposed budget resolution to make government better. Their proposal does little in the way of reform, and actually grows the government instead of the economy. It is discouraging to anyone concerned about excessive government debt, and it is discouraging to the job seekers who are, unfortunately, so abundant right now.

What the Democrats have proposed is not a budget at all. It is merely a spending plan to further stunt economic growth and job creation, while condoning increasing the deficit and growing the government. I believe the American people expect a budget that provides a platform for our economy to grow. A budget that increases government spending, increases debt, and further endangers our Medicare and Social Security is not what Georgians or people across America want.

We have a real opportunity now to correct a lot of missteps. We need a budget that will reform our Tax Code, grow the economy, reduce poverty, and fix our entitlements.

Yet here, in the middle of a global economic crisis, we are going to vote on a budget that does none of that.

Mr. President, tonight the Senate voted on a budget that will balance in 10 years the—budget proposed by House budget chairman PAUL RYAN. I can't think of better way to show the American people and the world that our government is serious about getting back on track and reclaiming our country's financial dominance. Simply put, Mr. President, even with all the provisions combined, the Murray budget doesn't get us out of debt. The Ryan Budget does.

A budget that balances in 10 years should be the starting point for discussions, and we need to make that budget a reality now to secure America's future. Economists, budget experts, and analysts across the country have come to the conclusion that the debt we have already accumulated is having a negative effect on our economy. We have known for a long time—and have been told many times by economists—that when a country's gross debts reach 90 percent of GDP, its economy will contract substantially.

We have seen in places such as Japan and Europe that when debt gets out of control, the government's response to control debts must be tougher. Unfortunately, as my friend from Alabama, Senator SESSIONS, noted yesterday, the International Monetary Fund, the Bank for International Settlements, and the European Central Bank have all analyzed our debt and found that we are now at 103 percent of GDP. That is a staggering and shocking number. It is a hopeless number.

We haven't balanced our budgets in so long that we have ended up harming America's economic engine—and the Democrats' proposal doesn't fix anything. It merely continues our unsustainable spending.

We voted on a spending measure yesterday that lowered our discretionary spending down to 2008 levels. With some hard work, we can keep our discretionary spending at sustainable levels. However, what we haven't addressed is the continued rise in mandatory spending which has increased substantially since 2008.

We simply cannot continue to let mandatory spending go unchecked. This budget's approach to restraint is half-hearted, at best. President Obama likes to remind us that he is in favor of entitlement reform. I would like to give him the benefit of the doubt about that—but is this the best his party can come up with? We are a nation that believes in caring for the most vulnerable among us, but if we continue to operate our programs this way, on a path toward bankruptcy, we will never be able to keep our promises.

We can no longer allow the American people to suffer by not providing the economic basis for recovery and growth. The equation is simple: A balanced Federal budget that is free of excessive debt leads to a healthy economy and sustainable job creation.

#### COMMUNITY HEALTH CENTERS

Mr. SANDERS. I would like to thank Chairwoman MURRAY for including the request I made in the budget resolution to provide \$2.2 billion in discretionary funding and \$2.2 billion in mandatory funding for community health centers in fiscal year 2014.

I believe that community health centers are the answer we are looking for to make health care work for everyone, and I am very grateful for the language included in this Budget that recognizes the value of health centers.

As the Senator knows, since enactment of the Affordable Care Act, budget cuts have significantly reduced discretionary funding for the Community Health Center Program. Current service levels for the Community Health Center Program have been maintained only by redirection of the ACA's mandatory expansion funding—which is not authorized beyond the year 2015.

In other words, beginning in fiscal year 2016, the community health center fund will expire. Unless we find a solution to this problem, community health center funding will be reduced by 69 percent. If adequate funding is not restored, the result will be dramatic reductions in the number of patients community health centers are able to serve. I believe that would be a serious mistake.

Would the Senator be willing to work with me and other Senators on resolving the funding cliff facing health centers in 2016 so we don't have a massive cut facing such a valuable program?

Mrs. MURRAY. I thank the Senator and I couldn't agree with him more on the value of the Community Health Center Program. I know very well about the value they bring to Washington State, and also to the country by controlling health care costs and delivering care to our Nation's most vulnerable people and communities. We have included language that recognizes the importance of adequately funding the Community Health Center Program and I look forward to working with the Senator and other Senators to

try and find a solution to the community health center funding cliff before it occurs.

Mr. SANDERS. I thank the Chairwoman. The sooner we can work on this the better, as it will really give the program and all the centers across the country the stability and certainty they need to plan for the future.

Mrs. MURRAY. I thank the Senator for raising this very important issue. I look forward to working with him to ensure that community health centers can continue to provide care to our most vulnerable populations today and in the future.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. There are a lot of problems with the country and the way we manage business. Frankly, President Bush became engaged in a war which used up so much of his time and effort. President Obama is not trained as a manager. He has never been a manager, Governor or managed a business. He has too little tough, serious management of the taxpayer's money in this country. It is time for us to get under control the spending which goes on.

In my humble opinion, the American people are tired of sending more money to Washington just because we run out. We say it is not our fault; it is the way things are. We can't have any reduction in spending. There are people who are hurt and in pain, hungry, women, elderly, singles, and married. They need to have more money. Any change in our policy whatsoever means somebody is not getting something they are entitled to.

The truth is many of our programs serve many good people in need, but almost all those programs have serious management problems which could be run effectively and efficiently, and the program would cost substantially less without any significant diminishment of the effective aid which is rendered by that program. I believe the American people understand this absolutely and fully.

As we have done, as an amendment or idea comes forward to confront wasteful spending, somebody in this body, particularly in the Senate, always objects. They raise the specter of meanness and unkindness and that sort of thing. In truth, we all ought to identify serious problems and fix them.

For example, in our energy policy, we have had some of the most amazing failures and losses of Federal money I can imagine, beyond anything which is logical and absolutely should not have happened.

Most people have heard of the Solyndra company. They had political connections to the White House and received \$528 million in Federal loans, went bankrupt and left Uncle Sam holding the bag.

There was another company, Abound Solar. It declared bankruptcy after re-

ceiving \$400 million in Federal loan guarantees. Failing to deliver on the promises they made, somebody at the Department of Energy, apparently, was not checking very well. Maybe they were more interested in a press release, a big announcement, going to some solar factory and saying how we are going to create jobs, grow the economy and pump hundreds of millions of dollars into a program which sank.

Beacon Power received \$43 million in Federal loan guarantees before it shut down.

Fisker, an electric car maker, is not making any cars now due to production problems. It received more than \$190 million from the Department of Energy.

Al23 Systems, a battery maker, also received substantial Federal loans. It is bankrupt.

The President emulates the failing energy programs of Europe. His policies were designed to promote an energy theory which is not ready economically. It is one thing to invest in research to try to create a new battery; it is another thing to try to loan hundreds of millions of dollars to a company to produce a product which is not competitive and not ready for prime time. This is the mistake we made.

Mr. Lomborg, from Europe, who wrote the book "Cool It" and is, in my opinion, an expert on these issues, pointed out a number of years ago in his book the best way to handle this is for the government to subsidize where it can and direct money to try to reach technological breakthroughs, but you should not mandate the people of the United States, or use any kind of program which will not work, cost a lot more money, and have little benefit on the environment.

Back in 2008, President Obama made this statement: "Will America watch as the clean energy jobs and industry of the future flourish in countries like Spain, Japan, or Germany?"

That is what he said. We need to emulate Spain, Japan, and Germany.

Spain right now is having to cut back dramatically on its forward-leaning green mandates. They went probably further or as far as any country in Europe. It has been a total disappointment. They are reducing their subsidies. Their economy is in shambles, and they are not doing well.

The Financial Times in February of this year wrote:

The Spanish government's latest bid to cut its growing debts to the country's energy sector is expected to slash profits at renewable energy companies as Madrid continues to grapple with a \$37 billion deficit built up through years of subsidies.

They continue:

Shares in Acciona, Spain's largest wind power operator, have tumbled almost 20 percent, with Analysts expecting Acciona's earnings per share to drop by 40 percent, while Abengoa's EPS are forecast to drop by 12 percent.

Germany is also cutting back. According to Reuters in January of this year:

[The German energy company] RWE is delaying investments. SIAG filed for insolvency. REpower Systems is cutting temporary staff. All show how German Chancellor Angela Merkel's \$734 billion plan to replace nuclear reactors with renewable sources is stalling.

Former Secretary of Treasury, under President Obama, Larry Summers said this: "Government is a crappy venture capitalist."

This is exactly correct. We have no business trying to pick and throw American taxpayers' money into risky ventures. We are not good at it. Spain and Germany are not good at it—governments aren't.

When it is your money and you are putting up \$100 million, then you are at a point where you need to be very serious about that investment.

These are some points I wanted to make because I think the American people are tired of hearing Washington say send more money.

No, we are not going to cut spending in Washington. We can't do that in the budget which is on the floor. It does not cut spending, actually does not reduce the deficit. It increases spending, increases the deficit, and increases taxes by \$1 trillion.

What did they say in the budget? We are not going to cut spending. There is nothing we can cut. The government is working. Every dollar we receive, every dollar we distribute is absolutely critical and cannot be contained. Send more money. Just send more money and don't complain, American people.

I think people are getting tired of that. They have a right to be tired of that. They should not send another dime until we are on the right path.

I see my friend Senator ENZI, and I would be pleased to yield the floor.

I would note Senator ENZI is the senior member of the Budget Committee and is a successful businessman who has a proven record in his State. He understands these issues, and he is trained as an accountant. I am sure when he sees what we do in the budget process around here, he must wonder what world we are connected to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. I wish to thank the Senator from Alabama for all the work he has done on the budget. He worked on a budget for 2 years previous to this which never materialized. I am so pleased he and his staff are working on a budget.

I understand his disappointment. I am an accountant, and I hope Senator JOHNSON, who is the other accountant in the Senate, will have an opportunity to come to the floor and talk about some of the numbers because there seems to be some discrepancies in the

numbers. He has tried to pin those down by asking questions of the staff and, as a result, has come up with some demonstrations that show where the budget we are currently talking about goes.

I wanted to just briefly share an article I ran across today. It is called "Mr. Penny vs. a dragon: Hey kids, it's the national debt!"

How are kids across America going to understand the debt? We are having a lot of problems understanding it in this body. Washington's budget squabbles and financial fights are enough to tangle up anyone's head, so one can only imagine how it might confuse children. So enter Mr. Penny and the Dragon of Domeville. Let's see, that would be the dome? Yes.

This children's book by Lucile McConnell seeks to raise awareness of fiscal irresponsibility and the national debt for those who are just out of diapers. The book's hero, Mr. Penny, is introduced as "quite an individual and not a follower," and begins:

Once upon a penny, in the Land of Us—

That would be U.S.—

in the little town of Meville, lived a little penny. In fact, a whole lot of little pennies were scattered all over the Land of Us, but our story is about one particular penny: Mr. Penny. He was a singular fellow, quite an individual and not a follower of the crowd.

The antagonist, a dragon—a black dragon—if this had been a western story, it would be the guy with the black hat—a dragon designed to represent a bloated Federal Government that will not stop growing and loves to eat currency.

In fact, he developed a taste for charred bills . . . dollar bills. Within no time, the dragon had devoured \$15 trillion—

You can tell the book is a little old, otherwise it would be \$16.6 trillion, which is where we are now—and was always looking around for more to consume.

Eventually, Mr. Penny scores a one-on-one with the dragon and does his level best to convince the dragon just how reckless Federal waste can be.

I don't think you know what effect you are having on the whole land of Us by eating the money that we send to Domeville. . . . Our schools are closing; our youngsters can't go to college; our oldsters can't get medical help; our businesses are failing because there is no money for loans; our roads and bridges are falling down; our towns and industries are not safe; our citizens do not have jobs; and we are running out of money.

On the book's Web site, McConnell describes herself as "a tax/commercial transactions attorney" practicing in Washington and New York and says—and this is very important—all funds from the book—all funds from the book—will go toward paying down the national debt.

In an author's note in the book, McConnell writes:

Our beloved Country is in trouble . . . big trouble. This is the kind of trouble that can-

not be solved unless we all pitch in and come to the aid of our country immediately.

She adds:

My hope is that after reading this book, young people are energized about the possibility of what we can accomplish together through cooperation and teamwork.

So, Madam President, I had an amendment in the committee that would have taken care of some of those charred bills and converted them to metal coins—dollar coins. If we were to do that, it would probably save about \$1 billion. That maybe doesn't sound like much around here, but \$1 billion would be a good start and would put a little punctuation in this book.

We are getting to the point where if we don't do something, we will not have money to spend. If interest rates go up—and if people lose confidence in our economy, the interest rates will go up—the only thing we will be able to pay is interest. Doesn't that sound like somebody who has used their credit card too much and can't afford to pay the credit card down? Of course, we are not even worried about paying the credit card down. We are not even talking about doing that. We are not even talking about balancing the budget at this point, and we need to do that or maybe we need to pass out copies of "Mr. Penny and the Dragon of Domeville."

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, we talked about a number of challenges our Nation faces and the debt course we are on. The Director of the Congressional Budget Office, Mr. Elmendorf, testified just a few weeks ago before our Budget Committee and declared that we remain on an unsustainable financial course even after the Budget Control Act that reduced spending and even after the tax increase in January, and that this does not get us out of the danger zone.

We have hundreds of billions of dollars in deficits every year, and he is projecting that interest on our debt in the 10th year will rise to \$800 billion, which is about what the score of the Murray budget that is on the floor today would add to our debt.

Fundamentally, this budget that is before us today did not change the debt course we are on. It does not have \$2 trillion in spending reductions, and it leaves us on the same dangerous course as Mr. Elmendorf said we are on, so we have to get off of it.

I want to share a few things that drive home the danger we are in. Now, we have a strong economy. We have a great entrepreneurial spirit. We have a tremendous infrastructure compared to most places. We have a rule of law that helps us tremendously in terms of managerial efficiency and contracts and complex documents that can be entered into. If there is a dispute over it, you can go to a Federal or State court and

have a pretty good chance of a fair decision being reached even in the most complex matters involving high finance. That is not true in most places in the world, so it gives us an advantage.

We have an educated workforce. We have a lot of people who are willing to work and hustle. So we have some advantages. We have a history of trade and freedom. But I want to show this chart, because we may not be doing as well as we think we are, and the debt that we are facing may be more serious than a lot of people will acknowledge.

This is a chart that shows the debt per person in the Eurozone compared to the United States. It is a stunning chart. Some people have explained it somewhat by saying, well, our economy in the United States is bigger than other economies in the world. Therefore, individual Americans normally make more money and, therefore, they can carry more debt. But anybody who sees this chart has to begin to understand and worry that the needle of our debt is in the red zone—the danger zone.

Look at this. This includes spending for Federal, State, and local government. These are 2012 projections of general government expenditures in nominally U.S. dollars—all converted to U.S. dollars by the International Monetary Fund. This is not the United States. This is the world's economic outlook according to the International Monetary Fund. This is the way they score our debt compared to the rest of the world in comparable U.S. dollars.

Look at this: In dollars, Spain's debt per person is \$24,000. Spain is in serious financial difficulty now. Its debt has caused the interest on their debt to surge. They are paying a large amount. They have tried to bring that under control, but their unemployment is high, and the net result has been the economy is stagnating dangerously. It is a sad thing.

Italy has more, with \$26,000; Portugal, \$39,000 per person; Greece, \$42,000 per person; but the debt per person in the United States, according to the International Monetary Fund, is \$53,400—higher than all those countries.

I would say to my colleagues, we are not in a position of safety. I would say to my colleagues that this is a kind of debtload that we need not to underestimate. We might find that this economy is more unpredictable than we think.

As I said last night, I remember Alan Greenspan being before the Budget Committee in 2001 and telling us we had to worry. And the worry was that we had so much money that we would pay down all the debt in the United States and then—he worried—what we would do with the extra money when we paid the whole debt down. This is the maestro, Alan Greenspan.

I say that just to indicate that if he misses it that badly, maybe Mr.

Bernanke will miss it. Actually, the Wall Street Journal documented that when Mr. Bernanke was advising Alan Greenspan, the Federal Reserve Chairman, about the bank mortgage situation in the mid-2000s—2003, 2004, 2005—he was advising Mr. Greenspan to keep pouring the low money out, keep encouraging banks to lend, lend, lend, and he rejected the idea we were in danger. Then, whammo, we had this horrible recession of 2007.

So I would just say this chart shows us that we need to get our house in order. The American people know that. They tell me that everywhere I go. So why won't Congress respond?

Well, the House has responded. I know my Democratic friends don't like to hear that, but this budget that PAUL RYAN produced, while not a perfect document, it changes the debt course of America. It balances the budget, and we could do the same thing if we wanted to, and do it in a different way. Let's do it a different way, but we should have a balanced budget. And we don't, and there is no plan to get there—not even close.

One of the things that is happening in America today is the growth in our economy is not where it should be. This chart is a vivid indicator that the Congressional Budget Office, our top adviser, has been consistently wrong about its projections in the last several years. This is CBO forecasts 2 years before an event. OK? So in 2008, what was CBO projecting the growth rate to be in 2010?

They projected it would be 3.1 percent, but it came in at 2.4 percent. In 2009, what did they project we would have as growth in 2011? They projected we would have 4 percent growth in 2011. We had less than half of that—1.8 percent. That is a huge difference.

Now Christina Romer, who served President Obama as his top adviser on economic matters, has estimated that the difference in 1 and 2 percent growth is 1 million jobs. So what do we have here? We have more than 2 million less jobs being created in 2011 than were projected by the experts that we relied on in 2009.

And look at this. It is even worse in 2012. They projected back in 2010 that growth in 2012—just 2 years in advance—would be at 4.4 percent, and it came in at 2.2 percent. So these 1.8 and 2.2 percent growth figures are really not growth. That is not a job-creating factor. You need to have more growth than that to create real jobs and hiring and wage improvements and raises.

So I just would ask my colleagues: What is causing that? What is causing that? Professors Rogoff and Reinhart did the fabulous book, "This Time It's Different," and they did an empirical actual study of the economies of over 200 years of nations who ran up too much debt.

They studied what happened and the ones that had debt crises. What did

they conclude? And not based on theory, not some ideal formula reached in academic situations, but what actually happened in these countries? What they concluded was that when the gross debt exceeds 90 percent of GDP, 90 percent of the size of the economy, then growth begins to slow. They found that the growth was slowed by 1 to 2 percent.

In 2010, the gross debt of the United States exceeded 90 percent of the economy and CBO's forecast was off. The next year, we were still way above 90 percent. In 2012, we were way above 90 percent of GDP. The debt is so high that it impacts economic growth, it would appear to me. I think this is a fact not being fully considered by CBO and it is impacting our economy, and it argues against any idea that we have no responsibility to start confronting our debt situation now.

In addition to Rogoff and Reinhart—perhaps stimulated by Rogoff and Reinhart, in the last couple of years, the International Monetary Fund, the European Central Bank, and the Bank for International Settlements have studied these very issues because it is a big deal in Europe. Many of the countries in Europe are deeply in debt, their economies are stagnating, and they have studied this issue. And what did they conclude? They concluded basically the same thing. Every one of those studies shows that when a country reaches a high level of debt—in the range of the 90 percent—they begin to suffer economic growth reduction. One of the studies went as low as 60 percent of your GDP in debt begins to slow the economy.

They have various factors in how it is done and the studies are constructed in different ways, but the net result is that when our debt situation is applied to each of those three studies, our economy is projected to be suffering as a result of the high debt we have. So I would say those three studies validate the concerns of Rogoff and Reinhart. Those three studies indicate we are already in America suffering growth loss because of the debt we have.

As we wrestle with how to deal with our economy, I would challenge all of our Members and challenge commentators in the media to ask tough questions: Can we continue to borrow more, run up more debt, and attempt to create a stimulus effect in our economy today? How much can we do that?

The Congressional Budget Office early this year concluded in a thorough report that if we were to balance the budget and bring our debt down to the level—as Congressman RYAN proposed and as we proposed in the committee, and as I proposed in my amendment tonight—and balanced the budget, what would happen? They predict this economy in 10 years would be stronger than it is if we hadn't done that, if we used two other scenarios that had less re-

duction and allowed more debt to accumulate.

Did you hear that? The economy over the long term will be healthier in this country, according to our own CBO, if we get our debt under control and balance our budget. It is in their report in January of this year. We need to listen to that. The American people know you can't get something for nothing. They know you can't borrow your way out of debt. As one of my citizens in Evergreen told me several years ago at a town meeting, My daddy said you can't borrow your way out of debt. Isn't that true? That is what we have been doing. We are going to borrow somehow and create a false high, a sugar high, and that is going to fix our problems. It has proven not to be the case.

What do we need to do? We need to do the same thing responsible people all over the world do. We need to do the same thing families do, the same thing States do that are well managed—and many are very well managed—and that counties and cities do; that is, operate within our means. Let's have a budget that actually balances, and all of the other factors will come into play. Debt as a percentage of GDP and these arguments about primary debt, and debt as a percentage of the economy, that is not where we need to be.

If we balance the budget over a period of time—carefully, so it doesn't do damage to the economy—and do this in the right way, we will make this economy better, and we will have people working who are now on unemployment. We will have people working and bringing home paychecks who are now on food stamps and TANF and other welfare programs. They will have jobs and they will be able to get pay raises and they will be able to work longer hours and get some overtime, and be able to pay down the house payment or the car payment. People are hurting out there. We have fewer people working today than we did in 2000. The average wage has declined—not increased—in the last 10 years. This economy is not growing. My Democratic colleagues are correct about that. People are hurting.

So how do you fix it? Do you borrow more so we can spend more? Is the government going to lift people out of poverty by giving them more checks that we taxed more and passed out more money? Is that compassion? I don't think so.

I have worked with working people. I have worked construction. I grew up in the country. I know people who didn't have money and how they can live and take care of their families on modest means, and they were independent, with pride and self-respect. We have an award being given in North Carolina to a food stamp office employee who talked people into taking food stamps who said they didn't need them. The



award was given to her for overcoming mountain pride. So is this the status of the American economy today, that we are talking people into not being independent, we encourage them to take benefits from the government when they say they don't need them? That is what they gave her the award for.

We have got food stamp promoters in foreign embassies, in the consulate offices all over. They are meeting and promoting new residents to America—legal, presumably—to get on food stamps and other benefits programs. But you are not supposed to be admitted to the United States if you are going to be a charge on the State, so we checked on that. Do you know what we found? That about two-tenths of 1 percent—not 1 percent, but two-tenths of 1 percent of the people who apply to enter the United States are turned down because they might not be financially able to support themselves. One study said at least 36 percent of lawful immigrants in our country today are on some sort of welfare benefit program.

If they have to have health care to survive and go to the hospital, they need to get it, and we want to help people who are in need. But doesn't anybody follow common sense? Doesn't anybody understand we have a reasonable law that says, If you are going to come to America, we need to know you are going to be able to take care of yourself? You shouldn't be coming to America to get on a benefit program. We are not checking. Nobody is checking. Nobody is worried.

So what will they do? They will get Uncle Sam to ask the taxpayers to send more money, and we will keep spending more. It is a bottomless pit, you know. We will just tax the rich. How about that? Because shouldn't the rich pay more because somebody immigrated to America and their income was low? And so we will just give them money.

Do you know they did the same thing, the Department of Agriculture, with people who entered the country? They had a soap opera series of videos, and this is what they did: A lady speaks to another lady and she says something about food stamps. The other lady says, Well, my husband has a good job. I don't need food stamps. That is the first scene. The first lady says, Well, you don't understand.

After two or three of these videos, the first lady convinces the second lady that she should ask for these benefits when she said she didn't want them. She was a lady of pride and dignity. She didn't think she had to have this and wasn't asking for it. But our government overcame her resistance. The U.S. Department of Agriculture was promoting this and paid money to buy these ads: Don't worry, we will ask the American people to send more money. But we won't ask you to send more, we will ask the rich to send more money.

I remember years ago George Wallace used to want to tax the power company. He always wanted to tax the power companies. I was looking at my electric bill the other day and they list your charges, and one of them is the State tax. So they taxed the power company, and the power company passes it on to the person who buys the electricity. Give me a break. A tax on the economy is a tax on the economy. It is a weak argument that you can have an unlimited amount of money by taxing the rich. At some point it becomes not correct, not fair, and not right if the money is being thrown away on Solyndras and A-123 battery companies that go bankrupt. But nobody worries about it: Send more money.

We are having abuses in the SNAP program, and I proposed an amendment that would eliminate an abusive part of the food stamp program a year ago. In 2001, we spent \$20 billion a year on SNAP. Last year, we spent \$80 billion. It has gone up, from 20 to 80, four times. We identified a categorical eligibility gimmick that was allowing people to get food stamps who did not qualify and should not have received them. I said, Let's close that loophole. Over 10 years we were projected to spend \$800 billion on the food stamp program. This would have reduced it by 11, so we would have been spending \$789 billion instead of \$800 billion. And do you know what they said? Sessions wants to take food out of the mouths of babies. People are going to starve. He is uncompassionate. He is unkind. He wants to chop the budget so we can hurt people. It was voted down. And we had reports showing that this was an abusive practice that should have been fixed.

Now we want to ask the American people, Send more money. We want to tax you more. Well, what about the abuse in the food stamp program? There is no abuse. The Department of Agriculture said we have less fraud than we have ever had in history. And I used to prosecute that as a Federal prosecutor. I know there is fraud in there. We established without any doubt that their claim that they have minimal fraud is only in the computer part of the program.

Nobody is checking to see if somebody who qualified for any of these government programs later gets a job and doesn't meet the qualifications. They still are getting benefits all over the country, unless they self-report. All kinds of things such as this are going on. No one is checking to see if somebody goes into two food stamp offices, two other benefit offices of various kinds and asks for them under different names at each place and produces some sort of ID. There is all kinds of abuse in this system and I hear it all the time.

Most people who get food stamps need it, they qualify for it, and they

would get it under any kind of reasonable reform that would occur. But to suggest that we aren't wasting money through practices that allow unqualified individuals to gain access to multiple programs of this kind is a mistake. It absolutely happens every day.

I tried cases to a jury of stores selling food stamps, manipulating the program, dealing with corrupt individuals who brought the food stamps in to sell because they had obtained them fraudulently and never needed the food at all. This idea that there is no fraud in this program is ludicrous. That is what the leaders of the Department of Agriculture are saying: We have no problem. It is OK. Just send us more money. We will keep expanding and growing every year—maybe double the thing again, I guess.

These are the kinds of things that I believe this budget does not address. This budget allows spending to continue at its current rate, it allows the debt to continue at its current rate. Spending goes up and taxes go up. That is what this budget does. Spending goes up and taxes go up and the deficit is not reduced.

I hope that somehow we will come to our senses, go back home, and talk to our constituents. We will listen to them when they plead with us to do something about the debt course we are on. They tell us they are disgusted with the way things are going in Washington, and we say: We cannot do anything about it. They said there is not a problem. You don't understand the challenge we face. We really have to have more money. That is what we have to have. We can't get by on the money we have been having. We have to increase the money you give us.

Do you know that if we increase spending every year 3.4 percent—and these figures are not disputed—if we increase spending each year 3.4 percent, we could balance the budget? The problem is that our spending is increasing at 5.4 percent. It is hard to believe that difference would cause as many billion dollars in debt as it does, but it does. Each year, we add hundreds of billions of dollars to the debt. In fact, the last 4 years we have averaged adding \$1,100 billion to the debt each year. As those dollars are added to the debt, we pay interest on them, and interest is surging.

We are going to find, according to the CBO, on the course we are on and on the course we would stay on if this budget passes, that we would not do anything different than where we are today, which means we would be paying about \$800 billion in 1 year in interest. The road bill is \$40 billion, education is about \$100 billion—it is going to crowd out spending for every agency in our government. For research and development—we are just going to keep raising taxes now?

When we talk about a \$650 billion tax increase in January this year on the

rich, that passed. That went through. That will be \$65 billion a year in extra revenue. I am saying to you that the Congressional Budget Office tells us that in 10 years from now, we will be paying \$800 billion a year in interest. You are not going to tax the rich out of that. It is just not going to happen.

We are at a point where the debate today and the last week in the Budget Committee has put us in a position to confront the choices we have. Forgive me if I am passionate about this. We have waited 4 years to even see a budget brought to the floor when the law of the United States of America says a budget should be brought every year to the floor and every year before the committee and the President is required to produce a budget every year. For the first time since the Budget Act has been passed, the President has not produced a budget this year. But the Senate has begun to act, so I guess we are supposed to be happy for that. And I am happy for that, but I think we would be a lot better off, the country would be a lot better off—we may be in a better position to reach some sort of compromise on some of the great issues had we been publicly wrestling with these issues for the last 4 years instead of sweeping them under the table.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WOMEN'S HISTORY MONTH

Mr. MCCONNELL. Madam President, I rise today to celebrate Women's History Month. This March, we pay tribute to the generations of women in America whose commitment to their community, their State, and their Nation has proved invaluable to society. I know Kentuckians are proud this March to honor the more than 2.2 million women who live in the Commonwealth.

Women's History Month began as a national celebration in 1981 thanks to an act of Congress, and since 1995 every President has issued an annual proclamation designating March as Women's History Month. For Women's History Month 2013, I would like to shine the spotlight on some very admirable wom-

en's groups in Kentucky who are working hard to make the Bluegrass State a better place for women to live, grow, and prosper—and making history themselves.

The Family Scholar House in Louisville is an organization that strives to end the cycle of poverty for many women by giving students who are single parents the support they need to earn a 4-year college degree. By working from poverty to self-sufficiency, these parent-students are then able to provide their children with a better life. The Family Scholar House is transforming families and communities through the power of education, and I had the pleasure of meeting with some of this organization's leaders in my Capitol office last week.

The Chrysalis House, in Lexington, provides substance-abuse treatment programs for women. Their mission is to support women and their families in recovery from alcohol and drugs. In operation for over 34 years, Chrysalis House specializes in treating substance-dependent expecting mothers, allowing them to keep their newborn babies with them while in treatment. They also counsel the children of these women on substance abuse prevention. Chrysalis uses a combination of the 12-step program, long-term living arrangements, and a caring and nurturing environment to ensure women and their families live fulfilling lives free of abusive substances. I have visited Chrysalis House and seen firsthand how much good they are doing, and I want to especially recognize president Lindy Karns and her husband, Rick Christman, for their dedicated efforts.

The Hope Center, also located in Lexington, is an organization that addresses homelessness on multiple fronts. They provide food, shelter, and clothing to the homeless; recovery for those who are addicted; health services for the sick; diagnosis and treatment for the mentally ill; employment services for those looking for work; housing for those who need it; and childcare and higher education opportunities for single-parent families. The Hope Center seeks to identify the underlying causes that compel people to seek out their services and then work to address them in fundamental ways.

The Isaiah House, located in the town of Willisburg in Washington County, seeks to provide real hope for those who suffer from addiction. This faith-based program helps men but also has special facilities and programs for women. They exist to help provide women struggling with drug or alcohol addiction the peace and serenity they have been searching for, through counseling that tends to the spiritual, mental, and physical needs of the residents.

Then we have the Western Kentucky University Sisterhood. Western Kentucky University, located in Bowling Green, is one of the Commonwealth's

leading universities, and with women making up 65 percent of the school's current students and half of all alumni, the WKU Sisterhood is a way for women to make an impact at the university. The WKU Sisterhood is a group of women who donate at least \$1,000 each and then decide collectively how that money shall be used. Two grant recipients, the groups Women in Transition and Project CLASS, are both programs specifically geared to help women succeed in college.

The New Opportunity School for Women, located in the town of Berea, was founded to improve the educational, financial, and personal circumstances of low-income, middle-aged women in the Appalachian region of Kentucky. In the past 23 years, the New Opportunity School for Women has hosted more than 580 women in its 3-week residential program and provided hundreds more with career and educational outreach and counseling.

What a marvel it is to consider all of the resources, programs, and charities that have been founded in the Commonwealth of Kentucky, by women, for women, to empower women to improve their own lives and then, in turn, improve their communities. Kentucky is truly blessed to have so many people of compassion.

This Women's History Month is an entirely appropriate occasion on which to pay tribute to them and their accomplishments on this floor. I know my colleagues in the U.S. Senate join me in congratulating the leaders and supporters of the several groups I have enumerated here, as well as the many others I did not get to mention, for their good works. And the people of Kentucky thank them as well. History will remember them for their dedication and achievements.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SUSAN SMIT

• Mr. JOHNSON of South Dakota. Madam President, today I wish to honor a leader who has tirelessly fought to educate young people in my State. After 9 years of dedicated service as superintendent of the Wagner Community School District, Susan Smit will retire at the end of the school year.

Susan Smit's career in education has spanned a period of over 30 years. She embarked on this path in 1970, first as a vocational home economics teacher. Throughout her time in the field of education, she has held many positions: teacher, counselor, principal and superintendent. Most recently, Susan has spent the last 16 years serving in public schools in Indian Country, working to close the achievement gap between Native and non-Native students. Students in the Wagner Community



School District face a unique set of challenges, and Susan Smit's approach to addressing them has been nothing short of visionary. The nature of the district is rural and low income, with over 70 percent of students qualifying for free and reduced meals.

As a founder and cochair of the Senate Impact Aid Coalition, I have enjoyed working with Susan over the years. In November 2012, Susan was invited to speak to congressional offices about the importance of continued Federal investments in education. Susan provided testimony to more than 80 congressional staff members and dozens of education leaders on the negative effect of education funding cuts and the need to maintain funding for critical education programs. During the 2013 annual conference for the National Association of Federally Impacted Schools, NAFIS, Susan was awarded the Friends of NAFIS award, one of the highest honors the organization bestows upon an educator. The honor recognized Susan for her aptitude for problem-solving and her ability to integrate the needs of the Wagner community into school initiatives.

As a superintendent, Susan has strived to broaden access to academic opportunities for youth by maximizing the use of technology in the classroom. The school district's one-to-one laptop initiative provides students with a laptop for their 4 years of high school. This program has increased retention and gives students the opportunity to hone computer skills that will serve them well beyond graduation. Students apply these skills to further their education through online classes. Although the school district does not have the resources to offer traditional advanced placement classes, this does not prevent students from enrolling in these advanced and rigorous courses. Advanced placement classes are offered online through the distance education lab.

One of the crowning achievements of Susan's tenure as superintendent is the implementation of Jobs for America's Graduates, JAG, Program in South Dakota. Through leadership development and mentorship, the program prepares at-risk students for success in college and future careers. Due in part to the program, the school district's graduation rate is above the state average, and the high school has been recognized as a distinguished school under the title I program.

Susan has been a tireless champion for expanding access to quality and affordable early education. As superintendent, Susan spearheaded the creation of a preschool program that is in its sixth year and serves over 100 3- and 4-year-old children each year. Of the children enrolled in the program, 75 percent of the children are Native American. I am a strong supporter of early education and appreciate Susan's

commitment to helping young people get the right start by nurturing their development and providing for their well-being.

As superintendent of the Wagner Community School District, Susan Smit has successfully overcome many of the challenges associated with operating a rural school district. It is my pleasure to thank her for many years of dedicated service to the youth of South Dakota. I wish Susan, her husband Roland, and their family all the best in retirement.●

#### TRIBUTE TO C.L. SWOPES

● Mr. BOOZMAN. Madam President, we salute our veterans for their selfless commitment and immeasurable sacrifice to protect this nation and its ideals so we can continue to be the greatest, freest country the world has ever known. Standing up to tyranny, oppression and cruelty around the world, our troops exhibit courage under the most daunting circumstances.

Today I want to recognize the service and sacrifice of one of our veterans from the "Greatest Generation" who exemplified these traits during World War II and who is celebrating a milestone—his 100th birthday, C.L. Swopes.

Mr. Swopes spent 25 years in the Navy, originally entering the service to get relief from the hardships of the Great Depression. "The money was what I was after," he told a local newspaper about his reason for enlisting.

Serving in the Pacific during WWII, Mr. Swopes experienced first-hand the realities of war on the U.S.S. *Hornet* during the Doolittle Raid, the Battle of Midway and its sinking at the Battle of Santa Cruz.

"Teaching you how to climb down a rope in practice is one thing, but reality is another," Mr. Swopes recalled to local media about his evacuation from the sinking aircraft carrier.

Admittedly a weak swimmer, he spent hours in the water until being picked up by a lifeboat.

He continued his military career after WWII serving around the world and throughout the country before retiring in Millington, Tennessee.

During his service, the Desha County native made a family with his wife Mary Jane. He impressed upon his children Marva, Paulette, Lorraine, and Anthony, the importance of education. "I wished for an education so many days," Mr. Swopes said because it would have given him additional opportunities in his career.

After his Naval career, Mr. Swopes returned to his native Watson, Arkansas to take over the family farm.

I thank C.L. Swopes for his service and sacrifice as he celebrates his 100th birthday and wish him many more years of happiness.●

#### THE CANNON STREET ALL-STARS

● Mr. SCOTT. Mr. President, in the heart of Charleston, SC, lies Cannon Street; it's a modest street spanning just a few city blocks. However, within its history lies the story of what Dr. Creighton Hale, the former CEO of little league baseball, called "the most significant amateur team in baseball history."

In 1955, the area surrounding this street was one of economic blight and social unease. In an effort to keep kids out of trouble and teach skills that only team sports can provide, the local YMCA organized four little league teams for the neighborhood kids. The Cannon Street YMCA All-Stars consisted of 14 players and 2 alternates: John Bailey, Charles Bradley, Vermont Brown, William Godfrey, Vernon Grey, Allen Jackson, Carl Johnson, John Mack, Leroy Major, David Middleton, Arthur Peoples, John Rivers, Norman Robinson, and Maurice Singleton; 2 alternates: Leroy Carter and George Gregory; and team historian since 1994: Augustus Holt. They were coached and founded by: Lee J. Bennett, Walter Burke, Rufus Dilligard, A.O. Graham, Robert Morrison, R.H. Penn, and Benjamin Singleton. The team would advance to the Charleston City Little League playoff games but would never be given the opportunity to earn a spot in the Little League World Series. It was not because they were unworthy players or because they could not afford to go. The color of their skin stifled the dreams of these twelve-year-old boys.

The Charleston playoff games were boycotted in 1955 to preserve racial segregation. Because teams again refused to play against them, the Cannon Street All-Stars advanced past the state and regional playoffs. The National Little League invited the All-Stars to the Little League World Series as special guests; they could not compete for the title because technically they hadn't played their way to the championships. They returned to Charleston, dismayed and disappointed.

As children, they embodied the very characteristics that organized sports aim to impart—teamwork, courage and respect. As adults they have worked in productive and valuable careers such as architecture, law enforcement and education. As they have grown older, they are now volunteers in their communities—giving back, yet again. While they never had the opportunity to compete, their story has demonstrated where we have come from as a nation.

Last month members of my staff had the opportunity to meet several of the original Cannon Street Little Leaguers who traveled to Washington, DC to be recognized at Nationals Stadium before the Nationals-Phillies game. Their story remains powerful more than 65 years later, and I know my staff will never forget having the opportunity to meet them.

Today, the neighborhood that encompasses Cannon Street has developed into an integral part of the Charleston education and science community. It is home to a number of colleges and universities and a world-class research hospital. The boys of the Cannon Street Little League Team are men who through their careers and service to the community have become assets to their neighborhoods. In spite of the adversity they encountered and the challenges they confronted, these young people illustrated to the world the absurdity of segregation and the hatred inherent in racism.

In the 55 years since they were excluded from competing to earn a spot at the Little League World Series in their own right, America has matured. I would like to believe that a handful of twelve-year-olds contributed to our maturity.

It is with great admiration that I share their story and my respect for these men with you, my colleagues.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 1:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agree to the amendments of the Senate to the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. David Scott of Georgia, Mr. Schneider of Illinois, Ms. Frankel of Florida, and Mr. Connolly of Virginia.

The message further announced that pursuant to 10 U.S.C. 4355(a), clause 10 of rule I, and the order of the House of January 3, 2013, the Speaker appoints

the following Members on the part of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. Shimkus of Illinois, Mr. Womack of Arkansas, Mr. Israel of New York, and Ms. Loretta Sanchez of California.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 649. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-872. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the evacuation of U.S. citizens, U.S. embassy personnel, and several private U.S. citizens from Bangui, Central African Republic; to the Committee on Foreign Relations.

EC-873. A communication from the Chief Executive Officer, NeighborWorks America, transmitting, pursuant to law, the Uniform Resource Locator (URL) for NeighborWorks America's fiscal year 2012 Annual Program Performance Report; to the Committee on Homeland Security and Governmental Affairs.

EC-874. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Government Employees Serving in Official Capacity in Nonprofit Organizations; Sector Unit Investment Trusts" (RIN3209-AA09) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-875. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's 2012 annual report relative to the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-876. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department of Agriculture's fiscal year 2012 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-877. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, "2011 Impact and Effectiveness of Administration for Native Americans (ANA) Projects: Report to Congress"; to the Committee on Indian Affairs.

EC-878. A communication from the Director, Executive Office for United States Trustees, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Application Procedures and Criteria for Approval of Nonprofit Budget and Credit Counseling Agencies by United States Trust-

ees" (RIN1105-AB17) received in the Office of the President of the Senate on March 14, 2013; to the Committee on the Judiciary.

EC-879. A communication from the Director, Executive Office for United States Trustees, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Application Procedures and Criteria for Approval of Providers of a Personal Financial Management Instructional Course by United States Trustees" (RIN1105-AB31) received in the Office of the President of the Senate on March 14, 2013; to the Committee on the Judiciary.

EC-880. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of a Privacy Act System of Records of the Department of Justice, Drug Enforcement Administration Notice: 'Investigative Reporting and Filing System'" (CPCLO Order No. 002-2013) received in the Office of the President of the Senate on March 14, 2013; to the Committee on the Judiciary.

EC-881. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Compassionate Release; Technical Changes" (RIN1120-AB66) received in the Office of the President of the Senate on March 19, 2013; to the Committee on the Judiciary.

EC-882. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone, Potomac and Anacostia Rivers; Washington, DC" ((RIN1625-AA87) (Docket No. USCG-2012-1067)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-883. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone within the Lower Portion of Anchorage #9, Mantua Creek Anchorage; Paulsboro, NJ" ((RIN1625-AA00) (Docket No. USCG-2012-1092)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-884. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sellwood Bridge Move; Willamette River, Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2012-1097)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-885. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Monongahela River, Charleroi, PA" ((RIN1625-AA00) (Docket No. USCG-2012-1071)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-886. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC" ((RIN1625-AA00) (Docket No. USCG-2012-1062)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-887. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Military Ocean Terminal Concord Safety Zone, Suisun Bay, Military Ocean Terminal Concord, CA" ((RIN1625-AA00) (Docket No. USCG-2012-1008)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-888. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana" ((RIN1625-AA00) (Docket No. USCG-2012-1099)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-889. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Worth Dredge Operations, Lake Worth Inlet; West Palm Beach, FL" ((RIN1625-AA00) (Docket No. USCG-2013-0036)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-890. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone within the Lower Portion of Anchorage #9, Mantua Creek Anchorage; Paulsboro, NJ" ((RIN1625-AA00) (Docket No. USCG-2012-1092)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-891. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Vigor Industrial Roll-Out, West Duwamish Waterway, Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2013-0039)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-892. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0022)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-893. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Coast Guard Exercise Area, Hood Canal, Washington" ((RIN1625-AA00) (Docket No. USCG-2012-0900)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC-894. A communication from the Acting Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Foreign Trade Regulations (FTR): Mandatory Automated Export System Filing for all Shipments Requiring Shipper's Export Declaration (SED) Information: Substantive Changes and Cor-

rections" (RIN0607-AA50) received in the Office of the President of the Senate on March 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-895. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of the Aggravated Maximum Civil Monetary Penalty for a Violation of a Federal Railroad Safety Law or Federal Railroad Administration Safety Regulation or Order; Correction" (RIN2130-AB94) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-896. A communication from the Deputy Assistant Chief Counsel for Safety, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Control of Alcohol and Drug Use: Addition of Post-Accident Toxicological Testing for Non-Controlled Substances" (RIN2130-AC24) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-897. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Insurer Reporting Requirements" (RIN2127-AL26) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-898. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Air Brake Systems" (RIN2127-AL11) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-899. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Hampton-Norfolk, Virginia; Norfolk, Virginia-Elizabeth City, North Carolina" (MB Docket No. 11-139; DA 13-258) received in the Office of the President of the Senate on March 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-900. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Ehrenberg, First Mesa, Kachina Village Mund Park, Wickenburg and Williams, Arizona)" (MB Docket No. 11-207) received in the Office of the President of the Senate on March 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-901. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Expanded Opportunities for Radio Experimentation and Market Trials under Part 5 of the Commission's Rules and Streamlining Other Related Rules; 2006 Biennial Review of Telecommunications Regulations—Part 2 Administered by the Office of Engineering and Technology" (FCC 13-15) received in the Office of the President of the Senate on March 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-902. A communication from the Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Environmental Impact and Related Procedures" (RIN2125-AF46) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-903. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (79); Amdt. No. 3522" (RIN2120-AA65) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-904. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (7); Amdt. No. 3523" (RIN2120-AA65) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-905. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Casper, WY" ((RIN2120-AA66) (Docket No. FAA-2012-0509)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-906. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Gaylord, MI" ((RIN2120-AA66) (Docket No. FAA-2011-1401)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-907. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Sault Ste Marie, ON" ((RIN2120-AA66) (Docket No. FAA-2012-0791)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-908. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Hot Springs, SD" ((RIN2120-AA66) (Docket No. FAA-2012-0655)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-909. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class B Airspace Description; Houston, TX" ((RIN2120-AA66) (Docket No. FAA-2013-0079)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-910. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class B Airspace Description; Tampa, FL" ((RIN2120-

AA66) (Docket No. FAA-2013-0080)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-911. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Goldsboro, NC" ((RIN2120-AA66) (Docket No. FAA-2012-0610)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-912. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—April 2013" (Rev. Rul. 2013-9) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Finance.

EC-913. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Indirect Stock Transfers and the Coordination Rule Exceptions; Transfers of Stock or Securities in Outbound Asset Reorganizations" (TD 9615) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Finance.

EC-914. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Certain Outbound Property Transfers by Domestic Corporations; Certain Stock Distributions by Domestic Corporations" ((RIN1545-AM97) (TD 9614)) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Finance.

EC-915. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Medicare Payment Policy"; to the Committee on Finance.

EC-916. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-027); to the Committee on Foreign Relations.

EC-917. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Fraud Prevention Fund"; to the Committee on Homeland Security and Governmental Affairs.

EC-918. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Setting and Adjusting Patent Fees; Correction" (RIN0651-AC86) received in the Office of the President of the Senate on March 20, 2013; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WYDEN, from the Committee on Energy and Natural Resources:

Special Report entitled "History, Jurisdiction, and a Summary of Activities of the

Committee on Energy and Natural Resources During the 112th Congress" (Rept. No. 113-4).

By Mr. BAUCUS, from the Committee on Finance:

Special Report entitled "Report on the Activities of the Committee on Finance During the 112th Congress." (Rept. No. 113-5).

By Mr. LEAHY, from the Committee on the Judiciary:

Special Report entitled "Report on the Activities of the Committee on the Judiciary During the 112th Congress" (Rept. No. 113-6).

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. WYDEN for the Committee on Energy and Natural Resources.

\*Sarah Jewell, of Washington, to be Secretary of the Interior.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself, Mrs. SHAHEEN, Mr. COBURN, Mr. NELSON, Ms. AYOTTE, Mr. KIRK, Mrs. MURRAY, Mr. WARNER, Ms. CANTWELL, Mr. CRAPO, and Mr. RISCH):

S. 632. A bill to amend the Food, Conservation, and Energy Act of 2008 to repeal a duplicative program relating to inspection and grading of catfish; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER (for himself, Mr. LEAHY, Mr. BAUCUS, Mr. BEGICH, and Mr. BLUMENTHAL):

S. 633. A bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself, Mr. BLUMENTHAL, and Mr. BAUCUS):

S. 634. A bill to allow members of the Armed Forces and National Guard to defer principal on Federal student loans for a certain period in connection with receipt of orders for mobilization for war or national emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. MORAN, Mr. TESTER, Mr. JOHANNES, Mr. WARNER, Ms. HEITKAMP, Mr. TOOMEY, and Mr. BLUNT):

S. 635. A bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. 636. A bill to amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incen-

tives for adoption and meaningful use of certified EHR Technology under the Medicare program; to the Committee on Finance.

By Mr. MENENDEZ:

S. 637. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. VITTER, Mr. FRANKEN, Mr. LEAHY, Ms. BALDWIN, and Mr. TESTER):

S. 638. A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. KIRK):

S. 639. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. 640. A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; to the Committee on Indian Affairs.

By Mr. WYDEN (for himself and Mr. REED):

S. 641. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI:

S. 642. A bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. BEGICH, and Mr. CHAMBLISS):

S. 643. A bill to strengthen employee cost savings suggestions programs within the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 644. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. LEVIN, Ms. HIRONO, and Mr. BLUMENTHAL):

S. 645. A bill to amend the Immigration and Nationality Act to reaffirm the United States historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself, Ms. CANTWELL, Mr. BLUMENTHAL, and Mr. NELSON):

S. 646. A bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON (for himself and Mr. BURR):

S. 647. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 648. A bill to amend the Elementary and Secondary Education Act of 1965 to support teacher and school professional training on awareness of student mental health conditions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. 649. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; read the first time.

By Ms. LANDRIEU:

S. 650. A bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S.J. Res. 12. A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. REID, Mrs. BOXER, Mr. HEINRICH, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, Ms. STABENOW, and Mr. UDALL of New Mexico):

S. Res. 86. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

By Mr. WICKER (for himself and Mr. PRYOR):

S. Res. 87. A resolution designating April 4, 2013, as "National Association of Junior Auxiliaries Day"; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. ROBERTS):

S. Res. 88. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. CASEY):

S. Res. 89. A resolution designating March 25, 2013, as "National Cerebral Palsy Awareness Day"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 195

At the request of Mr. FRANKEN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating

to children and violence to provide access to school-based comprehensive mental health programs.

S. 380

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 380, a bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress.

S. 381

At the request of Mr. BROWN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 413

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 413, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program.

S. 424

At the request of Mr. BROWN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 424, a bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

S. 475

At the request of Mr. HARKIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 477

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 477, a bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988.

S. 496

At the request of Mr. PRYOR, the name of the Senator from North Da-

kota (Ms. HEITKAMP) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 516

At the request of Mr. TESTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 516, a bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients.

S. 535

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 535, a bill to require a study and report by the Small Business Administration regarding the costs to small business concerns of Federal regulations.

S. 536

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 536, a bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 569

At the request of Mr. BROWN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a

period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 577

At the request of Mr. NELSON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 582

At the request of Mr. HOEVEN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 582, a bill to approve the Keystone XL Pipeline.

S. 596

At the request of Mr. THUNE, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. RES. 77

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 77, a resolution expressing the sense of Congress relating to the commemoration of the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand.

AMENDMENT NO. 136

At the request of Ms. AYOTTE, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 136 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 138

At the request of Mr. ISAKSON, the names of the Senator from Maine (Ms. COLLINS), the Senator from Texas (Mr. CORNYN), the Senator from Maine (Mr. KING), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 138 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 139

At the request of Mr. INHOFE, the names of the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. THUNE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Louisiana (Mr. VITTER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 139 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 141

At the request of Mr. INHOFE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 141 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 146

At the request of Mr. BARRASSO, the names of the Senator from Kansas (Mr. MORAN) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of amendment No. 146 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 148

At the request of Mrs. SHAHEEN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Arizona (Mr. FLAKE) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of amendment No. 148 intended to be proposed to S. Con. Res. 8,

an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 149

At the request of Mrs. SHAHEEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 149 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 152

At the request of Mr. PORTMAN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of amendment No. 152 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 156

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. COATS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 156 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 158

At the request of Ms. AYOTTE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 158 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 161

At the request of Ms. AYOTTE, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of amendment No. 161 intended to be proposed to S. Con. Res. 8, an original concurrent



resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 162

At the request of Ms. AYOTTE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 162 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 163

At the request of Ms. AYOTTE, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Louisiana (Mr. VITTER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 163 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 177

At the request of Mr. ROBERTS, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 177 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 184

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 184 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 185

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 185 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United

States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 186

At the request of Mr. ROBERTS, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of amendment No. 186 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 187

At the request of Mr. ROBERTS, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 187 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 188

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 188 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 189

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 189 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 190

At the request of Mr. MANCHIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 190 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 191

At the request of Mr. MANCHIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Alaska (Mr. BEGICH) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 191 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 192

At the request of Mr. UDALL of New Mexico, the names of the Senator from Kansas (Mr. MORAN), the Senator from Colorado (Mr. UDALL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 192 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 195

At the request of Mr. COATS, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of amendment No. 195 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## AMENDMENT NO. 202

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CORNYN), the Senator from Louisiana (Mr. VITTER), the Senator from Kentucky (Mr. PAUL), the Senator from Oklahoma (Mr. INHOFE), the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 202 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. REED):

S. 641. A bill to amend the Public Health Service Act to increase the

number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, I rise today to discuss the critical need in today's health care workforce for additional training related to palliative care. Palliative care is an interdisciplinary model of care focused on relieving the pain, stress and other debilitating symptoms of serious illness, such as cancer, cardiac disease, respiratory disease, kidney failure, Alzheimer's, AIDS, ALS, and MS. Its goal is to relieve suffering and provide the best possible quality of life for patients and their families.

Many people mistakenly believe that palliative care is only beneficial when a cure is not possible. Actually, palliative care is not dependent on a life-limiting prognosis and may actually help individuals recover by relieving symptoms such as pain, anxiety or loss of appetite while they are undergoing sometimes difficult medical treatments or procedures, such as surgery or chemotherapy. Palliative care is provided by a team of doctors, nurses, social workers, and other specialists who work with a patient's other health care providers to provide an extra layer of support, including assistance with difficult medical decision-making and coordination of care among specialists. Palliative care is appropriate for people of any age and at any stage in an illness, whether that illness is curable, chronic or life-threatening.

There is a specific type of palliative care, called hospice, for people for whom a cure is no longer possible and who likely have 6 months or less to live. Hospice care can be provided at one's home, a hospice facility, a hospital or a nursing home. Hospice care is about giving patients control, dignity and comfort so they have the best possible quality of life during the time they have. Hospice care also provides support and grief therapy for loved ones whose struggles are often cast aside or forgotten during treatment.

A growing evidence base has demonstrated that palliative care, including hospice, improves quality, controls cost and enhances patient and family satisfaction for the rapidly expanding population of individuals with serious or life-threatening illness. Palliative care may also prolong the lives of some seriously ill patients.

Over the last 10 years, the number of hospital-based palliative care programs has more than doubled due to the increasing number of Americans living with serious, complex and chronic illnesses and the realities of the care re-

sponsibilities faced by their families. Studies suggest that in states with more hospital-based palliative care programs, patients are less likely to die in the hospital, are likely to spend fewer days in the ICU, have better pain management and higher satisfaction with their health care.

As usual, Oregon is ahead of the curve and I'm proud to say that in a 2011 report ranking states on their citizens' access to hospital-based palliative care programs, Oregon was among the seven states who earned an "A" rating, with 88 percent of Oregon hospitals offering palliative care.

Unfortunately, many seriously ill patients and their families lack the type of access available to Oregonians. Palliative care is a relatively new medical specialty and more must be done to ensure an adequate, well-trained palliative care workforce is available to provide comprehensive symptom management, intensive communication and a level of care coordination that addresses the episodic and long-term nature of serious, chronic illness. I believe that, with Federal support, we can help address the workforce gap between those currently practicing in palliative care and hospice and the number of health care professionals required to care for this expanding patient population. That is why today I am introducing the "Palliative Care and Hospice Education and Training Act" or PCHETA. This authoring legislation focuses on three key areas to grow the palliative care and hospice workforce: education centers to expand interdisciplinary training in palliative and hospice care; training of physicians who plan to teach palliative medicine and fellowships to encourage re-training for mid-career physicians; and academic career awards and career incentive awards to support physicians and other health care providers who provide palliative and hospice care training.

With this legislation, patients and families who are facing serious or life-threatening illness will have access to the high-quality palliative care and hospice services that can maximize their quality of life. I urge my colleagues to join me in this effort.

By Mr. LEAHY (for himself, Mr. LEVIN, Ms. HIRONO, and Mr. BLUMENTHAL):

S. 645. A bill to amend the Immigration and Nationality Act to reaffirm the United States historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to reintroduce the Refugee Protection Act. The Senate will soon turn to comprehensive immigration reform and the changes to the refugee system contained in this bill are a critical component of fixing our broken immigration system. As we address the

many complex immigration issues facing our country, we must ensure that America upholds its longstanding commitment to refugee protection.

The Refugee Protection Act of 2013 reaffirms the commitments we made in ratifying the 1951 Refugee Convention, and will help to restore the United States as a global leader on human rights. This legislation seeks to repeal the most harsh, inefficient, and unnecessary elements of current law, and restore the United States to its rightful role as a safe and welcoming home for those suffering from persecution around the world.

During this challenging economic time, it can be tempting to look inward rather than to fulfill our global humanitarian commitments. I believe this bill is needed more now than ever. Millions of refugees remain displaced and warehoused in refugee camps in Eastern Africa, Southeast Asia, and other parts of the world. Ongoing political struggles in the Middle East and North Africa are causing displacement of significant populations. We will continue to see genuine refugees who are in dire need of protection. The Refugee Protection Act helps ensure that America will continue to be a haven for these individuals and their families, just as it has been historically.

Since passage of the landmark Refugee Act of 1980, more than 2.6 million refugees and asylum seekers have been granted protection in the United States. In my home State of Vermont, I have seen how the admission of these refugees and asylum seekers, almost 5,600 in the last 20 years, has revitalized and enriched communities, resulting in the creation of new businesses, safer neighborhoods, and stronger schools. We are fortunate to have the Vermont Refugee Resettlement Program, with its decades of experience and award-winning volunteer program, leading this effort. Over the last 5 years, many of these new Vermonters have come from Bhutan, Burma, and the Congo. As they become small business owners, nurses, and soccer coaches, they contribute to the well-being of our communities and their culture enriches my historically Anglo-Saxon and French-Canadian state.

Vermonters have played a tremendous role in welcoming refugees and asylum-seekers to their communities. Many have hosted refugee families in their homes until suitable housing could be found. Despite this generous community support, however, Vermont's resettlement program is not without its challenges. We experience many of the same hurdles faced by resettlement efforts and receiving communities across the Nation. To help address these hurdles, the Refugee Protection Act of 2013 includes provisions that will help the nationwide resettlement effort operate more effectively.

In addition to support and improvement of the resettlement program, this



bill concerns several areas of domestic asylum adjudication that are in need of significant reform. This bill would repeal the one-year filing deadline for asylum seekers, removing an unnecessary barrier to protection. The bill would allow arriving aliens and minors to seek asylum first before the Asylum Office, rather than referring those cases immediately to immigration court. The Asylum Office is well trained to screen for fraud and is able to handle a slight increase in its caseload. Meanwhile, as we have heard from many immigration experts, the immigration courts are overburdened, under-resourced, and facing steady increases in their caseloads.

The Refugee Protection Act ensures that persons who were victims of terrorism or persecution by terrorist groups will not be doubly victimized with a denial of protection in the United States. Vermont Immigration and Asylum Advocates, a legal aid provider and a collaborator in the New England Survivor of Torture and Trauma program, continues to see cases where persons granted asylum are later blocked from bringing their families to the United States or from applying for permanent residency by overly broad definitions in current law. This bill would help such persons prove their cases without taking any shortcuts that could harm national security. The bill also gives the President the authority to designate certain particularly vulnerable groups for expedited consideration. All refugees would still have to complete security and background checks prior to entry to the United States.

Finally, the bill recognizes the need to treat genuine asylum seekers as persons in need of protection, not as criminals. It calls for asylum seekers who can prove their identities and who pose no threat to the United States to be released from immigration detention. Vermont Immigration and Asylum Advocates, like other legal aid providers across the Nation, struggle to visit detention facilities located at great distance, or to reach clients who have been transferred to far away locations. I appreciate efforts made by the Obama administration to parole eligible asylum seekers and to improve the conditions of detention overall, but more must be done. The Refugee Protection Act will improve access to counsel so that asylum seekers with genuine claims can gain legal assistance in presenting their claims. It will require the Government to codify detention standards to ensure that reforms are meaningful and enforceable. These reforms are humane and fair, but they will also save taxpayer dollars because of the high costs associated with unnecessary detentions.

There is no question that the United States is a leader among nations in refugee protection, but we can do better.

The refugees we welcome to our shores contribute to the fabric of our Nation, and enrich the communities where they settle. I urge all Senators to support the Refugee Protection Act of 2013.

Mr. President, I ask unanimous consent that the text of the bill printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 645

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Refugee Protection Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Elimination of time limits on asylum applications.
- Sec. 4. Protecting victims of terrorism from being defined as terrorists.
- Sec. 5. Protecting certain vulnerable groups of asylum seekers.
- Sec. 6. Effective adjudication of proceedings.
- Sec. 7. Scope and standard for review.
- Sec. 8. Efficient asylum determination process.
- Sec. 9. Secure Alternatives Program.
- Sec. 10. Conditions of detention.
- Sec. 11. Timely notice of immigration charges.
- Sec. 12. Procedures for ensuring accuracy and verifiability of sworn statements taken pursuant to expedited removal authority.
- Sec. 13. Study on the effect of expedited removal provisions, practices, and procedures on asylum claims.
- Sec. 14. Refugee opportunity promotion.
- Sec. 15. Protections for minors seeking asylum.
- Sec. 16. Legal assistance for refugees and asylees.
- Sec. 17. Protection of stateless persons in the United States.
- Sec. 18. Authority to designate certain groups of refugees for consideration.
- Sec. 19. Multiple forms of relief.
- Sec. 20. Protection of refugee families.
- Sec. 21. Reform of refugee consultation process.
- Sec. 22. Admission of refugees in the absence of the annual presidential determination.
- Sec. 23. Update of reception and placement grants.
- Sec. 24. Protection for aliens interdicted at sea.
- Sec. 25. Modification of physical presence requirements for aliens serving as translators.
- Sec. 26. Assessment of the Refugee Domestic Resettlement Program.
- Sec. 27. Refugee assistance.
- Sec. 28. Resettlement data.
- Sec. 29. Protections for refugees.
- Sec. 30. Extension of eligibility period for Social Security benefits for certain refugees.
- Sec. 31. Authorization of appropriations.
- Sec. 32. Determination of budgetary effects.

# SEC. 2. DEFINITIONS.

In this Act:

(1) ASYLUM SEEKER.—The term “asylum seeker”—

(A) means—

(i) any applicant for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158);

(ii) any alien who indicates an intention to apply for asylum under that section; and

(iii) any alien who indicates an intention to apply for withholding of removal, pursuant to—

(I) section 241 of the Immigration and Nationality Act (8 U.S.C. 1231); or

(II) the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984;

(B) includes any individual described in subparagraph (A) whose application for asylum or withholding of removal is pending judicial review; and

(C) does not include an individual with respect to whom a final order denying asylum and withholding of removal has been entered if such order is not pending judicial review.

(2) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

# SEC. 3. ELIMINATION OF TIME LIMITS ON ASYLUM APPLICATIONS.

Section 208(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting “or the Secretary of Homeland Security” after “Attorney General” each place such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking “subparagraph (D)” and inserting “subparagraphs (C) and (D)”; and

(5) by inserting after subparagraph (B), as redesignated, the following:

“(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General, the existence of changed circumstances that materially affect the applicant’s eligibility for asylum.

“(D) MOTION TO REOPEN ASYLUM CLAIM.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the Refugee Protection Act of 2013 if the alien—

“(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

“(ii) was granted withholding of removal to the alien’s country of nationality (or, if stateless, to the country of last habitual residence under section 241(b)(3));

“(iii) has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

“(iv) is not subject to the safe third country exception in section 208(a)(2)(A) or a bar to asylum under section 208(b)(2) and should not be denied asylum as a matter of discretion; and

“(v) is physically present in the United States when the motion is filed.”.

# SEC. 4. PROTECTING VICTIMS OF TERRORISM FROM BEING DEFINED AS TERRORISTS.

(a) TERRORIST ACTIVITIES.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended to read as follows:

“(B) TERRORIST ACTIVITIES.—

“(i) IN GENERAL.—Except as provided in clause (ii) and subsection (d)(3)(B)(i), an alien is inadmissible if—

“(I) the alien has engaged in a terrorist activity;

“(II) a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, that the alien is engaged, or is likely to engage after entry, in any terrorist activity;

“(III) the alien has, under circumstances indicating an intention to cause death or serious bodily harm, incited terrorist activity;

“(IV) the alien is a representative of—

“(aa) a terrorist organization; or

“(bb) a political, social, or other group that endorses or espouses terrorist activity;

“(V) the alien is a member of a terrorist organization;

“(VI) the alien endorses or espouses terrorist activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization;

“(VII) the alien has received military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from, or on behalf of, any organization that, at the time the training was received, was a terrorist organization; or

“(VIII) the alien is an officer, official, representative, or spokesman of the Palestine Liberation Organization.

“(ii) EXCEPTIONS.—

“(I) LACK OF KNOWLEDGE.—Clause (i)(V) shall not apply to an alien who is a member of a terrorist organization described in clause (iii)(V)(cc) if the alien demonstrates by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a terrorist organization.

“(II) DURESS.—Clause (i)(VII) and items (dd) through (ff) of clause (iii)(I) shall not apply to an alien who establishes that his or her actions giving rise to inadmissibility under such clause were committed under duress and the alien does not pose a threat to the security of the United States. In determining whether the alien was subject to duress, the Secretary of Homeland Security may consider, among relevant factors, the age of the alien at the time such actions were committed.

“(iii) DEFINITIONS.—In this section:

“(I) ENGAGE IN TERRORIST ACTIVITY.—The term ‘engage in terrorist activity’ means, in an individual capacity or as a member of an organization—

“(aa) to commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;

“(bb) to prepare or plan a terrorist activity;

“(cc) to gather information on potential targets for terrorist activity;

“(dd) to solicit funds or other things of value for—

“(AA) a terrorist activity;

“(BB) a terrorist organization described in item (aa) or (bb) of clause (ii)(V); or

“(CC) a terrorist organization described in clause (iii)(V)(cc), unless the solicitor can demonstrate by clear and convincing evidence that he or she did not know, and should not reasonably have known, that the organization was a terrorist organization;

“(ee) to solicit any individual—

“(AA) to engage in conduct otherwise described in this subsection;

“(BB) for membership in a terrorist organization described in item (aa) or (bb) of clause (ii)(V); or

“(CC) for membership in a terrorist organization described in clause (iii)(V)(cc) unless the solicitor can demonstrate by clear and convincing evidence that he or she did not

know, and should not reasonably have known, that the organization was a terrorist organization; or

“(ff) to commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training—

“(AA) for the commission of a terrorist activity;

“(BB) to any individual who the actor knows, or reasonably should know, has committed or plans to commit a terrorist activity;

“(CC) to a terrorist organization described in item (aa) or (bb) of clause (iii)(V) or to any member of such an organization; or

“(DD) to a terrorist organization described in clause (iii)(V)(cc), or to any member of such an organization, unless the actor can demonstrate by clear and convincing evidence that he or she did not know, and should not reasonably have known, that the organization was a terrorist organization.

“(II) MATERIAL SUPPORT.—The term ‘material support’ means support that is significant and of a kind directly relevant to terrorist activity.

“(III) REPRESENTATIVE.—The term ‘representative’ includes—

“(aa) an officer, official, or spokesman of an organization; and

“(bb) any person who directs, counsels, commands, or induces an organization or its members to engage in terrorist activity.

“(IV) TERRORIST ACTIVITY.—The term ‘terrorist activity’ means any activity which is unlawful under the laws of the place where it is committed (or which, if it had been committed in the United States, would be unlawful under the laws of the United States or any State) and which involves—

“(aa) the hijacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle);

“(bb) the seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained;

“(cc) a violent attack upon an internationally protected person (as defined in section 1116(b)(4) of title 18, United States Code) or upon the liberty of such a person;

“(dd) an assassination;

“(ee) the use, with the intent to endanger the safety of 1 or more individuals or to cause substantial damage to property, of any—

“(AA) biological agent, chemical agent, or nuclear weapon or device; or

“(BB) explosive, firearm, or other weapon or dangerous device (other than for mere personal monetary gain); or

“(ff) a threat, attempt, or conspiracy to carry out any of the activities described in items (aa) through (ee).

“(V) TERRORIST ORGANIZATION.—The term ‘terrorist organization’ means an organization—

“(aa) designated under section 219;

“(bb) otherwise designated, upon publication in the Federal Register, by the Secretary of State in consultation with or upon the request of the Attorney General or the Secretary of Homeland Security, as a terrorist organization, after finding that the organization engages in the activities de-

scribed in items (aa) through (ff) of subclause (I); or

“(cc) that is a group of 2 or more individuals, whether organized or not, which engages in, or has a subgroup which engages in, the activities described in items (aa) through (ff) of subclause (I).”.

(b) CHILD SOLDIERS.—

(1) INADMISSIBILITY.—Section 212(a)(3)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(G)) is amended by adding at the end the following “This subparagraph shall not apply to an alien who establishes that the actions giving rise to inadmissibility under this subparagraph were committed under duress or carried out while the alien was younger than 18 years of age.”.

(2) DEPORTABILITY.—Section 237(a)(4)(F) of such Act (8 U.S.C. 1227(a)(4)(F)) is amended—

(A) by redesignating subparagraph (F) as subparagraph (G);

(B) by redesignating subparagraph (E) (as added by section 5502(b)), as subparagraph (F); and

(C) in subparagraph (G), as redesignated, by adding at the end the following “This subparagraph shall not apply to an alien who establishes that the actions giving rise to deportability under this subparagraph were committed under duress or carried out while the alien was younger than 18 years of age.”.

(c) TEMPORARY ADMISSION OF NON-IMMIGRANTS.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

“(B)(i) The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may conclude, in such Secretary’s sole, unreviewable discretion, that subsection (a)(3)(B) shall not apply to an alien or that subsection (a)(3)(B)(iii)(V)(cc) shall not apply to a group. The Secretary of State may not exercise discretion under this clause with respect to an alien after removal proceedings against the alien have commenced under section 240.”.

## SEC. 5. PROTECTING CERTAIN VULNERABLE GROUPS OF ASYLUM SEEKERS.

(a) DEFINED TERM.—Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended to read as follows:

“(42)(A) The term ‘refugee’ means any person who—

“(i)(I) is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided; and

“(II) is unable to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution, or a well-founded fear of persecution, on account of race, religion, nationality, membership in a particular social group, or political opinion; or

“(ii) in such circumstances as the President may specify, after appropriate consultation (as defined in section 207(e))—

“(I) is within the country of such person’s nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing; and

“(II) is persecuted, or who has a well-founded fear of persecution, on account of race, religion, nationality, membership in a particular social group, or political opinion.

“(B) The term ‘refugee’ does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of

any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

“(C) For purposes of determinations under this Act—

“(i) a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion; and

“(ii) a person who has a well-founded fear that he or she will be forced to undergo such a procedure or subject to persecution for such failure, refusal, or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.

“(D) For purposes of determinations under this Act, any group whose members share a characteristic that is either immutable or fundamental to identity, conscience, or the exercise of the person's human rights such that the person should not be required to change it, shall be deemed a particular social group, without any additional requirement.”.

(b) **CONDITIONS FOR GRANTING ASYLUM.**—Section 208(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(B)) is amended—

(1) in clause (i), by striking “at least one central reason for persecuting the applicant” and inserting “a factor in the applicant's persecution or fear of persecution”;

(2) in clause (ii), by striking the last sentence and inserting the following: “If the trier of fact determines that the applicant should provide evidence that corroborates otherwise credible testimony, the trier of fact shall provide notice and allow the applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.”;

(3) by redesignating clause (iii) as clause (iv);

(4) by inserting after clause (ii) the following:

“(iii) **SUPPORTING EVIDENCE ACCEPTED.**—Direct or circumstantial evidence, including evidence that the State is unable to protect the applicant or that State legal or social norms tolerate such persecution against persons like the applicant, may establish that persecution is on account of race, religion, nationality, membership in a particular social group, or political opinion.”; and

(5) in clause (iv), as redesignated, by striking “, without regard to whether an inconsistency, inaccuracy, or falsehood goes to the heart of the applicant's claim, or any other relevant factor.” and inserting “. If the trier of fact determines that there are inconsistencies or omissions, the alien shall be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions.”.

(c) **REMOVAL PROCEEDINGS.**—Section 240(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(4)) is amended—

(1) in subparagraph (B), by striking the last sentence and inserting the following: “If the trier of fact determines that the applicant should provide evidence that corroborates otherwise credible testimony, the trier of fact shall provide notice and allow the applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.”; and

(2) in subparagraph (C), by striking “, without regard to whether an inconsistency,

inaccuracy, or falsehood goes to the heart of the applicant's claim, or any other relevant factor.” and inserting “. If the trier of fact determines that there are inconsistencies or omissions, the alien shall be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions.”.

#### **SEC. 6. EFFECTIVE ADJUDICATION OF PROCEEDINGS.**

Section 240(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1229a(b)(4)) is amended—

(1) in the matter preceding subparagraph (A), by striking “In proceedings under this section, under regulations of the Attorney General” and inserting “The Attorney General shall promulgate regulations for proceedings under this section, under which—”

(2) in subparagraph (B), by striking “, and” at the end and inserting a semicolon;

(3) by redesignating subparagraph (C) as subparagraph (D); and

(4) by inserting after subparagraph (B) the following:

“(C) the Attorney General, or the designee of the Attorney General, may appoint counsel to represent an alien if the fair resolution or effective adjudication of the proceedings would be served by appointment of counsel; and”.

#### **SEC. 7. SCOPE AND STANDARD FOR REVIEW.**

Section 242(b) of the Immigration and Nationality Act (8 U.S.C. 1252(b)) is amended—

(1) in paragraph (1), by adding at the end the following: “The alien shall not be removed during such 30-day period, unless the alien indicates in writing that he or she wishes to be removed before the expiration of such period.”; and

(2) by striking paragraph (4) and inserting the following:

“(4) **SCOPE AND STANDARD FOR REVIEW.**—Except as provided in paragraph (5)(B), the court of appeals shall sustain a final decision ordering removal unless it is contrary to law, an abuse of discretion, or not supported by substantial evidence. The court of appeals shall decide the petition only on the administrative record on which the order of removal is based.”.

#### **SEC. 8. EFFICIENT ASYLUM DETERMINATION PROCESS.**

Section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) is amended—

(1) in clause (ii), by striking “shall be detained for further consideration of the application for asylum.” and inserting “may, in the Secretary's discretion, be detained for further consideration of the application for asylum by an asylum officer designated by the Director of United States Citizenship and Immigration Services. The asylum officer, after conducting a nonadversarial asylum interview, may grant asylum to the alien under section 208 or refer the case to a designee of the Attorney General, for a de novo asylum determination, for relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, or for withholding of removal under section 241(b)(3).”; and

(2) in clause (iii)(IV)—

(A) by amending the subclause heading to read as follows:

“(IV) **DETENTION.**—”; and

(B) by striking “shall” and inserting “may, in the Secretary's discretion.”.

#### **SEC. 9. SECURE ALTERNATIVES PROGRAM.**

(a) **ESTABLISHMENT.**—The Secretary shall establish the Secure Alternatives Program (referred to in this section as the “Pro-

gram”) under which an alien who has been detained may be released under enhanced supervision—

(1) to prevent the alien from absconding;

(2) to ensure that the alien makes appearances related to such detention; and

(3) to authorize and promote the utilization of alternatives to detention of asylum seekers.

(b) **PROGRAM REQUIREMENTS.**—

(1) **NATIONWIDE IMPLEMENTATION.**—The Secretary shall facilitate the nationwide implementation of the Program.

(2) **UTILIZATION OF ALTERNATIVES.**—The Program shall utilize a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien—

(A) with an individual or organizational sponsor; or

(B) in a supervised group home.

(3) **PROGRAM ELEMENTS.**—The Program shall include—

(A) individualized case management by an assigned case supervisor; and

(B) referral to community-based providers of legal and social services.

(4) **RESTRICTIVE ELECTRONIC MONITORING.**—

(A) **IN GENERAL.**—Restrictive electronic monitoring devices, such as ankle bracelets, may not be used unless there is a demonstrated need for such enhanced monitoring.

(B) **PERIODIC REVIEW.**—The Secretary shall periodically review any decision to require the use of devices described in subparagraph (A).

(5) **ALIENS ELIGIBLE FOR SECURE ALTERNATIVES PROGRAM.**—

(A) **IN GENERAL.**—Asylum seekers denied parole under section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) shall be eligible to participate in the Program.

(B) **PROGRAM DESIGN.**—The Program shall be designed to ensure sufficient supervision of the population described in subparagraph (A).

(6) **INDIVIDUALIZED DETERMINATIONS.**—For aliens who pose a flight risk, the Secretary shall make an individualized determination as to whether this risk can be mitigated through the Program.

(7) **RULEMAKING.**—The Attorney General and the Secretary shall promulgate regulations establishing procedures for the review of any determination under this section by an immigration judge, unless the alien waives the right to such review.

(8) **CONTRACTS.**—The Secretary shall enter into contracts with qualified nongovernmental entities to implement the Program.

(9) **OTHER CONSIDERATIONS.**—In designing the Program, the Secretary shall—

(A) consult with relevant experts; and

(B) consider programs that have proven successful in the past, including the Appearance Assistance Program developed by the Vera Institute of Justice.

(c) **PAROLE OF CERTAIN ALIENS.**—Section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) is amended—

(1) by redesignating clause (v) as clause (vi); and

(2) by inserting after clause (iv) the following:

“(v) **RELEASE.**—

“(I) **IN GENERAL.**—Any alien subject to detention under this subsection who has been determined to have a credible fear of persecution shall be released from the custody of the Department of Homeland Security not later than 7 days after such determination unless the Secretary of Homeland Security

demonstrates by substantial evidence that the alien—

“(aa) poses a risk to public safety, which may include a risk to national security; or

“(bb) is a flight risk, which cannot be mitigated through other conditions of release, such as bond or secure alternatives, that would reasonably ensure that the alien would appear for immigration proceedings.

“(II) NOTICE.—The Secretary of Homeland Security shall provide every alien and the alien’s legal representative with written notification of the parole decision, including a brief explanation of the reasons for any decision to deny parole. The notification should be communicated to the alien orally or in writing, in a language the alien claims to understand.”.

#### SEC. 10. CONDITIONS OF DETENTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations that—

(1) establish the conditions for the detention of asylum seekers that ensure a safe and humane environment; and

(2) include the rights and procedures set forth in subsections (c) through (e).

(b) DEFINITIONS.—In this section:

(1) DETAINEE.—The term “detainee” means an individual who is detained under the authority of U.S. Immigration and Customs Enforcement.

(2) DETENTION FACILITY.—The term “detention facility” means any Federal, State, or local government facility or privately owned and operated facility, which is being used to hold detainees longer than 72 hours.

(3) GROUP LEGAL ORIENTATION PRESENTATIONS.—The term “group legal orientation presentations” means live group presentations, supplemented by individual orientations, pro se workshops, and pro bono referrals, that—

(A) are carried out by private nongovernmental organizations;

(B) are presented to detainees;

(C) inform detainees about United States immigration law and procedures; and

(D) enable detainees to determine their eligibility for relief.

(4) SHORT-TERM DETENTION FACILITY.—The term “short-term detention facility” means any detention facility that is used to hold immigration detainees for not more than 72 hours.

(c) ACCESS TO LEGAL SERVICES.—

(1) LISTS OF LEGAL SERVICE PROVIDERS.—All detainees arriving at a detention facility shall promptly receive—

(A) access to legal information, including an on-site law library with up-to-date legal materials and law databases;

(B) free access to the necessary equipment and materials for legal research and correspondence, such as computers, printers, copiers, and typewriters;

(C) an accurate, updated list of free or low-cost immigration legal service providers that—

(i) are near such detention facility; and

(ii) can assist those with limited English proficiency or disabilities;

(D) confidential meeting space to confer with legal counsel; and

(E) services to send confidential legal documents to legal counsel, government offices, and legal organizations.

(2) GROUP LEGAL ORIENTATION PRESENTATIONS.—The Secretary shall establish procedures for regularly scheduled, group legal orientation presentations.

(3) GRANTS AUTHORIZED.—The Secretary shall establish a program to award grants to nongovernmental agencies for the purpose of developing, implementing, or expanding

legal orientation programs available for all detainees at the detention facilities in which such programs are offered.

(4) VISITS.—Detainees shall be provided adequate access to contact visits from—

(A) legal service providers, including attorneys, paralegals, law graduates, law students, and representatives accredited by the Board of Immigration Appeals;

(B) consultants, as authorized under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)), before and during interviews in which determinations of credible fear of persecution are made; and

(C) individuals assisting in the provision of legal representation and documentation in support of the asylum seekers’ cases, including interpreters, medical personnel, mental health providers, social welfare workers, expert and fact witnesses, and others.

(5) NOTIFICATION REQUIREMENT.—The Secretary shall establish procedures to provide detainees with adequate and prompt notice, in the language of the detainee, of their available release options and the procedures for requesting such options.

(6) LOCATION OF NEW DETENTION FACILITIES.—All detention facilities first used by the Department of Homeland Security after the date of the enactment of this Act shall be located within 50 miles of a community in which there is a demonstrated capacity to provide free or low-cost legal representation by—

(A) nonprofit legal aid organizations; or

(B) pro bono attorneys with expertise in asylum or immigration law.

(7) NOTIFICATION OF TRANSFERS.—The Secretary shall establish procedures requiring the prompt notification of the legal representative of a detainee before transferring such detainee to another detention facility.

(8) ACCESS TO TELEPHONES.—

(A) IN GENERAL.—Not later than 6 hours after the commencement of a detention of a detainee, the detainee shall be provided reasonable access to a telephone, with at least 1 working telephone available for every 25 detainees.

(B) CONTACTS.—Each detainee has the right to contact by telephone, free of charge—

(i) legal representatives;

(ii) nongovernmental organizations designated by the Secretary;

(iii) consular officials;

(iv) the United Nations High Commissioner for Refugees;

(v) Federal and State courts in which the detainee is, or may become, involved in a legal proceeding; and

(vi) all Government immigration agencies and adjudicatory bodies, including the Office of the Inspector General of the Department of Homeland Security and the Office for Civil Rights and Civil Liberties of the Department of Homeland Security, through confidential toll-free numbers.

(d) RELIGIOUS AND CULTURAL PROVISIONS.—

(1) ACCESS TO RELIGIOUS SERVICES.—Detainees shall be given full and equitable access to religious services, religious materials, opportunity for religious group study, and religious counseling appropriate to their religious beliefs and practices.

(2) CHAPLAINS.—Each detention facility shall have a chaplain, who shall be responsible for—

(A) managing the religious activities at the detention facility, including providing pastoral care and counseling to detainees; and

(B) facilitating access to pastoral care and counseling from external clergy or religious service providers who represent the faiths of the detainees at the facility.

(3) DIETARY NEEDS.—The Secretary shall ensure that the religious, medical, and cultural dietary needs of the detainees are met.

(4) QUALIFICATIONS OF STAFF.—The Secretary shall ensure that detention facility staff members are trained to recognize and address cultural and gender issues relevant to male, female, and child detainees.

(5) ACCESS TO DETENTION FACILITIES BY NON-GOVERNMENTAL ORGANIZATIONS.—Nongovernmental organizations shall be provided reasonable access to a detention facility to—

(A) observe the conditions of detention outlined in this section;

(B) engage in teaching and training programs for the detainees detained at the facility; and

(C) provide legal or religious services to the detainees.

(e) LIMITATIONS ON SOLITARY CONFINEMENT, SHACKLING, AND STRIP SEARCHES.—

(1) EXTRAORDINARY CIRCUMSTANCES.—Solitary confinement, shackling, and strip searches of detainees—

(A) may not be used unless such techniques are necessitated by extraordinary circumstances in which the safety of other persons is at imminent risk; and

(B) may not be used for the purpose of humiliating detainees within or outside the detention facility.

(2) PROTECTED CLASSES.—Solitary confinement, shackling, and strip searches may not be used on pregnant women, nursing mothers, women in labor or delivery, or children who are younger than 18 years of age. Strip searches may not be conducted in the presence of children who are younger than 21 years of age.

(3) WRITTEN POLICIES.—Detention facilities shall—

(A) adopt written policies pertaining to the use of force and restraints; and

(B) train all staff on the proper use of such techniques and devices.

#### SEC. 11. TIMELY NOTICE OF IMMIGRATION CHARGES.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by adding at the end the following:

“(f) NOTICE AND CHARGES.—Not later than 48 hours after the commencement of a detention of an individual under this section, the Secretary of Homeland Security shall—

“(1) file a Notice to Appear or other relevant charging document with the immigration court closest to the location at which the individual was apprehended; and

“(2) serve such notice or charging document on the individual.”.

#### SEC. 12. PROCEDURES FOR ENSURING ACCURACY AND VERIFIABILITY OF SWORN STATEMENTS TAKEN PURSUANT TO EXPEDITED REMOVAL AUTHORITY.

(a) IN GENERAL.—The Secretary shall establish quality assurance procedures to ensure the accuracy and verifiability of signed or sworn statements taken by employees of the Department of Homeland Security exercising expedited removal authority under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(b) RECORDING OF INTERVIEWS.—

(1) IN GENERAL.—Any sworn or signed written statement taken from an alien as part of the record of a proceeding under section 235(b)(1)(A) of the Immigration and Nationality Act shall be accompanied by a recording of the interview which served as the basis for such sworn statement.

(2) CONTENT.—The recording shall include—

(A) a reading of the entire written statement to the alien in a language that the alien claims to understand; and

(B) the verbal affirmation by the alien of the accuracy of—

- (i) the written statement; or
- (ii) a corrected version of the written statement.

(3) **FORMAT.**—The recording shall be made in video, audio, or other equally reliable format.

(4) **EVIDENCE.**—Recordings of interviews under this subsection may be considered as evidence in any further proceedings involving the alien.

(c) **EXEMPTION AUTHORITY.**—

(1) **EXEMPTED FACILITIES.**—Subsection (b) shall not apply to interviews that occur at detention facilities exempted by the Secretary under this subsection.

(2) **CRITERIA.**—The Secretary, or the Secretary's designee, may exempt any detention facility if compliance with subsection (b) at that facility would impair operations or impose undue burdens or costs.

(3) **REPORT.**—The Secretary shall annually submit a report to Congress that identifies the facilities that have been exempted under this subsection.

(4) **NO PRIVATE CAUSE OF ACTION.**—Nothing in this subsection may be construed to create a private cause of action for damages or injunctive relief.

(d) **INTERPRETERS.**—The Secretary shall ensure that a professional fluent interpreter is used if—

- (1) the interviewing officer does not speak a language understood by the alien; and
- (2) there is no other Federal Government employee available who is able to interpret effectively, accurately, and impartially.

#### **SEC. 13. STUDY ON THE EFFECT OF EXPEDITED REMOVAL PROVISIONS, PRACTICES, AND PROCEDURES ON ASYLUM CLAIMS.**

(a) **STUDY.**—

(1) **IN GENERAL.**—The United States Commission on International Religious Freedom (referred to in this section as the “Commission”) is authorized to conduct a study to determine whether immigration officers described in paragraph (2) are engaging in conduct described in paragraph (3).

(2) **IMMIGRATION OFFICERS DESCRIBED.**—An immigration officer described in this paragraph is an immigration officer performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) with respect to aliens who—

(A) are apprehended after entering the United States; and

(B) may be eligible to apply for asylum under section 208 or 235 of such Act.

(3) **CONDUCT DESCRIBED.**—An immigration officer engages in conduct described in this paragraph if the immigration officer—

(A) improperly encourages an alien referred to in paragraph (2) to withdraw or retract claims for asylum;

(B) incorrectly fails to refer such an alien for an interview by an asylum officer to determine whether the alien has a credible fear of persecution (as defined in section 235(b)(1)(B)(v) of such Act (8 U.S.C. 1225(b)(1)(B)(v)));

(C) incorrectly removes such an alien to a country in which the alien may be persecuted; or

(D) detains such an alien improperly or under inappropriate conditions.

(b) **REPORT.**—Not later than 2 years after the date on which the Commission initiates the study under subsection (a), the Commission shall submit a report containing the results of the study to—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Foreign Relations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Foreign Affairs of the House of Representatives.

(c) **STAFF.**—

(1) **FROM OTHER AGENCIES.**—

(A) **IDENTIFICATION.**—The Commission may identify employees of the Department of Homeland Security, the Department of Justice, and the Government Accountability Office that have significant expertise and knowledge of refugee and asylum issues.

(B) **DESIGNATION.**—At the request of the Commission, the Secretary, the Attorney General, and the Comptroller General of the United States shall authorize staff identified under subparagraph (A) to assist the Commission in conducting the study under subsection (a).

(2) **ADDITIONAL STAFF.**—The Commission may hire additional staff and consultants to conduct the study under subsection (a).

(3) **ACCESS TO PROCEEDINGS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary and the Attorney General shall provide staff designated under paragraph (1) or hired under paragraph (2) with unrestricted access to all stages of all proceedings conducted under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(B) **EXCEPTIONS.**—The Secretary and the Attorney General may not permit unrestricted access under subparagraph (A) if—

- (i) the alien subject to a proceeding under such section 235(b) objects to such access; or
- (ii) the Secretary or Attorney General determines that the security of a particular proceeding would be threatened by such access.

#### **SEC. 14. REFUGEE OPPORTUNITY PROMOTION.**

Section 209 of the Immigration and Nationality Act (8 U.S.C. 1159) is amended—

(1) in subsection (a)(1)(B), by striking “one year,” and inserting “1 year (except as provided under subsection (d));”;

(2) in subsection (b)(2), by striking “asylum,” and inserting “asylum (except as provided under subsection (d));”;

(3) by adding at the end the following:

“(d) **EXCEPTION TO PHYSICAL PRESENCE REQUIREMENT.**—An alien who does not meet the 1-year physical presence requirement under subsection (a)(1)(B) or (b)(2), but who otherwise meets the requirements under subsection (a) or (b) for adjustment of status to that of an alien lawfully admitted for permanent residence, may be eligible for such adjustment of status if the alien—

“(1) is or was employed by—

“(A) the United States Government or a contractor of the United States Government overseas and performing work on behalf of the United States Government for the entire period of absence, which may not exceed 1 year; or

“(B) the United States Government or a contractor of the United States Government in the alien's country of nationality or last habitual residence for the entire period of absence, which may not exceed 1 year, and the alien was under the protection of the United States Government or a contractor while performing work on behalf of the United States Government during the entire period of employment; and

“(2) returned immediately to the United States upon the conclusion of the employment.”.

#### **SEC. 15. PROTECTIONS FOR MINORS SEEKING ASYLUM.**

(a) **IN GENERAL.**—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)(2), as amended by section 3, by amending subparagraph (E) to read as follows:

“(E) **APPLICABILITY TO MINORS.**—Subparagraphs (A), (B), and (C) shall not apply to an applicant who is younger than 18 years of age on the earlier of—

“(i) the date on which the asylum application is filed; or

“(ii) the date on which any Notice to Appear is issued.”; and

(2) in subsection (b)(3), by amending subparagraph (C) to read as follows:

“(C) **INITIAL JURISDICTION.**—An asylum officer (as defined in section 235(b)(1)(E)) shall have initial jurisdiction over any asylum application filed by an applicant who is younger than 18 years of age on the earlier of—

“(i) the date on which the asylum application is filed; or

“(ii) the date on which any Notice to Appear is issued.”.

(b) **REINSTATEMENT OF REMOVAL.**—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) in paragraph (5), by striking “If the Attorney General” and inserting “Except as provided in paragraph (8), if the Secretary of Homeland Security”; and

(2) by adding at the end of the following:

“(8) **APPLICABILITY OF REINSTATEMENT OF REMOVAL.**—Paragraph (5) shall not apply to an alien who has reentered the United States illegally after having been removed or having departed voluntarily, under an order of removal, if the alien was younger than 18 years of age on the date on which the alien was removed or departed voluntarily under an order of removal.”.

#### **SEC. 16. LEGAL ASSISTANCE FOR REFUGEES AND ASYLEES.**

Section 412(c)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(A)) is amended—

(1) in clause (ii), by striking “and” at an end;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

“(iii) to provide legal services for refugees to assist them in obtaining immigration benefits for which they are eligible; and”.

#### **SEC. 17. PROTECTION OF STATELESS PERSONS IN THE UNITED STATES.**

(a) **IN GENERAL.**—Chapter 1 of title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

##### **“SEC. 210A. PROTECTION OF STATELESS PERSONS IN THE UNITED STATES.**

“(a) **DEFINED TERM.**—

“(1) **IN GENERAL.**—In this section, the term ‘de jure stateless person’ means an individual who is not considered a national under the laws of any country. Individuals who have lost their nationality as a result of their voluntary action or knowing inaction after arrival in the United States shall not be considered de jure stateless persons.

“(2) **DESIGNATION OF SPECIFIC DE JURE GROUPS.**—The Secretary of Homeland Security, in consultation with the Secretary of State, may, in the discretion of the Secretary, designate specific groups of individuals who are considered de jure stateless persons, for purposes of this section.

“(b) **MECHANISMS FOR REGULARIZING THE STATUS OF STATELESS PERSONS.**—

“(1) RELIEF FOR INDIVIDUALS DETERMINED TO BE DE JURE STATELESS PERSONS.—The Secretary of Homeland Security or the Attorney General may, in his or her discretion, provide conditional lawful status to an alien who is otherwise inadmissible or deportable from the United States if the alien—

“(A) is a de jure stateless person;  
 “(B) applies for such relief;  
 “(C) is not inadmissible under paragraph (2) or (3) of section 212(a); and  
 “(D) is not described in section 241(b)(3)(B)(i).

“(2) WAIVERS.—The provisions under paragraphs (4), (5), (6)(A), (7)(A), and (9) of section 212(a) shall not be applicable to any alien seeking relief under paragraph (1). The Secretary of Homeland Security or the Attorney General may waive any other provision of such section (other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3)) with respect to such an alien for humanitarian purposes, to assure family unity, or if it is otherwise in the public interest.

“(3) SUBMISSION OF PASSPORT OR TRAVEL DOCUMENT.—Any alien who seeks relief under this section shall submit to the Secretary of Homeland Security or the Attorney General—

“(A) any passport or travel document issued at any time to the alien (whether or not the passport or document has expired or been cancelled, rescinded, or revoked); or

“(B) an affidavit, sworn under penalty of perjury—

“(i) stating that the alien has never been issued a passport or travel document; or

“(ii) identifying with particularity any such passport or travel document and explaining why the alien cannot submit it.

“(4) WORK AUTHORIZATION.—The Secretary of Homeland Security may—

“(A) authorize an alien who has applied for relief under paragraph (1) to engage in employment in the United States while such application is being considered; and

“(B) provide such applicant with an employment authorized endorsement or other appropriate document signifying authorization of employment.

“(5) TREATMENT OF SPOUSE AND CHILDREN.—The spouse or child of an alien who has been granted conditional lawful status under paragraph (1) shall, if not otherwise eligible for admission under paragraph (1), be granted conditional lawful status under this section if accompanying, or following to join, such alien if—

“(A) the spouse or child is admissible (except as otherwise provided in paragraph (2)); and

“(B) the qualifying relationship to the principal beneficiary existed on the date on which such alien was granted conditional lawful status.

“(C) ADJUSTMENT OF STATUS.—

“(1) INSPECTION AND EXAMINATION.—At the end of the 5-year period beginning on the date on which an alien has been granted conditional lawful status under subsection (b), the alien may apply for lawful permanent residence in the United States if—

“(A) the alien has been physically present in the United States for at least 5 years;

“(B) the alien's conditional lawful status has not been terminated by the Secretary of Homeland Security or the Attorney General, pursuant to such regulations as the Secretary or the Attorney General may prescribe; and

“(C) the alien has not otherwise acquired permanent resident status.

“(2) REQUIREMENTS FOR ADJUSTMENT OF STATUS.—The Secretary of Homeland Security

or the Attorney General, under such regulations as the Secretary or the Attorney General may prescribe, may adjust the status of an alien granted conditional lawful status under subsection (b) to that of an alien lawfully admitted for permanent residence if such alien—

“(A) is a de jure stateless person;  
 “(B) properly applies for such adjustment of status;

“(C) has been physically present in the United States for at least 5 years after being granted conditional lawful status under subsection (b);

“(D) is not firmly resettled in any foreign country; and

“(E) is admissible (except as otherwise provided under subsection (b)(2)) as an immigrant under this chapter at the time of examination of such alien for adjustment of status.

“(3) RECORD.—Upon approval of an application under this subsection, the Secretary of Homeland Security or the Attorney General shall establish a record of the alien's admission for lawful permanent residence as of the date that is 5 years before the date of such approval.

“(d) PROVING THE CLAIM.—In determining an alien's eligibility for lawful conditional status or adjustment of status under this subsection, the Secretary of Homeland Security or the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary or the Attorney General.

“(e) REVIEW.—

“(1) ADMINISTRATIVE REVIEW.—No appeal shall lie from the denial of an application by the Secretary, but such denial will be without prejudice to the alien's right to renew the application in proceedings under section 240.

“(2) MOTIONS TO REOPEN.—Notwithstanding any limitation imposed by law on motions to reopen removal, deportation, or exclusion proceedings, any individual who is eligible for relief under this section may file a motion to reopen removal or deportation proceedings in order to apply for relief under this section. Any such motion shall be filed not later than the later of—

“(A) 2 years after the date of the enactment of the Refugee Protection Act of 2013; or

“(B) 90 days after the date of entry of a final administrative order of removal, deportation, or exclusion.

“(f) LIMITATION.—

“(1) APPLICABILITY.—The provisions of this section shall only apply to aliens present in the United States.

“(2) SAVINGS PROVISION.—Nothing in this section may be construed to authorize or require—

“(A) the admission of any alien to the United States;

“(B) the parole of any alien into the United States; or

“(C) the grant of any motion to reopen or reconsider filed by an alien after departure or removal from the United States.”.

(b) JUDICIAL REVIEW.—Section 242(a)(2)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1252(a)(2)(B)(ii)) is amended by inserting “or 210A” after “208(a)”.

(c) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by inserting after the item relating to section 210 the following:

“Sec. 210A. Protection of stateless persons in the United States.”.

## SEC. 18. AUTHORITY TO DESIGNATE CERTAIN GROUPS OF REFUGEES FOR CONSIDERATION.

(a) IN GENERAL.—Section 207(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting “(A)” before “Subject to the numerical limitations”; and

(2) by adding at the end the following:

“(B)(i) The President, upon a recommendation of the Secretary of State made in consultation with the Secretary of Homeland Security, and after appropriate consultation, may designate specifically defined groups of aliens—

“(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

“(II) who—

“(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion or of other serious harm; or

“(bb) having been identified as targets as described in item (aa), share a common need for resettlement due to a specific vulnerability.

“(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

“(iii) A designation under clause (i)—

“(I) may be revoked by the President at any time after notification to Congress;

“(II) if not revoked under subclause (I), shall expire at the end of the fiscal year; and

“(III) may be renewed by the President after appropriate consultation.

“(iv) Categories of aliens established under section 599D of Public Law 101-167 (8 U.S.C. 1157 note)—

“(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the Refugee Protection Act of 2013; and

“(II) shall be eligible for designation thereafter at the discretion of the President.

“(v) An alien's admission under this subparagraph shall count against the refugee admissions goal under subsection (a).

“(vi) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.”.

(b) WRITTEN REASONS FOR DENIALS OF REFUGEE STATUS.—Each decision to deny an application for refugee status of an alien who is within a category established under section 207(c)(1)(B) of the Immigration and Nationality Act, as added by subsection (a) shall be in writing and shall state, to the maximum extent feasible, the reason for the denial.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

## SEC. 19. MULTIPLE FORMS OF RELIEF.

(a) IN GENERAL.—Applicants for admission as refugees may simultaneously pursue admission under any visa category for which such applicants may be eligible.

(b) **ASYLUM APPLICANTS WHO BECOME ELIGIBLE FOR DIVERSITY VISAS.**—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv)(I) An asylum seeker in the United States who is notified that he or she is eligible for an immigrant visa pursuant to section 203(c) may file a petition with the district director that has jurisdiction over the district in which the asylum seeker resides (or, in the case of an asylum seeker who is or was in removal proceedings, the immigration court in which the removal proceeding is pending or was adjudicated) to adjust status to that of a permanent resident.

“(II) A petition under subclause (I) shall be filed not later than 30 days before the end of the fiscal year for which the petitioner received notice of eligibility for the visa and shall contain such information and be supported by such documentary evidence as the Secretary of State may require.

“(III) The district director or immigration court shall attempt to adjudicate each petition under this clause before the last day of the fiscal year for which the petitioner was selected. Notwithstanding clause (ii)(II), if the district director or immigration court is unable to complete such adjudication during such fiscal year, the adjudication and adjustment of the petitioner’s status may take place after the end of such fiscal year.”.

#### **SEC. 20. PROTECTION OF REFUGEE FAMILIES.**

(a) **CHILDREN OF REFUGEE OR ASYLEE SPOUSES AND CHILDREN.**—A child of an alien who qualifies for admission as a spouse or child under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A) and 1158(b)(3)) shall be entitled to the same admission status as such alien if the child—

(1) is accompanying or following to join such alien; and

(2) is otherwise admissible under such section 207(c)(2)(A) or 208(b)(3).

(b) **SEPARATED CHILDREN.**—A child younger than 18 years of age who has been separated from the birth or adoptive parents of such child and is living under the care of an alien who has been approved for admission to the United States as a refugee shall be admitted as a refugee if—

(1) it is in the best interest of such child to be placed with such alien in the United States; and

(2) such child is otherwise admissible under section 207(c)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(3)).

(c) **ELIMINATION OF TIME LIMITS ON REUNIFICATION OF REFUGEE AND ASYLEE FAMILIES.**—

(1) **EMERGENCY SITUATION REFUGEES.**—Section 207(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A)) is amended by striking “A spouse or child (as defined in section 101(b)(1) (A), (B), (C), (D), or (E))” and inserting, “Regardless of when such refugee was admitted to the United States, a spouse or child (other than a child described in section 101(b)(1)(F))”.

(2) **ASYLUM.**—Section 208(b)(3)(A) of such Act (8 U.S.C. 1158(b)(3)(A)) is amended to read as follows:

“(A) **IN GENERAL.**—A spouse or child (other than a child described in section 101(b)(1)(F)) of an alien who was granted asylum under this subsection at any time may, if not otherwise eligible for asylum under this section, be granted the same status as the alien if accompanying or following to join such alien.”.

(d) **TIMELY ADJUDICATION OF REFUGEE AND ASYLEE FAMILY REUNIFICATION PETITIONS.**—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended—

(1) in section 207(c)(2), as amended by subsection (c), by adding at the end the following:

“(D) The Secretary shall ensure that the application of an alien who is following to join a refugee who qualifies for admission under paragraph (1) is adjudicated not later than 90 days after the submission of such application.”; and

(2) in section 208(b)(3), as amended by section 15(a)(2), by adding at the end the following:

“(D) **TIMELY ADJUDICATION.**—The Secretary shall ensure that the application of each alien described in subparagraph (A) who applies to follow an alien granted asylum under this subsection is adjudicated not later than 90 days after the submission of such application.”.

#### **SEC. 21. REFORM OF REFUGEE CONSULTATION PROCESS.**

Section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) is amended—

(1) in subsection (a), by adding at the end the following:

“(5) All officers of the Federal Government responsible for refugee admissions or refugee resettlement shall treat the determinations made under this subsection and subsection (b) as the refugee admissions goal for the fiscal year.”;

(2) in subsection (d), by adding at the end the following:

“(4) Not later than 15 days after the last day of each calendar quarter, the President shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

“(A) the number of refugees who were admitted during the previous quarter;

“(B) the percentage of those arrivals against the refugee admissions goal for such quarter;

“(C) the cumulative number of refugees who were admitted during the fiscal year as of the end of such quarter;

“(D) the number of refugees to be admitted during the remainder of the fiscal year in order to meet the refugee admissions goal for the fiscal year; and

“(E) a plan that describes the procedural or personnel changes necessary to achieve the refugee admissions goal for the fiscal year.”; and

(3) in subsection (e)—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in the matter preceding subparagraph (A), as redesignated—

(i) by inserting “(1)” after “(e)”; and

(ii) by inserting “, which shall be commenced not later than May 1 of each year and continue periodically throughout the remainder of the year, if necessary,” after “discussions in person”;

(C) by striking “To the extent possible,” and inserting the following:

“(2) To the extent possible”; and

(D) by adding at the end the following:

“(3)(A) The plans referred to in paragraph (1)(C) shall include estimates of—

“(i) the number of refugees the President expects to have ready to travel to the United States at the beginning of the fiscal year;

“(ii) the number of refugees and the stipulated populations the President expects to admit to the United States in each quarter of the fiscal year; and

“(iii) the number of refugees the President expects to have ready to travel to the United States at the end of the fiscal year.

“(B) The Secretary of Homeland Security shall ensure that an adequate number of ref-

ugees are processed during the fiscal year to fulfill the refugee admissions goals under subsections (a) and (b).”.

#### **SEC. 22. ADMISSION OF REFUGEES IN THE ABSENCE OF THE ANNUAL PRESIDENTIAL DETERMINATION.**

Section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively;

(3) in paragraph (1), as redesignated—

(A) by striking “after fiscal year 1982”; and

(B) by adding at the end the following: “If the President does not issue a determination under this paragraph before the beginning of a fiscal year, the number of refugees that may be admitted under this section in each quarter before the issuance of such determination shall be 25 percent of the number of refugees admissible under this section during the previous fiscal year.”; and

(4) in paragraph (3), as redesignated, by striking “(beginning with fiscal year 1992)”.

#### **SEC. 23. UPDATE OF RECEPTION AND PLACEMENT GRANTS.**

Beginning with fiscal year 2014, not later than 30 days before the beginning of each fiscal year, the Secretary shall notify Congress of the amount of funds that the Secretary will provide in its Reception and Placement Grants in the coming fiscal year. In setting the amount of such grants each year, the Secretary shall ensure that—

(1) the grant amount is adjusted so that it is adequate to provide for the anticipated initial resettlement needs of refugees, including adjusting the amount for inflation and the cost of living;

(2) an amount is provided at the beginning of the fiscal year to each national resettlement agency that is sufficient to ensure adequate local and national capacity to serve the initial resettlement needs of refugees the Secretary anticipates the agency will resettle throughout the fiscal year; and

(3) additional amounts are provided to each national resettlement agency promptly upon the arrival of refugees that, exclusive of the amounts provided pursuant to paragraph (2), are sufficient to meet the anticipated initial resettlement needs of such refugees and support local and national operational costs in excess of the estimates described in paragraph (1).

#### **SEC. 24. PROTECTION FOR ALIENS INTERDICTED AT SEA.**

Section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)) is amended—

(1) in the paragraph heading, by striking “TO A COUNTRY WHERE ALIEN’S LIFE OR FREEDOM WOULD BE THREATENED” and inserting “OR RETURN IF REFUGEE’S LIFE OR FREEDOM WOULD BE THREATENED OR ALIEN WOULD BE SUBJECTED TO TORTURE”;

(2) in subparagraph (A)—

(A) by striking “Notwithstanding” and inserting the following:

“(i) LIFE OR FREEDOM THREATENED.—Notwithstanding”; and

(B) by adding at the end the following:

“(ii) **ASYLUM INTERVIEW.**—Notwithstanding paragraphs (1) and (2), a United States officer may not return any alien interdicted or otherwise encountered in international waters or United States waters who has expressed a fear of return to his or her country of departure, origin, or last habitual residence—

“(I) until such alien has had the opportunity to be interviewed by an asylum officer to determine whether that alien has a well-founded fear of persecution because of



the alien's race, religion, nationality, membership in a particular social group, or political opinion, or because the alien would be subject to torture in that country; or

“(II) if an asylum officer has determined that the alien has such a well-founded fear of persecution or would be subject to torture in his or her country of departure, origin, or last habitual residence.”;

(3) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(4) by inserting after subparagraph (A) the following:

“(B) PROTECTIONS FOR ALIENS INTERDICTED IN INTERNATIONAL OR UNITED STATES WATERS.—The Secretary of Homeland Security shall issue regulations establishing a uniform procedure applicable to all aliens interdicted in international or United States waters that—

“(i) provides each alien—

“(I) a meaningful opportunity to express, through a translator who is fluent in a language the alien claims to understand, a fear of return to his or her country of departure, origin, or last habitual residence; and

“(II) in a confidential setting and in a language the alien claims to understand, information concerning the alien's interdiction, including the ability to inform United States officers about any fears relating to the alien's return or repatriation;

“(ii) provides each alien expressing such a fear of return or repatriation a confidential interview conducted by an asylum officer, in a language the alien claims to understand, to determine whether the alien's return to his or her country of origin or country of last habitual residence is prohibited because the alien has a well-founded fear of persecution—

“(I) because of the alien's race, religion, nationality, membership in a particular social group, or political opinion; or

“(II) because the alien would be subject to torture in that country;

“(iii) ensures that each alien can effectively communicate with United States officers through the use of a translator fluent in a language the alien claims to understand; and

“(iv) provides each alien who, according to the determination of an asylum officer, has a well-founded fear of persecution for the reasons specified in clause (ii) or would be subject to torture, an opportunity to seek protection in—

“(I) a country other than the alien's country of origin or country of last habitual residence in which the alien has family or other ties that will facilitate resettlement; or

“(II) if the alien has no such ties, a country that will best facilitate the alien's resettlement, which may include the United States.”.

#### SEC. 25. MODIFICATION OF PHYSICAL PRESENCE REQUIREMENTS FOR ALIENS SERVING AS TRANSLATORS.

(a) IN GENERAL.—Section 1059(e)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 8 U.S.C. 1101 note) is amended to read as follows:

“(1) IN GENERAL.—

“(A) CONTINUOUS RESIDENCE.—An absence from the United States described in paragraph (2) shall not be considered to break any period for which continuous residence in the United States is required for naturalization under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.).

“(B) PHYSICAL PRESENCE.—In the case of a lawful permanent resident, for an absence from the United States described in paragraph (2), the time spent outside of the

United States in the capacity described in paragraph (2) shall be counted towards the accumulation of the required physical presence in the United States.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the amendment made by section 1(c)(2) of the Act entitled “An Act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes”, approved June 15, 2007 (Public Law 110-36; 121 Stat. 227).

#### SEC. 26. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency;

(2) if this definition is adequate in addressing refugee needs in the United States;

(3) the effectiveness of the Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency;

(4) an analysis of the unmet needs of the programs;

(5) an evaluation of the Office of Refugee Resettlement's budgetary resources and projection of the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency;

(6) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(7) an analysis of how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(8) recommendations on statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (7).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress that contains the results of the study required under subsection (a).

#### SEC. 27. REFUGEE ASSISTANCE.

(a) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1522(c)(1)(B)) is amended to read as follows:

“(B) The funds available for a fiscal year for grants and contracts under subparagraph (A) shall be allocated among the States based on a combination of—

“(i) the total number or refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year;

“(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

“(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.”.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) of such Act (814 U.S.C. 1522(a)(3)) is amended—

(1) by striking “a periodic” and inserting “an annual”; and

(2) by adding at the end the following: “At the end of each fiscal year, the Assistant Secretary shall submit a report to Congress that describes the findings of the assessment, including States experiencing departures and arrivals due to secondary migration, likely reasons for migration, the impact of secondary migration on States hosting secondary migrants, availability of social services for secondary migrants in those States, and unmet needs of those secondary migrants.”.

(c) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) of such Act (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

“(C) When providing assistance under this section, the Assistant Secretary shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.”.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of enactment of this Act, but in no event later than 30 days before the effective date of the amendments made by this section, the Assistant Secretary shall—

(1) issue a proposed rule of the new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

#### SEC. 28. RESETTLEMENT DATA.

(a) IN GENERAL.—The Assistant Secretary of Health and Human Services for Refugee and Asylee Resettlement (referred to in this section as the “Assistant Secretary”) shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with this section.

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Assistant Secretary shall coordinate with the Centers for Disease Control, national resettlement agencies, community-based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs. In collecting information under this subsection, the Assistant Secretary shall utilize initial refugee health screening data, including history of severe trauma, torture, mental health symptoms, depression, anxiety and post traumatic stress disorder, recorded during domestic and international health screenings, and Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Assistant Secretary shall partner with State refugee programs, community-based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Assistant Secretary shall gather longitudinal information relating to refugee self-sufficiency and employment status for 2-year period beginning 1 year after the refugee's arrival.

(e) AVAILABILITY OF DATA.—The Assistant Secretary shall annually—



(1) update the data collected under this section; and

(2) submit a report to Congress that contains the updated data.

#### SEC. 29. PROTECTIONS FOR REFUGEES.

Section 209 (8 U.S.C. 1159) is amended—

(1) in subsection (a)(1), by striking “return or be returned to the custody of the Department of Homeland Security for inspection and examination for admission to the United States as an immigrant in accordance with the provisions of sections 235, 240, and 241” and inserting “be eligible for adjustment of status as an immigrant to the United States”;

(2) in subsection (a)(2), by striking “upon inspection and examination”; and

(3) in subsection (c), by adding at the end the following: “An application for adjustment under this section may be filed up to 3 months before the date the applicant would first otherwise be eligible for adjustment under this section.”

#### SEC. 30. EXTENSION OF ELIGIBILITY PERIOD FOR SOCIAL SECURITY BENEFITS FOR CERTAIN REFUGEES.

(a) EXTENSION OF ELIGIBILITY PERIOD.—

(1) IN GENERAL.—Section 402(a)(2)(M)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(M)(i)) is amended—

(A) in subclause (I), by striking “9-year” and inserting “10-year”; and

(B) in subclause (II), by striking “2-year” and inserting “3-year”.

(2) CONFORMING AMENDMENT.—The heading for section 402(a)(2)(M)(i) of such Act is amended by striking “TWO-YEAR EXTENSION” and inserting “EXTENSION”.

(3) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2013.

(b) EXTENSION OF PERIOD FOR COLLECTION OF UNEMPLOYMENT COMPENSATION DEBTS RESULTING FROM FRAUD.—Paragraph (8) of section 6402(f) of the Internal Revenue Code of 1986 (relating to collection of unemployment compensation debts resulting from fraud) is amended by striking “10 years” and inserting “10 years and 2 months”.

#### SEC. 31. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act, and the amendments made by this Act.

#### SEC. 32. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139), shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. REID:

S. 649. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; read the first time.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 649

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Safe Communities, Safe Schools Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—FIX GUN CHECKS ACT

Sec. 101. Short title.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

Sec. 111. Reauthorization of NICS Act Record Improvement Program grants.

Sec. 112. Penalties for States that do not make data electronically available to the National Instant Criminal Background Check System.

Sec. 113. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.

Subtitle B—Requiring a Background Check for Every Firearm Sale

Sec. 121. Purpose.

Sec. 122. Firearms transfers.

Sec. 123. Lost and stolen reporting.

Sec. 124. Effective date.

#### TITLE II—STOP ILLEGAL TRAFFICKING IN FIREARMS ACT

Sec. 201. Short title.

Sec. 202. Hadiya Pendleton and Nyasia Pryear-Yard anti-straw purchasing and firearms trafficking amendments.

Sec. 203. Amendments to section 922(d).

Sec. 204. Amendments to section 924(a).

Sec. 205. Amendments to section 924(h).

Sec. 206. Amendments to section 924(k).

Sec. 207. Limitation on operations by the Department of Justice.

#### TITLE III—SCHOOL AND CAMPUS SAFETY ENHANCEMENTS ACT

Sec. 301. Short title.

Sec. 302. Grant program for school security.

Sec. 303. Applications.

Sec. 304. Authorization of appropriations.

Sec. 305. Accountability.

Sec. 306. CAMPUS Safety Act of 2013.

#### TITLE I—FIX GUN CHECKS ACT

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Fix Gun Checks Act of 2013”.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

SEC. 111. REAUTHORIZATION OF NICS ACT RECORD IMPROVEMENT PROGRAM GRANTS.

(a) IN GENERAL.—Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1)(C)—

(A) by striking clauses (ii) and (iii); and

(B) by redesignating clauses (iv), (v), and (vi) as clauses (ii), (iii), and (iv), respectively; and

(2) by striking paragraph (2) and inserting the following:

“(2) SCOPE.—

“(A) IN GENERAL.—The Attorney General, in determining the compliance of a State

under this section or section 104 for the purpose of granting a waiver or imposing a loss of Federal funds, shall assess the total percentage of records provided by the State concerning any event occurring within the time period established by the Attorney General under subparagraph (B), which would disqualify a person from possessing a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

“(B) REGULATIONS.—Not later than 1 year after the date of enactment of the Fix Gun Checks Act of 2013, the Attorney General shall, through regulation, establish the time period described in subparagraph (A).”

(b) IMPLEMENTATION ASSISTANCE TO STATES.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking subsection (a)(1) and inserting the following:

“(1) IN GENERAL.—From amounts made available to carry out this section and subject to section 102(b)(1)(B), the Attorney General shall make grants to States and Indian tribal governments, in a manner consistent with the National Criminal History Improvement Program, which shall be used by the States and Indian tribal governments, in conjunction with units of local government and State and local courts to—

“(A) establish and plan information and identification technologies for firearms eligibility determinations; and

“(B) make improvements or upgrade information and identification technologies for firearms eligibility determinations.”;

(2) by striking subsections (b) and (c) and inserting the following:

“(b) USE OF GRANT AMOUNTS.—

“(1) IN GENERAL.—Grants awarded to States or Indian tribes under subsection (a)(1) may only be used to—

“(A) create electronic systems, which provide accurate and up-to-date information that is directly related to checks under the National Instant Criminal Background Check System (referred to in this section as ‘NICS’), including court disposition and corrections records;

“(B) assist States in establishing or enhancing their own capacities to perform NICS background checks;

“(C) supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by NICS;

“(D) supply accurate and timely information to the Attorney General concerning the identity of persons who are prohibited from obtaining a firearm under section 922(g)(4) of title 18, United States Code, to be used by the Federal Bureau of Investigation solely to conduct NICS background checks;

“(E) supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in Federal and State law enforcement databases used to conduct NICS background checks; and

“(F) collect and analyze data needed to demonstrate levels of State compliance with this Act.

“(2) ADDITIONAL USES.—

“(A) IN GENERAL.—In addition to the uses described in paragraph (1)—

“(i) a grant awarded under subsection (a)(1)(A) may be used to assist States in establishing or enhancing a relief from disabilities program in accordance with section 105; and

“(ii) a grant awarded under subsection (a)(1)(B) may be used to maintain the relief from disabilities program in accordance with section 105.

“(B) LIMITATION.—Not less than 3 percent and not more than 10 percent of each grant awarded under subsection (a)(1)(B) shall be used for the purpose described in subparagraph (A)(i) of this paragraph.

“(c) ELIGIBILITY.—To be eligible for a grant under section 103(a)(1)(B), a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program in accordance with section 105.”; and

(3) by striking subsection (e) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are to be authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2014 through 2018.

“(2) LIMITATIONS.—

“(A) USE OF AMOUNTS AUTHORIZED.—Of the amounts authorized to be appropriated for each fiscal year under paragraph (1), not more than 30 percent may be used to carry out subsection (a)(1)(B).

“(B) ALLOCATIONS.—A State may not be awarded more than 2 grants under subsection (a)(1)(B).”.

**SEC. 112. PENALTIES FOR STATES THAT DO NOT MAKE DATA ELECTRONICALLY AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.**

(a) IN GENERAL.—Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) DISCRETIONARY REDUCTION.—

“(A) During the 2-year period beginning on the date on which the Attorney General publishes final rules required under section 102(b)(2)(B), the Attorney General may withhold not more than 3 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State provides less than 50 percent of the records required to be provided under sections 102 and 103.

“(B) During the 3-year period after the expiration of the period described in subparagraph (A), the Attorney General may withhold 4 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State provides less than 70 percent of the records required to be provided under sections 102 and 103.

“(2) MANDATORY REDUCTION.—After the expiration of the period referred to in paragraph (1)(B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755), if the State provides less than 90 percent of the records required to be provided under sections 102 and 103.”.

(b) REPORTING OF STATE COMPLIANCE.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Attorney General shall publish, and make available on a publicly accessible website, a report that ranks the States by the ratio of number of records submitted by each State under sections 102 and 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to the estimated total number of available records of the State.

**SEC. 113. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.**

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended by adding at the end the following:

“(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.”.

**Subtitle B—Requiring a Background Check for Every Firearm Sale**

**SEC. 121. PURPOSE.**

The purpose of this subtitle is to extend the Brady Law background check procedures to all sales and transfers of firearms.

**SEC. 122. FIREARMS TRANSFERS.**

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (3)(C)(ii), by striking “(as defined in subsection (s)(8))”; and

(B) by adding at the end the following:

“(7) In this subsection, the term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.”; and

(4) by inserting after subsection (s), as redesignated, the following:

“(t)(1) Beginning on the date that is 180 days after the date of enactment of the Fix Gun Checks Act of 2013, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to any other person who is not licensed under this chapter, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s). Upon taking possession of the firearm, the licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the licensee’s inventory to the unlicensed transferee.

“(2) Paragraph (1) shall not apply to—

(A) bona fide gifts between spouses, between parents and their children, between siblings, or between grandparents and their grandchildren;

(B) a transfer made from a decedent’s estate, pursuant to a legal will or the operation of law;

(C) a temporary transfer of possession that occurs between an unlicensed transferor and an unlicensed transferee, if—

(i) the temporary transfer of possession occurs in the home or curtilage of the unlicensed transferor;

(ii) the firearm is not removed from that home or curtilage during the temporary transfer; and

(iii) the transfer has a duration of less than 7 days; and

(D) a temporary transfer of possession without transfer of title made in connection with lawful hunting or sporting purposes if the transfer occurs—

(i) at a shooting range located in or on premises owned or occupied by a duly incorporated organization organized for conservation purposes or to foster proficiency in firearms and the firearm is, at all times, kept within the premises of the shooting range;

(ii) at a target firearm shooting competition under the auspices of or approved by a State agency or nonprofit organization and the firearm is, at all times, kept within the premises of the shooting competition; or

(iii) while hunting or trapping, if—

(I) the activity is legal in all places where the unlicensed transferee possesses the firearm;

(II) the temporary transfer of possession occurs during the designated hunting season; and

(III) the unlicensed transferee holds any required license or permit.

(3) For purposes of this subsection, the term ‘transfer’—

(A) shall include a sale, gift, loan, return from pawn or consignment, or other disposition; and

(B) shall not include temporary possession of the firearm for purposes of examination or evaluation by a prospective transferee while in the presence of the prospective transferee.

“(4)(A) Notwithstanding any other provision of this chapter, the Attorney General may implement this subsection with regulations.

“(B) Regulations promulgated under this paragraph—

(i) shall include a provision setting a maximum fee that may be charged by licensees for services provided in accordance with paragraph (1); and

(ii) shall include a provision requiring a record of transaction of any transfer that occurred between an unlicensed transferor and unlicensed transferee accordance with paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking “, (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) SECTION 925A.—Section 925A of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”.

(3) NICS IMPROVEMENT AMENDMENTS ACT.—Section 103(f) of the NICS Improvement Amendments Act of 2007 is amended by striking “section 922(t)” and inserting “section 922(s)”.

(4) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking “subsection 922(t)” and inserting “section 922(s)” each place it appears.

**SEC. 123. LOST AND STOLEN REPORTING.**

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end—

“(aa) It shall be unlawful for any person who lawfully possesses or owns a firearm that has been shipped or transported in, or has been possessed in or affecting, interstate or foreign commerce, to fail to report the theft or loss of the firearm, within 24 hours after the person discovers the theft or loss, to the Attorney General and to the appropriate local authorities.”.

(b) PENALTY.—Section 924(a)(1) of title 18, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B) knowingly violates subsection (a)(4), (f), (k), (q), or (aa) of section 922;”.

**SEC. 124. EFFECTIVE DATE.**

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

**TITLE II—STOP ILLEGAL TRAFFICKING IN FIREARMS ACT****SEC. 201. SHORT TITLE.**

This title may be cited as the “Stop Illegal Trafficking in Firearms Act of 2013”.

**SEC. 202. HADIYA PENDLETON AND NYASIA PRYER-YARD ANTI-STRAW PURCHASING AND FIREARMS TRAFFICKING AMENDMENTS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

**“§ 932. Straw purchasing of firearms**

“(a) For purposes of this section—

“(1) the term ‘crime of violence’ has the meaning given that term in section 924(c)(3);

“(2) the term ‘drug trafficking crime’ has the meaning given that term in section 924(c)(2); and

“(3) the term ‘purchase’ includes the receipt of any firearm by a person who does not own the firearm—

“(A) by way of pledge or pawn as security for the payment or repayment of money; or

“(B) on consignment.

“(b) It shall be unlawful for any person (other than a licensed importer, licensed manufacturer, licensed collector, or licensed dealer) to knowingly purchase, or attempt or conspire to purchase, any firearm in or otherwise affecting interstate or foreign commerce—

“(1) from a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown; or

“(2) from any person who is not a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown, knowing or having reasonable cause to believe that such other person—

“(A) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

“(B) is a fugitive from justice;

“(C) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

“(D) has been adjudicated as a mental defective or has been committed to any mental institution;

“(E) is an alien who—

“(i) is illegally or unlawfully in the United States; or

“(ii) except as provided in section 922(y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

“(F) has been discharged from the Armed Forces under dishonorable conditions;

“(G) having been a citizen of the United States, has renounced his or her citizenship;

“(H) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this subparagraph shall only apply to a court order that—

“(i) was issued after a hearing of which such person received actual notice, and at

which such person had the opportunity to participate; and

“(ii)(I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(I) has been convicted in any court of a misdemeanor crime of domestic violence;

“(J) intends to—

“(i) use, carry, possess, or sell or otherwise dispose of the firearm or ammunition in furtherance of a crime of violence or drug trafficking crime; or

“(ii) export the firearm or ammunition in violation of law;

“(K)(i) does not reside in any State; and

“(ii) is not a citizen of the United States; or

“(L) intends to sell or otherwise dispose of the firearm or ammunition to a person described in any of subparagraphs (A) through (K).

“(c)(1) Except as provided in paragraph (2), any person who violates subsection (b) shall be fined under this title, imprisoned for not more than 15 years, or both.

“(2) If a violation of subsection (b) is committed knowing or with reasonable cause to believe that any firearm involved will be used to commit a crime of violence, the person shall be sentenced to a term of imprisonment of not more than 25 years.

“(d) Subsection (b)(1) shall not apply to any firearm that is lawfully purchased by a person—

“(1) to be given as a bona fide gift to a recipient who provided no service or tangible thing of value to acquire the firearm, unless the person knows or has reasonable cause to believe such recipient is prohibited by Federal law from possessing, receiving, selling, shipping, transporting, transferring, or otherwise disposing of the firearm; or

“(2) to be given to a bona fide winner of an organized raffle, contest, or auction conducted in accordance with law and sponsored by a national, State, or local organization or association, unless the person knows or has reasonable cause to believe such recipient is prohibited by Federal law from possessing, purchasing, receiving, selling, shipping, transporting, transferring, or otherwise disposing of the firearm.

**“§ 933. Trafficking in firearms**

“(a) It shall be unlawful for any person to—

“(1) ship, transport, transfer, cause to be transported, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if the transferor knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the transferee would be in violation of, or would result in a violation of, any Federal law punishable by a term of imprisonment exceeding 1 year;

“(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would be in violation of, or would result in a violation of, any Federal law punishable by a term of imprisonment exceeding 1 year; or

“(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

“(b)(1) Except as provided in paragraph (2), any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 15 years, or both.

“(2) If a violation of subsection (a) is committed by a person in concert with 5 or more other persons with respect to whom such person occupies a position of organizer, leader, supervisor, or manager, the person shall be sentenced to a term of imprisonment of not more than 25 years.

**“§ 934. Forfeiture and fines**

“(a)(1) Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law—

“(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

“(B) any of the person’s property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

“(2) The court, in imposing sentence on a person convicted of a violation of section 932 or 933, shall order, in addition to any other sentence imposed pursuant to section 932 or 933, that the person forfeit to the United States all property described in paragraph (1).

“(b) A defendant who derives profits or other proceeds from an offense under section 932 or 933 may be fined not more than the greater of—

“(1) the fine otherwise authorized by this part; and

“(2) the amount equal to twice the gross profits or other proceeds of the offense under section 932 or 933.”

(b) TITLE III AUTHORIZATION.—Section 2516(1)(n) of title 18, United States Code, is amended by striking “and 924” and inserting “, 924, 932, or 933”.

(c) RACKETEERING AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 932 (relating to straw purchasing), section 933 (relating to trafficking in firearms),” before “section 1028”.

(d) MONEY LAUNDERING AMENDMENT.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking “section 924(n)” and inserting “section 924(n), 932, or 933”.

(e) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code, and other offenses applicable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

(f) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“932. Straw purchasing of firearms.

“933. Trafficking in firearms.

“934. Forfeiture and fines.”

**SEC. 203. AMENDMENTS TO SECTION 922(d).**

Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(3) by striking the matter following paragraph (9) and inserting the following:

“(10) intends to sell or otherwise dispose of the firearm or ammunition to a person described in any of paragraphs (1) through (9); or

“(11) intends to sell or otherwise dispose of the firearm or ammunition in furtherance of a crime of violence or drug trafficking offense or to export the firearm or ammunition in violation of law.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925.”.

#### SEC. 204. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “(d), (g),”; and

(2) by adding at the end the following:

“(8) Whoever knowingly violates subsection (d) or (g) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.”.

#### SEC. 205. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

“(h)(1) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing or having reasonable cause to believe that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), or section 212(a)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(C)) shall be imprisoned not more than 25 years, fined in accordance with this title, or both.

“(2) No term of imprisonment imposed on a person under this subsection shall run concurrently with any term of imprisonment imposed on the person under section 932.”.

#### SEC. 206. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

“(k)(1) A person who, with intent to engage in or to promote conduct that—

“(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

“(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802); or

“(C) constitutes a crime of violence (as defined in subsection (c)(3)),

smuggles or knowingly brings into the United States a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

“(2) A person who, with intent to engage in or to promote conduct that—

“(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

“(B) would constitute a crime of violence (as defined in subsection (c)(3)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States, smuggles or knowingly takes out of the United States a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.”.

#### SEC. 207. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

### TITLE III—SCHOOL AND CAMPUS SAFETY ENHANCEMENTS ACT

#### SEC. 301. SHORT TITLE.

This title may be cited as the “School and Campus Safety Enhancements Act of 2013”.

#### SEC. 302. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Placement” and inserting “Installation”; and

(ii) by inserting “surveillance equipment,” after “detectors.”;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

“(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.”; and

(2) by adding at the end the following:

“(g) INTERAGENCY TASK FORCE.—

“(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.

“(2) PUBLICATION OF GUIDELINES.—Not later than 1 year after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

“(3) REQUIRED CONSULTATION.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.”.

#### SEC. 303. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

“(2) be accompanied by a report—

“(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

“(B) demonstrating that each proposed use of the grant funds will be—

“(i) an effective means for improving the safety of 1 or more schools;

“(ii) consistent with a comprehensive approach to preventing school violence; and

“(iii) individualized to the needs of each school at which those improvements are to be made.”.

#### SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended—

(1) by striking “\$30,000,000” and inserting “\$40,000,000”; and

(2) by striking “2001 through 2009” and inserting “2014 through 2023”.

#### SEC. 305. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 302, is amended by adding at the end the following:

“(h) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

“(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

“(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.”.

#### SEC. 306. CAMPUS SAFETY ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the “Center to Advance, Monitor, and Preserve University Security Safety Act

of 2013” or the “CAMPUS Safety Act of 2013”.

(b) NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) is amended—

(1) in section 501 (42 U.S.C. 3751)—

(A) in subsection (a)(1)—

(i) in the matter preceding subparagraph (A), by inserting “or purposes” after “one or more of the following programs”; and

(ii) by adding at the end the following:

“(H) Making subawards to institutions of higher education and other nonprofit organizations to assist the National Center for Campus Public Safety in carrying out the functions of the Center required under section 509(c).”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “or” at the end;

(ii) in paragraph (2), by striking the period and inserting “; or”; and

(iii) by adding at the end the following:

“(3) institutions of higher education and other nonprofit organizations, for purposes of carrying out section 509.”; and

(2) by adding at the end the following:

#### “SEC. 509. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

“(a) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—In this section, the term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(b) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—The Attorney General may establish and operate a National Center for Campus Public Safety (referred to in this section as the ‘Center’).

“(c) FUNCTIONS OF THE CENTER.—The Center shall—

“(1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies;

“(2) foster quality research to strengthen the safety and security of institutions of higher education;

“(3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures;

“(4) coordinate with the Secretary of Homeland Security, the Secretary of Education, State, local and tribal governments and law enforcement agencies, private and nonprofit organizations and associations, and other stakeholders, to develop protocols and best practices to prevent, protect against and respond to dangerous and violent situations involving an immediate threat to the safety of the campus community;

“(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

“(6) identify campus safety information (including ways to increase off-campus housing safety) and identify resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

“(7) promote cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among public safe-

ty and emergency management personnel of institutions of higher education and their campus- and non-campus-based collaborative partners, including law enforcement, emergency management, mental health services, and other relevant agencies;

“(8) disseminate standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and

“(9) report annually to Congress on activities performed by the Center during the previous 12 months.

“(d) COORDINATION WITH AVAILABLE RESOURCES.—In establishing the Center, the Attorney General shall—

“(1) coordinate with the Secretary of Homeland Security, the Secretary of Education, and appropriate State or territory officials;

“(2) ensure coordination with campus public safety resources within the Department of Homeland Security, including within the Federal Emergency Management Agency, and the Department of Education; and

“(3) coordinate within the Department of Justice and existing grant programs to ensure against duplication with the program authorized by this section.

“(e) REPORTING AND ACCOUNTABILITY.—At the end of each fiscal year, the Attorney General shall—

“(1) issue a report that assesses the impacts, outcomes and effectiveness of the grants distributed to carry out this section;

“(2) in compiling such report, assess instances of duplicative activity, if any, performed through grants distributed to carry out this section and other grant programs maintained by the Department of Justice, the Department of Education, and the Department of Homeland Security; and

“(3) make such report available on the Department of Justice website and submit such report to the Senate and House Judiciary Committees and the Senate and House Appropriations Committees.”.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall preclude public elementary and secondary schools or their larger governing agencies from receiving the informational and training benefits of the National Center for Campus Public Safety authorized under section 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this title.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S.J. Res. 12. A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; to the Committee on Energy and Natural Resources.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 12

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONSENT AND APPROVAL OF AMENDMENTS.

In accordance with section 4 of Public Law 86-3 (73 Stat. 4) (commonly known as the

“Hawaii Statehood Admissions Act, 1959”) and section 204 of the Hawaiian Home Lands Recovery Act (48 U.S.C. note prec. 491; Public Law 104-42), the United States amends sections 208, 209, and 215 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42) by giving its consent to the following amendments by the State of Hawaii adopted in the manner required for State legislation:

(1) Act 107, Section 1, of the Session Laws of Hawaii, 2000.

(2) Act 12, Section 1, of the Session Laws of Hawaii, 2002.

(3) Act 16, Section 1, of the Session Laws of Hawaii, 2005.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 86—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CÉSAR ESTRADA CHAVEZ

Mr. MENENDEZ (for himself, Mr. REID, Mrs. BOXER, Mr. HEINRICH, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, Ms. STABENOW, and Mr. UDALL of New Mexico) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 86

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an eighth grade education, left school to work full-time as a farm worker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;

Whereas, as early as 1949, César Estrada Chávez was committed to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, livable housing, and the outlawing of child labor;

Whereas, in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked with the organization to coordinate voter registration drives and conduct campaigns against discrimination in east Los Angeles;

Whereas César Estrada Chávez served as the national director of the Community Service Organization;

Whereas, in 1962, César Estrada Chávez left the Community Service Organization to found the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas César Estrada Chávez was a strong believer in the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.;

Whereas César Estrada Chávez effectively used peaceful tactics that included fasting for 25 days in 1968, 25 days in 1972, and 38 days in 1988, to call attention to the terrible working and living conditions of farm workers in the United States;

Whereas, under the leadership of César Estrada Chávez, the United Farm Workers of America organized thousands of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable housing, and respect;

Whereas, through his commitment to non-violence, César Estrada Chávez brought dignity and respect to the organized farm workers and became an inspiration to and a resource for individuals engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for those working to better human rights, empower workers, and advance the American Dream, which includes all inhabitants of the United States;

Whereas César Estrada Chávez died on April 23, 1993, at the age of 66 in San Luis, Arizona, only miles from his birthplace;

Whereas more than 50,000 people attended the funeral services of César Estrada Chávez in Delano, California;

Whereas César Estrada Chávez was laid to rest at the headquarters of the United Farm Workers of America, known as Nuestra Señora de La Paz, located in the Tehachapi Mountains in Keene, California;

Whereas, since the death of César Estrada Chávez, schools, parks, streets, libraries, and other public facilities, as well as awards and scholarships, have been named in his honor;

Whereas 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez on March 31st of each year;

Whereas, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther King, Jr. Peace Prize;

Whereas, on August 8, 1994, César Estrada Chávez was posthumously awarded the Presidential Medal of Freedom;

Whereas President Barack Obama honored the life of service of César Estrada Chávez by proclaiming March 31, 2012, to be “César Chávez Day”;

Whereas, on October 8, 2012, President Barack Obama authorized the Secretary of the Interior to establish a César Estrada Chávez National Monument in Keene, California; and

Whereas the United States should continue the efforts of César Estrada Chávez to ensure equality, justice, and dignity for all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the accomplishments and example of a great hero of the United States, César Estrada Chávez;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, “¡Sí, se puede!”, which is Spanish for “Yes, we can!”.

### SENATE RESOLUTION 87—DESIGNATING APRIL 4, 2013, AS “NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

Mr. WICKER (for himself and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 87

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

(1) are beneficial to the general public; and  
(2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 4, 2013, as “National Association of Junior Auxiliaries Day”;

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

### SENATE RESOLUTION 88—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 88

*Resolved*, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Schumer, Mr. Udall of New Mexico, Mr. Warner, Mr. Roberts, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Schumer, Mr. Durbin, Mr. Leahy, Mr. Roberts, and Mr. Blunt.

### SENATE RESOLUTION 89—DESIGNATING MARCH 25, 2013, AS “NATIONAL CEREBRAL PALSY AWARENESS DAY”

Mr. ISAKSON (for himself and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 89

Whereas the term “cerebral palsy” refers to any number of neurological disorders that appear in infancy or early childhood and permanently affect body movement and the muscle coordination necessary to maintain balance and posture;

Whereas cerebral palsy is caused by damage to 1 or more specific areas of the brain, which usually occurs during fetal development, before, during, or shortly after birth, or during infancy;

Whereas the majority of children who have cerebral palsy are born with the disorder, although cerebral palsy may remain undetected for months or years;



Whereas 75 percent of people with cerebral palsy also have 1 or more developmental disabilities, including epilepsy, intellectual disability, autism, visual impairment, and blindness;

Whereas the Centers for Disease Control and Prevention has released information indicating that cerebral palsy is increasingly prevalent and that approximately 1 in 278 children have cerebral palsy;

Whereas approximately 800,000 people in the United States are affected by cerebral palsy;

Whereas, although there is no cure for cerebral palsy, treatment often improves the capabilities of a child with cerebral palsy;

Whereas scientists and researchers are hopeful that breakthroughs in cerebral palsy research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving cerebral palsy; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community about cerebral palsy: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 25, 2013, as “National Cerebral Palsy Awareness Day”;

(2) encourages all people in the United States to become more informed and aware of cerebral palsy; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 210. Mr. MANCHIN (for himself, Mr. KIRK, Mr. INHOFE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table.

SA 211. Mr. JOHNSON of Wisconsin (for himself, Mr. KIRK, Mr. CORNYN, Mr. THUNE, Mr. BARRASSO, and Mr. JOHANNES) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 212. Mr. JOHNSON of Wisconsin (for himself, Mr. HATCH, Mr. KIRK, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 213. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 214. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 215. Mr. BLUNT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 216. Mr. HOEVEN (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 217. Mr. HOEVEN (for himself, Mr. ROBERTS, and Mr. CORNYN) submitted an amend-

ment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 218. Mr. HOEVEN (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 219. Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 220. Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 221. Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 222. Mr. CRAPO (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 223. Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 224. Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 225. Mr. FLAKE (for himself, Mr. TOOMEY, Mrs. MCCASKILL, Mr. PORTMAN, Ms. AYOTTE, Mr. RUBIO, Mr. JOHANNES, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 226. Mr. MORAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 227. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 228. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 229. Mr. BURR (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 230. Mr. BURR (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 231. Mr. BURR (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 232. Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 233. Mr. MORAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 234. Mr. BEGICH (for himself, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. COWAN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 235. Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 236. Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 237. Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 238. Mrs. SHAHEEN (for herself and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 239. Mr. UDALL of Colorado (for himself, Mr. BARRASSO, Mr. WYDEN, Mr. TESTER, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 240. Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 241. Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 242. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 243. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 244. Mr. CORNYN (for himself, Mr. ROBERTS, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 245. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 246. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 247. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 248. Mr. CORNYN (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 249. Mr. BARRASSO (for himself, Mr. HATCH, and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 250. Mr. BARRASSO (for himself, Mr. HATCH, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 251. Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 252. Mr. LEE (for himself, Mr. THUNE, Mr. RISCH, Mr. WICKER, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 253. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 306. Mr. THUNE (for himself, Mr. BLUNT, Mr. HATCH, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.





SA 416. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.



concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 476. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 477. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 478. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 479. Mr. FRANKEN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 480. Mr. SCHUMER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 481. Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 482. Mr. REED (for himself, Ms. COLLINS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 483. Mr. UDALL, of New Mexico submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 484. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 485. Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 486. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 487. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 488. Ms. MURKOWSKI (for herself, Mr. COCHRAN, Mr. WICKER, Ms. COLLINS, Ms. AYOTTE, Mr. KING, Mrs. SHAHEEN, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 489. Mr. ENZI (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 490. Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 491. Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 492. Mr. COATS (for himself, Mr. MANCHIN, Mr. BLUNT, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 493. Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 494. Mr. HOEVEN (for himself, Mr. BAUCUS, Mr. CORNYN, Mr. MANCHIN, Mr. ROBERTS, Ms. HEITKAMP, Mr. BARRASSO, Ms. LANDRIEU, Ms. MURKOWSKI, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 495. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 496. Mr. SCHUMER (for himself, Mr. MENENDEZ, Mrs. GILLIBRAND, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 497. Ms. CANTWELL (for herself, Mr. RUBIO, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 498. Ms. WARREN (for herself, Mr. REED, Mr. SCHUMER, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. KING, and Mr. COWAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 499. Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 500. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 501. Mr. MANCHIN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 502. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 503. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 504. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 505. Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 506. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 507. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 508. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 509. Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 510. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 511. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 512. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 513. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 514. Mr. COATS (for himself, Mr. MANCHIN, Mr. BLUNT, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 515. Mr. ALEXANDER (for himself, Mr. PAUL, Mr. TOOMEY, Mr. RUBIO, and Mr. McCONNELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 516. Mr. ALEXANDER (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 210.** Mr. MANCHIN (for himself, Mr. KIRK, Mr. INHOFE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

#### **SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN SANCTIONS IMPOSED WITH RESPECT TO IRAN.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the strengthening of sanctions imposed by the United States with respect to Iran, which may include sanctions with respect to the energy sector of Iran, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 211.** Mr. JOHNSON of Wisconsin (for himself, Mr. KIRK, Mr. CORNYN, Mr. THUNE, Mr. BARRASSO, and Mr. JOHANNES) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4 \_\_\_\_ . SENATE POINT OF ORDER AGAINST A BUDGET RESOLUTION THAT DOES NOT ACHIEVE A UNIFIED BUDGET SURPLUS BY 2023.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for any budget year (or any amendment, amendment between the Houses of Congress, motion, or conference report on that concurrent resolution) that does not achieve a unified budget surplus in each fiscal year after fiscal year 2022.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—Subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 212.** Mr. JOHNSON of Wisconsin (for himself, Mr. HATCH, Mr. KIRK, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT THE USE OF FEDERAL FUNDS FOR THE BAILOUT OF IMPROVIDENT STATE AND LOCAL GOVERNMENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would, except in the case of Federal assistance provided in response to a natural disaster, prohibit any entity of the Federal Government from providing funds to State or local governments to prevent receivership or to facilitate exit from receivership by local government, or to prevent default on its obligations by a State government, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 213.** Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST CONSIDERING BUDGET RESOLUTIONS THAT ASSUME THE INSOLVENCY OF THE SOCIAL SECURITY AND MEDICARE PROGRAMS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon whose revenue and outlay assumptions do not assume that Social Security and Medicare will be solvent for the seventy-five years following the year in which the budget resolution is considered.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 214.** Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FUNDING FOR THE INLAND WATERWAYS SYSTEM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may fund the inland waterways system without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 215.** Mr. BLUNT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 73, line 18, insert “proposals for reforming cost-benefit analysis used in agency rulemaking to adequately consider direct and indirect effects on manufacturing,” after “partnerships.”

**SA 216.** Mr. HOEVEN (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the

appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by \$9,400,000.

On page 13, line 14, increase the amount by \$9,400,000.

On page 46, line 11, decrease the amount by \$9,400,000.

On page 46, line 12, decrease the amount by \$9,400,000.

**SA 217.** Mr. HOEVEN (for himself, Mr. ROBERTS, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT PROGRAMS RELATED TO THE NUCLEAR MISSIONS OF THE DEPARTMENT OF DEFENSE AND THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 218.** Mr. HOEVEN (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by \$5,000,000.

On page 13, line 14, increase the amount by \$5,000,000.

On page 46, line 11, decrease the amount by \$5,000,000.

On page 46, line 12, decrease the amount by \$5,000,000.

**SA 219.** Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years

2015 through 2023; which was ordered to lie on the table; as follows:

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$88,039,221,200.

On page 4, line 12, reduce the amount by \$93,057,456,808.

On page 4, line 13, reduce the amount by \$98,361,731,846.

On page 4, line 14, reduce the amount by \$103,968,350,562.

On page 4, line 15, reduce the amount by \$109,894,546,544.

On page 49, strike line 20 and all that follows through page 50, line 2.

**SA 220.** Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$48,900,000,000.

On page 4, line 9, reduce the amount by \$54,100,000,000.

On page 4, line 10, reduce the amount by \$57,183,700,000.

On page 4, line 11, reduce the amount by \$60,443,170,900.

On page 4, line 12, reduce the amount by \$63,888,431,641.

On page 4, line 13, reduce the amount by \$67,530,072,245.

On page 4, line 14, reduce the amount by \$71,379,286,363.

On page 4, line 15, reduce the amount by \$75,447,905,685.

On page 49, strike line 20 and all that follows through page 50, line 2.

**SA 221.** Mr. BURR (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,650,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

On page 49, strike line 20 and all that follows through page 50, line 2.

**SA 222.** Mr. CRAPO (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REPEAL TAX INCREASES UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT IMPOSED ON LOW- AND MIDDLE-INCOME FAMILIES**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would repeal the tax increases enacted under the Patient Protection and Affordable Care Act that were imposed on low- and middle-income Americans by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2013 through 2018 or the period of the total of fiscal years of 2013 through 2023.

**SA 223.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO STOP ENVIRONMENTAL PROTECTION AGENCY SURVEILLANCE OF LIVESTOCK OPERATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the reform of applicable statutes to eliminate the risk of the Environmental Protection Agency conducting aerial surveillance for the inspection of agricultural operations or for the recording of images for the purpose of enforcement of regulations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 224.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 64, line 23, insert “(which may include provisions resulting in the prohibition of certain aerial surveillance of agricultural operations by the Environmental Protection Agency)” after “Acts”.

**SA 225.** Mr. FLAKE (for himself, Mr. TOOMEY, Mrs. MCCASKILL, Mr. PORTMAN, Ms. AYOTTA, Mr. RUBIO, Mr. JOHANNIS, and Mr. UDALL, of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENATE POINT OF ORDER AGAINST LEGISLATION THAT CONTAINS EARMARKS.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider a bill or resolution introduced in the Senate or the House of Representatives, amendment, amendment between the Houses, or conference report that includes an earmark.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) CONSIDERATION.—

(1) PROCEDURE.—Upon a point of order being made by any Senator pursuant to subsection (a) against an earmark, and such



point of order being sustained, such earmark shall be deemed stricken.

(2) CONFERENCE REPORT AND AMENDMENT BETWEEN THE HOUSES PROCEDURE.—When the Senate is considering a conference report on, or an amendment between the Houses, upon a point of order being made by any Senator pursuant to subsection (a), and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(d) DEFINITIONS.—

(1) EARMARK.—For the purpose of this section, the term “earmark” means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives as certified under paragraph 1(a)(1) of rule XLIV of the Standing Rules of the Senate—

(A) providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process; or

(B) that—

(i)(I) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(II) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(ii) modifies the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(2) DETERMINATION BY THE SENATE.—In the event the Chair is unable to ascertain whether or not the offending provision constitutes an earmark as defined in this subsection, the question of whether the provision constitutes an earmark shall be submitted to the Senate and be decided without debate by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(e) APPLICATION.—This section shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

**SA 226.** Mr. MORAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR DEPARTMENT OF HOMELAND SECURITY AMMUNITION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Department of Homeland Security ammunition procurement, which may include unobligated funds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 227.** Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND RELATING TO HEALTH INSURANCE PREMIUM INCREASES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may require the Chief Actuary of the Centers for Medicare & Medicaid Services to include premium impact analysis in any regulatory and sub-regulatory regulation or guidance implementing the Patient Protection and Affordable Care Act (Public Law 111-148) without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 228.** Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO REPEAL ALL TAXES ENACTED UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may repeal those provisions of,

and amendments made by, the Patient Protection and Affordable Care Act and title I of the Health Care and Education Reconciliation Act of 2010 that increase taxes without raising new revenue, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 229.** Mr. BURR (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE RELIEF TO SMALL BUSINESSES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may repeal the 30 hour weekly work requirement for purposes of determining a full-time employee under the Patient Protection and Affordable Care Act (Public Law 111-148) without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 230.** Mr. BURR (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE RELIEF TO SMALL BUSINESSES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may define a large employer for purposes of the Patient Protection and Affordable Care Act (Public Law 111-148) as an employer with 50 or more employees rather than considering full-time equivalent employees for such purposes without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.



**SA 231.** Mr. BURR (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_.** **DEFICIT-REDUCTION RESERVE FUND TO ENSURE THAT MILLIONAIRES ON MEDICARE PAY THE FULL PREMIUM COSTS IN ORDER TO STRENGTHEN THE MEDICARE PROGRAM FOR SENIORS AND PUT THE PROGRAM ON A SUSTAINABLE PATH FOR TAXPAYERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that require that Medicare beneficiaries with an annual income of \$1,000,000 or more pay the full cost of the Medicare part B and D premiums, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**SA 232.** Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_.** **DEFICIT-NEUTRAL RESERVE FUND FOR BARDA AND THE BIOSHIELD SPECIAL RESERVE FUND.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may provide for full funding for the Biomedical Advanced Research and Development Authority under section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) and the Special Reserve Fund under Section 319-F2 of the Public Health Service Act (42 U.S.C. 247d-6b) without raising new revenue by the amounts provided in such authorizing legislation for those purposes, provided that such legislation does not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 233.** Mr. MORAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 31, line 19, increase the amount by \$1,400,000,000.

On page 31, line 20, increase the amount by \$322,000,000.

On page 31, line 24, increase the amount by \$784,000,000.

On page 32, line 3, increase the amount by \$238,000,000.

On page 32, line 7, increase the amount by \$42,000,000.

On page 32, line 11, increase the amount by \$14,000,000.

On page 46, line 11, decrease the amount by \$1,400,000,000.

On page 46, line 12, decrease the amount by \$322,000,000.

On page 46, line 16, decrease the amount by \$784,000,000.

On page 46, line 20, decrease the amount by \$238,000,000.

On page 46, line 24, decrease the amount by \$42,000,000.

On page 47, line 3, decrease the amount by \$14,000,000.

**SA 234.** Mr. BEGICH (for himself, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. COWAN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 67, line 3, insert "(a) IN GENERAL.—" before "The Chairman".

On page 67, between lines 15 and 16, insert the following:

(b) EXCLUSION OF EFFORT ON MEADS FROM AUTHORIZED EFFORTS COVERED BY RESERVE FUND.—

(1) FINDINGS.—The Senate makes the following findings:

(A) According to a February 2011 Office of the Secretary of Defense Fact Sheet the Medium Extended Air Defense System (MEADS) has encountered significant schedule and cost overruns since its inception in the 1990s.

(B) The Fact Sheet states that the restructured acquisition design and development program would end by 2014, consistent with the expiration of the Memorandum of Understanding between the United States, Germany, and Italy, and the cost ceiling negotiated between those parties.

(2) EXCLUSION OF EFFORTS ON MEADS FROM AUTHORIZED EFFORTS.—A revision in the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports for acquisition or research and development on the Medium Extended Air Defense System would be an increase in the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the

total of fiscal years 2013 through 2023 and would be inconsistent with acquisition reform efforts of the Department of Defense otherwise authorized by subsection (a).

**SA 235.** Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 67, beginning on line 8, strike "Department of Defense audibility and acquisition reform efforts" and insert "efforts of the Department of Defense on audibility reform, acquisition reform, and the deployment of the Ground-based Midcourse Defense System".

**SA 236.** Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 67, line 3, insert "(a) IN GENERAL.—" before "The Chairman".

On page 67, between lines 15 and 16, insert the following:

(b) ADDITIONAL ELEMENT FOR FUND ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—

(1) FINDINGS.—The Senate makes the following findings:

(A) The Chairman of the Committee on the Budget of the Senate is aware of extensive contract and acquisition reform the Missile Defense Agency has exercised over the last two years resulting in cost savings and increased contractor performance.

(B) Specifically, the Ground-based Midcourse Defense System development and sustainment contract awarded on December 30, 2011, was under budget, saving the taxpayers approximately \$1,000,000,000 over 5 years.

(C) The Ballistic Missile Defense Review of 2010 concluded the Ground-Based Midcourse Defense System is the only system currently capable of protecting the United States from an intercontinental ballistic missile.

(D) North Korea and Iran are developing nuclear capabilities at an alarming rate, despite imposed sanctions, while the two regimes continue irresponsible and reckless provocation of the United States and our allies.

(E) The proliferation of ballistic missiles and weapons of mass destruction are of particular concern, and robust missile defense is a necessity to defend the United States against state and non-state actors.

(F) In response to this increasing threat, the Secretary of Defense announced on March 15, 2013, that an additional 14 interceptors would be deployed to Alaska by the end of 2017, raising the total to 44 missiles stationed along the West Coast of the United States.

(G) Adequate funding for the Ground-based Midcourse Defense System, including the measures outlined in the Secretary of Defense's announcement on March 15, 2013, should remain a priority for the Department of Defense in the interest of national security.

(2) **ADDITIONAL ELEMENT.**—The efforts supported by the deficit-neutral reserve fund established by this section shall include, in addition to the efforts specified in subsection (a), efforts to deploy the Ground-based Midcourse Defense System.

**SA 237.** Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT THE CLOSURE AND CONSOLIDATION OF OVERSEAS MILITARY PROPERTIES AND INSTALLATIONS TO ACHIEVE COST SAVINGS AND EFFICIENCIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would support the closure and consolidation of overseas military properties and installations to achieve cost savings and efficiencies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST LEGISLATION AUTHORIZING A DOMESTIC ROUND OF BASE CLOSURE AND REALIGNMENT IN FISCAL YEAR 2015 OR 2017.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would authorize a domestic round of base closure and realignment in fiscal year 2015 or 2017.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 238.** Mrs. SHAHEEN (for herself and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which

was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDYING THE EXPOSURE OF UNITED STATES FINANCIAL INSTITUTIONS TO THE EUROZONE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the ability of the Financial Stability Oversight Council and the Office of Financial Research at the Department of the Treasury to complete a detailed study of the exposure of the United States financial system to the European sovereign debt crisis, and to evaluate the impact and possible outcomes for United States markets, particularly derivatives markets, and detail any institutional vulnerabilities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 239.** Mr. UDALL of Colorado (for himself, Mr. BARRASSO, Mr. WYDEN, Mr. TESTER, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 20, line 19, increase the amount by \$100,000,000.

On page 20, line 20, increase the amount by \$100,000,000.

On page 46, line 11, decrease the amount by \$100,000,000.

On page 46, line 12, decrease the amount by \$100,000,000.

**SA 240.** Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 76, line 20, by inserting "including on-the-job training programs," after "programs,".

**SA 241.** Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the end of title III, add the following:

**SEC. 324. DEFICIT-REDUCTION RESERVE FUND ON OFFSHORE TAX SHELTERS BY LARGE PROFITABLE CORPORATIONS TO AVOID PAYING FEDERAL INCOME TAXES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures to address offshore tax shelters used by large profitable corporations, provided that such legislation would reduce the deficit and create jobs. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved.

**SA 242.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR A MEDICAID FMAP BONUS FOR ANY STATE THAT ENACTS MEDICAL LIABILITY REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may increase the Medicaid Federal medical assistance percentage of any State that enacts medical liability reform without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 243.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR RESCINDING REDUCTIONS IN MEDICAID DISPROPORTIONATE SHARE HOSPITAL ALLOTMENTS OF STATES THAT CHOOSE NOT TO EXPAND MEDICAID UNDER THE AFFORDABLE CARE ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may rescind reductions under the Patient Protection and Affordable Care Act in Medicaid disproportionate share hospital allotments for States that choose not to expand Medicaid under the Patient Protection and Affordable Care Act without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 244.** Mr. CORNYN (for himself, Mr. ROBERTS, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 20, line 19, decrease the amount by \$10,000,000.

On page 20, line 20, decrease the amount by \$7,700,000.

On page 20, line 23, decrease the amount by \$10,000,000.

On page 20, line 24, decrease the amount by \$9,200,000.

On page 21, line 2, decrease the amount by \$10,000,000.

On page 21, line 3, decrease the amount by \$9,600,000.

On page 21, line 6, decrease the amount by \$10,000,000.

On page 21, line 7, decrease the amount by \$9,900,000.

On page 21, line 10, decrease the amount by \$10,000,000.

On page 21, line 11, decrease the amount by \$10,000,000.

On page 21, line 14, decrease the amount by \$10,000,000.

On page 21, line 15, decrease the amount by \$10,000,000.

On page 21, line 19, decrease the amount by \$2,300,000.

On page 21, line 23, decrease the amount by \$800,000.

On page 22, line 3, decrease the amount by \$400,000.

On page 22, line 7, decrease the amount by \$100,000.

**SA 245.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO EXEMPT AMERICAN FARMERS AND RANCHERS IN FORECLOSURE FROM A TAX INCREASE.**

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to an exemption on the sale of land by farmers and ranchers in foreclosure from any tax increases on investment income enacted in the Patient Protection and Affordable Care Act, without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 246.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO EXEMPT FAMILIES WITH SICK CHILDREN AND SENIORS FROM THE TAX INCREASE ON MEDICAL EXPENSES ENACTED IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to an exemption for families with chronically and terminally ill dependents, which may include children and seniors, from any tax increase on medical expenses enacted in the Patient Protection and Affordable Care Act, without raising revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 247.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT REDUCTION FUND FOR NO BUDGET, NO OMB PAY.**

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the federal budget process, which may include prohibiting paying the salaries of either the Director of the Office of Management and Budget (OMB), the OMB Deputy Director, or the OMB Deputy Director for

Management, or all three officials, for the period of time after which the President fails to submit a budget, pursuant to section 1105 of title 31, United States Code, and until the day the President submits a budget to Congress.

**SA 248.** Mr. CORNYN (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST INCREASES ON FEDERAL INCOME TAX RATES FOR SMALL BUSINESSES.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision that increases Federal income tax rates.

(2) FEDERAL INCOME TAX RATES.—For purposes of this section, the term “Federal income tax rates” means any rate of tax that is imposed under subsection (a), (b), (c), (d), or (e) of section 1, section 11(b), or section 55(b) of the Internal Revenue Code of 1986.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 249.** Mr. BARRASSO (for himself, Mr. HATCH, and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO EXEMPT ALL PEOPLE FROM THE INDIVIDUAL MANDATE UNTIL FAMILY INSURANCE PREMIUMS HAVE BEEN REDUCED BY \$2,500.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that exempts all people from the requirement imposed under section 5000A of the Internal Revenue Code of 1986 for individuals to maintain health care coverage unless the Office of the Actuary at the Centers for Medicare & Medicaid Services (CMS) certifies that the Patient Protection and Affordable Care Act has reduced family insurance premiums by \$2,500, by the amounts

provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 250.** Mr. BARRASSO (for himself, Mr. HATCH, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE ANNUAL FEE ON HEALTH INSURANCE PROVIDERS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would decrease health insurance premiums, increase jobs, and allow for more affordable health care options, which may include repealing the tax on health insurance plans included in section 9010 of the Patient Protection and Affordable Care Act, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 251.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 93, line 9, insert before the period “, and shall provide an analysis of the impact of the Patient Protection and Affordable Care Act on major economic indicators measured relative to prior law, including the civilian labor force, the employment to population ratio, the status of employed persons, the index of hours worked in major industrial categories, inflation-adjusted gross domestic product, the rate of unemployment, and inflation-adjusted private investment, and an estimate of the budgetary effects of such impacts”.

**SA 252.** Mr. LEE (for himself, Mr. THUNE, Mr. RISCH, Mr. WICKER, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015

through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, insert the following:

**SEC. 4 \_\_\_\_ . SENSE OF THE SENATE REGARDING ABORTION OF PAIN-CAPABLE UNBORN CHILDREN IN THE NATION'S CAPITAL.**

It is the sense of the Senate that—

(1) there is substantial medical evidence that an unborn child is capable of experiencing pain at least 20 weeks after fertilization, if not earlier;

(2) there is a compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain;

(3) the compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of the compelling governmental interest in protecting the lives of unborn children from the stage of viability, and neither governmental interest is intended to replace the other;

(4) the Council of the District of Columbia, operating under authority delegated to the Council by Congress, repealed the law limiting abortions in its entirety, effective April 29, 2004, so that in the District of Columbia, abortion is now legal, for any reason, until the moment of birth;

(5) article I, section 8 of the Constitution of the United States provides that Congress shall have power to “exercise exclusive Legislation in all Cases whatsoever” over the District established as the seat of the Government of the United States, now known as the District of Columbia, and therefore the constitutional responsibility for the protection of pain-capable unborn children within the District of Columbia resides with Congress; and

(6) Congress should enact legislation to amend chapter 74 of title 18, United States Code, to provide that it shall be unlawful for any person to perform an abortion within the District of Columbia, or attempt to do so, unless the physician performing or attempting the abortion first makes a determination of the probable post-fertilization age of the unborn child or reasonably relies upon such a determination made by another physician, and that it shall be unlawful to perform or attempt to perform an abortion if the probable post-fertilization age of the unborn child is 20 weeks or greater, unless, in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions, with violators subject to imprisonment for not more than 2 years; provided, however, that a woman upon whom such an abortion is performed or attempted shall not be subject to prosecution for any such violation.

**SA 253.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO INCREASE THE POOL OF HIGHLY SKILLED WORKERS IN THE UNITED STATES BY REMOVING PER-COUNTRY LIMITS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to immigrant visas, which may include increasing the number of employment- and family-based immigrant visas available to nationals of any single foreign country without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 254.** Mr. BEGICH (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE PUBLIC DISCLOSURE OF CERTAIN CROP INSURANCE INFORMATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would require the Secretary of Agriculture on an annual basis to make available to the public certain crop insurance information, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 255.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT FUNDING FOR CONSTRUCTION, PLANNING, OR SUPPORT OF A NEW UNITED NATIONS BUILDING ON THE PROPERTY OF THE ROBERT MOSES PLAYGROUND.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to repealing funding for the design, renovation, purchase of property, or construction of facilities of international organizations, including the United Nations Headquarters in New York in excess of the United States payment for the assessment agreed upon pursuant to paragraph 10 of United Nations General Assembly Resolution 61/251, the Strategic Heritage Plan of the United Nations Office in Geneva, or a new United Nations Building, sometimes identified as DC5, on the property of the Robert Moses Playground, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 256.** Mr. LEE (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO LIMIT FUNDS FOR INSTITUTIONS OR ORGANIZATIONS ESTABLISHED BY THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to repealing funding to be made available for any institution or organization established by the United Nations Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 257.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR ACCOUNTING OF TOTAL UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would require the Director of the Office of Management and Budget to submit to Congress an annual report of all contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 258.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriation place, insert the following:

**SEC. \_\_\_\_ . SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.**

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause a net increase in deficits in any of the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in any of the 4 consecutive 10-year periods described in subsection (a).

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) BUDGETARY RULE.—In the Senate, for purposes of this section, the levels of net increases in deficits shall be determined on the basis of estimates provided by the Senate Committee on the Budget. Notwithstanding any other rule of the Senate, provisions contained in any bill, resolution, amendment, motion, or conference report that increase offsetting receipts collected by the Federal

Government shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation for purposes of determining budgetary impacts to evaluate the point of order established by this section.

**SA 259.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriation place, insert the following:

**SEC. \_\_\_\_ . SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING DIRECT SPENDING.**

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause a net increase in direct spending in any of the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in direct spending in any of the 4 consecutive 10-year periods described in subsection (a).

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) BUDGETARY RULE.—In the Senate, for purposes of this section, the levels of net increases in spending shall be determined on the basis of estimates provided by the Senate Committee on the Budget. Notwithstanding any other rule of the Senate, for purposes of determining budgetary impacts to evaluate the point of order established by this section, provisions contained in any bill, resolution, amendment, motion, or conference report that increase offsetting receipts collected by the Federal Government shall not be scored under this section with respect to the level of budget authority, outlays, or revenues contained in such legislation.

**SA 260.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth

the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, strike line 3.

**SA 261.** Mr. BLUNT (for himself, Mr. THUNE, Mr. CORNYN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD CREATE A TAX OR FEE ON CARBON EMISSIONS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that—

(1) would result in revenues that would be greater than the level of revenues set forth for the first fiscal year or the total of that fiscal year and the ensuing fiscal years under the concurrent resolution on the budget then in effect for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974; and

(2) for any year covered by such resolution, includes a Federal tax or fee imposed on carbon emissions from any product or entity that is a direct or indirect source of the emissions.

(b) WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 262.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 29, line 25, increase the amount by \$7,000,000.

On page 30, line 4, increase the amount by \$78,000,000.

On page 30, line 8, increase the amount by \$577,000,000.

On page 30, line 12, increase the amount by \$722,000,000.

On page 30, line 16, increase the amount by \$737,000,000.

On page 30, line 20, increase the amount by \$753,000,000.

On page 30, line 24, increase the amount by \$769,000,000.

On page 31, line 3, increase the amount by \$785,000,000.

On page 31, line 7, increase the amount by \$801,000,000.

On page 31, line 11, increase the amount by \$817,000,000.

On page 46, line 12, decrease the amount by \$7,000,000.

On page 46, line 16, decrease the amount by \$78,000,000.

On page 46, line 20, decrease the amount by \$577,000,000.

On page 46, line 24, decrease the amount by \$722,000,000.

On page 47, line 3, decrease the amount by \$737,000,000.

On page 47, line 7, decrease the amount by \$753,000,000.

On page 47, line 11, decrease the amount by \$769,000,000.

On page 47, line 15, decrease the amount by \$785,000,000.

On page 47, line 19, decrease the amount by \$801,000,000.

On page 47, line 23, decrease the amount by \$817,000,000.

**SA 263.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Strike all after the resolving clause and insert the following:

**SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.**

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2014 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

**TITLE II—RESERVE FUNDS**

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.

Sec. 202. Deficit-reduction reserve fund for selling excess Federal lands.

Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.

Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.

Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

**TITLE III—BUDGET PROCESS**

**Subtitle A—Budget Enforcement**

Sec. 301. Discretionary spending limits for fiscal years 2014 through 2023, program integrity initiatives, and other adjustments.

Sec. 302. Point of order against advance appropriations.

Sec. 303. Emergency legislation.

Sec. 304. Point of order against any Budget Resolution that fails to achieve balance.

**Subtitle B—Other Provisions**

Sec. 311. Oversight of Government performance.

Sec. 312. Application and effect of changes in allocations and aggregates.

Sec. 313. Adjustments to reflect changes in concepts and definitions.

Sec. 314. Rescind unspent or unobligated balances after 36 months.

**TITLE IV—RECONCILIATION**

Sec. 401. Reconciliation in the Senate.

**TITLE V—CONGRESSIONAL POLICY CHANGES**

Sec. 501. Policy statement on Social Security.

Sec. 502. Policy statement on Medicare.

Sec. 503. Policy statement on tax reform.

**TITLE VI—SENSE OF CONGRESS**

Sec. 601. Regulatory reform.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$1,724,000,000,000.

Fiscal year 2015: \$2,034,000,000,000.

Fiscal year 2016: \$2,318,000,000,000.

Fiscal year 2017: \$2,468,000,000,000.

Fiscal year 2018: \$2,734,000,000,000.

Fiscal year 2019: \$3,039,000,000,000.

Fiscal year 2020: \$3,323,000,000,000.

Fiscal year 2021: \$3,501,000,000,000.

Fiscal year 2022: \$3,671,000,000,000.

Fiscal year 2023: \$3,817,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$-547,000,000,000.

Fiscal year 2015: \$-573,000,000,000.

Fiscal year 2016: \$-461,000,000,000.

Fiscal year 2017: \$-436,000,000,000.

Fiscal year 2018: \$-295,000,000,000.

Fiscal year 2019: \$-110,000,000,000.

Fiscal year 2020: \$38,000,000,000.

Fiscal year 2021: \$44,000,000,000.

Fiscal year 2022: \$20,000,000,000.

Fiscal year 2023: \$-15,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,509,976,000,000.

Fiscal year 2015: \$2,461,876,000,000.

Fiscal year 2016: \$2,541,467,000,000.

Fiscal year 2017: \$2,649,189,000,000.

Fiscal year 2018: \$2,763,981,000,000.

Fiscal year 2019: \$2,876,015,000,000.

Fiscal year 2020: \$2,980,877,000,000.

Fiscal year 2021: \$3,062,110,000,000.

Fiscal year 2022: \$3,220,296,000,000.

Fiscal year 2023: \$3,287,823,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,497,689,000,000.

Fiscal year 2015: \$2,445,543,000,000.

Fiscal year 2016: \$2,512,417,000,000.

Fiscal year 2017: \$2,607,682,000,000.

Fiscal year 2018: \$2,705,913,000,000.

Fiscal year 2019: \$2,822,123,000,000.

Fiscal year 2020: \$2,914,907,000,000.



Fiscal year 2021: \$3,011,989,000,000.  
 Fiscal year 2022: \$3,169,595,000,000.  
 Fiscal year 2023: \$3,232,819,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2014: \$-765,000,000,000.  
 Fiscal year 2015: \$-411,000,000,000.  
 Fiscal year 2016: \$-193,000,000,000.  
 Fiscal year 2017: \$-140,000,000,000.  
 Fiscal year 2018: \$23,000,000,000.  
 Fiscal year 2019: \$201,000,000,000.  
 Fiscal year 2020: \$390,000,000,000.  
 Fiscal year 2021: \$467,000,000,000.  
 Fiscal year 2022: \$478,000,000,000.  
 Fiscal year 2023: \$560,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2014: \$13,073,000,000,000.  
 Fiscal year 2015: \$13,576,000,000,000.  
 Fiscal year 2016: \$13,862,000,000,000.  
 Fiscal year 2017: \$14,095,000,000,000.  
 Fiscal year 2018: \$14,156,000,000,000.  
 Fiscal year 2019: \$14,049,000,000,000.  
 Fiscal year 2020: \$13,772,000,000,000.  
 Fiscal year 2021: \$13,437,000,000,000.  
 Fiscal year 2022: \$13,119,000,000,000.  
 Fiscal year 2023: \$12,740,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$13,073,000,000,000.  
 Fiscal year 2015: \$13,576,000,000,000.  
 Fiscal year 2016: \$13,862,000,000,000.  
 Fiscal year 2017: \$14,095,000,000,000.  
 Fiscal year 2018: \$14,156,000,000,000.  
 Fiscal year 2019: \$14,049,000,000,000.  
 Fiscal year 2020: \$13,772,000,000,000.  
 Fiscal year 2021: \$13,437,000,000,000.  
 Fiscal year 2022: \$13,119,000,000,000.  
 Fiscal year 2023: \$12,740,000,000,000.

#### SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2014: \$732,000,000,000.  
 Fiscal year 2015: \$766,000,000,000.  
 Fiscal year 2016: \$812,000,000,000.  
 Fiscal year 2017: \$862,000,000,000.  
 Fiscal year 2018: \$908,000,000,000.  
 Fiscal year 2019: \$952,000,000,000.  
 Fiscal year 2020: \$995,000,000,000.  
 Fiscal year 2021: \$1,039,000,000,000.  
 Fiscal year 2022: \$1,084,000,000,000.  
 Fiscal year 2023: \$1,129,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2014: \$634,822,000,000.  
 Fiscal year 2015: \$711,355,000,000.  
 Fiscal year 2016: \$756,949,000,000.  
 Fiscal year 2017: \$805,969,000,000.  
 Fiscal year 2018: \$856,933,000,000.  
 Fiscal year 2019: \$907,679,000,000.  
 Fiscal year 2020: \$962,040,000,000.  
 Fiscal year 2021: \$1,022,374,000,000.  
 Fiscal year 2022: \$1,086,431,000,000.  
 Fiscal year 2023: \$1,227,009,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2014:

(A) New budget authority, \$5,784,000,000.  
 (B) Outlays, \$5,803,000,000.

Fiscal year 2015:

(A) New budget authority, \$5,968,000,000.  
 (B) Outlays, \$5,943,000,000.

Fiscal year 2016:

(A) New budget authority, \$6,176,000,000.  
 (B) Outlays, \$6,146,000,000.

Fiscal year 2017:

(A) New budget authority, \$6,392,000,000.  
 (B) Outlays, \$6,360,000,000.

Fiscal year 2018:

(A) New budget authority, \$6,619,000,000.  
 (B) Outlays, \$6,586,000,000.

Fiscal year 2019:

(A) New budget authority, \$6,846,000,000.  
 (B) Outlays, \$6,812,000,000.

Fiscal year 2020:

(A) New budget authority, \$7,073,000,000.  
 (B) Outlays, \$7,039,000,000.

Fiscal year 2021:

(A) New budget authority, \$7,304,000,000.  
 (B) Outlays, \$7,269,000,000.

Fiscal year 2022:

(A) New budget authority, \$7,544,000,000.  
 (B) Outlays, \$7,508,000,000.

Fiscal year 2023:

(A) New budget authority, \$7,792,000,000.  
 (B) Outlays, \$7,754,000,000.

#### SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):

Fiscal year 2014:

(A) New budget authority, \$529,191,000,000.  
 (B) Outlays, \$534,962,000,000.

Fiscal year 2015:

(A) New budget authority, \$530,037,000,000.  
 (B) Outlays, \$523,364,000,000.

Fiscal year 2016:

(A) New budget authority, \$541,611,000,000.  
 (B) Outlays, \$536,268,000,000.

Fiscal year 2017:

(A) New budget authority, \$555,333,000,000.  
 (B) Outlays, \$542,638,000,000.

Fiscal year 2018:

(A) New budget authority, \$568,160,000,000.  
 (B) Outlays, \$548,903,000,000.

Fiscal year 2019:

(A) New budget authority, \$582,025,000,000.  
 (B) Outlays, \$567,622,000,000.

Fiscal year 2020:

(A) New budget authority, \$596,924,000,000.  
 (B) Outlays, \$581,825,000,000.

Fiscal year 2021:

(A) New budget authority, \$611,794,000,000.  
 (B) Outlays, \$596,323,000,000.

Fiscal year 2022:

(A) New budget authority, \$628,145,000,000.  
 (B) Outlays, \$617,785,000,000.

Fiscal year 2023:

(A) New budget authority, \$644,858,000,000.  
 (B) Outlays, \$628,204,000,000.

(2) International Affairs (150):

Fiscal year 2014:

(A) New budget authority, \$22,801,000,000.  
 (B) Outlays, \$25,438,000,000.

Fiscal year 2015:

(A) New budget authority, \$21,349,000,000.  
 (B) Outlays, \$21,798,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,818,000,000.  
 (B) Outlays, \$18,563,000,000.

Fiscal year 2017:

(A) New budget authority, \$22,288,000,000.  
 (B) Outlays, \$18,467,000,000.

Fiscal year 2018:

(A) New budget authority, \$22,728,000,000.  
 (B) Outlays, \$18,599,000,000.

Fiscal year 2019:

(A) New budget authority, \$23,207,000,000.

(B) Outlays, \$18,997,000,000.

Fiscal year 2020:

(A) New budget authority, \$23,691,000,000.  
 (B) Outlays, \$19,377,000,000.

Fiscal year 2021:

(A) New budget authority, \$23,695,000,000.  
 (B) Outlays, \$19,744,000,000.

Fiscal year 2022:

(A) New budget authority, \$24,446,000,000.  
 (B) Outlays, \$20,420,000,000.

Fiscal year 2023:

(A) New budget authority, \$24,930,000,000.  
 (B) Outlays, \$20,794,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2014:

(A) New budget authority, \$20,821,000,000.  
 (B) Outlays, \$19,396,000,000.

Fiscal year 2015:

(A) New budget authority, \$21,215,000,000.  
 (B) Outlays, \$20,168,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,616,000,000.  
 (B) Outlays, \$19,687,000,000.

Fiscal year 2017:

(A) New budget authority, \$22,025,000,000.  
 (B) Outlays, \$20,059,000,000.

Fiscal year 2018:

(A) New budget authority, \$22,441,000,000.  
 (B) Outlays, \$20,439,000,000.

Fiscal year 2019:

(A) New budget authority, \$22,866,000,000.  
 (B) Outlays, \$20,825,000,000.

Fiscal year 2020:

(A) New budget authority, \$23,298,000,000.  
 (B) Outlays, \$21,219,000,000.

Fiscal year 2021:

(A) New budget authority, \$23,739,000,000.  
 (B) Outlays, \$21,620,000,000.

Fiscal year 2022:

(A) New budget authority, \$24,188,000,000.  
 (B) Outlays, \$22,029,000,000.

Fiscal year 2023:

(A) New budget authority, \$24,646,000,000.  
 (B) Outlays, \$22,446,000,000.

(4) Energy (270):

Fiscal year 2014:

(A) New budget authority, \$672,000,000.  
 (B) Outlays, \$2,237,000,000.

Fiscal year 2015:

(A) New budget authority, \$1,090,000,000.  
 (B) Outlays, \$1,981,000,000.

Fiscal year 2016:

(A) New budget authority, \$1,096,000,000.  
 (B) Outlays, \$1,491,000,000.

Fiscal year 2017:

(A) New budget authority, \$1,108,000,000.  
 (B) Outlays, \$1,396,000,000.

Fiscal year 2018:

(A) New budget authority, \$1,009,000,000.  
 (B) Outlays, \$1,137,000,000.

Fiscal year 2019:

(A) New budget authority, \$1,014,000,000.  
 (B) Outlays, \$1,137,000,000.

Fiscal year 2020:

(A) New budget authority, \$981,000,000.  
 (B) Outlays, \$988,000,000.

Fiscal year 2021:

(A) New budget authority, \$934,000,000.  
 (B) Outlays, \$900,000,000.

Fiscal year 2022:

(A) New budget authority, \$957,000,000.  
 (B) Outlays, \$866,000,000.

Fiscal year 2023:

(A) New budget authority, \$985,000,000.  
 (B) Outlays, \$854,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2014:

(A) New budget authority, \$24,903,000,000.  
 (B) Outlays, \$24,670,000,000.

Fiscal year 2015:

(A) New budget authority, \$24,319,000,000.  
 (B) Outlays, \$23,318,000,000.



## Fiscal year 2016:

- (A) New budget authority, \$24,717,000,000.
- (B) Outlays, \$22,408,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$25,379,000,000.
- (B) Outlays, \$23,500,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$26,274,000,000.
- (B) Outlays, \$24,549,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$26,220,000,000.
- (B) Outlays, \$224,932,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$26,972,000,000.
- (B) Outlays, \$25,419,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$26,706,000,000.
- (B) Outlays, \$25,203,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$26,953,000,000.
- (B) Outlays, \$25,091,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$27,478,000,000.
- (B) Outlays, \$25,483,000,000.

## (6) Agriculture (350):

## Fiscal year 2014:

- (A) New budget authority, \$18,637,000,000.
- (B) Outlays, \$16,714,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$18,657,000,000.
- (B) Outlays, \$18,107,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$19,241,000,000.
- (B) Outlays, \$18,444,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$18,794,000,000.
- (B) Outlays, \$17,931,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$18,786,000,000.
- (B) Outlays, \$17,867,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$19,074,000,000.
- (B) Outlays, \$18,059,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$19,258,000,000.
- (B) Outlays, \$18,345,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$19,482,000,000.
- (B) Outlays, \$18,589,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$19,611,000,000.
- (B) Outlays, \$18,711,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$19,841,000,000.
- (B) Outlays, \$18,949,000,000.

## (7) Commerce and Housing Credit (370):

## Fiscal year 2014:

- (A) New budget authority, \$12,266,000,000.
- (B) Outlays, \$-3,909,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$10,088,000,000.
- (B) Outlays, \$-4,953,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$11,455,000,000.
- (B) Outlays, \$-3,965,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$12,112,000,000.
- (B) Outlays, \$-5,158,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$11,634,000,000.
- (B) Outlays, \$-5,848,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$11,335,000,000.
- (B) Outlays, \$-11,985,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$11,421,000,000.
- (B) Outlays, \$-10,985,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$11,381,000,000.
- (B) Outlays, \$-5,842,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$11,320,000,000.
- (B) Outlays, \$7,038,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$11,240,000,000.
- (B) Outlays, \$-8,454,000,000.

## (8) Transportation (400):

## Fiscal year 2014:

- (A) New budget authority, \$79,068,000,000.
- (B) Outlays, \$78,768,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$70,126,000,000.
- (B) Outlays, \$78,229,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$70,962,000,000.
- (B) Outlays, \$79,661,000,000.

## Fiscal year 2017:

- (A) New budget authority, 73,668,000,000.
- (B) Outlays, \$82,350,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$76,223,000,000.
- (B) Outlays, \$83,919,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$76,696,000,000.
- (B) Outlays, \$85,779,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$79,389,000,000.
- (B) Outlays, \$88,350,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$79,703,000,000.
- (B) Outlays, \$89,954,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$80,362,000,000.
- (B) Outlays, \$91,378,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$80,817,000,000.
- (B) Outlays, \$92,689,000,000.

## (9) Community and Regional Development (450):

## Fiscal year 2014:

- (A) New budget authority, \$31,742,000,000.
- (B) Outlays, \$30,419,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$13,051,000,000.
- (B) Outlays, \$15,893,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$13,250,000,000.
- (B) Outlays, \$12,384,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$13,455,000,000.
- (B) Outlays, \$12,402,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$13,172,000,000.
- (B) Outlays, \$11,989,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$12,974,000,000.
- (B) Outlays, \$11,684,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$13,220,000,000.
- (B) Outlays, \$11,921,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$13,472,000,000.
- (B) Outlays, \$12,465,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$13,728,000,000.
- (B) Outlays, \$12,465,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$13,988,000,000.
- (B) Outlays, \$12,729,000,000.

## (10) Education, Training, Employment, and Social Services (500):

## Fiscal year 2014:

- (A) New budget authority, \$13,565,000,000.
- (B) Outlays, \$29,573,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$21,948,000,000.
- (B) Outlays, \$25,559,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$31,997,000,000.
- (B) Outlays, \$27,873,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$42,511,000,000.
- (B) Outlays, \$36,554,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$46,512,000,000.
- (B) Outlays, \$42,471,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$47,097,000,000.

- (B) Outlays, \$44,017,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$46,859,000,000.
- (B) Outlays, \$44,315,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$47,196,000,000.
- (B) Outlays, \$44,419,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$47,892,000,000.
- (B) Outlays, \$44,802,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$48,645,000,000.
- (B) Outlays, \$45,467,000,000.

## (11) Health (550):

## Fiscal year 2014:

- (A) New budget authority, \$344,065,000,000.
- (B) Outlays, \$339,669,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$353,749,000,000.
- (B) Outlays, \$350,536,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$358,733,000,000.
- (B) Outlays, \$358,536,000,000.

## Fiscal year 2017:

- (A) New budget authority, \$371,740,000,000.
- (B) Outlays, \$370,334,000,000.

## Fiscal year 2018:

- (A) New budget authority, \$382,880,000,000.
- (B) Outlays, \$379,880,000,000.

## Fiscal year 2019:

- (A) New budget authority, \$328,851,000,000.
- (B) Outlays, \$394,039,000,000.

## Fiscal year 2020:

- (A) New budget authority, \$414,951,000,000.
- (B) Outlays, \$400,863,000,000.

## Fiscal year 2021:

- (A) New budget authority, \$416,836,000,000.
- (B) Outlays, \$412,860,000,000.

## Fiscal year 2022:

- (A) New budget authority, \$429,666,000,000.
- (B) Outlays, \$425,077,000,000.

## Fiscal year 2023:

- (A) New budget authority, \$442,319,000,000.
- (B) Outlays, \$437,732,000,000.

## (12) Medicare (570):

## Fiscal year 2014:

- (A) New budget authority, \$516,044,000,000.
- (B) Outlays, \$515,813,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$7,068,000,000.
- (B) Outlays, \$7,012,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2017:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2018:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2019:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2020:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2021:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2022:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## Fiscal year 2023:

- (A) New budget authority, \$0.
- (B) Outlays, \$0.

## (13) Income Security (600):

## Fiscal year 2014:

- (A) New budget authority, \$338,810,000,000.
- (B) Outlays, \$341,208,000,000.

## Fiscal year 2015:

- (A) New budget authority, \$336,457,000,000.
- (B) Outlays, \$333,329,000,000.

## Fiscal year 2016:

- (A) New budget authority, \$340,753,000,000.

(B) Outlays, \$337,648,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$345,718,000,000.  
(B) Outlays, \$338,338,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$354,654,000,000.  
(B) Outlays, \$343,599,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$364,538,000,000.  
(B) Outlays, \$358,369,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$375,679,000,000.  
(B) Outlays, \$369,752,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$387,531,000,000.  
(B) Outlays, \$381,668,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$397,717,000,000.  
(B) Outlays, \$396,729,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$408,616,000,000.  
(B) Outlays, \$402,741,000,000.  
(14) Social Security (650):  
Fiscal year 2014:  
(A) New budget authority, \$27,506,000,000.  
(B) Outlays, \$27,586,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$30,322,000,000.  
(B) Outlays, \$30,343,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$33,369,000,000.  
(B) Outlays, \$33,444,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$36,691,000,000.  
(B) Outlays, \$36,729,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$40,005,000,000.  
(B) Outlays, \$40,005,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$43,421,000,000.  
(B) Outlays, \$43,421,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$46,421,000,000.  
(B) Outlays, \$46,954,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$50,474,000,000.  
(B) Outlays, \$50,474,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$54,235,000,000.  
(B) Outlays, \$54,235,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$58,441,000,000.  
(B) Outlays, \$58,441,000,000.  
(15) Veterans Benefits and Services (700):  
Fiscal year 2014:  
(A) New budget authority, \$145,079,000,000.  
(B) Outlays, \$144,951,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$149,792,000,000.  
(B) Outlays, \$149,237,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$162,051,000,000.  
(B) Outlays, \$161,425,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$160,947,000,000.  
(B) Outlays, \$160,110,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$159,423,000,000.  
(B) Outlays, \$158,564,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$171,032,000,000.  
(B) Outlays, \$170,143,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$175,674,000,000.  
(B) Outlays, \$174,791,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$179,585,000,000.  
(B) Outlays, \$178,655,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$191,294,000,000.  
(B) Outlays, \$190,344,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$187,945,000,000.  
(B) Outlays, \$186,882,000,000.  
(16) Administration of Justice (750):  
Fiscal year 2014:  
(A) New budget authority, \$49,101,000,000.  
(B) Outlays, \$33,580,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$38,199,000,000.  
(B) Outlays, \$36,926,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$40,527,000,000.  
(B) Outlays, \$39,512,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$39,329,000,000.  
(B) Outlays, \$40,808,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$39,843,000,000.  
(B) Outlays, \$38,047,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$40,538,000,000.  
(B) Outlays, \$37,333,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$41,242,000,000.  
(B) Outlays, \$37,350,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$42,130,000,000.  
(B) Outlays, \$38,094,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$46,816,000,000.  
(B) Outlays, \$42,690,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$48,121,000,000.  
(B) Outlays, \$43,911,000,000.  
(17) General Government (800):  
Fiscal year 2014:  
(A) New budget authority, \$21,623,000,000.  
(B) Outlays, \$22,532,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$22,268,000,000.  
(B) Outlays, \$22,550,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$23,010,000,000.  
(B) Outlays, \$22,631,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$23,661,000,000.  
(B) Outlays, \$23,268,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$24,523,000,000.  
(B) Outlays, \$24,065,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$25,408,000,000.  
(B) Outlays, \$24,556,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$26,246,000,000.  
(B) Outlays, \$25,556,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$27,130,000,000.  
(B) Outlays, \$26,478,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$28,043,000,000.  
(B) Outlays, \$27,400,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$28,953,000,000.  
(B) Outlays, \$28,357,000,000.  
(18) Net Interest (900):  
Fiscal year 2014:  
(A) New budget authority, \$350,410,000,000.  
(B) Outlays, \$350,410,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$370,928,000,000.  
(B) Outlays, \$370,928,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$413,618,000,000.  
(B) Outlays, \$413,618,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$492,494,000,000.  
(B) Outlays, \$492,494,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$582,183,000,000.  
(B) Outlays, \$582,183,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$615,018,000,000.  
(B) Outlays, \$615,018,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$642,799,000,000.  
(B) Outlays, \$642,799,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$653,992,000,000.  
(B) Outlays, \$653,992,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$661,671,000,000.  
(B) Outlays, \$661,671,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$664,720,000,000.  
(B) Outlays, \$664,720,000,000.  
(19) Allowances (920):  
Fiscal year 2014:  
(A) New budget authority, \$0.  
(B) Outlays, \$0.  
Fiscal year 2015:  
(A) New budget authority, \$0.  
(B) Outlays, \$0.  
Fiscal year 2016:  
(A) New budget authority, \$-1,792,000,000.  
(B) Outlays, \$-269,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$-3,875,000,000.  
(B) Outlays, \$-1,029,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$-3,737,000,000.  
(B) Outlays, \$-1,977,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$-4,392,000,000.  
(B) Outlays, \$-2,831,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$-3,907,000,000.  
(B) Outlays, \$-3,468,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$-3,735,000,000.  
(B) Outlays, \$-3,866,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$-3,777,000,000.  
(B) Outlays, \$-3,890,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$-3,817,000,000.  
(B) Outlays, \$-3,882,000,000.  
(20) Undistributed Offsetting Receipts (950):  
Fiscal year 2014:  
(A) New budget authority, \$-89,452,000,000.  
(B) Outlays, \$-89,452,000,000.  
Fiscal year 2015:  
(A) New budget authority, \$-98,914,000,000.  
(B) Outlays, \$-98,914,000,000.  
Fiscal year 2016:  
(A) New budget authority, \$-114,591,000,000.  
(B) Outlays, \$-114,591,000,000.  
Fiscal year 2017:  
(A) New budget authority, \$-131,537,000,000.  
(B) Outlays, \$-131,537,000,000.  
Fiscal year 2018:  
(A) New budget authority, \$-154,180,000,000.  
(B) Outlays, \$-154,180,000,000.  
Fiscal year 2019:  
(A) New budget authority, \$-163,759,000,000.  
(B) Outlays, \$-163,759,000,000.  
Fiscal year 2020:  
(A) New budget authority, \$-168,611,000,000.  
(B) Outlays, \$-168,611,000,000.  
Fiscal year 2021:  
(A) New budget authority, \$-155,297,000,000.  
(B) Outlays, \$-155,297,000,000.  
Fiscal year 2022:  
(A) New budget authority, \$-143,747,000,000.  
(B) Outlays, \$-143,747,000,000.  
Fiscal year 2023:  
(A) New budget authority, \$-151,025,000,000.  
(B) Outlays, \$-151,025,000,000.  
(21) Global War on Terrorism (970):  
Fiscal year 2014:  
(A) New budget authority, \$50,000,000,000.  
(B) Outlays, \$50,000,000,000.  
Fiscal year 2015:

(A) New budget authority, \$25,000,000,000.

(B) Outlays, \$25,000,000,000

Fiscal year 2016:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2017:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2018:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2019:

(A) New budget authority, \$0.

(B) Outlays, \$—0.

Fiscal year 2020:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2021:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2022:

(A) New budget authority, \$0.

(B) Outlays, \$0.

Fiscal year 2023:

(A) New budget authority, \$0.

(B) Outlays, \$0.

(22) Congressional Health Insurance for Seniors (990):

Fiscal year 2014:

(A) New budget authority, \$3,125,000,000.

(B) Outlays, \$3,125,000,000.

Fiscal year 2015:

(A) New budget authority, \$495,308,000,000.

(B) Outlays, \$495,406,000,000.

Fiscal year 2016:

(A) New budget authority, \$528,308,000,000.

(B) Outlays, \$528,416,000,000.

Fiscal year 2017:

(A) New budget authority, \$527,644,000,000.

(B) Outlays, \$527,777,000,000.

Fiscal year 2018:

(A) New budget authority, \$531,755,000,000.

(B) Outlays, \$531,921,000,000.

Fiscal year 2019:

(A) New budget authority, \$567,710,000,000.

(B) Outlays, \$567,989,000,000.

Fiscal year 2020:

(A) New budget authority, \$588,233,000,000.

(B) Outlays, \$588,479,000,000.

Fiscal year 2021:

(A) New budget authority, \$605,718,000,000.

(B) Outlays, \$606,297,000,000.

Fiscal year 2022:

(A) New budget authority, \$681,132,000,000.

(B) Outlays, \$672,935,000,000.

Fiscal year 2023:

(A) New budget authority, \$706,491,000,000.

(B) Outlays, \$706,150,000,000.

## TITLE II—RESERVE FUNDS

### SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

### SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LANDS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits

in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal lands. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

### SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

### SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the Federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

### SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

## TITLE III—BUDGET PROCESS

### Subtitle A—Budget Enforcement

#### SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2014 THROUGH 2023, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by

the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2014, \$942,636,000,000 in new budget authority and \$997,677,000,000 in outlays;

(2) for fiscal year 2015, \$899,935,000,000 in new budget authority and \$942,103,000,000 in outlays;

(3) for fiscal year 2016, \$885,842,000,000 in new budget authority and \$910,362,000,000 in outlays;

(4) for fiscal year 2017, \$906,645,000,000 in new budget authority and \$925,457,000,000 in outlays;

(5) for fiscal year 2018, \$929,163,000,000 in new budget authority and \$939,667,000,000 in outlays;

(6) for fiscal year 2019, \$951,179,000,000 in new budget authority and \$966,694,000,000 in outlays;

(7) for fiscal year 2020, \$976,080,000,000 in new budget authority and \$990,498,000,000 in outlays;

(8) for fiscal year 2021, \$999,540,000,000 in new budget authority and \$1,013,879,000,000 in outlays;

(9) for fiscal year 2022, \$1,024,753,000,000 in new budget authority and \$1,044,562,000,000 in outlays; and

(10) for fiscal year 2023, \$1,050,347,000,000 in new budget authority and \$1,064,229,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2014, \$50,000,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2015, \$25,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2016, \$0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2017, \$0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2018, \$0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2019, \$0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2020, \$0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2021, \$0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2022, \$0 in new budget authority and the outlays flowing therefrom; and

(x) for fiscal year 2023, \$0 in new budget authority and the outlays flowing therefrom.

#### SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

#### SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for

deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

#### SEC. 304. POINT OF ORDER AGAINST ANY BUDGET RESOLUTION THAT FAILS TO ACHIEVE BALANCE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any budget resolution following the enactment of this resolution that does not achieve balance within 10 fiscal years.

(b) SUPERMAJORITY WAIVER AND APPEALS IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

#### Subtitle B—Other Provisions

#### SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

#### SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

#### SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or

definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

**SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.**

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

**TITLE IV—RECONCILIATION**

**SEC. 401. RECONCILIATION IN THE SENATE.**

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—(1) Not later than September 1, 2013, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,456,000,000 for the period of fiscal years 2014 through 2023.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$3,195,000,000 for the period of fiscal years 2014 through 2023.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND ENERGY.—The Committee on Agriculture, Nutrition, and Energy shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$465,600,000,000 for the period of fiscal years 2014 through 2023.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,022,000,000 for the period of fiscal years 2014 through 2023.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$504,000,000,000 for the period of fiscal years 2014 through 2023.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$4,676,000,000,000 for the period of fiscal years 2014 through 2023.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$10,818,000,000 for the period of fiscal years 2014 through 2023.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

**TITLE V—CONGRESSIONAL POLICY CHANGES**

**SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window. Legislation should be enacted that adopts the following:

(1) The legislation must modify the Primary Insurance Amount formula to gradually reduce benefits on a progressive basis for workers with career-average earnings above the 40th percentile of newly retired workers.

(2) The normal retirement age (NRA) be increased to reflect longevity growth rate.

(3) The legislation should allow for and provide the option of private Social Security retirement accounts.

(4) Implement and allow for certain individuals to completely forego Social Security benefits and contribution.

**SEC. 502. POLICY STATEMENT ON MEDICARE.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare. Legislation should be enacted that adopts the following:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2015, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new “high-risk pool” for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3 month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

**SEC. 503. POLICY STATEMENT ON TAX REFORM.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax.

(1) TAXES ON INDIVIDUALS.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers should be equal to or greater than \$35,000, \$21,690 for head of household, and \$17,500 for single filers. The personal exemption amount is \$6,800. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) TAXES ON BUSINESSES.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of goods and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) SINGLE SYSTEM.—The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

**TITLE VI—SENSE OF CONGRESS**

**SEC. 601. REGULATORY REFORM.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform.

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the REINS Act, legislation that would require all regulations that impose a burden greater than \$100,000,000 in economic aggregate may not be implemented as law unless Congress gives [their/its] consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It is the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every two years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of

Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

**SA 264.** Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-REDUCTION RESERVE FUND ON OFFSHORE TAX SHELTERS BY LARGE PROFITABLE CORPORATIONS TO AVOID PAYING FEDERAL INCOME TAXES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures to address offshore tax shelters used by large profitable corporations, provided that such legislation would reduce the deficit and create jobs. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved.

**SA 265.** Mr. CASEY (for himself, Ms. COLLINS, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, line 18, strike "reduce" and all that follows through "job training," on lines 19 and 20 and insert "ensure effective administration, reduce inefficient overlap, improve access, and enhance outcomes of Federal workforce development, youth and adult job training,"

**SA 266.** Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE ON-THE-JOB TRAINING.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports relating to job training, which may include on-the-job training for adult and dislocated workers at worksites related to the exploration, production, or transportation of natural gas from the Marcellus Shale formation or other such sites, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 267.** Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. FRANKEN, Mr. BENNET, Mr. JOHNSON of South Dakota, Mr. MANCHIN, Mr. LEAHY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT RURAL SCHOOLS AND DISTRICTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the establishment of the Office of Rural Education Policy within the Department of Education, which could include a clearinghouse for information related to the challenges of rural schools and districts or providing technical assistance within the Department of Education on rules and regulations that impact rural schools and districts, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 268.** Mrs. HAGAN (for herself, Mr. DONNELLY, and Mr. HELLER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, line 18, by inserting "provide training that leads to recognized postsecondary credentials," after "access,"

**SA 269.** Mrs. HAGAN (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate

budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN ENFORCEMENT OF FREE TRADE AGREEMENT PROVISIONS RELATING TO TEXTILE AND APPAREL ARTICLES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to strengthening the enforcement of provisions of free trade agreements that relate to textile and apparel articles, which may include increased training with respect to, and monitoring and verification of, textile and apparel articles, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 270.** Mr. CASEY (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION THAT ENABLES INDIVIDUALS WITH DISABILITIES TO USE EXISTING SAVINGS VEHICLES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to individuals with disabilities, which may include the financial independence of individuals with disabilities and their families by allowing them to utilize an existing tax-advantaged savings vehicle, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 271.** Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE TAX INCENTIVES FOR LIFE SCIENCES RESEARCH.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to tax incentives, which may include providing tax incentives for life sciences research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 272.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 57, line 21, insert “, energy efficiency,” after “conservation”.

On page 58, line 9, strike “or” at the end.

On page 58, line 11, strike “gram;” and insert the following:

gram; or  
(10) advancing alternative sources of fuel, which may include advanced biofuels and second-generation ethanol products;

**SA 273.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, between lines 9 and 10, insert the following:

(C) ORAL HEALTH CARE FOR CHILDREN WITH MEDICAID COVERAGE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the oral health outcomes for children covered by Medicaid, including legislation that may allow for risk-based disease prevention and comprehensive, coordinated chronic disease treatment approaches, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 274.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE GREATER OUTREACH AND EDUCATION ABOUT THE SAVER'S TAX CREDIT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to tax incentives for retirement savings, which may include providing greater outreach and education about the saver's tax credit, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 275.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR ELECTION REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that either (1) enacts the recommendations of the Presidential Commission on Election Administration or (2) strengthens and reforms the Federal election system, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 276.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 62, line 13, insert “improve overall population health, promote health equity and reduce health disparities,” after “nation,”.

**SA 277.** Mr. LAUTENBERG (for himself, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year

2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, strike lines 9 and 10, and insert the following:

(8) the protection of public health, including children, pregnant women, workers, and other vulnerable subpopulations, from toxic chemicals;

(9) the cleanup of contaminated properties that threaten public health and discourage local economic development;

(10) wildland fire management activities; or

(11) the restructure of the nuclear waste program;

**SA 278.** Mrs. HAGAN (for herself and Mr. COONS) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILIES OF AMERICA'S SERVICEMEMBERS AND VETERANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to support for the families of members of the Armed Forces and veterans, including—

- (1) expanding educational opportunities;
- (2) providing increased access to job training and placement services;
- (3) tracking and reporting on suicides of family members of members of the Armed Forces;
- (4) ensuring access to high-quality and affordable healthcare; or
- (5) improving military housing;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 279.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TANF WORK REQUIREMENTS.**

The levels for function 600 in this resolution are amended by—

(1) reducing the budget authority for each fiscal year by—

(A) \$6,000,000 in fiscal year 2014;



(B) \$6,000,000 in fiscal year 2015;  
 (C) \$6,000,000 in fiscal year 2016;  
 (D) \$6,000,000 in fiscal year 2017;  
 (E) \$6,000,000 in fiscal year 2018;  
 (F) \$6,000,000 in fiscal year 2019;  
 (G) \$7,000,000 in fiscal year 2020;  
 (H) \$7,000,000 in fiscal year 2021;  
 (I) \$7,000,000 in fiscal year 2022; and  
 (J) \$7,000,000 in fiscal year 2023; and  
 (2) reducing the outlays for each fiscal year by—

(A) \$6,000,000 in fiscal year 2014;  
 (B) \$6,000,000 in fiscal year 2015;  
 (C) \$6,000,000 in fiscal year 2016;  
 (D) \$6,000,000 in fiscal year 2017;  
 (E) \$6,000,000 in fiscal year 2018;  
 (F) \$6,000,000 in fiscal year 2019;  
 (G) \$7,000,000 in fiscal year 2020;  
 (H) \$7,000,000 in fiscal year 2021;  
 (I) \$7,000,000 in fiscal year 2022; and  
 (J) \$7,000,000 in fiscal year 2023.

**SA 280.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REQUIRING STATES TO IMPLEMENT DRUG TESTING FOR FEDERAL WELFARE PROGRAMS FOR APPLICANTS AND RECIPIENTS OF ASSISTANCE INCLUDING, BUT NOT LIMITED TO, THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring States to operate a drug testing program as part of their Federal welfare programs including, but not limited to, the Temporary Assistance for Needy Families (TANF) program, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 281.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO MAINTAIN IMPACT AID FUNDING AT 2012-2013 LEVELS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggre-

gates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports relating to ensuring adequate funding for impact aid payments under sections 8002 and 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702, 7703) in order to enable local educational agencies to provide a level of service that is not less than the level provided to students during the 2012-2013 school year without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 282.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT COMMUNITY BANKS FROM BASEL III CAPITAL STANDARDS.**

The Chairman of the Senate Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports for legislation related to the reform of the statutes governing community banking regulations, which may include a reduction in the role of international agreements establishing capital standards, without raising new revenues, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 283.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 5, line 9, reduce the amount by \$26,000,000.  
 On page 5, line 10, reduce the amount by \$26,000,000.  
 On page 5, line 11, reduce the amount by \$27,000,000.  
 On page 5, line 12, reduce the amount by \$27,000,000.  
 On page 5, line 13, reduce the amount by \$28,000,000.  
 On page 5, line 14, reduce the amount by \$28,000,000.  
 On page 5, line 15, reduce the amount by \$29,000,000.  
 On page 5, line 16, reduce the amount by \$29,000,000.

On page 5, line 17, reduce the amount by \$30,000,000.  
 On page 5, line 18, reduce the amount by \$30,000,000.  
 On page 5, line 23, reduce the amount by \$10,000,000.  
 On page 5, line 24, reduce the amount by \$22,000,000.  
 On page 5, line 25, reduce the amount by \$26,000,000.  
 On page 6, line 1, reduce the amount by \$27,000,000.  
 On page 6, line 2, reduce the amount by \$27,000,000.  
 On page 6, line 3, reduce the amount by \$28,000,000.  
 On page 6, line 4, reduce the amount by \$28,000,000.  
 On page 6, line 5, reduce the amount by \$29,000,000.  
 On page 6, line 6, reduce the amount by \$29,000,000.  
 On page 6, line 7, reduce the amount by \$30,000,000.  
 On page 6, line 12, reduce the amount by \$10,000,000.  
 On page 6, line 13, reduce the amount by \$22,000,000.  
 On page 6, line 14, reduce the amount by \$26,000,000.  
 On page 6, line 15, reduce the amount by \$27,000,000.  
 On page 6, line 16, reduce the amount by \$27,000,000.  
 On page 6, line 17, reduce the amount by \$28,000,000.  
 On page 6, line 18, reduce the amount by \$28,000,000.  
 On page 6, line 19, reduce the amount by \$29,000,000.  
 On page 6, line 20, reduce the amount by \$29,000,000.  
 On page 6, line 21, reduce the amount by \$30,000,000.  
 On page 20, line 19, reduce the amount by \$28,000,000.  
 On page 20, line 20, reduce the amount by \$10,000,000.  
 On page 20, line 23, reduce the amount by \$26,000,000.  
 On page 20, line 24, reduce the amount by \$22,000,000.  
 On page 21, line 2, reduce the amount by \$27,000,000.  
 On page 21, line 3, reduce the amount by \$26,000,000.  
 On page 21, line 6, reduce the amount by \$27,000,000.  
 On page 21, line 7, reduce the amount by \$27,000,000.  
 On page 21, line 10, reduce the amount by \$28,000,000.  
 On page 21, line 11, reduce the amount by \$27,000,000.  
 On page 21, line 14, reduce the amount by \$28,000,000.  
 On page 21, line 15, reduce the amount by \$28,000,000.  
 On page 21, line 18, reduce the amount by \$29,000,000.  
 On page 21, line 19, reduce the amount by \$28,000,000.  
 On page 21, line 19, reduce the amount by \$28,000,000.  
 On page 21, line 22, reduce the amount by \$29,000,000.  
 On page 21, line 23, reduce the amount by \$29,000,000.  
 On page 22, line 2, reduce the amount by \$30,000,000.  
 On page 22, line 3, reduce the amount by \$29,000,000.  
 On page 22, line 6, reduce the amount by \$30,000,000.

On page 22, line 7, reduce the amount by \$30,000,000.

**SA 284.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 76, after line 25, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT JOBS BY PREVENTING FEDERAL AGENCIES FROM OVERRIDING EFFORTS BY STATES TO CONSERVE SPECIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to amending any statute governing the protection of any species from extinction, which may include deferring conservation planning and implementation to State and local governments, unless the efforts of the State and local governments are determined to be inadequate for species conservation, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 285.** Mr. WICKER (for himself, Ms. AYOTTE, Mr. THUNE, Mr. JOHNSON of Wisconsin, Mr. COCHRAN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

On page 46, line 11, decrease the amount by \$36,000,000,000.

On page 46, line 12, decrease the amount by \$36,000,000,000.

On page 46, line 15, decrease the amount by \$100,000,000,000.

On page 46, line 16, decrease the amount by \$100,000,000,000.

On page 46, line 19, decrease the amount by \$147,000,000,000.

On page 46, line 20, decrease the amount by \$147,000,000,000.

On page 46, line 23, decrease the amount by \$179,000,000,000.

On page 46, line 24, decrease the amount by \$179,000,000,000.

On page 47, line 2, decrease the amount by \$193,000,000,000.

On page 47, line 3, decrease the amount by \$193,000,000,000.

On page 47, line 6, decrease the amount by \$203,000,000,000.

On page 47, line 7, decrease the amount by \$203,000,000,000.

On page 47, line 10, decrease the amount by \$211,000,000,000.

On page 47, line 11, decrease the amount by \$211,000,000,000.

On page 47, line 14, decrease the amount by \$225,000,000,000.

On page 47, line 15, decrease the amount by \$225,000,000,000.

On page 47, line 18, decrease the amount by \$237,000,000,000.

On page 47, line 19, decrease the amount by \$237,000,000,000.

On page 47, line 22, decrease the amount by \$251,000,000,000.

On page 47, line 23, decrease the amount by \$251,000,000,000.

**SA 286.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . POINT OF ORDER AGAINST UNFUNDED MANDATES.**

(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider—

(1) any bill or joint resolution that is reported by a committee unless the committee has published a statement of the Director on the direct costs of Federal mandates in accordance with section 423(f) of the Congressional Budget Act of 1974 before such consideration, except this paragraph shall not apply to any supplemental statement prepared by the Director under section 424(d) of the Congressional Budget Act of 1974; and

(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal intergovernmental mandates by an amount that causes the thresholds specified in section 424(a)(1) of the Congressional Budget Act of 1974 to be exceeded, unless—

(A)(i) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for such mandates included in the bill, joint resolution, amendment, motion, or conference report in an amount equal to or exceeding the direct costs of such mandate; or

(ii) the bill, joint resolution, amendment, motion, or conference report includes an authorization for appropriations in an amount equal to or exceeding the direct costs of such mandate; and

(B) the bill, joint resolution, amendment, motion, or conference report—

(i) identifies a specific dollar amount of the direct costs of such mandate for each year up to 10 years during which such mandate shall be in effect under the bill, joint resolution, amendment, motion or conference report, and such estimate is consistent with the estimate determined under subsection (e) for each fiscal year;

(ii) identifies any appropriation bill that is expected to provide for Federal funding of the direct cost referred to under clause (i); and

(iii)(I) provides that for any fiscal year the responsible Federal agency shall determine whether there are insufficient appropriations

for that fiscal year to provide for the direct costs under clause (i) of such mandate, and shall (no later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit either—

(aa) a statement that the agency has determined, based on a re-estimate of the direct costs of such mandate, after consultation with State, local, and tribal governments, that the amount appropriated is sufficient to pay for the direct costs of such mandate; or

(bb) legislative recommendations for either implementing a less costly mandate or making such mandate ineffective for the fiscal year;

(II) provides for expedited procedures for the consideration of the statement or legislative recommendations referred to in subclause (I) by Congress no later than 30 days after the statement or recommendations are submitted to Congress; and

(III) provides that such mandate shall—

(aa) in the case of a statement referred to in subclause (I)(aa), cease to be effective 60 days after the statement is submitted unless Congress has approved the agency's determination by joint resolution during the 60-day period;

(bb) cease to be effective 60 days after the date the legislative recommendations of the responsible Federal agency are submitted to Congress under subclause (I)(bb) unless Congress provides otherwise by law; or

(cc) in the case that such mandate that has not yet taken effect, continue not to be effective unless Congress provides otherwise by law.

(b) RULE OF CONSTRUCTION.—The provisions of subsection (a)(2)(B)(iii) shall not be construed to prohibit or otherwise restrict a State, local, or tribal government from voluntarily electing to remain subject to the original Federal intergovernmental mandate, complying with the programmatic or financial responsibilities of the original Federal intergovernmental mandate and providing the funding necessary consistent with the costs of Federal agency assistance, monitoring, and enforcement.

(c) COMMITTEE ON APPROPRIATIONS.—

(1) APPLICATION.—The provisions of subsection (a)—

(A) shall not apply to any bill or resolution reported by the Committee on Appropriations of the Senate or the House of Representatives; and

(B) shall apply to—

(i) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(ii) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendment offered to a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(iii) any legislative provision increasing direct costs of a Federal intergovernmental mandate in a conference report accompanying a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives; and

(iv) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendments in disagreement between the two Houses to any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives.

(2) CERTAIN PROVISIONS STRICKEN IN SENATE.—Upon a point of order being made by

any Senator against any provision listed in paragraph (1)(B), and the point of order being sustained by the Chair, such specific provision shall be deemed stricken from the bill, resolution, amendment, amendment in disagreement, or conference report and may not be offered as an amendment from the floor.

(d) DETERMINATIONS OF APPLICABILITY TO PENDING LEGISLATION.—For purposes of this section, in the Senate, the presiding officer of the Senate shall consult with the Committee on Governmental Affairs, to the extent practicable, on questions concerning the applicability of this part to a pending bill, joint resolution, amendment, motion, or conference report.

(e) DETERMINATIONS OF FEDERAL MANDATE LEVELS.—For purposes of this section, in the Senate, the levels of Federal mandates for a fiscal year shall be determined based on the estimates made by the Committee on the Budget.

(f) WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SA 287.** Mr. RUBIO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST INCREASES IN FEDERAL SPENDING THAT ARE NOT OFFSET BY EQUIVALENT SPENDING CUTS.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that has the net effect of increasing direct spending by more than \$5,000,000,000 for any applicable period described in paragraph (2).

(2) TIME PERIOD.—For purposes of paragraph (1), an applicable period shall be—

(A) the period of the total of fiscal years 2013 through 2023; and

(B) each of the 4 subsequent 10-fiscal-year periods.

(3) INCREASE IN DIRECT SPENDING.—For purposes of this subsection, the amount of any increase in direct spending for any applicable period shall be equal to the difference between—

(A) the total budget authority and outlays for such period that would result from enacting such legislation; and

(B) the total budget authority and outlays for such period as assumed in the most recent Congressional Budget Office Budget and Economic Outlook.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn. An affirmative vote of two-thirds of the Members

of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 288.** Mr. RUBIO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$79,200,000,000.

On page 4, line 11, reduce the amount by \$83,400,000,000.

On page 4, line 12, reduce the amount by \$88,154,000,000.

On page 4, line 13, reduce the amount by \$93,179,000,000.

On page 4, line 14, reduce the amount by \$98,490,000,000.

On page 4, line 15, reduce the amount by \$104,103,000,000.

**SA 289.** Mr. RUBIO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE UNITED NATIONS IN THE SPIRIT OF TRANSPARENCY, RESPECT FOR BASIC HUMAN FREEDOMS, AND EFFECTIVE NONPROLIFERATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to promoting reforms at the United Nations in the spirit of transparency, respect for basic human freedoms, and effective nonproliferation, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 290.** Mr. RUBIO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR PROVIDING LOW- AND MIDDLE-INCOME STUDENTS ACCESS TO PRIVATE ELEMENTARY AND SECONDARY SCHOOLS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to a program or programs to serve low- and middle-income students by providing access to private elementary and secondary schools, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 291.** Mr. RUBIO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST TAX INCREASES ON MIDDLE INCOME TAXPAYERS.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that increases taxes on middle income taxpayers for any year during the period of fiscal years 2013 through 2023.

(2) MIDDLE INCOME TAXPAYER.—For purposes of this subsection, the term “middle income taxpayer” means—

(A) any individuals filing jointly with an annual adjusted gross income of not greater than \$450,000; or

(B) any individual who is not filing jointly with an annual adjusted gross income of not greater than \$400,000.

(3) INCREASE IN TAXES.—For purposes of this subsection, a bill, joint resolution, amendment, motion, or conference report shall be deemed to have increased taxes for an applicable year if the projected total revenues for such year that would result from enacting such legislation exceed the total revenues for such year under current law, as assumed in the most recent Congressional Budget Office Budget and Economic Outlook.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 292.** Mr. RUBIO (for himself, Mr. RISCH, Mr. WICKER, Mr. MCCONNELL, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. SENSE OF THE SENATE REGARDING CHILD INTERSTATE ABORTIONS.**

(a) FINDINGS.—The Senate finds that—

(1) laws requiring parental notification or consent prior to an abortion, or in the alternative judicial waiver, are in effect in more than half of the States, but these laws are often circumvented by interstate activity in which minors travel or are transported across State lines to avoid laws requiring parental involvement;

(2) abortion providers use targeted advertising to minors across State lines, using avoidance of parental notification requirements as a selling point;

(3) when an abortion provider performs an abortion on a minor without parental notification, the provider is likely to lack the complete medical history of the minor, and parents of the minor are unaware of the need to watch for complications that may develop after the abortion when the minor is sent back to her State of residence, far from the provider; and

(4) parental notification and parental consent laws are supported by overwhelming majorities of the public in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) a physician who performs or induces an abortion on a minor who is a resident of a State other than the State in which the abortion is performed should be required by Federal law to provide, or cause an agent of the physician to provide, at least 24 hours advance notice to a parent of the minor before the abortion is performed;

(2) such a Federal requirement for interstate parental notification should not apply if—

(A) the minor declares in a signed written statement that she is the victim of sexual abuse, neglect, or physical abuse by a parent, and, before an abortion is performed on the minor, the physician notifies the authorities specified to receive reports of child abuse or neglect by the law of the State in which the minor resides of the known or suspected abuse or neglect;

(B) the abortion is necessary to save the life of a minor whose life is endangered by a physical disorder, physical injury, or physical illness, including a life endangering physical condition caused by or arising from the pregnancy itself, provided that the attending physician or an agent of the physician notifies a parent of the minor in writing that an abortion was performed on the minor and of the circumstances of the abortion within 24 hours;

(C) the abortion is performed or induced in a State that has in force a law requiring parental involvement in the abortion decision of a minor and the physician complies with the requirements of that law;

(D) the physician is presented with documentation that shows with a reasonable degree of certainty that a court in the State of

residence of the minor has authorized that the minor be allowed to procure an abortion; or

(E) the minor is physically accompanied by a person who presents the physician or an agent of the physician with documentation showing with a reasonable degree of certainty that he or she is in fact a parent of that minor;

(3) a parent who suffers harm by a violation of the interstate notification requirement should be entitled to obtain appropriate relief in a civil action, unless that parent has committed an act of incest with the minor;

(4) whoever has committed an act of incest with a minor and knowingly transports the minor across a State line with the intent that the minor obtain an abortion should be subject to imprisonment of up to 1 year for such transportation, in addition to any other penalties; and

(5) Congress should enact S. 369, the Child Interstate Abortion Notification Act (CIANA), to accomplish these purposes.

**SA 293.** Mr. HELLER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE BUREAU OF LAND MANAGEMENT COLLABORATES WITH WESTERN STATES TO PREVENT THE LISTING OF THE SAGE-GROUSE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that would improve the management of public land and natural resources, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 294.** Mr. HELLER (for himself, Mr. UDALL of Colorado, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

**SEC. 4. SENSE OF THE SENATE ON CONSIDERATION OF THE NATIONAL COMMISSION ON FISCAL RESPONSIBILITY AND REFORM PROPOSAL.**

It is the Sense of the Senate that—

(1) the President created the National Commission on Fiscal Responsibility and Re-

form (in this section referred to as the “Commission”), co-chaired by Erskine Bowles and Senator Alan Simpson, which proposed a balanced package of revenue and spending reforms to reduce projected Federal budget deficits and stabilize the Federal debt as a share of the national economy;

(2) while Members of Congress may not agree with every recommendation made by the Commission, in the absence of an agreed-upon concurrent budget resolution between the Senate and the House of Representatives, the proposal made by the Commission should be considered on the floor of the Senate with an open debate and amendment process; and

(3) it is critical that the United States reach a long-term solution that will get its fiscal house in order.

**SA 295.** Mr. CORKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, insert the following:

**SEC. . BUDGET SCORING RULE RELATING TO CERTAIN CHANGES IN MANDATORY PROGRAM SPENDING.**

In the Senate, a bill, resolution, amendment, motion or conference report that includes a provision that reduces direct spending that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not be scored by the Chairman of the Senate Committee on the Budget as new negative budget authority if such provision does not result in net outlay savings over the total of the period of the current year, the budget year, and all fiscal years covered under the most recently adopted concurrent resolution on the budget.

**SA 296.** Mr. CORKER (for himself, Mr. RUBIO, Mr. INHOFE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO SECURE RESOURCES GENERATED THROUGH MORE EFFECTIVE IMPLEMENTATION OF DEPARTMENT OF STATE STAFF RIGHT-SIZING PROCESSES FOR IMPROVEMENTS IN EMBASSY AND DIPLOMATIC SECURITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to permitting the Department of State to implement recommendations to reduce staffing inefficiencies overseas, including those contained in reports,

such as Government Accountability Office Report 12-799 and the Fiscal Year 2012 Assessment of Management and Performance Challenges by the Inspector General for the Department of State and the Broadcasting Board of Governors, and to use the savings achieved from reducing such inefficiencies to improve embassy and diplomatic security, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 297.** Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. FRANKEN, Mr. BURR, Mr. DONNELLY, Mr. TOOMEY, Mr. CASEY, Mr. COATS, Mr. PORTMAN, Mr. ALEXANDER, Mr. COWAN, Mrs. HAGAN, Mr. HOEVEN, Mr. ISAKSON, Mr. THUNE, Mr. RISCH, Mr. GRASSLEY, Mr. WICKER, Ms. AYOTTE, Mr. FLAKE, Ms. WARREN, Mr. MORAN, Mr. COBURN, Ms. MURKOWSKI, Mr. LEE, Mr. ENZI, Mr. WHITEHOUSE, Mrs. SHAHEEN, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL OF MEDICAL DEVICE TAX.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the House and the Senate, motions, or conference reports related to innovation, high quality manufacturing jobs, and economic growth, including the repeal of the 2.3 percent excise tax on medical device manufacturers, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 298.** Mr. HATCH (for himself, Mr. ALEXANDER, Mr. PORTMAN, Mr. INHOFE, Mr. GRASSLEY, Mr. HOEVEN, Mr. ISAKSON, Mr. RISCH, Mr. WICKER, Ms. AYOTTE, Mr. FLAKE, Mr. VITTER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL OF EMPLOYER MANDATE.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a

committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the House and the Senate, motions, or conference reports related to job creation, reducing health insurance premiums, providing employees more health insurance choices, and expanding the economy, including but not limited to the repeal of the employer mandate to offer defined coverage, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 299.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT ANY ATTEMPT TO GUT WELFARE REFORM AND TO REAUTHORIZE THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that prohibits the Obama Administration's unconstitutional attempt to gut welfare reform and provides for a 5-year reauthorization of the Temporary Assistance for Needy Families (TANF) program that honors the dignity of real work, assists current TANF clients through a "work-first" approach to becoming self-sufficient, continues to reduce the number of families that need welfare, improves State flexibility while increasing accountability and transparency in TANF spending, and ensures better coordination with other human services programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 300.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 19, strike "by the amounts" and insert the following: "or the implementation of trade agreements under trade promotion authority (which may include a Trans-Pacific Partnership agreement under trade promotion authority, a trade agreement between the United States and

the European Union under trade promotion authority, or any other trade agreement under trade promotion authority), by the amounts".

**SA 301.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 18, strike "or international" and insert the following: "protection of United States innovation and intellectual property interests (which may include establishing the position of Chief Innovation and Intellectual Property Negotiator in the Office of the United States Trade Representative, to have the rank of Ambassador Extraordinary and Plenipotentiary and be appointed by the President by and with the advice and consent of the Senate), or international".

**SA 302.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE GOVERNMENT EFFICIENCY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to the promotion of government efficiency, which may include reorganization of international trade agencies that reside outside the Executive Office of the President, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 303.** Ms. MURKOWSKI (for herself, Mr. BARRASSO, and Mr. COBURN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE ACCESS TO HEALTH CARE PROVIDERS FOR MEDICARE BENEFICIARIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would increase access to health care providers for Medicare beneficiaries without raising revenue, which may include allowing Medicare providers to privately negotiate with Medicare beneficiaries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 304.** Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 83, strike line 22 and all that follows through page 84, line 2, and insert the following:

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration; and

(4) for the Indian Health Services and Indian Health Facilities accounts of the Indian Health Service.

**SA 305.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE INDIVIDUAL MANDATE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that may clarify that the amendments made by section 1501 of the Patient Protection and Affordable Care Act (Public Law 111-148) shall not be construed as imposing any tax or as an exercise of any power of Congress enumerated in article I, section 8, clause 1 of, or the 16th amendment to, the Constitution without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over ei-

ther the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 306.** Mr. THUNE (for himself, Mr. BLUNT, Mr. HATCH, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 49, strike line 20 and all that follows through page 50, line 2, and insert the following:

**TITLE II—REDUCTION IN TOTAL REVENUES**

**SEC. 201. REDUCTION IN TOTAL REVENUES.**

The levels in this resolution are amended by reducing total revenues by the following amounts:

- (1) in 2014, \$20,000,000,000;
- (2) in 2015, \$40,000,000,000;
- (3) in 2016, \$43,800,000,000;
- (4) in 2017, \$46,000,000,000;
- (5) in 2018, \$48,601,530,983;
- (6) in 2019, \$51,350,191,607;
- (7) in 2020, \$54,254,302,791;
- (8) in 2021, \$57,322,656,045;
- (9) in 2022, \$60,564,540,083; and
- (10) in 2023, \$63,989,768,942.

**SA 307.** Mr. THUNE (for himself, Mr. BLUNT, Mr. RUBIO, Mr. ROBERTS, Mr. HELLER, Mr. JOHANNES, Mr. ENZI, Mr. BOOZMAN, Mr. BARRASSO, Mr. LEE, Mr. VITTER, Mr. HATCH, Mr. CORNYN, and Mr. MORAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PERMANENTLY ELIMINATE THE FEDERAL ESTATE TAX.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may permanently eliminate the Federal estate tax without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 308.** Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revis-

ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR BIENNIAL BUDGETING AND APPROPRIATIONS AND OTHER BUDGET PROCESS REFORMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may establish biennial budgeting and appropriations and provide for a binding joint budget, which may include an enforcement mechanism to ensure completion of the budget process, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 309.** Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 29, line 24, increase the amount by \$550,000,000.

On page 29, line 25, increase the amount by \$495,000,000.

On page 30, line 3, increase the amount by \$550,000,000.

On page 30, line 4, increase the amount by \$506,000,000.

On page 30, line 7, increase the amount by \$550,000,000.

On page 30, line 8, increase the amount by \$550,000,000.

On page 30, line 11, increase the amount by \$550,000,000.

On page 30, line 12, increase the amount by \$550,000,000.

On page 30, line 15, increase the amount by \$550,000,000.

On page 30, line 16, increase the amount by \$550,000,000.

On page 30, line 19, increase the amount by \$550,000,000.

On page 30, line 20, increase the amount by \$550,000,000.

On page 30, line 23, increase the amount by \$550,000,000.

On page 30, line 24, increase the amount by \$550,000,000.

On page 31, line 2, increase the amount by \$550,000,000.

On page 31, line 3, increase the amount by \$550,000,000.

On page 31, line 6, increase the amount by \$550,000,000.

On page 31, line 7, increase the amount by \$550,000,000.

On page 31, line 10, increase the amount by \$550,000,000.

On page 31, line 11, increase the amount by \$550,000,000.

On page 46, line 11, decrease the amount by \$550,000,000.



On page 46, line 12, decrease the amount by \$495,000,000.  
 On page 46, line 15, decrease the amount by \$550,000,000.  
 On page 46, line 16, decrease the amount by \$506,000,000.  
 On page 46, line 19, decrease the amount by \$550,000,000.  
 On page 46, line 20, decrease the amount by \$550,000,000.  
 On page 46, line 23, decrease the amount by \$550,000,000.  
 On page 46, line 24, decrease the amount by \$550,000,000.  
 On page 47, line 2, decrease the amount by \$550,000,000.  
 On page 47, line 3, decrease the amount by \$550,000,000.  
 On page 47, line 6, decrease the amount by \$550,000,000.  
 On page 47, line 7, decrease the amount by \$550,000,000.  
 On page 47, line 10, decrease the amount by \$550,000,000.  
 On page 47, line 11, decrease the amount by \$550,000,000.  
 On page 47, line 14, decrease the amount by \$550,000,000.  
 On page 47, line 15, decrease the amount by \$550,000,000.  
 On page 47, line 18, decrease the amount by \$550,000,000.  
 On page 47, line 19, decrease the amount by \$550,000,000.  
 On page 47, line 22, decrease the amount by \$550,000,000.  
 On page 47, line 23, decrease the amount by \$550,000,000.

**SA 310.** Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 28, line 3, increase the amount by \$10,000,000.  
 On page 28, line 4, increase the amount by \$7,500,000.  
 On page 28, line 7, increase the amount by \$10,000,000.  
 On page 28, line 8, increase the amount by \$9,800,000.  
 On page 28, line 11, increase the amount by \$10,000,000.  
 On page 28, line 12, increase the amount by \$10,000,000.  
 On page 28, line 15, increase the amount by \$10,000,000.  
 On page 28, line 16, increase the amount by \$10,000,000.  
 On page 28, line 19, increase the amount by \$10,000,000.  
 On page 28, line 20, increase the amount by \$10,000,000.  
 On page 28, line 23, increase the amount by \$10,000,000.  
 On page 28, line 24, increase the amount by \$10,000,000.  
 On page 29, line 2, increase the amount by \$10,000,000.  
 On page 29, line 3, increase the amount by \$10,000,000.  
 On page 29, line 6, increase the amount by \$10,000,000.  
 On page 29, line 7, increase the amount by \$10,000,000.

On page 29, line 10, increase the amount by \$10,000,000.  
 On page 29, line 11, increase the amount by \$10,000,000.  
 On page 29, line 14, increase the amount by \$10,000,000.  
 On page 29, line 15, increase the amount by \$10,000,000.  
 On page 40, line 23, increase the amount by \$10,000,000.  
 On page 40, line 24, increase the amount by \$8,700,000.  
 On page 41, line 2, increase the amount by \$10,000,000.  
 On page 41, line 3, increase the amount by \$9,650,000.  
 On page 41, line 6, increase the amount by \$10,000,000.  
 On page 41, line 7, increase the amount by \$12,150,000.  
 On page 41, line 10, increase the amount by \$10,000,000.  
 On page 41, line 11, increase the amount by \$13,150,000.  
 On page 41, line 14, increase the amount by \$10,000,000.  
 On page 41, line 15, increase the amount by \$13,150,000.  
 On page 41, line 18, increase the amount by \$10,000,000.  
 On page 41, line 19, increase the amount by \$13,150,000.  
 On page 41, line 22, increase the amount by \$10,000,000.  
 On page 41, line 23, increase the amount by \$13,150,000.  
 On page 42, line 2, increase the amount by \$10,000,000.  
 On page 42, line 3, increase the amount by \$13,150,000.  
 On page 42, line 6, increase the amount by \$10,000,000.  
 On page 42, line 7, increase the amount by \$13,150,000.  
 On page 42, line 10, increase the amount by \$10,000,000.  
 On page 42, line 11, increase the amount by \$13,150,000.  
 On page 46, line 11, decrease the amount by \$20,000,000.  
 On page 46, line 12, decrease the amount by \$16,200,000.  
 On page 46, line 15, decrease the amount by \$20,000,000.  
 On page 46, line 16, decrease the amount by \$19,450,000.  
 On page 46, line 19, decrease the amount by \$20,000,000.  
 On page 46, line 20, decrease the amount by \$32,800,000.  
 On page 46, line 23, decrease the amount by \$20,000,000.  
 On page 46, line 24, decrease the amount by \$33,800,000.  
 On page 47, line 2, decrease the amount by \$20,000,000.  
 On page 47, line 3, decrease the amount by \$33,800,000.  
 On page 47, line 6, decrease the amount by \$20,000,000.  
 On page 47, line 7, decrease the amount by \$33,800,000.  
 On page 47, line 10, decrease the amount by \$20,000,000.  
 On page 47, line 11, decrease the amount by \$33,800,000.  
 On page 47, line 14, decrease the amount by \$20,000,000.  
 On page 47, line 15, decrease the amount by \$33,800,000.  
 On page 47, line 18, decrease the amount by \$20,000,000.  
 On page 47, line 19, decrease the amount by \$33,800,000.

On page 47, line 22, decrease the amount by \$20,000,000.  
 On page 47, line 23, decrease the amount by \$33,800,000.

**SA 311.** Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING AND REFORMING THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the National Nuclear Security Administration, which may include strengthening and reforming that Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 312.** Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR STATE AND LOCAL LAW ENFORCEMENT.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report to support State and local law enforcement, which may include investing in State formula grants, to aid State and local law enforcement and criminal justice systems in implementing innovative, evidence-based approaches to crime prevention and control, including strategies such as specialty courts, multi-jurisdictional task forces, technology improvement, and information sharing systems, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 313.** Mr. BEGICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States



Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING THE WELL-BEING OF AMERICAN INDIAN AND ALASKA NATIVE INDIVIDUALS AND FAMILIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to programmatic improvements benefitting American Indian and Alaska Native individuals and families, which may include strengthening health services to largely underserved populations, supporting Indian and tribal health organizations that operate hospitals and clinics, or improving payment systems to better support the health needs of American Indian and Alaska Native individuals and families by closing the gap between claims filed with, and payments made by, the Indian Health Service for those purposes, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 314.** Ms. LANDRIEU (for herself, Mr. CHAMBLISS, Mr. BLUMENTHAL, Mr. ISAKSON, Mr. VITTER, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 59, line 25, insert after “space” the following: “, to include leases of major medical facilities.”.

**SA 315.** Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 57, line 3, insert “to an international tax system that addresses profit-shifting by United States multinational corporations,” after “exists.”.

**SA 316.** Mr. MANCHIN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional

budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS PRESCRIPTION DRUG ABUSE IN THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to addressing prescription drug abuse, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 317.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. SENATE POINT OF ORDER AGAINST CONCURRENT RESOLUTION ON THE BUDGET CONTAINING NET INTEREST OUTLAYS IN EXCESS OF NATIONAL DEFENSE OUTLAYS.**

(a) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year, or any amendment, amendment between Houses, motion, or conference report thereon, that would provide for net interest outlays in excess of budget function 050 outlays in the same fiscal year for any year covered by the budget resolution.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SA 318.** Mr. CRAPO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 50, line 1, after the number “\$975,000,000,000” insert the following: “and

sufficient to reduce outlays by \$275,000,000,000”.

**SA 319.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 28, line 3, increase the amount by \$3,500,000.

On page 28, line 4, increase the amount by \$3,500,000.

On page 46, line 11, decrease the amount by \$3,500,000.

On page 46, line 12, decrease the amount by \$3,500,000.

**SA 320.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 18, line 23, increase the amount by \$10,000,000.

On page 18, line 24, increase the amount by \$10,000,000.

On page 46, line 11, decrease the amount by \$10,000,000.

On page 46, line 12, decrease the amount by \$10,000,000.

**SA 321.** Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STREAMLINING BUREAU OF LAND MANAGEMENT REGULATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming Bureau of Land Management regulations in a manner that would increase job creation, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 322.** Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. CRAPO, Mr. WICKER,

Mr. VITTER, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING THE IMPLEMENTATION AND USE OF CERTAIN GUIDANCE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the regulation of nonnavigable waters, which may include preventing the implementation of guidance from any Federal agency, including the Environmental Protection Agency and the Corps of Engineers, which may negatively impact economic growth, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 323.** Mr. BARRASSO (for himself, Mr. CORNYN, Mr. ENZI, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR THE MAINTENANCE AND MODERNIZATION OF UNITED STATES NUCLEAR FORCES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to maintaining and modernizing the deployment of United States nuclear forces at levels no lower than the maximum allowed for under the New START Treaty, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 324.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth

the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . POINT OF ORDER AGAINST FAILURE TO DISCLOSE TRUE COSTS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that is not deficit neutral, unless a statement prepared by the Congressional Budget Office of the budgetary effects of the bill, joint resolution, motion, amendment, or conference report has been made available that includes in the estimate of the budgetary effects of the bill, joint resolution, motion, amendment, or conference report costs relating to debt service.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 325.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. SENSE OF THE SENATE REGARDING THE LEVEL OF PUBLIC DEBT IN THE UNITED STATES.**

It is the Sense of the Senate that—

(1) the levels of public debt outlined in section 101(5) of this resolution are responsible, reasonable, and in a sustainable place; and  
(2) increasing the public debt to \$24,364,925,000,000 through fiscal year 2023 under section 101(5) of this resolution is good for our children and grandchildren.

**SA 326.** Mr. GRAHAM (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 3. REDUCTION IN SPENDING ON HEALTH CARE THAT OUR FEDERAL GOVERNMENT CANNOT AFFORD.**

(a) MODIFICATION OF FUNCTIONAL LEVEL 550.—The levels for function 550 in this resolution are amended by—

(1) reducing the budget authority for each fiscal year by—

(A) \$1,000,000,000 in fiscal year 2014;  
(B) \$5,000,000,000 in fiscal year 2015;  
(C) \$10,000,000,000 in fiscal year 2016;

(D) \$15,000,000,000 in fiscal year 2017;  
(E) \$18,000,000,000 in fiscal year 2018;  
(F) \$19,000,000,000 in fiscal year 2019;  
(G) \$18,000,000,000 in fiscal year 2020;  
(H) \$19,000,000,000 in fiscal year 2021;  
(I) \$20,000,000,000 in fiscal year 2022; and  
(J) \$21,000,000,000 in fiscal year 2023; and  
(2) reducing the outlays for each fiscal year by—

(A) \$1,000,000,000 in fiscal year 2014;  
(B) \$5,000,000,000 in fiscal year 2015;  
(C) \$10,000,000,000 in fiscal year 2016;  
(D) \$15,000,000,000 in fiscal year 2017;  
(E) \$18,000,000,000 in fiscal year 2018;  
(F) \$19,000,000,000 in fiscal year 2019;  
(G) \$18,000,000,000 in fiscal year 2020;  
(H) \$19,000,000,000 in fiscal year 2021;  
(I) \$20,000,000,000 in fiscal year 2022;  
(J) \$21,000,000,000 in fiscal year 2023.

(b) FEDERAL REVENUES.—The levels for Federal revenues in this resolution are amended by reducing the level for each fiscal year by—

(1) \$1,000,000,000 in fiscal year 2014;  
(2) \$3,000,000,000 in fiscal year 2015;  
(3) \$5,000,000,000 in fiscal year 2016;  
(4) \$7,000,000,000 in fiscal year 2017;  
(5) \$8,000,000,000 in fiscal year 2018;  
(6) \$8,000,000,000 in fiscal year 2019;  
(7) \$9,000,000,000 in fiscal year 2020;  
(8) \$10,000,000,000 in fiscal year 2021;  
(9) \$10,000,000,000 in fiscal year 2022; and  
(10) \$11,000,000,000 in fiscal year 2023.

**SA 327.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 34 line 2, decrease the amount by \$3,000,000,000.

On page 34, line 3, decrease the amount by \$3,000,000,000.

On page 34, line 6, decrease the amount by \$3,800,000,000.

On page 34, line 7, decrease the amount by \$3,800,000,000.

On page 34, line 10, decrease the amount by \$4,400,000,000.

On page 34, line 11, decrease the amount by \$4,400,000,000.

On page 34, line 14, decrease the amount by \$7,700,000,000.

On page 34, line 15, decrease the amount by \$7,700,000,000.

On page 34, line 18, decrease the amount by \$9,900,000,000.

On page 34, line 19, decrease the amount by \$9,900,000,000.

On page 34, line 22, decrease the amount by \$11,700,000,000.

On page 34, line 23, decrease the amount by \$11,700,000,000.

On page 35, line 2, decrease the amount by \$13,900,000,000.

On page 35, line 3, decrease the amount by \$13,900,000,000.

**SA 328.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels

for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$286,000,000.

On page 5, line 10, decrease the amount by \$297,000,000.

On page 5, line 11, decrease the amount by \$309,000,000.

On page 5, line 12, decrease the amount by \$322,000,000.

On page 5, line 13, decrease the amount by \$335,000,000.

On page 5, line 14, decrease the amount by \$348,000,000.

On page 5, line 15, decrease the amount by \$362,000,000.

On page 5, line 16, decrease the amount by \$376,000,000.

On page 5, line 17, decrease the amount by \$390,000,000.

On page 5, line 18, decrease the amount by \$405,000,000.

On page 5, line 23, decrease the amount by \$266,000,000.

On page 5, line 24, decrease the amount by \$295,000,000.

On page 5, line 25, decrease the amount by \$307,000,000.

On page 6, line 1, decrease the amount by \$320,000,000.

On page 6, line 2, decrease the amount by \$333,000,000.

On page 6, line 3, decrease the amount by \$346,000,000.

On page 6, line 4, decrease the amount by \$360,000,000.

On page 6, line 5, decrease the amount by \$374,000,000.

On page 6, line 6, decrease the amount by \$388,000,000.

On page 6, line 7, decrease the amount by \$402,000,000.

On page 6, line 12, decrease the amount by \$266,000,000.

On page 6, line 13, decrease the amount by \$295,000,000.

On page 6, line 14, decrease the amount by \$307,000,000.

On page 6, line 15, decrease the amount by \$320,000,000.

On page 6, line 16, decrease the amount by \$333,000,000.

On page 6, line 17, decrease the amount by \$346,000,000.

On page 6, line 18, decrease the amount by \$360,000,000.

On page 6, line 19, decrease the amount by \$374,000,000.

On page 6, line 20, decrease the amount by \$388,000,000.

On page 6, line 21, decrease the amount by \$402,000,000.

On page 29, line 24, decrease the amount by \$286,000,000.

On page 29, line 25, decrease the amount by \$266,000,000.

On page 30, line 3, decrease the amount by \$297,000,000.

On page 30, line 4, decrease the amount by \$295,000,000.

On page 30, line 7, decrease the amount by \$309,000,000.

On page 30, line 8, decrease the amount by \$307,000,000.

On page 30, line 11, decrease the amount by \$322,000,000.

On page 30, line 12, decrease the amount by \$320,000,000.

On page 30, line 15, decrease the amount by \$335,000,000.

On page 30, line 16, decrease the amount by \$333,000,000.

On page 30, line 19, decrease the amount by \$348,000,000.

On page 30, line 20, decrease the amount by \$346,000,000.

On page 30, line 23, decrease the amount by \$362,000,000.

On page 30, line 24, decrease the amount by \$360,000,000.

On page 31, line 2, decrease the amount by \$376,000,000.

On page 31, line 3, decrease the amount by \$374,000,000.

On page 31, line 6, decrease the amount by \$390,000,000.

On page 31, line 7, decrease the amount by \$388,000,000.

On page 31, line 10, decrease the amount by \$405,000,000.

On page 31, line 11, decrease the amount by \$402,000,000.

**SA 329.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO BROADEN THE EFFECTS OF THE SEQUESTER, INCLUDING ALLOWING MEMBERS OF CONGRESS TO DONATE A PORTION OF THEIR SALARIES TO CHARITY OR TO THE DEPARTMENT OF THE TREASURY DURING SEQUESTRATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that are related to broadening the impact of the sequester, which may include allowing Members of Congress to donate 20 percent of their salaries to charity or to the Department of the Treasury if the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 330.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 50, line 15, after "sections," insert "which may include changes to the exempt status of accounts other than Social Security and net interest,".

**SA 331.** Mr. GRAHAM submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND THAT PERTAINS TO ANY LEGISLATION REDUCING THE 2017 FEDERAL MATCHING RATE IN MEDICAID FOR THE EXPANSION POPULATION IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND CLARIFIES THAT STATES MAY OPT-OUT OF THE MEDICAID EXPANSION AT ANY TIME.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that pertains to any legislation relating to Medicaid expansion which may include but are not limited to reductions in the 2017 Federal matching rate in the Patient Protection and Affordable Care Act and clarifications of the State opt-out, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 332.** Mr. VITTER (for himself, Mr. RISCH, Mr. WICKER, Mr. THUNE, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5 \_\_\_\_ . SENSE OF THE SENATE REGARDING SEX-SELECTION ABORTIONS.**

(a) FINDINGS.—The Senate finds the following:

(1) Women are a vital part of American society and culture and possess the same fundamental human rights and civil rights as men.

(2) United States law prohibits the dissimilar treatment of males and females who are similarly situated and prohibits sex discrimination in various contexts, including the provision of employment, education, housing, health insurance coverage, and athletics.

(3) Sex is an immutable characteristic ascertainable at the earliest stages of human development through existing medical technology and procedures commonly in use, including maternal-fetal bloodstream DNA sampling, amniocentesis, chorionic villus sampling or "CVS", and obstetric ultrasound. In addition to medically assisted sex determination, a growing sex determination niche industry has developed and is marketing low-cost commercial products, widely advertised and available, that aid in the sex determination of an unborn child

without the aid of medical professionals. Experts have demonstrated that the sex-selection industry is on the rise and predict that it will continue to be a growing trend in the United States. Sex determination is always a necessary step to the procurement of a sex-selection abortion.

(4) A “sex-selection abortion” is an abortion undertaken for purposes of eliminating an unborn child based on the sex or gender of the child. Sex-selection abortion is barbaric, and described by scholars and civil rights advocates as an act of sex-based or gender-based violence, predicated on sex discrimination. Sex-selection abortions are typically late-term abortions performed in the 2nd or 3rd trimester of pregnancy, after the unborn child has developed sufficiently to feel pain. Substantial medical evidence proves that an unborn child can experience pain at 20 weeks after conception, and perhaps substantially earlier. By definition, sex-selection abortions do not implicate the health of the mother of the unborn, but instead are elective procedures motivated by sex or gender bias.

(5) The targeted victims of sex-selection abortions performed in the United States and worldwide are overwhelmingly female. The selective abortion of females is female infanticide, the intentional killing of unborn females, due to the preference for male offspring or “son preference”. Son preference is reinforced by the low value associated, by some segments of the world community, with female offspring. Those segments tend to regard female offspring as financial burdens to a family over their lifetime due to their perceived inability to earn or provide financially for the family unit as can a male. In addition, due to social and legal convention, female offspring are less likely to carry on the family name. “Son preference” is one of the most evident manifestations of sex or gender discrimination in any society, undermining female equality, and fueling the elimination of females’ right to exist in instances of sex-selection abortion.

(6) Sex-selection abortions are not expressly prohibited by United States law or the laws of 47 States. Sex-selection abortions are performed in the United States. In a March 2008 report published in the Proceedings of the National Academy of Sciences, Columbia University economists Douglas Almond and Lena Edlund examined the sex ratio of United States-born children and found “evidence of sex selection, most likely at the prenatal stage”. The data revealed obvious “son preference” in the form of unnatural sex-ratio imbalances within certain segments of the United States population, primarily those segments tracing their ethnic or cultural origins to countries where sex-selection abortion is prevalent. The evidence strongly suggests that some Americans are exercising sex-selection abortion practices within the United States consistent with discriminatory practices common to their country of origin, or the country to which they trace their ancestry. While sex-selection abortions are more common outside the United States, the evidence reveals that female feticide is also occurring in the United States.

(7) The American public supports a prohibition of sex-selection abortion. In a March 2006 Zogby International poll, 86 percent of Americans agreed that sex-selection abortion should be illegal, yet only 3 States proscribe sex-selection abortion.

(8) Despite the failure of the United States to proscribe sex-selection abortion, the United States Congress has expressed repeat-

edly, through Congressional resolution, strong condemnation of policies promoting sex-selection abortion in the “Communist Government of China”. Likewise, at the 2007 United Nation’s Annual Meeting of the Commission on the Status of Women, 51st Session, the United States delegation spearheaded a resolution calling on countries to condemn sex-selective abortion, a policy directly contradictory to the permissiveness of current United States law, which places no restriction on the practice of sex-selection abortion. The United Nations Commission on the Status of Women has urged governments of all nations “to take necessary measures to prevent . . . prenatal sex selection”.

(9) A 1990 report by Harvard University economist Amartya Sen, estimated that more than 100 million women were “demographically missing” from the world as early as 1990 due to sexist practices, including sex-selection abortion. Many experts believe sex-selection abortion is the primary cause. Current estimates of women missing from the world range in the hundreds of millions.

(10) Countries with longstanding experience with sex-selection abortion such as the Republic of India, the United Kingdom, and the People’s Republic of China, have enacted restrictions on sex-selection, and have steadily continued to strengthen prohibitions and penalties. The United States, by contrast, has no law in place to restrict sex-selection abortion, establishing the United States as affording less protection from sex-based feticide than the Republic of India or the People’s Republic of China, whose recent practices of sex-selection abortion were vehemently and repeatedly condemned by United States congressional resolutions and by the United States Ambassador to the Commission on the Status of Women. Public statements from within the medical community reveal that citizens of other countries come to the United States for sex-selection procedures that would be criminal in their country of origin. Because the United States permits abortion on the basis of sex, the United States may effectively function as a “safe haven” for those who seek to have American physicians do what would otherwise be criminal in their home countries—a sex-selection abortion, most likely late-term.

(11) The American medical community opposes sex-selection. The American Congress of Obstetricians and Gynecologists, commonly known as “ACOG”, stated in its 2007 Ethics Committee Opinion, Number 360, that sex-selection is inappropriate because it “ultimately supports sexist practices”. The American Society of Reproductive Medicine (commonly known as “ASRM”) 2004 Ethics Committee Opinion on sex-selection notes that central to the controversy of sex-selection is the potential for “inherent gender discrimination, . . . the risk of psychological harm to sex-selected offspring (i.e., by placing on them expectations that are too high), . . . and reinforcement of gender bias in society as a whole”. Embryo sex-selection, ASRM notes, remains “vulnerable to the judgment that no matter what its basis, [the method] identifies gender as a reason to value one person over another, and it supports socially constructed stereotypes of what gender means”. In doing so, it not only “reinforces possibilities of unfair discrimination, but may trivialize human reproduction by making it depend on the selection of non-essential features of offspring”. The ASRM ethics opinion continues, “ongoing problems with the status of women in the United States make it necessary to take account of concerns for the impact of sex-selection on

goals of gender equality”. The American Association of Pro-Life Obstetricians and Gynecologists, an organization with hundreds of members—many of whom are former abortionists—makes the following declaration: “Sex selection abortions are more graphic examples of the damage that abortion inflicts on women. In addition to increasing premature labor in subsequent pregnancies, increasing suicide and major depression, and increasing the risk of breast cancer in teens who abort their first pregnancy and delay childbearing, sex selection abortions are often targeted at fetuses simply because the fetus is female. As physicians who care for both the mother and her unborn child, the American Association of Pro-Life Obstetricians and Gynecologists vigorously opposes aborting fetuses because of their gender.”. The President’s Council on Bioethics published a Working Paper stating the council’s belief that society’s respect for reproductive freedom does not prohibit the regulation or prohibition of “sex control”, defined as the use of various medical technologies to choose the sex of one’s child. The publication expresses concern that “sex control might lead to . . . dehumanization and a new eugenics”.

(12) Sex-selection abortion results in an unnatural sex-ratio imbalance. An unnatural sex-ratio imbalance is undesirable, due to the inability of the numerically predominant sex to find mates. Experts worldwide document that a significant sex-ratio imbalance in which males numerically predominate can be a cause of increased violence and militancy within a society. Likewise, an unnatural sex-ratio imbalance gives rise to the commoditization of humans in the form of human trafficking, and a consequent increase in kidnapping and other violent crime.

(13) Sex-selection abortions have the effect of diminishing the representation of women in the American population, and therefore, the American electorate.

(14) Sex-selection abortion reinforces sex discrimination and has no place in a civilized society.

(15) The history of the United States includes examples of sex discrimination. The people of the United States ultimately responded in the strongest possible legal terms by enacting a constitutional amendment correcting elements of such discrimination. Women, once subjected to sex discrimination that denied them the right to vote, now have suffrage guaranteed by the 19th amendment to the Constitution of the United States. The elimination of discriminatory practices has been and is among the highest priorities and greatest achievements of American history.

(16) Implicitly approving the discriminatory practice of sex-selection abortion by choosing not to prohibit them will reinforce these inherently discriminatory practices, and evidence a failure to protect a segment of certain unborn Americans because those unborn are of a sex that is disfavored. Sex-selection abortions trivialize the value of the unborn on the basis of sex, reinforcing sex discrimination, and coarsening society to the humanity of all vulnerable and innocent human life, making it increasingly difficult to protect such life. Thus, Congress has a compelling interest in acting—indeed it must act—to prohibit sex-selection abortion.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Congress has power to prohibit sex selection abortions under the Commerce Clause; section 5 of the 14th amendment, including the power to enforce the prohibition

on Government action denying equal protection of the laws; and section 8 of article I; and

(2) Congress should enact S. 138, the Prenatal Nondiscrimination Act (PRENDA), to amend chapter 13 of title 18, United States Code, to provide that whoever knowingly performs an abortion knowing that such abortion is sought based on the sex or gender of the child; uses force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection abortion; solicits or accepts funds for the performance of a sex-selection abortion; or transports a woman into the United States or across a State line for the purpose of obtaining a sex-selection abortion; or who attempts to do any of these things, may be fine or imprisoned up to five years under this title; and to allow for civil action by a woman on whom such an abortion was performed; provided, however, that nothing in such Act shall be construed to require that a healthcare provider has an affirmative duty to inquire as to the motivation for the abortion, absent the healthcare provider having knowledge or information that the abortion is being sought based on the sex or gender of the child.

**SA 333.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO CLARIFY ELIGIBILITY FOR THE CHILD TAX CREDIT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to clarification of eligibility for the child tax credit, which may include requiring a taxpayer to provide a valid identification number, as defined in section 6428(h)(2) of the Internal Revenue Code of 1986, on their tax return, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 334.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT THE DEPARTMENT OF HOMELAND SECURITY FROM GRANTING LEGAL STATUS TO INDIVIDUALS ILLEGALLY PRESENT IN THE UNITED STATES BEFORE FULLY IMPLEMENTING THE INTEGRATED ENTRY AND EXIT DATA SYSTEM.**

(a) **IN GENERAL.**—The Chairman of the Committee on the Budget of the Senate may—

(1) revise the allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to restricting the grant of legal status to those illegally present within the United States until the Department of Homeland Security complies with certain Federal laws relating to the integrated entry and exit data system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a) without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit during the 5-year period ending on September 30, 2018, or the 10-year period ending on September 30, 2023; and

(2) make adjustments to the Senate's pay-as-you-go ledger during the 5-year and 10-year periods described in paragraph (1) to ensure that the deficit reduction achieved is only used for deficit reduction.

(b) **LIMITATION.**—The adjustments authorized under subsection (a) shall be limited to the amount of deficit reduction achieved.

**SA 335.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT FUNDING FOR INTERNATIONAL ORGANIZATIONS THAT REQUIRE THE REGISTRATION OR TAXATION OF GUNS OWNED BY UNITED STATES CITIZENS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to preventing the funding of any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 336.** Mr. VITTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Govern-

ment for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-REDUCTION RESERVE FUND TO END AUTOMATIC PAY RAISES FOR MEMBERS OF CONGRESS.**

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would achieve savings by ending the current system that provides members of Congress with automatic pay raises, to reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**SA 337.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE BORDER SECURITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to border security, which may include provisions requiring that senders remitting money internationally show valid U.S. identification, or documentation that they are in the country legally, and to establish a fee with respect to international remittance transfers if the sender is unable to verify legal status in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 338.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR ENDING SUBSIDIES FOR MOBILE PHONE SERVICE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would prohibit the Universal Service Fund from subsidizing commercial mobile service, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 339.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO DRUG TESTING AND DRUG TREATMENT FOR TANF RECIPIENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to requiring States to operate a drug testing program as part of their Temporary Assistance for Needy Families (TANF) program, provide treatment programs for TANF recipients who test positive for illegal drug use or are convicted of drug-related crime, to withhold TANF assistance for 2 years for any recipient who, after initially testing positive and having been offered treatment, again tests positive, and that would not reduce or deny TANF assistance allocated for dependents if the dependent's caretaker tests positive for drug use or is convicted of drug-related crime, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 340.** Mr. SHELBY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE FINANCIAL REGULATORS TO CONDUCT RIGOROUS COST-BENEFIT ANALYSES ON ALL PROPOSED RULES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that relate to the finalization of rules with positive cost-benefit analyses promulgated by a financial regulator, including the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, the Commodity Futures Trading Commission, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Financial Stability Oversight Council, the Office of the Comptroller of the Currency, the Office of Financial Research, the National Credit Union Administration, and the Securities and Exchange Commission, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 341.** Mr. BEGICH (for himself, Ms. CANTWELL, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE LABELING OF GENETICALLY ENGINEERED FISH.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the labeling of genetically engineered fish, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 342.** Mr. ALEXANDER (for himself, Mr. PAUL, Mr. TOOMEY, Mr. RUBIO, and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR SCHOOL CHOICE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing funding under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to follow children from low-income families to the school the children attend, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 343.** Mr. ALEXANDER (for himself, Ms. LANDRIEU, and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would support the replication and expansion of high-quality charter schools, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 344.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT TEACHER INCENTIVE PROGRAMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would allow State and local educational agency compensation programs for teachers who have a demonstrated record of improving student academic achievement, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years



2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 345.** Mr. ALEXANDER (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO ALLOW FOR STATE AND EMPLOYER INNOVATION IN REDUCING HEALTH INSURANCE PREMIUMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that waives title I of the Patient Protection and Affordable Care Act if the Chief Actuary for the Centers for Medicare & Medicaid Services certifies that States and employers can offer health insurance to their respective consumers at a lower premium, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 346.** Mr. ALEXANDER (for himself, Mr. HATCH, Mr. BURR, Mr. WICKER, Mr. ISAKSON, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT CONSUMERS FROM HIGH HEALTH INSURANCE PREMIUMS.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that delays any further implementation of title I of the Patient Protection and Affordable Care Act until the Congressional Budget Office certifies that health insurance premiums have decreased by an average of \$2,500, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 347.** Mr. ALEXANDER (for himself, Mr. CORKER, Mr. MANCHIN, and Mr. WARNER) submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO MANDATE DECISION ON STATE MEDICAID WAIVER APPLICATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to requiring the Secretary of Health and Human Services to complete review and decide on State Medicaid waiver applications within a timely manner to ensure States have the appropriate ability to manage their own annual budget processes and improve care for Medicaid patients, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 348.** Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT RESTRICTIONS TO PUBLIC ACCESS TO FISHING DOWNSTREAM OF DAMS OWNED BY THE CORPS OF ENGINEERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting the Corps of Engineers from restricting public access to waters downstream of a Corps of Engineers dam, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 349.** Mr. ALEXANDER (for himself, Mr. ISAKSON, Mr. RISCH, Mr. CORNYN, Mr. BURR, Mr. INHOFE, Mr. FLAKE, Mr. GRAHAM, Mr. KIRK, Mr. COCHRAN, Mr. BARRASSO, Mr. COBURN, Mr. ENZI, Ms. AYOTTE, Mr. SCOTT, Mr. THUNE, Mr. CORKER, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congress-

sional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT FUNDING FOR UNCONSTITUTIONAL NATIONAL LABOR RELATIONS BOARD ACTIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to preventing the National Labor Relations Board from enforcing decisions or regulations issued by a majority whose quorum was constituted by invalid recess appointments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 350.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 51, line 9, insert "including programs that encourage job training partnerships between businesses, educational institutions, and the workforce development system," after "growth,".

**SA 351.** Mr. FRANKEN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 60, line 22, insert "increase access to dual enrollment, concurrent enrollment, or early college high schools for low-income students, standardize financial aid award letters," after "students,".

**SA 352.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:



On page 52, line 5, strike “or improve the unemployment compensation program” and insert “improve the unemployment compensation program, or expand and expedite training opportunities for unemployed workers receiving unemployment compensation”.

**SA 353.** Mr. FRANKEN (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 59, line 1, after “telecommunications,” insert “including promoting investments in broadband infrastructure to expedite deployment of broadband to rural areas.”.

**SA 354.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, line 9, strike “or” at the end.  
On page 58, line 11, insert “or” after the semicolon at the end.

On page 58, between lines 11 and 12, insert the following:

(10) the development of renewable-energy resources and energy efficiency on Indian land;

**SA 355.** Mr. BEGICH (for himself, Mr. BOOZMAN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR ARMS AT WATER RESOURCES DEVELOPMENT PROJECTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the Secretary of the Army from enforcing any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project, by the amounts provided in

such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 356.** Mr. MORAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROHIBITION OF FUNDING FOR AMMUNITION FOR THE DEPARTMENT OF HOMELAND SECURITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Department of Homeland Security ammunition procurement, which may include unobligated funds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 357.** Mr. BURR (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 4, line 6, decrease the amount by \$31,700,000,000.

On page 4, line 7, decrease the amount by \$48,300,000,000.

On page 46, line 11, decrease the amount by \$40,000,000,000.

On page 46, line 12, decrease the amount by \$40,000,000,000.

On page 46, line 15, decrease the amount by \$80,000,000,000.

On page 46, line 16, decrease the amount by \$80,000,000,000.

On page 46, line 19, decrease the amount by \$93,000,000,000.

On page 46, line 20, decrease the amount by \$93,000,000,000.

On page 46, line 23, decrease the amount by \$84,000,000,000.

On page 46, line 24, decrease the amount by \$84,000,000,000.

On page 47, line 2, decrease the amount by \$49,000,000,000.

On page 47, line 3, decrease the amount by \$49,000,000,000.

On page 47, line 6, decrease the amount by \$28,000,000,000.

On page 47, line 7, decrease the amount by \$28,000,000,000.

On page 47, line 10, decrease the amount by \$16,000,000,000.

On page 47, line 11, decrease the amount by \$16,000,000,000.

On page 47, line 14, decrease the amount by \$15,000,000,000.

On page 47, line 15, decrease the amount by \$15,000,000,000.

On page 47, line 18, decrease the amount by \$20,000,000,000.

On page 47, line 19, decrease the amount by \$20,000,000,000.

On page 47, line 22, decrease the amount by \$23,000,000,000.

On page 47, line 23, decrease the amount by \$23,000,000,000.

**SA 358.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 81, line 23, strike “\$50,000,000,000” and insert “\$66,000,000,000 (of which \$16,000,000,000 may only be for addressing the impacts on the Department of Defense incurred as a result of sequestration prior to a statute being enacted to replace sequestration)”.

**SA 359.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 20, line 19, reduce the amount by \$26,000,000.

On page 20, line 20, reduce the amount by \$10,000,000.

On page 20, line 23, reduce the amount by \$26,000,000.

On page 20, line 24, reduce the amount by \$22,000,000.

On page 21, line 2, reduce the amount by \$27,000,000.

On page 21, line 3, reduce the amount by \$26,000,000.

On page 21, line 6, reduce the amount by \$27,000,000.

On page 21, line 7, reduce the amount by \$27,000,000.

On page 21, line 10, reduce the amount by \$28,000,000.

On page 21, line 11, reduce the amount by \$27,000,000.

On page 21, line 14, reduce the amount by \$28,000,000.

On page 21, line 15, reduce the amount by \$28,000,000.

On page 21, line 18, reduce the amount by \$29,000,000.

On page 21, line 19, reduce the amount by \$28,000,000.

On page 21, line 22, reduce the amount by \$29,000,000.

On page 21, line 23, reduce the amount by \$29,000,000.

On page 22, line 2, reduce the amount by \$30,000,000.

On page 22, line 3, reduce the amount by \$29,000,000.

On page 22, line 6, reduce the amount by \$30,000,000.

On page 22, line 7, reduce the amount by \$30,000,000.

**SA 360.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO UPHOLD SECOND AMENDMENT RIGHTS AND PROHIBIT THE ESTABLISHMENT OF A NATIONAL FIREARM REGISTRY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to upholding Second Amendment rights, which shall include a prohibition on the establishment of a national firearm registry, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 361.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 24, line 11, increase the amount by \$1,000,000,000.

On page 24, line 12, increase the amount by \$1,000,000,000.

On page 46, line 11, decrease the amount by \$1,000,000,000.

On page 46, line 12, decrease the amount by \$1,000,000,000.

**SA 362.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 29, line 24, increase the amount by \$1,291,186,000.

On page 29, line 25, increase the amount by \$1,291,186,000.

On page 46, line 11, decrease the amount by \$1,291,186,000.

On page 46, line 12, decrease the amount by \$1,291,186,000.

**SA 363.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 17, line 3, increase the amount by \$2,279,000,000.

On page 17, line 4, increase the amount by \$2,279,000,000.

On page 46, line 11, decrease the amount by \$2,279,000,000.

On page 46, line 12, decrease the amount by \$2,279,000,000.

**SA 364.** Mr. KIRK (for himself, Mr. MANCHIN, and Mr. HELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT IRAN FROM ACCESSING THE TRANS-EUROPEAN AUTOMATED REALTIME GROSS SETTLEMENT EXPRESS TRANSFER SYSTEM AND ITS EURO-DENOMINATED FOREIGN EXCHANGE HOLDINGS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that are related to Iran, which may include efforts to prevent Iran from directly or indirectly accessing the Trans-European Automated Realtime Gross Settlement Express Transfer System (commonly known as "TARGET2") of the European Central Bank or to prevent the Government of Iran from accessing its euro-denominated foreign exchange holdings, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 365.** Ms. STABENOW (for herself and Mr. REED) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO BRING JOBS BACK TO AMERICA.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that include tax provisions encouraging United States enterprises to relocate operations from overseas to within the United States, or discouraging United States enterprises from relocating United States operations to other countries, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 366.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 60, line 7, insert "Federal and State" before "credentialing".

**SA 367.** Mr. RISCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST FUNDS FOR REGULATIONS THAT ARE NOT CONGRESSIONALLY AUTHORIZED.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provides funds for new Federal regulations and that does not prohibit such funds from being used to create any new regulation that has not been reviewed, modified, or specifically authorized by Congress in statute.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 368.** Mr. RISCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth

the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REPLACING THE MEDICAID PROGRAM AND THE CHILDREN'S HEALTH INSURANCE PROGRAM WITH A BLOCK GRANT TO THE STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to replacing the Medicaid program and the Children's Health Insurance program with a block grant to the States without raising new revenue by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 369.** Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO ACHIEVE DOMESTIC ENERGY INDEPENDENCE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports for legislation relating to the reform of the statutes governing domestic energy production, which may include but is not limited to increasing production to levels eliminating the need for energy imports from abroad, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 370.** Ms. MURKOWSKI (for herself, Mr. BLUNT, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 48, line 14, decrease the amount by \$375,000,000.

On page 48, line 15, decrease the amount by \$375,000,000.

On page 48, line 18, decrease the amount by \$900,000,000.

On page 48, line 19, decrease the amount by \$900,000,000.

On page 48, line 22, decrease the amount by \$510,000,000.

On page 48, line 23, decrease the amount by \$510,000,000.

On page 49, line 2, decrease the amount by \$235,000,000.

On page 49, line 3, decrease the amount by \$235,000,000.

On page 49, line 6, decrease the amount by \$510,000,000.

On page 49, line 7, decrease the amount by \$510,000,000.

On page 49, line 10, decrease the amount by \$455,000,000.

On page 49, line 11, decrease the amount by \$455,000,000.

On page 49, line 14, decrease the amount by \$5,000,000.

On page 49, line 15, decrease the amount by \$5,000,000.

On page 49, line 18, decrease the amount by \$105,000,000.

On page 49, line 19, decrease the amount by \$105,000,000.

**SA 371.** Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 48, line 14, decrease the amount by \$375,000,000.

On page 48, line 15, decrease the amount by \$375,000,000.

On page 48, line 18, decrease the amount by \$750,000,000.

On page 48, line 19, decrease the amount by \$750,000,000.

On page 48, line 22, decrease the amount by \$375,000,000.

On page 48, line 23, decrease the amount by \$375,000,000.

On page 49, line 6, decrease the amount by \$450,000,000.

On page 49, line 7, decrease the amount by \$450,000,000.

On page 49, line 10, decrease the amount by \$450,000,000.

On page 49, line 11, decrease the amount by \$450,000,000.

On page 49, line 18, decrease the amount by \$100,000,000.

On page 49, line 19, decrease the amount by \$100,000,000.

**SA 372.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

In paragraph (1) of section 307, strike "and the investment of receipts from domestic energy production".

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDED DOMESTIC ENERGY PRODUCTION AND ADVANCED ENERGY RESEARCH.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the expansion of the production of oil and natural gas on Federal land and waters and directing a share of the associated receipts to an advanced energy trust fund without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 373.** Mr. LEE (for himself, Mr. CRUZ, Mr. KIRK, Mr. MCCAIN, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, insert the following:

**SEC. 4 \_\_\_\_ . SENATE POINT OF ORDER AGAINST BUDGET PROVIDING OUTLAYS FOR INTEREST ON THE DEBT IN EXCESS OF OUTLAYS FOR NATIONAL DEFENSE.**

(a) IN GENERAL.—In the Senate, it shall not be in order to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that includes outlays for function 900 in any fiscal year that exceed outlays for function 050 in the same fiscal year.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SA 374.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PHASE OUT THE EXPORT-IMPORT BANK OF THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that phase out the authority of the Export-Import Bank of the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 375.** Mr. PAUL (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR THE RESTRICTION OF DRONES WITHIN THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to the use of drones in United States airspace, which may include a prohibition on the use of drones in domestic surveillance and a requirement that the government must obtain a warrant before using a drone in a surveillance capacity, except for border security or other exigent circumstances, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 376.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR CONGRESSIONAL APPROVAL OF MAJOR RULES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports

related to enforcement of major rules, which may include a requirement for congressional approval of a major rule before it can be implemented, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 377.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR AVIATION SECURITY REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports related to reform of aviation security, which may include the privatization of the Transportation Security Administration, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018, or the period of the total of fiscal years 2013 through 2023.

**SA 378.** Mr. PAUL (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO REDUCE ECONOMIC AND MILITARY ASSISTANCE TO THE GOVERNMENT OF EGYPT.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to assistance to the Government of Egypt, which may include requiring the President of Egypt to publicly declare, in English and Arabic, his intent to abide by the Camp David Accords, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 379.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO REDUCE FOREIGN AID TO THE GOVERNMENT OF PAKISTAN UNTIL IT GRANTS THE RELEASE OF DR. SHAKIL AFRIDI.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to assistance which may include barring funds to the Government of Pakistan unless the President certifies to Congress that Dr. Shakil Afridi has been released from prison in Pakistan, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 380.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO CLARIFY THE DEFINITION OF WATERS OF THE UNITED STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) which may clarify that "navigable waters" means waters of the United States, including the territorial seas that are navigable-in-fact or permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 381.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S.

[illegible]

On page 19, line 22, reduce the amount by \$1,000,000,000.

On page 19, line 23, reduce the amount by \$1,000,000,000.

On page 20, line 2, reduce the amount by \$1,000,000,000.

On page 20, line 3, reduce the amount by \$1,000,000,000.

On page 20, line 6, reduce the amount by \$1,000,000,000.

On page 20, line 7, reduce the amount by \$1,000,000,000.

On page 20, line 10, reduce the amount by \$1,000,000,000.

On page 20, line 11, reduce the amount by \$1,000,000,000.

On page 26, line 6, increase the amount by \$8,000,000,000.

On page 26, line 7, increase the amount by \$8,000,000,000.

On page 26, line 10, increase the amount by \$8,000,000,000.

On page 26, line 11, increase the amount by \$8,000,000,000.

On page 26, line 14, increase the amount by \$8,000,000,000.

On page 26, line 15, increase the amount by \$8,000,000,000.

On page 26, line 18, increase the amount by \$8,000,000,000.

On page 26, line 19, increase the amount by \$8,000,000,000.

On page 26, line 22, increase the amount by \$8,000,000,000.

On page 26, line 23, increase the amount by \$8,000,000,000.

On page 27, line 2, increase the amount by \$8,000,000,000.

On page 27, line 3, increase the amount by \$8,000,000,000.

On page 27, line 6, increase the amount by \$8,000,000,000.

On page 27, line 7, increase the amount by \$8,000,000,000.

On page 27, line 10, increase the amount by \$8,000,000,000.

On page 27, line 11, increase the amount by \$8,000,000,000.

On page 27, line 14, increase the amount by \$8,000,000,000.

On page 27, line 15, increase the amount by \$8,000,000,000.

On page 27, line 18, increase the amount by \$8,000,000,000.

On page 27, line 19, increase the amount by \$8,000,000,000.

**SA 383.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ALLOW DISCIPLINARY MEASURES AGAINST DEPARTMENT OF STATE EMPLOYEES WHOSE ACTIONS RESULT IN LOSS OF LIFE, SERIOUS INJURY, OR SIGNIFICANT DESTRUCTION OF PROPERTY AT OR RELATED TO A UNITED STATES MISSION OVERSEAS.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one

or more bills, joint resolutions, amendments, motions, or conference reports that would allow the Department of State to take disciplinary measures, up to and including termination, against senior officials found to provide unsatisfactory leadership with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a United States mission overseas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 384.** Mr. BROWN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT THE FEDERAL GOVERNMENT BUYS AMERICAN.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to procurement contracts, which may include ensuring that the Federal Government prioritize United States companies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 385.** Mr. TESTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, strike lines 9 and 10 and insert the following:

(8) wildland fire management activities;

(9) Indian water settlements; or

(10) the restructure of the nuclear waste pro-

**SA 386.** Mr. UDALL of New Mexico (for himself, Mr. FRANKEN, Mr. HEINRICH, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which

was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:  
**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRIBAL HIGHER EDUCATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to tribal higher education, which may include establishing a deficit-neutral reserve fund for tribal higher education programs in the Department of the Interior for tribal scholarships, operating expenses, and other necessary purposes, as determined by the Secretary of the Interior, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 387.** Mrs. HAGAN (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT EXPORT PROMOTION FOR SMALL BUSINESSES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to supporting export promotion for small businesses, which may include educational programs, marketing services, or participation in foreign trade missions, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 388.** Mr. BOOZMAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING OVERSIGHT AND ENSURING TRANSPARENCY IN THE OPERATION OF FEDERAL AGENCIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this



resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to strengthening and reforming Federal offices of Inspectors General, reducing vacancies in offices of Inspectors General, and providing for improvements in the overall economy, efficiency, and effectiveness of Inspectors General without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 389.** Mr. BOOZMAN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE DISPROPORTIONATE REGULATORY BURDENS ON COMMUNITY BANKS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to alleviating disproportionate regulatory burdens on community banks, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 390.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 59, between lines 19 and 20, insert the following:

(3) the continuation of the limitation on increases in costs of enrollment fees, premiums, and pharmacy copayments for health care for uniformed services beneficiaries by a percentage greater than the percentage increase in uniformed services retired pay;

On page 59, line 20, strike “(3)” and insert “(4)”.

On page 59, line 23, strike “(4)” and insert “(5)”.

On page 60, line 1, strike “(5)” and insert “(6)”.

**SA 391.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget

for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. SENSE OF THE SENATE REGARDING PREVENTING TERRORISTS FROM PURCHASING GUNS.**

(a) FINDING.—The Senate finds that terrorist groups such as Al Qaeda continue to be a threat to Americans in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that law enforcement should be able to prevent known and suspected terrorists from purchasing firearms in the United States.

**SA 392.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. SENSE OF THE SENATE REGARDING DOMESTIC VIOLENCE AND FIREARM POSSESSION.**

It is the sense of the Senate that victims of domestic violence are at risk for further harm when convicted domestic abusers who are prohibited by law from possessing firearms continue to possess such weapons.

**SA 393.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. SENSE OF THE SENATE REGARDING BACKGROUND CHECKS AT GUN SHOWS.**

It is the sense of the Senate that background checks should be conducted on all firearms sales at gun shows.

**SA 394.** Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page, 62, line 12, insert “focus on chronic illness,” after “efficiency.”

**SA 395.** Mr. INHOFE submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT VULNERABLE FAMILIES FROM UNNECESSARY INCREASES IN FUEL COSTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that clarify existing laws requiring that any new or amended rule or regulation increasing the cost of gasoline or diesel fuel be approved by each State governor prior to being enacted, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 396.** Mr. LEVIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations, provided that such legislation would reduce the deficit over the period of the total of fiscal years 2013 through 2018 and the period of the total of fiscal years 2013 through 2023.

**SA 397.** Mr. ROCKEFELLER (for himself, Mr. BROWN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:



**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT PENSION AND HEALTH CARE BENEFITS FOR RETIRED UMW WORKERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that protect the pension and health care benefits of past and present members of the United Mine Workers of America, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 398.** Mr. MERKLEY (for himself, Mr. FRANKEN, and Mr. COONS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 18, line 23, increase the amount by \$50,000,000.

On page 18, line 24, increase the amount by \$3,000,000.

On page 19, line 3, increase the amount by \$5,000,000.

On page 19, line 7, increase the amount by \$10,000,000.

On page 19, line 11, increase the amount by \$18,000,000.

On page 19, line 15, increase the amount by \$13,000,000.

On page 19, line 19, increase the amount by \$2,000,000.

On page 19, line 23, increase the amount by \$1,000,000.

On page 46, line 11, decrease the amount by \$50,000,000.

On page 46, line 12, decrease the amount by \$3,000,000.

On page 46, line 16, decrease the amount by \$5,000,000.

On page 46, line 20, decrease the amount by \$10,000,000.

On page 46, line 24, decrease the amount by \$18,000,000.

On page 47, line 3, decrease the amount by \$13,000,000.

On page 47, line 7, decrease the amount by \$2,000,000.

On page 47, line 11, decrease the amount by \$1,000,000.

**SA 399.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 49, strike lines 20 through line 2 on page 50

The levels in this resolution are amended by—Reducing total revenues by the following amounts

On page 4, line 6, reduce the amount by \$300,000,000.

On page 4, line 7, reduce the amount by \$1,400,000,000.

On page 4, line 8, reduce the amount by \$1,400,000,000.

On page 4, line 9, reduce the amount by \$2,000,000,000.

On page 4, line 10, reduce the amount by \$3,400,000,000.

On page 4, line 11, reduce the amount by \$3,700,000,000.

On page 4, line 12, reduce the amount by \$4,100,000,000.

On page 4, line 13, reduce the amount by \$4,400,000,000.

On page 4, line 14, reduce the amount by \$4,800,000,000.

On page 4, line 15, reduce the amount by \$5,100,000,000.

And reducing the amounts by which federal revenues should be changed by the following amounts

On page 4, line 20, reduce the amount by \$300,000,000.

On page 4, line 21, reduce the amount by \$1,400,000,000.

On page 4, line 22, reduce the amount by \$1,400,000,000.

On page 4, line 23, reduce the amount by \$2,000,000,000.

On page 4, line 24, reduce the amount by \$3,400,000,000.

On page 4, line 25, reduce the amount by \$3,700,000,000.

On page 5, line 1, reduce the amount by \$4,100,000,000.

On page 5, line 2, reduce the amount by \$4,400,000,000.

On page 5, line 3, reduce the amount by \$4,800,000,000.

On page 5, line 4, reduce the amount by \$5,100,000,000.

**SA 400.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE A PHOTOGRAPHIC ID FOR VOTING IN FEDERAL ELECTIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would create a system for requiring a valid government-issued photographs ID for voting in federal elections without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 401.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional

budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative Federal financial literacy programs,” after “property,”.

**SA 402.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, after “property,” insert “or the reduction of duplicative Federal housing assistance programs”.

**SA 403.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, after “property,” insert “or the reduction of duplicative Federal grant programs within the Department of Justice,”.

**SA 404.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative Federal unmanned aircraft programs,” after “property,”.

**SA 405.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative Federal science, technology, engineering, and mathematics programs” after “property,”.

**SA 406.** Mr. COBURN (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 5, insert “or prohibit millionaires from receiving unemployment compensation benefits,” after “program,”.

**SA 407.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING SOCIAL SECURITY FOR MILLIONAIRES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to reforming Social Security, which may include reducing Social Security benefits received by those earning over a \$1,000,000 dollars annually, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 408.** Mr. COBURN (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND RELATING TO PREVENTING THE FEDERAL GOVERNMENT FROM PROVIDING ENHANCED FUNDING FOR ANY STATE'S EXPANSION OF THE MEDICAID PROGRAM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to reducing the federal medical assistance percentages in Medicaid, provided that such legislation would reduce the deficit over either the period of the total of fis-

cal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

**SA 409.** Mr. COBURN (for himself, Mrs. McCASKILL, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE STATE-WIDE BUDGET NEUTRALITY IN THE CALCULATION OF THE MEDICARE HOSPITAL WAGE INDEX FLOOR.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare outlays, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 410.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO HSA-ELIGIBLE HIGH DEDUCTIBLE HEALTH PLANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to health savings account-eligible high deductible health plans provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 411.** Mr. COBURN (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for

fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO FURLOUGH FEDERAL EMPLOYEES WITH SERIOUSLY DELINQUENT TAX LIABILITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Federal employees, which may include measures addressing Federal employees with seriously delinquent tax liability, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 412.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND FOR POSTAL REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the United States Postal Service, which may include measures addressing the nonprofit postal discount for State and national political committees and use such savings to reduce the deficit. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**SA 413.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND TO REFORM THE LIFELINE PROGRAM OF THE FEDERAL COMMUNICATIONS COMMISSION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to reforming the Lifeline program of the Federal Communications Commission, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**SA 414.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND CLOSING TAX EXPENDITURES FOR THE PGA TOUR, THE NFL, NASCAR, HOLLYWOOD, FISH TACKLE BOX MANUFACTURERS, AND WHALING CAPTAINS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to closing certain tax expenditures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 415.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, after "initiatives," insert "or eliminating and defunding any congressional committee that does not conduct oversight of the programs within its jurisdiction,".

**SA 416.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR THE PREVENTION OF NON-DEFENSE RELATED SPENDING BY THE DEPARTMENT OF DEFENSE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports related to the Department of Defense, which may include measures eliminating non-defense related programs at the Department, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 417.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND RELATING TO REDUCE THE BURDEN ON TAXPAYER BY ELIMINATING SUBSIDIES TO WEALTHY AMERICANS FOR THEIR HEALTH INSURANCE.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to health insurance subsidies, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

**SA 418.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . DEFICIT-REDUCTION RESERVE FUND RELATING TO ACHIEVING AT LEAST \$630 IN HEALTH CARE SAVINGS, THE SAME LEVEL OF HEALTH CARE SAVINGS PROPOSED BY THE PRESIDENT'S BIPARTISAN FISCAL COMMISSION.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to achieving savings in health care, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

**SA 419.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING THE FDA FROM APPROVING PRESCRIPTION OPIOIDS THAT ARE SUBJECT TO ABUSE WITHOUT REQUIRING ABUSE-DETERRENT FORMULATIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to certain drug formulation requirements, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 420.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert the following: "or reduce overlapping payments made by certain programs," after "property,".

**SA 421.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 53, line 11, after “families,” insert “or to reform the list of allowed purchases under the supplemental nutrition assistance program.”.

**SA 422.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, after “payments,” insert “or establishing an online database of all unclassified reports submitted to Congress.”.

**SA 423.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, after “payments,” insert “or prohibiting recipients of Federal grants from selling such grants.”.

**SA 424.** Mr. BAUCUS (for himself, Mr. UDALL of New Mexico, Mrs. McCASKILL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 64, line 23, after “programs” insert “(which may include livestock and specialty crop disaster assistance programs)”.

**SA 425.** Mr. MERKLEY (for himself, Mr. FRANKEN, Mr. Kaine, Mr. CASEY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, OR CAREER AND TECHNICAL EDUCATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding, enhancing, or otherwise improving science, technology, engineering, mathematics, or career and technical education, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 426.** Mr. CARDIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR ESTABLISHMENT OF ROBUST AND UNIFORM ACCOUNTABILITY GUIDELINES FOR UNITED STATES FOREIGN ASSISTANCE PROGRAMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the establishment of robust and uniform accountability guidelines for all United States foreign assistance programs, and to ensure full transparency of all United States foreign assistance programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 427.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 42, line 19, increase the amount by \$1,000,000.

On page 42, line 20, increase the amount by \$1,000,000.

On page 46, line 11, decrease the amount by \$1,000,000.

On page 46, line 12, decrease the amount by \$1,000,000.

**SA 428.** Mr. CARDIN (for himself and Mrs. BOXER) submitted an amendment

intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING DRINKING WATER AND PROVIDING CLEAN WATER FOR COMMUNITIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to efforts to address water quality, protect drinking water supplies and wildlife habitat, reduce the risk of flooding, and provide clarity and transparency concerning those efforts, including to landowners, businesses, and others, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 429.** Mr. UDALL of New Mexico (for himself, Mr. BAUCUS, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Ms. CANTWELL, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING SCHOOL PROGRAMS FOR CHILDREN LIVING ON FEDERAL PROPERTY AND INDIAN LAND.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to general education, which may include fully funding the impact aid program under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) and supporting school programs for children living on Federal property and Indian land, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 430.** Mr. LEVIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the

congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. DEFICIT-REDUCTION RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations, provided that such legislation would reduce the deficit over the period of the total of fiscal years 2013 through 2018 and the period of the total of fiscal years 2013 through 2023.

**SA 431.** Ms. MIKULSKI submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND FOR EQUAL PAY FOR EQUAL WORK.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to efforts to ensure equal pay policies and practices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 432.** Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND PROHIBITING MEDICARE VOUCHERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to access for Medicare beneficiaries, which may include legislation that

provides beneficiary protections from voucher payments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 433.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 2, beginning on line 1, strike “1” and all that follows through page 93, line 9, and insert the following:

**1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.**

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2014 and sets forth appropriate budgetary levels for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

**TITLE II—RECONCILIATION**

Sec. 201. Reconciliation in the House of Representatives.

**TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050**

Sec. 301. Long-term budgeting.

**TITLE IV—RESERVE FUNDS**

Sec. 401. Reserve fund for the repeal of the 2010 health care laws.  
Sec. 402. Deficit-neutral reserve fund for the reform of the 2010 health care laws.  
Sec. 403. Deficit-neutral reserve fund related to the Medicare provisions of the 2010 health care laws.  
Sec. 404. Deficit-neutral reserve fund for the sustainable growth rate of the Medicare program.  
Sec. 405. Deficit-neutral reserve fund for reforming the tax code.  
Sec. 406. Deficit-neutral reserve fund for trade agreements.  
Sec. 407. Deficit-neutral reserve fund for revenue measures.  
Sec. 408. Deficit-neutral reserve fund for rural counties and schools.  
Sec. 409. Implementation of a deficit and long-term debt reduction agreement.

**TITLE V—ESTIMATES OF DIRECT SPENDING**

Sec. 501. Direct spending.

**TITLE VI—BUDGET ENFORCEMENT**

Sec. 601. Limitation on advance appropriations.  
Sec. 602. Concepts and definitions.  
Sec. 603. Adjustments of aggregates, allocations, and appropriate budgetary levels.  
Sec. 604. Limitation on long-term spending.  
Sec. 605. Budgetary treatment of certain transactions.

Sec. 606. Application and effect of changes in allocations and aggregates.

Sec. 607. Congressional Budget Office estimates.

Sec. 608. Transfers from the general fund of the treasury to the highway trust fund that increase public indebtedness.

Sec. 609. Separate allocation for overseas contingency operations/global war on terrorism.

Sec. 610. Exercise of rulemaking powers.

**TITLE VII—POLICY STATEMENTS**

Sec. 701. Policy statement on economic growth and job creation.

Sec. 702. Policy statement on tax reform.

Sec. 703. Policy statement on Medicare.

Sec. 704. Policy statement on Social Security.

Sec. 705. Policy statement on higher education affordability.

Sec. 706. Policy statement on deficit reduction through the cancellation of unobligated balances.

Sec. 707. Policy statement on responsible stewardship of taxpayer dollars.

Sec. 708. Policy statement on deficit reduction through the reduction of unnecessary and wasteful spending.

Sec. 709. Policy statement on unauthorized spending.

**TITLE VIII—SENSE OF THE HOUSE PROVISIONS**

Sec. 801. Sense of the House on the importance of child support enforcement.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this concurrent resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$2,270,932,000,000.  
Fiscal year 2015: \$2,606,592,000,000.  
Fiscal year 2016: \$2,778,891,000,000.  
Fiscal year 2017: \$2,903,673,000,000.  
Fiscal year 2018: \$3,028,951,000,000.  
Fiscal year 2019: \$3,149,236,000,000.  
Fiscal year 2020: \$3,284,610,000,000.  
Fiscal year 2021: \$3,457,009,000,000.  
Fiscal year 2022: \$3,650,699,000,000.  
Fiscal year 2023: \$3,832,145,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$0.  
Fiscal year 2015: \$0.  
Fiscal year 2016: \$0.  
Fiscal year 2017: \$0.  
Fiscal year 2018: \$0.  
Fiscal year 2019: \$0.  
Fiscal year 2020: \$0.  
Fiscal year 2021: \$0.  
Fiscal year 2022: \$0.  
Fiscal year 2023: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,769,406,000,000.  
Fiscal year 2015: \$2,681,581,000,000.  
Fiscal year 2016: \$2,857,258,000,000.  
Fiscal year 2017: \$2,988,083,000,000.  
Fiscal year 2018: \$3,104,777,000,000.  
Fiscal year 2019: \$3,281,142,000,000.  
Fiscal year 2020: \$3,414,838,000,000.

Fiscal year 2021: \$3,540,165,000,000.  
 Fiscal year 2022: \$3,681,407,000,000.  
 Fiscal year 2023: \$3,768,151,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,815,079,000,000.  
 Fiscal year 2015: \$2,736,849,000,000.  
 Fiscal year 2016: \$2,850,434,000,000.  
 Fiscal year 2017: \$2,958,619,000,000.  
 Fiscal year 2018: \$3,079,296,000,000.  
 Fiscal year 2019: \$3,231,642,000,000.  
 Fiscal year 2020: \$3,374,336,000,000.  
 Fiscal year 2021: \$3,495,489,000,000.  
 Fiscal year 2022: \$3,667,532,000,000.  
 Fiscal year 2023: \$3,722,071,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this concurrent resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2014: –\$544,147,000,000.  
 Fiscal year 2015: –\$130,257,000,000.  
 Fiscal year 2016: –\$71,544,000,000.  
 Fiscal year 2017: –\$54,947,000,000.  
 Fiscal year 2018: –\$50,345,000,000.  
 Fiscal year 2019: –\$82,405,000,000.  
 Fiscal year 2020: –\$89,726,000,000.  
 Fiscal year 2021: –\$38,480,000,000.  
 Fiscal year 2022: –\$16,833,000,000.  
 Fiscal year 2023: \$110,073,000,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2014: \$17,776,278,000,000.  
 Fiscal year 2015: \$18,086,450,000,000.  
 Fiscal year 2016: \$18,343,824,000,000.  
 Fiscal year 2017: \$18,635,129,000,000.  
 Fiscal year 2018: \$18,938,669,000,000.  
 Fiscal year 2019: \$19,267,212,000,000.  
 Fiscal year 2020: \$19,608,732,000,000.  
 Fiscal year 2021: \$19,900,718,000,000.  
 Fiscal year 2022: \$20,162,755,000,000.  
 Fiscal year 2023: \$20,319,503,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$12,849,621,000,000.  
 Fiscal year 2015: \$13,069,788,000,000.  
 Fiscal year 2016: \$13,225,569,000,000.  
 Fiscal year 2017: \$13,362,146,000,000.  
 Fiscal year 2018: \$13,485,102,000,000.  
 Fiscal year 2019: \$13,648,470,000,000.  
 Fiscal year 2020: \$13,836,545,000,000.  
 Fiscal year 2021: \$13,992,649,000,000.  
 Fiscal year 2022: \$14,154,363,000,000.  
 Fiscal year 2023: \$14,210,984,000,000.

#### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2014 through 2023 for each major functional category are:

##### (1) National Defense (050):

Fiscal year 2014:  
 (A) New budget authority, \$560,225,000,000.  
 (B) Outlays, \$579,235,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$574,359,000,000.  
 (B) Outlays, \$563,976,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$585,556,000,000.  
 (B) Outlays, \$570,288,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$598,822,000,000.  
 (B) Outlays, \$575,457,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$612,125,000,000.  
 (B) Outlays, \$582,678,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$625,445,000,000.  
 (B) Outlays, \$600,508,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$639,780,000,000.  
 (B) Outlays, \$614,250,000,000.

Fiscal year 2021:

(A) New budget authority, \$654,096,000,000.  
 (B) Outlays, \$628,265,000,000.

Fiscal year 2022:

(A) New budget authority, \$671,181,000,000.  
 (B) Outlays, \$649,221,000,000.

Fiscal year 2023:

(A) New budget authority, \$688,640,000,000.  
 (B) Outlays, \$660,461,000,000.

##### (2) International Affairs (150):

Fiscal year 2014:

(A) New budget authority, \$41,010,000,000.  
 (B) Outlays, \$42,005,000,000.

Fiscal year 2015:

(A) New budget authority, \$39,357,000,000.  
 (B) Outlays, \$40,876,000,000.

Fiscal year 2016:

(A) New budget authority, \$40,355,000,000.  
 (B) Outlays, \$40,019,000,000.

Fiscal year 2017:

(A) New budget authority, \$41,343,000,000.  
 (B) Outlays, \$39,821,000,000.

Fiscal year 2018:

(A) New budget authority, \$42,342,000,000.  
 (B) Outlays, \$39,922,000,000.

Fiscal year 2019:

(A) New budget authority, \$43,349,000,000.  
 (B) Outlays, \$40,248,000,000.

Fiscal year 2020:

(A) New budget authority, \$44,366,000,000.  
 (B) Outlays, \$41,070,000,000.

Fiscal year 2021:

(A) New budget authority, \$44,898,000,000.  
 (B) Outlays, \$41,970,000,000.

Fiscal year 2022:

(A) New budget authority, \$46,240,000,000.  
 (B) Outlays, \$43,208,000,000.

Fiscal year 2023:

(A) New budget authority, \$47,304,000,000.  
 (B) Outlays, \$44,030,000,000.

##### (3) General Science, Space, and Technology (250):

Fiscal year 2014:

(A) New budget authority, \$27,733,000,000.  
 (B) Outlays, \$27,811,000,000.

Fiscal year 2015:

(A) New budget authority, \$28,318,000,000.  
 (B) Outlays, \$28,193,000,000.

Fiscal year 2016:

(A) New budget authority, \$28,994,000,000.  
 (B) Outlays, \$28,641,000,000.

Fiscal year 2017:

(A) New budget authority, \$29,677,000,000.  
 (B) Outlays, \$29,251,000,000.

Fiscal year 2018:

(A) New budget authority, \$30,386,000,000.  
 (B) Outlays, \$29,932,000,000.

Fiscal year 2019:

(A) New budget authority, \$31,088,000,000.  
 (B) Outlays, \$30,574,000,000.

Fiscal year 2020:

(A) New budget authority, \$31,798,000,000.  
 (B) Outlays, \$31,275,000,000.

Fiscal year 2021:

(A) New budget authority, \$32,506,000,000.  
 (B) Outlays, \$31,886,000,000.

Fiscal year 2022:

(A) New budget authority, \$33,244,000,000.  
 (B) Outlays, \$32,609,000,000.

Fiscal year 2023:

(A) New budget authority, \$33,991,000,000.  
 (B) Outlays, \$33,344,000,000.

##### (4) Energy (270):

Fiscal year 2014:

(A) New budget authority, –\$1,218,000,000.  
 (B) Outlays, \$1,366,000,000.

Fiscal year 2015:

(A) New budget authority, \$1,527,000,000.  
 (B) Outlays, \$2,024,000,000.

Fiscal year 2016:

(A) New budget authority, \$1,433,000,000.  
 (B) Outlays, \$984,000,000.

Fiscal year 2017:

(A) New budget authority, \$1,570,000,000.

(B) Outlays, \$1,091,000,000.

Fiscal year 2018:

(A) New budget authority, \$1,764,000,000.  
 (B) Outlays, \$1,331,000,000.

Fiscal year 2019:

(A) New budget authority, \$1,932,000,000.  
 (B) Outlays, \$1,612,000,000.

Fiscal year 2020:

(A) New budget authority, \$2,121,000,000.  
 (B) Outlays, \$1,864,000,000.

Fiscal year 2021:

(A) New budget authority, \$2,200,000,000.  
 (B) Outlays, \$2,039,000,000.

Fiscal year 2022:

(A) New budget authority, \$2,105,000,000.  
 (B) Outlays, \$1,989,000,000.

Fiscal year 2023:

(A) New budget authority, –\$12,000,000.  
 (B) Outlays, –\$147,000,000.

##### (5) Natural Resources and Environment (300):

Fiscal year 2014:

(A) New budget authority, \$38,146,000,000.  
 (B) Outlays, \$41,002,000,000.

Fiscal year 2015:

(A) New budget authority, \$37,457,000,000.  
 (B) Outlays, \$40,169,000,000.

Fiscal year 2016:

(A) New budget authority, \$36,445,000,000.  
 (B) Outlays, \$39,860,000,000.

Fiscal year 2017:

(A) New budget authority, \$37,295,000,000.  
 (B) Outlays, \$39,612,000,000.

Fiscal year 2018:

(A) New budget authority, \$38,120,000,000.  
 (B) Outlays, \$39,378,000,000.

Fiscal year 2019:

(A) New budget authority, \$38,552,000,000.  
 (B) Outlays, \$39,655,000,000.

Fiscal year 2020:

(A) New budget authority, \$39,530,000,000.  
 (B) Outlays, \$40,167,000,000.

Fiscal year 2021:

(A) New budget authority, \$39,730,000,000.  
 (B) Outlays, \$40,332,000,000.

Fiscal year 2022:

(A) New budget authority, \$40,124,000,000.  
 (B) Outlays, \$40,330,000,000.

Fiscal year 2023:

(A) New budget authority, \$39,792,000,000.  
 (B) Outlays, \$39,382,000,000.

##### (6) Agriculture (350):

Fiscal year 2014:

(A) New budget authority, \$21,731,000,000.  
 (B) Outlays, \$20,377,000,000.

Fiscal year 2015:

(A) New budget authority, \$16,737,000,000.  
 (B) Outlays, \$16,452,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,254,000,000.  
 (B) Outlays, \$20,827,000,000.

Fiscal year 2017:

(A) New budget authority, \$19,344,000,000.  
 (B) Outlays, \$18,856,000,000.

Fiscal year 2018:

(A) New budget authority, \$18,776,000,000.  
 (B) Outlays, \$18,238,000,000.

Fiscal year 2019:

(A) New budget authority, \$19,087,000,000.  
 (B) Outlays, \$18,461,000,000.

Fiscal year 2020:

(A) New budget authority, \$19,380,000,000.  
 (B) Outlays, \$18,864,000,000.

Fiscal year 2021:

(A) New budget authority, \$19,856,000,000.  
 (B) Outlays, \$19,365,000,000.

Fiscal year 2022:

(A) New budget authority, \$19,736,000,000.  
 (B) Outlays, \$19,244,000,000.

Fiscal year 2023:

(A) New budget authority, \$20,335,000,000.  
 (B) Outlays, \$19,859,000,000.

##### (7) Commerce and Housing Credit (370):

Fiscal year 2014:

(A) New budget authority, \$2,548,000,000.  
 (B) Outlays, —\$9,000,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, —\$7,818,000,000.  
 (B) Outlays, —\$19,413,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, —\$7,398,000,000.  
 (B) Outlays, —\$21,697,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, —\$6,328,000,000.  
 (B) Outlays, —\$22,908,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, —\$2,946,000,000.  
 (B) Outlays, —\$20,314,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, —\$866,000,000.  
 (B) Outlays, —\$23,410,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, —\$579,000,000.  
 (B) Outlays, —\$22,954,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, —\$295,000,000.  
 (B) Outlays, —\$17,517,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, —\$1,076,000,000.  
 (B) Outlays, —\$19,406,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, —\$1,200,000,000.  
 (B) Outlays, —\$20,654,000,000.  
 (8) Transportation (400):  
 Fiscal year 2014:  
 (A) New budget authority, \$87,056,000,000.  
 (B) Outlays, \$93,142,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$40,030,000,000.  
 (B) Outlays, \$82,089,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$81,453,000,000.  
 (B) Outlays, \$74,235,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$91,498,000,000.  
 (B) Outlays, \$85,791,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$68,776,000,000.  
 (B) Outlays, \$84,548,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$92,602,000,000.  
 (B) Outlays, \$82,681,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$72,693,000,000.  
 (B) Outlays, \$84,625,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$92,988,000,000.  
 (B) Outlays, \$85,244,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$74,694,000,000.  
 (B) Outlays, \$85,945,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$99,499,000,000.  
 (B) Outlays, \$86,906,000,000.  
 (9) Community and Regional Development (450):  
 Fiscal year 2014:  
 (A) New budget authority, \$8,533,000,000.  
 (B) Outlays, \$27,669,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$8,401,000,000.  
 (B) Outlays, \$22,978,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$8,341,000,000.  
 (B) Outlays, \$16,911,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$8,442,000,000.  
 (B) Outlays, \$13,910,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$8,556,000,000.  
 (B) Outlays, \$10,925,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$8,766,000,000.  
 (B) Outlays, \$9,787,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$8,962,000,000.  
 (B) Outlays, \$9,418,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$9,172,000,000.  
 (B) Outlays, \$9,283,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$9,424,000,000.  
 (B) Outlays, \$9,209,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$9,641,000,000.  
 (B) Outlays, \$9,271,000,000.  
 (10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2014:  
 (A) New budget authority, \$56,440,000,000.  
 (B) Outlays, \$77,310,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$73,848,000,000.  
 (B) Outlays, \$77,042,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$85,577,000,000.  
 (B) Outlays, \$84,250,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$95,462,000,000.  
 (B) Outlays, \$93,615,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$100,910,000,000.  
 (B) Outlays, \$99,755,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$95,734,000,000.  
 (B) Outlays, \$95,741,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$97,329,000,000.  
 (B) Outlays, \$97,270,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$98,900,000,000.  
 (B) Outlays, \$98,917,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$99,965,000,000.  
 (B) Outlays, \$100,219,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$101,606,000,000.  
 (B) Outlays, \$101,780,000,000.  
 (11) Health (550):  
 Fiscal year 2014:  
 (A) New budget authority, \$363,762,000,000.  
 (B) Outlays, \$378,695,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$358,156,000,000.  
 (B) Outlays, \$353,470,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$359,280,000,000.  
 (B) Outlays, \$362,833,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$375,308,000,000.  
 (B) Outlays, \$375,956,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$387,073,000,000.  
 (B) Outlays, \$386,264,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$393,079,000,000.  
 (B) Outlays, \$392,141,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$422,229,000,000.  
 (B) Outlays, \$410,876,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$420,834,000,000.  
 (B) Outlays, \$419,365,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$441,207,000,000.  
 (B) Outlays, \$439,353,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$456,935,000,000.  
 (B) Outlays, \$455,134,000,000.  
 (12) Medicare (570):  
 Fiscal year 2014:  
 (A) New budget authority, \$515,944,000,000.  
 (B) Outlays, \$515,713,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$534,494,000,000.  
 (B) Outlays, \$534,400,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$581,788,000,000.  
 (B) Outlays, \$581,834,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$597,570,000,000.  
 (B) Outlays, \$597,637,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$621,384,000,000.  
 (B) Outlays, \$621,480,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$679,457,000,000.  
 (B) Outlays, \$679,661,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$723,313,000,000.  
 (B) Outlays, \$723,481,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$770,764,000,000.  
 (B) Outlays, \$771,261,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$845,828,000,000.  
 (B) Outlays, \$843,504,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$875,417,000,000.  
 (B) Outlays, \$874,988,000,000.  
 (13) Income Security (600):  
 Fiscal year 2014:  
 (A) New budget authority, \$509,418,000,000.  
 (B) Outlays, \$508,082,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$480,285,000,000.  
 (B) Outlays, \$476,897,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$487,623,000,000.  
 (B) Outlays, \$487,046,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$484,222,000,000.  
 (B) Outlays, \$479,516,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$484,653,000,000.  
 (B) Outlays, \$475,612,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$495,065,000,000.  
 (B) Outlays, \$490,660,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$501,101,000,000.  
 (B) Outlays, \$496,983,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$505,927,000,000.  
 (B) Outlays, \$501,832,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$515,637,000,000.  
 (B) Outlays, \$516,362,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$510,654,000,000.  
 (B) Outlays, \$506,354,000,000.  
 (14) Social Security (650):  
 Fiscal year 2014:  
 (A) New budget authority, \$27,506,000,000.  
 (B) Outlays, \$27,616,000,000.  
 Fiscal year 2015:  
 (A) New budget authority, \$30,233,000,000.  
 (B) Outlays, \$30,308,000,000.  
 Fiscal year 2016:  
 (A) New budget authority, \$33,369,000,000.  
 (B) Outlays, \$33,407,000,000.  
 Fiscal year 2017:  
 (A) New budget authority, \$36,691,000,000.  
 (B) Outlays, \$36,691,000,000.  
 Fiscal year 2018:  
 (A) New budget authority, \$40,005,000,000.  
 (B) Outlays, \$40,005,000,000.  
 Fiscal year 2019:  
 (A) New budget authority, \$43,421,000,000.  
 (B) Outlays, \$43,421,000,000.  
 Fiscal year 2020:  
 (A) New budget authority, \$46,954,000,000.  
 (B) Outlays, \$46,954,000,000.  
 Fiscal year 2021:  
 (A) New budget authority, \$50,474,000,000.  
 (B) Outlays, \$50,474,000,000.  
 Fiscal year 2022:  
 (A) New budget authority, \$54,235,000,000.  
 (B) Outlays, \$54,235,000,000.  
 Fiscal year 2023:  
 (A) New budget authority, \$58,441,000,000.  
 (B) Outlays, \$58,441,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2014:  
 (A) New budget authority, \$145,730,000,000.  
 (B) Outlays, \$145,440,000,000.



## Fiscal year 2015:

(A) New budget authority, \$149,792,000,000.  
(B) Outlays, \$149,313,000,000.

## Fiscal year 2016:

(A) New budget authority, \$162,051,000,000.  
(B) Outlays, \$161,441,000,000.

## Fiscal year 2017:

(A) New budget authority, \$160,947,000,000.  
(B) Outlays, \$160,117,000,000.

## Fiscal year 2018:

(A) New budget authority, \$159,423,000,000.  
(B) Outlays, \$158,565,000,000.

## Fiscal year 2019:

(A) New budget authority, \$171,032,000,000.  
(B) Outlays, \$170,144,000,000.

## Fiscal year 2020:

(A) New budget authority, \$175,674,000,000.  
(B) Outlays, \$174,791,000,000.

## Fiscal year 2021:

(A) New budget authority, \$179,585,000,000.  
(B) Outlays, \$178,655,000,000.

## Fiscal year 2022:

(A) New budget authority, \$191,294,000,000.  
(B) Outlays, \$190,344,000,000.

## Fiscal year 2023:

(A) New budget authority, \$187,945,000,000.  
(B) Outlays, \$186,882,000,000.

## (16) Administration of Justice (750):

## Fiscal year 2014:

(A) New budget authority, \$51,933,000,000.  
(B) Outlays, \$53,376,000,000.

## Fiscal year 2015:

(A) New budget authority, \$53,116,000,000.  
(B) Outlays, \$52,918,000,000.

## Fiscal year 2016:

(A) New budget authority, \$56,644,000,000.  
(B) Outlays, \$55,745,000,000.

## Fiscal year 2017:

(A) New budget authority, \$56,712,000,000.  
(B) Outlays, \$57,949,000,000.

## Fiscal year 2018:

(A) New budget authority, \$58,586,000,000.  
(B) Outlays, \$59,859,000,000.

## Fiscal year 2019:

(A) New budget authority, \$60,495,000,000.  
(B) Outlays, \$60,666,000,000.

## Fiscal year 2020:

(A) New budget authority, \$62,400,000,000.  
(B) Outlays, \$61,878,000,000.

## Fiscal year 2021:

(A) New budget authority, \$64,507,000,000.  
(B) Outlays, \$63,950,000,000.

## Fiscal year 2022:

(A) New budget authority, \$70,150,000,000.  
(B) Outlays, \$69,561,000,000.

## Fiscal year 2023:

(A) New budget authority, \$72,809,000,000.  
(B) Outlays, \$72,195,000,000.

## (17) General Government (800):

## Fiscal year 2014:

(A) New budget authority, \$23,225,000,000.  
(B) Outlays, \$24,172,000,000.

## Fiscal year 2015:

(A) New budget authority, \$21,922,000,000.  
(B) Outlays, \$20,749,000,000.

## Fiscal year 2016:

(A) New budget authority, \$23,263,000,000.  
(B) Outlays, \$22,559,000,000.

## Fiscal year 2017:

(A) New budget authority, \$23,814,000,000.  
(B) Outlays, \$23,435,000,000.

## Fiscal year 2018:

(A) New budget authority, \$24,573,000,000.  
(B) Outlays, \$24,158,000,000.

## Fiscal year 2019:

(A) New budget authority, \$25,454,000,000.  
(B) Outlays, \$24,803,000,000.

## Fiscal year 2020:

(A) New budget authority, \$26,293,000,000.  
(B) Outlays, \$25,645,000,000.

## Fiscal year 2021:

(A) New budget authority, \$27,178,000,000.  
(B) Outlays, \$26,566,000,000.

## Fiscal year 2022:

(A) New budget authority, \$27,821,000,000.  
(B) Outlays, \$27,219,000,000.

## Fiscal year 2023:

(A) New budget authority, \$28,717,000,000.  
(B) Outlays, \$28,116,000,000.

## (18) Net Interest (900):

## Fiscal year 2014:

(A) New budget authority, \$341,099,000,000.  
(B) Outlays, \$341,099,000,000.

## Fiscal year 2015:

(A) New budget authority, \$367,647,000,000.  
(B) Outlays, \$367,647,000,000.

## Fiscal year 2016:

(A) New budget authority, \$405,960,000,000.  
(B) Outlays, \$405,960,000,000.

## Fiscal year 2017:

(A) New budget authority, \$476,448,000,000.  
(B) Outlays, \$476,448,000,000.

## Fiscal year 2018:

(A) New budget authority, \$555,772,000,000.  
(B) Outlays, \$555,772,000,000.

## Fiscal year 2019:

(A) New budget authority, \$613,411,000,000.  
(B) Outlays, \$613,411,000,000.

## Fiscal year 2020:

(A) New budget authority, \$661,810,000,000.  
(B) Outlays, \$661,810,000,000.

## Fiscal year 2021:

(A) New budget authority, \$694,647,000,000.  
(B) Outlays, \$694,647,000,000.

## Fiscal year 2022:

(A) New budget authority, \$723,923,000,000.  
(B) Outlays, \$723,923,000,000.

## Fiscal year 2023:

(A) New budget authority, \$745,963,000,000.  
(B) Outlays, \$745,963,000,000.

## (19) Allowances (920):

## Fiscal year 2014:

(A) New budget authority, —\$59,061,000,000.  
(B) Outlays, —\$44,044,000,000.

## Fiscal year 2015:

(A) New budget authority, —\$58,840,000,000.  
(B) Outlays, —\$53,255,000,000.

## Fiscal year 2016:

(A) New budget authority, —\$65,587,000,000.  
(B) Outlays, —\$59,258,000,000.

## Fiscal year 2017:

(A) New budget authority, —\$71,859,000,000.  
(B) Outlays, —\$65,151,000,000.

## Fiscal year 2018:

(A) New budget authority, —\$77,299,000,000.  
(B) Outlays, —\$71,278,000,000.

## Fiscal year 2019:

(A) New budget authority, —\$82,155,000,000.  
(B) Outlays, —\$76,769,000,000.

## Fiscal year 2020:

(A) New budget authority, —\$85,543,000,000.  
(B) Outlays, —\$81,785,000,000.

## Fiscal year 2021:

(A) New budget authority, —\$89,377,000,000.  
(B) Outlays, —\$85,845,000,000.

## Fiscal year 2022:

(A) New budget authority, —\$88,897,000,000.  
(B) Outlays, —\$85,661,000,000.

## Fiscal year 2023:

(A) New budget authority, —\$92,469,000,000.  
(B) Outlays, —\$89,323,000,000.

## (20) Government-wide savings (930):

## Fiscal year 2014:

(A) New budget authority, —\$9,407,000,000.  
(B) Outlays, —\$6,660,000,000.

## Fiscal year 2015:

(A) New budget authority, —\$21,577,000,000.  
(B) Outlays, —\$9,971,000,000.

## Fiscal year 2016:

(A) New budget authority, —\$17,617,000,000.  
(B) Outlays, —\$8,873,000,000.

## Fiscal year 2017:

(A) New budget authority, —\$13,371,000,000.  
(B) Outlays, —\$6,739,000,000.

## Fiscal year 2018:

(A) New budget authority, —\$11,556,000,000.  
(B) Outlays, —\$3,340,000,000.

## Fiscal year 2019:

(A) New budget authority, —\$9,584,000,000.  
(B) Outlays, —\$703,000,000.

## Fiscal year 2020:

(A) New budget authority, —\$8,457,000,000.  
(B) Outlays, \$1,740,000,000.

## Fiscal year 2021:

(A) New budget authority, —\$7,094,000,000.  
(B) Outlays, \$3,666,000,000.

## Fiscal year 2022:

(A) New budget authority, —\$21,151,000,000.  
(B) Outlays, —\$2,703,000,000.

## Fiscal year 2023:

(A) New budget authority, —\$35,807,000,000.  
(B) Outlays, —\$13,555,000,000.

## (21) Undistributed Offsetting Receipts (950):

## Fiscal year 2014:

(A) New budget authority, —\$75,946,000,000.  
(B) Outlays, —\$75,946,000,000.

## Fiscal year 2015:

(A) New budget authority, —\$80,864,000,000.  
(B) Outlays, —\$80,864,000,000.

## Fiscal year 2016:

(A) New budget authority, —\$86,525,000,000.  
(B) Outlays, —\$86,525,000,000.

## Fiscal year 2017:

(A) New budget authority, —\$90,525,000,000.  
(B) Outlays, —\$90,525,000,000.

## Fiscal year 2018:

(A) New budget authority, —\$91,645,000,000.  
(B) Outlays, —\$91,645,000,000.

## Fiscal year 2019:

(A) New budget authority, —\$99,220,000,000.  
(B) Outlays, —\$99,220,000,000.

## Fiscal year 2020:

(A) New budget authority, —\$101,316,000,000.  
(B) Outlays, —\$101,316,000,000.

## Fiscal year 2021:

(A) New budget authority, —\$106,332,000,000.  
(B) Outlays, —\$106,332,000,000.

## Fiscal year 2022:

(A) New budget authority, —\$109,276,000,000.  
(B) Outlays, —\$109,276,000,000.

## Fiscal year 2023:

(A) New budget authority, —\$115,049,000,000.  
(B) Outlays, —\$115,049,000,000.

## (22) Overseas Contingency Operations/Glob-

## al War on Terrorism (970):

## Fiscal year 2014:

(A) New budget authority, \$93,000,000,000.  
(B) Outlays, \$46,621,000,000.

## Fiscal year 2015:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$40,851,000,000.

## Fiscal year 2016:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$39,948,000,000.

## Fiscal year 2017:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$38,789,000,000.

## Fiscal year 2018:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$37,451,000,000.

## Fiscal year 2019:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$37,570,000,000.

## Fiscal year 2020:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$37,431,000,000.

## Fiscal year 2021:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$37,466,000,000.

## Fiscal year 2022:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$38,102,000,000.

## Fiscal year 2023:

(A) New budget authority, \$35,000,000,000.  
(B) Outlays, \$37,694,000,000.

**TITLE II—RECONCILIATION****SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.**

(a) SUBMISSIONS OF SPENDING REDUCTION.—The House committees named in subsection (b) shall submit, not later than \_\_\_\_\_, 2013, recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, such committee shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

**(b) INSTRUCTIONS.—**

(1) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(2) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(3) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(4) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(5) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(6) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(7) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(8) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

**TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050****SEC. 301. LONG-TERM BUDGETING.**

The following are the recommended revenue, spending, and deficit levels for each of fiscal years 2030, 2040, and 2050 as a percent of the gross domestic product of the United States:

(1) FEDERAL REVENUES.—The appropriate levels of Federal revenues are as follows:

Fiscal year 2030: 19.1 percent.  
Fiscal year 2040: 19.1 percent.  
Fiscal year 2050: 19.1 percent.

(2) BUDGET OUTLAYS.—The appropriate levels of total budget outlays are not to exceed:

Fiscal year 2030: 19.1 percent.  
Fiscal year 2040: 19.1 percent.  
Fiscal year 2050: 19.1 percent.

(3) DEFICITS.—The appropriate levels of deficits are not to exceed:

Fiscal year 2030: 0 percent.  
Fiscal year 2040: 0 percent.  
Fiscal year 2050: 0 percent.

**TITLE IV—RESERVE FUNDS****SEC. 401. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that only consists of a full repeal the Patient Protection and Affordable Care Act and the health care-related provisions of the Health Care and Education Reconciliation Act of 2010.

**SEC. 402. DEFICIT-NEUTRAL RESERVE FUND FOR THE REFORM OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that reforms or replaces the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 403. DEFICIT-NEUTRAL RESERVE FUND RELATED TO THE MEDICARE PROVISIONS OF THE 2010 HEALTH CARE LAWS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals all or part of the decreases in Medicare spending included in the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 404. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 405. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE TAX CODE.**

In the House, if the Committee on Ways and Means reports a bill or joint resolution that reforms the Internal Revenue Code of 1986, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 406. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE AGREEMENTS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference

report thereon, that implements a trade agreement, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 407. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that decreases revenue, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

**SEC. 408. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) by the amounts provided by that legislation for those purposes, if such legislation requires sustained yield timber harvests obviating the need for funding under P.L. 106-393 in the future and would not increase the deficit or direct spending for fiscal year 2014, the period of fiscal years 2014 through 2018, or the period of fiscal years 2014 through 2023.

**SEC. 409. IMPLEMENTATION OF A DEFICIT AND LONG-TERM DEBT REDUCTION AGREEMENT.**

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution to accommodate the enactment of a deficit and long-term debt reduction agreement if it includes permanent spending reductions and reforms to direct spending programs.

**TITLE V—ESTIMATES OF DIRECT SPENDING****SEC. 501. DIRECT SPENDING.**

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for means-tested direct spending:

(A) In 1996, a Republican Congress and a Democratic president reformed welfare by limiting the duration of benefits, giving States more control over the program, and helping recipients find work. In the five years following passage, child-poverty rates fell, welfare caseloads fell, and workers' wages increased. This budget applies the lessons of welfare reform to both the Supplemental Nutrition Assistance Program and Medicaid.

(B) For Medicaid, this budget converts the Federal share of Medicaid spending into a flexible State allotment tailored to meet each State's needs, indexed for inflation and population growth. Such a reform would end the misguided one-size-fits-all approach that has tied the hands of State governments. Instead, each State would have the freedom and flexibility to tailor a Medicaid program

that fits the needs of its unique population. Moreover, this budget repeals the Medicaid expansions in the President's health care law, relieving State governments of its crippling one-size-fits-all enrollment mandates.

(C) For the Supplemental Nutrition Assistance Program, this budget converts the program into a flexible State allotment tailored to meet each State's needs, increases in the Department of Agriculture Thrifty Food Plan index and beneficiary growth. Such a reform would provide incentives for States to ensure dollars will go towards those who need them most. Additionally, it requires that more stringent work requirements and time limits apply under the program.

(b) **NONMEANS-TESTED DIRECT SPENDING.**—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) For Medicare, this budget advances policies to put seniors, not the Federal Government, in control of their health care decisions. Those in or near retirement will see no changes, while future retirees would be given a choice of private plans competing alongside the traditional fee-for-service Medicare program. Medicare would provide a premium-support payment either to pay for or offset the premium of the plan chosen by the senior, depending on the plan's cost. The Medicare premium-support payment would be adjusted so that the sick would receive higher payments if their conditions worsened; lower-income seniors would receive additional assistance to help cover out-of-pocket costs; and wealthier seniors would assume responsibility for a greater share of their premiums. Putting seniors in charge of how their health care dollars are spent will force providers to compete against each other on price and quality. This market competition will act as a real check on widespread waste and skyrocketing health care costs.

(B) In keeping with a recommendation from the National Commission on Fiscal Responsibility and Reform, this budget calls for Federal employees—including Members of Congress and congressional staff—to make greater contributions toward their own retirement.

**TITLE VI—BUDGET ENFORCEMENT**

**SEC. 601. LIMITATION ON ADVANCE APPROPRIATIONS.**

(a) **FINDINGS.**—The House finds the following:

(1) The Veterans Health Care Budget and Reform Transparency Act of 2009 provides advance appropriations for the following veteran medical care accounts: Medical Services, Medical Support and Compliance, and Medical Facilities.

(2) The President has yet to submit a budget request as required under section 1105(a) of title 31, United States Code, including the request for the Department of Veterans Affairs, for fiscal year 2014, hence the request for veteran medical care advance appropriations for fiscal year 2015 is unavailable as of the writing of this concurrent resolution.

(3) This concurrent resolution reflects the most up-to-date estimate on veterans' health care needs included in the President's fiscal year 2013 request for fiscal year 2015.

(b) **IN GENERAL.**—In the House, except as provided for in subsection (c), any bill or

joint resolution, or amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(c) **EXCEPTIONS.**—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (d)(1) or identified in the report to accompany this concurrent resolution or the joint explanatory statement of managers to accompany this concurrent resolution under the heading "Accounts Identified for Advance Appropriations".

(d) **LIMITATIONS.**—For fiscal year 2015, the aggregate level of advance appropriations shall not exceed—

(1) \$55,483,000,000 for the following programs in the Department of Veterans Affairs—

(A) Medical Services;

(B) Medical Support and Compliance; and

(C) Medical Facilities accounts of the Veterans Health Administration; and

(2) \$28,852,000,000 in new budget authority for all programs identified pursuant to subsection (c).

(e) **DEFINITION.**—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a bill or joint resolution, or amendment thereto or conference report thereon, making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2015.

**SEC. 602. CONCEPTS AND DEFINITIONS.**

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chair of the Committee on the Budget may adjust any allocations, aggregates, and other appropriate levels in this concurrent resolution accordingly.

**SEC. 603. ADJUSTMENTS OF AGGREGATES, ALLOCATIONS, AND APPROPRIATE BUDGETARY LEVELS.**

(a) **ADJUSTMENTS OF DISCRETIONARY AND DIRECT SPENDING LEVELS.**—If a committee (other than the Committee on Appropriations) reports a bill or joint resolution, or amendment thereto or conference report thereon, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chair of the Committee on the Budget may decrease the allocation to such committee and increase the allocation of discretionary spending (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2014 by an amount equal to the new budget authority (and outlays flowing therefrom) provided for in a bill or joint resolution making appropriations for the same purpose.

(b) **ADJUSTMENTS TO IMPLEMENT DISCRETIONARY SPENDING CAPS AND TO FUND VETERANS' PROGRAMS AND OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.**—

(1) **FINDINGS.**—(A) The President has not submitted a budget for fiscal year 2014 as required pursuant to section 1105(a) of title 31, United States Code, by the date set forth in that section.

(B) In missing the statutory date by which the budget must be submitted, this will be the fourth time in five years the President has not complied with that deadline.

(C) This concurrent resolution reflects the levels of funding for veterans' medical programs as set forth in the President's fiscal year 2013 budget request.

(2) **PRESIDENT'S BUDGET SUBMISSION.**—In order to take into account any new information included in the budget submission by the President for fiscal year 2014, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels for veterans' programs, Overseas Contingency Operations/Global War on Terrorism, or the 302(a) allocation to the Committee on Appropriations set forth in the report of this concurrent resolution to conform with section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted by section 251A of such Act).

(3) **REVISED CONGRESSIONAL BUDGET OFFICE BASELINE.**—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels to reflect changes resulting from technical and economic assumptions in the most recent baseline published by the Congressional Budget Office.

(c) **DETERMINATIONS.**—For the purpose of enforcing this concurrent resolution on the budget in the House, the allocations and aggregate levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for fiscal year 2014 and the period of fiscal years 2014 through fiscal year 2023 shall be determined on the basis of estimates made by the chair of the Committee on the Budget and such chair may adjust such applicable levels of this concurrent resolution.

**SEC. 604. LIMITATION ON LONG-TERM SPENDING.**

(a) **IN GENERAL.**—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing direct spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) **TIME PERIODS.**—The applicable periods for purposes of this section are any of the four consecutive ten fiscal-year periods beginning with fiscal year 2024.

**SEC. 605. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.**

(a) **IN GENERAL.**—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the report accompanying this concurrent resolution on the budget or the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying sections 302(f) and 311 of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) **ADJUSTMENTS.**—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, if such adjustments do not cause a net increase in the deficit for fiscal year 2014 and the period of fiscal years 2014 through 2023.

**SEC. 606. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—Any adjustments of the allocations, aggregates, and other appropriate levels made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this concurrent resolution.

(c) BUDGET COMPLIANCE.—(1) The consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other appropriate levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 604.

(2) Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

(A) the enactment of that bill or resolution;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 302(a) of such Act for that fiscal year to be exceeded or the sum of the limits on the security and non-security category in section 251A of the Balanced Budget and Emergency Deficit Control Act as reduced pursuant to such section.

**SEC. 607. CONGRESSIONAL BUDGET OFFICE ESTIMATES.**

(a) FINDINGS.—The House finds the following:

(1) Costs of Federal housing loans and loan guarantees are treated unequally in the budget. The Congressional Budget Office uses fair-value accounting to measure the costs of Fannie Mae and Freddie Mac, but determines the cost of other Federal housing programs on the basis of the Federal Credit Reform Act of 1990 ("FCRA").

(2) The fair-value accounting method uses discount rates which incorporate the risk inherent to the type of liability being estimated in addition to Treasury discount rates of the proper maturity length. In contrast, cash-basis accounting solely uses the discount rates of the Treasury, failing to incorporate risks such as prepayment and default risk.

(3) The Congressional Budget Office estimates that the \$635 billion of loans and loan guarantees issued in 2013 alone would generate budgetary savings of \$45 billion over their lifetime using FCRA accounting. However, these same loans and loan guarantees would have a lifetime cost of \$11 billion under fair-value methodology.

(4) The majority of loans and guarantees issued in 2013 would show deficit reduction of

\$9.1 billion under FCRA methodology, but would increase the deficit by \$4.7 billion using fair-value accounting.

(b) FAIR VALUE ESTIMATES.—Upon the request of the chair or ranking member of the Committee on the Budget, any estimate prepared by the Director of the Congressional Budget Office for a measure under the terms of title V of the Congressional Budget Act of 1974, "credit reform", as a supplement to such estimate shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the "fair value" of assets and liabilities affected by such measure.

(c) FAIR VALUE ESTIMATES FOR HOUSING PROGRAMS.—Whenever the Director of the Congressional Budget Office prepares an estimate pursuant to section 402 of the Congressional Budget Act of 1974 of the costs which would be incurred in carrying out any bill or joint resolution and if the Director determines that such bill or joint resolution has a cost related to a housing or residential mortgage program under the FCRA, then the Director shall also provide an estimate of the current actual or estimated market values representing the "fair value" of assets and liabilities affected by the provisions of such bill or joint resolution that result in such cost.

(d) ENFORCEMENT.—If the Director of the Congressional Budget Office provides an estimate pursuant to subsection (b) or (c), the chair of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

**SEC. 608. TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS.**

For purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, or the rules or orders of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report thereon, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

**SEC. 609. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.**

(a) ALLOCATION.—In the House, there shall be a separate allocation to the Committee on Appropriations for overseas contingency operations/global war on terrorism. For purposes of enforcing such separate allocation under section 302(f) of the Congressional Budget Act of 1974, the "first fiscal year" and the "total of fiscal years" shall be deemed to refer to fiscal year 2014. Such separate allocation shall be the exclusive allocation for overseas contingency operations/global war on terrorism under section 302(a) of such Act. Section 302(c) of such Act shall not apply to such separate allocation. The Committee on Appropriations may provide suballocations of such separate allocation under section 302(b) of such Act. Spending that counts toward the allocation established by this section shall be designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) ADJUSTMENT.—In the House, for purposes of subsection (a) for fiscal year 2014, no adjustment shall be made under section 314(a) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 610. EXERCISE OF RULEMAKING POWERS.**

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

**TITLE VII—POLICY STATEMENTS****SEC. 701. POLICY STATEMENT ON ECONOMIC GROWTH AND JOB CREATION.**

(a) FINDINGS.—The House finds the following:

(1) Although the U.S. economy technically emerged from recession roughly four years ago, the recovery has felt more like a malaise than a rebound with the unemployment rate still elevated and real economic growth essentially flat in the final quarter of 2012.

(2) The enormous build-up of Government debt in the past four years has worsened the already unsustainable course of Federal finances and is an increasing drag on the U.S. economy.

(3) During the recession and early stages of recovery, the Government took a variety of measures to try to boost economic activity. Despite the fact that these stimulus measures added over \$1 trillion to the debt, the economy continues to perform at a sub-par trend.

(4) Investors and businesses make decisions on a forward-looking basis. They know that today's large debt levels are simply tomorrow's tax hikes, interest rate increases, or inflation — and they act accordingly. It is this debt overhang, and the uncertainty it generates, that is weighing on U.S. growth, investment, and job creation.

(5) Economists have found that the key to jump-starting U.S. economic growth and job creation is tangible action to rein in the growth of Government spending with the aim of getting debt under control.

(6) Stanford economist John Taylor has concluded that reducing Government spending now would "reduce the threats of higher taxes, higher interest rates and a fiscal crisis", and would therefore provide an immediate stimulus to the economy.

(7) Federal Reserve Chairman Ben Bernanke has stated that putting in place a credible plan to reduce future deficits "would not only enhance economic performance in the long run, but could also yield near-term benefits by leading to lower long-term interest rates and increased consumer and business confidence."

(8) Lowering spending would boost market confidence and lessen uncertainty, leading to a spark in economic expansion, job creation, and higher wages and income.

(b) POLICY ON ECONOMIC GROWTH AND JOB CREATION.—It is the policy of this resolution to promote faster economic growth and job creation. By putting the budget on a sustainable path, this resolution ends the debt-fueled uncertainty holding back job creators. Reforms to the tax code put American businesses and workers in a better position to compete and thrive in the 21st century global economy. This resolution targets the regulatory red tape and cronyism that stack the deck in favor of special interests. All of the reforms in this resolution serve as means to the larger end of growing the economy and expanding opportunity for all Americans.

**SEC. 702. POLICY STATEMENT ON TAX REFORM.**

(a) FINDINGS.—The House finds the following:

(1) A world-class tax system should be simple, fair, and promote (rather than impede) economic growth. The U.S. tax code fails on all three counts – it is notoriously complex, patently unfair, and highly inefficient. The tax code's complexity distorts decisions to work, save, and invest, which leads to slower economic growth, lower wages, and less job creation.

(2) Since 2001 alone, there have been more than 3,250 changes to the code. Many of the major changes over the years have involved carving out special preferences, exclusions, or deductions for various activities or groups. These loopholes add up to more than \$1 trillion per year and make the code unfair, inefficient, and very complex.

(3) These tax preferences are disproportionately used by upper-income individuals. For instance, the top 1 percent of taxpayers reap about 3 times as much benefit from special tax credits and deductions (excluding refundable credits) than the middle class and 13 times as much benefit than the lowest income quintile.

(4) The large amount of tax preferences that pervade the code end up narrowing the tax base by as much as 50 percent. A narrow tax base, in turn, requires much higher tax rates to raise a given amount of revenue.

(5) The National Taxpayer Advocate reports that taxpayers spent 6.1 billion hours in 2012 complying with tax requirements.

(6) Standard economic theory shows that high marginal tax rates dampen the incentives to work, save, and invest, which reduces economic output and job creation. Lower economic output, in turn, mutes the intended revenue gain from higher marginal tax rates.

(7) Roughly half of U.S. active business income and half of private sector employment are derived from business entities (such as partnerships, S corporations, and sole proprietorships) that are taxed on a "pass-through" basis, meaning the income flows through to the tax returns of the individual owners and is taxed at the individual rate structure rather than at the corporate rate. Small businesses in particular tend to choose this form for Federal tax purposes, and the top Federal rate on such small business income reaches 44.6 percent. For these reasons, sound economic policy requires lowering marginal rates on these pass-through entities.

(8) The U.S. corporate income tax rate (including Federal, State, and local taxes) sums to just over 39 percent, the highest rate in the industrialized world. The total Federal marginal tax rate on corporate income now reaches 55 percent, when including the shareholder-level tax on dividends and capital gains. Tax rates this high suppress wages and discourage investment and job creation, distort business activity, and put American businesses at a competitive disadvantage with foreign competitors.

(9) By deterring potential investment, the U.S. corporate tax restrains economic growth and job creation. The U.S. tax rate differential with other countries also fosters a variety of complicated multinational corporate behaviors intended to avoid the tax, which have the effect of moving the tax base offshore, destroying American jobs, and decreasing corporate revenue.

(10) The "worldwide" structure of U.S. international taxation essentially taxes earnings of U.S. firms twice, putting them at a significant competitive disadvantage with

competitors with more competitive international tax systems.

(11) Reforming the U.S. tax code to a more competitive international system would boost the competitiveness of U.S. companies operating abroad and it would also greatly reduce tax avoidance.

(12) The tax code imposes costs on American workers through lower wages, on consumers in higher prices, and on investors in diminished returns.

(13) Revenues have averaged 18 percent of the economy throughout modern American history. Revenues rise above this level under current law to 19.1 percent of the economy, and – if the spending restraints in this budget are enacted – this level is sufficient to fund Government operations over time.

(14) Attempting to raise revenue through tax increases to meet out-of-control spending would sink the economy.

(15) Closing tax loopholes to fund spending does not constitute fundamental tax reform.

(16) The goal of tax reform should be to curb or eliminate loopholes and use those savings to lower tax rates across the board – not to fund more wasteful Government spending. Tax reform should be revenue-neutral and should not be an excuse to raise taxes on the American people.

(b) POLICY ON TAX REFORM.—It is the policy of this resolution that Congress should enact legislation during fiscal year 2014 that provides for a comprehensive reform of the U.S. tax code to promote economic growth, create American jobs, increase wages, and benefit American consumers, investors, and workers through revenue-neutral fundamental tax reform, which should be reported by the Committee on Ways and Means to the House not later than December 31, 2013, that—

(1) simplifies the tax code to make it fairer to American families and businesses and reduces the amount of time and resources necessary to comply with tax laws;

(2) substantially lowers tax rates for individuals, with a goal of achieving a top individual rate of 25 percent and consolidating the current seven individual income tax brackets into two brackets with a first bracket of 10 percent;

(3) repeals the Alternative Minimum Tax;

(4) reduces the corporate tax rate to 25 percent; and

(5) transitions the tax code to a more competitive system of international taxation.

**SEC. 703. POLICY STATEMENT ON MEDICARE.**

(a) FINDINGS.—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in or near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2023 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.2 percent per year, and under the Congressional Budget Office's alternative fiscal scenario, direct spending on Medicare is projected to exceed 7 percent of GDP by 2040 and reach 13 percent of GDP by 2085.

(3) The President's health care law created a new Federal agency called the Independent Payment Advisory Board ("IPAB") empow-

ered with unilateral authority to cut Medicare spending. As a result of that law—

(A) IPAB will be tasked with keeping the Medicare per capita growth below a Medicare per capita target growth rate. Prior to 2018, the target growth rate is based on the five-year average of overall inflation and medical inflation. Beginning in 2018, the target growth rate will be the five-year average increase in the nominal Gross Domestic Product (GDP) plus one percentage point;

(B) the fifteen unelected, unaccountable bureaucrats of IPAB will make decisions that will reduce seniors access to care;

(C) the nonpartisan Office of the Medicare Chief Actuary estimates that the provider cuts already contained in the Affordable Care Act will force 15 percent of hospitals, skilled nursing facilities, and home health agencies to close in 2019; and

(D) additional cuts from the IPAB board will force even more health care providers to close their doors, and the Board should be repealed.

(4) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) POLICY ON MEDICARE REFORM.—It is the policy of this resolution to protect those in or near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) ASSUMPTIONS.—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in or near retirement.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will maintain traditional fee-for-service as an option.

(4) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(5) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

**SEC. 704. POLICY STATEMENT ON SOCIAL SECURITY.**

(a) FINDINGS.—The House finds the following:

(1) More than 55 million retirees, individuals with disabilities, and survivors depend on Social Security. Since enactment, Social Security has served as a vital leg on the "three-legged stool" of retirement security, which includes employer provided pensions as well as personal savings.

(2) The Social Security Trustees Report has repeatedly recommended that Social Security's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Social Security becomes more precarious and the threat to seniors and those receiving Social Security disability benefits becomes more pronounced:

(A) In 2016, the Disability Insurance Trust Fund will be exhausted and program revenues will be unable to pay scheduled benefits.

(B) In 2033, the combined Old-Age and Survivors and Disability Trust Funds will be exhausted, and program revenues will be unable to pay scheduled benefits.

(C) With the exhaustion of the Trust Funds in 2033, benefits will be cut 25 percent across the board, devastating those currently in or near retirement and those who rely on Social Security the most.

(3) The recession and continued low economic growth have exacerbated the looming fiscal crisis facing Social Security. The most recent CBO projections find that Social Security will run cash deficits of \$1.319 trillion over the next 10 years.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, reforms should take into consideration the need to protect lower-income Americans' retirement security.

(5) The Disability Insurance program provides an essential income safety net for those with disabilities and their families. According to the Congressional Budget Office (CBO), between 1970 and 2012, the number of people receiving disability benefits (both disabled workers and their dependent family members) has increased by over 300 percent from 2.7 million to over 10.9 million. This increase is not due strictly to population growth or decreases in health. David Autor and Mark Duggan have found that the increase in individuals on disability does not reflect a decrease in self-reported health. CBO attributes program growth to changes in demographics, changes in the composition of the labor force and compensation, as well as Federal policies.

(6) If this program is not reformed, families who rely on the lifeline that disability benefits provide will face benefit cuts of up to 25 percent in 2016, devastating individuals who need assistance the most.

(7) Americans deserve action by the President, the House, and the Senate to preserve and strengthen Social Security. It is critical that bipartisan action be taken to address the looming insolvency of Social Security. In this spirit, this resolution creates a bipartisan opportunity to find solutions by requiring policymakers to ensure that Social Security remains a critical part of the safety net.

(b) **POLICY STATEMENT ON SOCIAL SECURITY.**—It is the policy of this resolution that Congress should work on a bipartisan basis to make Social Security sustainably solvent. This resolution assumes reform of a current law trigger, such that:

(1) If in any year the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund annual Trustees Report determines that the 75-year actuarial balance of the Social Security Trust Funds is in deficit, and the annual balance of the Social Security Trust Funds in the 75th year is in deficit, the Board of Trustees shall, no later than September 30 of the same calendar year, submit to the President recommendations for statutory reforms necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year. Recommendations provided to the President must be agreed upon by both Public Trustees of the Board of Trustees.

(2) Not later than December 1 of the same calendar year in which the Board of Trustees submit their recommendations, the President shall promptly submit implementing legislation to both Houses of Congress including his recommendations necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year. The Majority Leader of the Senate and the Majority Leader of the House shall introduce the President's legislation upon receipt.

(3) Within 60 days of the President submitting legislation, the committees of jurisdiction to which the legislation has been referred shall report the bill which shall be considered by the full House or Senate under expedited procedures.

(4) Legislation submitted by the President shall—

- (A) protect those in or near retirement;
- (B) preserve the safety net for those who count on Social Security the most, including those with disabilities and survivors;
- (C) improve fairness for participants;
- (D) reduce the burden on, and provide certainty for, future generations; and
- (E) secure the future of the Disability Insurance program while addressing the needs of those with disabilities today and improving the determination process.

**SEC. 705. POLICY STATEMENT ON HIGHER EDUCATION AFFORDABILITY.**

(a) **FINDINGS.**—The House finds the following:

(1) A well-educated workforce is critical to economic, job, and wage growth.

(2) More than 21 million students are enrolled in American colleges and universities.

(3) Over the last decade, tuition and fees have been growing at an unsustainable rate. Between the 2001-2002 Academic Year and the 2011-2012 Academic Year:

(A) Published tuition and fees for in-State students at public four-year colleges and universities increased at an average rate of 5.6 percent per year beyond the rate of general inflation.

(B) Published tuition and fees for in-State students at public two-year colleges and universities increased at an average rate of 3.8 percent per year beyond the rate of general inflation.

(C) Published tuition and fees for in-State students at private four-year colleges and universities increased at an average rate of 2.6 percent per year beyond the rate of general inflation.

(4) Over that same period, Federal financial aid has increased 140 percent beyond the rate of general inflation.

(5) This spending has failed to make college more affordable.

(6) In his 2012 State of the Union Address, President Obama noted that, "We can't just keep subsidizing skyrocketing tuition; we'll run out of money."

(7) American students are chasing ever-increasing tuition with ever-increasing debt. According to the Federal Reserve Bank of New York, student debt nearly tripled between 2004 and 2012, and now stands at nearly \$1 trillion. Student debt now has the second largest balance after mortgage debt.

(8) Students are carrying large debt loads and too many fail to complete college or end up defaulting on these loans due to their debt burden and a weak economy and job market.

(9) Based on estimates from the Congressional Budget Office, the Pell Grant Program will face a fiscal shortfall beginning in fiscal year 2015 and continuing in each subsequent year in the current budget window.

(10) Failing to address these problems will jeopardize access and affordability to higher education for America's young people.

(b) **POLICY ON HIGHER EDUCATION AFFORDABILITY.**—It is the policy of this resolution to address the root drivers of tuition inflation, by—

(1) targeting Federal financial aid to those most in need;

(2) streamlining programs that provide aid to make them more effective;

(3) maintaining the maximum Pell grant award level at \$5,645 in each year of the budget window; and

(4) removing regulatory barriers in higher education that act to restrict flexibility and innovative teaching, particularly as it relates to non-traditional models such as on-

line coursework and competency-based learning.

**SEC. 706. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**

(a) **FINDINGS.**—The House finds the following:

(1) According to the last available estimate from the Office of Management and Budget, Federal agencies were expected to hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remains available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) **DEFICIT REDUCTION.**—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

**SEC. 707. POLICY STATEMENT ON RESPONSIBLE STEWARDSHIP OF TAXPAYER DOLLARS.**

(a) **FINDINGS.**—The House finds the following:

(1) The House of Representatives cut budgets for Members of Congress, House committees, and leadership offices by 5 percent in 2011 and an additional 6.4 percent in 2012.

(2) The House of Representatives achieved savings of \$36.5 million over three years by consolidating House operations and renegotiating contracts.

(b) **POLICY.**—It is the policy of this resolution that:

(1) The House of Representatives must be a model for the responsible stewardship of taxpayer resources and therefore must identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration should review the policies pertaining to the services provided to Members and committees of the House, and should identify ways to reduce any subsidies paid for the operation of the House gym, barber shop, salon, and the House dining room.

(2) No taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

**SEC. 708. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**

(a) **FINDINGS.**—The House finds the following:

(1) The Government Accountability Office (“GAO”) is required by law to identify examples of waste, duplication, and overlap in Federal programs, and has so identified dozens of such examples.

(2) In testimony before the Committee on Oversight and Government Reform, the Comptroller General has stated that addressing the identified waste, duplication, and overlap in Federal programs “could potentially save tens of billions of dollars.”

(3) In 2011 and 2012, the Government Accountability Office issued reports showing excessive duplication and redundancy in Federal programs including—

(A) 209 “Science, Technology, Engineering, and Mathematics” (“STEM”) education programs in 13 different Federal agencies at a cost of \$3 billion annually;

(B) 200 separate Department of Justice crime prevention and victim services grant programs with an annual cost of \$3.9 billion in 2010;

(C) 20 different Federal entities administer 160 housing programs and other forms of Federal assistance for housing with a total cost of \$170 billion in 2010;

(D) 17 separate Homeland Security preparedness grant programs that spent \$37 billion between fiscal year 2011 and 2012;

(E) 13 programs, 3 tax benefits, and one loan program to reduce diesel emissions; and

(F) 94 different initiatives run by 11 different agencies to encourage “green building” in the private sector.

(4) The Federal Government spends about \$80 billion each year for information technology. GAO has identified broad acquisition failures, waste, and unnecessary duplication in the Government’s information technology infrastructure. Experts have estimated that eliminating these problems could save 25 percent – or \$20 billion – of the Government’s annual information technology budget.

(5) Federal agencies reported an estimated \$108 billion in improper payments in fiscal year 2012.

(6) Under clause 2 of Rule XI of the Rules of the House of Representatives, each standing committee must hold at least one hearing during each 120 day period following its establishment on waste, fraud, abuse, or mismanagement in Government programs.

(7) According to the Congressional Budget Office, by fiscal year 2014, 42 laws will expire, possibly resulting in \$685 billion in unauthorized appropriations. Timely reauthorizations of these laws would ensure assessments of program justification and effectiveness.

(8) The findings resulting from congressional oversight of Federal Government programs should result in programmatic changes in both authorizing statutes and program funding levels.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**—Each authorizing committee annually shall include in its Views and Estimates letter required under section 301(d) of the Congressional Budget Act of 1974 recommendations to the Committee on the Budget of programs within the jurisdiction of such committee whose funding should be reduced or eliminated.

**SEC. 709. POLICY STATEMENT ON UNAUTHORIZED SPENDING.**

It is the policy of this resolution that the committees of jurisdiction should review all unauthorized programs funded through an-

nual appropriations to determine if the programs are operating efficiently and effectively. Committees should reauthorize those programs that in the committees’ judgment should continue to receive funding.

**TITLE VIII—SENSE OF THE HOUSE PROVISIONS**

**SEC. 801. SENSE OF THE HOUSE ON THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.**

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

**SA 434.** Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR THE INLAND WATERWAYS SYSTEM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments between the Houses, motions, or conference reports relating to funding the inland waterways system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 435.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 22, line 15, increase the amount by \$2,279,000,000.

On page 22, line 16, increase the amount by \$2,279,000,000.

On page 46, line 11, decrease the amount by \$2,279,000,000.

On page 46, line 12, decrease the amount by \$2,279,000,000.

**SA 436.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congress-

sional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 29, line 24, increase the amount by \$8,131,000.

On page 29, line 25, increase the amount by \$8,131,000.

On page 46, line 11, decrease the amount by \$8,131,000.

On page 46, line 12, decrease the amount by \$8,131,000.

**SA 437.** Mr. BURR (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE RELIEF TO SMALL BUSINESSES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments between the Houses, motions, or conference reports that may define a large employer for purposes of the Patient Protection and Affordable Care Act (Public Law 111-148) as an employer with 50 or more full-time employees rather than considering full-time equivalent employees for such purposes without raising new revenue, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 438.** Mrs. SHAHEEN (for herself, Ms. STABENOW, Mrs. BOXER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO WOMEN’S HEALTH CARE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to women’s access to health care, which may include the protection of basic primary and preventative health care, family planning and birth control, or employer-provided contraceptive coverage for



women's health care, by the amounts provided in such legislation for these purposes, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 439.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 56, line 12, insert "relief for low and middle income families" after "enterprises,".

**SA 440.** Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO GLOBAL WARMING.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the need to address global warming, which may include transforming energy systems from fossil fuels to energy efficiency and sustainable energy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 441.** Mrs. MCCASKILL (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO REFORM THE PROCESS OF ENACTING TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolu-

tions, amendments, motions, or conference reports related to the Harmonized Tariff Schedule of the United States, which may include extending the ban on earmarks and creating a transparent, streamlined, merit-based, non-political process for considering amendments to that Schedule to temporarily suspend or reduce duties, under which the United States International Trade Commission may process initial requests for duty suspensions and reductions and propose legislation to Congress for consideration, and other recommended reforms, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 442.** Mr. CASEY (for himself, Mr. COONS, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. DEFICIT-NEUTRAL RESERVE FUND FOR STATE AND LOCAL LAW ENFORCEMENT.**

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report to support State and local law enforcement, which may include investing in State formula grants, to aid State and local law enforcement and criminal justice systems in implementing innovative, evidence-based approaches to crime prevention and control, including strategies such as specialty courts, multi-jurisdictional task forces, technology improvement, and information sharing systems, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 443.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH REASONABLE DEADLINES FOR PROCESSES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolu-

tions, amendments, motions, or conference reports that would establish reasonable deadlines for the rejection of environmental impact statements and environmental assessments under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 444.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 20, line 19, decrease the amount by \$1,300,000.

On page 20, line 20, decrease the amount by \$1,000,000.

On page 20, line 23, decrease the amount by \$1,300,000.

On page 20, line 24, decrease the amount by \$1,200,000.

On page 21, line 2, decrease the amount by \$1,300,000.

On page 21, line 3, decrease the amount by \$1,300,000.

On page 21, line 6, decrease the amount by \$1,300,000.

On page 21, line 7, decrease the amount by \$1,300,000.

On page 21, line 10, decrease the amount by \$1,300,000.

On page 21, line 11, decrease the amount by \$1,300,000.

On page 21, line 14, decrease the amount by \$1,300,000.

On page 21, line 15, decrease the amount by \$1,300,000.

On page 21, line 18, decrease the amount by \$1,300,000.

On page 21, line 19, decrease the amount by \$1,300,000.

On page 21, line 22, decrease the amount by \$1,300,000.

On page 21, line 23, decrease the amount by \$1,300,000.

On page 22, line 2, decrease the amount by \$1,300,000.

On page 22, line 3, decrease the amount by \$1,300,000.

On page 22, line 6, decrease the amount by \$1,300,000.

On page 22, line 7, decrease the amount by \$1,300,000.

**SA 445.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 20, line 19, decrease the amount by \$1,300,000.

On page 20, line 20, decrease the amount by \$1,000,000.

On page 20, line 23, decrease the amount by \$1,300,000.

On page 20, line 24, decrease the amount by \$1,200,000.

On page 21, line 2, decrease the amount by \$1,300,000.

On page 21, line 3, decrease the amount by \$1,300,000.

On page 21, line 6, decrease the amount by \$1,300,000.

On page 21, line 7, decrease the amount by \$1,300,000.

On page 21, line 10, decrease the amount by \$1,300,000.

On page 21, line 11, decrease the amount by \$1,300,000.

On page 21, line 14, decrease the amount by \$1,300,000.

On page 21, line 15, decrease the amount by \$1,300,000.

On page 21, line 18, decrease the amount by \$1,300,000.

On page 21, line 19, decrease the amount by \$1,300,000.

On page 21, line 22, decrease the amount by \$1,300,000.

On page 21, line 23, decrease the amount by \$1,300,000.

On page 22, line 2, decrease the amount by \$1,300,000.

On page 22, line 3, decrease the amount by \$1,300,000.

On page 22, line 6, decrease the amount by \$1,300,000.

On page 22, line 7, decrease the amount by \$1,300,000.

**SA 446.** Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO END ALL ENERGY SUBSIDIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would prevent Federal agencies from providing direct funding or loan guarantees for energy projects to private entities without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 447.** Mr. KIRK (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years

2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE EXPANSION OF THE VISA WAIVER PROGRAM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Visa Waiver Program, which may include efforts to expand the Program to include strong democratic allies, such as Poland, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 448.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 3 and insert the following:

**TITLE II—RESERVE FUNDS**

**SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE-NEUTRAL PRO-GROWTH TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a revenue structure that is more efficient for businesses, leads to a more competitive international business environment for United States enterprises, and may result in additional rate reductions without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,630,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

**SA 449.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 3 and insert the following:

**TITLE II—RESERVE FUNDS**

**SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE-NEUTRAL PRO-GROWTH TAX REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a revenue structure that is more efficient for individuals, and may result in additional rate reductions without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,630,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

**SA 450.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 5, increase the amount by \$2,700,000,000.

On page 4, line 6, reduce the amount by \$11,600,000,000.

On page 4, line 7, reduce the amount by \$36,900,000,000.

On page 4, line 8, reduce the amount by \$36,100,000,000.

On page 4, line 9, reduce the amount by \$39,500,000,000.

On page 4, line 10, reduce the amount by \$43,000,000,000.

On page 4, line 11, reduce the amount by \$46,100,000,000.

On page 4, line 12, reduce the amount by \$48,900,000,000.

On page 4, line 13, reduce the amount by \$51,800,000,000.

On page 4, line 14, reduce the amount by \$54,800,000,000.

On page 4, line 15, reduce the amount by \$57,600,000,000.

**SA 451.** Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 6, reduce the amount by \$6,255,000,000.

On page 4, line 7, reduce the amount by \$7,238,000,000.

On page 4, line 8, reduce the amount by \$8,229,000,000.

On page 4, line 9, reduce the amount by \$9,182,000,000.

On page 4, line 10, reduce the amount by \$10,100,000,000.

On page 4, line 11, reduce the amount by \$11,021,000,000.

On page 4, line 12, reduce the amount by \$11,965,000,000.

On page 4, line 13, reduce the amount by \$12,931,000,000.

On page 4, line 14, reduce the amount by \$13,906,000,000.

On page 4, line 15, reduce the amount by \$15,018,000,000.

**SA 452.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST LEGISLATION RELATING TO A GUN BAN TREATY.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, resolution, or conference report relating to ratification or implementation of, or funding for, a treaty that would require the registration of firearms or implement any firearm ban.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 453.** Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 62, line 13, insert “improve overall population health, promote health equity or reduce health disparities,” after “nation.”.

**SA 454.** Mr. MURPHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 58, between lines 8 and 9, insert the following and renumber the succeeding paragraphs accordingly:

(8) international programs to export clean energy technologies and aid climate adaptation efforts, including those designed to reduce short-lived climate pollutants in the near term;

**SA 455.** Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8,

setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH A NATIONAL NETWORK FOR MANUFACTURING INNOVATION.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to accelerating the development and deployment of advanced manufacturing technologies, advancing competitiveness, improving the speed and infrastructure with which small- and medium-sized enterprises and supply chains commercialize new processes and technologies, and informing industry-driven education and training, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 456.** Mrs. BOXER (for herself, Mr. GRASSLEY, Mr. MANCHIN, Mrs. MCCASKILL, and Mr. TESTER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR COMMONSENSE GOVERNMENT CONTRACTOR COMPENSATION LIMITS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the government contractor compensation benchmark, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 457.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST LEGISLATION RELATING TO THE REGULATION OF GREENHOUSE GASES UNTIL CHINA, INDIA, AND RUSSIA IMPLEMENT AND ENFORCE SIMILAR MEASURES.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report relating to the provision of appropriations for any of fiscal years 2014 through 2023 for the regulation of greenhouse gas emissions, including carbon dioxide emissions, until the date on which the Administrator of the Environmental Protection Agency, the Administrator of the Energy Information Administration, and the Secretary of Commerce certify in writing that each of the People's Republic of China, the Republic of India, and Russia have proposed, implemented, and enforced measures that require carbon dioxide emissions reductions that are substantially similar to carbon dioxide emission reductions proposed for the United States.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 458.** Mr. MANCHIN (for himself, Mr. VITTER, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST FUNDING FOR UNATTAINABLE EMISSIONS REGULATIONS.**

(a) **DEFINITIONS.**—In this section:

(1) **COMMERCIAL SCALE.**—The term “commercial scale” means an electricity-generating unit that produces more than 100 megawatts of electricity.

(2) **ECONOMICALLY VIABLE.**—The term “economically viable”, with respect to a technology, means a technology that does not result in more than a 40-percent increase in electricity production costs from the electricity-generating unit at which the technology is used.

(3) **UNREALISTIC OR UNATTAINABLE.**—The term “unrealistic or unattainable” means a standard that—

(A) relies on a technology that has not been demonstrated on a commercial scale;

(B) is not presently economically viable; or

(C) requires less than 1,700 pounds of carbon dioxide per megawatt hour.

(b) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide funding to implement or enforce any Federal regulation that establishes an unrealistic or unattainable standard for carbon dioxide emissions

from new coal-fired electricity-generating units.

(c) **WAIVER AND APPEAL.**—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{5}$  of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

**SA 459.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR SENSIBLE REGULATORY REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for sensible regulatory reform, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 460.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE REPORT TO CONGRESS ON EPA COMPLIANCE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would require the Inspector General of the Environmental Protection Agency to submit to Congress, not less frequently than twice each year, a report on whether the Environmental Protection Agency has met regulatory reporting and regulatory agenda-setting requirements by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 461.** Mr. JOHANNIS submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR ASSISTANCE TO STATES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would require the Environmental Protection Agency to provide technical assistance and data, modeling, or technical support to any State that requests it pursuant to the development of a State implementation plan under section 110 of the Clean Air Act (42 U.S.C. 7410) by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 462.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR AGENCY GUIDANCE DOCUMENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would amend the Congressional Review Act (5 U.S.C. 801 et seq.) so that agency guidance documents are subject to resolutions of disapproval in the same manner as agency rules by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 463.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 73, line 18, after “partnerships,” insert “proposals for reforming the use of guidance documents in agency rulemaking to consider their effect on manufacturing.”.

**SA 464.** Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 73, line 18, after “partnerships,” insert “proposals related to cooperative federalism with State agencies that issue permits to manufacturing facilities.”.

**SA 465.** Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, after “agencies,” insert “rulemaking (including regulatory agenda publishing)”.

**SA 466.** Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 73, line 18, after “partnerships” insert “, proposals relating to improving transparency and reform at the Environmental Protection Agency.”.

**SA 467.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR PROHIBITING DRONE KILLINGS OF CITIZENS OF THE UNITED STATES ON UNITED STATES SOIL, ABSENT AN IMMINENT THREAT.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other

appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the use of drones, which may include a prohibition against using drones to kill citizens of the United States in the United States unless they present an imminent threat of death or serious bodily injury to another individual, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 468.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO ELIMINATE CORPORATE WELFARE.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the elimination of corporate welfare, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 469.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR CHOICE-BASED SCHOLARSHIPS FOR LOW-INCOME CHILDREN.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to school choice, which may include providing a portion of Department of Education funding to the States to allow for scholarships for low-income students in kindergarten through grade 12 to use at either a public or private school, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of

the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 470.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO LIMITING FEDERAL LAND HOLDINGS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to programs that discourage the Federal Government from owning or controlling more than a majority of the total land mass in any of the States, by the amounts provided in the legislation for that purpose, provided that the legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 471.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO REDUCE FOREIGN ASSISTANCE TO EGYPT AND INCREASE FUNDING FOR AN EAST COAST MISSILE DEFENSE SHIELD.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to reducing foreign assistance to Egypt and increasing funding for the Missile Defense Agency to establish a land-based missile defense capability on the east coast of the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 472.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels

for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO CHALLENGE COSTLY FEDERAL REGULATIONS.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the establishment of a private right of action challenging Federal regulations where the costs of such regulation significantly exceed the benefits, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 473.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT MILLIONAIRES FROM BEING ELIGIBLE FOR OR RECEIVING ANY MEANS-TESTED WELFARE PAYMENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to welfare reform, which may include prohibiting millionaires from being eligible for or receiving any means-tested welfare payments without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 474.** Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASED USE OF AUDITING.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing the use of audits by Federal agencies (including independent regulatory agencies) to recover erroneous Government payments and using the money for deficit reduction, without raising revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 475.** Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT AND UPHOLD SECOND AMENDMENT RIGHTS AND ENSURE THAT THE DEPARTMENT OF JUSTICE MAY NOT CREATE OR COMPILE A NATIONAL REGISTRY OF FIREARMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that protect and uphold the right to bear arms under the Second Amendment to the Constitution of the United States, which shall include ensuring that the Department of Justice may not create or compile a national registry of firearms, without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 476.** Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 59, strike line 25 and all that follows through page 60, line 7, and insert the following:

space and maintenance of Department facilities;

(5) supporting the transition of servicemembers to the civilian workforce, including by expanding or improving edu-

cation, job training, and workforce development benefits, or other programs for servicemembers or veterans, which may include streamlining the process associated with credentialing requirements; or

(6) providing resources to address privacy and safety for services to women veterans and members of the Armed Forces;

**SA 477.** Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO AUTHORIZE PROVISION OF PER DIEM PAYMENTS FOR PROVISION OF SERVICES TO DEPENDENTS OF HOMELESS VETERANS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between both Houses, motions, or conference reports related to care, services, or benefits for homeless veterans, which may include providing per diem payments for the furnishing of care for dependents of homeless veterans, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 478.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING ACCESS TO DUAL ENROLLMENT, CONCURRENT ENROLLMENT, OR EARLY COLLEGE HIGH SCHOOLS FOR LOW-INCOME STUDENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing access to dual enrollment, concurrent enrollment, or early college high schools for low-income students, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.



**SA 479.** Mr. FRANKEN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 60, line 22, insert "standardize financial aid award letters," after "students,".

**SA 480.** Mr. SCHUMER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT THE TRANSPORTATION SECURITY ADMINISTRATION FROM CHANGING ITS POLICY REGARDING THE PROHIBITION AGAINST PASSENGERS CARRYING SMALL, NON-LOCKING KNIVES ONTO COMMERCIAL AIRPLANES.**

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution for 1 or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would prohibit the Transportation Security Administration from changing its policy regarding the prohibition against passengers carrying small, non-locking knives onto commercial airplanes, by the amounts provided in such legislation for that purpose if such legislation would not increase the deficit during—

- (1) the 5-year period ending on September 30, 2018; or
- (2) the 10-year period ending on September 30, 2023.

**SA 481.** Mr. CARPER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 28, line 3, increase the amount by \$60,000,000.

On page 28, line 4, increase the amount by \$10,000,000.

On page 28, line 8, increase the amount by \$20,000,000.

On page 28, line 12, increase the amount by \$20,000,000.

On page 28, line 16, increase the amount by \$10,000,000.

On page 46, line 11, decrease the amount by \$60,000,000.

On page 46, line 12, decrease the amount by \$10,000,000.

On page 46, line 16, decrease the amount by \$20,000,000.

On page 46, line 20, decrease the amount by \$20,000,000.

On page 46, line 24, decrease the amount by \$10,000,000.

**SA 482.** Mr. REED (for himself, Ms. COLLINS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 18, line 23, increase the amount by \$50,000,000.

On page 18, line 24, increase the amount by \$3,000,000.

On page 19, line 3, increase the amount by \$5,000,000.

On page 19, line 7, increase the amount by \$10,000,000.

On page 19, line 11, increase the amount by \$18,000,000.

On page 19, line 15, increase the amount by \$13,000,000.

On page 19, line 19, increase the amount by \$2,000,000.

On page 19, line 23, increase the amount by \$1,000,000.

On page 46, line 11, reduce the amount by \$50,000,000.

On page 46, line 12, decrease the amount by \$3,000,000.

On page 46, line 16, decrease the amount by \$5,000,000.

On page 46, line 20, decrease the amount by \$10,000,000.

On page 46, line 24, decrease the amount by \$18,000,000.

On page 47, line 3, decrease the amount by \$13,000,000.

On page 47, line 7, decrease the amount by \$2,000,000.

On page 47, line 11, decrease the amount by \$1,000,000.

On page 57, after line 25, insert the following:

(4) low-income weatherization and energy efficiency retrofit programs;

On page 58, line 1, strike "(4)" and insert "(5)".

On page 58, line 3, strike "(5)" and insert "(6)".

On page 58, line 4, strike "(6)" and insert "(7)".

On page 58, line 7, strike "(7)" and insert "(8)".

On page 58, line 9, strike "(8)" and insert "(9)".

On page 58, line 10, strike "(9)" and insert "(10)".

**SA 483.** Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels

for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND RELATING HARDROCK MINING REFORM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal land management, which may include provisions relating to budget deficit reduction, establishment of a reclamation fund, imposition of a locatable mineral royalty, revenue sharing with States, and improvements to the permitting process, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 484.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_\_. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING OR ELIMINATING THE LIFELINE PROGRAM.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the reform, increased efficiency, or elimination of the Lifeline program, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 485.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4 \_\_\_\_\_. POINT OF ORDER AGAINST USING SAVINGS FOR PURPOSES OTHER THAN DEFICIT REDUCTION OR INVESTMENT IN THE NATION'S INFRASTRUCTURE.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would allocate any savings achieved through spending cuts or new



revenue that are not included in this resolution for any purpose other than deficit reduction or investment in the Nation's infrastructure.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 486.** Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND FOR POSTAL REFORM.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the United States Postal Service, which may include measures addressing the nonprofit postal discount for State and national political committees, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 487.** Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:  
**SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING ADVANCED APPROPRIATIONS FOR THE INDIAN HEALTH SERVICE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing advanced appropriations for the Indian Health Service and Indian Health Facilities accounts of the Indian Health Service, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 488.** Ms. MURKOWSKI (for herself, Mr. COCHRAN, Mr. WICKER, Ms. COLLINS, Ms. AYOTTE, Mr. KING, Mrs. SHAHEEN, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE ASSISTANCE FOR FISHERY DISASTERS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance for fishery disasters as declared by the Secretary of Commerce during calendar year 2012, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 489.** Mr. ENZI (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PHASE-IN ANY CHANGES TO INDIVIDUAL OR CORPORATE TAX SYSTEMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the phase-in of any changes to the individual or corporate tax systems, including any changes to individual or corporate income tax exclusions, exemptions, deductions, or credits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 490.** Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR LEGISLATION THAT REQUIRES EACH FEDERAL AGENCY TO IDENTIFY AND PRIORITIZE EACH OF ITS PROGRAMS, PROJECTS, AND ACTIVITIES.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to requiring each Federal agency to identify and prioritize each of its programs, projects, and activities by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 491.** Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT AND RESTORE MONEY IN ESTABLISHED, DEDICATED FUNDS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to protecting and restoring money in dedicated funds established as of the date of enactment of this resolution, such as trust funds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 492.** Mr. COATS (for himself, Mr. MANCHIN, Mr. BLUNT, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE ON THE PRESIDENTIAL EXEMPTION.**

It is the sense of the Senate that the levels and reserve funds in this concurrent resolution assume in making appropriations and revenue decisions, the Senate supports the

provision, to the Environmental Protection Agency, of adequate resources to enable the President to remain adequately informed and take prompt action to issue, on a case-by-case basis, Presidential exemptions for affected entities such as electric utility steam generating units under environmental laws such as section 112(i)(4) of the Clean Air Act (42 U.S.C. 7412(i)(4)).

**SA 493.** Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 26, line 6, increase the amount by \$1,220,000,000.  
 On page 26, line 7, increase the amount by \$937,000,000.  
 On page 26, line 10, increase the amount by \$865,000,000.  
 On page 26, line 11, increase the amount by \$1,241,000,000.  
 On page 26, line 14, increase the amount by \$871,000,000.  
 On page 26, line 15, increase the amount by \$1,392,000,000.  
 On page 26, line 18, increase the amount by \$886,000,000.  
 On page 26, line 19, increase the amount by \$1,492,000,000.  
 On page 26, line 22, increase the amount by \$904,000,000.  
 On page 26, line 23, increase the amount by \$1,553,000,000.  
 On page 27, line 2, increase the amount by \$923,000,000.  
 On page 27, line 3, increase the amount by \$1,593,000,000.  
 On page 27, line 6, increase the amount by \$943,000,000.  
 On page 27, line 7, increase the amount by \$1,623,000,000.  
 On page 27, line 10, increase the amount by \$963,000,000.  
 On page 27, line 11, increase the amount by \$1,658,000,000.  
 On page 27, line 14, increase the amount by \$988,000,000.  
 On page 27, line 15, increase the amount by \$1,693,000,000.  
 On page 27, line 18, increase the amount by \$1,014,000,000.  
 On page 27, line 19, increase the amount by \$1,729,000,000.  
 On page 46, line 11, decrease the amount by \$1,220,000,000.  
 On page 46, line 12, decrease the amount by \$937,000,000.  
 On page 46, line 15, decrease the amount by \$865,000,000.  
 On page 46, line 16, decrease the amount by \$1,241,000,000.  
 On page 46, line 19, decrease the amount by \$871,000,000.  
 On page 46, line 20, decrease the amount by \$1,392,000,000.  
 On page 46, line 23, decrease the amount by \$886,000,000.  
 On page 46, line 24, decrease the amount by \$1,492,000,000.  
 On page 47, line 2, decrease the amount by \$904,000,000.  
 On page 47, line 3, decrease the amount by \$1,553,000,000.  
 On page 47, line 6, decrease the amount by \$923,000,000.

On page 47, line 7, decrease the amount by \$1,593,000,000.

On page 47, line 10, decrease the amount by \$943,000,000.

On page 47, line 11, decrease the amount by \$1,623,000,000.

On page 47, line 14, decrease the amount by \$963,000,000.

On page 47, line 15, decrease the amount by \$1,658,000,000.

On page 47, line 18, decrease the amount by \$988,000,000.

On page 47, line 19, decrease the amount by \$1,693,000,000.

On page 47, line 22, decrease the amount by \$1,014,000,000.

On page 47, line 23, decrease the amount by \$1,729,000,000.

**SA 494.** Mr. HOEVEN (for himself, Mr. BAUCUS, Mr. CORNYN, Mr. MANCHIN, Mr. ROBERTS, Ms. HEITKAMP, Mr. BARRASSO, Ms. LANDRIEU, Ms. MURKOWSKI, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROMOTION OF INVESTMENT AND JOB GROWTH IN UNITED STATES MANUFACTURING, OIL AND GAS PRODUCTION, AND REFINING SECTORS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that may result in strong growth in manufacturing, oil and gas production, and refining sectors of the economy through the approval and construction of the Keystone XL Pipeline without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 495.** Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEFICIT-NEUTRAL RESERVE FUND FOR GENERATIONAL ACCOUNTING.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between

the Houses, motions, or conference reports that may provide for generational accounting to promote understanding of the fiscal and economic impacts that proposed policy changes would have on current and future generations without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 496.** Mr. SCHUMER (for himself, Mr. MENENDEZ, Mrs. GILLIBRAND, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 56, line 12, insert "tax relief for victims of recent federally-declared major disasters," after "United States enterprises,"

**SA 497.** Ms. CANTWELL (for herself, Mr. RUBIO, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRIORITIZING FUNDS FOR FISHERY STOCK SURVEYS AND STOCK ASSESSMENTS TO SUPPORT, PROTECT, AND DEVELOP THE UNITED STATES FISHING ECONOMY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prioritizing funds for fishery stock surveys and stock assessments, without raising new revenue, to support, protect, and develop the United States fishing economy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 498.** Ms. WARREN (for herself, Mr. REED, Mr. SCHUMER, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. KING, and Mr. COWAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth

the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE DISASTER ASSISTANCE FOR FISHERIES FAILURES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for disaster assistance for commercial fisheries failures declared by the Secretary of Commerce during calendar year 2012, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 499.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT DOMESTIC ENERGY SOURCES CAN MEET EMISSIONS RULES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that are related to the research, development, and demonstration necessary for domestically abundant energy sources and current energy technologies to comply with present and future greenhouse gas emissions rules while still remaining economically competitive, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 500.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 80, between lines 14 and 15, insert the following:

(E) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2014 that appropriates \$8,175,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides

an additional appropriation of up to \$850,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed \$850,000,000 in budget authority and outlays flowing therefrom for fiscal year 2014.

**SA 501.** Mr. MANCHIN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE COMMERCIALIZATION OF CARBON TECHNOLOGIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to the research, development, and demonstration projects necessary for the commercialization of fossil energy related technologies required for electric generating units (EGUs) and other energy conversion facilities to meet proposed and future emissions standards, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 502.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 13, line 13, decrease the amount by \$15,000,000.

On page 13, line 14, decrease the amount by \$3,000,000.

On page 13, line 18, decrease the amount by \$7,000,000.

On page 13, line 22, decrease the amount by \$3,000,000.

On page 13, line 26, decrease the amount by \$1,000,000.

On page 46, line 11, increase the amount by \$15,000,000.

On page 46, line 12, increase the amount by \$3,000,000.

On page 46, line 16, increase the amount by \$7,000,000.

On page 46, line 20, increase the amount by \$3,000,000.

On page 46, line 24, increase the amount by \$1,000,000.

**SA 503.** Mrs. MCCASKILL submitted an amendment intended to be proposed

by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST REDUCING FUNDING FOR MENTAL HEALTH SERVICES TO INDIVIDUALS WHO ARE ELIGIBLE TO PURCHASE A WEAPON.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that reduces funding for mental health services to individuals who are eligible to purchase a weapon.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 504.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, strike beginning with line 5 through line 24 and insert the following:

**SEC. 321. DEFICIT-REDUCTION RESERVE FUND FOR GOVERNMENT REFORM AND EFFICIENCY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) achieve savings through—

(A) the use of performance data or scientifically rigorous evaluation methodologies for the elimination, consolidation, or reform of Federal programs, agencies, offices, and initiatives;

(B) the reform of acquisition policy;

(C) the sale of Federal property;

(D) the purchase of products or services;

(E) a reduction of improper payments;

(F) an increase in the use of strategic sourcing;

(G) a reduction in the use of sole-source contracting;

(H) an increase in the use of fixed-price contracting;

(I) improved training and utilization of the acquisition workforce; or

(J) the removal of contracting preferences for Alaska Natives beyond those available to other participants in the program under section 8(a) of the Small Business Act, such as the ability to receive sole-source contracts above threshold amounts; and

(2) reduce the deficit over either the period of the total of fiscal years 2013 through 2018

or the period of the total of fiscal years 2013 through 2023.

The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

**SA 505.** Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING PRIVACY PROTECTIONS FOR AMERICANS FROM DRONES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that provide privacy protections for individuals in the United States by addressing serious privacy concerns posed by the integration of unmanned aircraft in the national airspace, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 506.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 13, line 13, increase the amount by \$85,000,000.

On page 13, line 14, increase the amount by \$60,520,000.

On page 13, line 17, increase the amount by \$85,000,000.

On page 13, line 18, increase the amount by \$78,285,000.

On page 13, line 21, increase the amount by \$85,000,000.

On page 13, line 22, increase the amount by \$82,620,000.

On page 13, line 25, increase the amount by \$85,000,000.

On page 13, line 26, increase the amount by \$83,640,000.

On page 14, line 3, increase the amount by \$85,000,000.

On page 14, line 4, increase the amount by \$83,980,000.

On page 14, line 7, increase the amount by \$85,000,000.

On page 14, line 8, increase the amount by \$84,065,000.

On page 14, line 11, increase the amount by \$85,000,000.

On page 14, line 12, increase the amount by \$84,065,000.

On page 14, line 15, increase the amount by \$85,000,000.

On page 14, line 16, increase the amount by \$84,065,000.

On page 14, line 19, increase the amount by \$85,000,000.

On page 14, line 20, increase the amount by \$84,065,000.

On page 14, line 23, increase the amount by \$85,000,000.

On page 14, line 24, increase the amount by \$84,065,000.

On page 46, line 11, decrease the amount by \$85,000,000.

On page 46, line 12, decrease the amount by \$60,520,000.

On page 46, line 15, decrease the amount by \$85,000,000.

On page 46, line 16, decrease the amount by \$78,285,000.

On page 46, line 19, decrease the amount by \$85,000,000.

On page 46, line 20, decrease the amount by \$82,620,000.

On page 46, line 23, decrease the amount by \$85,000,000.

On page 46, line 24, decrease the amount by \$83,640,000.

On page 47, line 2, decrease the amount by \$85,000,000.

On page 47, line 3, decrease the amount by \$83,980,000.

On page 47, line 6, decrease the amount by \$85,000,000.

On page 47, line 7, decrease the amount by \$84,065,000.

On page 47, line 10, decrease the amount by \$85,000,000.

On page 47, line 11, decrease the amount by \$84,065,000.

On page 47, line 14, decrease the amount by \$85,000,000.

On page 47, line 15, decrease the amount by \$84,065,000.

On page 47, line 18, decrease the amount by \$85,000,000.

On page 47, line 19, decrease the amount by \$84,065,000.

On page 47, line 22, decrease the amount by \$85,000,000.

On page 47, line 23, decrease the amount by \$84,065,000.

**SA 507.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT THE REGULATION OF FOOD AND BEVERAGES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the regulation of food or beverages, which may include preventing the regulation of the size and quantity thereof,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 508.** Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FEDERALISM IN LABOR REGULATION.**

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to restoring federalism with regard to regulation of labor relations, which may include establishing that it is the sole right of States to regulate labor relations, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2014 through 2023.

**SA 509.** Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$155,000,000.

On page 5, line 10, decrease the amount by \$155,000,000.

On page 5, line 11, decrease the amount by \$155,000,000.

On page 5, line 12, decrease the amount by \$155,000,000.

On page 5, line 13, decrease the amount by \$155,000,000.

On page 5, line 14, decrease the amount by \$155,000,000.

On page 5, line 15, decrease the amount by \$155,000,000.

On page 5, line 16, decrease the amount by \$155,000,000.

On page 5, line 17, decrease the amount by \$155,000,000.

On page 5, line 18, decrease the amount by \$155,000,000.

On page 5 line 23, decrease the amount by \$155,000,000.

On page 5, line 24, decrease the amount by \$155,000,000.

On page 5, line 25, decrease the amount by \$155,000,000.

On page 6, line 1, decrease the amount by \$155,000,000.

On page 6, line 2, decrease the amount by \$155,000,000.

On page 6, line 3, decrease the amount by \$155,000,000.

On page 6, line 4, decrease the amount by \$155,000,000.

On page 6, line 5, decrease the amount by \$155,000,000.

On page 6, line 6, decrease the amount by \$155,000,000.

On page 6, line 7, decrease the amount by \$155,000,000.

On page 6, line 12, decrease the amount by \$155,000,000.

On page 6, line 13, decrease the amount by \$155,000,000.

On page 6, line 14, decrease the amount by \$155,000,000.

On page 6, line 15, decrease the amount by \$155,000,000.

On page 6, line 16, decrease the amount by \$155,000,000.

On page 6, line 17, decrease the amount by \$155,000,000.

On page 6, line 18, decrease the amount by \$155,000,000.

On page 6, line 19, decrease the amount by \$155,000,000.

On page 6, line 20, decrease the amount by \$155,000,000.

On page 6, line 21, decrease the amount by \$155,000,000.

On page 46, line 11, decrease the amount by \$155,000,000.

On page 46, line 12, decrease the amount by \$155,000,000.

On page 46, line 15, decrease the amount by \$155,000,000.

On page 46, line 16, decrease the amount by \$155,000,000.

On page 46, line 19, decrease the amount by \$155,000,000.

On page 46, line 20, decrease the amount by \$155,000,000.

On page 46, line 23, decrease the amount by \$155,000,000.

On page 46, line 24, decrease the amount by \$155,000,000.

On page 47, line 2, decrease the amount by \$155,000,000.

On page 47, line 3, decrease the amount by \$155,000,000.

On page 47, line 6, decrease the amount by \$155,000,000.

On page 47, line 7, decrease the amount by \$155,000,000.

On page 47, line 10, decrease the amount by \$155,000,000.

On page 47, line 11, decrease the amount by \$155,000,000.

On page 47, line 14, decrease the amount by \$155,000,000.

On page 47, line 15, decrease the amount by \$155,000,000.

On page 47, line 18, decrease the amount by \$155,000,000.

On page 47, line 19, decrease the amount by \$155,000,000.

On page 47, line 22, decrease the amount by \$155,000,000.

On page 47, line 23, decrease the amount by \$155,000,000.

**SA 510.** Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which

was ordered to lie on the table; as follows:

On page 35, line 11, decrease the amount by \$2,000,000.

On page 35, line 12, decrease the amount by \$660,000.

On page 35, line 15, decrease the amount by \$2,000,000.

On page 35, line 16, decrease the amount by \$2,000,000.

On page 35, line 19, decrease the amount by \$2,000,000.

On page 35, line 20, decrease the amount by \$2,000,000.

On page 35, line 23, decrease the amount by \$2,000,000.

On page 35, line 24, decrease the amount by \$2,000,000.

On page 36, line 2, decrease the amount by \$2,000,000.

On page 36, line 3, decrease the amount by \$2,000,000.

On page 36, line 6, decrease the amount by \$2,000,000.

On page 36, line 7, decrease the amount by \$2,000,000.

On page 36, line 10, decrease the amount by \$2,000,000.

On page 36, line 11, decrease the amount by \$2,000,000.

On page 36, line 14, decrease the amount by \$2,000,000.

On page 36, line 15, decrease the amount by \$2,000,000.

On page 36, line 18, decrease the amount by \$2,000,000.

On page 36, line 19, decrease the amount by \$2,000,000.

On page 36, line 22, decrease the amount by \$2,000,000.

On page 36, line 23, decrease the amount by \$2,000,000.

On page 40, line 23, increase the amount by \$1,500,000.

On page 40, line 24, increase the amount by \$330,000.

On page 41, line 2, increase the amount by \$1,500,000.

On page 41, line 3, increase the amount by \$780,000.

On page 41, line 6, increase the amount by \$1,500,000.

On page 41, line 7, increase the amount by \$1,080,000.

On page 41, line 10, increase the amount by \$1,500,000.

On page 41, line 11, increase the amount by \$1,305,000.

On page 41, line 14, increase the amount by \$1,500,000.

On page 41, line 15, increase the amount by \$1,500,000.

On page 41, line 18, increase the amount by \$1,500,000.

On page 41, line 19, increase the amount by \$1,500,000.

On page 41, line 22, increase the amount by \$1,500,000.

On page 41, line 23, increase the amount by \$1,500,000.

On page 42, line 2, increase the amount by \$1,500,000.

On page 42, line 3, increase the amount by \$1,500,000.

On page 42, line 6, increase the amount by \$1,500,000.

On page 42, line 7, increase the amount by \$1,500,000.

On page 42, line 10, increase the amount by \$1,500,000.

On page 42, line 11, increase the amount by \$1,500,000.

**SA 511.** Mrs. FEINSTEIN submitted an amendment intended to be proposed

by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REDUCE FIREARM VIOLENCE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reduces firearm violence, which may include prohibiting persons who have committed a felony or crime of domestic violence in a foreign jurisdiction from possessing a firearm in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 512.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:  
**SEC. 5. SENSE OF THE SENATE REGARDING THE UTILIZATION OF HIGH-CAPACITY AMMUNITION MAGAZINES.**

(a) FINDINGS.—The Senate makes the following findings:

(1) On January 8, 2011, in Tucson, Arizona, Jared Loughner went on a shooting rampage that claimed the lives of 6 people, severely injured former Congresswoman Gabrielle Giffords, and wounded 12 other individuals.

(2) Loughner was armed with a semi-automatic pistol utilizing a 33-round ammunition magazine.

(3) Testimony before the Committee on the Judiciary of the Senate revealed that 9-year-old Christina-Taylor Green was shot with the 13th, or subsequent, bullet.

(4) Loughner was tackled and subdued when he attempted to replace and reload his ammunition magazine.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that utilizing a high-capacity ammunition magazine increases the ability of an assailant to shoot many people in a fixed amount of time without pausing to reload.

**SA 513.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HIGH-PERFORMING PUBLIC SCHOOLS SERVING LOW-INCOME STUDENTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing infrastructure funds to high-performing public elementary schools and secondary schools, including high-performing public charter schools, that serve low-income students, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 514.** Mr. COATS (for himself, Mr. MANCHIN, Mr. BLUNT, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENABLE PROMPT ACTION FOR PRESIDENTIAL EXCEPTION FOR MERCURY AND AIR TOXINS STANDARD.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that may allow the Environmental Protection Agency to enable the President to be adequately informed and take prompt action to issue, on a case-by-case basis, Presidential exemptions, which may include exemptions under section 112(i)(4) of the Clean Air Act (42 U.S.C. 7412(i)(4)), without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 515.** Mr. ALEXANDER (for himself, Mr. PAUL, Mr. TOOMEY, Mr. RUBIO, and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR SCHOOL CHOICE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the education of low-income children, which may include allowing funding under the Elementary and Secondary Education Act of 1965 to follow children from low-income families to the school the children attend, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**SA 516.** Mr. ALEXANDER (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE MEDICAL DEVICE TAX AND THE WIND PRODUCTION TAX CREDIT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that are related to tax reform, which may include repealing the excise tax on medical devices or tax credit for the production of electricity from wind, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 21, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 21, 2013, at 10 a.m. to conduct a hearing entitled "The Department of

Homeland Security at 10 Years: A Progress Report on Management."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 21, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 21, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 21, 2013, at 10 a.m., to hold an East Asia and Pacific Affairs subcommittee hearing entitled, "Rebalance to Asia: What Does It Mean for Democracy, Good Governance and Human Rights?"

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mrs. MURRAY. Mr. President, I ask unanimous consent that the following staff on the Finance Committee have floor privileges for the 113th Congress: Freney Dessai and Ivy Dong.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask on behalf of Senator MENENDEZ unanimous consent that Margaret Taylor, a State Department detailee to the Foreign Relations Committee, be given floor privileges during the debate on S. Con. Res. 8, the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER**

Mr. MERKLEY. Madam President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 540 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (S. 540) to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center."



There being no objection, the Senate proceeded to consider the bill.

Mr. MERKLEY. I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 540) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 540

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DESIGNATION OF PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER.**

(a) IN GENERAL.—The air route traffic control center located in Nashua, New Hampshire, and any successor air route traffic control center at that location, shall be known and designated as the “Patricia Clark Boston Air Route Traffic Control Center”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the air route traffic control center referred to in subsection (a) shall be deemed to be a reference to the “Patricia Clark Boston Air Route Traffic Control Center”.

**PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY**

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 88, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 88) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MERKLEY. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 88) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

**NATIONAL CEREBRAL PALSY AWARENESS DAY**

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 89, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 89) designating March 25, 2013, as “National Cerebral Palsy Awareness Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. MERKLEY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 89) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

**AUTHORIZING USE OF THE CAPITOL GROUNDS**

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate proceed to consideration of H. Con. Res. 18 which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant bill clerk read as follows:

The concurrent resolution (H. Con. Res. 18) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

There being no objection, the Senate proceeded to the concurrent resolution.

Mr. MERKLEY. Madam President, I ask unanimous consent that the concurrent resolution be agreed to; the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 18) was agreed to.

**AUTHORIZING USE OF THE CAPITOL GROUNDS**

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate proceed to consideration of H. Con. Res. 19 which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant bill clerk read as follows:

The concurrent resolution (H. Con. Res. 19) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MERKLEY. Madam President, I ask unanimous consent that the concurrent resolution be agreed to; the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 19) was agreed to.

**MEASURE READ THE FIRST TIME—S. 649**

Mr. MERKLEY. Madam President, I understand that S. 649, introduced earlier today by Senator REID, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant bill clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Mr. MERKLEY. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for a second time on the next legislative day.

**APPOINTMENTS**

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, pursuant to Public Law 85-874, as amended, appoints and reappoints the following individuals to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: The Honorable MARK WARNER of Virginia, vice The Honorable KENT CONRAD of North Dakota and The Honorable DIANNE FEINSTEIN of California (reappointment).

The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to 22 U.S.C. 2761, as amended, appoints the Senator from Vermont, Mr. LEAHY, as Chairman of the Senate Delegation to the British-American Interparliamentary Group conference during the 113th Congress.

The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, appoints the following Senator as Chairman of the U.S.-China Interparliamentary Group conference during the 113th Congress: The Honorable MARK BEGICH of Alaska.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senator as Chairman of the Senate Delegation to the Canada-U.S. Interparliamentary Group conference during the 113th Congress: The Honorable AMY KLOBUCHAR of Minnesota.



The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the following Senator as Chairman to the Mexico-U.S. Interparliamentary Group Conference for the 113th Congress: The Honorable TIM KAINE of Virginia.

#### ORDERS FOR FRIDAY, MARCH 22, 2013

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Friday, March 22, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that the Senate resume consideration of S. Con. Res. 8, the budget resolution, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. MERKLEY. There will be six votes at 11 a.m., and the budget vote-arama is expected to begin at approximately 3 p.m.

#### ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MERKLEY. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 10:56 p.m., adjourned until Friday, March 22, 2013, at 9 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

KEVIN A. OHLSON, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES FOR THE TERM OF FIFTEEN YEARS TO EXPIRE ON THE DATE PRESCRIBED BY LAW, VICE ANDREW S. EFFRON, TERM EXPIRED.

##### DEPARTMENT OF VETERANS AFFAIRS

CONSTANCE B. TOBIAS, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS, VICE JAMES PHILIP TERRY, TERM EXPIRED.

##### EXPORT-IMPORT BANK OF THE UNITED STATES

FRED P. HOCHBERG, OF NEW YORK, TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2017. (REAPPOINTMENT)

##### NUCLEAR REGULATORY COMMISSION

ALLISON M. MACFARLANE, OF MARYLAND, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR A TERM EXPIRING JUNE 30, 2018. (REAPPOINTMENT)

##### TENNESSEE VALLEY AUTHORITY

MARILYN A. BROWN, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2017. (REAPPOINTMENT)

##### DEPARTMENT OF JUSTICE

STUART F. DELERY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE TONY WEST.

##### PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

PATRICIA M. WALD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2019. (REAPPOINTMENT)

##### OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

CYNTHIA L. ATTWOOD, OF VIRGINIA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2019. (REAPPOINTMENT)

##### HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015, VICE ROGER L. HUNT, TERM EXPIRED.

##### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

RANEE RAMASWAMY, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE MIGUEL CAMPANERIA, TERM EXPIRED.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JULIE ANN KOENEN, OF CALIFORNIA  
MARCIA MUSISI NKAMBWE, OF ARIZONA  
MILES F. TODER, OF VIRGINIA  
PETER E. YOUNG, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ELISE AYERS, OF MASSACHUSETTS  
SARAH DREYER, OF FLORIDA  
LOUIS DUNCAN, OF FLORIDA  
FAMELA L. FESSENDEN, OF NEW HAMPSHIRE  
RONALD L. GLASS, OF FLORIDA  
REBECCA A. HAMMEL, OF VIRGINIA  
ZEINAH SALAH, OF CONNECTICUT  
CAROL JEAN WILSON, OF VIRGINIA  
MARK C. WILT, OF MICHIGAN

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

PATRICIA LYNN ALEXANDER, OF VIRGINIA  
RICHARD TODD ANDREWS, OF FLORIDA  
SHARLENE MANPREET KAUR BAGGA-TAVES, OF MICHIGAN

TAHALIA J. BARRET, OF NEW YORK  
ALDER BARTLETT, OF OREGON  
THOMAS GARY BAYER, OF RHODE ISLAND  
SARA A. CALVERT, OF MARYLAND  
ANGELA ORNELAZ CARDENAS, OF TEXAS  
JUDY CHEN, OF NEVADA  
RICHARD X. CHEN, OF FLORIDA  
ROBERT D. CLINK, OF PENNSYLVANIA  
DAVID COHEN, OF FLORIDA  
ALICIA CONTRERAS, OF ILLINOIS  
MATTHEW WILLIAM CORBIN, OF WASHINGTON  
G. HEATH COSGROVE, OF ALABAMA  
MOHAMED SANOUSSY DANSOKO, OF CALIFORNIA  
DIANNA LYNN DARSNEY, OF NEW HAMPSHIRE  
EILEEN SIOBHAN DERBY, OF NEW YORK  
JENNA MICHELE DIALLO, OF MARYLAND  
KATHERINE JOY DOW, OF WASHINGTON  
SIMONE DUNCAN, OF FLORIDA  
MICHELLE SHANA DWORIN, OF NEW YORK  
JOHN AARON EDGAR, OF WEST VIRGINIA  
JO JEAN ELENES, OF ARIZONA  
IOLI FILMERIDIS, OF CALIFORNIA  
JOSEPH T. FOLTZ, OF MICHIGAN  
AMANDA L. FONG, OF TEXAS  
QING LUO FRANCIS, OF GEORGIA  
EMILY GARDINER, OF VIRGINIA  
BENJAMIN GOGGIN GARRETT, OF VIRGINIA  
THEODORE L. GLENN, OF CALIFORNIA  
LUIS EDUARDO GUZMAN, OF CALIFORNIA  
BRYAN HIGHFILL, OF TEXAS  
W. CULLEN HUGHES, OF COLORADO  
SHELBY PATRICK HUNT, OF CALIFORNIA  
MICHAEL L. JONES, OF NEW YORK  
SHAWN ELIZABETH ALEXANDRIA JONES, OF NEVADA  
ROOPA H. KARIA, OF OREGON  
HAELEE KIM, OF NEW JERSEY  
MARIA KIM, OF PENNSYLVANIA  
BRADLEY KLINGSPOHN, OF WISCONSIN  
KY TU LAM, OF CALIFORNIA  
ROBERT CHASE LAYNG, OF MAINE  
LESLIE A. MACKEN, OF NORTH CAROLINA

NORA MOON MADRIGAL, OF CALIFORNIA  
LUIS ALFREDO MAES, OF NORTH CAROLINA  
JERRY L. MARCUS, OF FLORIDA  
ENILDA MARTIN, OF FLORIDA  
DEBORAH R. MILLER, OF HAWAII  
ANNE G. MURPHY, OF TEXAS  
VERLA CLEOPATRA LORETTA NATHANIEL, OF THE VIRGIN ISLANDS

TIMOTHY ONG, OF CALIFORNIA  
PHILLIP NEIL PALMER, OF NEW YORK  
MANDY M. PARHAM, OF MARYLAND  
ESTHER PARK, OF CALIFORNIA  
NATHAN B. PARK, OF THE DISTRICT OF COLUMBIA  
LORENZO PERDIGUERRA, OF THE DISTRICT OF COLUMBIA

SHANLEY M. PINCHOTTI, OF THE DISTRICT OF COLUMBIA  
ELIZABETH GEWURZ RAMIREZ, OF ILLINOIS  
JILL RANDALL, OF NEW MEXICO  
DAVID ALAN RATLIFF, OF CONNECTICUT  
MICHAEL J. REILLY, OF MAINE  
KATHERINE-ANN RENIERS, OF NEW YORK  
ALEXANDRA L. RIBOUL, OF THE DISTRICT OF COLUMBIA  
RYDER H. ROGERS, OF TEXAS  
MARIELLA ELIZABETH RUIZ RODRIGUEZ, OF CALIFORNIA

KALONJI SAMUEL, OF NEW YORK  
CHRISTOPHER N. SCHAEFFER, OF TEXAS  
AARON SCHUBERT, OF ALASKA  
TARA TAYLOR SIMPSON, OF TEXAS  
JENNIFER A. SLOTNICK, OF VIRGINIA  
CRAIG A. SMITH, OF CALIFORNIA  
JOSHUA J. SMITH, OF VIRGINIA  
DANIELLE A. SPINARD, OF RHODE ISLAND  
KARTIK SRINIVASAN, OF MICHIGAN  
J. DAVID STOTT, OF FLORIDA  
D. BENJAMIN SWARTLEY, OF THE DISTRICT OF COLUMBIA

JEANNETTE ELIZABETH VAIL, OF OHIO  
SARAH WERTH, OF WASHINGTON  
BRANDY WITTHOFT, OF NEW YORK  
BRIAN KEITH WOODY, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

BEATA ANGELICA, OF CALIFORNIA  
BELGIN JENNIFER VANDERPLOEG, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ANTONIO GABRIELE AGNONE, OF THE DISTRICT OF COLUMBIA

CLAYTON ALEXANDER ALDERMAN, OF CALIFORNIA  
LEAH GRACE ALLEN, OF ARKANSAS  
ERIC P. ANDERSEN, OF THE DISTRICT OF COLUMBIA  
NATHAN ANDERSON, OF TEXAS  
ANDREA LYNN AQUILLA, OF MARYLAND  
EMILY M. ARMITAGE, OF VIRGINIA  
ERIC TRANSFELDT ATKINS, OF WASHINGTON  
MARK MADISON ATKISSON, OF NEW JERSEY  
JOSEPH BAGGA-TAVES, OF MICHIGAN  
BARRY MICHAEL BELKNAP, OF MINNESOTA  
JEREMY R. BERNDT, OF MASSACHUSETTS  
ELIZABETH J. BLUMENTHAL, OF THE DISTRICT OF COLUMBIA

DOUGLAS R. BOUDREAU, OF VIRGINIA  
CHARITY L. BOYETTE, OF VIRGINIA  
MEGHAN EILEEN BRADLEY, OF VIRGINIA  
JODI R. BREISLER, OF MINNESOTA  
ALAN Z. BRINKER, OF OHIO  
JOHN S. BROWN, OF WASHINGTON  
CIERA DAWN BURNETT, OF MASSACHUSETTS  
MARGARET CATHERINE CAMPBELL, OF VIRGINIA  
LEANNE R. CANNON, OF VIRGINIA  
NOAH T. CLARK, OF WASHINGTON  
REBECCA MARIE DANIS, OF MISSOURI  
GIANGHIA NAR DAO, OF CONNECTICUT  
SANDYA LAKSHMI DAS, OF THE DISTRICT OF COLUMBIA  
CHRISTOPHER A. DAVENPORT, OF VIRGINIA  
ALISON EVANS DAVIS, OF MARYLAND  
EUGENIA WALKER DAVIS, OF OHIO  
ANDREA JO DE ARMENT, OF OHIO  
GABRIEL DEL BOSQUE, OF TEXAS  
DANIEL A. DEL CASTILLO, OF FLORIDA  
JAMES BUTLER DEWEY, OF WASHINGTON  
JUAN DOMENECH CLAR, OF PUERTO RICO  
CHRISTOPHER M. DUMM, OF VIRGINIA  
THOMAS ELAND EDWARDS, OF WASHINGTON  
BRETT ANDREW EGGLESTON, OF TEXAS  
BENJAMIN HARRIS ELLIS, OF VIRGINIA  
JOSEPH FARBEANN, OF THE DISTRICT OF COLUMBIA  
PETER RICHARD FASNACHT, OF NEW JERSEY  
TERRANCE ELLIOTT FAVORS, OF COLORADO  
JOHN P. FER, OF THE DISTRICT OF COLUMBIA  
JOSHUA N. FINCH, OF WYOMING  
DOUGLAS L. FLITTER, OF PENNSYLVANIA  
MICHAEL KENT FOGO, OF GEORGIA  
TARA EILEEN FOLEY, OF MASSACHUSETTS  
MARY FRANGAKIS, OF NEW YORK  
NEIL STEVEN GIPSON, OF NEBRASKA  
EMILY ANNE GODFREY, OF ARIZONA  
RAFAEL ANCHETA GONZALEZ, OF TENNESSEE  
EMILY R. GREEN, OF VIRGINIA  
SARA D. GREENGRASS, OF FLORIDA  
CHRISTOPHER M. GRELLER, OF WYOMING  
TRAVIS A. GROUT, OF OHIO  
TOMAS ANDRÉS LEVY GUERRERO, OF VIRGINIA

CRAIG ACTON HALBMAIER, OF NEW HAMPSHIRE  
 ADAM C. HALVERSON, OF COLORADO  
 CHRISTOPHER THADDEUS WESTON HARTFIELD, OF GEORGIA  
 TIMOTHY F. HAYNES, JR., OF NEW YORK  
 LISA RAY HECHT-CRONSTEDT, OF FLORIDA  
 HOLLY M. HECKMAN, OF ALABAMA  
 NEIL HELBRAUN, OF ILLINOIS  
 ANTHONY J. HENDON, OF MICHIGAN  
 JACQUELINE BRETT HERNANDEZ, OF FLORIDA  
 MARK HERRUP, OF MARYLAND  
 SHANNON PIPER HILL, OF THE DISTRICT OF COLUMBIA  
 ANA ELIZABETH HIMELIC, OF ARIZONA  
 AMY SERINA HIRSCH, OF THE DISTRICT OF COLUMBIA  
 ELIZABETH A. HOLCOMBE, OF FLORIDA  
 DANIEL J. HORNING, OF OHIO  
 KRISTEN J. HUGHES, OF MICHIGAN  
 JASON RAY HUTCHISON, OF FLORIDA  
 BRANDON JOVAN JACKSON, OF FLORIDA  
 JINANSHU CHINMAY JAIN, OF PENNSYLVANIA  
 HUGO A. JIMENEZ, OF VIRGINIA  
 AMANDA JOHNSON MILLER, OF THE DISTRICT OF COLUMBIA  
 MARK RICHARD JORGENSEN, OF MINNESOTA  
 STEVEN COLLAT KAMENY, OF THE DISTRICT OF COLUMBIA  
 NAHAL KAZEMI, OF CALIFORNIA  
 JONATHAN A. KENT, OF IOWA  
 SAMANTHA Y. KUO, OF CALIFORNIA  
 PABEO KURIAN, OF CALIFORNIA  
 JEFFREY L. LADENSON, OF NEW HAMPSHIRE  
 CHRISTINA T. LE, OF TEXAS  
 ELESASHA M. LEWIS, OF VIRGINIA  
 LI PING LO, OF VIRGINIA  
 ANGELA TIOGE MANALO, OF CALIFORNIA  
 PATRICK MARTINO, OF WISCONSIN  
 KUROSH MASSOUD ANSARI, OF VIRGINIA  
 AMIT MATHUR, OF VIRGINIA  
 SARAH LOSS MATHUR, OF VIRGINIA  
 CASH LEE MCCracken, OF TENNESSEE  
 CHRISTOPHER PAUL MEADE, OF VIRGINIA  
 RACHEL SUZANNAH MIKESKA, OF VIRGINIA  
 JAMES THOMAS MOFFITT, OF NEW MEXICO  
 FARID ABBAS MOHAMED, OF MAINE  
 ERIN M. MOLNAR, OF NEW YORK  
 ANDREW R. MOORE, OF MICHIGAN  
 CATHERINE ELIZABETH MULLER, OF FLORIDA  
 NEAL SHAUN MURATA, OF HAWAII  
 STEPHEN JOHN MURPHY, OF MASSACHUSETTS  
 COURTNEY C. MUSSER, OF THE DISTRICT OF COLUMBIA  
 SELENA NELSON-SALCEDO, OF MINNESOTA  
 KATHLEEN M. NUTT, OF VIRGINIA  
 CHINWE OBIANWU, OF TEXAS  
 JOHN BURTON O'BRIEN, OF FLORIDA  
 MORGAN J. O'BRIEN III, OF NEW YORK  
 WILLIAM JOHN O'CONNOR, OF CALIFORNIA  
 KEVIN JAMES OGLEY, OF CALIFORNIA  
 AAMOD OMPRAKASH, OF NEW YORK  
 JEFFREY M. O'NEAL, OF TEXAS  
 KATHERINE IVES ORTIZ, OF CALIFORNIA  
 MICHAEL OSE, OF IOWA  
 MATTHEW J. PASCHKE, OF OHIO  
 VIRSA Y. PERKINS, OF TENNESSEE  
 MATTHEW LAWRENCE PETTIT, OF THE DISTRICT OF COLUMBIA  
 LANCE L. POSEY, OF TENNESSEE  
 ELIZABETH POWERS, OF MINNESOTA  
 ANDREW J. PUBLICOVER, OF THE DISTRICT OF COLUMBIA  
 MICHAEL J. QUIGLEY, OF VIRGINIA  
 KATHERINE N. RAFANIELLO, OF NEW YORK  
 DANIEL RAKOVE, OF CALIFORNIA  
 ROSELYN Y. RAMOS, OF MARYLAND  
 JUDNEFERA A. RASAYON, OF VIRGINIA  
 PENNY SUE RECHKEMMER, OF IOWA  
 KATRINA ROSE REICHWEIN, OF TEXAS  
 WENDY A. REJAN, OF FLORIDA  
 JEREMY STEWART RICHAFT, OF VIRGINIA  
 BRIAN P. ROGERS, OF PENNSYLVANIA  
 EBONY ROSE ROSEMOND, OF MARYLAND  
 JESSICA ALEAH ROWLAND, OF FLORIDA  
 JOHNATHAN MICHAEL ROY, OF TEXAS  
 LURA ELIZABETH RUDISILL, OF NORTH CAROLINA  
 AMY UNANDER RULE, OF ILLINOIS  
 AMELIA R. RUNYON, OF OREGON  
 PRESTON RAPHAEL SAVARESE, OF WYOMING  
 EMILY ANNE SCHUBERT, OF VIRGINIA  
 MELISSA L. SCHUMI JONES, OF FLORIDA  
 JOSHUA SHEN, OF CALIFORNIA  
 MONICA SHIE, OF NEW YORK  
 GURDIT SINGH, OF KANSAS  
 ANGIE SMITH, OF OHIO  
 JASON P. SPELLBERG, OF COLORADO  
 DANIEL SPOKOJNY, OF MICHIGAN  
 TAMARA N. STERNBERG, OF WYOMING  
 REBECCA L. STRUWE, OF PENNSYLVANIA  
 JOHN DAVID STUBBS, JR., OF NORTH CAROLINA  
 KATHRYN MICHELLE STUHLDRER, OF TEXAS  
 TIMOTHY WILLIAM SWETT, OF ILLINOIS  
 SONIA SMYTHE TARANTOLO, OF THE DISTRICT OF COLUMBIA  
 JESSUP L. TAYLOR, OF NORTH CAROLINA  
 BEVERLY A. THACKER, OF OREGON  
 CHARLES ARTHUR THOMAS, OF TEXAS  
 TEDDE HOLDEN THOMPSON, OF FLORIDA  
 AQUEELAH S. TORRANCE, OF PENNSYLVANIA  
 JUSTINE OVEN TREADWELL, OF THE DISTRICT OF COLUMBIA  
 ERIN J. TRUHLER, OF MINNESOTA  
 LYNN MARIE VACCA, OF CALIFORNIA  
 CARLY NICOLE VAN ORMAN, OF THE DISTRICT OF COLUMBIA

JOSEPH WILLIAM WADE, OF UTAH  
 SHIRAZ U. WAHAJ, OF FLORIDA  
 ANNE WAN, OF CALIFORNIA  
 MATTHEW DANIEL WARIN, OF VIRGINIA  
 BRIANA M. WARNER, OF MAINE  
 DAVID W. WARNER, OF VIRGINIA  
 DAVID AUSTIN WESTENHOFER, OF KENTUCKY  
 MARK THOMAS WHITEHEAD, OF VIRGINIA  
 ANDREA TOLL WHITING, OF VIRGINIA  
 ERIC C. WILLIAMS, OF VIRGINIA  
 KIMBERLY ELIZABETH WILLIAMS, OF VIRGINIA  
 JONATHAN E. WOLFINGTON, OF FLORIDA  
 MARK W. ZANOLLI, OF PENNSYLVANIA  
 KIMBERLY D. ZAPFEL, OF MINNESOTA  
 HOLLY HOPE ZARDUS, OF WASHINGTON  
 RACHAEL ZASPEL, OF TEXAS  
 THOMAS S. ZIA, OF FLORIDA  
 JEFFREY ERIC ZINSMEISTER, OF CALIFORNIA  
 ALEKS ZITTL, OF FLORIDA  
 LINDSEY MICHELLE ZULUAGA, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JORGE ALBERTO ABUDEI BURGER, OF GEORGIA  
 DANIEL C. ACKER, OF NORTH CAROLINA  
 MICHELLE L. ANDERSON, OF COLORADO  
 RAFAEL ANDRADE-RAVELO, OF PUERTO RICO  
 ALEX FRANCIS ANDREW, OF TENNESSEE  
 CYRUS A. ATTIA, OF VIRGINIA  
 ELENA CHRISTINA AUGUSTINE, OF WASHINGTON  
 JEFFREY SEAN BARRUS, OF UTAH  
 BENJAMIN JOSEPH BAUGHMAN, OF ILLINOIS  
 CHRISTOPHER BEALOR, OF VIRGINIA  
 BLAIRE E. BINGHAM, OF VIRGINIA  
 KATHRYN ELIZABETH BOLOGNA, OF THE DISTRICT OF COLUMBIA  
 STEPHEN G. BOWEN, OF THE DISTRICT OF COLUMBIA  
 ELIZABETH LAUREN EVANS BRADY, OF VIRGINIA  
 KEVIN L. BRENDEL, OF FLORIDA  
 ANDREW GARY BURTON, OF VIRGINIA  
 SARAH M. CARLSON, OF VIRGINIA  
 RANA KANAAN CASTEEL, OF VIRGINIA  
 RODERICK ZANE CHAMBERS, OF TEXAS  
 MOLLY PATRICIA CHINCHILLA, OF ALASKA  
 EVA COFFEY, OF TEXAS  
 STEPHANIE G. COHEN, OF VIRGINIA  
 MATTHEW J. CONLEY, OF VIRGINIA  
 CHRISTOPHER E. CONNELL, OF VIRGINIA  
 STEPHEN R. COOK, OF VIRGINIA  
 KELLY A. COSTELLO, OF VIRGINIA  
 PAUL C. COX, OF VIRGINIA  
 CHARLES D. CRISP, OF VIRGINIA  
 ERIN I. CURTIS, OF VIRGINIA  
 BRIAN M. DANATZKO, OF VIRGINIA  
 TINA KAREEMA DAUD-AGUC, OF DELAWARE  
 TUCKER D. DAVIS, OF VIRGINIA  
 ZACHARY DEBORD, OF VIRGINIA  
 RAMON DELGADO, OF VIRGINIA  
 REQUEL A. DELL-ORSO, OF VIRGINIA  
 KEVIN C. DENNEHY, OF CONNECTICUT  
 RISHI PRAFUL DESAI, OF WEST VIRGINIA  
 JOANNA L. DETAMORE, OF VIRGINIA  
 ZACHARY E. DOBOZE, OF VIRGINIA  
 ROBERT ALAN DOLLINGER, JR., OF VIRGINIA  
 JESSICA DORCUS, OF VIRGINIA  
 M. DAVID DOWD, OF THE DISTRICT OF COLUMBIA  
 JOHANNA M. DUROCHER, OF VIRGINIA  
 BLAKE D. EDWARDS, OF FLORIDA  
 EDWARD ANTHONY EICHLER, OF MAINE  
 NELS H. ERICKSON, OF VIRGINIA  
 JENNIFER A. FALLON, OF THE DISTRICT OF COLUMBIA  
 KAREN S. FANG, OF MARYLAND  
 MELONY FLETCHER, OF MARYLAND  
 ERIC FONG, OF CALIFORNIA  
 WESLEY C. FREDERICKS, OF VIRGINIA  
 ROBERT E. FULTON, OF THE DISTRICT OF COLUMBIA  
 LILLIANA GABRIEL, OF VIRGINIA  
 MARINA GALKINA, OF THE DISTRICT OF COLUMBIA  
 KEVIN P. GALLAGHER, OF VIRGINIA  
 JAMES S. GARDINER, OF TEXAS  
 KENNETH C. GARDNER, JR., OF PENNSYLVANIA  
 MICHAEL R. GARNER, OF MARYLAND  
 MATTHEW AARON GLENN, OF VIRGINIA  
 KATHRYN A. GONZALES, OF VIRGINIA  
 PAMELA K. GREENLEAF, OF VIRGINIA  
 JACOB L. GUNSCHHEL, OF MASSACHUSETTS  
 COLIN T. HALE, OF VIRGINIA  
 JACOB ANTHONY HALL, OF CALIFORNIA  
 RUSSELL C. HEADLEE, OF NEBRASKA  
 JOSEPHINE GIA HINMAN, OF NEW JERSEY  
 AMY E. HIRSCHAUER, OF THE DISTRICT OF COLUMBIA  
 ANDREW BLAYNE HOLTZ, OF NEW YORK  
 KATHERINE M. HOLTZ, OF VIRGINIA  
 KATHERINE HOOPS, OF MINNESOTA  
 STEPHANIE JEAN HOOSTAL, OF MINNESOTA  
 CHRISTOPHER B. HULICK, OF VIRGINIA  
 HEATHER YANG HWALEK, OF MAINE  
 TEUTA IDRIZI, OF VIRGINIA  
 OWEN JOHNS, OF ARIZONA  
 TIMOTHY NILS JOHNSON, OF NEW YORK  
 DANIEL NICHOLAS KANIGAN, OF UTAH  
 SEAN KEITH, OF OREGON  
 ELAINE VICTORIA KELLEY, OF THE DISTRICT OF COLUMBIA  
 KATHERINE A. KERR, OF OHIO  
 ELIZABETH E. KEVERN, OF VIRGINIA  
 HYEJU J. KIM, OF VIRGINIA  
 JOYCE KIM, OF THE DISTRICT OF COLUMBIA  
 BRANIGAN M. KNOWLTON, OF UTAH  
 KEVIN A. KRIMM, OF VIRGINIA  
 SANJAI KUMAR, OF VIRGINIA

JAMES P. LACEY, OF SOUTH CAROLINA  
 ERIK A. LARSEN, OF VIRGINIA  
 AMY FULING LEE, OF THE DISTRICT OF COLUMBIA  
 JOY LEE, OF VIRGINIA  
 ROBERT A. LEE, OF VIRGINIA  
 GRIFFIN PATRICK LENOIR, OF TEXAS  
 AMELIA M. LIEBHOLD, OF VIRGINIA  
 ERIC R. LITTLE, OF VIRGINIA  
 MEGHAN HEALY LUECKE, OF CALIFORNIA  
 BENTON S. LUSK, OF VIRGINIA  
 MOHINI A. MADGAVKAR, OF TEXAS  
 CHARLES MALINAK, OF NEW YORK  
 RUBY VERGARA MARCELO, OF MARYLAND  
 AMBER L. MAREZ, OF VIRGINIA  
 DANIEL E. MARTIN, OF MARYLAND  
 CHARLES ALBERT MATAACK, OF CALIFORNIA  
 COURTNEY M. MAZZONE, OF NEW YORK  
 JERMEL K.L. MCGASKEY, OF VIRGINIA  
 CONOR MCNAMARA, OF VIRGINIA  
 CHRISTOPHER MERRIMAN, OF VIRGINIA  
 JAMES MIKULEC, OF VIRGINIA  
 MICHELLE ABREU MILARDO, OF NEW YORK  
 CHRIS R. MILLER, OF VIRGINIA  
 ROBERT MIRANDA, JR., OF VIRGINIA  
 CHRISTOPHER MARK MOHRMAN, OF VIRGINIA  
 DANIEL A. NALEPA, OF VIRGINIA  
 ROSS EDWARD NEADING, OF COLORADO  
 LISA LYNN NESSELROAD, OF THE DISTRICT OF COLUMBIA  
 TIFFANY M. NEWMAN, OF VIRGINIA  
 ANDREW YOONTAK NHO, OF THE DISTRICT OF COLUMBIA  
 CLARE E. NICHOLSON, OF PENNSYLVANIA  
 HELEN YOUNG NO, OF CALIFORNIA  
 MARK D. NORRIS, OF VIRGINIA  
 MARTIN C. OH, OF VIRGINIA  
 CHRISTIAN R. OLSEN, OF MARYLAND  
 CINDY L. OTIS, OF VIRGINIA  
 MARK STEVEN PADGETT, JR., OF VIRGINIA  
 KRISTI H. PATTON, OF VIRGINIA  
 EDWARD C. PERRY, OF TEXAS  
 NORMAN R. PFLANZ, OF NEBRASKA  
 VIRGINIA B. PIERSON II, OF VIRGINIA  
 ERICA M. PINERO, OF VIRGINIA  
 JAMISON FRANK PIXLEY, OF MASSACHUSETTS  
 AMY C. POLISHUK FUCHS, OF VIRGINIA  
 CHRISTOPHER M. POTHOVEN, OF THE DISTRICT OF COLUMBIA  
 ANSSI I. PULKKINEN, OF VIRGINIA  
 SARAH M. PURCELL, OF VIRGINIA  
 RYAN JEFFREY PURNELL, OF THE DISTRICT OF COLUMBIA  
 CYRUS PYUN, OF VIRGINIA  
 ADAM K. RASMUSSEN, OF VIRGINIA  
 LUIS E. REINOSO, OF VIRGINIA  
 LAKESHA M. ROBINSON, OF VIRGINIA  
 JACOB ROCCA, OF MINNESOTA  
 CATHERINE ANN RODEN, OF ALABAMA  
 JAMES C. ROSS, OF COLORADO  
 GLENN R. RUDOPH, OF VIRGINIA  
 LAURA W. RUSS, OF CALIFORNIA  
 SARITAH SABB, OF VIRGINIA  
 JOSEPH FRANK SAHID, OF VIRGINIA  
 JENNIFER NICOLE SANOW, OF THE DISTRICT OF COLUMBIA  
 NATHAN R. SCHMIDT, OF VIRGINIA  
 ETAN SCHWARTZ, OF NEW JERSEY  
 DONALD SCOTT, OF VIRGINIA  
 EILA M. SEPULVEDA, OF THE DISTRICT OF COLUMBIA  
 PAYAL SHAH, OF VIRGINIA  
 JOSHUA SHIPP, OF THE DISTRICT OF COLUMBIA  
 HOLLY R. SISK, OF VIRGINIA  
 SARAH L. SMYTHERS, OF VIRGINIA  
 ELISABETH SOCOLOW, OF NEW YORK  
 LATHDA SOULATHA, OF HAWAII  
 LISA A. SPINK, OF VIRGINIA  
 MARIA STAVROPOULOS, OF MASSACHUSETTS  
 PAUL STILLEY, OF ARIZONA  
 CHARLES A. STINGER, OF MARYLAND  
 ROCHELLE STOCK, OF VIRGINIA  
 JAY M. STROHM, OF THE DISTRICT OF COLUMBIA  
 ERIC JOSEPH SULLIVAN, OF FLORIDA  
 JAMIE L. SUTTER, OF OHIO  
 ERIC S. SWINN, OF VIRGINIA  
 MICHAEL J. TAYLOR, OF VIRGINIA  
 BRIAN W. TEPLICA, OF VIRGINIA  
 LAURA THEISSEN, OF MISSOURI  
 JEFFREY A. TISINGER, OF VIRGINIA  
 CODY GLEN TITENSOR, OF OREGON  
 JONATHAN TO, OF ARKANSAS  
 CHRISTIAN EDWARD TORRES, OF THE DISTRICT OF COLUMBIA  
 LINDA TOTH, OF VIRGINIA  
 VANESSA TOUFALLY, OF TEXAS  
 MARK TROCINSKI, OF COLORADO  
 RITA E. TROTTER, OF VIRGINIA  
 THOMAS PATRICK TRUXES, OF VIRGINIA  
 ADRIENNE M. TYGENHOF, OF THE DISTRICT OF COLUMBIA  
 BELGIN JENNIFER VANDERPLOEG, OF CALIFORNIA  
 SHAWN R. VASQUEZ, OF VIRGINIA  
 JOHN ANDREW VOIGHT, OF VIRGINIA  
 DAVID WACKER, OF COLORADO  
 ALEXANDER TED PUHK WALD, OF CONNECTICUT  
 PAULETTA M. WALSH, OF CALIFORNIA  
 JERUSHA C. WALZER, OF VIRGINIA  
 JOHN G. WARD, OF VIRGINIA  
 ALLISON R. WELCH, OF CALIFORNIA  
 LAUREN PATRICIA WELCH, OF NEW YORK  
 MICHAEL M. WILDMAN, OF VIRGINIA  
 JARED E. WOLFE, OF ILLINOIS  
 KAREN E. WRIGHT, OF VIRGINIA  
 TIMOTHY WRIGHT, OF THE DISTRICT OF COLUMBIA

March 21, 2013

CONGRESSIONAL RECORD—SENATE, Vol. 159, Pt. 3

4493

LAUREN M. WYGANT, OF VIRGINIA  
JOSEPH YACKLEY, OF ILLINOIS  
SUE H. YEH, OF VIRGINIA  
EMILY VALENTINE ZEEBERG, OF NEW YORK  
RICHARD H. ZIELINSKI, OF THE DISTRICT OF COLUMBIA  
W. GREY ZIMMERMAN, OF VIRGINIA  
  
THE FOLLOWING-NAMED CAREER MEMBER OF THE  
FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR

PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE  
CLASS INDICATED, EFFECTIVE JANUARY 1, 2012:  
CAREER MEMBER OF THE SENIOR FOREIGN SERVICE  
OF THE UNITED STATES OF AMERICA, CLASS OF COUN-  
SELOR:  
DANIEL MENDO HIRSCH, OF MARYLAND  
BENJAMIN BEARDSLEY DILLE, OF MINNESOTA

IN THE NAVY  
  
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
IN THE UNITED STATES NAVY TO THE GRADE INDICATED  
UNDER TITLE 10, U.S.C., SECTION 624:  
  
*To be rear admiral (lower half)*  
CAPT. BRET J. MUILENBURG

## EXTENSIONS OF REMARKS

RECOGNIZING FARMEDHERE ON  
THEIR GRAND OPENING

## HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize FarmedHere, a revolutionary vertical farming facility in Bedford Park, IL, that celebrates its Grand Opening this week.

Envisioned as an sustainable solution to growing fresh produce in an urban environment, Steve Dennenberg, Paul Hardej, Paul Suder, Jolanta Hardej, and Mark Weglarz came together to found and operate FarmedHere. Designed to bring food closer to the consumer, FarmedHere is located in a formerly unoccupied warehouse in Bedford Park. The facility uses cutting-edge technological advances in aquaponics, aeroponics, and vertical farming to make urban agricultural production a possibility. While many types of produce travel thousands of miles to reach the plates of Chicagoland residents, FarmedHere products save money and energy by keeping the growing and distribution processes local in the Chicagoland area.

Beyond being economically efficient and ecologically-minded, FarmedHere also gives back to the local community. FarmedHere has partnered with the Chicago Botanic Garden to teach students about aquaponics and the future of urban farming. This partnership teaches students how to be leaders in this exciting new industry that will create jobs now and in the future.

Residents of the Greater Chicago Area now have access to fresh local basil, arugula, and salad dressing produced sustainably by their own neighbors thanks to FarmedHere. Eventually, this business will grow and begin selling fresh fish and more energy-intensive fruits and vegetables. The founders of FarmedHere also hope to someday move entirely "off the grid" by using cutting edge technologies to produce their own energy, fertilizer, and output—all under one roof.

FarmedHere and vertical farms like it are good for the economy and the environment, and I am proud that this one-of-a-kind facility is located in the 3rd District of Illinois. Today, I ask my colleagues to join me in congratulating the entire FarmedHere family on their successful launch and to wish many years of continued success.

HONORING THE LIFE OF DR.  
HORACE PERRY JONES

## HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. ALEXANDER. Mr. Speaker, I rise today to honor the life and memory of Dr. Horace Perry Jones, a legendary figure in the history of the University of Louisiana at Monroe (ULM). Dr. Jones taught history at ULM for nearly five decades, from 1965 until his retirement in May of last year. During that span, he touched the lives of tens of thousands of students, each of whom walked away from his class with much more than just lessons in history. Dr. Jones passed away on Tuesday, March 19, 2013, at the age of 83.

Dr. Jones's passion for life was evident to all who encountered him and who knew his remarkable story. A native of North Carolina, Dr. Jones served in the U.S. Marine Corps and fought in the Korean War under the revered general, Lewis "Chesty" Puller. His adventures did not end after leaving the Marines, and he carried his "Semper Paratus" spirit with him for the rest of his life. In addition to vigorously pursuing his extensive education in history, Dr. Jones hitchhiked across the globe, traveling through Europe, the Middle East, Southwest Asia, India, the Far East, and through the Panama Canal. He taught at the American School in London before eventually returning to the U.S. After earning his Ph.D. from the University of Mississippi, in 1965 he accepted a position with Northeast Louisiana State College—today known as the University of Louisiana at Monroe, a school Dr. Jones came to love as much as it loved him.

For the next 47 years he dazzled his students and community with a magical combination of history, humor, and unreserved passion for life. Outside the classroom, Dr. Jones was a local icon. He could easily be spotted driving his antique yellow Volkswagen on campus and across town. It was not an unusual sight to see Dr. Jones standing under a campus tree's canopy, beneath his mounted boar's head, reciting his poetry to a crowd of mesmerized students. On days of home football games, he was often spotted wandering the Grove among tailgaters, carrying a large can labeled with unmentionable motivational language. Even the Stubbs Hall office he occupied was celebrated—cramped with bizarre artifacts, classroom props, and hundreds of books he had read cover to cover.

But for all he was recognized for outside the classroom, most will remember Dr. Jones for his role inside the classroom. There he brought history to life, and brought life into perspective. He was well known to have a few students carry him into class in a coffin, only for him to suddenly jump out and surprise his perplexed audience. It was not unusual for

him to show up to class wearing a weathered graduation cap and gown, or excessively baggy and faddish "Jnco" blue jeans, or a "Rage Against the Machine" T-shirt. In his classes he would leap off desks, swing yardsticks as swords, scream, cry, laugh, and teach the most passionate lessons of history imaginable.

As exciting as his classes could be, he was a very serious teacher. His lessons were strategically emphasized with props, chalkboard drawings, and his massive Cold War era fabric map, which he hauled from class to class for decades and draped across his classroom walls. His book reports and handwritten tests could be challenging, but not nearly as much as his notorious "map tests," on which students were required to label each country and sea in the world.

Perhaps the most special moments of his classes were on the final class of each semester, when Dr. Jones would weave the poetry of Robert Frost's "The Road Not Taken" in with his incredible story of his trek across the planet. After that class, if a student had not already recognized it before, he realized that he was a fortunate soul to have had the unique privilege to study from this extraordinary man, who not only taught history, but lived it, and who not only lived, but redefined how life should be lived.

Dr. Jones will undoubtedly be missed by the many who knew and loved him. But though his life on Earth is now over, his spirit, legend, and legacy will live on in the hearts and minds of the untold thousands whose lives he touched.

## IN MEMORY OF PATRICK SELLERS

## HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor a proud veteran from my district who served his country well, loved his family and friends and epitomized generosity and selflessness.

As a proud soldier, Patrick Sellers earned his jump wings at Fort Benning before joining the Special Forces as an Intelligence Analyst. He was proud of his military service with good reason. In addition to those coveted Airborne wings, Staff Sergeant Sellers earned a Meritorious Service Medal, an Army Commendation Medal, an Army Achievement Medal, a Joint Services Achievement Medal, a German Armed Forces Badge for Military Proficiency, a Non Commissioned Officers Development Ribbon, the National Defense Service Medal, and the Army Service Medal. He capped off his military service working in the Counter Terrorism Unit at the National Security Agency.

But Patrick was more than just a soldier; he was a husband, a son, a brother, an uncle

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and most importantly, a dad. His wife of 20 years, Tamatha and their 12 year old son William Cade are deeply feeling his sudden loss. So are his extended family, friends, and co-workers, who will remember Patrick for his quick and decisive wit, his ability to relate to anyone in any circumstance and his uncanny ability to disarm people with an exceptional impersonation. Underneath his tough soldier "get it done" exterior was a love of life, of family and of football. His passion for NFL Football was evident in his competitive fantasy league. I'm sure there are coaches in the NFL who could have benefitted from his knowledge of the game.

To Tamatha, William Cade, his parents Terry and Eulata Sellers, his sister Sharon, niece Katrina and nephew Bryce, as long as you all continue to keep Patrick's spirit alive, the pain of his loss eases a little more. America is grateful for his selfless service and a better place for it.

#### PERSONAL EXPLANATION

### HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 85 I was unavoidably detained.

Had I been present, I would have voted "no."

#### VIOLENCE AGAINST WOMEN ACT

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, with the successful reauthorization of the Violence Against Women Act, it is important that we continue to bring awareness to the serious issue of domestic violence. It is a problem that affects one in every four women, and it is one that cannot be resolved by legislation alone.

That is why I commend the efforts of Mayor Mike Rawlings, City of Dallas, for his own efforts at the local level to increase awareness and rally our fellow Texans against domestic violence. This weekend, Mayor Rawlings will lead a "Men Against Abuse" rally in front of Dallas City Hall in a show of unified support for victims of domestic violence. During this rally, Mayor Rawlings hopes to publicly challenge the moral character of any individual who believes it is acceptable to commit domestic abuse.

Raising awareness has been a vital component of a comprehensive strategy to address this issue, and Mayor Rawlings' efforts are another step in the right direction. Domestic violence is one of the most underreported crimes, and speaking out will help victims to not only identify their circumstances, but also empower these individuals to stand up against their abusers and seek outside help.

Mr. Speaker, domestic violence is a problem that transcends race, age, and socioeconomic

status, making the issue that much more important as we tear down boundaries across communities to stand up against domestic violence. While the Violence Against Women Act has historically provided effective tools to combat domestic violence for almost two decades, increased awareness is absolutely critical if we are to bring these lifesaving measures into the homes of victims of violence who would otherwise remain silent in the face of cruelty.

#### HONORING DEKE TOMPKINS

### HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. UPTON. Mr. Speaker, I rise today to recognize the departure of a valued member of my team, Mr. Deke Tompkins.

A proud native of the Great Lakes State and a graduate of Michigan State University, Deke began working in my Washington, DC office as a staff assistant in 2006. Sitting in the front office, he quickly distinguished himself as a welcoming face to all who walked through the door. He was a great resource to those calling the office and made everyone he spoke with know that their voices were being heard.

Deke worked his way up to legislative assistant, working on projects in the district and managing a broad legislative portfolio, including: national security, foreign policy, law enforcement, immigration, and labor issues, to name a few. But above all, Deke was a passionate advocate for Michigan's military service members, veterans, and their families, as well as our local farmers and the Great Lakes.

Deke has been an invaluable member of our office—a team player who was always willing to pitch in wherever help was needed and a friend to us all. His enthusiasm in the office was contagious; his intense love for all things Michigan State unmatched. A hard-working, humble, and selfless person, Deke made a lasting impact in the lives of many, which is what public service is all about. Our team will not be the same without him.

Mr. Speaker, I am proud to recognize Deke Tompkins and his outstanding service to the folks of Michigan's Sixth Congressional District. I wish him all the best in his future endeavors and know that he will continue on to do great things. Go Green!

#### IN HONOR AND REMEMBRANCE OF U.S. ARMY CHIEF WARRANT OFFICER BRYAN HENDERSON

### HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. ALEXANDER. Mr. Speaker, I rise today to honor and remember U.S. Army Chief Warrant Officer Bryan Henderson for his selfless and valiant service to our nation. On March 11, 2013, our country lost a soldier and the 5th Congressional District lost a native son when his helicopter went down in southern Afghanistan.

As long as the Stars and Stripes continue to soar, Henderson's contributions to protecting the freedoms we hold so dear will never be forgotten. In a generation where so many men and women have answered the call to duty, his example of heroism and devotion embody what has truly made America the great nation it is today.

Today, our words seem futile in comparison to Henderson's service, but as written in 2 Corinthians 1:3, our prayer is "that the God of all comfort, who comforts us in all our tribulations, may be able to comfort those in troubling times."

I ask my colleagues to join me in paying tribute to U.S. Army Chief Warrant Officer Bryan Henderson and extending thanks on behalf of a grateful nation. Countless lives have been changed for the better by his efforts, and he will remain in the hearts of Louisianians forever.

#### PERSONAL EXPLANATION

### HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. GRIMM. Mr. Speaker, on March 20, 2013, I was unavoidably absent from the House and missed rollcall votes 83, 84, 85, 86 and 87. Had I been present, I would have voted "no."

#### SUPPORTING THE MARCH FOR MARRIAGE

### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support for the March for Marriage. Next week, individuals from across the country will travel to Washington, D.C., in order to participate in the March for Marriage and to highlight the fact that the institution of marriage is worth protecting through the Defense of Marriage Act.

Marriage is the sacred union between a man and a woman. On September 23, 1972, I was blessed to marry the former Sandra Jordan of Orlando, and this year we will celebrate 41 years of marriage.

Marriage is a vital part of the foundation upon which a strong and prosperous society must be built. It is the institution through which new life is formed, and it provides children with mothers and fathers. Marriage plays an important role in children's development and success.

Marriage and strong families are indispensable contributors to the prosperity of our nation.

HONORING THE LIFE OF MS.  
BARBARA GELLER

**HON. SUZAN K. DELBENE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. DELBENE. Mr. Speaker, I rise today to pay tribute to Barbara Geller, who sadly passed away this past weekend.

Barbara was a committed and active volunteer in her community, serving a number of leadership roles over the years with local civic organizations. She was someone who believed strongly in the value of political participation and civic engagement to build a better Washington.

Barbara was a strong leader who many, including myself, came to rely on for advice and support. She demonstrated a great ability to bring people together around a common cause to make a difference in her community.

I was fortunate to have known Barbara and to have worked with her. She impressed me with her passion and devotion to whatever issue, project or person she decided to help or work on behalf of. She was committed to the democratic process and the positive change that could happen when people came together, organized and stood up for what they believed in.

She will be missed by all of us who valued her calm, wise, and elegant way of working with others. My thoughts and prayers go to her husband Arthur, her children Randy and Betsy, and the rest of her family.

HONORING DR. BERNARD EICHOLD,  
2012 MOBILIAN OF THE YEAR

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. BONNER. Mr. Speaker, many times this House honors outstanding and influential Americans who have given of themselves to make a difference in the lives of their fellow citizens. However, it is not often that we shine the spotlight on individuals who literally have safeguarded the health and well-being of hundreds of thousands. Dr. Bernard Eichold is one such example and I'm proud to pay tribute to him today as the 2012 Mobilian of the Year.

Born and raised in Mobile, Dr. Bert Eichold was taught early the importance of serving others. Through his parents, Dr. Samuel and Charlotte Eichold, he gained an understanding of the vital role that proper medical care and preventative educational outreach programs play in the well-being of a community. For this reason, it is not surprising that he chose to follow in his father's footsteps by becoming a doctor himself.

Bert attended his father's alma mater, Tulane University, where he obtained his Bachelor of Science Degree, Master of Public Health Degree, Medical Doctor Degree, and his Doctorate of Public Health Degree. Like his father, he also served honorably in the United States Navy, rising to the rank of Captain before pursuing a full-time career in medicine at home in Mobile.

A long-time physician, Bert touched many lives with his caring approach to health care. But like his father before him, he didn't limit his contributions to the confines of his medical practice. In 1990, he stepped forward to take on the role as health care advocate for the entire county. As the Health Officer for Mobile County, he is responsible for safeguarding the health and the environment for over 400 thousand people.

After nearly a quarter century of his proactive leadership, the Mobile County Health Department has effectively doubled the number of patients to over 140,000 a year. His dedication to the health education and prevention also helped to place him as Area Health Officer for Public Health Area XI for the State of Alabama Department of Public Health.

Also like his father, Bert took on highly respected teaching roles at the University of South Alabama. He is Adjunct Professor in the Department of Medicine where he has served as the Co-Course Director of Public Health and Epidemiology. He is also science advisor to the NASA DEVELOP National Program which extends NASA Earth Science research to the community through the volunteer work of local college students. In 2012, he was presented NASA's Exceptional Public Achievement Medal for this work in support of NASA DEVELOP in South Alabama since 2003.

His dedication to public health and education is matched by his involvement in the local community. He is currently serving as Chairman of the Board of the Community Foundation of South Alabama. He is an active member of the Alabama Public Health Association, Mobile United, and the Mobile Area Chamber of Commerce. His philanthropy and volunteer efforts have also touched more than 50 organizations in South Alabama.

And finally, Bert carries on the proud tradition of his father who was named the 1989 Mobilian of the Year.

On behalf of the Cottage Hill Civitan Club and the people of Mobile, I would like to extend congratulations to Dr. Bert Eichold on being named the 2012 Mobilian of the Year.

IN HONOR OF WOMEN'S HISTORY  
MONTH

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. FARR. Mr. Speaker, I rise today to celebrate Women's History Month. Recently, we have witnessed history being made for women in the armed forces. In a long overdue decision, former Secretary of Defense Leon Panetta lifted the ban on women serving in combat roles. This decision opens up every position for advancement within the military to women.

Dating back to the American Revolutionary War, women have proudly served in the Armed Forces. Their roles may have varied throughout history but they have always answered the call to action for their country. During the Civil War, Clara Barton became a household name because of her service as a nurse and later as the founder of the Amer-

ican Red Cross. In the World War II era, the iconic image of Rosie the Riveter represents the women who stepped up to help their country in a time of need. Under the Obama Administration, Michale Flournoy was the Under Secretary of Defense for Policy, the third-highest-ranking woman in the Pentagon's history.

For more than a decade now, America has been engaging in a new method of warfare. With the ever-increasing use of technology, our military is now at a place where gender differences are less important. As the recent wars in Iraq and Afghanistan have shown, the ban on women in combat roles was mostly theoretical because women served and continue to serve in de facto combat roles every day.

Women have had the opportunity to serve in combat roles in other countries for years. It is long past time that the U.S. gives this opportunity to their female soldiers.

Mr. Speaker, as we celebrate Women's History Month, I am extremely pleased that our military made history by looking at this outdated policy and made the long overdue decision to reverse the ban on women in combat.

IN RECOGNITION OF DIVINA  
GROSSMAN

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. KEATING. Mr. Speaker, I rise today to congratulate Dr. Divina Grossman on her appointment as the Chancellor of the University of Massachusetts Dartmouth.

Dr. Grossman grew up in a family of teachers and has proudly carried that legacy to the pinnacle of her profession. Her dual career in nursing and education provides a window into her character: compassionate, dedicated, and eager to apply her skills to the benefit of others. After earning her degree in Nursing from the University of Santo Tomas, Dr. Grossman departed her home country of the Philippines to continue to hone her academic prowess. She would go on to earn her Masters in Nursing at the University of Miami and a Doctorate at the University of Pennsylvania.

An outstanding tenure at Florida International University led to her appointment as Director of the School of Nursing, followed by promotion to Dean. She subsequently served as Dean for the University's College of Nursing and Health Sciences. As Dean, Dr. Grossman further developed the nursing program, strengthened partnerships with public and private institutions, raised funds for scholarships and lab facilities, and greatly expanded the College's endowment. She also oversaw the opening of Florida International's College of Medicine and pioneered a program to deploy medical students into local neighborhoods. As the founding Vice President of Engagement at Florida International, Dr. Grossman worked tirelessly to better connect the University to local communities and global issues. She is an ideal fit for UMass Dartmouth, and I am certain that the University's many years of academic excellence will only continue under her guidance and leadership.

Mr. Speaker, it brings me great pride to recognize Dr. Divina Grossman as the seventh Chancellor of the University of Massachusetts at Dartmouth. I have no doubt that her decades of experience and robust record of leadership will make a positive, lasting impact on the UMass Dartmouth community. I ask that my colleagues join me in congratulating Dr. Grossman and thank her for her outstanding contributions to both medicine and academia.

MICHAEL RILEY—A PATRIOT WHO NEVER TOOK “NO” FOR AN ANSWER

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. POE of Texas. Mr. Speaker, Michael Riley, an American patriot, exemplifies that through dedication and determination, one can achieve great things in our country. Faced with adversity from a young age, Michael was no stranger to obstacles. He wasn't brought up by the most encouraging family. Instead of being surrounded by love and support, he was laughed at and ridiculed by his family members for wanting to serve and represent his country.

Michael was always small in stature, in comparison to others his age, and he was told he would fail at his dream for that very reason. Despite these hardships, he was determined to succeed. Michael had his eyes set on his goal, and there was no turning back for him. On his own, he enlisted himself in the Marines just one week after turning 18. He chose the Marines, the toughest branch, because he wanted to prove wrong everybody that tried to tell him he couldn't do it. Before long, Michael surpassed everyone's expectations, or lack thereof. It didn't take much time for Michael to impress his superiors with his work ethic and determination, eventually earning the rank of Chief Warrant Officer 4, a remarkable achievement.

Every day, Michael was out there serving his country in full force. He recalled the days that he experienced conflicts many others hadn't at his age. One day, his squad was ambushed and surrounded by their enemy. Adrenaline was pumping, but you could still smell some fear in the air. In the attack, his squad leader became wounded, and his lieutenant was killed. It wasn't the outcome they had hoped for, but the fight had to go on. When he was only 19, Michael led a squad of Marines in combat, a task that not many would be able to accomplish at such a young age.

Throughout his service, Michael served in several conflicts, including Vietnam, Cuba, and Iraq. But despite his service overseas, he says he is most proud of his service securing our nation's borders. When his service in the Marines was over, Michael joined the United States Coast Guard. During the devastating aftermath of September 11, 2001, he was appointed Task Force Leader to design and implement the Sea Marshal Program, a security measure that, to this day, has provided safety and security for the Port of Houston. The pro-

gram, which Michael oversaw from start until finished, was launched to prevent terrorism in a given port. Michael and his armed protection teams boarded ships and guarded them for their voyage through the Houston Ship Channel.

For his involvement in the Sea Marshal Program, Michael Riley was awarded the 9/11 medal by the United States Department of Transportation. This is a very highly regarded honor that recognizes civilians or military men and women who made significant and heroic accomplishments after the September 11, 2001, terrorist attacks on our country. Overall, Michael has received 20 medals and ribbons throughout his illustrious career, the highest one being the 9/11 medal.

Michael exemplifies a true American patriot who never let anyone or anything stand in his way. I've met Michael several times. He's never been someone to boast about his prestigious accomplishments being the humble person he is. However, today, I would like to thank him and recognize him for his dedication to keeping America the “land of the free and the home of the brave.” Despite the hardships, he faced when he was young, and everyone that told him he couldn't do it, he served our country and he served it well. It takes a very special kind of person to accomplish everything that Michael did throughout his service to America.

And that's just the way it is.

### HONORING THE NORTHWEST INDIANA BUSINESS AND INDUSTRY HALL OF FAME'S CLASS OF 2013

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with deep respect and admiration that I rise to commend five exceptional leaders from Indiana who were recently honored as the Northwest Indiana Business and Industry Hall of Fame's Class of 2013. Created by The Times and Business magazine, induction into the Indiana Business and Industry Hall of Fame is determined by a panel of local civic and business leaders. While there were many deserving nominees, the individuals selected as the 2013 Indiana Business and Industry Hall of Fame inductees include: former Senator Richard Lugar, Tom Collins Sr., Danita Johnson Hughes, Tom Sourlis, and Steve Teibel. For their many contributions to the enhancement of Northwest Indiana, these honorees will be recognized at a ceremony at the Radisson Hotel at Star Plaza in Merrillville, Indiana, on Friday, March 22, 2013.

Former Senator Richard Lugar, from Indianapolis, is the Lifetime Achievement Award recipient for 2013. Richard Lugar's first elected office was on the Indianapolis Public Schools Board of Commissioners, where he served from 1964 until 1967. He was then elected mayor of Indianapolis in 1967, and under his leadership the city and Marion County governments merged through Unigov. After serving two terms as mayor, Richard Lugar was elected to the United States Senate in 1976. Dur-

ing his 36 years in office, Senator Lugar proved to be a noteworthy leader, extending a positive influence upon urban policy, American agricultural policy, and foreign policy. He is an activist for American energy independence, strong national security, U.S. leadership in the world, and economic growth. Senator Richard Lugar and Senator Sam Nunn were nominated for the Nobel Peace Prize in 2000 for the Nunn-Lugar Cooperative Threat Reduction Program, which reduced the nuclear threat created by the breakup of the former Soviet Union. Currently, Richard Lugar is working with Indiana University as a distinguished scholar and professor of practice in the university's new School of Global and International Studies. He also co-chairs the new Indiana University International Advisory Committee with former U.S. Representative Lee Hamilton. Senator Lugar is worthy of the honors bestowed upon him and we are truly blessed as a nation for his extraordinary career in American government.

Tom Collins Sr., of Valparaiso, is the chief executive officer of Luke Oil, a family owned and operated business that was founded in 1967 by Tom's father-in-law, Ralph Luke, in Hobart, Indiana. Currently, the company distributes more than 300 million gallons of fuel annually in the Midwest. Luke Oil's sales reached the \$1 billion mark last year and their volume has grown 20 percent each year for the past five years. In 2005, the company bought County Line Orchard, in Hobart, where they have held numerous fundraisers to benefit charities including the Food Bank of Northwest Indiana and various veterans' organizations. For his exemplary leadership skills, and his dedication to supporting charitable organizations, Tom Collins is to be commended.

Danita Johnson Hughes is the president and chief executive officer of Edgewater Systems for Balanced Living in Gary. Edgewater is an organization that provides behavioral healthcare services to individuals and families in the community of Gary and throughout the region. Under Danita's remarkable leadership, the organization has become a respected resource for those in need, and through its services, Edgewater touches the lives of more than 100,000 people each year. Danita continues to give back to the community and dedicates much of her time to the One Region, One Vision initiative and the Northwest Indiana Forum.

Tom Sourlis is the founder and chairman of Mortar Net Solutions, in Burns Harbor. Mortar Net, a product invented by Tom, prevents mortar droppings from clogging weepholes designed to allow water to exit a building wall. Mortar Net is a hugely successful product and is currently used on cavity wall construction throughout North America. In addition to his successful business, Tom devotes much of his time, efforts, and support to charitable organizations throughout Northwest Indiana, including Tradewinds, the Crisis Center, Parents as Teachers, and the Porter County Community Foundation. For his passionate devotion to such causes, Tom is worthy of the highest praise.

Steven Teibel is the third generation of his family to own and operate Teibel's Family Restaurant, in Schererville, which originally opened in 1929. Due to Steven's tremendous



leadership skills and excellent customer service, Teibel's continues to succeed and remains a staple in Northwest Indiana. Steven also dedicates much of his time and efforts to serving those in need and is very active in numerous community organizations, including Meals on Wheels, the Hammond YMCA, the American Heart Association, and the Shrine of Christ's Passion. For his commitment to community service, Steven is to be commended.

Mr. Speaker, the lives of every citizen living in Northwest Indiana has been enriched because of the selfless good work of these five extraordinary individuals. I ask you and my distinguished colleagues to join me in commending these outstanding leaders on their induction into the Northwest Indiana Business and Industry Hall of Fame. These individuals are most deserving of this honor, and for their leadership and commitment to the Northwest Indiana community, each of them is worthy of our respect and admiration.

AMENDMENT TO THE SENATE  
AMENDMENT TO H.R. 933

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. KINZINGER of Illinois. Mr. Speaker, if I had been able to offer an amendment to the Continuing Resolution, H.R. 933 I was prepared to offer the following:

AMENDMENT TO SENATE AMENDMENT  
TO H.R. 933 OFFERED BY MR. KINZINGER  
OF ILLINOIS

At the appropriate place, insert the following:

PROHIBITION ON FUNDING:

SEC.—. None of the funds made available in this Act may be used—(1) to carry out any provision of the Patient Protection and Affordable Care Act (Public Law 111-148) or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), or the amendments made by such Act, title, or subtitle; or (2) for rulemaking under such Act, title, or subtitle.

HONORING STEVEN FIRESTEIN  
AND THE 20TH ANNIVERSARY OF  
THE AMERICAN CANCER FUND  
FOR CHILDREN AND KIDS CANCER  
CONNECTION

**HON. JULIA BROWNLEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. BROWNLEY of California. Mr. Speaker, I rise today to congratulate the American Cancer Fund for Children and Kids Cancer Connection on the occasion of their 20th anniversary, and to recognize them for their invaluable contributions to the cancer community.

The City of Thousand Oaks, in my Congressional district of Ventura County, has proclaimed April 13–20 as "Childhood Cancer Awareness Week." I am pleased to join Mayor Claudia Bill-de-La Pena in thanking Steven Firestein, the founder of American Cancer

Fund for Children and its sister organization, Kids Cancer Connection, for his dedication and compassion, which has helped thousands of children living with this terrible disease.

The American Cancer Fund for Children and the Kids Cancer Connection provide vital psychosocial services for children undergoing cancer treatment at Children's Hospital Los Angeles, Los Angeles County; University of Southern California Medical Center; Mattel Children's Hospital at Ronald Reagan–University of California Los Angeles Medical Center, and other hospitals across the United States.

Over the past twenty years, the American Cancer Fund for Children has given over 40,000 handmade, decorated hats and caps to young cancer patients who have lost their hair from chemotherapy and radiation. Initiatives like the Magical Caps for Kids program help lift the spirits and boost the self-esteem of children undergoing exhaustive and painful courses of treatment. The American Cancer Fund for Children also sponsors the Courageous Kid Award, which organizes ceremonies and hospital celebrations to recognize a child's bravery and determination in fighting the battle against childhood cancer.

Kids Cancer Connection provides educational resources to the public and strives to raise public awareness about childhood cancer.

I ask my colleagues to join me in commending Steven Firestein for his remarkable efforts on behalf of the thousands of children and families affected by childhood cancer.

COLUMBIA COUNTY BICENTENNIAL  
ANNIVERSARY

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. BARLETTA. Mr. Speaker, I rise to honor Columbia County of the Commonwealth of Pennsylvania, which will celebrate its bicentennial anniversary on March 22, 2013.

On March 22, 1813, Columbia County separated from Northumberland County. The area was named for Columbia, a popular poetic name for America at the time and one that alludes to Christopher Columbus and his discovery of our great nation. In 1870, Bloomsburg was named as the County Seat and is still considered to be the only "incorporated" town in Pennsylvania. Today, about 66,000 Americans call Columbia County home. They contribute to our nation by working hard for a living and caring for their families. Many of them are earning an education at Bloomsburg University, working at Geisinger-Bloomsburg Hospital or tending to family-owned farms or businesses.

The County is noted for its natural beauty and historic sites. The Susquehanna River and several tributaries flow through the region which also has rolling farmlands, State game lands, State forests, and nature preserves. Notable architectural sites are the Catawissa Friends Meetinghouse constructed in 1789, the Columbia County Courthouse built in 1848, the Berwick Armory constructed in 1922, Bloomsburg Historic District, and 23

covered bridges, the third largest concentration of covered bridges in Pennsylvania.

Mr. Speaker, for two hundred years Columbia County has been an integral part of the Commonwealth of Pennsylvania and our great nation. Therefore, I commend all those citizens who have lived and worked for two centuries in this beautiful and historic area.

HONORING MR. ROD TAYLOR ON  
HIS SELECTION TO THE NAFCU  
BOARD

**HON. STEVE SCALISE**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. SCALISE. Mr. Speaker, I rise today to congratulate Rod Taylor on his recent selection to the Board of Directors at the National Association of Federal Credit Unions, NAFCU.

Mr. Taylor has been President and CEO of Barksdale Federal Credit Union in Bossier City since 2008. Barksdale FCU is the largest member-owned credit union in Louisiana. Mr. Taylor previously served as Barksdale Federal Credit Union's Executive Vice President and Chief Operations Officer, a post he held for over sixteen years.

Mr. Taylor served in the U.S. Coast Guard from 1973–1977 and received his MBA from Oregon State University before he started working in the financial industry with US National Bank of Oregon in 1983.

Mr. Taylor also brings experience as a board member of other businesses, and he will bring a tremendous amount of expertise to the NAFCU Board. I wish Mr. Taylor the best of luck in his new role on the NAFCU Board and look forward to working with him in this capacity. I ask that my colleagues join me today in congratulating Rod Taylor on this achievement.

TRIBUTE TO BENJAMIN PAGE

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Benjamin Page for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Benjamin Page is the Director of the Des Moines Park and Recreation Department, where he manages a \$15.8 million budget that

includes 76 parks, 42 miles of trails, five aquatic centers, three public golf courses, and the Principal Riverwalk. Benjamin's role also tasks him with overseeing well known local landmarks such as the Greater Des Moines Botanical Garden, Blank Park Zoo and Principal Park, home of the Iowa Cubs, while serving as a liaison for each location's respective foundations. When he's not in the office, Mr. Page serves on a number of boards including the Greater Des Moines Convention and Visitors Bureau Sports Commission, First Tee of Greater Des Moines, and the Blank Park Zoo Foundation. Ben is also a proud recipient of the Governor's Award for Outstanding Service to Iowa's Children in the Area of Environmental Awareness. Outside of his official commitments, Ben loves spending time with his wife Kim, and their children Sophia and Bryce. Together they enjoy participating in several activities of the city's recreational programming. In all facets of his life, Benjamin is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Benjamin in the United States Congress and it is with great pride that I recognize and applaud Mr. Page for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Benjamin on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### INTRODUCTION OF THE SCREEN ACT FOR 113TH CONGRESS

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. NEAL. Mr. Speaker, the month of March is national colorectal cancer awareness month. I introduce today the Supporting Colorectal Examination and Education Now (SCREEN) Act. This legislation removes barriers in colon cancer screening, one of the most effective preventive health screenings available. The bill helps save lives, improve quality of care, while also reducing Medicare costs in the process. I urge all of my colleagues to support this important legislation.

The statistics surrounding colon cancer are startling. Over 50,000 people will die this year from this disease according to the American Cancer Society. Colon cancer is the number two cancer killer in the United States for both men and women. Many of us in this chamber have had friends, family members, and associates affected by this terrible disease.

Thankfully, colorectal cancer is highly preventable with appropriate screening. According to an important study recently published in the New England Journal of Medicine, colorectal cancer deaths may be reduced by over 50 percent by removing precancerous polyps during the screening colonoscopy. Colon cancer screening is a unique preventive service as pre-cancerous polyps are removed during the same encounter, thus preventing cancer from developing, as opposed to other cancer

screenings where early detection is the goal. That is one reason why the U.S. Preventive Services Task Force provides an "A" rating for CRC screenings.

Unfortunately, only half of the Medicare population is being screened, despite the availability of a Medicare colon cancer screening benefit. According to CMS and the American Cancer Society, Medicare claims indicate that only 55–58 percent of beneficiaries have had a colonoscopy or any colorectal cancer test. Screening rates among minority populations are especially low despite the fact that incidences of colon cancer are higher in these populations. The Centers for Disease Control and Prevention (CDC) concludes that 1,000 additional colorectal cancer deaths will be prevented each year if screening rates reached 70 percent.

In addition to saving lives, colorectal cancer screening has been demonstrated to save Medicare long-term costs as noted by the New England Journal of Medicine in a recent article. The direct costs of treating colorectal cancer in 2010 reached \$4 billion. These costs can be partially avoided with proper screening.

Congress can and should help increase the number of individuals receiving colorectal cancer screenings. The SCREEN Act takes several much-needed steps to increase access to life-saving colorectal cancer screenings for Medicare beneficiaries.

The SCREEN Act waives all Medicare beneficiary cost-sharing for colorectal cancer screenings where polyps are removed during the examination. Currently, Medicare waives cost-sharing for any colorectal cancer screening recommended by the U.S. Preventive Services Task Force. However, should the beneficiary have a precancerous polyp removed, the procedure is no longer considered a "screening" for Medicare purposes. The unintended consequence of this is that the beneficiary is obligated to pay the Medicare coinsurance. This is an unexpected and unwelcome "sticker shock" that does nothing to promote screening or improve patient care. The Administration announced in February 2013 that private insurers participating in state-based health insurance exchanges must remove all cost sharing for colon cancer screenings where a polyp was removed. We must have a similar policy in the Medicare program.

The SCREEN Act also provides incentives for Medicare providers to participate in nationally recognized quality improvement registries so that our Medicare beneficiaries are in fact receiving the quality screening they deserve. Congress and other organizations can look to the SCREEN Act as a model for Medicare reimbursement reform as the bill reimburses providers in a budget neutral manner based on the quality of the procedure and not on the quantity of services.

Lastly, the SCREEN Act would allow a Medicare beneficiary to sit down and discuss the screening with a physician before undergoing the procedure. The federal government and patient advocacy groups have concluded that the "fear of the procedure" is a major impediment to increasing colorectal cancer screening rates. This pre-procedure visit is good clinical practice and would help improve screening utilization. The patient plays an inte-

gral role in colon cancer screening aside from just showing up for the procedure. This role dictates the quality of the screening itself. Medicare should recognize this and provide coverage for a pre-screening visit to review the preparation and procedure itself. There is no reason why a Medicare beneficiary sees the physician for the first time right before being sedated for the procedure.

Promoting access to colorectal cancer screening is good policy. It will save lives and reduce costs to families and the health care system. Please join with me in the fight against colorectal cancer by cosponsoring this legislation.

#### INTRODUCTION OF THE YOUTH PROMISE ACT

**HON. ROBERT C. "BOBBY" SCOTT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. SCOTT of Virginia. Mr. Speaker, I rise today along with the gentleman from North Carolina, Mr. JONES, to introduce the "Youth Prison Reduction through Mentoring, Intervention, Support and Education Act", or "Youth PROMISE Act" (YPA), a bill we believe will greatly reduce crime and its associated costs and losses. Senator LANDRIEU of Louisiana and Senator CASEY of Pennsylvania have indicated their intent to file companion YPA legislation in the Senate.

The Youth PROMISE Act implements the best policy recommendations from crime policy makers, researchers, practitioners, analysts, and law enforcement officials from across the political spectrum concerning evidence- and research-based strategies to reduce gang violence and crime. Under the Youth PROMISE Act, communities facing the greatest youth gang and crime challenges will be able to enact a comprehensive, coordinated response and intervention that includes the active involvement of representatives from law enforcement, court services, schools, social service organizations, health and mental health care providers, the business community, and other public and private community-based service organizations, including faith-based organizations. These key players will form a council to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies for young people who are involved, or at risk of becoming involved, in gangs, delinquency, or the juvenile or criminal justice system to redirect them toward productive and law-abiding alternatives.

Title I: Federal Coordination of Local and Tribal Juvenile Justice Information and Efforts. Sec. 101 creates a PROMISE Advisory Panel. This Panel will assist the Office of Juvenile Justice and Delinquency Prevention in selecting PROMISE community grantees. The Panel will also develop standards for the evaluation of juvenile delinquency and criminal street gang activity prevention and intervention approaches carried out under the PROMISE Act. Sec. 102 provides for specific data collection in each designated geographic area to assess the needs and existing resources for juvenile delinquency and criminal street gang activity

prevention and intervention. This data will then facilitate the strategic geographic allocation of resources provided under the Act to areas of greatest need for assistance.

Title II: PROMISE Grants. Sec. 202 establishes grants to enable local and tribal communities, via PROMISE Coordinating Councils (PCCs) (Sec. 203), to conduct an objective assessment (Sec. 204) regarding juvenile delinquency and criminal street gang activity and resource needs and strengths in the community. The assessment will include an estimate of the total amount spent in the previous year by the community and other entities for the incarceration of offenders who committed offenses in the community. Based upon the assessment, the PCCs will then develop plans that include a broad array of evidence-based prevention and intervention programs. These programs will be responsive to the needs and strengths of the community, account for the community's cultural and linguistic needs, and utilize approaches that have been proven to be effective in reducing involvement in or continuing involvement in delinquent conduct or criminal street gang activity. The PCCs can then apply for federal funds, on the basis of greatest need, to implement their PROMISE plans (Sec. 211–213). In addition, each PCC will be required to identify cost savings sustained from investing in prevention and intervention practices and explain how those savings will be reinvested in the continuing implementation of the PROMISE Plan (Sec. 212). Title II also provides for national evaluation of PROMISE programs and activities (Sec. 223) based on performance standards developed by the PROMISE Advisory Panel.

Title III: PROMISE Research Center. Sec. 301 establishes a National Research Center for Proven Juvenile Justice Practices. This Center will collect and disseminate information to PROMISE Coordinating Councils and the public on current research and other information about evidence-based and promising practices related to juvenile delinquency and criminal street gang activity and intervention. Sec. 302 provides for regional academic research partners to assist PCCs in developing their assessments and plans.

During my more than 30 years of public service, I have learned that when it comes to crime policy, we have a choice—we can reduce crime, or we can play politics. For far too long, Congress has chosen to play politics by enacting so-called “tough on crime” slogans such as “three strikes and you’re out”, “mandatory minimum sentencing”, “life without parole”, “abolish parole” or “you do the adult crime, you do the adult time”. My personal favorite is “no cable TV in prisons.” You can imagine the cable guy disconnecting the cable and then waiting for the crime rate to drop. As appealing as these policies may sound, their impacts range from a negligible reduction in crime to an increase in crime.

In spite of the counterproductive nature of these “tough on crime” laws, over the past two decades, Congress has continued to enact slogan-based sentencing policies. As a result, the United States now has the highest average incarceration rate of any nation in the world. At over 700 persons incarcerated for every 100,000 in the population, the U.S. far exceeds the world average incarceration rate

of about 100 per 100,000. Russia is the next closest in rate of incarceration with about 600 per 100,000 citizens. No other nation is even close. Among countries most comparable to the U.S., Great Britain is 153 per 100,000, Australia is 129, Canada is 116, Germany is 95, France is 89, and Japan is 63. India, the world's largest Democracy, is 33 per 100,000 and China, the world's largest country by population, is 119 per 100,000. Since 1970, the number of individuals incarcerated in the U.S. has risen from approximately 300,000 to over 2 million.

This increase in incarceration does not come for free. Since 1980, the cost of corrections in this country has risen from about \$7 billion annually to over \$68 billion a year.

And the U.S. has some of the world's most severe punishments for crime, including for juveniles. Of the more than 2,400 juveniles now serving sentences of life without parole, ALL are in the U.S. Some were given their sentence as first-time offenders under circumstances such as being a passenger in a car from which there was a drive-by shooting.

The impact of all this focus on tough law enforcement approaches falls disproportionately on minorities, particularly Blacks and Hispanics. While the incarceration rate in the United States is approximately 700 per 100,000, for Blacks the average rate is over 2,200 per 100,000, and the rate in some jurisdictions exceeds 4,000 per 100,000 Blacks, a rate 40 times the international average. For Black boys being born today, the Sentencing Project estimates that one in every three will end up incarcerated in their lifetime without an appropriate intervention. These children are on what the Children's Defense Fund has described as a “cradle-to-prison pipeline.”

Despite all of our concentration on being tough on crime, the problem persists, and reports suggest that it is growing in some jurisdictions. While nothing in the Youth PROMISE Act eliminates any of the current tough on crime laws, and while it is understood that law enforcement will still continue to enforce those laws, research and analysis, as well as common sense, tells us that no matter how tough we are on the people we prosecute today, unless we are addressing the underlying reasons for why they develop into serious criminals, nothing will change. The next wave of offenders will simply replace the ones we incarcerate, and the crimes continue. So, just continuing to be “tough” will have little long term impact on crime.

There is now overwhelming evidence to show that it is entirely feasible to move children from a cradle to prison pipeline to a cradle to college and career pipeline. All the credible research and evidence shows that a continuum of evidenced-based prevention and intervention programs for youth identified as being at risk of involvement in delinquent behavior, and those already involved, will greatly reduce crime and save much more than they cost when compared to the avoided law enforcement and social welfare expenditures. There are programs for teen pregnancy prevention, prenatal care, new parent training, nurse home visits, Head Start, quality education, after-school programs, summer recreation and jobs, guaranteed college scholarships, and job-training that have been scientif-

ically proven to cost-effectively reduce crime. And the research reveals that these programs are most effective when provided in the context of a coordinated, collaborative local strategy involving law enforcement, social services and other local public and private entities working with children identified as at risk of involvement in the criminal justice system. This is what the Youth PROMISE Act supports.

Aside from reducing crime and providing better results in the lives of our youth, many of these programs funded under the Youth PROMISE Act will save more money than they cost. We know this because it has already been done at the state level. For example, the state of Pennsylvania implemented similar type programs in 100 communities across the state using a process very similar to the one provided for in the Youth PROMISE Act. The state invested \$60 million over a ten year period, and as a result of the programs implemented, the state yielded a savings of \$300 million. In other words, the state found that it saved, on average, \$5 for every \$1 spent during the study period.

The bill is supported by 53 original co-sponsors and a coalition of over 250 national, state and local government, professional, civil rights, education and religious organizations listed below, a list that continues to grow. We know how to reduce crime, and we know that we can do it in a way that saves much more money than it costs. Our children, victims of crime, taxpayers and our economy can no longer afford for us to delay adoption of the Youth PROMISE Act. So, I ask my colleagues to join me in passing this bill and seeing to it that it is quickly enacted into law.

#### ORGANIZATIONS SUPPORTING THE YOUTH PROMISE ACT

##### NATIONAL ORGANIZATIONS

African American Ministers in Action; Afterschool Alliance; Alliance for Children and Families; American Academy of Child and Adolescent Psychiatry (AACAP); American Bar Association; American Civil Liberties Union (ACLU); American Correctional Association; American Council of Chief Defenders; American Federation of School Administrators, AFL-CIO; American Federation of Teachers (AFT); American Friends Service Committee (AFSC); American Jewish Congress; American Probation and Parole Association; American Psychological Association; Asian American Justice Center; ASPIRA, Inc.; Bazelon Center for Mental Health Law; Boy Scouts of America; Boys and Girls Clubs of America; Campaign for Youth Justice.

Catholic Charities USA; Center for Children's Law and Policy; Child Welfare League of America; Children's Defense Fund; Coalition for Juvenile Justice; Coalition on Human Needs; Collaborative for Academic, Social and Emotional Learning (CASEL); Correctional Education Association; Council for Educators of At-Risk and Delinquent Youth; Council for Opportunity in Education; Council of Juvenile Correctional Administrators (CJCA); Democrats for Education Reform; Family Justice; Federal CURE; Fight Crime: Invest in Kids; First Five Years Fund; First Focus Campaign for Children; Girls Inc.; Immigrant Justice Network; Institute for Community Peace.

Justice Policy Institute; Juvenile Justice Trainers Association; Leadership Conference on Civil Rights; League of Young Voters; Legal Action Center; Lutheran Immigration

and Refugee Service; Mennonite Central Committee Washington Office; Mental Health America; Mexican American Legal Defense & Educational Fund (MALDEF); National Advocacy Center of the Sisters of the Good Shepherd; National African-American Drug Policy Coalition, Inc.; National Alliance of Black School Educators; National Alliance to End Homelessness; National Alliance for Faith and Justice; National Association for the Advancement of Colored People (NAACP); National Association of Blacks in Criminal Justice; National Association of Counties (NACo); National Association of Criminal Defense Lawyers.

National Association of Juvenile Correctional Agencies; National Association of Secondary School Principals; National Black Caucus of Local Elected Officials (NBC-LEO); National Black Police Association; National Center for Youth Law; National Consortium of TASC (Treatment Accountability for Safer Communities) Programs; National Council for Community Behavioral Health National Council of La Raza; National Council on Crime and Delinquency; National Council on Educating Black Children; National Council of Juvenile and Family Court Judges (NCJFCJ); National Council for Urban (Formations) Peace, Justice and Empowerment; National Education Association; National Federation of Families for Children's Mental Health; National Head Start Association; National Hire Network; National Immigration Project of the National Lawyers Guild.

National Juvenile Defender Center; National Juvenile Detention Association; National Juvenile Justice Network; National Network for Youth; National Organization of Black Law Enforcement (NOBLE); National Organization of Concerned Black Men, Inc.; National Partnership for Juvenile Services; National Parent Teacher Association (PTA); National Trust for the Development of African-American Men; National Urban League; National Women's Law Center; Open Society Policy Center; The Peace Alliance; Penal Reform International; pre[k]now; Presbyterian Church (USA), Washington Office; Prison Legal News; Prisons Foundation; Restorative Community Foundation.

Southeast Asia Resource Action Center; Southern Poverty Law Center; Students for Sensible Drug Policy; The Academy of Criminal Justice Sciences, Law and Policy Section; The Rebecca Project for Human Rights; The School Social Work Association of America; The Sentencing Project; The Student Peace Alliance; Therapeutic Communities of America (TCA); Time Dollar Youth Court; TimeBanks USA; Unitarian Universalist Association of Congregations; United Church of Christ, Justice and Witness Ministries; United Methodist Church, General Board of Church and Society; United Neighborhood Centers of America; U.S. Conference of Mayors; U.S. Dream Academy; U.S. Psychiatric Rehabilitation Association (USPRA); VOICES for America's Children; W. Haywood Burns Institute; Washington Office on Latin America; Youth Law Center; Youth Matter America.

#### STATE AND LOCAL ORGANIZATIONS

Alabama: Alabama Youth Justice Coalition; Equal Justice Initiative; Southern Juvenile Defender Center; Southern Poverty Law Center; VOICES for Alabama's Children; Parents, Youth, Children and Family Training Institute. Arizona: Children's Action Alliance. California: Alturas Mas Altas; Archdiocese of Los Angeles, Office of Restorative Justice; Asian Law Caucus; Barrios Unidos—Santa Cruz Chapter; California Public De-

fenders Association City and County of San Francisco; City of Los Angeles; City of Pasadena; Contra Costa County Public Defender's Office; Everychild Foundation; Faith Communities for Families and Children; Homies Unidos; Juvenile Court Judges of California; Juvenile Probation Commission of San Francisco, L.A. Unified School District; L.A. Youth Justice Coalition; Leaders in Community Alternatives, Inc.; Pacific Juvenile Defender Center; San Francisco Youth Commission. Colorado: The Pendulum Foundation. Connecticut: Connecticut Juvenile Justice Alliance; Families Moving Forward; The Poor People's Alliance, Connecticut Chapter. Delaware: Delaware Center for Justice (DE). District of Columbia: Young America Works Public Charter School; Columbia Heights Shaw Family Collaborative; DC Alliance of Youth Advocates; DC NAACP Youth Council; Facilitating Leadership in Youth (FLY); Justice for DC Youth; Latin American Youth Center; Life Pieces to Masterpieces, Inc. Florida: Children's Campaign, Inc.; Florida Public Defender Association, Inc.; Florida Public Defender, Fourth Judicial Circuit; Florida Families for Fair Sentences; Miami-Dade Public Defender's Office. Illinois: ACLU of Illinois; Chicago Area Project; John Howard Association of Illinois, Juvenile Justice Initiative of Illinois, Midwest Juvenile Defender Center, PTA of Illinois, United in Peace, Inc. Kansas: H.O.P.E., Inc. Kansas CURE. Louisiana: Families & Friends of La.'s Incarcerated Children; Juvenile Justice Project of Louisiana. Maryland: Advocates for Children and Youth; CASA of Maryland, Inc.; Fusion Partnerships, Inc.; Identity, Inc.; Law Office of Anthony J. Keber; Maryland CURE; Maryland Department of Juvenile Services; Maryland Juvenile Justice Coalition; Maryland Office of the Public Defender; Public Justice Center. Massachusetts: Charles Hamilton Houston Institute for Race & Justice; Citizens for Juvenile Justice; Youth Advocacy Project of the Committee for Public Counsel Services. Michigan: Michigan After-School Partnership; Michigan Council on Crime and Delinquency. Minnesota: Minnesota Juvenile Justice Coalition. Mississippi: Mississippi CURE; Mississippi Youth Justice Project. Nebraska: VOICES for Children in Nebraska. New Hampshire: New Hampshire Association of Criminal Defense Lawyers. New Jersey: New Jersey Association on Correction. New Mexico: County of Santa Fe; New Mexico Council on Crime and Delinquency; New Mexico Criminal Defense Lawyers Association. New York: Center for Community Alternatives; Central American Legal Assistance; City of New York; City of New York Department of Juvenile Justice; Correctional Association of New York; The Fortune Society; Juvenile Justice Center of Suffolk University Law School; Quad A For KIDS / A Rochester Area Community Foundation Initiative. North Carolina: ACLU of North Carolina; Action for Children North Carolina; Council for Children's Rights; UNC Juvenile Justice Clinic, University of North Carolina at Chapel Hill School of Law. Ohio: ACLU of Ohio; Franklin County Public Defender; Hispanic Urban Minority Alcoholism and Drug Abuse Outreach Program; Juvenile Justice Coalition; Peace in the Hood; United Church of Christ, Justice and Witness Ministries; VOICES for Ohio's Children. Oregon: Partnership for Safety and Justice. Pennsylvania: Mental Health Association in Pennsylvania; Youth Advocate Programs, Inc. Puerto Rico: Puerto Rico Association of Criminal Defense Lawyers. Rhode Island: The Institute for the Study and Practice of

Nonviolence. South Carolina: Alston Wilkes Society; The Children's Trust of South Carolina. South Dakota: Parents Who Care Coalition. Tennessee: Tennessee Commission on Children and Youth. Texas: Texas Criminal Justice Coalition. Utah: Utah Commission on Criminal Justice and Juvenile Justice. Virginia: Barrios Unidos—Virginia Chapter; Families & Allies of Virginia's Youth; JustChildren; Keeping Our Kids Safe; The Newport News Violence Prevention Network; Mid-Atlantic Juvenile Defender Center, Juvenile Law and Policy Clinic, University of Richmond School of Law; Richmond Peace Education Center; The Center for Community Development, Inc.; The Southeastern Tidewater Opportunity Project (S.T.O.P.); The S.T.O.P. Family Investment Center at Oakmont North; Virginia Coalition for Juvenile Justice; Virginia Commonwealth University School of Education; Virginia Commonwealth University Center for School-Community Collaboration; Virginia CURE (VA); Virginia Department of Juvenile Justice. Washington: Washington Association of Criminal Defense Lawyers; Washington Defender Association; Washington Defender Association's Immigration Project. Wisconsin: ATTIC Correctional Services, Inc.; Wisconsin Council on Children and Families.

#### LOCAL JURISDICTIONS

City of East Cleveland (OH); City of Hampton (VA); City of Los Angeles (CA); City of New York (NY); City of Newport News (VA); City of Norfolk (VA); City of Pasadena (CA); City of Philadelphia (PA); City of Pittsburgh (PA); City of Portsmouth (VA); City of Richmond (VA); City of San Francisco (CA); City and County of San Francisco (CA); County of Santa Fe (NM);

#### ELECTED OFFICIALS AND ACADEMICS

Leroy D. Baca, Sheriff, County of Los Angeles (CA); Donna M. Bishop, Northeastern University (MA); Susan J. Carstens, Psy.D., L.P. Juvenile Specialist, Crystal Police Dept. (MN); The Honorable Toni Harp, Connecticut State Senator; The Honorable Alice L. Bordsen, North Carolina State Representative; Jolanta Juszkiewicz, Ph.D., American University (D.C.); The Honorable Kelvin Roldán, Connecticut State Representative; Tony Roshan Samara, George Mason University (VA); Earle Williams, Psy.D. Hampton University, (VA); Aaron Kupchik, Ph.D., University of Delaware.

#### TRIBUTE TO NICK RENKOSKI

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Nick Renkoski for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty

Under 40 honorees join an impressive roster of 560 business leaders and growing.

Nick Renkoski is the Director of Marketing and Communications at the Des Moines Metro Opera. In this role, Nick utilizes his love of the arts and his talents of writing, directing, and acting to develop innovative ways to draw in new audiences to the opera and challenge preconceived notions. His video series, *We Live Opera*, has received attention from opera companies across the country for doing just that. Both in and out of the opera, Renkoski has contributed to the crucial role the arts have played in the city's revitalization efforts through his involvement as a committee member of the Des Moines Art Center's Gala and Fashion Week and his performances in several Des Moines Social Club productions. Originally a Des Moines native and a graduate of the University of Missouri, Nick now resides in downtown Des Moines with his wife Liz, who is a member of the 2012 Forty Under 40 class. In all aspects of his life, Nick is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Nick in the United States Congress and it is with great pride that I recognize and applaud Mr. Renkoski for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Nick on receiving this esteemed designation, thanking those at *Business Record* for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN RECOGNITION OF NATIONAL  
PUBLIC HEALTH WEEK APRIL 1-7  
2013

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. RANGEL. Mr. Speaker, since 1995 the first full week of April was declared National Public Health Week (NPHW) to recognize the contributions of public health and to highlight issues that are important to improving it. Public health improves the conditions and behaviors that affect the health of each and every one of us. Public health ensures that we have safe, healthy communities. This is why I hope that all Americans will join me in observing National Public Health Week April 1-7, 2013.

This year's National Public Health Week theme is "Public Health is ROI: Save Lives, Save money." It highlights the value of prevention and the importance of well-supported public health systems in preventing disease, saving lives and curbing health care spending. Much like the business world, ROI indicates the return on investments. Investing just \$10 per person each year in proven community-based public health efforts could save the Nation more than 16 billion within five years. That's a \$5.60 return for every \$1 invested. America spends more than twice what most other industrialized nations spend on health care and we still have poor health outcomes. A major reason for this startling fact is that we spend only 3 percent of our health care dollars

on preventing diseases as opposed to treating them, when 75 percent of our health care costs are related to preventable conditions.

I was a proud sponsor of the health care reform law which was enacted on March 23, 2010. I feel passionate about uninsured Americans who suffer from chronic conditions such as heart disease and diabetes. The Affordable Care Act, as it is commonly called, ensures that more Americans than ever before will have insurance coverage for mounting medical expenses. Also included in this bill is the creation of the Prevention and Public Health Fund, a new mandatory fund for prevention and public health. The Fund is intended to provide a stable and increased investment in activities that will enable communities to stay healthy in the first place.

Thanks to the great work of the American Public Health Association (APHA) which serves as the organizer of National Public Health Week and the efforts of the U.S. Department of Health and Human Services, great strides have been made to raise awareness about public health and prevention.

However, our work is far from done. In Congress, I will continue to support reliable funding of public health and stand-up for the Prevention and Public Health Fund which helps to provide funding for community-based prevention activities and programs that reduce deaths due to preventable causes. Our current and future generations must not be deprived of the opportunity to live long, healthy lives. Working together, I am optimistic that we can achieve this outcome.

INTRODUCTION OF THE "PREPARE  
ALL KIDS ACT" OF 2013

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am pleased to introduce the "Prepare All Kids Act," which would assist states in providing at least one year of high quality, full-day pre-kindergarten education to all children, specifically targeting children from low-income families.

Introduced in the Senate by my colleague on the Joint Economic Committee, Sen. CASEY of Pennsylvania, I am happy to be introducing this House companion bill along with my colleague Rep. ALLYSON SCHWARTZ.

Children are our nation's greatest resource and providing them with high-quality early education is a critical step in ensuring that they are put on a path to success from an early age. The "Prepare All Kids Act" is not only the right thing to do for our children; it's a wise investment in our future. Long-term scientific research has proven the benefits of investing in early childhood education. Children who attend high-quality prekindergarten are often more successful in school, more productive adults, and greater contributors to our economy and society.

That is why President Obama expressed support for pre-kindergarten education for all children during his State of the Union speech and why I am introducing this bill now. I urge

my colleagues to support this important piece of legislation.

RECOGNIZING MARCH AS RED  
CROSS MONTH

**HON. G. K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize the American Red Cross and the amazing work they do in my Congressional District, across North Carolina, and around the country and to highlight that the month of March is Red Cross Month.

My Congressional District is served by eight local Red Cross chapters including the Greater Albemarle Chapter in Elizabeth City; Frederick E. Turnage Chapter in Rocky Mount; Wayne County Chapter in Goldsboro; Lenoir County Chapter in Kinston; Greater Pamlico Chapter in Washington; Pitt County Chapter in Greenville; Triangle Chapter in Raleigh; and the Central NC Chapter in Durham.

At a moment's notice, these local chapters can deploy staff and volunteers to respond to a crisis situation. Many across North Carolina and the east coast remember the devastation of Hurricane Floyd in 1999 that killed nearly 60 people. When the destructive tornadoes in April 2011 leveled some 450 homes across Halifax, Northampton, and Wilson Counties; and most recently, when Super Storm Sandy ravaged the east coast and destroyed homes and businesses along the North Carolina coast and inland, the Red Cross responded in each instance.

Mr. Speaker, the American Red Cross plays a vital role in disaster response and their contribution to helping Americans recover from life-changing events cannot be overstated. I ask my colleagues to join with me in thanking the American Red Cross for their tireless work on behalf of all Americans.

TRIBUTE TO JOHN RUAN IV

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Ruan IV for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, *Business Record*.

Since 2000, *Business Record* has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

John Ruan IV is the Vice President of Financial Institutions at Bankers Trust Company,

where he is responsible for a loan portfolio of more than \$90 million in assets. A Des Moines native, John worked in Chicago from 2002 to 2007 after receiving his law degree from the University of Iowa. As his family life grew however, he knew Iowa was where he wanted to be. Today, John carries on the family tradition of hard work and selfless service through his involvement in numerous civic organizations. Mr. Ruan is board member of several Des Moines area organizations, including the Des Moines Symphony, Junior Achievement of Central Iowa, and the Riverfront YMCA. John is also a member of the Blank Park Zoo Capital Campaign committee and serves on the legislative committee of the Iowa Bankers Association. Among John's numerous responsibilities, his top priority remains being the best husband and father he can be to his wife Alison and their three children. In all facets of his life, Mr. Ruan continues to make his state proud while extending and expanding his family's tremendous legacy.

Mr. Speaker, it is a profound honor to represent leaders like John in the United States Congress and it is with great pride that I recognize and applaud Mr. Ruan for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### INTRODUCING THE STUDENT LOAN FAIRNESS ACT TO COMBAT STUDENT DEBT

##### HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Ms. BASS. Mr. Speaker, I rise today to introduce the Student Loan Fairness Act to address the crippling issue of student loan debt and the debilitating impact that this debt is having on American students and their ability to contribute to the growth of the United States economy.

As you may know, total outstanding student loan debt in America has surpassed the \$1 trillion mark. It has outpaced credit card debt, auto debt, and is second only to mortgage debt in America. In fact, a recent study shows that student loan debt is the only type of consumer debt in America that has actually increased during the "Great Recession" and the problem only continues to worsen. As a result of these debts, millions of Americans are not buying cars, purchasing homes, starting businesses, or otherwise realizing the American Dream.

We need a fair and simple federal student loan repayment system which seeks to alleviate the financial burden of student loan debt on college graduates and support them as they begin their careers and lives.

That is why I rise today to introduce the Student Loan Fairness Act. This new legislation combines two bills from the 112th Congress: Rep. Hansen Clarke's Student Loan Forgiveness Act (H.R. 4170), as well as my own Graduate Success Act (H.R. 5895).

The Student Loan Fairness Act creates a new "10-10" standard for student loan repayment and establishes it as the new standard repayment plan for students taking out federal loans. This bill also combats the crushing interest rates of public and private loans, sends a lifeline to student borrowers who have fallen on difficult times, and promotes financial responsibility in higher education. In addition, our bill permanently caps the interest rate for all federal student loans at 3.4%, which will ultimately eliminate the need to enact temporary measures every year to prevent rates from doubling. This gives students more certainty and the comfort of knowing their interest rates will not go up every year.

Congress needs to act now to help our students. The longer we wait to take action, the more we undermine their future and prevent students from becoming the people they dream of being and the workforce our economy needs.

#### INTRODUCTION OF THE FINANCIAL COMPETITIVE ACT OF 2013

##### HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. FINCHER. Mr. Speaker, I rise today to discuss my bill, the Financial Competitive Act of 2013. My legislation simply requires the Financial Stability Oversight Committee to conduct a study of the impact of implementation of the Credit Valuation Adjustment (CVA) capital requirement on U.S. consumers, end users, and U.S. financial institutions.

European Basel III rules are being finalized and would provide a significant exemption from CVA market risk Risk-Weighted Assets (RWA) for EU banks.

EU banks would be exempt from CVA RWA requirements for transactions with sovereign pension funds and corporate counterparties, which are also exempt from clearing obligations. It is interesting to note that the EU did there due diligence and determined the risk factors merited an exemption.

My legislation is simply asking for due diligence in determining if U.S. financial institutions will be competitively disadvantaged. To me, this exemption will provide a significant advantage to European banks, European customers, and European end users.

Mr. Speaker, the U.S. economy is in a fragile state, any hurdle, fee, or foreign advantage, will cost the U.S. economy valuable jobs. This decision by the European regulators disregards the Basel III international agreement and will have lasting consequences for U.S. and international markets. U.S. financial institutions will be competitively disadvantaged that will affect how these institutions serve consumers in the derivative business as well as the commercial loan business.

Further, end-users will see a significant impact through limited competition which affects pricing and services.

My legislation will clarify the impact Basel III CVA RWA exemption for EU financial institutions will have on the U.S. economy. We can't afford to wait while Europe takes valuable market share away from U.S. companies.

Mr. Speaker, I urge my colleagues in the House (and Senate) to support me in passing the Financial Competitive Act of 2013 in order to ensure the law of unintended consequences doesn't place and U.S. consumers, end users, and financial institutions are not put at a disadvantage.

#### HONORING MIKE JACKSON

##### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LONG. Mr. Speaker, I rise today to honor Mike Jackson, a distinguished wrestling coach from Ozark High School, who was recently inducted into the Missouri Wrestling Association Hall of Fame.

Mike established Ozark's wrestling program and coached there for 26 years before he retired in 2012. During the course of his tenure, Mike amassed an impressive 210-59 record, including 10 conference championships and eight district titles. His teams produced 157 state qualifiers and 49 state medalists.

Mike developed such a strong program because he instilled in his wrestlers a strong sense of character on the mat, in the classroom, and in the community. He prided himself on these qualities. During his final year of coaching, for example, he and his squad raised \$2,500 for breast cancer awareness.

The Ozark community is lucky to have had a coach, teacher, and mentor like Mike Jackson, and I am proud to recognize his accomplishments and induction into the Missouri Wrestling Hall of Fame.

#### TRIBUTE TO RACHEL ROWLEY

##### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Rachel Rowley for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Rachel Rowley is a partner at the BrownWinick law firm where she practices litigation and transactional work. Before attaining her law degree from the University of Denver in Colorado, Rachel received her bachelor's degree in music education from Iowa State University. She still utilizes her passion for music through serving on the board of trustees

for the Des Moines Symphony, including the audit, fundraising, and education advisory committees. Ms. Rowley also has been a volunteer for the Make-A-Wish Foundation's art festival booth since 2010 and a member of the Greater Des Moines Leadership Institute. Of course, Rachel's top priority is the care of her two children, Luke and Anna, who both attend the Bergman Academy in Des Moines, where Ms. Rowley serves as a board member and legal counsel. In all facets of her life, Rachel is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Rachel in the United States Congress and it is with great pride that I recognize and applaud Ms. Rowley for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Rachel on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN SUPPORT OF CATCHING UP TO  
1968 ACT OF 2013

**HON. ALAN GRAYSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. GRAYSON. Mr. Speaker, these statements and findings are made in support of the "Catching Up to 1968 Act of 2013."

In determining that it is time to raise the minimum wage to \$10.50 per hour and index it to inflation, Congress makes the following findings:

(1) Since 1968, the minimum wage has lost nearly one-third of its value. Had it kept pace with inflation since then, the federal minimum wage would be \$10.67 today.

(2) Given that the minimum wage has not kept pace with inflation, more than thirty million low-wage workers are making less today than low-wage workers did 45 years ago in 1968.

(3) As the cost of living increased in the past several decades, the reduced purchasing power of the minimum wage has made it more difficult for low-wage workers to pay for basic necessities such as housing, transportation, food, and healthcare.

(I) Housing prices have nearly doubled; the median value of owner-occupied properties has increased by about 80 percent between 1970 and 2009.

(II) The cost of a gallon of motor vehicle gasoline has increased more than 60 percent from 1978 to 2012 according to U.S. Energy Information data.

(III) The average cost of health insurance premiums has skyrocketed. According to U.S. Census figures, from 1990 to 2009, health insurance costs per capita have more than doubled, increasing 102 percent. The average annual cost of employer-sponsored family health insurance premiums increased 89 percent from 1999 to 2011. Workers bore more of that load, with the average worker contribution toward employer-sponsored health insurance increasing by 94 percent. On top of this, an in-

creasing number of medical expenses and services are not paid for by health insurance, resulting in dramatically increasing out-of-pocket expenses—27 percent from 1996 to 2009—for families.

(IV) Since just 1994, the average cost for a family of four to provide food for the family has increased about 10 percent, according to figures from the USDA's monthly estimates of food plans.

(4) The current federal minimum wage of \$7.25 per hour, \$15,080 annually, does not even meet the U.S. Census Bureau's poverty threshold for a family of two or the Department of Health and Human Service's poverty guidelines for a family of two, both of which are above \$15,000 per year.

(5) Worker productivity has more than doubled since the 1960s, according to Bureau of Labor Statistics' data, yet all that low-wage workers have received for their effort is the declining value of the minimum wage.

(6) The failure of Congress to make sure that the minimum wage keeps pace with inflation has exacerbated income inequality in this country and placed the American Dream out of reach for many hard-working low-wage workers in this country. At the same time that the minimum wage has lost nearly one-third of its value, the average income of the top 1 percent of taxpayers has skyrocketed. The threshold for a family's annual income to be considered in the top 1 percent of taxpayers increased from about \$75,000 in 1968 to over \$1 million in 2011. Adjusting for inflation, the annual income of the top one percent has more than doubled in that time, increasing 110 percent. Just before the recent financial crisis, the incomes of the top one percent had nearly tripled from 1968 to 2007, increasing by 196 percent.

(7) The top 100 highest paid CEOs all made over \$15 million last year. The highest paid CEO made over \$131 million in 2012, the equivalent of almost \$63,000 per hour—\$10,000 more than the median annual household income in the United States.

(8) Though the United States economy has begun to recover from the recent financial crisis, the unemployment rate is still 7.7 percent and there still remain 28.6 million unemployed or underemployed. Raising the minimum wage would help stimulate the economy and create jobs.

(I) Raising the minimum wage to \$10.50 per hour would give a raise to more than 30 million workers, add a net increase of over \$30 billion in economic activity, and create more than 140,000 new jobs.

(II) According to a Chicago Federal Reserve study, for every dollar increase to the hourly pay of a minimum wage worker, the result is \$2,800 in new spending from that worker's household over the year.

(9) Two-thirds of low-wage workers are employed by large, profitable corporations.

(10) Many large, multi-national corporations pay higher minimum wages in Canada and Europe, and still remain profitable.

(11) Without raising the minimum wage and indexing it to inflation, it becomes more likely that low-wage workers will fall further into poverty and be more reliant on government services like food stamps, Medicaid, welfare, and the earned income tax credit. These govern-

ment services are paid for by the taxpayers and other small businesses. In this sense, many small businesses that already pay their employees more than the federal minimum wage end up subsidizing the profitability of their large corporate competitors. This is a perversion of capitalism. Raising the minimum wage would not put small businesses like this at a competitive disadvantage, but could in fact help them. For instance, according to the MO Healthnet Employer Report, in Missouri during the first quarter of 2011 (the most recent data) the total cost to the state of the 50 employers whose employees rely most heavily on Medicaid was about \$43.5 million. According to data from the state Department of Job and Family Services, the State of Ohio paid \$111.5 million in 2007 for Medicaid costs for workers and their dependents at 50 employers statewide.

(12) Nearly two-thirds of minimum wage workers are women. A greater proportion of minimum wage workers are black (15 percent) or Hispanic (20.2 percent) than of the population as a whole (13.1 percent black, and 16.7 percent Hispanic).

(13) The United States has one of the lowest minimum wages when compared with other Western, industrialized countries. Australia's minimum wage is more than double the minimum wage in the United States—at about \$16 per hour. Of ten countries with minimum wages higher than the United States', eight of them have unemployment rates lower than ours, based on the most recent data available.

(14) Poll after poll has shown that about 70 percent of the American public supports increasing the minimum wage.

HONORING NEWBRIDGE SERVICES

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor NewBridge Services in Pompton Plains, Morris County, New Jersey, which is celebrating its 50th Anniversary in 2013.

In the latter portion of 1962, local ministers were taken aback by the exponential increase in counseling requests within the Pequannock Valley area. This prompted a group of concerned citizens to meet and discuss mental health needs of the people in their surrounding areas. From this meeting the Northeast Morris County Guidance Center was founded under Reverend Donner B. Atwood of the First Reformed Church of Pompton Plains. The name of the facility was soon changed to the Pequannock Valley Mental Health Center, which began serving on December 23rd, 1963. This center was initially intended to carry out mental health services for adults and children in Butler, Kinnelon, Lincoln Park, Montville, Pequannock, and Riverdale. Rapid growth over the next decade extended the programs to the areas of Boonton, Boonton Township, East Hanover, and Mountain Lakes.

In 1977, due to the addition of several new programs, the Health Center nearly tripled in size. These new programs included the Transitional Care Program, which was able to provide the Day Treatment Center with full time



help for psychiatric emergencies, boarding home services, and counseling for at-risk clients. The Youth Services Bureau was also created to meet the ever-growing mental health needs of adolescents in the servicing towns.

In 1980, the Outreach Program, designed to help additional at-risk clients, was established alongside Project 70001, and the Youth Employment Program, intended to help troubled children and adults obtain jobs. Moreover, in 1986 the center expanded further by adding the Project Families Youth-In-Touch program and the Adolescent Partial Care program in 1987, aimed at helping troubled members of young society become more aware of their problems in order to overcome them. Finally, in June of 1998 the name of center was changed to NewBridge, effectively becoming responsible for almost all public mental health service in the upper portion of Passaic County.

NewBridge's goal has always been to provide children, individuals and families with substance abuse treatment and outpatient counseling. They also seek to empower the children, parents, teachers, and communities they serve to coordinate their own efforts in assisting those who are struggling with substance abuse and mental health issues. NewBridge is able to continually be effective through its 175 trained professionals that serve throughout the 16 municipalities in Morris and Passaic Counties. These professionals include adolescent and clinical nurse specialists, addiction and domestic violence professionals, care managers, and therapists concentrated in marriage and family problems. NewBridge also employs highly trained nutritionists, psychiatrists, psychologists, and social workers.

By means of services, facilities, and employees dedicated to consistently helping members of the community, NewBridge has impacted the Morris and Passaic areas through state-of-the-art constructive methods of support and personal education. Children and adults can now receive the proper care and advice they deserve. This assistance has made these 16 municipalities happier and healthier places to live.

Mr. Speaker, I ask you and your colleagues to join me in congratulating NewBridge Services as it celebrates its 50th Anniversary.

#### HONORING THE GREEK ORTHODOX YOUTH OF AMERICA OF ST. GEORGE

##### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. VAN. HOLLEN. Mr. Speaker, it is with great pride that I rise today to recognize the Greek Orthodox Youth of America, GOYA, of St. George in Bethesda, Maryland for their outstanding accomplishment in the GOYA tournament that was held in Baltimore, Maryland this past weekend.

Both the young men and women of the youth group won their respective championships in hard-fought games teeming with

sportsmanship and Christian fellowship. In spirited competition, these young men and women represented their community with pride. Although both teams—trailed in their semi-final and championship games, every player battled back with heart and outstanding sportsmanship and won not only the competition but the respect of their fellow teammates and their opponents.

I am proud of the St. George GOYA and look forward to their continued leadership in serving our community, excelling on the basketball court, and working hard in their academic, personal and spiritual pursuits.

#### HONORING THE ONE CAMPUS CHAPTER AT UTEP

##### HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. O'ROURKE. Mr. Speaker, I rise today to pay tribute to the ONE Campus chapter at the University of Texas at El Paso, UTEP.

This spirited group of college students competed in the ONE Campus' Valentine's Day challenge, which encouraged students across the country to write to their elected representatives urging them to support international poverty-fighting programs.

ONE Campus is under the ONE organization umbrella. With 300 million members around the world, this organization was founded to combat extreme poverty and preventable diseases.

The UTEP chapter won the "To Washington With Love" challenge after collecting more than 120 handwritten letters and over 500 petition signatures and new member signups. Those messages were personally delivered to my office where my office and I got the message loud and clear about the importance of preserving these lifesaving programs.

I could not be more proud of these students. Go Miners for winning the challenge and taking such an active role in the democratic process!

#### TRIBUTE TO KEEGAN KAUTZKY

##### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Keegan Kautzky for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty

Under 40 honorees join an impressive roster of 560 business leaders and growing.

Keegan Kautzky serves as the Director of National Education Programs of the World Food Prize Foundation, where he continues to fulfill the world-changing vision of famed agronomist Dr. Norman Borlaug. In this role, Mr. Kautzky establishes programs for high school and college students that provide insights into poverty and hunger across the globe. He has led the foundation's national expansion by attracting more than \$3 million in investments and matching funds for critical training programs for high school students and teachers. Keegan also has advised the National Council on Agricultural Education and the National FFA Organization in developing the first global strategy for agricultural education in the United States. Outside of work, Keegan is the founder and chairman of the student-run charity, Pages of Promise, which collects reading materials throughout the country and provides them to those in sub-Saharan Africa. In all facets of his life, Keegan is testament to Dr. Borlaug's legacy by actively changing the world for the better through his time, talents, and dedication.

Mr. Speaker, it is a profound honor to represent leaders like Keegan in the United States Congress and it is with great pride that I recognize and applaud Mr. Kautzky for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Keegan on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### HOUSE RESOLUTION URGING TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PATRIARCHATE

##### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am introducing, with my colleague Congressman GUS BILIRAKIS, legislation urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate.

In 1993, the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities. Since accession negotiations with the EU began in 2005, Turkey has failed to recognize the Ecumenical Patriarchate's international status as the spiritual home of the world's oldest and second largest Christian Church that includes more than 300 million Orthodox Christians worldwide.

Moreover, the Government of Turkey has limited the candidates available to the Holy

Synod of the Greek Orthodox Church for selection as the Ecumenical Patriarchate to Turkish nationals and reneged on its agreement to reopen the Theological School at Halki, thus impeding training for the Orthodox clergy in that country.

This resolution calls on Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate by granting it the right to train clergy of all nationalities, not just Turkish nationals, and respecting the human rights and property rights of the Ecumenical Patriarchate. Additionally, the resolution encourages Turkey to continue the processes and programs to modernize and democratize its own society and prove that it is ready to meet the criteria set forth by the Copenhagen European Council prior to its accession into the EU.

#### INTRODUCING LEGISLATION TO IMPROVE THE FRY SCHOLARSHIP

#### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to introduce legislation to improve the Marine Gunnery Sgt. John David Fry Scholarship.

Since 9/11, over 6,500 of our brave men and women in uniform have given their lives to protect our freedom. That number is tragic enough. But left behind by many of these soldiers is a family: wives, husbands, sons, and daughters. I think we all agree that we should do everything we can to help these families after their loved one makes the ultimate sacrifice.

My wife, Beverly, and I have come to know many of these families. We have visited with them at the Walter Reed National Military Medical Center. We have been to the funerals. It especially breaks our hearts to think about the children.

In 2009 the Fry Scholarship signed into law as a part of the Supplemental Appropriations Act of 2009 (P.L. 111-32). The clear purpose of this measure was to promise Post-9/11 GI Bill educational benefits to the children of soldiers who have made the ultimate sacrifice.

Unfortunately, due to a technicality in the law that restricts eligibility to the child of a soldier who "dies in line of duty while serving on active duty," some children of fallen soldiers have not been able to qualify for the scholarship.

During the early days of the War Against Terror, many active duty service members who suffered mortal injuries were medically retired to veteran status on the battlefield. The Department of Veterans' Affairs has informed me that despite the intent of the law, the children of these soldiers are technically ineligible for the scholarship.

The definition under current law is confusing for families and even for the VA. I have been made aware of instances where a child was able to receive scholarship money, and then was later asked by the VA to pay those benefits back.

My legislation clarifies that the children of a soldier who dies "as a result of a service-con-

nected disability" is eligible for the Fry Scholarship.

This is a small change in the law that could make a big difference for the children we will help go to college. It is my hope that we can work together on this issue to get this fix signed into law.

#### PERSONAL EXPLANATION

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote number 79 on Ordering the Previous Question regarding the "Providing for consideration of the concurrent resolution (H. Con. Res. 25) Congressional Budget, 2014; providing for consideration of the resolution (H. Res. 115) providing for the expenses of certain committees of the House Representatives in the One Hundred Thirteenth Congress; and for other purposes" (H. Res. 122). Had I been present, I would have voted "no".

I missed rollcall vote number 80 on Agreeing to the Resolution regarding the "Providing for consideration of the concurrent resolution (H. Con. Res. 25) Congressional Budget, 2014; providing for consideration of the resolution (H. Res. 115) providing for the expenses of certain committees of the House Representatives in the One Hundred Thirteenth Congress; and for other purposes" (H. Res. 122). Had I been present, I would have voted "no".

I missed rollcall vote number 81 regarding the Journal. Had I been present, I would have voted "yes".

I missed rollcall vote number 82 regarding the "Providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress" (H. Res. 115). Had I been present, I would have voted "no".

#### COMMEMORATING WOMEN'S HISTORY MONTH

#### HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. GARCIA. Mr. Speaker, I rise today to honor Women's History Month. This celebration is so important because it provides us with an opportunity to recall the many ways in which women have shaped our Nation's history. It provides a time to reflect on their fight to achieve equality but also the work that remains to ensure that we are a society where our daughters have the same opportunities as our sons. During this month, I can't help but to be reminded of the countless women who have had an indelible impact on our Nation's history.

My home state of Florida was the beneficiary of the tireless work of one such woman, Marjory Stoneman Douglas. A writer, journalist, environmentalist, and feminist, Ms. Douglas lived a life of purpose and resolve

until she died at the age of one-hundred and eight.

Among her many worthy endeavors, was her tireless advocacy for the Everglades. With her seminal work, *The Everglades: River of Grass*, Ms. Douglas transformed the public's perception of the Everglades from that of an inhabitable swamp, to a vital facet of South Florida's ecosystem and a true national treasure.

Her work as an advocate for the less fortunate and for the Everglades continues to reverberate throughout Florida and the nation.

It is women like Ms. Douglas who make the United States what it is today. Their commitment to their communities and to their country continues to bring our Nation closer to realizing the ideals on which it was founded.

Mr. Speaker, as we commemorate the women who have shaped our history, I remind my colleagues that while the month of March may come to an end, the fight for equality continues for our daughters, sisters, and mothers.

#### TRIBUTE TO ZACHARIAH JOHN MCDOWELL

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor and recognize Urbandale police officer Zachariah McDowell for his lifesaving efforts in the line of duty.

On Sunday evening, March 10th, 2013, Officer McDowell was on a routine patrol of Urbandale, Iowa when he responded to a report of a burning car in the parking lot of a nearby church. As Zac approached the car to investigate, he could make out only a human hand amid the consuming smoke that filled the vehicle. Officer McDowell wasted no time smashing in the passenger side window with his metal baton, entering the burning vehicle, and dragging the young accident victim to safety. There is no doubt that Officer McDowell's quick thinking and heroic actions saved a young man's life that snowy night.

Officer McDowell's entire professional life has been one of service and sacrifice. He began his law enforcement career by serving in the Iowa Army National Guard where he was recognized as the Iowa Soldier of the Year in 2006. Officer McDowell was honorably discharged from the military as a Staff Sergeant in 2011, after 12 years of service and two separate deployments to Kosovo in 2003 and Iraq in 2007. Today, Zac is a model member of the Urbandale Police Department and resides in Urbandale with his wife of seven years, Nichole, and their two children, Wesley and Maggie.

Mr. Speaker, Officer McDowell's instinct and brave actions to save a fellow Iowan embody the selfless attributes we all should strive for. His extraordinary display of heroism should give us all pause as we offer gratitude to the police officers across the country who put their own welfare at risk to make our streets and neighborhoods safer. It is a great honor to represent Officer McDowell and the City of

Urbandale in the United States Congress, and I invite my colleagues in the House to join me in congratulating and thanking Officer McDowell for his outstanding performance and courage when it truly mattered most.

#### MARKING 192 YEARS OF GREEK INDEPENDENCE

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mrs. LOWEY. Mr. Speaker, I rise today in celebration of the 192nd anniversary of Greek independence. I am proud to join the Congressional Caucus on Hellenic Issues in saluting the Greek people for their valiant struggle in winning independence for their nation 192 years ago and in re-affirming the bonds between our two great nations and people.

On March 25, we mark the anniversary of the revolution that liberated Greece from the Ottoman Empire. As we do so, we honor the struggle and perseverance of those Greeks who believed in their right to govern themselves and willingly laid their lives on the line as they fought for democracy. The proud democratic traditions and philosophies of Ancient Greek civilization have served as a light of inspiration to many people and nations throughout history, including our own nation's founders.

For centuries, America and Greece have built an enduring partnership based on shared values. The countless contributions of the Greek people, both to their own country and as immigrants to the United States, and in my home state of New York, continue to leave an indelible mark on our two nations.

As with our own Independence Day, this anniversary of the birth of modern Greece reminds us of the sacrifices made by those who risk—and sometimes lose—everything in pursuit of the ideals and ways of life they hold most dear.

Today, in solidarity with Greece, we reaffirm those values and ideals and honor our freedom, democracy, and friendship with the Greek people.

#### INTRODUCING THE MARCH FOR MILITARY WOMEN ACT

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. SLAUGHTER. Mr. Speaker, I rise to introduce the Military Access to Reproductive Care and Health, MARCH, for Military Women Act, legislation that will help our servicewomen gain the same access to reproductive health services as all other American women. It is deeply unfair that women who put their lives on the line for this country are denied the rights of the Constitution that they honorably defend.

Recent changes in policy have brought the treatment of military women more in line with the rest of women in America by allowing in-

surance coverage of abortion in the case of rape or incest. However, servicewomen are still not permitted to pay privately—using their own personal funds—for an abortion under any other circumstances. This policy is discriminatory, denying women in the military a Constitutionally protected right. Furthermore, it endangers the health of our servicewomen, who depend on their base hospitals for medical care, especially in countries where local facilities are inadequate or unavailable. More than 200,000 women (active service members, spouses, and dependents of military personnel) live on military bases overseas and rely on military hospitals for their health care.

Prohibiting access to abortions on military bases means that servicewomen may be forced to rely on unsafe local facilities. Failing that, a servicewoman would need to request permission from her supervisor to leave her combat mission and return to the United States. This impairs the readiness of our forces who are quite literally on the front lines, and it should not be allowed to continue. Our servicewomen deserve the right to determine their own destiny, without risking their health unnecessarily.

I want to be clear that if this bill became law, no taxpayer dollars would be spent for abortion care at overseas military facilities, and the military's current "conscience clauses" would remain intact so that no doctor would be forced to provide abortion care against their will. Passage of this bill would simply mean that our military women have the same rights as all other American women when it comes to reproductive health services. It is an issue of equality and fairness.

Our servicewomen deserve to be treated as full equals, and to have the same access to safe reproductive health care as any other American woman. I urge my colleagues to stand with me and support the MARCH for Military Women Act.

#### PERSONAL EXPLANATION

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. GRANGER. Mr. Speaker, on rollcall No. 55 I missed the vote due to an illness. Had I been present, I would have voted "aye."

**KEN SIMPSON—A NORTH CAROLINA AND AMERICAN HERO**

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. COBLE. Mr. Speaker, if somehow America could combine in one human being all the qualities we admire in our fighting men—bravery, strength, skill, determination, loyalty, patriotism, and compassion for his fellow soldier—since the middle of the 20th century—its name would have been Kenneth Walton Simpson of North Carolina.

The list of men and women to whom America owes a debt of gratitude is long indeed,

and prominent on that list is Kenneth Simpson.

This is a small expression of that gratitude to this honest-to-goodness American fighting man who, now an octogenarian, spent 23 years serving this country as a soldier, who performed his duties gallantly and with remarkable heroism, then retired without the array of military decorations that perhaps should have adorned the last uniform he wore.

The essence of this fighting man has been captured in a new book, *Warrior: From Grenades to Greeting Cards, the True Story of an American Fighting Man*, by North Carolina author Wilt Browning. Wilt is my constituent and friend and a noted journalist and author.

Simpson's story is the stuff of heroism, American style. It is as though he was from childhood destined to be a fighting man, and in his post-military career his fighting spirit remarkably wound up shaping an American industry in the second half of the century.

Ken once was perhaps the youngest American fighting man since the Civil War. At the age of just 14, he talked his way into the fight when World War II was raging. When the Navy found out that this seaman assigned to the destroyer escort USS *Edwin A. Howard* was far younger than he had claimed, they put him ashore in the Philippines. He spent two months hitch-hiking his way back to North Carolina in something of a Huckleberry Finn odyssey. He still calls that journey the greatest adventure of his life. "What young boy wouldn't love an adventure like that?" he still asks today, puzzled that most of us would find such a challenge daunting indeed.

Ken wasn't about to let a little thing like age keep him from serving his country, and when he turned 18 he legally signed on once again, this time in the Army. His fighting days had only just begun. He rose through the ranks as an enlisted man and then an officer, a man's man in charge of men. It was during the Korean Conflict that the rare commitment and courage of this man was most remarkable. Again and again, he led his men into battle and never lost a one though he on several occasions personally braved enemy fire to return to the battlefield to rescue wounded fallen comrades. Once wounded himself, he was ordered by doctors to recuperate far from the sounds of battle. He refused to leave his men, and returned to the front lines once again and to more battles.

To this day, Ken carries in his aging body the shrapnel from twice having been blown up by grenades, and he bears the scars that testify to the fact that he has faced and survived many battles.

He served our country for all those years as a military man, and then he served his fellow Americans as something of a rogue in the greeting card industry. And he did that so well that his efforts saved two major national companies from disappearing prematurely at the hands of corporate raiders and kept hundreds of Americans at work for years in the greeting card industry.

Simpson lives a quiet life now in a home atop Walker Bald, a tall mountain in western North Carolina, which he shares with his wife Laura. Though his steps have slowed and his hearing is no longer as keen as it once was—despite the concussions of nearby exploding

grenades of the past—he remains the epitome of an American fighting man.

And America owes Kenneth Walton Simpson and fighting men such as him our sincere appreciation. On behalf of the citizens of the Sixth District of North Carolina, I am proud to bring his story to light through this statement in the CONGRESSIONAL RECORD and to highlight Wilt Browning's outstanding book about an outstanding North Carolina and American hero.

#### TRIBUTE TO JENNIFER SOMA

#### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Jennifer Soma for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Jennifer Soma oversees product development and new initiatives in the individual disability insurance business for Principal Financial Group Inc. In this role, Jennifer serves as a liaison between the operations, quality assurance and information technology facets of the business. Outside of the office, Jennifer spends nearly 30 hours a week in various volunteer roles to make her community better. One of Ms. Soma's biggest passions is her dedication to animal welfare. Before working for Principal, Jennifer worked for the Animal Rescue League of Iowa in numerous roles including major rescue efforts in the aftermath of Hurricane Katrina and Iowa flooding. Ms. Soma certainly takes her causes home with her as she shares her Ankeny home with her four senior rescue dogs and continues to advocate for animals through her efforts at Iowa Voters for Companion Animals/Iowa Friends of Companion Animals. Also a big supporter and alumnus of Drake University, Jennifer currently chairs Drake's Graduate Student Advisory Council. Last year, Jennifer's numerous volunteer efforts earned her the recognition of the U.S. Presidential Volunteer Service Award—Gold Level for volunteering more than 1,000 hours of her time. In all facets of her life, Jennifer is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Jennifer in the United States Congress and it is with great pride that I recognize and applaud Ms. Soma for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Jen-

nifer on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

#### HONORING THE INTERNATIONAL CENTENNIAL PLANNING CONFERENCE PREPARING FOR THE ANNIVERSARY OF WORLD WAR I

#### HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. CLEAVER. Mr. Speaker, I proudly rise today to welcome and acknowledge our national and international visitors to the International Centennial Planning Conference. The conference is being hosted by the National World War I Museum, located in Missouri's Fifth District, on March 22–24, 2013. With the recent enactment of Public Law 112–272 to establish a World War I Centennial Commission, it is vital that the exchange with our historical counterparts begin.

This was the first global war, declared on July 28, 1914, after the assassination of Archduke Franz Ferdinand. The United States entered the war in 1917 and concluded with the signing of the Armistice on November 11, 1918. The world would never be the same as the ramifications changed nations, warfare and technology. The reality of war comes with the understanding of its effects, not only geographically but on the military and all of the people who endured the suffering of war.

Representatives and scholars from the allied nations of Australia, France, Canada, Germany, United Kingdom, and Belgium will join representatives from the United States to exchange ideas on international planning for the Centennial. This workshop will foster coordination of commemorating these historical events and rediscovery of our combined involvement in World War I. The lessons of war will be discussed and viewed through an international prism to obtain a better understanding of how the “War to End All Wars” impacted and changed the course of history.

In Kansas City, we have progressed as a city under the flame of the Liberty Memorial. The Liberty Memorial stands as a testimonial to the past and a quest for our world living in peace. Since my time as Mayor of Kansas City, I have considered the Liberty Memorial and now the National World War I Museum a treasure worth fighting to protect and preserve.

As the World War I Centennial Commission's twelve members meet to plan for the commemorative events across our nation, it will do so under the flame of the Liberty Memorial and benefit from the work garnered from this planning conference.

Mr. Speaker, I ask that you and our colleagues in the House join me in wishing the participants of the International Centennial Planning Conference success in their collaboration. There is a lot of work to do in honoring and commemorating the history from our first global war.

#### ANNIVERSARY OF GREEK INDEPENDENCE DAY

#### HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. CROWLEY. Mr. Speaker, I rise today to celebrate the anniversary of Greek Independence Day, in recognition of the courageous revolution that freed the people of Greece from the Ottoman Empire and established the modern Hellenic Republic. We come together to recognize Greek Independence in advance this year because the U.S. Congress will not be in session on March 25th.

There is no doubt that Greece's struggle for freedom from the Ottoman Empire is one which inspired the world. Carrying out a bold and inspired revolution, the people of Greece set an example for others in the region and globally. Their commitment to genuine self-determination made it possible for millions to determine their own future rather than continue a pattern of subjugation.

And, since establishing diplomatic relations with the United States, Greece has joined our own country in many cooperative endeavors, including during World War II in the fight against fascism. Today, the United States and Greece are not only partners in commerce, but have forged international alliances in many areas, including business, tourism and international security.

Greece has also been a source of immigrant communities that have helped build the United States, and Greek-Americans proudly contribute to our society in the arts, sciences, business, politics and sports.

There can be no doubt that Greece faces tough times. The economic downturn has created difficult and ongoing challenges and hardships. Yet, the spirit of Greek Independence is alive and well in Greece and throughout the diaspora. I have no doubt that Greece is going to come back stronger than ever. I am proud to call Greece and the Greek people friends and allies, and the United States cherishes a continued friendship based on mutual values and trust.

#### RECOGNIZING THE ANNIVERSARY OF THE TAIWAN RELATIONS ACT

#### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. FOXX. Mr. Speaker, April 10th will mark the 34th anniversary of the Taiwan Relations Act, legislation designed to “help maintain peace, security, and stability in the Western Pacific” and promote the “continuation of commercial, cultural, and other relations” between the American and Taiwanese people.

Since this legislation's passage, Taiwan has become an economic powerhouse and a beacon of democracy in Southeast Asia. Taiwan is also a major consumer of American products—importing over \$267 million in goods from my home state of North Carolina in 2011. In addition to being our 9th largest trading

partner, Taiwan is the largest per capita importer of U.S. farm products in the world.

I am therefore pleased that trade talks between the United States and Taiwan, as part of the Trade and Investment Framework Agreement, began recently after a six-year hiatus. My hope is that these discussions will bear fruit and help strengthen our vibrant commercial partnership with Taiwan.

For these reasons, and many others, it seems appropriate to mark this occasion and highlight my sincere hope that the American and Taiwanese people will continue to work together in friendship to promote shared prosperity and further our mutual interests.

HONORING MILDRED MANNING,  
ANGEL OF CORREGIDOR

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. MILLER of Florida. Mr. Speaker, I rise today to celebrate the legacy of a great American woman, Mildred Manning, a World War II Veteran, POW, and nurse in the Army Nurse Corps. Ms. Manning was the last survivor of the 66 nurses who were taken into captivity by the Japanese in May of 1942 on the island of Corregidor.

Ms. Manning was born in rural Georgia on July 11, 1914. She graduated from the Grady Memorial Hospital School of Nursing in Atlanta and was head nurse at Grady before entering military service when she enlisted in the Army Nurse Corps in 1939.

Ms. Manning was stationed in the Philippines at the time of the Japanese attack on Pearl Harbor. She spent the first five months of the war treating servicemen at field hospitals in the Philippines, most notably during the retreat to the Bataan Peninsula, and then on Corregidor. After the U.S. surrender at Corregidor, Ms. Manning was taken prisoner.

She spent the next 33 months under guard at an internment camp, where she faced near-starvation and disease while treating nearly 4,000 men, women, and children. In the winter of 1945, Ms. Manning and the other nurses were finally liberated. For her service to this Nation, Ms. Manning received a Bronze Star and a message of gratitude from President Franklin D. Roosevelt.

Two weeks ago, on March 8, 2013, Ms. Manning passed away in Hopewell, NJ at the age of 98. She is survived by her son, James Manning, and daughter, March Price, five grandchildren and a great-grandson. Her husband, Arthur Brewster Manning, died in 1994 and their youngest son, William D. Manning, died in 2006.

Ms. Manning once said of her internment, "I came out so much better than many of my friends, I have never been bitter, and I have always known that if I could survive that, I could survive anything."

Mr. Speaker, how privileged I am to be able to honor her life and pay tribute to her outstanding service to this nation.

## HELPING HEROES FLY ACT

**HON. TULSI GABBARD**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. GABBARD. Mr. Speaker, I rise today in strong support of the "Helping Heroes Fly Act."

I authored this legislation to authorize and improve the Transportation Security Administration's, TSA, Wounded Warrior/Military Severely Injured Joint Support Operations Program, which facilitates and expedites the passenger screening process for severely injured or disabled members of the Armed Forces and veterans.

Customer service at airport checkpoints is an issue that evokes passionate reactions from constituents across the Nation. As a representative from Hawaii, one of the country's foremost vacation destinations, I have a special interest in ensuring that the screening experience is as effective and smooth as possible. Unfortunately, too often, we hear stories from our constituents and visitors about time-consuming, inconvenient, and invasive TSA checkpoint searches. For wounded members of the Armed Forces and veterans, however, this ordeal can be a particularly difficult experience due to the nature of both their injuries and disabilities and TSA's strict screening requirements.

Recognizing the need to improve customer service for all passengers, particularly those with a disability or hindering medical condition, TSA has, in recent years, established several alternative methods of screening, including TSA's Wounded Warrior Screening Program.

Under the Wounded Warrior Screening Program, a severely injured or disabled service member, veteran, or family member contacts the program's Operation Center at TSA before a flight to arrange expedited screening. An officer at the Operations Center then notifies the appropriate personnel at the involved airports to ensure that screening is conducted in such a way as to make the screening experience as simple as possible.

The establishment of the Wounded Warrior Screening Program is a positive step. However, through my work on the Committee on Homeland Security, I have spoken with advocates of members of the Armed Forces and veterans and have come to learn that the program could be improved. In particular, as implemented in the field, there is a lack of consistency that needs to be addressed. Some wounded warriors have reported a lack of sensitivity and respect for privacy during the screening experience. Certainly, active engagement with advocate organizations would improve the program and help ensure that it accomplishes its goal.

To improve the program, the "Helping Heroes Fly Act" requires:

TSA to develop a process to expedite screening for severely injured or disabled members of the Armed Forces and veterans that protects the privacy of the individual being screened; requires TSA to consult with advocacy organizations to ensure that TSA is addressing the needs of wounded warriors to the best of their ability; mandates training of

Transportation Security Officers on the expedited screening process protocols; requires TSA to maintain an operations center that severely injured or disabled members of the Armed Forces and veterans can contact for assistance in advance of flying; and requires TSA to report to Congress on its progress in implementing the screening our Nation's wounded warriors and veterans deserve.

Mr. Speaker, the "Helping Heroes Fly Act" is an important, bipartisan bill, crafted in consultation with advocacy organizations.

It comes in response to documented grievances associated with airport checkpoints and represents an important step we can take in acknowledging the service of our Nation's heroes.

Just this week, we got reports of the difficulty a Marine at Phoenix's Sky Harbor airport had during the screening process.

The "Helping Heroes Fly Act" will ensure TSA establishes the policies that will allow them to do so.

I urge my colleagues to support the "Helping Heroes Fly Act" so that we can ease the screening process for my fellow service members and show them the respect and honor they have earned.

With that, Mr. Speaker, I yield back the balance of my time.

## IN RECOGNITION OF AMERICAN RED CROSS MONTH

**HON. EMANUEL CLEAVER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. CLEAVER. Mr. Speaker, I rise today in recognition of March as American Red Cross Month. For over 130 years the American Red Cross has been helping people in need. Now is an excellent time to recognize not only the Red Cross, but each member of the community who contributes to this great organization through volunteering, giving blood, taking life saving classes or providing financial support.

The local Red Cross in Kansas City, Missouri, in my district, serves a population of more than 2.6 million people. Last year they financially assisted more than 1,000 families with local disasters such as home fires. The Kansas City Red Cross served the U.S. Military by providing 2,350 Services to the Armed Forces cases. More than 23,000 attended Red Cross community presentations, most of them being on how to prepare for disasters. Within the region, 38,372 people took Red Cross courses. Most of those were for CPR and first aid.

There are 70,000 disasters that the American Red Cross responds to each year in this country alone, ranging from home fires affecting one family to hurricanes affecting tens of thousands. This past year the Red Cross played a vital role in disaster relief during super storm Sandy, the Colorado Wildfires and Hurricane Isaac. It also released a series of free apps to aid in disaster preparedness, ranging from addressing tornado and hurricane threats to providing first aid advice and assistance in locating Red Cross Shelters.

An average of 150,000 military families and veterans receive assistance from the Red

Cross annually. Support for wounded soldiers, resiliency training, linking military families during an emergency and connecting families with local community resources are a few of the ways the Red Cross assists the U.S. Military and its veterans.

Nearly 4 million people donate blood each year, providing more than 40% of America's blood supply, making the American Red Cross the single largest supplier of blood in the U.S. It is also the nation's leader in providing health and safety classes such as CPR, First Aid and Lifeguard training that more than 9 million Americans participate in. Such education is vital in preparing citizens to help others in an emergency.

The American Red Cross provides a plethora of supportive programs for not only citizens of my district, and districts around this country, but also for people all over the world. International services provided by the Red Cross reach out to communities in over 80 developing countries. More than one billion children have been vaccinated thanks to the Measles and Rubella Initiative that was launched in 2001. Countless families torn apart by war or disaster from as far back as World War II have been reunited through the International Committee of the Red Cross.

Mr. Speaker, it is essential that this Congress pay tribute to the Red Cross and the millions of Americans who lend their efforts to its success. I urge my colleagues to stand with me in support of American Red Cross Month and honor all that this organization has done for our great country.

HONORING DR. THOMAS C. ROSENTHAL UPON THE OCCASION OF HIS RETIREMENT

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. HIGGINS. Mr. Speaker, today I rise to honor Dr. Thomas C. Rosenthal upon the occasion of his retirement from the University at Buffalo's Department of Family Medicine. As Chair of the department for twenty years, Dr. Rosenthal has made significant contributions to the field of public health in both academic research and patient practice, committed to improving the quality of health in the most underserved populations.

Beginning his career in rural medicine in 1978, Dr. Rosenthal's love of research led to his position at the University at Buffalo. Dr. Rosenthal's prolific research publications demonstrate his comprehensive expertise in his field. His published work spans from articles in chemistry journals to topics in primary care, such as cancer screening and Alzheimer's disease. He is board-certified in Family Medicine and Geriatrics, and holds membership on the esteemed Accreditation Council for Graduate Medical Education's Residency Review Committee for Family Medicine.

During his time at the University at Buffalo, Dr. Rosenthal has educated thousands of students, practitioners, and community members about public health. His passion for rural health motivated him to create the Buffalo

Family Medicine residency program's Rural Health Campus in Olean, New York. Only the second such training model in the country, the Rural Health Campus allows students to gain firsthand knowledge of the unique healthcare needs of our nation's rural communities.

A trusted figure in his field, Dr. Rosenthal serves as the lead editor of the textbook *Office Care Geriatrics*, and as a reviewer for nine other journals. From 2006 to 2009, he edited *The Journal of Rural Health*. Throughout his illustrious career, he has sat on numerous national and statewide panels, including: the New York Rural Health Council, the Association of American Medical College Task Force on Rural Education, the New York State Academy of Family Physicians Education Committee, the policy board of the National Rural Health Association, and the Bioterrorism Task Force of the Medical Society of New York State.

Dr. Rosenthal pioneered an interdisciplinary approach to public health, combining real-world practice with academic study, dedicated to bettering the quality of health in underserved communities. His health services research, which includes rural health, medical training, health care organization and workforce development, informs his patient practice, and vice versa.

Dr. Rosenthal is known as much for compassionate practice as for his impressive academic career. He has drastically increased awareness of the dire public health crisis in medically underserved communities, and passionately strives to improve quality of health in the community's most suffering areas. He continues to see patients in the Jefferson Family Medicine Center, located in a poor neighborhood on Buffalo's East Side.

In 1998, Dr. Rosenthal became the Founding Director of the New York State Area Health Education Center, AHEC, System. Today, he continues to serve as statewide Medical Director. This truly revolutionary organization strives towards Dr. Rosenthal's goal to improve access to quality health care in medically underserved communities on local, regional, and statewide levels, by encouraging both patients and practitioners to work together. The AHEC System joins with pre-existing institutions to bring dedicated healthcare professionals to communities in need, and educate community members about personal health care. By engaging devoted practitioners and empowering patients, the AHEC System has made enormous strides in combating our public health crisis.

Mr. Speaker, please join my colleagues and I in honoring Dr. Thomas C. Rosenthal as he retires from the University at Buffalo's Department of Family Medicine. I admire his compassionate and visionary approach to public health, and wish him Godspeed in all of his future endeavors.

IN SUPPORT OF H.R. 1278, THE NONDISPARAGEMENT OF NATIVE AMERICAN PERSONS OR PEOPLES IN TRADEMARK REGISTRATION ACT OF 2013

**HON. ENI F. H. FALEOMAVAEGA**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. FALEOMAVAEGA. Mr. Speaker, I want to share with my colleagues and with the American people a particular issue that has been a source of humiliation for our Native American people—the use of the word “red-skin,” which I will refer to as the “R-word.” This derogatory and racist term is rooted in state-sponsored genocide efforts when colonies paid individuals for the skins of dead Indians. The Native American community has never accepted the “R-word” as anything more than a hurtful, disparaging label that is a reminder of the maltreatment they have endured.

Some may argue that the “R-word” is no longer disparaging towards Native Americans. However, over the course of my tenure as a Congressman, as a member of the Subcommittee on Indian and Alaska Native Affairs, and as a member of the Congressional Native American Caucus, I have received an increasing flow of calls and letters from Native American individuals, tribes, and organizations who abhor this denigrating term. It is their opinion that the “R-word” is a racial stereotype that causes harm to the collective self-esteem of the American Indian people.

Mr. Speaker, this term has no place in our modern American society. It is akin to the “N-word” which reflects the history of prejudice and persecution that our African American brothers and sisters endured. Can you imagine the public outcry that would result if a Pro-Football team was named the “N-word?”

In 1933, the District of Columbia's professional football team adopted the “R-word” as its name and mascot. In 1967, the United States Patent and Trademark Office, PTO, granted the team a federally registered trademark for the “R-word.” This action is contrary to the mandates of the Trademark Act of 1946 (Lanham Act) which requires the PTO to refuse to register any trademark that “[c]onsists of or comprises . . . matter which may disparage . . . persons, living or dead . . . or bring them into contempt, or disrepute.” 15 U.S.C. 1502(a). The PTO has denied registration of trademarks using the “R-word” on four separate occasions on grounds of disparagement—three times in 1996 and once in 2002.

In 1992, seven prominent Native American leaders petitioned the Trademark Trial and Appeal Board, TTAB, to cancel the federal registrations over six trademarks using the “R-word.” The TTAB in 1999 ruled that the “R-word” may, in fact, disparage American Indians, and cancelled the registrations. On appeal, a federal court reversed the TTAB's decision, holding that the petitioners waited too long after coming of age to file their petition. A new group of young Native Americans petitioned the TTAB to cancel the registrations of the offending trademarks in 2006. The TTAB

held a hearing on March 7, 2013. A final decision is pending.

Mr. Speaker, despite the indigenous community's efforts before administrative agencies and the courts, the "R-word" remains protected as a federally registered trademark. Since the federal government made the mistake in registering the disparaging trademark, it is now up to Congress to correct that mistake. Now is the time to end this injustice.

Mr. Speaker, yesterday I introduced H.R. 1278, the "Non-Disparagement of Native American Persons or Peoples in Trademark Registration Act of 2013." I want to thank the following members for their support as original cosponsors of this historic legislation: TOM COLE (R-OK), BETTY McCOLLUM (D-MN), ELIZABETH HOLMES NORTON (D-DC), RAÚL Grijalva (D-AZ), KAREN BASS (D-CA), GWEN MOORE (D-WI), JOHN LEWIS (D-GA), MICHAEL HONDA (D-CA), and DONNA CHRISTENSEN (D-VI).

H.R. 1278 is also endorsed by the following organizations: National Congress of American Indians, NCAI, Morning Star Institute, International Indian Treaty Council, Native American Rights Fund, American Indian Movement—West, American Indian Higher Education Consortium, Americans for Indian Opportunity, Capitol Area Indian Resources, Inc., American Indian Studies—University of Illinois at Urbana-Champaign, Program on Information Justice and Intellectual Property—American University, Alianza Indígena Sin Fronteras (Indigenous Alliance Without Borders), National Indian Education Association, Native American Finance Officers Association, and Tulsa Indian Coalition Against Racism. These organizations have indicated in letters of support for H.R. 1278 that the "R-word" continues to have damaging effects in the Native American community.

H.R. 1278 would cancel existing federal registrations for trademarks using the "R-word." It would also deny registration for new trademarks incorporating the "R-word." As in the decision made by TTAB in 1999, it ruled, in fact, that the "R-word" was a disparaging term.

As an avid sports fan, I applaud the excellence in athleticism and leadership demonstrated by our professional athletes both on and off the field. I am also very proud of the many Samoans and Pacific Islanders who have had much success in sports, particularly in the NFL. While I acknowledge the D.C. professional football team's many achievements, I have grave reservations concerning their name.

Mr. Speaker, I want to be clear that H.R. 1278 is not an attempt to censor or remove the freedom of the D.C. professional football team to use the "R-word" in its franchise. Rather, this legislation seeks to reinforce governing law that prohibits federal registration for disparaging terms, like the "R-word." It is unfortunate that the federal government, which has a special trust relationship with Native Americans, continues to protect this racial slur.

It is my hope that H.R. 1278 will advance the dialogue regarding the "R-word" among our legislators. I also invite those with a vested interest in this issue, including the owner of the D.C. professional football team, to bring their concerns to the table.

# RECOGNIZING THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES CHILD CARE CENTER WITH THE 2012 EMPLOYEE EXCELLENCE AWARD

## HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mrs. MILLER of Michigan. Mr. Speaker, the Chief Administrative Officer of the U.S. House of Representatives is recognizing the House of Representatives Child Care Center, HRCCC, team with the 2012 Employee Excellence Award, which is sponsored by the Officers and Inspector General of the U.S. House of Representatives. The award recognizes employees from each entity who have provided outstanding performance to their employer and who have demonstrated a superior attitude and demeanor in service to the House over the period of the last year.

The employees of the HRCCC have demonstrated a high level of drive, determination and commitment over the past year. They are dedicated not only to the children, but also to their parents, the CAO and the House community at-large.

While we recognize the HRCCC as a team I would also like to recognize each teacher and staff member individually today.

Ladonya Allen  
Monica Barnabae  
Paige Beatty  
Sherleen Boyde  
Erica Doody  
Suzette Drexel-Carpenter  
Shamorrow Hall  
Contrinia Hemphill  
Suzanne Hite  
Michelle Jones  
Nicole Price  
Jennifer Sekhar  
Sharon Steele  
Ann Vogel  
Kathleen Williams  
Fareen Wu

Congratulations to the House of Representatives Child Care Center team.

# IN RECOGNITION OF THE 192ND ANNIVERSARY OF GREEK INDEPENDENCE DAY

## HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise to commemorate the 192nd anniversary of Greek Independence. On this day, we honor the memory and sacrifice of those who fought and died to free their nation from occupation. The revolution brought independence to the Greece and confidence to other oppressed peoples around the world who also yearned for freedom. The message the Greek people sent out to the world in 1821 continues to reverberate today as a beacon of hope to those who seek the right of self-determination. When we recognize Greek Independence Day we re-

affirm the ideals and values that inspired Thomas Jefferson to say that Americans owe the ancient Greeks a great debt for showing us the light and helping to lead us out of darkness. Each year that we honor Greek Independence, we acknowledge that debt, and by our example, let oppressed people know that we stand with them in their quest for freedom.

# RECOGNIZING MRS. EVELYN L. PORTEUS ON HER 100TH BIRTHDAY

## HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. OWENS. Mr. Speaker, I rise today to recognize the birthday of Mrs. Evelyn L. Porteus, who will be turning 100 years old on April 26, 2013.

Evelyn was a resident of Schoharie, NY for 50 years, where she worked one of her favorite jobs as a docent at the Old Stone Fort—originally a church turned into a fort during the American Revolutionary War. Prior to that, Evelyn was a former graduate (class of 1933) of and teacher at Oneonta Normal School in New York.

She lovingly raised a family of four children, and has six grandchildren, including one great-grandchild. She now lives at the Wesley Health Care Center in Saratoga Springs, NY, where she has resided for the past 12 years.

Evelyn has witnessed momentous changes in our nation's history. Her life reflects a contribution to that history. I hope her century of memories brings much pride and joy to herself and family members.

I ask my colleagues to join me in congratulating Evelyn on this remarkable milestone. I wish her a special day shared in the company of her family and friends and all the best in the years ahead.

# RECOGNIZING RUSSELL J. SALVATORE AS EXECUTIVE OF THE YEAR

## HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize Mr. Russell J. Salvatore as the Buffalo Niagara Sales & Marketing Executives' choice for their 2012 Executive of the Year. Russ is a talented businessman, food service visionary and generous philanthropist, who is truly inspired by his love of the people of Western New York.

From an early age, Russ saw the great potential for service through entrepreneurship through his father, Joseph Salvatore. Joseph owned Salvatore's Restaurant, a family eatery on Buffalo's East Side. Growing up his father's restaurant, Russ developed a passion for service, tireless work ethic, and an appreciation for the value of a warm meal.

Joseph passed the family business down to Russ and his brother in 1967. Shortly after, Russ pursued his own endeavors, purchasing



a small hot dog stand on Transit Road and transforming it into Salvatore's Italian Gardens. For nearly forty years, Russ lived and breathed Salvatore's. His tireless work turned Salvatore's Italian Gardens into a renowned restaurant and banquet center, winner of countless awards and national recognition. By 1995, Salvatore's had become a destination in its own right, allowing Russ to open an attached hotel, Salvatore's Garden Palace. Russ truly enjoyed every aspect of his daily work, and although he signed over the business to his son Joseph in 2003, he remained closely involved until 2006, when he chose to retire.

Russ's passion for serving Western New York drew him out of retirement before long. He returned to work at age 75, opening Russell's Steaks, Chops, and More, in November 2008. Russell's quickly became one of our region's most prominent steakhouses. The month after, Russ opened Salvatore's Grand Hotel next to his new restaurant, creating another successful combination of a well-regarded hotel and fine dining establishment.

Russ's philanthropic efforts are as renowned as his business endeavors. He is a public supporter of countless charities, events, scholarships, and causes. To encourage students pursuing careers in food service and hospitality, he formed a partnership with Trocaire College to found the Russell J. Salvatore School of Hospitality and Business. Situated on a satellite campus next to his new steakhouse, students at the school gain concrete experience through internships at Russell's Steaks, Chops and More, and Salvatore's Grand Hotel.

In the wake of one of our region's most tragic days, Russ stepped in to aid heart-broken local families. On February 12, 2009, a passenger plane known as Flight 3407 crashed to the ground in Clarence Center, New York, killing all on board. To honor the fifty victims, Russ helped secure a memorial in Heroes and Patriots Park.

Perhaps one of Russ's most well-known gestures is his purchase of 10,000 Buffalo Bills tickets, which prevented a "black-out" of a home game in December 2012. Russ's investment allowed one of the season's last games to be broadcast on local television. He donated nearly all 10,000 tickets to local organizations, patrons of his restaurant, and community members, to show his deep gratitude to the people of Western New York.

Mr. Speaker, thank you for allowing me the opportunity to recognize Mr. Russell Salvatore's great contributions and admirable generosity. Buffalo is nicknamed the "City of Good Neighbors," and Russ epitomizes this spirit. I congratulate him on the incredible honor of being named Executive of the Year, and I wish him continued fulfillment and the absolute best in all of his future endeavors.

#### HONORING MAINE MAPLE SUNDAY

#### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to join Maine's maple syrup producers in cele-

brating Maine Maple Sunday on March 24, 2013.

The history of maple syrup in Maine dates back to before the colonists first landed on our shores. Native American tribes from throughout the Northeast first developed the practice of drawing sugar and syrup from the sap of maple trees. Hundreds of years later, maple syrup remains a staple of Maine's economy and cultural heritage.

Maine Maple Sunday is always held on the fourth Sunday in March. Sugarhouses open their doors on this day to offer free samples and demonstrations to enthusiastic customers from all over the Northeast. Nurtured by Maine's unique soils and climate, the maple syrup on display during Maple Sunday is among the finest in the world.

I would like to extend a special thank you to Arnold and Elaine Luce of Anson, T.A. Greene of Sebago, the family of the late Linwood Foster of Skowhegan, John Hodgkins of Yarmouth, Robert Smith of Skowhegan, the family of the late Chester Basford of Fairfield, John and Eva Steeves of Skowhegan, and Pete Tracy of Farmington for their hard work in making Maine Maple Sunday possible. Their efforts are responsible for the successful continuation of one of Maine's oldest and proudest traditions.

Mr. Speaker, please join me again in congratulating Maine's maple syrup producers on putting together another Maine Maple Sunday.

#### HONORING WILLIAM "BILL" BLOIS SEAL

#### HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. LOWENTHAL. Mr. Speaker, I have known Judy Seal for many years and have respected, appreciated and admired her leadership on education issues in my district.

It was with great sadness that I learned of the passing of her father William "Bill" Blois Seal—a native Long Beach son who bravely served his country in war and later served his community as an educator for more than four decades.

Bill was born at Seaside Hospital in 1924, attended schools in Long Beach and graduated from Wilson High School.

Enlisting in the Army in 1942, Bill's youthful hobby of pigeoning led him to service as a Pigeoneer in the U.S. Army. Homing pigeons and their handlers served in all fronts of the war, often times providing communications when other means were not available or too unsecure.

Bill was in the fourth wave to land at Omaha Beach during the Normandy Invasion and wound up spending his 20th birthday just days later in a foxhole on the Allied beachhead. He later served through the push across France and fought in the Battle of the Bulge, the last major German offensive of the war.

Selected for officer training, Bill's tour in Europe was cut short as he was sent back to the States. The war ended before Bill could be re-deployed and he returned to Long Beach to continue his interrupted education.

He entered Long Beach City College, and then moved on to the University of Southern California where he earned both undergraduate and Master's degrees in education.

During this time, Bill married his high school sweetheart, Betty. They would remain married until her passing in 2011. They would go on to have three children: son Christopher and daughters Judy and Nancy.

As a young educator, Bill joined the Long Beach Unified School District, becoming part of the original faculty at both Stanford Junior High and Millikan High schools. His career eventually took him to back to Long Beach City College, where he had begun his higher education and where his own father had worked as a Dean.

At the end of his 43-year career in education, Bill had become a beloved figure in Long Beach, both for his educational work and for his work on behalf of Vietnam War veterans and the Cambodian community.

Bill passed away on March 15, 2013 at Long Beach Community Hospital in the arms of his beloved daughter, Judy.

#### THE KEYS TO LIFE: HONORING AN AMERICAN HERO, CORPORAL ADAM KEYS OF THE 618TH ENGI- NEER SUPPORT CO., THE UNITED STATES ARMY

#### HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. DENT. Mr. Speaker, I rise today to honor one of Pennsylvania's most heroic sons, Adam Keys of the United States Army, 618th Engineer Combat Team. On July 14, 2010, while on patrol in his vehicle, a thousand pound IED went off, killing four of Adam's Brothers in Arms, including his best friend Jesse Reed. Adam and Jesse were close friends at White High School and joined the Army together. Close to death, miraculously Adam survived to begin his new battle. Adam lost his legs and an arm in this horrific attack. I have spent time with Adam and his mother, Julie Keys, on a number of occasions. Adam's bravery and Mrs. Keys' strength go unmatched. This poem, "The Keys to Life," authored by Mr. Bert Caswell—a tireless and devoted advocate for our wounded warriors—is in honor of Adam's courageous sacrifice for our nation and the inspiration he offers to his family, friends, and those he meets along his journey today.

#### THE KEYS TO LIFE

Along the road of life. . .  
There are some Keys to so realize. . .  
That which, we should all so live by!  
Up which rise so very high,  
up above all else which now so lies!  
Where, faith and honor. . .  
but so touch the sky!  
That which so determines,  
who we are as realized!  
When, who so lives and so dies!  
All in these the short moments of our  
lives. . .  
All in that most magnificent code,  
that which we should all so live by. . .  
A code of honor,

that which so makes even the Angels cry!  
That all in our stead,  
so determines if we have so followed or led!  
And so left behind!  
When, to this world we say goodbye. . .  
For The Greatest Things of All,  
we find in hearts of courage full who come to  
call!  
Who so serve our country armed with words  
like,  
Strength In Honor, Faith and Courage. . .  
who all in the darkest nights will not so be  
discouraged. . .  
With words like Duty, Country, and God,  
which so ranks the highest of them all. . .  
As The Key To Life is so found,  
all in a heart of faith which now so astound!  
So very deep down,  
inside of one's soul that which comes to  
call. . .  
All in your most splendid life,  
as Adam we have so saw. . .  
Which brings such tears,  
to even the Angel's eyes which now fall. . .  
That gives one the strength to so coura-  
geously stand tall!  
While, all those darkest of all nights of all!  
As we so see Adam's fine heart so come to  
call!  
But, to wear that uniform. . .  
of The United States Army,  
and march off to war with hearts of courage  
warm. . .  
To so face of death,  
but For The Greater Good all in a Heroes  
quest!  
All in your most heroic sheen,  
To But Be The Best!  
And Adam,  
when in that moment of truth,  
as there you were so close to death!  
As your fine life hung by just a thread. . .  
As four of your Brothers In Arms,  
now beside you so heroically lie dead!  
And you so saw,  
what this war had done. . .  
and you so began to cry for your lost loved  
ones. . .  
As it was all in that moment of truth,  
as when you so gallantly denied death!  
As your fine heart so chose to fight,  
to rise up with not much left!  
As you so dug deep down inside,  
and so reached for the skies!  
But, to Live or Die?  
As somehow,  
you so found that faith and courage to so  
survive!  
As Pennsylvania's Pride,  
as you so wiped away all of those tears from  
your eyes!  
And you so began your new battle cry!  
As all out on your road to recovery,  
as you so passed them all so by!  
As somehow we must catch up to you,  
so try!  
For it's all within your great heart of faith,  
that you found the way. . .  
But where The Key's To Life So Lie!  
As you so unlocked all of that heartache and  
pain,  
and would not compromise!  
As your fine heart got up,  
and so began to rise!  
And for all of your fallen Brothers In Arms,  
you so carry with you now inside!  
As you so honor them all in this way,  
all in what your most courageous life now  
portrays!  
As you are Army Strong in every way!  
Hoo. . . ah. . . as you so rebuild your life day  
after day!  
For a heart can take us to places,  
to where dreams are so made this!

Can so help us to win wars,  
and bring us back from the dead as the world  
we so amaze!  
Even without legs, and arms. . .  
can help us walk again and hold the world in  
our arms this day!  
For Adam they may take your strong arm  
and legs!  
But, they can not so touch Adam,  
what's within your fine heart of faith so  
armed!  
Because, Adam you are Army Strong!  
And your fine life is but a song,  
a song of character and faith to us which  
now belongs. . .  
With The Keys To Life to keep us strong!  
So we better start running,  
if we want to catch up to you!  
Because, some people are put upon this  
earth. . .  
To So Teach and So Beseech Us All In Their  
Great Worth!  
So surely Adam,  
as you have so shown us all what so truly  
comes first!  
And your fine Mother,  
who through thick and thin stood. . .  
Has so stood by you in the very worst!  
And helped you with your rebirth!  
For these are The Keys To Life,  
chapter and verse!  
And if ever I have a son,  
I wish he could be as courageous as this one!  
Who with his fine heart of gold,  
so shines like the morning sun,  
for all of us to so behold!  
Because Adam,  
all in what your fine life is about. . .  
Are also found the keys to Heaven no doubt!  
As you have so bravely shown us all,  
how to so live with and without!  
But, up in Heaven. . .  
you need not arms nor legs. . .  
And Adam my son,  
that's where you're going one fine day. . .  
Up with our Lord where you will run. . .  
For you have so shone us all,  
The Keys to Life,  
my son!

RECOGNIZING DR. WILLIAM J.  
MCKINNEY

**HON. JACK KINGSTON**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. KINGSTON. Mr. Speaker, I rise today to congratulate Dr. William McKinney, a nationally recognized teacher, scholar, and academic leader, on his appointment as the 9th President of Valdosta State University and to wish him luck during his inaugural week.

Dr. McKinney earned a Bachelor of Science in Chemical Engineering and a Bachelor of Arts in History from Bucknell University and both a Master of Arts in History and Philosophy and a Ph.D. at Indiana University-Bloomington. Prior to his appointment as Valdosta State University President, Dr. McKinney served as the Vice Chancellor for Academic Affairs at Indiana University-Purdue University Fort Wayne, as the Chairperson of Philosophy and Religion at Southeast Missouri State, and as Dean of the College of Humanities, Fine and Performing Arts at Slippery Rock University in Pennsylvania.

As a lifelong supporter of a liberal arts education, Dr. McKinney has published well over

100 papers, book chapters, and reviews on everything from environmental ethics to civic engagement. I know he will be an asset to the Valdosta State University Campus. I am proud to have him representing Valdosta State University and my home state. Congratulations, again, to Dr. McKinney. I look forward to working with him in the years to come.

HONORING THE CAREER OF  
CAPTAIN JOHN DEMARCO

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. HIGGINS. Mr. Speaker, today I rise to honor the extraordinary career of Captain John DeMarco, upon the occasion of his retirement from the Niagara Falls Police Department.

A third-generation police officer, Captain DeMarco has a proud family legacy of public service. His grandfather was well-known as a Niagara Falls motorcycle cop. His father was a chief in the New York State Park Police, serving for forty years. His brother, Bob, will remain active in the Niagara Falls Police force as a Juvenile Detective.

Prior to his career in the Niagara Falls Police Department, Captain DeMarco pursued higher education, earning a degree from Niagara University in 1972. After graduation, he enlisted in the United States Marine Corps, honorably serving our nation for twelve years.

Upon returning home to Niagara Falls, Captain DeMarco earned a place in the police department's patrol unit. He rose through the ranks, becoming a patrol lieutenant, then a deputy to Superintendent Christopher Carlin in 2000. When Superintendent Carlin left for active military duty from November 2001 to October 2002, he entrusted Captain DeMarco to serve as acting police superintendent, a role he continued to serve under Carlin's successor, John Chella.

As an officer, Captain DeMarco understood and revered the police department's immense responsibility to protect their neighbors. He sought to build trusting relationships with community members, working in conjunction to create a safer Niagara Falls. Active within the community himself, he is a founding member of the Niagara Falls Law Enforcement Foundation and continues to serve on the Niagara Police Athletic League.

Captain DeMarco served Niagara Falls with great pride and bravery. On February 7, 2009, two fellow officers, Walter Nichols Jr. and Michael D. Bird, were shot on South Avenue. The police force united, performing at their best to protect citizens and colleagues. Captain DeMarco valued the special bond between officers, and the great responsibility entrusted to the police force as the first to respond during crises.

Mr. Speaker, I thank you for allowing me a few moments to acknowledge the career of Captain John DeMarco. I am grateful for his twenty-six years of service to Niagara Falls, and I wish him the best of luck as he brings his expertise in law enforcement to his new role as a faculty member in the Niagara University Criminal Justice Department.

CELEBRATING THE 150TH ANNI-  
VERSARY OF FIREMAN'S FUND  
INSURANCE COMPANY

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. HUFFMAN. Mr. Speaker, it gives me great pleasure to recognize the 150th anniversary of Fireman's Fund Insurance Company, which was established in the city of San Francisco in 1863, and which is now headquartered in my Congressional District in Novato, California. A celebration of this important milestone will be taking place on April 4th at the Old San Francisco Mint.

Fireman's Fund has been one of the nation's premier insurance companies, protecting the future for individuals, families, and businesses. Its own history parallels that of both this state and country. Fireman's Fund has insured the construction of national landmarks including the Hoover Dam, the Golden Gate Bridge, and Charles Lindbergh's Spirit of St. Louis.

It survived the Chicago Fire of 1871 and the San Francisco Earthquake of 1906, playing a critical role in rebuilding after the devastation. The company was also there when it mattered for many displaced people after the Loma Prieta earthquake of 1989.

This company is a true innovator—the first insurance provider to write a standing grain policy in the U.S., the first carrier to offer nationwide automobile insurance and standardized homeowners insurance, and the first company to add "green" insurance to their offerings for homes and businesses.

The Fireman's Fund name, which is heralded in California, emanates from the founder's arrangement to pay 10 percent of the company's profits to support the widows and orphans of firefighters who died in the line of duty. That tradition continues today through the company's Heritage Program®, providing fire departments throughout the nation with life-saving equipment and training. Working in combination with its employees, agents and brokers, the company has distributed more than \$30 million to support firefighters for safer communities since 2004. The company has also been a benefactor of numerous charities in the San Francisco Bay Area and its generosity has added tremendously to the vitality of our communities.

More than 1,200 Californians work for Fireman's Fund, with the majority of them residing in my own Congressional District. They are not only dedicated professionals who partner with agents and brokers to provide high quality insurance services, but many spend countless hours engaged in volunteer work for a variety of causes.

I look forward to being at the 150th Anniversary Celebration of Fireman's Fund on April 4th. It is a great company with outstanding people and it remains one of California's most enduring financial institutions. Given the time of rapid change in which we live, it is comforting to know that companies like Fireman's Fund still endure, and I ask my colleagues to join me in wishing them well with the hope that they will still be with us for another 150 years.

HUNGARY TODAY

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, less than a month ago I chaired a hearing on "Anti-Semitism: A Growing Threat to All Faiths." One of the witnesses was Tamás Fellegi, a former minister in the Orbán government, who is himself Jewish. His testimony was impressive, as was the long list of significant actions the Orbán government has taken to combat anti-Semitism in Hungarian society.

Mr. Fellegi admitted frankly that anti-Semitism is a serious social problem in Hungary. Fortunately, the Orbán government is on a clear upward trajectory here, and gives every sign that it will continue to be part of the solution rather than the problem. I'm confident it will particularly take on the persistent attempts to rehabilitate Holocaust perpetrators and vicious anti-Semites, both from the 1930s and 1940s and today. I will certainly continue to urge it to do so.

We all know that many NGOs and a few governments, including our own, have been vocal in criticizing the Hungarian government on various grounds touching on democracy and human rights—and that the Hungarian government and its supporters have rejected these criticisms vigorously.

Having reviewed material on both sides, I must say that I believe the Orbán government is right when it says that many of the criticisms are unfair, involving double standards, misrepresentations, and inaccurate information. The Hungarian government has carefully documented this, for example in its "Open Letter to Freedom House."

For another example, the administration, in criticizing the Orbán government's adoption of a new constitution, claimed in its written testimony to the Commission on Security and Cooperation in Europe this week that in "fundamental" matters, "the process must lead to a consensus built from a cross-section of society, rather than reflect only the opinions of the ruling coalition . . . the lack of serious consultation with different sectors of society, did not honor the democratic spirit . . ." Anyone familiar with the passage of the Obamacare legislation might well question whether this is a message our government is ideally situated to deliver. Certainly it should have avoided the rude insinuation about democracy.

Yet we need to continue delivering these and similar messages to a number of foreign governments—we must not give in to the cynicism induced by our own or any other government's failings.

But we should be a lot more humble—especially when we are dealing with a country like Hungary, where the system of constitutional checks and balances is alive and well, where a democratic party with an unprecedented supermajority and a mandate for dramatic change, gained in a free and fair election, passed a democratic constitution and shows itself open to working with others to amend and improve the flaws in its new laws. This is a conversation between equals, and there is a lot we can learn from Hungary. I'm thinking

particularly here of the constitutional cap on public debt and the statement that life will be protected in the womb.

I'd like to congratulate the Hungarian government for the many laudable things in the new constitution—many things that advance human rights, including the prohibition of human trafficking, reproductive cloning, and its promotion of the culture of life. And for the rest, I look forward to a continuing conversation with the Hungarian government about their and our constitutional traditions and how they can both be improved.

RECOGNIZING STEPHEN WEIR

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congressman MIKE THOMPSON, Congressman JERRY MCNERNEY and Congressman ERIC SWALWELL to recognize the unparalleled career of Mr. Stephen Weir and congratulate him as he retires after forty years of public service on behalf of the people of Contra Costa County. Steve Weir has been known throughout our community as a man of uncommon commitment and unwavering integrity.

Born in Richmond, California and raised in Pleasant Hill, Steve has been a life-long resident of Contra Costa County. Following his graduation with Honors from the University of California at Berkeley, Steve moved back to Central County to begin his career as a public servant. He won his first elected position in 1973 as the Contra Costa Water District Director. After serving seven years in that capacity, Steve was elected to the Concord City Council in 1980, and in 1984 he was selected by his colleagues to serve a two-year term as Concord's Mayor. During this time, Steve also took on the responsibilities of regional Commissioner for the Metropolitan Transportation Commission, and became Chairman in 1991.

It was in 1989, following the death of County Recorder Jim Olson, that Steve was appointed to fill the vacant seat for County Recorder. Steve was subsequently elected to the office in 1990 and has been returned to the position by voters every four years since.

As County Clerk-Recorder, Steve immediately went to work streamlining the Clerk office system from five offices spread throughout Martinez, to one consolidated, state-of-the-art facility. Leveraging nearly \$13 million in federal and state grant funding, he developed and purchased a vote tabulation system and introduced electronic recording to our county. Steve's efficiency continued to garner favorable results as his implementation of a department-wide Performance Management Program brought high praise from the Contra Costa County Grand Jury. He also established a Real Estate Fraud Notification System which has protected the County's property owners.

Steve has earned many awards and distinctions throughout his career, including the 1993 Citizen of the Year Award from the California Transportation Foundation in recognition of his skill in bringing improvements to the Contra

Costa and Bay Area's transportation systems and under his watch, the Contra Costa County Clerk's Office was awarded the County Department of the Year Award in 1994. However, we are certain that the distinction Steve and his long-time partner, John Hemm, take most pride in is the fact that their marriage in June of 2008 was the very first same-gender union ever conducted in Contra Costa County.

As Steve trades his desk chair in Martinez for his bicycle seat, we expect to see him quickly surpass the record 5600 miles of roads and trails he logged last year and to easily hit his personal goal of 75 round trip rides to the 3,864 foot summit of Mt. Diablo this coming year.

Mr. Speaker, we invite our colleagues to join us in commending City Clerk-Recorder Steve Weir for his years of outstanding service to the citizens of Contra Costa County. We are pleased to join his husband, John, his family, friends and colleagues, in congratulating Steve on an outstanding career and wishing him the very best as he begins a well-deserved and we imagine, a very active retirement.

#### HONORING 125 YEARS OF THE EASTMAN MACHINE COMPANY AND THE STEVENSON FAMILY

##### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. HIGGINS. Mr. Speaker, I rise to commend and honor the Eastman Machine Company for its 125 years of business. Owned by the Stevenson family for the past five generations, Eastman revolutionized the apparel industry. Today, Eastman is undoubtedly the global standard for material handling, spreading, and cutting equipment.

The Eastman Machine Company began in 1888, when Canadian inventor George Eastman developed the first fractional electric motor that could be mounted onto a cutting base. By attaching the motor to a reciprocating knife, he created the Eastman, the first electric fabric-cutting machine.

The Eastman rendered manual cutting obsolete, transforming the apparel industry. Rather than painstakingly cutting materials by hand, the Eastman allowed companies to cut fabric mechanically, which exponentially increased production speeds while drastically lowering production costs.

Ten years later, one of Eastman's first investors, Charles P. Stevenson, took over full ownership of the company. The Stevenson family holds the company to this day and remains intimately involved in all aspects of the business.

C.P. Stevenson's son, Wade, assumed leadership in 1908, when he was just twenty-two years old. A shrewd businessman, Wade greatly expanded Eastman's markets. Initially, he propelled sales to reach across the country. By 1921, he was selling Eastman products in Europe, South America, and South Africa. To further increase sales, Wade developed numerous patents, each stemming from the original Eastman fabric cutter.

Wade controlled Eastman Machine Company for sixty years, passing the company to

his son C.P. "Chuck" Stevenson in 1968. Due to his leadership, Eastman acquired the world's leading producer of cloth spreading machines in 1974, Cutting Room Appliance Corporation. With this purchase Eastman became the unequivocal source for all types of apparel manufacturing and fabric cutting machines.

In 1988, Robert L. Stevenson and Wade Stevenson bought the rapidly growing company from their father. Robert became President, and Wade remained in charge of international operations as Export President. Under their innovative leadership, they sought to make Eastman able to produce the complete set of material cutting and handling equipment. They understood that by controlling each piece of machinery, their customers would have the most efficient, economical solution, a truly revolutionary idea.

To accommodate rapidly expanding and widely variable global markets, Eastman purchased North Technology Systems in 1995. North Technology Systems developed groundbreaking software used in computers that controlled cutting machines, and pioneered the use of materials Kevlar and Mylar, which allowed Eastman to expand into new industries that used composite and industrial fabrics.

The Stevenson brothers continue to be passionate about their company's potential and visionary in their pursuit of it. Abroad, Eastman opened a factory in Ningbo, China, in 2004. In 2008, the company acquired Saber Industries of Nashville, Tennessee, improving spreading capacity.

Today, the Eastman Machine Company has produced over one thousand automated systems located in over twenty countries. Since its humble beginnings in Buffalo, New York, it has become the world's foremost producer of material handling, spreading, and cutting equipment, with innumerable patents, and hundreds of machines, and facilities on five continents.

Mr. Speaker, I sincerely thank you for allowing me to acknowledge the incredible legacy of the Eastman Machine Company and the ingenuity, dedication, and vision of the Stevenson family. I wish all those involved with this institution the best of luck in all future endeavors.

#### HONORING AUSTIN LEE CABLE

##### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Austin Lee Cable. Austin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Austin has been very active with his troop, participating in many scout activities. Over the many years Austin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Austin led his troop as Assistant Senior Patrol

Leader, became an Ordeal Member of the Order of the Arrow and earned the rank of Warrior in the Tribe of Mic-O-Say. Austin has also contributed to his community through his Eagle Scout project. Austin designed and supervised the construction of an outdoor seating area at Harmony Vineyard Church in Kansas City, Missouri, complete with a cedar pergola, two cedar benches and finished with Missouri River Rock landscaping.

Mr. Speaker, I proudly ask you to join me in commending Austin Lee Cable for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TRIBUTE TO JAMES ALAN JOHNSON

##### HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 2013

Ms. DeGETTE. Mr. Speaker, I rise today to honor my friend, my college debate coach, and my mentor, James Alan Johnson—known to everyone as "Al"—who passed away in late December of last year. Al Johnson's life began in the little farming town of Swink, Colorado, on July 6, 1930. He attended school in nearby La Junta, and when he was old enough he joined the United States Navy and fought in the Korean War. After the war, he earned his bachelor's degree from Colorado College (CC), and went on to receive a Masters in economics from Stanford University.

He returned to his undergraduate alma mater to spend his career, and became a beloved figure on CC's campus. Respected by his colleagues and admired by his students, Al's career spanned many decades, where he was a professor of economics, the college's debate coach, and the college Registrar. As Registrar, he guided the college towards excellence. It was under his leadership that CC's unique approach towards higher education—the Block Plan—became a reality. Because of this visionary plan of study, Colorado College students have the opportunity to focus on one class at a time. Al's steady hand as Registrar made the vision of the Block Plan a reality; one that continues to challenge students today.

As CC's debate coach, Al inspired generations of debaters. He expected nothing less than our best at all times. He urged us to be scholar-debaters, not just debaters; driving us to research a topic thoroughly, yet honestly, looking at the matter from all sides. All these years later, I remember how Al would repeat anything that was particularly important three times. As I now spend my days giving speeches designed to influence and inform, that guidance continues to resonate with me—to repeat that which is important as you make your argument.

Al's commitment to debate ran beyond just our classroom. He held the positions of president and treasurer of the National Collegiate Debate Association, and organized the National Parliamentary Debate Association and various international tournaments. Even in his retirement, Al continued his active involvement

with the debate community, urging the national associations to keep the activity relevant to the training of future generations of leaders.

Throughout his life, Al loved to travel, and in fact, he and his brother Bill visited all 50 states, six continents and 50 different countries. In recent years, Al and Bill made regular trips to Washington, DC to visit their late sister, Shirley, and he always called me when he was in town. A lifelong Coloradan, Al was a scholar of Colorado state history, as well as American and world history, and frequently gave speeches on history in El Paso County and in Denver.

Al was beloved by his many former students and colleagues. During his final illness, the outpouring of love and support from his friends helped ease his days. Al received visits, phone calls, cards, and emails from around the world. A true mark of his influence was how the community rallied around him. I had the honor of seeing Al just a few weeks before his death, and will forever be glad that I had one more opportunity to hear his wisdom.

Al Johnson was a scholar, a teacher, a mentor and a friend to countless students and colleagues throughout his life. His passing is a great loss for Colorado College, for the state of Colorado, and a personal loss for me and all who loved him. He will be sorely missed, but I know his legacy of excellence will endure.

**SAINT THOMAS MORE CATHOLIC  
HIGH SCHOOL COUGARS BOYS  
BASKETBALL TEAM WINS THE  
LOUISIANA CLASS 4A STATE  
CHAMPIONSHIP**

**HON. CHARLES W. BOUSTANY, JR.**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate the Saint Thomas More Catholic High School Boys basketball team for their recent achievement of winning Louisiana's Class 4A State Championship. This team had a tough season, but it finished strong in the end. This game accounted for the Cougars' third triumph against the Northside High School Vikings this year. The Cougars are proud to claim the state title and bring it home to Lafayette.

With five seniors on the team providing steady leadership, Coach Danny Broussard knew the Vikings would shine during the state playoffs. In a season full of commitment and many practices, the Cougars' efforts proved worthwhile and successful. Because of the team's hard work, the community was blessed to witness those five seniors finish their final game with the reward of a state championship.

Also, I want to commend the team's entire coaching staff on their hard work and dedication. Coach Danny Broussard has led the team for many years with a bench full of capable assistant coaches that are vital to the team. Wesley Cortese and Brad Geoffroy allocate a tremendous amount of time to this team, and that sacrifice does not go unrecognized. I am excited to see the team defend its

title next year in its quest for a repeat performance, and I wish the Cougars basketball team much luck and success in the future.

**OUR UNCONSCIONABLE NATIONAL  
DEBT**

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,739,939,855,865.39. We've added \$6,113,062,806,952.31 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

**TRIBUTE TO SALLY JOHNSTON**

**HON. WILLIAM L. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. OWENS. Mr. Speaker, I rise today to recognize one of my constituents, Mrs. Sally Johnston. Sally is currently the New York Department President of the American Legion Auxiliary and will be finishing her one-year term this upcoming July.

Sally has been a member of the American Legion Auxiliary for over 25 years. During this period she has worked tirelessly on behalf of veterans and their families throughout New York State, serving as President of the Third District (2000–01) and Fourth District (2006–07), as well as Department Second and Third Vice President (2009–11) before becoming Department President. Sally has received numerous awards including national recognition when she was awarded the Department National Historian award for the best overall entry in the Eastern Division.

Recently, Sally has focused her energy on the Warriors Assistance Program. Under her guidance, the Warriors Assistance Program has steadily grown, raising \$39,000 so far, an amount that is expected to increase overtime.

Sally truly exemplifies the American Legion Auxiliary's motto of "service not self." In addition to her work with the American Legion Auxiliary, Sally is an active member in her community, serving on various educational, church and cultural boards. Her lifelong commitment to improve and support the lives of others, particularly those who have served our great country, reflects the best in our citizenry.

I ask my colleagues to join me in honoring Mrs. Sally Johnston for her many years of service to the veterans and their families of New York State. I wish Sally all the best in the many years ahead.

**RECOGNITION OF EMPLOYEE OF  
THE OFFICERS AND THE INSPEC-  
TOR GENERAL OF THE U.S.  
HOUSE OF REPRESENTATIVES  
WITH 25 YEARS OF SERVICE TO  
THE HOUSE**

**HON. CANDICE S. MILLER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mrs. Miller of Michigan. Mr. Speaker, I rise today to congratulate and recognize Margaret Mitchell of the Office of the Chief Administrative Officer who has reached the milestone of 25 years of service to the U.S. House of Representatives. Margaret began her career in 1987 as a receptionist in the computer center, and she has continued to be an exemplary employee as she has gone on to assume many roles within HIR.

Ms. Mitchell is acknowledged and commended for her hard work, dedication, professionalism, support of House Members, their staffs and constituents, and for her contributions, day-in and day-out, to the overall operations of the House. I am proud to stand before you and the Nation on Ms. Mitchell's behalf to recognize the importance of her public service.

**HONORING HUNTER SAMUEL  
BENTCH**

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Hunter Samuel Bentch. Hunter is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Hunter has been very active with his troop, participating in many scout activities. Over the many years Hunter has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Hunter led his troop as Assistant Senior Patrol Leader, and attended the Colorado and Philmont High Adventure Camps. Hunter has also contributed to his community through his Eagle Scout project. Hunter designed and constructed a five-foot high, 46-foot long, fence along a section of the Trail of Heroes at the Kansas City Missouri Police Academy where the trail had a sharp drop-off.

Mr. Speaker, I proudly ask you to join me in commending Hunter Samuel Bentch for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## PERSONAL EXPLANATION

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 83 regarding the "Mulvaney of South Carolina Substitute Amendment No. 1" (H. Con. Res. 25). Had I been present, I would have voted "yes".

I missed rollcall vote No. 84 regarding the "Scott of Virginia Substitute Amendment No. 2" (H. Con. Res. 25). Had I been present, I would have voted "yes".

I missed rollcall vote No. 85 regarding the "Grijalva of Arizona Substitute Amendment No. 3" (H. Con. Res. 25). Had I been present, I would have voted "no".

I missed rollcall vote No. 86 regarding the "Woodall of Georgia Substitute Amendment No. 4" (H. Con. Res. 25). Had I been present, I would have voted "no".

FIREARMS RISK PROTECTION ACT  
OF 2013**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am proud to introduce an important piece of legislation: the Firearms Risk Protection Act (FRPA). This bill will require gun owners to purchase liability coverage and to show proof of that coverage when they purchase a firearm. This is an idea whose time has come. In fact, lawmakers in several states including Massachusetts and Illinois have introduced similar legislative proposals.

In the wake of horrific tragedies like those at Newtown, Aurora, and Tucson, we as a society and we as lawmakers must provide answers. We must respect Americans' rights to own guns but limit gun violence and gun

death. We must continue to enable guns to be used in a lawful and safe manner by responsible citizens and we must keep guns out of the hands of others. We must make sure the atrocities we have witnessed never happen again.

This federal requirement would serve as a market-based solution to holding gun owners liable for the weapons they own. As with car insurance premiums, higher risk gun owners will face higher premiums. Actuarial determinations will be made by insurance companies, as those experts are in the best position to make those determinations based on sound data analysis.

Under the Firearms Risk Protection Act (FRPA), state regulated insurance companies would be able to extend coverage to their customers—this is not a federal insurance program. Additionally, this bill poses no specific requirements on insurance companies themselves, but instead, imposes a fine of \$10,000 if during the sale of a weapon the seller does not confirm coverage or the buyer has not purchased it.

As lawmakers, we must stand ready to work on solutions to curtail our nation's gun violence and requiring liability coverage for gun owners should be part of the solution. I urge my colleagues to join in supporting this important piece of legislation.

RECOGNIZING THE 34TH ANNIVERSARY  
OF THE TAIWAN RELATIONS ACT**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. RANGEL. Mr. Speaker, April 10 marks a significant date for the relationship between the United States and the Republic of China, our dear friends in Southeast Asia. This is the 34th anniversary of the passage of the Taiwan Relations Act that codified the bond that we share with Taiwan.

Even though we have been friends and allies for much longer, it was the Taiwan Rela-

tions Act that officially outlined the importance that both nations place in each other. We are strong partners in trade, peace and democracy.

When it comes to trade, Taiwan imported \$25.9 billion from the United States in 2011. This is an incredible 40% increase over 2009. It shows the focus Taiwan is placing on buying American goods which translates to jobs here in the United States.

In New York alone, exports to Taiwan were over \$1 billion. We also appreciate the many Taiwanese companies, such as Young Stuff Apparel Group and China Airlines that have invested in New York.

We look forward to our continued friendship and partnership with Taiwan for many years to come.

## HONORING TROY ISKE

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 21, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Troy Iske. Troy is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and earning the most prestigious award of Eagle Scout.

Troy has been very active with his troop, participating in many scout activities. Over the many years Troy has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Troy has contributed to his community through his Eagle Scout project. Troy led a team in refurbishing and painting benches and cleaning the shooting ranges at the Pigeon Hill Conservation Area in St. Joseph, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Troy Iske for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.